

HOUSE OF LORDS APPOINTMENTS COMMISSION

Room G/08, 1 Horse Guards Road, London SW1A 2HQ

General Enquiries: 020 7271 0848

Internet: <http://lordsappointments.independent.gov.uk>

E-mail: enquiry@lordsappointments.gsi.gov.uk

(Via email)

23 June 2014

Freedom of Information Act 2000 –

Dear I

Thank you for your email of 1 June 2014. In your request you asked for, 'The names of the individuals who formally nominated and sponsored Conrad M Black for appointment to the House of Lords as a life peer'.

Under the current system party political peers are formally proposed for appointment to the House of Lords, rather than being sponsored; I have therefore interpreted your question as a request for the name of the individual who formally proposed Conrad Black's appointment to the House of Lords. I can confirm that the Commission does hold this information.

When considering whether to release this information, the Commission has taken into account Section 37(1)(b) of the Act, which provides an exemption from the disclosure of information related to the conferring by the Crown of any honour or dignity. Section 37(1)(b) is a qualified exemption and is subject to the public interest test; this means that a judgement must be applied about the level of public interest in disclosing the information, compared to the level of public interest in maintaining the exemption.

In making a judgement about the public interest in this case I have taken into account several related facts that are already in the public domain, including:

- The fact that political parties nominate individuals, and that the Commission vets these individuals for propriety before they are appointed to the House;
- That Conrad Black was vetted by the Commission in 2001; and
- That, as part of the vetting process, political parties provide the Commission with: a citation from the party leader giving the reason for the nomination; and a certificate (from the Chief Whip or Party Chairman) either confirming that no significant donation has been made or an assurance that any donation was not related to the proposed nomination.

The argument in favour of withholding information about who formally proposed Conrad Black for appointment would be to protect the confidentiality of the vetting process. It is in the public interest that this process remains confidential as this ensures that those who provide information about particular nominees can do so frankly and without inhibition, thereby enabling decisions to be taken on the basis of the fullest possible information about the individuals concerned. The Commission could not operate as effectively if individuals were reluctant to give their views for fear of them being made public.

However, I do not believe that these concerns apply in this case. Given that information about the vetting process – including the fact that names are accompanied by a citation from the party leader – is in the public domain already, I believe that the public interest lies more in clarifying the procedure, and confirming that this procedure was followed in the case of Conrad Black, rather than in withholding the information. I can therefore clarify that names are formally proposed for appointment to the House of Lords by the relevant party leader and, in the case of Conrad Black, the party leader was the Rt Hon William Hague MP.

If you are unhappy with this response to your request, you may write to the Secretary to the Commission, Clare Salters, at the address below to ask for an internal review.

Clare Salters, Secretary to the House of Lords Appointments Commission
Room G/08
1 Horse Guards Road
London
SW1A 2HQ

If you are not then content with her reply, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Yours sincerely,

Catherine Millington
Commission Secretariat

Millington, Catherine - CSC

From: LordsAppointments - Cabinet Office
Sent: 19 August 2014 15:40
To: |
Subject: RE: FOI Request

Dear

Thank you for your Freedom of Information (FOIA) request of 19 August. You requested the following:

Information about the number of employees who received remuneration of more than £100,000 in 2013-14. Remuneration includes, but is not limited to: salary, fees, allowances, bonuses, benefits in kind, compensation for loss of office and employers' pension contributions.

I can confirm that we hold the information you are seeking. No employees received remuneration of more than £100,000 in 2013-14.

If you are unhappy with the decisions made in relation to your request you may ask for an internal review by contacting Clare Salters, the Chief Executive of the Civil Service Commission, at this email address or at the following postal address:

Room G/08, 1 Horse Guards Road, London, SW1A 2HQ

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF

Yours sincerely,

Deborah De Beukelaer
Graduate Intern

Supporting the Commissioner for Public Appointments, the House of Lords Appointments Commission, the Advisory Committee on Business Appointments and the Civil Service Commissioners

G/08, 1 Horse Guards Road
London SW1A 2HQ

<http://civilservicecommission.independent.gov.uk>
<http://publicappointmentscommissioner.independent.gov.uk>
<http://lordsappointments.independent.gov.uk>
<http://acoba.independent.gov.uk>

From: ...
Sent: 19 August 2014 15:31
Subject: FOI Request

Dear Sir/Madam,

I am writing to obtain information about the number of employees who received remuneration of more than £100,000 in 2013-14.

Remuneration includes, but is not limited to: salary, fees, allowances, bonuses, benefits in kind, compensation for loss of office and employers' pension contributions.

Please make clear if the response includes staff from schools or subsidiary companies under your remit and list those organisations. Please also indicate which employees work for each subsidiary.

To outline my query as clearly as possible, I am requesting:

1. The total number of employees who received remuneration equal to, or in excess of £100,000 in 2013-14.
2. For those who received remuneration In excess of £150,000:
 - i. The employee's name
 - ii. The employee's job title
 - iii. The remuneration received by the employee
 - iv. An itemised list of expenses claims made by the employee. If an itemised list is not available, please provide the amount the employee claimed in expenses in 2013-14

My preferred format to receive this information is electronically, but if that is not possible I will gladly accept letters at the address below.

I would be grateful if you would acknowledge receipt of this request as soon as possible.

Kind regards

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(Via email)

16 September 2014

Freedom of Information Act 2000 –

Dear

Thank you for your email of 18 August 2014. You asked, under the Freedom of Information Act:

- 1) Since 2000 how many potential Peers have been rejected by the Commission?
- 2) Of all those rejected, how many were a) Conservative, b) Labour c) Liberal Democrat d) Crossbench and other parties
- 3) What were the reasons for each rejection?

The Commission has two distinct roles: to recommend individuals for appointment as non-party-political members of the House of Lords, and to vet other appointments to the House for propriety, including those nominated by the political parties. I have interpreted your question as being about the Commission's vetting role, rather than being about the number of individuals who have applied unsuccessfully for non-party-political peerages.

The Commission is asked to vet for propriety individuals put forward for peerages by the political parties, along with appointments to the Crossbenches made by the Prime Minister, and, since 2010, individuals appointed to the House of Lords as Ministers. In its vetting role the Commission advises the Prime Minister on whether or not it can support those that have been nominated. Since 2013 the Commission's policy has been that, if it is unable to support a nominee, the relevant political party will be given one more opportunity, before the Commission advises the Prime Minister, to substitute another nominee for vetting. This is done in order to maintain the total numbers of appointments agreed between the political parties. I have therefore answered your question based on the number of times the Commission has stated to the Prime Minister, or since 2013 to the relevant party leader, that it cannot support the appointment of an individual to the House of Lords.

Since its foundation in 2000 the Commission has updated its IT systems on several occasions, and the information you request is held in several different sources. I have collated this and the figures provided are to the best of our knowledge.

To answer your questions in turn:

- 1) Since 2000 the Commission has been unable to support a nomination on 10 occasions.
- 2) Of these: a) 4 had been nominated by the Conservative Party, b) 6 had been nominated by the Labour Party, c) 0 had been nominated by the Liberal Democrat Party and d) 0 had been nominated to the Crossbenches (by the Prime Minister) or nominated by other parties.
- 3) You also asked for the reasons for each rejection. I can confirm that the Commission does hold this information but it is being withheld under:
 - section 40 (2) of the Act (personal information). The reasons for the rejections of these individuals are recorded in several different ways. In some cases, the reasons are contained in briefings or reports where, even if we redacted the individual's name, the context would be such that it would make the individual concerned identifiable. In these cases the information amounts to personal data, which are exempt from disclosure under section 40(2) of the Act by virtue of section 40(3)(a)(i). The Commission considers that disclosure of such personal data would breach the first data protection principle (fair and lawful processing). Disclosure of such personal data would be unfair as it would be in breach of the data subject's legitimate expectations that their personal data would be treated in confidence, given the confidential nature of the vetting process as a whole. This is an absolute exemption; and
 - section 37 (1) (b) of the Act (information relating to the conferring by the Crown of any honour or dignity). The information in question is held by the Commission only in connection with the process of conferring peerages, which are honours conferred by the Crown. This exemption is therefore engaged. Section 37 is a qualified exemption, so the Commission has considered whether the public interest in maintaining the exemption and withholding the information is outweighed by the public interest in disclosing the information. There is a strong public interest in protecting the confidentiality of the process for vetting nominees for peerages in order to ensure that those who provide information about nominees can do so frankly and without inhibition. This enables decisions to be taken on the basis of the fullest possible information about the individuals concerned, thus ensuring the propriety of appointments. The Commission could not operate as effectively if individuals or public bodies were reluctant to give their views for fear of them being made public. The Commission acknowledges that there is also a strong public interest in knowing that the appointments process is accountable and transparent, and in maintaining public confidence in the integrity of the system, but in all the circumstances of this case, and taking into account the fact that the Commission publishes information about its procedures, it considers that the balance of the public interest lies in non-disclosure.

If you are unhappy with this response to your request, you may write to the Secretary to the Commission, Clare Salters, at the address below to ask for an internal review. Please note that we will not normally accept an application for internal review if it is received more than two months after the date that the reply was issued.

Clare Salters, Secretary to the House of Lords Appointments Commission
Room G/08

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Yours sincerely,

Catherine Millington
Commission Secretariat

