

# HOUSE OF LORDS

## APPOINTMENTS COMMISSION

Room G/40, 1 Horse Guards Road, London SW1A 2HQ

General Enquiries: 020 7271 0848

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

E-mail: [enquiry@lordsappointments.gov.uk](mailto:enquiry@lordsappointments.gov.uk)

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### **The role of the House of Lords Appointments Commission in Political peerage lists**

I am writing to you in my capacity as Chair of the House of Lords Appointments Commission.

As you know, the Commission is an independent, advisory, non-departmental public body, established by the Prime Minister in 2000 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.

The Commission's remit in relation to political lists is narrow. We do not have a role in assessing the suitability of candidates, this is a matter for you, as leaders of political parties. The Commission's role is limited to advising the Prime Minister on the propriety of nominees.

To date, the Commission has taken the view that in this context, propriety means:

- i. the individual should be in good standing in the community in general and with the public regulatory authorities in particular; and
- ii. the past conduct of the nominee would not reasonably be regarded as bringing the House of Lords into disrepute.

In carrying out our vetting, we check with relevant government departments and agencies (including the Police and HMRC) along with other organisations such as the Electoral Commission and consider material in the public domain.

However, in reaching conclusions on the propriety of candidates, the Commission often finds there are matters for consideration that cannot rely directly on findings of fact by a regulatory or other relevant bodies. These matters may be important when considering if an individual is in good standing and if there is past conduct which might bring the House into disrepute but the line where matters of personal or professional conduct move from a matter of suitability (which are for the Party

Leaders to judge, not the Commission) to a matter of propriety (on which the Commission may give advice) is not easily determined.

This distinction is not understood by the public and the Commission is increasingly uncomfortable about the limits of its role in these instances.

The Commission would ask that you, as party leaders making nominations for life peerages, continue to bear in mind the long established Principles of Public Life as a benchmark for assessing conduct.

The Principles of Public Life are:

- i. Selflessness: Holders of public office should act solely in terms of the public interest.
- ii. Integrity: Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.
- iii. Objectivity: Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.
- iv. Accountability: Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.
- v. Openness: Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.
- vi. Honesty: Holders of public office should be truthful.
- vii. Leadership: Holders of public office should exhibit these principles in their own behaviour and treat others with respect. They should actively promote and robustly support the principles and challenge poor behaviour wherever it occurs.

We would like to remind all parties to carefully consider each of these principles when finalising their lists of names to be submitted to the Commission for vetting.

In addition, the Commission has seen increased use of the innovation for members to be appointed to the House as 'non-affiliated' peers. The Commission has concerns about use of this mechanism including:

- The potential for a non-affiliated designation to be used as a mechanism for political circumvention;
- A gap in important vetting information where a candidate may previously have been a member of a political party, but as they have not been nominated on the political benches, information cannot be sourced by the Commission from that party; and

- The lack of support to non-affiliated peers in the House, which some members feel is a strong disadvantage to the efficacy of a new peer's role in the House.

We would therefore recommend caution when putting forward nominations for non-affiliated peers.

Finally, I would ask that when names are submitted to the Commission, we require the full information to begin vetting including the consent form, Party Chair's certificate and citation. Delays in receiving information mean that vetting can take longer than necessary.

I am seeking a meeting with the Prime Minister to discuss these matters in more detail as well as a wider discussion about the remit of the Commission.

If you or your officials would like any further information about the work of the Commission, please do not hesitate to contact me or our secretariat.

Yours sincerely,

A handwritten signature in cursive script that reads "Paul Bew".

**Chair, House of Lords Appointments Commission**