

HOUSE OF LORDS
APPOINTMENTS COMMISSION
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Internet: <http://lordsappointments.independent.gov.uk>
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Ref: HOLAC FOI2022/21
5 October 2022

By email: <REDACTED>

Dear <REDACTED>,

FREEDOM OF INFORMATION ACT REQUEST

I am replying to your Freedom of Information request, which the House of Lords Appointments Commission (the Commission) received on 6 September 2022 where you asked:

In response to a previous FOI, Ref: HOLAC FOI 2022/10, the Commission said the following: "The Commission highlights issues of concern to the Prime Minister which it judges fall short of probity concerns which might prevent an appointment, but which it considers nonetheless constitute relevant propriety or presentational considerations, were an appointment to be made. Since 2010, this has happened on 36 occasions."

Q1 Can the Commission say how many such probity concerns were raised, broken down by each premiership? So how many under Cameron, how many under May and how many under Johnson?

Q2 Please can you say how many such concerns were flagged in vetting conducted after October 29, 2019 and before 7/4/2022?

We are writing to advise you that following a search of our paper and electronic records, we have established that the information you requested is held by the House of Lords Appointments Commission.

All of the information that you have requested falls within section 37(1)(b) of the Freedom of Information Act, which relates to the conferral of honours and dignities. A peerage is a dignity for the purposes of the Act. Section 37 is a qualified exemption which is subject to a public interest test. In favour of disclosing information, there is a strong public interest in knowing that the appointments process is accountable and transparent, and in maintaining public confidence in the system. In favour of

maintaining the exemption, there is a strong public interest in protecting the confidentiality of the consideration of individual nominees. We judge that the balance of public interest favours disclosure of overall figures. To protect the confidentiality of the Commission's discussions and the confidentiality of candidates' personal data - and in line with standard practice - the Commission is not disclosing annual figures of fewer than five people.

With regards to question 1, I can confirm that the breakdown per premiership is as follows:

Premiership	Number of Cases
David Cameron	< 5
Theresa May	12
Boris Johnson	18

Please note that though concerns may have been made to a specific Prime Minister, this does not necessarily mean that nominations were put forward by that Prime Minister. For example, it is long established that resignation lists are approved by the incoming Prime Minister, rather than by the outgoing Prime Minister who may have drawn up a list. Opposition party leaders are also able to put forward nominations to the House of Lords. As such, the above numbers may not be an accurate representation of which Prime Minister or party leader nominated individuals to the House of Lords.

With regards to question 2, I can confirm that 14 such concerns were flagged in vetting conducted after October 29, 2019 and before 7/4/2022.

If you are unhappy with this response to your request, you may write to the Secretary to the Commission, Alison Bennett, to ask for an internal review by another person not involved with this request. 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.

If you are not content with the outcome of your internal review, you may apply directly to the Information Commissioner for a decision.

Generally, the Commissioner cannot make a decision unless you have exhausted the complaints procedure provided by HOLAC.

The Information Commissioner can be contacted at:
The Information Commissioner's Office
Wycliffe House

Water Lane
Wilmslow
SK9 5AF

Yours sincerely,

Secretariat to the House of Lords Appointments Commission