

Role of House of Lords Appointments Commission (HoLAC)

HoLAC's role is to:

- make recommendations for the appointment of non-party political members of the House of Lords (crossbench peers); and
- vet all nominations to the House for propriety¹, including political nominations.

House of Lords Appointments process for Independent Crossbench Life Peers

(by convention, two life peers per annum from approx. 3000 nominations per year)

Given that HoLAC will only make two appointments per year to the HoL, what is the approximate time frame for the whole process?

This will vary depending on the number of appointments granted by the Prime Minister (as the two mentioned is not a concrete figure). Once the number of appointments has been agreed, the process of going through applications, sifting and interviewing nominees should take approximately 3-6 months.

1. Submit nomination form and CV to HoLAC secretariat (self- or external-referral)
2. Objective Checks (eligibility criteria)
 - British, Irish or Commonwealth citizen over the age of 21
 - Resident in the United Kingdom for tax purposes.

Which external government agencies do HoLAC approach? At what point in the assessment process does this happen? Is this the same for all candidates? How long does this process take? Who conducts the 'media checks'? If internal, is this a standardised process? How is this done?

Once the candidate has been selected, HoLAC will contact ACRO, [REDACTED], DWP and HMRC to carry out vetting checks. The time taken for this will vary depending on the complexity of the case. Media checks are carried out internally by members of the HoLAC Secretariat. [REDACTED]

The following criteria will not necessarily disqualify a candidate:

- whether or not they have made any donations, loans or credit arrangements to or with a political party;
- whether they have a financial relationship with any senior party member; and

¹ Propriety is defined by HoLAC as: the individual should be in good standing in the community in general and with the public regulatory authorities in particular; and the past conduct of the nominee would not reasonably be regarded as bringing the House of Lords into disrepute.

- that no close family member has a financial involvement with the party or any senior party member.
3. The Secretariat conducts an initial assessment of the nomination against the published selection criteria:
 - Ability to make an effective and significant contribution to the work of the House of Lords in area of expertise and the wide range of other issues that come before the House;
 - Proven record of significant achievement in chosen field;
 - Willing and able to commit the time necessary to make an effective contribution in the House;
 - Understanding of the constitutional framework; and
 - Independent of any political party and intend to remain independent
 4. Secretariat discusses separate assessments and agrees on a final recommendation before submitting to HoLAC appointments sub-committee

Is there a moderation process when the secretariat discusses separate nominations before recommending them to the HoLAC sub-committee? If so, what form does this take?

After the applications have been processed, two members of the team will discuss each application [REDACTED] to provide a high level view on its merit.

When is the assessment for propriety conducted in this process? Assuming this would be a verdict based on various evidence sources? Would it mirror the process for political nominees?

Propriety checks are carried out after interview, once a nominee has been selected for recommendation to the Prime Minister. It follows the process listed above.

5. Sub-committee discusses the Secretariat's recommendations

What is the process for appointing the sub-committee? Would members of the sub-committee be involved in the nominee interviews later in the process?

The sub committee usually comprises two of the independent HOLAC members who grade nominations ahead of the main meeting and following on from the original Secretariat sift. Those members would also be involved in interviewing candidates.

6. References are taken (minimum of 3 and a maximum of 6, and at least one of those referees must be connected to working life) .
7. The Commission shortlists for interview nominees whom best meet the published criteria.

8. Nominees interviewed by three Commission members, including the Chair.
9. The Commission reviews all the information about the shortlisted nominees before final list of recommendations
10. Final Decision to recommend to the House of Lords

Who makes the final decision to recommend an appointment?

The Commission will discuss the candidates on the shortlist and will agree on which candidates to put forward. Once this has happened, the Chair of the Commission will send a letter to the PM stating the decision that has been taken.

House of Lords Political appointments

Types of political appointments

- **Direct ministerial appointments** – when the government appoints somebody to the Lords so they can serve as a minister (eg. when they are not a sitting MP or serving peer).
- **“Top up” appointments** – when a party wishes to increase the size of their membership in the Lords.
- **Dissolution honours** – at the end of a parliament, prior to a general election, parties may nominate MPs leaving the House of Commons to the Lords.
- **Resignation honours** – appointments made by a Prime Minister when they step down from office.

Process for political appointments

1. Prime Minister decides to do a political list or make a ministerial appointment and (for “top up” lists and dissolution lists) decides on how many nominations to invite from each political party following discussion with the political parties. (There is no fixed size)
2. Prime Minister invites nominations from political parties (based on allocation above).

At what point can the Prime Minister block a nomination from another party - here or after the nomination has been vetted?

The Prime Minister would only be told the names of any opposition parties once (and if) they have passed the HOLAC vetting checks. At this stage, they could choose to not approve the nomination.

3. Prime Minister submits political list to HOLAC.

3(a) HoLAC asks political nominees to complete a consent form declaring:

- that they are a resident in the UK for tax purposes;
- that they are not involved in any roles, positions or activities or have any interests that would conflict with their membership of the House of Lords;
- whether or not they have made any donations or loans to a political party;
- whether they have a financial relationship with any senior party member; and that no close family member has a financial relationship with the party or any senior party member.

3(b) HOLAC asks for a citation from the party leader giving the reason for the nomination; and a certificate signed by the party chair confirming whether or not the nominee has made any donations or loans to the party.

4. HoLAC vets political nomination for propriety. This includes carrying out external checks with government departments and agencies, and carrying out a media search.

HOLAC will contact ACRO, [REDACTED], DWP, ACOBA and HMRC to carry out vetting checks in each of the relevant areas. They will not provide specific detail about the nominee, but will confirm whether there are any issues ([REDACTED]

5. If HOLAC considers that it may be unable to support a nominee, they will inform the relevant political party. The party will be given an opportunity to propose another nominee. This provision exists to maintain party balance. If the substitute nominee also cannot be supported, the political party loses that slot.
6. HOLAC either formally advises the Prime Minister that “it sees no reason why an appointment should not be made” or draws any presentational concerns to their attention.
7. The Prime Minister then decides whether to recommend an appointment to the King. HOLAC does not have a veto over party nominations.
8. HOLAC will write to PACAC if the Prime Minister decides to recommend an appointment against their advice.