

**HOUSE OF LORDS**  
**APPOINTMENTS COMMISSION**  
Room G/38, 1 Horse Guards Road, London SW1A 2HQ  
General Enquiries: 07355 021 584  
Internet: <http://lordsappointments.independent.gov.uk>  
E-mail: [enquiry@lordsappointments.gov.uk](mailto:enquiry@lordsappointments.gov.uk)

**Ref: HOLAC FOI 2025/2**  
6 February 2025

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 (HOLAC) received on 16 January 2025.

You asked:

*This is an FOI request about the honours given to the following individuals:*

- a. Lord Michael Spencer*
- b. Lord Peter Cruddas*
- c. Lord Aamer Sarfraz*
- d Lord James Lupton*

*1. I am writing to request a copy of the 'citations' - i.e. the written recommendations for an appointment - that were submitted to HOLAC for each of these individuals.*

*2. I also wish to request copies of all records of discussion of the meetings at which the appointments of the four individuals above were discussed.*

*3. Please also provide copies of official correspondence between the Prime Minister and HOLAC relating to the appointment of these individuals.*

*Kindly note where an individual was nominated on multiple occasions, such as Lord Spencer, I am requesting the information listed at 1-3 — to the extent that is held — in respect of each nomination.*

With regards to part 1 of your request, please find attached the citations for the four individuals listed above.

As for your request relating to individuals who were nominated on multiple occasions, HOLAC does not report on cases where an individual has not been appointed as a peer. As such, we consider that this request engages Section 37(2) of the Freedom of Information Act, which refers to the duty to neither confirm or deny whether information is held if it would otherwise be exempt (in this instance) under Section 37(1)(b), where the information refers to the conferral by the Crown of any honour or dignity. As a peerage is a dignity, and as Section 37 is a qualified exemption, we have carried out a public interest test on whether to confirm if this information is held.

In favour of confirming whether information is held, there is a public interest in understanding how the peerage appointments system works and why specific individuals have been appointed to serve in the House of Lords. There is also an interest in making the peerage appointment system as accountable and transparent as possible, and understanding the process that would lead to an individual not being supported on propriety grounds. In favour of not confirming, it is important to the integrity of the system that unsuccessful candidates have a right to privacy, and there are legal provisions around confidentiality and personal data that continue to apply in such cases. It would not be a fair precedent to say that individuals who the Commission does not support will then be named publicly, with their confidential information shared. Additionally, the public interest is considerably lower in cases where an individual has not been appointed, as they will not be taking on the responsibilities associated with being a member of the House of Lords. To confirm an unsuccessful nomination would be to invite speculation about potential probity issues, with resultant reputational consequences for the individual - even were their appointment not ultimately made for other reasons (such as withdrawal from the process; a change in the anticipated role they might play in the House; or timing reasons).

On balance, it is therefore our view that the public interest supports neither confirming nor denying whether the Commission holds information relating to any potential previous nominations for these individuals.

For parts 2 and 3 of your request, the information that you have requested falls within section 37(1)(b) of the Freedom of Information Act, and we have again considered the public interest factors. The arguments are similar to those outlined above, and in the case of providing vetting information (including records of discussion) and advice to the Prime Minister, the Commission takes the position that confidentiality must be respected to maintain the integrity of the process. This position was recently upheld by the First Tier Tribunal in case [FT/EA/2024/0108](#), where the appellant sought all created materials for two previously appointed peers. It was ruled that HOLAC must provide copies of the citations (as we have done here), but that the remaining material had been correctly withheld. I therefore consider that the balance of the public interest lies in maintaining the section 37(1)(b) exemption in respect to the information requested in points 2) and 3) (with one exception, provided below).

This information is also withheld under Section 41(1)(b), information provided in confidence, which allows public authorities to withhold information, the disclosure of which would give rise to an actionable breach of confidence. At the start of the vetting process the Commission informs nominees and other participants in the process that any information provided by them and any information the Commission obtains in the course of its further enquiries of other bodies will be treated as confidential. The information therefore has the necessary quality of confidence and there is no overriding public interest that would allow it to be disclosed in breach of that confidence. Section 41 is an absolute exemption, therefore there is no requirement to consider whether the public interest in disclosing it outweighs the public interest in maintaining the exemption.

As stated above, we do believe that there is one document that would be in scope that there is no public interest in withholding, as it is already in the public domain. This was the [letter](#) regarding the appointment of Lord Cruddas, which was received in response to the provision of Commission's advice (withheld for the reasons above). This has not been provided separately, as it would be considered exempt under section 21, information accessible by other means.

If you are unhappy with this response to your request, you may write to the Secretary to the Commission 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**