

**HOUSE OF LORDS
APPOINTMENTS COMMISSION**

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Ref: HOLAC FOI 2021/6

25 June 2021

By email: <REDACTED>

Freedom of Information Act

I am replying to your Freedom of Information request, which the House of Lords Appointments Commission (HOLAC) received on 2 June 2021.

You asked:

Under the freedom of information act, can you please disclose why Peter Cruddas failed vetting to sit in the House of Lords?

I am writing to advise you that following a search of our paper and electronic records, I have established that the information you requested is held by the Commission.

As you may be aware, the Commission is an advisory body that vets political nominees for propriety only. A final decision on whether an individual should be recommended to Her Majesty for a peerage is made by the Prime Minister. You may also be aware that the Prime Minister wrote to the Commission on 21st December 2020, acknowledging that HOLAC did not support the nomination but giving reasons why he decided to appoint Mr Cruddas to the House of Lords. Lord Bew, Chairman of the Commission, wrote to the Chair of the Public Administration and Constitutional Affairs Committee on 22nd December.

In relation to information in the scope of your request that is held by the Commission, I consider that section 37(1)(b) of the Freedom of Information Act (information relating to the conferring by the Crown of any honour or dignity) applies. The information you request relates exclusively to processes relating to the conferring by the Crown of a dignity. Section 37(1)(b) is, however, a qualified exemption. I have therefore balanced the public interest in maintaining the exemption against the public interest in disclosing the information.

In favour of disclosure, there is a strong public interest in knowing that the appointments process is accountable and transparent, and in maintaining public confidence in the peerage appointments system.

In favour of maintaining the exemption, there is a strong public interest in protecting the confidentiality of the consideration of individual nominees. It is in the public interest, and fundamental to the Commission's ability to fulfil its core purpose of nominating individuals to sit on the crossbenches of the House of Lords, that individuals of high professional standing are willing to nominate themselves or be nominated. It is unlikely that individuals would be willing to put their names forward if they could not rely on the Commission's confidentiality in handling their nomination or if they otherwise felt that their personal details or personally-identifying aspects of the Commission's consideration of their case would be put in the public domain. We believe the same consideration applies to political nominees who are vetted by the Commission.

Taking all of the relevant factors into consideration, including the fact that the Commission already places a great deal of information about its working practices in the public domain to reassure the public that these are sufficiently rigorous, I consider that the balance of the public interest lies in maintaining the section 37(1)(b) exemption in respect of the names of nominees and other personally-identifying information about them which has not already been put in the public domain by the Commission, the Government or the individual.

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