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The Legislative Staff of the British House of Commons

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## *The Legislative Staff Of the British House of Commons*

The major expansion in the volume of parliamentary business in the last 30 years has produced an expansion in the size and duties of the staff of the House of Commons. The official permanent staff is appointed to serve the House as a whole, and is organised into six departments. The professional staffs of the new, departmentally-related select committees constitute one of the most interesting new developments, the most recent example of that pragmatic growth of the parliamentary staff which has also given it a somewhat fragmented structure. The House of Commons (Administration) Act of 1978 is the first attempt to create a unified parliamentary service. The principal functions of the parliamentary staff are to give advice on parliamentary procedure, to provide administrative services, and to undertake research. In addition, MPs have personal assistants, and each of the parliamentary parties has a small staff of its own.

The area, volume, and complexity of government of modern western states has grown enormously in this century. In the United Kingdom many services or activities which were the concern of individual companies or private societies in 1900 are now provided, regulated, or administered, in various ways, by central or local government. This, in its turn, has led to a great expansion in the volume of legislation. Government policies, legislation, and administration have also become much more complex and require more detailed and lengthy study, planning, and execution.

This growth of government has meant a parallel expansion and intensification of parliamentary activity. Parliament has had to sit longer, develop more committees, and streamline its legislative and scrutiny procedures in order both to handle government business and to criticise Ministers and their departments effectively. There are now 635 Members in the House of Commons, and the House sits for about 170-180 days each year and for about nine hours each day. Individually members are increasingly active and hard-working. The consequence has been a major expansion in the volume of parliamentary business, especially recently. For example, up to 40,000

questions are now tabled each year for oral or written answer, compared with about 15,000 in the 1950s; debating committees on bills and other matters held 576 sittings in 1979-1980, compared with 66 in 1951-1952; and the number of select committee meetings in 1979-1980 was 968, compared with 278 in 1951-1952.

The ways in which the procedures and practices of the House of Commons have changed in this century in response to the growth of business have been described elsewhere (Walkland, 1979). Some of these changes have, among other things, encouraged the expansion of the size and the functions of the parliamentary staff. In particular, members have felt the need for more information, and this has led to a growth of research and information services, both institutional and personal. The purpose of this article is to consider the factors that determine the nature and volume of legislative staffing and to outline the evolution and organisation of staff in the House of Commons.<sup>1</sup>

### **Factors Determining Staff Structure**

The ultimate aim of all legislative staffing arrangements must be the service of the members of the legislature, to enable them to perform their functions as members as effectively, efficiently, and conveniently as possible. But such services operate at three different levels, and the aims of service at each of these may not always be compatible.

First, some staff serve the House as a whole, either generally and in a detached way, for example in the printing and distribution of parliamentary papers to all members, or in the application of the rules of the House to individual circumstances and requests. Second, some staff primarily serve specified groups of members, for example research staff working for a political party or the staff of a committee. And third, other staff are mainly working for individual members, for instance members' secretaries or research assistants.

These roles may overlap, and the duties of staff may sometimes be in conflict. For example, the wishes of an individual member's personal staff may be thwarted by rules of the House applied by other staff; committee staff loyalty will sometimes be narrower than that of those primarily serving the House as a whole; and the person considering a question or amendment that a member wishes to table, while wishing in general to help that member, may nevertheless have to rule the question or amendment out of order. All staff cannot seek to please every member all of the time. The interest of individual or groups of members may be at variance with those of the House as an institution, at least in the short-term.

The most important conflicts are those between the interests of one party and another and between party interests and those of the House

collectively or as an institution. In this context, the aim of staffing policy must be to contain these conflicts by rendering each element maximum support while reconciling their differences within the context of rules accepted by all of them. There are several possible solutions. In the U.S. Congress, many of the more senior and influential staff are effectively appointed and employed by the congressional party leaders, by party groups within committees, or by individual congressmen. Each side thus has its own team of supporting staff whose conflicting roles are mainly reconciled by acceptance by the majority of the rights of the minority and vice versa. Elsewhere staff are formally in the employ of the legislature as an institution, but the appointment of the more senior is in the patronage of the majority party. But in the British Parliament and some of the other European parliaments, the official staff are appointed as a permanent secretariat without any party affiliations, while quite separate staff are appointed by parties and by individual members. This minimises conflict of interest between staff. Differing interests are also recognised by the organisation of staff into separate and largely autonomous departments.

The choice of solutions is partly conditioned by the role played by the legislature within the constitution. Perhaps the diffusion of legislative initiative within the U.S. Congress, and the power and authority thus acquired by congressional committees, has led to the autonomous staffing of those committees, with each committee having the power to hire and fire its own staff. Certainly in the House of Commons, where the authority of the House is expressed by decisions taken in the chamber itself reflecting the wishes of the majority of the whole House, committees are essentially subordinate to the House itself and play a lesser role. This, in its turn, means that the official permanent staff are appointed to serve the House as a whole in the first instance, and are subject to central control and employment; they are not appointed by, or solely to serve, committees or other groups of members.

Another determining factor is the nature of British party politics. Parties in Britain alternate in power at quite short intervals. Even the period of thirteen years of Conservative government from 1951-1964 (not long by the standards of many countries) was unusually long for Britain. If staff were to be appointed on a party basis, therefore, there would be frequent staff changes which would be damaging to the efficiency of the service given to members.

And thirdly, the non-party (and nonpartisan) nature of British parliamentary staff reflects the subject matter of their work. Unlike those serving ministers in government departments, House of Commons staff do not normally give policy advice. Their main responsibilities are to advise on parliamentary procedure and practice, to provide administrative and professional

services, and to provide objective, factual research and information for members. Such functions require people with training, acquired specialist skills, and experience and objectivity. Political commitment would be a positive handicap.

This is also relevant to the last influential factor. Ministers have their civil servants to advise them. Much of the advisory work of House of Commons staff—both procedural and information-giving—is for the benefit of the Opposition and of back-benchers on either side. It would clearly be harder for the staff concerned to secure the confidence and respect of these members if they in any way owed their appointment or loyalty to the government or the majority party.

For these reasons, the House of Commons has for many years had a nonpolitical, permanent, and professional staff system—quite different from that in the U.S. Congress. Senior and middle-seniority staff are mostly appointed in their early twenties and normally serve a full career until retirement at 60 or 65. This minimises turnover and maximises experience and continuity. More junior clerical and industrial staff are less likely to serve the House for a whole career, although some do so.

Individual appointments and (with the exception of a few of the most senior posts) promotions and postings are made by senior management and not by members or by political parties. More senior grades are filled by public advertisement and interviews and, in some cases, after public competitive examinations. All the more senior staff have to be totally nonpolitical. They cannot belong to or be active in any political party. They must not express their opinions publicly on any politically sensitive issue.

Staff are organised into separate and operationally autonomous departments within the House of Commons service, where they acquire and develop specialised skills, knowledge, and experience. They may be employed in a variety of duties within these departments, so broadening their experience and giving some variety to their work, but they do not normally move from one department to another.

The staff in the departments of the House are not civil servants, whose loyalty is to ministers, although their pay and conditions of service are linked to those of equivalent ranks in the civil service. They are servants of the House. Their overriding loyalty is to the House of Commons itself.

The House is thus served by staff specially selected to provide the advice and assistance required by its members, who together comprise a single House of Commons service. How this service has grown and developed and how it is organised today are described in the following sections, where the main features of the system described above are illustrated in some detail.

## History and Structure of Staff

### *House Departments*

The House of Commons service is now organised into six departments, known as the House Departments—the Clerk’s Department, the Serjeant at Arms Department, the Department of the Library, the Administration Department, the Department of the Official Report, and the Refreshment Department. The other staff serve members from outside these departments.

*The Clerk’s Department.*<sup>2</sup> This department is responsible for the procedural services of the House and is the oldest of the House Departments. The Clerk of the House is the principal adviser to the House and to the Speaker on the procedures and practices of Parliament. Under him various offices are responsible for the daily proceedings of the House and the administration of the business of the House itself and of its committees. The Clerk is also the Accounting Officer for the House, and so has responsibility for controlling the expenditure of all of the departments. And, as the senior officer of the House, he presides over the Board of Management, which comprises the heads of all the departments.

The first Clerk of the House (then called the Under Clerk of Parliament) was appointed in 1363. In those days he was a lawyer appointed by the King to attend his Parliament when in session. As the years went on and the work increased, the Clerk appointed servants or under-clerks to assist him, whom he paid out of his own remuneration. These were usually fairly casual appointments, with no prospects of promotion to the Clerk’s post. However, in 1640 the first Clerk Assistant was appointed, and the post of Second Clerk Assistant was created in 1801. Since the early years of the 19th century, holders of these posts have frequently, and, in this century, normally, succeeded to the top position. The Clerk and, since 1856, the two Clerks Assistant, were appointed by the Crown for life, and they can be removed only if the House as a whole agrees. This ensures an important degree of autonomy for the Clerk and his department against the executive: as servants of Parliament they can be fearless and objective in the advice they give, regardless of whether it is welcome to Ministers of the Crown. This protection is still of importance today.

The Clerk’s Department has, over the centuries, become organised into offices charged with specific functions. The first regular committee clerks were appointed as “clerks without doors” (i.e., outside the Chamber of the House itself) in 1696, and now comprise the Committee Office, under the Clerk of Committees. Here are found the clerks to numerous investigative

select committees charged with examining many different areas of government policy, administration, and expenditure, and other support staff who assist the committees in carrying out this oversight of government. The first Clerk of the Journals (or Papers, as he was first called) was appointed in 1740, and the Journal Office today is responsible for all procedural records (the Votes and Proceedings, the Journal, sessional returns, etc.), for the receipt and record of documents laid before the House, for public petitions, for procedural research, and usually for staffing the Committee of Privileges and any Procedure Committees. The Public Bill Office, which handles bills at all stages of their progress through the House, advises members on amendments to bills, and provides the clerks for the ad hoc debating committees on bills (some-what misleadingly called “standing committees”). This office dates from 1774, when the first Clerk of Public Bills (then called the Clerk of the Fees) was appointed. The last of the older offices, the Private Bill Office, which looks after bills for the benefit of particular interests, dates from the first appointment of a Clerk of Private Bills in 1810.

These offices continue, but in modern times two other offices have been added. The Table Office was formed in 1945, principally because of the growth of parliamentary questions. Until then these had been received and vetted, to ensure that they complied with numerous rules of order, by the Second Clerk Assistant, who was also responsible for the preparation of the order paper of the House and of notice papers showing notices of motions and questions that had been tabled the previous day. Today that post is no longer filled, but the Principal Clerk of the Table Office and the clerks of the Table Office under him perform the same functions.

The second modern office is the Overseas Office. In 1953, a Fourth Clerk at the Table (a title no longer used) was appointed to concentrate on the Department’s growing contacts with other parliaments, particularly the legislatures of the newly independent countries of the Commonwealth, and with international assemblies, such as the Council of Europe, the Inter-Parliamentary Union, and the Commonwealth Parliamentary Association. Today these tasks—and new ones consequent to Britain’s membership of the European Communities—are handled by the Overseas Office under the direction of the Principal Clerk.

The Clerk’s Department has grown with the increase of work. The total numbers employed in the earlier centuries are unrecorded, but no doubt depended on how hard the Clerk was prepared to work, as he paid his staff out of his own pocket. At the end of the eighteenth century there were about 20 clerks of more senior rank, and in 1832, 35 were listed as officers of the Clerk’s Department. By this time, the era of reform of the public service had arrived, and the salaries of the clerks were no longer paid by the Clerk

personally (he lost this control in 1812), although he continued to appoint them as, in effect, he does till this day.

The nineteenth century was a period of great growth in the volume of committee work, especially on private bills authorising canal and railway constructions and on select committees concerning social and other reforms and measures. The number of clerks rose to 42 in 1896, for example. However, in the twentieth century select committees fell out of fashion—their earlier functions had been assumed by Royal Commissions and other expert committees—and private bill work began to diminish. In 1939 there were only 26 clerks of professional grade in the department, excluding more junior office staff. However, since 1945 there has been a leap upwards in the activity of Parliament, particularly in the growth of legislative work and in the extension of the select committee system for oversight of government policies and administration. Today<sup>3</sup> there are 61 full-time professional clerks in the Clerk's Department.

*The Serjeant's Department.* The first Serjeant at Arms was appointed in 1415, and his original function was to enforce the orders of the House in the exercise of its penal jurisdiction. He soon became an established officer of the House, though appointed for life by the Sovereign. As his ceremonial and enforcement functions became less demanding, so other responsibilities were given to the Serjeant. Under the House of Commons (Offices) Act of 1812, he was entitled House Keeper of the House of Commons, and in this capacity, under the directions of the Speaker, he has charge of all the House's committee rooms and other buildings.

A Deputy Serjeant at Arms was added in about 1734, and the growth of work of the department is reflected in the fact that Assistant and Deputy Assistant Serjeants have been added in 1836 and 1963 respectively. Today the Serjeant at Arms Department is a large one, with a wide range of responsibilities. They fall, broadly, into two categories.

First, the department is concerned with order and security, ceremonial, and communications. This involves maintenance of order in the Chamber and its Galleries, and in the precincts of the House, and control of admission or access to them, particularly the admission of visitors to listen to debates. Numerous ceremonial duties survive, for example carrying the mace in the daily Speaker's procession at the opening of the sitting. The Serjeant's responsibilities for communications involve liaison with the Post Office and other agencies over the functioning of telephone and telegraph services, division bells, and sound amplification systems.

The duties of the Serjeant's Department under the second category of housekeeping include the allocation and booking of accommodations; cleaning of the House; the supply of stationery, laundry, and other stores; and liaison



with the Department of the Environment (the government department which looks after the fabric of the Palace of Westminster) on building maintenance, repairs and redecorations, and the provision of furniture, heating, lighting, and ventilation for the House of Commons building and seven outbuildings. Recent extensions of these functions have included the supervision of a large underground car park and the provision of a first-aid service and an increasing supply of photocopying machines.

The Serjeant himself advises the Speaker directly on all security questions, and he and his deputies advise the Service Committee which, in its turn, advises the Speaker on accommodation policy.

*The Department of the Library.* The first Librarian was appointed in 1818, and an Assistant, now Deputy, Librarian was added shortly afterwards. Appointments were made by the Speaker, and until recently the Library remained within the Speaker's Department. A separate Department of the Library was not created until 1967. For many years the Library's functions were primarily concerned with the creation and custody of a good parliamentary library, although in the nineteenth century some of their work was closely related to that of the Clerk's Department. For example Erskine May, then Assistant Librarian, was responsible in the 1840s for supervising the compilation of a general index to the old Journals of 1547-1713. No doubt in the course of these labours, which he undertook during recesses, he acquired that detailed knowledge and judgment of procedure that was to make him one of the greatest of all Clerks of the House of Commons.

Traditional library services, though especially tailored to the requirements of members, continued to be the main concern of the Library up till the 1950s. Although the physical scale of the Library increased enormously, this involved only a small number of senior staff. The total complement of library staff in 1939 was only seven. However, in the last thirty years there has been a major growth in the demand by members for information relevant to their parliamentary work, and the Library has responded by establishing and developing a research and information service designed to provide members with quick answers to their enquiries.

The Library itself is now organised into two main divisions. The Parliamentary Division (with a total staff of 64) stocks some 130,000 books and pamphlets, including almost all types of books except modern fiction. It provides parliamentary and legislative references, documentation, and information; it staffs the reference room, where are kept newspapers, periodicals, press releases, and official circulars. It also provides a special European and international documentation service. The Library is at present in the process of creating a comprehensive, computer-based index to parliamentary questions, debates in both Houses, and other current parliamentary information.

The Research Division staff (numbering 33) undertake for individual members politically objective research and offer advice, based on their specialist knowledge, on published material and on information gained from government departments and other authoritative sources. The Division operates through five sections dealing with economic affairs, education and social services, home and parliamentary affairs, scientific affairs and defence, and, finally, the whole range of members' statistical enquiries. In addition to replying to individual enquiries (about 6,000 written answers were supplied in 1980), the Research Division prepares, for general use by members, background papers, reference sheets, and briefer research notes relating to current legislation and other matters of contemporary political interest.

Other special services provided by the Library include access to the Treasury Macroeconomic Model, a collection of videotapes of politically interesting TV programs, a Public Information Office which answers factual outside enquiries about the work and operations of the House and compiles a weekly Information Bulletin, on-line access to certain external data bases, and a modest educational service on Parliament for schools and teachers.

Since 1979 the Vote Office, which is responsible for the provision and distribution of all documents and printed papers required by members and staff of the House, has been part of the Department of the Library. The Deliverer of the Vote, as the head of the office is called—reflecting his ancient duties of delivering the Votes and Proceedings to members' homes—is an historical post, dating from 1731. Today the Vote Office is divided into three main sections. A Parliamentary Section provides free copies to members and officers of all parliamentary papers and certain non-parliamentary publications of current political interest; members living within three miles of the House still receive the daily bundle and copies of bills by daily hand delivery, free of charge. The European Communities Section provides, on request, documents published by the European Commission, the European Parliament, and the Council of Ministers. And the Sale Office sells documents to members, and parliamentary and non-parliamentary papers to certain outside customers.

The Librarian is assisted by a Deputy Librarian and two Assistant Librarians. The number of senior staff has risen from eight in 1950 to 31 today (including those in the Vote Office).

*The Administration Department.* This department is a modern creation, having been set up as a separate department in 1968. It comprises two offices. The Fees Office, under the Accountant, has an ancient origin. One of the under-clerks, in about 1695, was appointed "collector and distributor of fees" for private bills. This was, for many years, the main source of the House's revenue and hence the source of staff remuneration. Later a specific Fees Office was created for this work, and later still it was split up,

one half becoming the Public Bill Office and the other half the Fees Office. The first person to be specifically designated as Accountant was appointed in 1833. Today the main responsibilities of the Accountant and the Fees Office are the initial preparation of the House of Commons estimates; the payment of salaries, allowances, expenses, and pensions of members and staff; paying the expenses of select committees, and preparation of the annual accounts.

The Establishments Office is of growing importance. The head of the office is the secretary to the Board of Management. The office provides advice and assistance to other departments, as requested, on staff matters. It ensures the linkage of staff pay and pensions to those of the civil service, and it has various functions in respect of negotiations and consultation with trade unions representing most grades of staff.

The work of the department is supervised by the Head of the Administration Department. As a member of the Board of Management, he has an overall responsibility for administrative services and, in particular, for the development of staff policy and financial control throughout the House of Commons.

*The Department of the Official Report.* William Cobbett started the regular reporting of the House in 1807, but it was soon taken over by Luke Hansard. Reporting did not become an official part of the House's administration, with staff paid out of the House of Commons Vote, till 1909. And Hansard (as the department is popularly called after the name of its effective founder) became a separate department only in 1978. Previously it had come within the Speaker's Department.

In the earlier years, speeches were partly summarised and partly reported verbatim. Today the department is responsible for the reporting, in a way that is substantially verbatim, of all speeches made in the House and in debating committees (called "standing committees") concerned with legislation and other matters. Hansards for both House and committees are normally published the following day. The Editor of the Official Report is head of the department.

*The Refreshment Department.* This is the most recent of the House Departments, having only been created in 1980, although no doubt the services it provides have been required since the Commons were first summoned to meet at Westminster in 1265. For many years the Refreshment Department was not an official department, but was controlled by a body of members called the Kitchen Committee. Today the General Manager and his staff are employees of the House like those in the other House Departments. Under the eye of an advisory committee of members, they provide a range of catering services for members, staff, the press, and guests.

*Other Staff Employed at Westminster.* The House Departments described above do not comprise by any means all those who serve the House of Commons and its members. Although these other groups will not be described in detail, their existence and functions should be noted.

First, there is the Speaker's Office. This is all that survives of an earlier, larger, Speaker's Department, and in it are found the Speaker's personal staff (the Speaker's Secretary and his assistants and secretaries), the Speaker's Counsel (legal advisers to the House), and the Chaplain. These, like those in the House Departments, are all staff of the House of Commons.

Other important services, however, are the responsibility of various Government departments or other bodies. Neither House of Parliament owns its own home, but is housed in the Palace of Westminster, which is a Royal Palace physically administered by the Department of the Environment. Such essential services as heating and lighting, the alteration, repair, and maintenance of the fabric of the building, provision of furniture, and cleaning and decoration are its responsibility. The Post Office provide postal, telephone, telegram, and telex services for all those working at Westminster. The police who work in the Commons, although under the control of the Serjeant for security and operational purposes, are employed by the Metropolitan Police (the London Force), as are other custodians who keep an eye on the building night and day. And lastly, a major service is provided for the House by Her Majesty's Stationery Office, which does all the parliamentary printing.

*Party and MPs' Personal Staffs.* There are significant staff employed by the parties and by individual members. The parties' national research services are located elsewhere and fall outside the scope of this article. However, about half-a-dozen people are also employed by each of the parliamentary parties in their Whips' offices in the House of Commons, and a slightly greater number in the office of the Leader of the Opposition. These are not primarily research staff, but administrative and secretarial. Opposition parties are given an annual grant of public money to help finance these services in Parliament; £231,000 was authorised for these purposes in 1980-1981, to be shared among all the opposition parties.

In contrast to the situation in some other parliaments, the House of Commons does not provide secretarial services for individual members, and the only official research services available are those in the Library available to all members. Instead, members are entitled to an allowance (currently a maximum of £8,000 a year) which they may claim for general office expenses and secretarial and research assistance. Members therefore select and employ their own secretaries and research assistants, and determine their rates of pay, hours and conditions of work, and daily duties. Actual payment can be made by the Fees Office if the member so requests.

There is great variety in how and to what extent members make use of this benefit. Some have a full-time secretary but no research assistant, others share secretaries or researchers with other MPs; some employ their personal staff in their constituencies, others work at Westminster where they may use some of the facilities of the Library, and where they may have regular dealings with the Clerk's Department on behalf of their members. Some research assistants do background research, draft speeches, or prepare questions and amendments, but others work mainly on constituency correspondence; some work with one member for many years, while others are birds of passage. It is a system which permits infinite variety and, within the limits set by the allowance (out of which office equipment, such as typewriters, may also have to be paid for), members seem to like it.

### Coordination of Parliamentary Staffs

The evolution and current functions of the separate House Departments have been described. Until 1978 the departments<sup>4</sup> were almost totally independent in their operations, though in certain matters the Speaker had ultimate authority. This situation, however, was seen to be increasingly ill-suited to the needs of a modern parliament. In particular, some members felt that there was a lack of coordination between the departments, and there was criticism of the methods of appointment of staff and of the lack of a unified staffing policy.<sup>5</sup> In 1973, therefore, the Speaker arranged for a review to be undertaken of the administrative services of the House by Sir Edmund Compton, a former Comptroller and Auditor General and a former Parliamentary Commissioner for Administration. His report, which recommended a unified administration under the central control of a Chief Officer, was in its turn referred to a committee of members, under the chairmanship of Mr. Arthur Bottomley.

The Bottomley Committee accepted Compton's conclusion that there was a need for more closely coordinated services but rejected his specific solution; in particular, they found it too centralised, and they wished to see ultimate authority left in the hands of members of the House. In recommending their own solution they were guided by certain general criteria which reflect the influential factors and main features of legislative staffing described at the beginning of this article. These are still relevant to the organisation and staffing of the House today. The committee stated that any reorganisation

must above all ensure the maintenance and, where necessary, the improvement of the services—advisory and practical—provided for members in carrying out their parliamentary duties.

Overall control over the services of the House must remain with the House and its members.

The staff of the House of Commons must continue to be recognised as a wholly distinct body, with a quite separate function, from the Civil Service whose duty is to serve the Executive. . . .

Any organisational changes made should foster the development of:

- i. coordination of the services provided by the several Departments of the House; and
- ii. a unified staffing policy;

and these would require the centralisation of authority, individual or corporate, as regards both the services of the House and the employment of its staff.

Progress towards unification must be gradual, and patterns of future development should be as flexible as possible; sudden change could be disruptive to the services of the House.<sup>6</sup>

The Bottomley Report was accepted by the Government and by the House. Its major recommendations involved legislation, and the House of Commons (Administration) Act of 1978 was the result. This Act regulates the House today.

Section 1 of the Act provides for the appointment of the House of Commons Commission, consisting of the Speaker (as chairman), the Leader of the House of Commons, the official Opposition spokesman on House matters, and three other senior members of the House from both sides. Under section 2 the Commission is given the function of employer of all staff in the House Departments. Thus, for the first time, the staff have been brought into a unified House of Commons service instead of being separately employed by the various heads of department. However, the Commission are required under this section to ensure that the complementing, grading, pay, and conditions of service of House of Commons staff are kept broadly in line with those of the Home Civil Service.

Theoretically, the Commission could appoint, promote, and assign duties to all staff in the House Departments (except that the appointments of the Clerk, the Clerk Assistant, and the Serjeant at Arms remain in the hands of the Sovereign). In practice they have used their powers of delegation under the Act so that, except for the most senior appointments, which are made by the Speaker, the heads of department can each appoint, promote, and post individual staff in their own departments.

Section 3 gives the Commission the sole responsibility for preparing and laying before the House the estimates for the expenses of the House Departments and certain other expenses incurred for the service of the House, but not including members' salaries and allowances. This removed from the House the direct Treasury control to which it had previously been subject. Within limits set by the requirements of section 2 of the Act and by political reality (in the end the Government could control all Parliament expenditure by the use of its majority in the House), the House can now decide by itself the numbers needed, for example, to staff select committees. Previously, even an extra part-time cleaner was subject to Treasury control. Under section 3,

the Commission also appoints the Accounting Officer, who exercises detailed control over the House's expenditure within the estimates; the Clerk of the House fills this role.

Section 4 of the Act established the House Departments and gives the commission power to vary in their number by creation or abolition and to allocate functions to the departments. Since the Act was passed, the Speaker's Department has been abolished, leaving only the Speaker's private office outside the House Departments, and the Refreshment Department created.

One of the first decisions by the Commission was to create a Board of Management, as recommended by the Bottomley Committee. This was seen as a positive move towards improved coordination of the services of the House. The Board consists of all the Heads of Departments, under the chairmanship of the Clerk of the House. Collectively (through the Clerk, who attends meetings of the Commission for this purpose) it advises the Commission or the Speaker on all matters affecting more than one department and is responsible for implementing the decisions of the House, the Commission, or the Speaker in such matters.

In particular, as strongly recommended by the Bottomley Committee, the Board has responsibility for developing, subject to policy decisions of the Commission, more unified staffing arrangements. It will be concerned, for example, in such matters as grading reviews for the whole House of Commons service, development of coordinated appointment and promotion procedures, and collective relations with trade unions. An Administration Committee, consisting of Deputy Heads of Departments, advises the Board on such matters, particularly on detailed establishment questions.

Lastly, the Bottomley Committee recommended that the expertise and operational autonomy of the individual departments—from which spring their loyalties and strong traditions—should be preserved. The 1978 Act did nothing to disturb this position, and the Commission have also accepted it. The departments undoubtedly work more closely together than before the new system was introduced, but their heads remain individually responsible for the particular services they provide, and (subject to financial constraints) their staffs can get on with their work without interference from outside their departments.

### **Functions and Recruitment of Staff**

The numbers of staff now employed in various grades in the six House Departments are shown in an appendix. Their recruitment, grading, and functions may be of interest. Although there is now a unified service, little progress has yet been made towards unified recruitment or grading. The

latter is currently under review. Therefore each department must be considered separately. Indeed, the nature of their responsibilities makes them very different.

### *The Clerk's Department*

The more senior staff (called Clerks) provide procedural and administrative services for members directly involving the proceedings of the House and its committees. Those in the Public Bill Office, the Journal Office, the Private Bill Office, and the Table Office are principally concerned with procedural matters—advising on the admissibility of amendments or questions, for example—but they also oversee administrative processes such as the production of bills and daily papers. Clerks in the Committee Office, staffing select committees, are largely responsible for the administration of their committee's work, for organising programmes for inquiries, and for conducting the committee's correspondence. But they also become closely involved in the substance of their committee's investigations, by advising on the choice of witnesses or lines of questioning, and by drafting reports and other papers, for example. Committee Clerks must also be able to advise on the procedures and practices of Parliament as they affect their committees.

The staffing of the new departmentally-related select committees that were first appointed at the end of 1979 may be of special interest. These committees are entirely composed of back-bench members and are charged with oversight of the policies, administration, and expenditure of the various government departments. Although they may look at how legislation is working and may recommend further legislation, they do not themselves have a specific legislative function. They do not examine bills before the House, and their reports are purely informative or advisory.

These functions are reflected in their staffing. The central task of the staff is the collection, analysis, and systematic publication of information (largely obtained by formal evidence) as the basis for the committees' conclusions and recommendations. The committees have no executive authority and do not prepare or draft legislation. Their staff are therefore limited and fall into four categories. First, the clerk to the committee, a man of fairly senior rank, administers and coordinates all the committee's services. In the case of the busier committees he may be assisted by a more junior professional clerk, who may also act as clerk to a subcommittee.

Secondly, the committees are all served by one or more specialist advisers. These are experienced experts, often drawn from the universities or research institutions to advise the committees on the substance of their inquiries. They are engaged part-time, and are fee-paid, not salaried. They are



not part of the staff of the House, and indeed they are selected and appointed by the committees themselves, not by the Clerk's Department. Their term of appointment is often limited to the duration of a particular inquiry, and not all specialist advisers will be involved in each committee inquiry. They are particularly helpful in advising on lines of investigation and in helping in the drafting of reports. Their numbers are growing: currently about 80 specialist advisers are engaged by the 14 departmentally-related committees. There are also a few full-time specialist assistants of more junior rank who help in the analysis of evidence, etc., but who are not career staff of the department.

Thirdly, each select committee has one support staff of junior or middle grade who does much of the administrative work of the committee. And lastly, one or more personal secretaries work with each committee and are fully engaged in typing chairman's briefs, draft reports, and correspondence.

Committee work, however, is only part of the story. Clerks circulate, in the course of their careers, through most of the offices of the Clerk's Department, which enables them to acquire experience both of select committees and of the various procedural services. They must develop, therefore, a broad understanding of the problems of Parliament, a wide range of knowledge and skills, and, above all, a mastery of their craft—parliamentary procedure. Posts at all but the starting level are normally filled from within the department, and therefore new clerks should, if possible, have the potential for promotion to the highest posts. Candidates, who usually apply on leaving university, must possess a good honours degree and must pass a highly competitive examination. For convenience, the examination of the Civil Service Commission is used, ensuring that the level of ability of clerks is at least as high as that of entrants to the higher grades of the civil service. Once accepted, clerks learn the work from their seniors and by experience. Very few clerks leave the service early; most serve some 40 years or more before retiring at 65.

Promotions are made within the department. Most clerks end their careers as head of one of the offices. Some become Clerks at the Table (advising in the House itself) and about one in five (in the last thirty years) has achieved the post of Clerk of the House. Clerk's salaries are linked with those of the civil service: the Clerk of the House ranks with a Permanent Secretary (the top grade).

The middle ranks in the Clerk's Department are filled by senior and higher executive officers (S.E.O.s and H.E.O.s) and office clerks, who provide support services in all the offices and to all committees. Recruitment to these grades is made at office clerk level, and S.E.O. and H.E.O. posts are filled by promotion. Entrants may come soon after leaving school, college, or university; a degree is not necessary, but some recently appointed office clerks have one.

The number of secretaries and personal assistants in the Clerk's Department has increased. Thirty years ago there were only three or four; today there are 35. The increase is due mainly to the growth of committee work. Members of this department come with normal secretarial training, and few of them stay for a full career. They play an essential role, however,<sup>7</sup> and service at the House appears popular.

### *Other Departments*

As will be appreciated from the description given of the functions of his department, the Serjeant at Arms and his deputies (the four Serjeants) have a wide range of administrative and ceremonial functions, and therefore broad talents are required. For many years, it has been the policy (though this was criticised by the Bottomley Committee) to appoint a person with administrative and managerial experience from outside the House of Commons. In nearly all cases, the Serjeants have been retired officers of the Navy or Army.<sup>8</sup> The four Serjeants are linked to senior ranks in the civil service, but there are also numerous support staff.

The senior staff in the Library are mostly graduates. Those working in the more specialist posts in the Research Division (the majority of the younger graduate staff) require subject knowledge and skills, of a fairly high order, for the different posts. Library clerks are therefore appointed after competitive interviews following advertisement, but without a written examination. Because of subject specialisation, jobs are not changed too frequently, but promotion brings opportunities to broaden experience and responsibility.

Support staff in the Library fall into three broad categories. First there are the library executives, of various ranks, many of whom possess professional library qualifications and degrees. They are employed mainly in the Parliamentary Division, doing the more traditional skilled tasks of a librarian, but each Research Section also has a qualified librarian. Second, again mainly in the Parliamentary Division, there are a number of clerical staff and attendants employed on more routine or less-skilled duties. And lastly there are personal secretaries and typing staff.

Apart from the Deliverer of the Vote and his Deputy, the staff of the Vote Office, whose job it is to handle thousands of documents, are mostly in the lower executive or clerical grades.

Because of the technical skills they possess—such as accountancy or personnel management—which are not peculiar to Parliament but are widely available outside, many of the more senior staff in the Administration Department originally worked in the civil service, in industry, or in commerce, and have only come to the House in mid-career. However, having come, few of

them leave before normal retirement, and promotion opportunities exist up to the top posts of Head of the Establishments Office and Accountant, and then to the Head of the Department.

Hansard staff employ rare and special skills. Few shorthand writers outside those working for Parliament can boast their speeds, and the transcribers of taped committee debates work long hours at a difficult task. Such people must be properly trained when recruited, and indeed some previous working experience is often invaluable. Some of the more senior staff were previously journalists. For the skilled reporters, promotion opportunities are open to the top.

The skills of the Refreshment Department are not peculiar to Parliament. The more senior staff are recruited from outside the House of Commons service.

### Conclusions

A few conclusions about the British system of legislative staffing may now be underlined, and a few problems explored.

First, the organisation and staffing of the House of Commons has grown up over the centuries mainly in response to the wishes of members, based on experience. Once a need is identified, perhaps by complaint about the inadequacy of services in certain areas—such cries are sometimes heard today—or perhaps through a review of procedures or facilities by a Procedure Committee or by the Services Committee (which advises on facilities and services for members), services have usually been provided to meet that need, although financial constraints may often have muted the response. This was the case, for example, with proposals for a new, purpose-built parliamentary annex, which have not yet been approved by Ministers. New committees have been appointed: staff for committees have been found. Members started to table more questions: a Table Office was created to handle them. Members wanted more information provided speedily: the Library research services were developed. Members found difficulties sorting out their secretaries' pay and taxes: the Fees Office offered to do it for them. Members needed photocopiers: the Serjeant provided them.

The difficulty lies in foreseeing such requirements in good time and anticipating possible complaints. It is not easy for departments to plan new services in advance of demand. However, the Library's computerized index may be cited as an exception, and the recent appointment of a computer development officer in the Administration Department may open up more new thinking. It is certain that provision of services before members agree that

they need them could be an expensive exercise. Consequently, administrative initiative by the departments has tended to be cautious.

Whatever the merits of this approach, it is clear that the ad hoc and somewhat fragmented nature of the response to demand over the years has led to the overall organisation also being fragmented. Most other parliaments employing a permanent staff like the British have organised themselves into a single service under the central control of a Secretary-General or some such officer. Only very recently has the House of Commons sought to coordinate the administration and move towards a unified service.

Perhaps the lack of a central authority has been partly responsible for the characteristic caution in the development of services at the House. Another reason is the reluctance of back-bench members to press their demands. If so, it will be interesting to see how the new Commission and Board of Management operate once they have overcome the various initial problems that inevitably follow a major administrative change. Will they initiate change and development of services? Or will the so-called "dead hand of the Treasury" (alternatively "the economic facts of life") always put the brake on change, whoever comes up with the bright ideas?

Whatever the answers, one thing appears true. The House now has the machinery for a coordinated and professional response to members' demands. It has also ensured that, through the Commission, the ultimate authority for administration and staffing lies with members themselves. The House of Commons (Administration) Act of 1978 gives a new statutory recognition to three of the main themes of the British solution to the problems of legislative staffing. First, services should be provided by departments serving the House as a whole, mainly manned by permanent staff trained to carry out specialist and professional services for the benefit of members of all parties and of the institution of the House itself. Second, those services are given according to established rules, practice, and precedent, and not at the whim or under the detailed control of individual members or groups of members. Third, nevertheless ultimately the House itself must be the master, and the staff—from the Clerk of the House to the newest kitchen porter—are servants of the House.

The challenge that the growing area, volume, and complexity of modern government pose for parliaments is undoubtedly daunting. It is increasingly apparent that the proper functioning of a parliament requires proper staffing and organisation of services. This is well illustrated by the manner in which, in the House of Commons, staff and other facilities are being provided for the new committees which have been created in response to this challenge. Permanent staff, selected and appointed to the job by the

Clerk of Committees under the Clerk of the House, and acting in accordance with established rules and procedures, provide for each committee its permanent professional service. Temporary staff such as specialist advisers enable members to obtain the expert advice and assistance they desire without creating rigid staffing structures. The whole operation is kept under ultimate financial control by the House of Commons Commission. Observers of some other parliaments—particularly in the United States—may think the number of staff assisting British select committees remarkably modest. But for the oversight functions they perform, the blend of permanent professional and part-time expert staff provides the continuity and flexibility they need.

No doubt there are other problems yet to arise, and many difficulties to be overcome. It is to be hoped that the organisation outlined in this article provides the framework in which such problems may be solved, and the staff here described possess the skills, experience, dedication, and loyalty needed to overcome them.

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## APPENDIX

### Staff of the House Departments (as at 1 April 1981)

	<u>Numbers</u>
<u>Department of the Clerk of the House</u>	
Clerk of the House	1
Clerk Assistant	1
Clerk of Committees	1
Principal Clerks	11
Deputy Principal Clerks	11
Senior Clerks	25
Assistant Clerks	11
Senior and Higher Executive Officers	9
Select Committee Temporary Assistants	5
Editorial Supervisors of the Vote (various grades)	7
Office Clerks (various grades) and Attendants	19
Secretarial Staff (various grades)	<u>35</u>
Total	136
<u>Department of the Serjeant at Arms</u>	
Serjeant at Arms	1
Deputy Serjeant at Arms	1
Assistant Serjeant at Arms	1
Deputy Assistant Serjeant at Arms	1
Office Executive Staff (various grades)	5

## Staff of the House Departments (continued)

	<u>Numbers</u>
<u>Department of the Serjeant at Arms (continued)</u>	
Doorkeepers (various grades)	45
Office Keepers, Storekeepers, etc.	19
Attendants	50
Secretarial Staff (various grades)	4
Cleaners (84 part-time)	42
Night Watchmen	12
Nurse	<u>1</u>
Total	182
<u>Department of the Library</u>	
Librarian	1
Deputy Librarian	1
Library and Information Services	
Assistant Librarians	2
Deputy Assistant Librarians	7
Senior Library Clerks	12
Assistant Library Clerks	5
Head of Computer Technical Services	1
Library Executives, etc. (various grades)	28
Office Clerks and Attendants (various grades)	23
Secretarial Staff (various grades)	18
Cleaners, etc. (4 part-time)	2
Vote Office	
Deliverer of the Vote	1
Deputy Deliverer of the Vote	1
Assistant Deliverer of the Vote	1
Vote Office Assistants (including Superintending Clerk)	6
Office Clerks (various grades)	9
Other Staff	<u>10</u>
Total	148
<u>Administration Department</u>	
Head of Department	1
Fees Office	
Accountant	1
Deputy Accountant	1
Assistant Accountants	4
Deputy Assistant Accountant	1
Executive Officers (various grades)	20
Office Clerks and Fees Office Assistants (various grades)	19
Secretarial Staff (various grades)	3
Other Staff	3

## Staff of the House Departments (continued)

NumbersAdministration Department (continued)

Establishment Office	
Head of Office	1
Deputy Head of Office	1
Assistant Head of Office	1
Executive Officers (various grades)	6
Secretarial Staff (various grades)	4
Office Clerks	3
Other Staff	1
Computer Development Officer	<u>1</u>
	Total
	71

Department of the Official Report

Editor	1
Deputy Editor	1
Principal Assistant Editor	1
Assistant Editors (various grades)	5
Senior Reporters	10
Reporters (including trainees)	18
Principal and Deputy Principal Transcribers	3
Transcribers	25
Executive Officers (various grades)	2
Office Clerks (various grades)	4
Secretarial Staff	1
Other Staff	<u>3</u>
	Total
	74

Refreshment Department

General Manager	1
Deputy General Manager	1
Catering Accountant and Assistant Catering Accountant	2
Personnel Officer	1
Executive Chef, Head Cellarman, and Head Storeman	3
Office Staff (various grades)	11
Chefs and Cooks (various grades) (5 part-time)	35½
Head Waiters	5
Waiters and Waitresses (various grades) (4 part-time)	68
Cashiers (2 part-time)	5
Supervisors (1 part-time)	11½
Other Kitchen Staff (various grades) (24 part-time)	<u>77</u>
	Total
	221

**NOTES**

1. The administration of the House of Lords is totally separate from that of the House of Commons, and the organisation of their staff is somewhat different. The two services are equally distinct, and (with only a very few exceptions) staff are separately recruited and do not transfer from one House to the other. Staffing of the House of Lords is not described in this article.

2. For a detailed history of the Clerk's Department in the main period of its evolution, see O. O. Williams (1954).

3. Throughout this article, unless otherwise stated, current staff numbers are as in April, 1981.

4. At that time the departments were those of the Clerk, the Speaker, the Serjeant, the Library, and Administration.

5. Statement made by Speaker, 22 October 1973.

6. House of Commons (Administration) (House of Commons Paper No. 624 of 1974-75), para. 3.1.

7. Without one of them, this paper could not have been produced!

8. The House of Lords have also appointed former officers of the Royal Air Force to similar posts. The Commons may yet do so.

**REFERENCES**

- Walkland, S. A. 1979. *The House of Commons in the Twentieth Century*. Oxford: Clarendon Press.
- Williams, O. O. 1954. *The Clerical Organisation of the House of Commons, 1661-1850*. Oxford: Oxford University Press.