

A)

PQs oblige Ministers to explain policy decisions and actions of their departments. They are widely available.

Answering Guidance

Ministerial Code: "It is of paramount importance that Ministers give accurate and truthful information to Parliament, correcting any inadvertent error at the earliest opportunity. Ministers who knowingly mislead Parliament will be expected to offer their resignation to the Prime Minister.

Ministers should be as open as possible with Parliament and the public, refusing to provide information only when disclosure would not be in the public interest."

It is a civil servant's responsibility to Ministers to help them fulfil those obligations. It is the Minister's right and responsibility to decide how to do so. Ministers want to explain and present Government policy and actions in a positive light. Ministers will rightly expect a draft answer that does full justice to the Government's position.

Drafting replies

All answers should be: **ABC** - Accurate, Brief; Clear

- Every effort should be made to answer the Question within the set target date.
- The draft answer should answer the question being asked. It is not necessary to provide information that does not answer the specific question or that would be considered extraneous to the question asked.
- Be direct – avoid implied or oblique answers to points.
- Consider the rationale for the Question. Ministers will want to present policies and actions in the best possible light. If the answer is likely to provoke criticism or adverse publicity you will need to explain the context – why the situation has come about – and also the action being taken to set matters right.
- Tables should only be used when necessary, and if they appear in a publication available in the Library they should usually just include a detailed reference to that (title, page no, title of table).
- One word answers ('No', 'Yes') are not usually acceptable.

Background notes - accompany draft answers to help Ministers judge the adequacy of the reply.

- They may include recent developments or incidents which may have affected the Member's constituents; any major changes in government policy – whether announced, or possible in the future; and what the Minister, or Government colleagues, have previously said on the subject.

- In terms of content, background notes should be short and targeted – ideally half a page (though they may need to be longer if explaining complicated issues or citing prior statements at length).

Reference to Previous PQs and Documents

- If your answer refers to a previous question use the following phrase: “I refer the hon. Member/ Friend to the answer I gave on (date), Official Report, column ...W.”
- If your answer refers to a document that has been placed in the Library, use the following text: “Copies of the document/table have been placed in the Library.”
- If a document has to be placed in the library 22 copies of the document must be sent to PBDU who will arrange for it to be sent over.

Disproportionate cost

If the cost of preparing the answer is likely to exceed £700, it may be appropriate to reply “The information requested can only be provided at disproportionate cost”.

HO Units and Agencies should use their best judgement to determine whether the cost of providing an answer is likely to breach the £700 limit, including: staff time, file searching, computer runs, purchase of publications

In cases of disproportionate cost, officials must provide a full explanation to the Minister justifying the proposed response.

- If your answer refers to a document that has been placed in the Library, use the following text: “Copies of the document/table have been placed in the Library.”
- If a document has to be placed in the library 22 copies of the document must be sent to PBDU who will arrange for it to be sent over.

B)

Oral questions are important occasions for Ministers. They are a means by which MPs can hold Ministers accountable for the department's actions. They also provide an opportunity to respond to any concerns about departmental policy, and to explain departmental initiatives.

Timing

Home Office Ministers answer oral questions in the House of Commons once every four weeks and Parliamentary and Briefing Delivery Unit (PBDU) is given advance notice of relevant dates. Oral questions usually start at 14:35 and last for 55 minutes on an allocated Monday.

Question and Answer

The answer should be as brief as possible, focused and avoid acronyms and jargon. Remember the answer will be spoken.

- It should be no more than two or three sentences and no more than 50 words. The Speaker regularly urges Members to keep their questions (and answers) short.
- It should be presented in Ariel, size 14 typescript with 1.5 line spacing. Please proof read for typographical and grammatical errors.

Lines to take

- These should give, in order of priority, the key points about the policy area (what the policy is intended to achieve)
- They should include a top message: if Ministers can say only one thing, what is the most useful point to make
- They should also include the key facts that need be conveyed.
- Ministers should also be reminded of any relevant third party endorsements from groups like ACPO showing support for Home Office policy
- Any uncomfortable facts or Elephant Traps should also be included so that the Minister is aware of any potential gaps in the policy or problems with figures. There should also be associated lines to take

Key statistics

These should be given, where possible on a single A4 sheet. It is often helpful to include tables of figures going back over a period of time so that the Minister can see how current achievements compare with those of previous periods. It will be for Special Advisers to add any commentary comparing the Government's record to that of previous administrations.

Supplementary Q&A

Ministers have no prior notice of the supplementary questions

they will be asked. They rely on officials to think behind the question and anticipate what additional questions might be asked. This section should cover the following categories:

- The 3 or 4 immediate questions about the policy which are most likely to be asked by an MP
- Questions which allow Ministers to explain Government Policy and achievements
- Questions which address wider policy issues related to the original question

Hansard extracts

If similar questions have been asked in the past they should be noted and the Hansard extract provided. This is to ensure consistency of answers.

Constituency interests

This should only be given if relevant. Officials should provide this information to the Minister if they think the question is about an MP's specific constituency issue.

Questions for the Home Secretary

The question and answer should be as for other Ministers. The background briefing should be very concise. Each page should not exceed a side of A4 paper where possible and should appear on a separate page to the question and answer. Briefing should include:

- Only the key statistics and main facts in concise bullet point form
 - Brief and relevant supplementary Q&A material
 - A paragraph of 5-6 lines to address the issue being raised
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- It is rarely possible to answer all 25 questions and supplementary questions in the 55 minutes allocated.
 - Because of this the amount of information officials are asked to provide will vary. As a general rule, full supplementary material (as laid out above) needs to be provided in response to all 25 questions on the list.
 - Any question which is not given an oral answer is given a written answer on the same day as Oral questions, so no one's time is wasted and prepared answers are always used.

D)

Prime Ministers Questions (PMQs)

For the October to December session 2006, RRT has taken over responsibility from the Parliamentary and Briefing Delivery Unit for commissioning and coordinating PMQ briefs in the Home Office. Most of this work will take place between Monday and Wednesday and officials should therefore always be prepared during this time to provide briefing (usually with very tight deadlines!) if their policy area has featured in the news over the weekend or an imminent announcement is planned. Lead officials who have been asked to provide PMQ briefs should be available in the office from 8:00 am on Wednesdays in case further information or pre-briefs are required.

E) The retention, storage and disposal of Home Office documents

Roles and responsibilities for retention and disposal of records

Introduction

1. This HON details the roles and responsibilities of Home Office staff in respect of disposal and/or retention of business records. Procedures outlined are of key importance in day-to-day activities within the Home Office and are the responsibility of **all** individuals. Failure to follow correct Record Management procedures could result in legal action and has in the past resulted in a number of high profile and embarrassing failures for the office.
2. Under the provisions of the Public Records Act, the Home Office must make arrangements for the selection and safekeeping of records suitable for permanent preservation (those records identified as being of key historical importance to researchers, for example).
 - a. Public records selected for permanent preservation must be transferred to the National Archive (or other place of approved deposit) no later than 30 years after creation.
 - b. Records may only be retained after this period **in exceptional circumstances** if, in the opinion of the person who is responsible for them [Departmental Record Officer - Richard Thompson] they are required for administrative purposes or for any other special reason, and where the Lord Chancellor has been informed and given his approval.
 - c. Public records not required for permanent preservation must be destroyed or, subject to the approval of the Lord Chancellor, disposed of another way. This can only be arranged through the Record Management Service (RMS).
3. Additionally Data Protection legislation places a responsibility on the office to ensure that personal data is not kept for longer than necessary **see HON 106/2003** for further information. The only way we can ensure that we comply with this is by rigorous application of agreed Home Office retention periods.
4. If you have any doubt about what constitutes a record or any doubt about agreed policies please refer to the RMS Website.

Processes

5. Principles and legal constraints relating to retention and disposal of records remain broadly the same irrespective of the media in which they are held or the level at which they are protectively marked. Records are registered in five categories:

- **Top Secret**
- **Secret**
- **Confidential**
- **Restricted**
- **Unclassified**

6. All records pass to RMS ownership at the following points (except for Top Secret which is held by the officer responsible for the subject or an officer nominated by the relevant Head of Unit to be responsible for Top Secret material):

- At closure
- When 5-years old
- When no longer required for urgent or regular access

7. Once passed to RMS ownership all records protectively marked at confidential or above will be held in RMS' Secure Record Centre in QAG. Other records will be held off-site. If records are not passed to RMS it becomes difficult to keep control and ensure statutory obligations in respect of retention and disposal are met.

8. There are 3 methods for assessing whether a record should be permanently preserved. Each can take place at a different stage within the lifecycle of the record:

First Review

Used increasingly sparingly. Where carried out this is a quick physical review of the record enabling identification of those records that will clearly not be required for transfer to the National Archive. These records hold no long-term historical interest and are no longer required for business need.

Second Review

An in-depth analysis based on physical review on a record-by-record basis at about the 25-year point (enabling compliance with the 30-year rule).

The **ANNEX** sets out Individual, Unit, and RMS responsibilities for these activities.

Protectively Marked Records

Disposal Schedules

Gradually replacing First Review. Schedules are created identifying when different records may be destroyed, using data held on the RMS database of registered records, without reference to the record itself.

9. At First Review/disposal schedule stage, records will be assessed in a similar manner to unclassified records to determine whether they are suitable for immediate destruction. As for unclassified records, the types of files destroyed will include records for which there is obviously no longer a business need, which are clearly ephemeral in nature, where there is no historical interest and where agreed retention policies apply. RMS will destroy these records without reference to units.
10. All protectively marked records selected for destruction will be destroyed in line with Security Guidelines using appropriate shredders with witnesses (cleared to SC level) where appropriate. RMS staff of at least SEO grade will authorise such destructions where the classification is TOP SECRET. For SECRET records authorisation will be at HEO level or above. For records protectively marked at CONFIDENTIAL or below authorisation by EO or above will be given. Records of all destructions will be kept. For further guidance on Security Guidelines please see attached link:
<http://horizon/cdsg/Dsu/gsg.htm>
11. Where it is proposed to transfer protectively marked records to The National Archive (TNA) for opening to the general public RMS has delegated authority to downgrade or declassify but will not exercise this authority without seeking permission from relevant units if contents remain highly sensitive.

The **ANNEX** also includes responsibilities for protectively marked records.