

## **Guide to Parliamentary Work**

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## 1. How to use this guide

1.1 This Guide has been prepared by the Office of the Leader of the House of Commons, with the advice of the Office of the Leader of the House of Lords, departmental Parliamentary Clerks and officials of the House of Commons. It is produced in line with the objectives of the Parliamentary Clerks Working Group, established in 2002, and whose terms of reference include promoting and monitoring best practice for Parliamentary sections within Whitehall.

1.2 This Guide brings together information published by the Office of the Leader of the House of Commons, and other relevant guidance material to assist officials, whose work requires knowledge of Parliament and its procedures.

1.3 Although the guide is compiled mainly for Parliamentary Clerks and others who work within Parliamentary sections in mind, it provides useful information for those who work with Ministers or have to provide advice with a parliamentary context. We hope it is comprehensive and will cover the most commonly asked questions, but it should not be regarded as the authoritative statement of Parliamentary practice.

1.4 The Guide is set out in discreet chapters which can be read as a whole as an introduction for those new to Parliamentary work. However, it is also designed to enable more experienced officials to consult quickly when dealing with specific issues. Hyperlinks are used throughout the document to direct the user to other relevant material or sources of advice.

1.5 This Guide does not cover:

- Legislation (see the ['Guide to Making Legislation'](#) produced by the Legislation Secretariat)
- Secondary Legislation (see guidance on ['Statutory Instrument Practice'](#) [External website])
- Europe (Guidance on the Parliamentary Scrutiny of European Union Documents is available from the European and Global Issues Secretariat GSI site)

1.6 This electronic version of the guide will be reviewed at least annually and where necessary updated or corrected to reflect changes in Parliamentary procedure. While the Office of the Leader of the House of Commons will make every effort to alert officials to relevant changes in procedure, it is best to refer back to the online version as and when required, to ensure the most up to date information is being used. Corrections and suggestions on this guide are welcome and should be sent to [mike.winter@cabinet-office.x.gsi.gov.uk](mailto:mike.winter@cabinet-office.x.gsi.gov.uk) and [leader@commonsleader.x.gsi.gov.uk](mailto:leader@commonsleader.x.gsi.gov.uk).

## 2. Conduct of Officials

2.1 Guidance governing this area can be found in the [Civil Service Code](#) and may be supplemented by other relevant guidance published by individual departments. The Code specifies the acceptable standards of behaviour for civil servants, particularly with regard to engaging in contact with individuals and groups outside Government. These include acting with integrity, honesty, objectivity and impartiality. The issues faced by those working in parliamentary units will be the same as those faced by other Whitehall civil servants. Officials must also observe rules concerning etiquette when required to attend Parliament for business.

2.2 There will be legitimate occasions when those working in the parliamentary setting will have to engage with those outside Government. This may include Members of both Houses and lobbyists. There are acceptable reasons for contact taking place, such as clarifying a Parliamentary Question with a Member of Parliament. Each situation should be considered on an individual basis. Any concern about a specific matter should be raised in the first instance with line managers or the departmental representative appointed to advise staff on the Code. Advice will also be available from the Office of the Leader of the House of Commons or the Propriety and Ethics Team in the Cabinet Office.

2.3 Officials should acquaint themselves with all aspects of the Code. The following examples of conduct from the Code are particularly relevant:

- You must not disclose official information without authority. This duty continues to apply after you leave the Civil Service.

It is important to remember that papers and reports of Select Committees are the property of the specific Committee and are subject to Parliamentary privilege. Guidance must be sought from the Clerk of the Select Committee if any doubt arises as to whether particular papers are for public disclosure;

- you must not accept gifts or hospitality or receive benefits from anyone which might reasonably be seen to compromise your personal judgement or integrity;
- you must not deceive or knowingly mislead Ministers, Parliament or others; and
- you must not act in a way that is determined by party political considerations; official resources must not be used for party political purposes.

### **3. The Parliamentary Estate and access to the House**

3.1 Parliamentary Clerks liaise with Parliament regarding those departmental officials who require access to the Palace of Westminster to conduct official business, and to provide adequate and timely advice to their officials on the rules governing access to the Palace. Any disputes or queries should be made to the Deputy Serjeant at Arms in the first instance. The Leader's Office represents 'Whitehall' wide issues to the House authorities. This is usually done through the Parliamentary Clerks Working Group.

#### **Who Can Apply for a pass?**

3.2 Civil Servants who need to attend restricted areas of parliament on official business and who have received basic (baseline standard) clearance from their department can apply for a day pass. Officials require at least a day pass if attending the Officials Box, if they need to visit ministerial offices unescorted or are required to visit restricted areas of the parliamentary estate. Staff requiring regular access to the parliamentary estate (at least 2-3 times a week) should apply for a photo pass. There is no grade requirement for parliamentary passes; it is strictly on a business need. Departments should never issue or authorise passes to those who do not need them. Secondees can apply for a photo pass if they are security cleared to CTC level or above and have a business need to attend. Parliamentary Units within departments usually have a role in controlling those passes in operation by their department, and ensuring the House authorities are aware of those officials attending the parliamentary estate on business.

#### **Types of Passes and Areas Covered**

3.3 The following different types of passes are available:

- Photographic Visitor Pass – An official who is attending business in a public area of the parliamentary estate only needs a visitor's pass as issued to visiting members of the public. These are issued via the Visitor Reception Building. These cover the following areas of the parliamentary estate:
  - Central Lobby;
  - Committee rooms - including sitting in the Box to support Ministers;
  - Lords Grand Committee Room (Moses Room) - including sitting in the Box to support Ministers);
  - Portcullis House 1st floor meeting and committee rooms;
  - Public galleries;
  - Westminster Hall Grand Committee Room - including sitting in the Box to support Ministers; and
  - Westminster Hall meeting rooms ("W" prefix)
- Day Pass – An official with basic clearance from their government department, of whom the Pass Office have been notified in advance,

who also possesses a departmental pass and has a legitimate reason for entry to the estate, may have a day pass (no escort status). Exceptionally, where an official does not hold a Departmental photo pass, the Parliamentary Clerk can confirm their status in writing to the pass office to confirm they are a civil servant with at least basic clearance. A day pass is needed to access the:

- Journal office;
  - Library corridor;
  - Lower Ministerial conference rooms (Large Ministerial Conference Room, Small Ministerial Conference Room);
  - Ministerial and Members' offices;
  - Officials Box (Commons and Lords main chambers);
  - Officials corridor (back of the Chair);
  - Printed Paper Office;
  - Public Bill Office; and
  - Vote Office
- Government Department Photo Pass (for officials cleared to CTC or above) – An official who needs to come on to the estate frequently e.g. two or three times a week may have a pink photo pass which allows access anywhere business takes them (no escort status unless specifically authorised for certain Private Office staff only); and
  - Government Department Photo Pass (Escort) – this pass is issued to a limited number of Private Secretaries on the basis that the holder will regularly be escorting guests within the palace precincts for Ministers. Escort holders must remain with the person being escorted at all times and must be responsible for their good behaviour. The person being escorted must be attending on official business and must be escorted off the estate or to a public area once their business is concluded.

## **Period of Passes**

3.4 Passes are generally issued for a period from September to July, other than FCO escort officers or messengers who get one year, but can be issued for longer at the discretion of the Deputy Serjeant at Arms. Passes that will not be required for a full year should have the time required indicated on the application form. Passes deemed not to have been used adequately may be withdrawn by House authorities and departments are expected to review their pass holders on an annual basis.

## **Access to Parliament**

3.5 Due to the nature of security surrounding the Palace of Westminster, there needs to be tight controls on those accessing the precincts. The police and security staff do their best to identify and assist pass holders and those on official business whenever possible. Officials using the Visitors Reception Building should make themselves known to police and security staff, being as explicit as possible about business being conducted will help to assist speedier access at times when large numbers of public visitors are also seeking entry to the Palace. Officials should allow adequate time to gain access to the Palace if attending meetings

with Ministers or otherwise attending in their support. Any problems regarding access should be notified through Parliamentary Sections to the Deputy Serjeant at Arms as soon as possible.

3.6 Officials must fully co-operate with police and security staff – all parliamentary pass holders are liable to be searched. Day pass holders may only access via entrances with search facilities whereas Parliamentary photo pass holders may use any entrance to the Palace. Only those holding a Parliamentary photo pass may accompany Ministers intending to access the Palace in their cars and passes should be displayed to the police on entry.

## **Officials Box**

3.7 To attend the 'Officials box' in either House the individual must be on the box list for the day, hold a minimum of BS (Baseline Standard) clearance and be in possession of a day pass. The Parliamentary Branch of the department is responsible for supplying the list of officials providing Ministerial support to the Commons Speaker's office or Black Rod's office in the Lords. There is a maximum of 8 places available in the Commons. The list should be supplied by 12 noon on Monday and Tuesday, 10 am on Wednesday and 9 am on Thursday. A separate letter should be submitted for every individual piece of business.

3.8 The Officials box is in effect part of the Chamber, and is subject to the jurisdiction of the Speaker. The Leader of the House of Commons takes any complaints against officials very seriously. Officials are subject to strict rules of etiquette. The following points should be remembered:

- Officials should be respectfully dressed - men are required to wear a jacket and tie;
- no communication devices (including mobile telephones and blackberries) may be taken into the box (they must be left with the doorkeepers);
- officials should enter and leave the box as quickly and quietly as possible and should only enter the box at the direction of the doorkeepers, whose instructions must be followed at all times;
- eating and drinking are strictly forbidden;
- officials must not react in any way to anything said in debate;
- Members who are not Ministers or Parliamentary Private Secretaries to Ministers may not seek information from officials in the box unless asked to do so by a Minister. Government Whips in the Lords may communicate with officials in the Lords Chamber.

## **Attendance in Westminster Hall and for Committee meetings**

3.9 Four spaces are reserved for officials supporting Ministers during Westminster Hall debates, although officials may sit in the area provided for the public. Names of officials should be submitted to the Principal Doorkeeper before the morning of the debate. During Public Bill and

Delegated Legislation Committees, officials sit to the right of Chairman. No special permission is needed for these seats, or those provided at the back if the Committee is meeting in public. During Select Committee appearances officials sit behind the Minister giving evidence. Only a visitor pass is required for Westminster Hall or Committee meetings.

3.10 There are basic rules of behaviour to which all officials must adhere:

- During Committee meetings, officials should not walk behind the Chair while the Chairman is on his/her feet putting questions or addressing the Committee;
- those entering or leaving the room should take care to avoid disrupting proceedings;
- notes should be passed as discretely as possible (In Westminster Hall preferably through the PPS or Doorkeeper);
- conversation should be kept as quiet as possible; and
- no civil servant should enter that part of the room reserved for Members.
- Attendance in the Lords

3.11 Officials attending the Lords on business are accommodated in space to the right of the Throne. There is a box here which accommodates four, although additional chairs are available. Any further officials are accommodated in the public gallery. Seats here must be reserved by 10 am on the day of the business by faxing a list of names to Black Rod's Office.

## **Refreshments**

3.12 The following facilities are available to departmental staff and should only be used when attending official business in the Palace:

- Jubilee Cafeteria (off Westminster Hall) – this is the only restaurant facility available to day pass holders and is not open in the evenings;
- Debate (Portcullis House) Full grey photo pass holders with up to two guests (except between 12 noon and 2pm) and pink (departmental) photo pass holders (except between 12 noon and 2pm);
- Terrace Cafeteria – Pink (departmental) pass holders can only eat here between 12 noon and 2pm as a guest of a grey pass holder (who may take up to two guests);
- Bellamy's (1 Parliament Street) – Grey pass holders with up to two guests;
- Portcullis Cafeteria (Millbank) – Grey pass holders with up to two guests. Pink pass holders without guests.
- Adjournment (Portcullis House) – Grey pass holders on Fridays and during recess periods with up to three guests.

## Contact Details

3.13 The Pass Office (Derby Gate) may be contacted on 0207 219 5920 or faxed on 0207 219 5461. The Deputy Serjeant at Arms can be contacted on 0207 219 3040. Black Rod's Office can be contacted on 0207 219 4760 or faxed on 0207 219 2913. Lists for the Officials Box in the House of Commons should be faxed to the Speaker's Office 0207 219 6901 or to the Principle Doorkeeper for Westminster Hall business on 0207 219 4771.

## 4. Parliamentary Calendar and Sitting Times

4.1 The time between one general election and the next is known as a parliament. The 1911 Parliament Act sets a maximum period of five years but the Prime Minister can seek a dissolution of parliament at any time. Parliaments are separated by a period known as dissolution. A parliament will further be broken down into parliamentary sessions – usually expressed as the ‘2006-07 session’ – each beginning with the State Opening (which includes the Queen’s Speech). In non election years these normally run from the State Opening in November/December until prorogation, usually the following November. The first session of a new parliament will often be longer than normal if the Election has taken place in spring or summer, as it will usually continue until the next autumn. Likewise, the final session of a parliament is often a shorter session, with the parliament being dissolved in time for a spring general election.

### Annual Calendar

4.2 Each session is punctuated by a number of recesses when the Houses do not sit. The usual calendar for a parliamentary session is as follows:

|                             |  |
|-----------------------------|--|
| State Opening of Parliament | November/December  |
| Christmas recess            | Mid-late December to early January, usually two to three weeks |
| Constituency recess         | February, usually one week                                     |
| Easter recess               | Usually two weeks to include Good Friday and Easter Monday     |
| Spring bank holiday         | The week of late Spring Bank Holiday                           |
| Summer recess               | Mid-late July to early October                                 |
| Prorogation                 | November/ early December                                       |

4.3 The calendar is set by the government, although the individual recess periods are formally agreed by the House of Commons on non-debatable motions laid by the government usually about a fortnight in advance of the proposed break. The 13 Fridays that the House of Commons sits to consider Private Members Bills are also proposed by the government and again agreed by the House, through the laying of a motion.

4.4 Since 2002, the calendar setting out the sitting days of the House of Commons in the coming parliamentary session has been announced and issued by the Leader of the House of Commons, usually during the spill-over period following the summer recess but before the end of the session. This helps parliament and government with its long term planning but is always issued on the understanding that dates are subject to the progress of business.

4.5 The House of Lords tends to sit along similar lines to the House of Commons, with some small variations and subject to change by the ‘usual

channels' (informal contact between whips and business managers from the political parties) in the Lords. This is announced by the Leader of the House of Lords or the Lords Chief Whip.

## **Recesses**

4.6 Periods when the Houses are not sitting are commonly known as recesses, although all of them except prorogation are more correctly termed adjournments. The last sitting day before a recess period will often be marked in the House of Commons by a 'Pre-recess Adjournment Debate' (PRAD). The last day may also be marked by a change of sitting times. For example, when the House rises on a Tuesday, a motion may be tabled giving effect to the earlier sitting hours of a normal Wednesday. Westminster Hall debates may also be cancelled. No debates are held but Select Committees and Grand Committees may meet and conduct business. Papers may continue to be laid.

4.7 In general, Parliamentary Questions (PQs) cannot be tabled in either House during recess periods, except for a very short period before the end of a recess and for those days in September specifically designated by motion during the summer recess. The Table Office, which is the office which handles the tabling of Parliamentary Questions (and other motions) on behalf of Members, regularly issues guidance to government on the aspects of its operation during recess periods.

## **Prorogation**

4.8 Prorogation is the formal end of each session. The date is chosen by the Business Managers (the Leader of the House and Chief Whip – can be applied to both Houses) shortly before the session ends. This allows flexibility in planning the legislative programme. During the period of prorogation neither the House nor any Committee may meet. It is possible to lay certain documents before Parliament during prorogation (e.g. SIs and Command Papers), but not during a dissolution. It is also important for Parliamentary Clerks as it marks the period when parliamentary business such as Parliamentary Questions, Early Day Motions and Private Members Bills 'fall' or 'die'. Government Bills also fall if they have not received Royal Assent, unless they are subject to a carry over motion.

## **Recalls of Parliament**

4.9 The procedure for a recall of Parliament is set out in Commons Standing Order No. 13 and Lords Standing Order 17. The Speaker makes the final decision on whether Parliament should be recalled, but this is only after receiving representations from Ministers that the public interest requires it. Inevitably, this request is co-ordinated by the Prime Minister's Office although the request is on behalf of the Government as a whole. Standing Orders also provide for similar arrangements to operate in the House of Lords through the Lord Speaker.

## **General Elections**

### **Maximum term**

4.10 When a Government is elected it is for a maximum term of five years from the first meeting of a Parliament. In practice, the Prime Minister seeks the dissolution of Parliament from The Queen before that date. The date of a General Election is entirely a matter for the Prime Minister and he will take into account a number of factors when reaching a decision.

4.11 The reason for holding an election usually stems from a desire to obtain a fresh mandate but a Government also needs the confidence of the House of Commons. In 1979 a General Election followed the defeat of the Government on a motion "That this House has no confidence in Her Majesty's Government".

### **Dissolution procedure**

4.12 When the Prime Minister announces the date for the election he must also decide when Parliament will be dissolved. He can, if he so wishes, seek the dissolution immediately in which case any and all outstanding legislation is lost. More likely, there will be an interval between the announcement and the dissolution.

4.13 During this interval, usually referred to as the "wash-up" period, which might only be a few days (but possibly longer) the Government will decide what its priorities are and seek the co-operation the Opposition in getting legislation through. In doing so there will invariably be sacrifices to be made. Some Bills might be lost completely, others might be progressed quickly but in a much-shortened form. A lot will depend on where the Bills are in the legislative process and whether or not they are controversial.

4.14 The day of the dissolution is day 0 and the day of the election is day 17, excluding weekends and public holidays. If the Prime Minister wishes there to be a longer period between the dissolution and polling day Parliament may be prorogued in advance of the dissolution.

4.15 Polling day is traditionally a Thursday but there is no legal requirement for it to be so.

### **Period of election**

4.16 Once the date of the election is announced the period of election commences immediately. Special rules apply in a period of election which cover such issues as the making of Government announcements, dealing with enquiries, political activities of civil servants, use of Government property etc. Following the announcement, guidance is issued to Departments by the Secretary to the Cabinet and Head of the Home Civil Service and this is made available to staff.

## **MPs and Ministers**

4.17 When Parliament is dissolved MPs cease to be MPs and Departments treat all prospective Parliamentary candidates on an equal footing. Former MPs are no longer able to use the facilities of the House of Commons. Ministers continue to hold office until the outcome of the election is known.

## **Outstanding business**

4.18 Once an announcement is made that a General Election is to take place steps are taken in the Department to clear all outstanding parliamentary business:

- Bills – Discussions are held with the Business Managers in Parliament about the action required to get outstanding Bills through their remaining stages. The Government usually needs the agreement of the Opposition to get Bills through in a much reduced timescale and concessions are often made (ie a controversial clause in a Bill may be removed). Any Bills that are not concluded are lost.
- Statutory Instruments – Where affirmative instruments have been laid but not debated, action is taken to seek to get them debated and approved. If they are not debated before the dissolution they can be re-activated in the new parliament. Where negative instruments have been laid and made before the dissolution the coming into force date is not affected.
- Parliamentary Questions – Steps are taken to get all outstanding PQs answered.

## **Outcome of the General Election.**

4.19 The leader of the political party which wins the largest number of seats in the General Election is invited by The Queen to form a Government. The Prime Minister first appoints a Cabinet and then moves on to fill other ministerial posts.

## **The new Parliament**

4.20 The date when the new Parliament first meets would have been announced when the previous Parliament was dissolved. The first business on the new Parliament is the election of the Speaker. This is followed by the swearing in of Members. This process takes several days and is followed by the State Opening of Parliament by The Queen.

## **The Parliamentary Week**

4.21 Sittings of the House of Commons are set out in Standing Orders Numbers 9-13. The current parliamentary week is shown below

| At a Glance... The Parliamentary Week in the Commons     |  |  |   |   |   |
|--|--|--|---|---|---|
|  | Mon  | Tue  | Wed   | Thurs   | Fri   |
| Deadline for UQ and S.O. 24 debate applications          | 12:00 noon   | 12:00 noon   | 10:30am   | 09:30am   | 10:00am   |
| House Sits   | 2.30pm Prayers, Oral Questions   | 2.30pm Prayers, Oral Questions   | 11:30am Prayers, Oral Questions (PMQs at 12:00)                               | 10:30am Prayers, Oral Questions   | 09.30am Prayers, Main Business (PMBs)           |
| Urgent Questions, Oral Statements, Presentation of Bills | 3:30pm   | 3:30pm   | 12:30pm   | 11:30am (Business Question at 11:30am)  | 11:00am (House adjourned for UQs or Statements) |
| Main Business  | Starting between 3.30 and 5.00pm<br><br>7:00pm – end of half day debates etc | Starting between 3.30 and 5.00pm<br><br>7:00pm – end of half day debates etc | Starting Between 12.30 and 2.00pm<br><br>4:00pm – end of half day debates etc | Starting between 12.15 and 1.45pm<br><br>3:00pm – end of half day debates etc |   |
| Moment of Interruption<br><br>Daily Adjournment Debate   | 10:00pm  | 10:00pm  | 7:00pm  | 6:00pm  | 2:30pm  |
| House rises  | 10:30pm  | 10:30pm  | 7:30pm  | 6:30pm  | 3:00pm  |
| Westminster Hall   |  | 09:30am-2:00pm   | 09:30am-11:30am<br><br>2:30pm-5:30pm  | 2:30pm-5:30pm   |   |

## The Parliamentary Day in the Commons

4.22 The order of business on any given day is taken in a prescribed order but no two days are ever the same. Before the start of business the Speaker will meet with the Deputy Speakers and relevant senior House officials to go through the day's business and, importantly from a Parliamentary Clerk's point of view, make a decision on any application for Urgent Questions or urgent debates under Standing Order No. 24. Following the Speaker's procession to the Chamber, the House sits for

Prayers. Prayers are held in private and last for about three minutes. On their conclusion, there is an opportunity for various procedures to take place, but these are rare. They include any report (from a whip) of the Queen's answer to an address (for example the 'humble address' agreed by the House during Queen's speech debate). The Speaker may also make formal communications regarding such issues as the death or imprisonment of a sitting MP. A motion for a new writ, the device triggering a by-election may also be moved, normally by the Chief Whip of the relevant party. Unopposed private business motions, which are not debatable, may also be moved. A motion for an unopposed return, may be made at this time, providing full parliamentary privilege protection for the reports from inquiries set up by the Government e.g. Scott report 1996 and Hutton Inquiry 2004.

4.23 An hour of the day is then set aside for Question Time. This allows the House to have a set period to question every government department, the dates for these sessions are set out by the House in a published rota.

4.24 Following Question Time, an Urgent Question may be asked, with the leave of the Speaker. If allowed, this would normally last about 30 minutes, although supplementaries are at the Speaker's discretion. Oral Statements by a Government Minister follow Question time and any allowed Urgent Questions. Standing Order No. 21(2) also allows the Leader of the House of Commons to announce the arrangements for forthcoming business of the House in reply to a question from a member of the opposition front bench every sitting Thursday. When other important Government oral statements are planned for a Thursday, the Leader of the House may decide to allow these to take precedence over the Business Question. The Business Question is then taken afterwards and itself becomes a statement. The format is otherwise unaffected.

4.25 Following statements, any newly elected Member of the House (following a by-election) is introduced to the House and swears the oath or makes the affirmation. Also at this time the House may hear an application for an urgent debate under Standing Order No. 24. If the Speaker consents to an application being heard, the Member who has applied has three minutes to make their case. If the House agrees the application, either unanimously, or by forty Members rising in their places in support, or following a division (if not fewer than 10 Members rise in support), then a three hour debate takes place (generally the next day). It is relatively rare for the Speaker to consent to requests for applications to be heard on the floor of the House.

4.26 At this point it is not unusual for Members to raise points of order with the Speaker. Then follows a slot for ceremonial speeches (for example the death of a former Speaker) or for personal statements by either Members or Ministers. These may be to make apologies or are sometimes used by Cabinet Ministers to give their reasons for leaving Government to the House. These are in the gift of the Speaker and are not subject to any questioning or debate.

4.27 At this time the House moves onto 'public business'. The preliminary business that may be considered before the House moves onto the main business includes the presentation of Bills. This may be by a Member, under Standing Order No. 57 or by a Minister under Standing Order No. 50 or 57. Further motions may also be moved at this point; including business motions and motions put forthwith (a full list is shown in DODs Handbook of Parliamentary Procedure). Finally (on a Tuesday and Wednesday)<sup>1</sup> a Member may move a motion for leave to bring in a Bill – the ten-minute rule motion. A ten minute speech opposing the bill may also happen followed, if necessary, by a division.

4.28 The main business then commences with the orders of the day and notices of motions, which appear in sequential order on the Order paper. This includes the stages of a Bill and debates, including debates arising on an opposition motion.

4.29 If business is agreed (usually by informal arrangement) as lasting half a day then this 'half-way' point is regarded as arising at about 7pm on a Monday or Tuesday, 4pm on a Wednesday and 3pm on a Thursday.

4.30 The 'moment of interruption', which signals the cut-off or ending of main business, occurs at 10pm on Monday and Tuesday, 7pm on Wednesday and 6pm on Thursday, unless the business being discussed is exempted. There are various devices for exempting business, and some business is automatically exempted including Statutory Instruments and European Union documents. Following any votes or divisions, public petitions may be presented.

4.31 There then follows a 30 minute 'end-of-day' adjournment debate to allow backbenchers to raise issues of concern. These are different to other debates which may occur during main business on a technical motion 'that this House do now adjourn'. The latter is simply a device for a debate to take place without having a substantive motion to divide upon. If the daily adjournment debate starts early it may continue until the moment of interruption and then be renewed for a further 30 minutes. If the Member successful in the ballot is not in their place at the start of the debate then the motion will be moved and the House adjourned.

## **The Parliamentary Day in the Lords**

4.32 The order of business on any given day is taken in a prescribed order but no two days are ever the same. On Monday and Tuesday, the House sits at 2.30pm and usually rises at 10.00pm. On Wednesdays the House sits at 3.00pm, rising by about 10.00pm. On Thursday, Friday (and the last day before recess) the House sits at 11.00am and any business should be completed by 7.00pm. On Fridays the House sits at 10.00am and usually completes business by 3pm. On days when the House is considering legislation, business is usually interrupted for an hour for 'dinner break' business at about 7.30pm (Mondays to Wednesdays) or 'lunch break'

business at about 1pm (Thursdays), where alternative business (usually a short debate) is taken. The main business then resumes after the dinner/lunch break.

4.33 Following the Lord Speaker's procession to the Chamber, the House kneels for Prayers. Prayers are held in private and usually last between 3 and 5 minutes. On their conclusion, there is a section of time allocated for preliminary business. This usually takes less than 10 minutes but can take much longer. This can include any of the following procedures - however it is rare for many of these to take place: Ceremony of introduction and oaths of allegiance of new members (this can also take place at the end of business); Lord Speaker's Leave of absence; messages and answers from the Crown; Royal Assent (or at any convenient time during sitting); addresses of congratulation or sympathy to the Crown; tributes; formal statements from the Lord Speaker and any Personal statements from members.

4.34 The business starts with a short question time for half an hour. Four oral questions, formerly known as 'starred questions', are taken. The subject matter of these questions is not restricted and questions are directed at the Government as a whole, not at specific government departments on set days (as in the Commons.) Constant up-to-date briefing is required by the relevant Government Lords Ministers. Constant communication is necessary between the relevant Ministerial private offices and parliamentary branch. Starred questions are allocated on a "first come first served" basis, subject to certain rules. The fourth question on each Tuesday, Wednesday and Thursday is a "Topical Question" chosen by ballot. The timings for the Topical Questions ballots are:

- For Tuesday's Topical Question: ballot drawn on preceding Friday at 2pm
- For Wednesday's Topical Question: ballot drawn previous Monday at 2pm
- For Thursday's Topical Debate: ballot drawn previous Tuesday at 2pm.

The Government Whips Office in the Lords notifies Parliamentary Branches of the results of the Topical Questions ballot.

4.35 Private notice questions (PNQs) are urgent oral questions. The Lord Speaker decides on their admissibility. They are very rarely allowed in the Lords but, when they are, they come immediately after oral questions.

4.36 Any business statements follow. They indicate the limitations on speaking time to be observed in time-limited debates, and may also indicate the hour of adjournment for dinner or other timings for business during the day.

4.37 Ministerial statements in theory come next. Most statements are made in the Commons first and then repeated in the Lords as soon after

as is convenient. On Mondays and Tuesdays this is at a convenient moment after 3.30pm, on Wednesdays it is shortly after 3.30pm and Thursdays the timing is variable but usually around lunch time. In the Lords, brief comments and questions for clarification from the opposition front benches and from back-benchers of all parties are allowed for a total period not exceeding forty minutes following the end of the statement.

4.38 Consideration of a Lords repeat statement will be given if a Commons statement has been agreed by the Leader of the House of Commons Office, the Commons Chief Whips office and Number 10. The usual channels in the Lords (Leader of the Lords, Lords Whip and other party whips) will discuss whether the statement is to take place and timings. The Lords Government Whips' Office will then confirm with the Parliamentary Branch by 12:00pm whether the statement is to be repeated, and what time in the day. (Confirmation will be by 10:00am when the House sits in the morning). Apart from statements by Departments where the Secretary of State is a member of the House of Lords the statement repeat cannot start until the Commons Minister has begun the statement.

4.39 The substantive business then begins. Discussion of private legislation comes first, followed by Business of the House motions, which are usually moved by the Leader of the House and signify a change in the order of business. When required, Chairman of Committees' business follows; this is usually feedback and discussion of any reports of the House Committee. Discussion of public bills, delegated legislation and reports from select committees comes next, followed by other motions

4.40 Questions for Short Debate (QSDs) (Formerly Unstarred Questions): Any questions for debate that have been tabled for oral answer by government are taken either during the dinner or lunch break, or at the end of business. These are time-limited to one hour (during dinner/lunch break) and one and a half hours (if they occur at the end of business). They are similar to adjournment debates in the Commons.

4.41 On Thursdays from the beginning of the session to the end of June, the order of business differs slightly as general motions for debate have precedence over bills and other business. Thursday is therefore a day of debates and any other business comes last. From 1 July to the end of the session, bills take precedence over general motions.

## 5. Parliamentary Papers

5.1 There are five main classes of parliamentary papers; House of Commons Bills and House of Lords Bills; House of Lords Papers; House of Commons Papers and Command Papers. Bills and Papers from both Houses form part of the papers produced by Parliament and its Committees. These also include the Votes and Proceedings (Commons) and the Minute (Lords), the Register of Members' Financial Interests, Standing Orders and Sessional Returns. In addition papers presented to Parliament include Command Papers and Deposited Papers.

### Vote and Proceedings and the Minute

5.2 The Vote Bundle is the daily collation of working papers issued each sitting day to Members of Parliament (MPs) and others, setting out past and forthcoming business in the House of Commons. It is, in effect, the minutes of the last meeting, an agenda for the day, and a programme of future business. The bundle comprises two basic parts, which are further subdivided. The white pages deal with past and current business and the blue pages deal with future business. On Wednesdays, where a deferred division is due to take place under Standing Order No. 41A, a pink ballot paper is also included in the bundle. It is essential that the Order Paper is scrutinised carefully every morning so that all items of relevant parliamentary business are identified and actioned as appropriate. Ministers should be informed of relevant changes.

#### At a Glance.....Parliamentary papers

##### The working papers of Parliament

- House of Commons Bills\*
- House of Lords Bills\*
- Hansard

##### Papers produced by Parliament and its Committees

- Votes and Proceeding (Commons) and the Minute (Lords) – the formal, authorities record of the decisions taken by each House.
- House of Commons Papers\* including Select Committee papers, Minutes of proceedings of Public Bill Committees, Returns to Addresses by the House, Estimates and Appropriation etc. Accounts, Certain Annual and other reports and/or Accounts required by statute to be laid before the House, House sessional returns which include statistics on the work of the commons for each parliamentary year.
- Standing Orders of the House of Commons– these are the rules for conducting business in the House of Commons. (Published as House of Commons paper, but not falling into any particular category)
- Register of Members' Financial Interests. (Also published as House of Commons paper, but not falling into any particular category)
- Standing Orders of the House of Lords – the rules for conducting business in the House of Lords.
- House of Lords Papers\*

##### Papers Presented to Parliament

- Command Papers\* – Government papers laid before Parliament.
- Deposited Papers

\* Main Classes of Parliamentary Papers

5.3 The white pages published on a sitting day include;

- Summary Agenda\*
- Order of Business (including Future Business)\*
- Votes and Proceedings\*
- Papers available today
- Committee papers (amendment lists; Order Papers for the Scottish, Welsh and Northern Ireland Grand Committees; Proceedings of yesterday's Public Bill Committee meetings)

Also available are;

- 'The Questions Book'. A separate daily document of outstanding questions for written answer\*
- Order of Business in Westminster Hall

(\* - these items are available on the [Parliament website](#) )

5.4 The blue pages include;

- Notices of questions given on the previous day
- Private Business
- Notices of Motions for which no date is fixed (ie Early Day Motions)
- Notices of new Amendments tabled for future days

## **Summary Agenda**

5.5 Introduced following a recommendation of the Modernisation Committee, it summarises the House's main business for the day, giving indicative timings where possible. Memoranda, including various miscellaneous items of information, are often placed on the back of the agenda.

## **Order of Business**

5.6 The Order of Business is in effect the House's agenda. It follows the normal order in which business is conducted, although not every item of business necessarily appears. For example, Urgent Questions or Ministerial Statements that are made with no prior notification do not appear. These instead appear on the annunciators throughout the Palace and Whitehall to alert MPs and others to the additional business on that day. The various headings relate to the main categories of business:

- Private Business after Prayers - Proceedings on Private Bills, often initiated by local authorities or private companies and applying only to a particular company, area or undertaking, are put on the Order Paper by the Chairman of Ways and Means. For business to proceed at this stage it must be unopposed. If objected to, either printed in the Order Paper or by a cry of "object", then the Chairman

of Ways and Means nominates time for the proceeding to be debated and it will appear on the Order Paper as Opposed Private Business when it is scheduled to take place. (In practice, Opposed Private Business debates never take place on a Friday);

- Questions for Oral Answer - These appear every day except Friday based on the five week rota produced by the House. Questions appear in the order in which they first appeared in the 'blues' (blue covered pages of the vote bundle) following the questions shuffle procedure. However, it is important for Departments to pay close attention to any withdrawals etc. For those Departments that also answer topical Questions there is also a separate list of those Members who have been successful in the ballot to ask the department a Topical Question.;

Following this are listed Urgent Questions, Business Question to the Leader of the House (if a Thursday) and notice of Ministerial Statements. This may include a provisional title of Ministerial Statements where prior notice has been given by the Leader of the House of Commons;

- Preliminary Business – This may include presentation of government bills or private members' bills, ten-minute rule motions (which includes a short speech from the proposer and possibly a short speech against, with a subsequent division). Other motions may relate to business, referring certain proceedings to committee and other motions to be put forthwith.
- Main Business – This contains the orders of the day and notices of motions, the main items of business for that days sitting are listed and may include government bills, government motions, Opposition day debates, business motions and, on Fridays, private members bills. All government business is denoted by a dagger symbol besides its title. The names of the Members sponsoring a motion appear beneath the title. Any time limits or other rules for the business being considered, as previously agreed by the House, appear in italics under the business listed on the Order Paper (however the Speaker may impose time limits on the day of debate without prior notification on the Order Paper). At the end of the main business is the name of the Member selected to raise the topic of the adjournment debate;
- Committees –listing all the committee meetings taking place that day. It includes select committees, joint committees of both Houses and the various legislative committees. The information provides details of the timing and venue, the business being considered, whether the meeting is public or private and the names of any witnesses giving evidence.
- Publication of Select Committee Reports – listing all select committee reports being published that day. It includes the name of the committee and the report, together with the publication time and House of Commons paper number.
- Written Ministerial Statements to be made today – A list of WMSs being issued that day, with the names of the issuing departments

and the subject as notified to the table office by the specific department; and

- Future Business – this is comprised of six sections.

A. lists the business for future days. This is based on the business statement made by the Leader of the House of Commons but will also include which department is answering oral questions, ten-minute rule motions and the subjects of adjournment debates. This business should be considered provisional in its nature as it can be amended.

B. lists the business to be taken in Westminster Hall over the following two sitting weeks. Timings are listed together with the leading Member and the subject matter of the debate.

C. Remaining orders and notices lists almost entirely government business, formally set down for that day but in practice it is government business waiting to be put onto the effective orders. The business includes government bills awaiting second reading or report stage, motions to approve statutory instruments subject to the affirmative resolution procedure and other government motions eg. for debates on the floor of the House or for the House to make decisions on. Amendments to these motions also appear in this section when they are tabled. The items do not necessarily appear in the order in which they will be taken.

D. is a list of other business set down for specific days in the future, and includes notice of forthcoming ten-minute rule motions and business set down for Private Member Bill (PMB) Fridays.

E. lists the European Union Documents to be considered in European Committees and provisional dates where known.

F. lists future Written Ministerial Statements where notice has been given.

## **Votes and Proceedings**

5.7 Also known simply as ‘the Vote’, these are in effect the minutes of the previous day’s business but, unlike normal minutes, they record only the outcomes and nothing of the detailed discussion which took place. It is a concise record of facts without any detail of the often long debate. The record is compiled by the Journal Office from the entries in the minute books of the Clerk at the Table and accumulated annually into the published journal of the House of Commons.

5.8 The Votes and Proceedings consists of four main parts

- The record of proceedings in the Chamber itself, in the order in which they happened. This usually starts with a record of which departments answered questions and the subject of any ministerial

statements, before moving on to substantive business such as presentation of bills, and the main Government (or Opposition) business of the day. The main body of the Vote also records proceedings which do not require anything to happen on the floor of the House (known as “book entries”, because they are recorded in the Clerks’ minute-books), such as the receipt of a message from the House of Lords.

- This is followed by reports from General Committees which have completed consideration of a bill, statutory instrument or EU document at that day’s sitting, followed by a list of Members and Chairmen appointed to General Committees that day (usually for meetings on a future date).
- After the entries relating to General Committees come the reports of that day’s select committee meetings, which include a note of any reports agreed to and evidence taken that day (though these may not be published for some time after they are reported to the House).
- Finally, an Appendix lists all the papers which were laid before the House, such as statutory instruments, Command papers and annual reports and accounts.

## **Papers available today**

5.9 A list of the sections of the vote bundle that day, in the order they appear, with page locations.

## **Committees**

5.10 Any further papers will consist of amendment lists for consideration during committee stage of a bill, details of the proceedings in any of the Public Bill Committees meeting the previous day and order papers for the Scottish, Welsh and Northern Ireland Grand Committees. The proceedings detail the full text of any amendment being considered and the fate of that amendment.

## **Blue Pages – Notices of Questions**

5.11 The first section of the blue pages or ‘the blues’ contains notice of questions tabled the previous day, arranged by date for answer, and within each day in alphabetical order by department. At the end of each question is listed its unique reference number. The section includes those questions previously appearing but transferred for answer to another department with [transferred] appearing after the question. Questions marked with ‘N’ are named-day questions for answer on a specific day. It is also the first notice of questions tabled for oral answer, these being denoted by an asterisk. It is important to remember that corrections to questions may be made and the wording should be checked later to ensure the Member tabling the question has not amended it. Any questions withdrawn by a Member is marked [withdrawn] and if a Member wishes to change an oral question to a written question it is marked [unstarred].

## **Private Business**

5.12 A list of all private bills to be taken in the House or in committee, and notices of motions regarding future private business which are to appear on the Order Paper on future days.

## **Notices of Motions**

5.13 Early Day Motions: EDMs are listed in sequential order from the start of each session (with all EDMs falling at prorogation). These motions for debate on an unspecified time in the near future are mainly tabled by backbench Members to raise awareness of and gauge support for an issue. However, this is also the method used for motions of no confidence in the Government and 'prayers' against statutory instruments subject to the negative procedure in order to seek a debate. Since Government business takes priority, EDMs are rarely debated. Following their initial printing EDMs are only reprinted if further names are added or amendments are tabled. EDMs stand, unless withdrawn, until the end of the session. The [EDM Database](#) provides a list of all EDMs and those Members who have signed up to each.

## **Notices of Amendments**

5.14 Notices of new amendments tabled for public bill committees (and committee of the whole House) on future days are listed on the blue sheets.

## **House of Lords**

5.15 Together with the Hansard specific to proceedings in the House of Lords, there are two additional core documents giving information about the business in the Lords: the white order paper (basically the agenda for that day) and 'House of Lords Business'.

## **House of Lords Business**

5.16 House of Lords Business is printed after each day's business and includes future business, so far as arranged, and the Minutes of Proceedings. It also includes:

- business of which notice has been given but for which no day has been named. This is grouped into five main Headings; Motions for balloted debate; Select Committee reports for debate; Other Motions for debate; Motions relating to Statutory Instruments and Questions for short debate;
- list of questions for written answer tabled that day, together with a list of questions which remain unanswered after 14 days. These are listed by the date they were tabled and include details of the Peer

tabling the question, the reference number, the date it was due for answer and the responsible government department;

- legislation – a list of bills in progress, measures, affirmative and hybrid instruments, Northern Ireland Assembly legislation, regulatory reform orders, human rights remedial orders and special procedure orders in progress, showing the stage reached by each and the next date for consideration where known; and
- meetings of committees.

5.17 The Minutes of Proceedings is similar to that of the Commons in that it records of actions and decisions are listed rather than what is said in any debate. It is set out in the following order:

- preliminary matters, such as prayers, Members taking the oath etc;
- select committee report printing orders;
- private business;
- public business, in the order in which it is taken in the House;
- minutes of proceedings of any Grand Committees and public bill committees;
- papers laid before the House;
- judicial business, including details for the following day, if any; and
- lists of members voting in any divisions.

## **House of Commons Papers**

5.18 House of Commons Papers are one of the five main classes of parliamentary papers, and result from the work of the House and its Committees. Each paper in the series is identified by the prefix HC and the session in which it is published. The Votes and Proceedings desk in the Journal Office of the House of Commons allocates the numbers, which begin at 1 at the start of every session. Documents are referred to by number and session eg HC368 2003-04 (Select Committee on Modernisation report on 'Connecting Parliament with the public')

5.19 The main papers included in this series are: Select Committee papers; Minutes of proceedings of Public Bill Committees; Returns to Addresses by the House; Estimates and Appropriation etc. Accounts; Certain annual and other reports required by statute to be laid before the House and House returns.

5.20 The day-to-day business papers appearing in the vote bundle are not included in this series.

## **Sessional Returns (House Returns)**

5.21 The Sessional Return is produced at the end of each parliamentary session and summarises the business conducted by the House and its committees. This includes: closure of debate, proposal of question and allocation of time; sittings of the House; Private bills and private business; public bills; delegated legislation and regulatory reform orders; European

legislation; Grand Committees and Committee on Regional affairs; Chairman's Panel and Select Committees.

5.22 The Sessional Returns were first published in consolidated form as a single House of Commons Paper for Session 1986-87 and are available on the internet for all sessions from 1997-98.

Returns of the following have been placed in the House of Commons Library where they may be inspected by Members.

1. Closure of debate in the House and in Standing Committees dating back to 1887 and 1907 respectively;
2. Delegated Legislation from Session 1974-75;
3. Private Bills and Private Business from 1981;
4. Sittings of the House from Session 1960-61; and
5. Special Procedure Orders from Session 1972-73

Copies have also been supplied to the Parliamentary Archives, where they are available for public inspection.

5.23 The Public Bill Office of the House of Commons maintains a public bill index from 1922 to the present day. Public and Private Bills and Delegated Legislation are also listed by session in the Part II Index to the relevant House of Commons Journal. Substantial other procedural information can also be derived from this Index, for example the date of each stage in the passage of a particular Bill through the House of Commons, and instances of closure in the House and in Committees of the whole House.

## **Standing Orders (and Parliamentary Procedure)**

5.24 Parliamentary procedure regulates the proceedings of the House and can be divided up into four main sections:

- **Practice** is the general understanding established over the centuries and does not need to be formally written down;
- The **Standing Orders** are the rules under which Parliament conducts its business and they regulate the way Members behave and debates are organised. Some Standing Orders are temporary and only last until the end of a session or a Parliament. There are over 160 Standing Orders relating to public business in the Commons (88 in the Lords) and over 270 relating to private business;
- In the House of Commons **Rulings from the Chair** relate to decisions on procedure which have been referred to the Speaker for clarification. These rulings are later included in newer editions of the **Erskine May's *Treatise on the Law, Privileges, Proceedings and Usage of Parliament***. The book has been revised regularly by successive Clerks of the House and is commonly known as Erskine May. Sir Thomas Erskine May was Clerk of the House of Commons between 1871 and 1886;

- In the **House of Lords**, procedure is developed by the House itself through the **Procedure Committee** which considers any proposals for changes to Standing Orders. In the House of Lords the Procedure Committee authorises the revision of the Companion to the Standing Orders of the House of Lords. It was originally written by Sir John Shaw-Lefevre, the Clerk of the Parliaments in 1862; and
- Other proceedings are controlled by Acts of Parliament which cover such things as Taking the Oath or presenting Bills to Parliament.

5.25 Within the House of Commons the Standing Orders (relating to Public Business) cover the following matters;

| Standing Order no.         | Matters covered   |
|----------------------------|---|
| 1 to 4                     | Election of the Speaker and arrangements for deputies and chairmen of general committees  |
| 5 and 6                    | Swearing in of Members (taking oath or making affirmation)  |
| 7 to 13                    | Seats in the chamber and sittings of the House and in Westminster Hall  |
| 14 to 20 and 23 to 27      | Arrangement, timing and precedence of public business   |
| 21 to 22B                  | Arrangements for tabling of notice of parliamentary questions and of written ministerial Statements   |
| 28 to 37 and 42 to 47      | Rules of debate and order in the House  |
| 38 to 41A                  | Arrangements relating to divisions and deferred divisions   |
| 48 to 56                   | Arrangements for the consideration of business relating to the raising and expenditure of public money.   |
| 57 to 83                   | I Consideration of public bills (inc programme motions)   |
| 84 to 120                  | Rules relating to general committees, including, public bill, delegated legislation and European committees and terms of reference for the Northern Ireland, Scottish and Welsh grand committees and the regional affairs committee |
| 121 to 138                 | Arrangements relating to the work of select committees  |
| 139-149, 151 and 152A-152D | Terms of reference of certain select committees and the House of Commons MEC  |
| 150                        | Remit of the Parliamentary Commissioner for standards   |
| 152                        | Terms of reference of the select committees related to government departments   |
| 153 to 157                 | Public Petitions  |
| 158 to 160                 | Receipt of parliamentary papers, including SIs  |
| 161 to 163                 | Arrangements in relation to the attendance of members of the public   |

5.26 Within the House of Lords the Standing Orders (relating to Public Business) cover the following matters

| Standing Order no. | Matters covered                                |
|--------------------|--|
| 1                  | Arrangements when Her Majesty present          |
| 2 to 8             | Lords and the manner of their introduction     |
| 9 to 11            | Excepted Hereditary Peers                      |
| 12 to 17           | The House and its arrangements                 |
| 18 and 19          | Speaker of the House                           |
| 20 to 26           | General observances                            |
| 27 to 39           | Debates  |
| 40 to 46           | Arrangement of business                        |
| 47 to 53           | Bills  |
| 54 to 61           | Divisions                                      |
| 62 to 69           | Committees                                     |
| 70 to 73           | Parliamentary papers                           |
| 74                 | JCSI   |
| 75                 | Public Petitions                               |
| 76 and 77          | Proceedings at opening and close of Parliament |
| 78 to 82           | Committee for privileges and claims of peerage |
| 83 to 86           | Privilege                                      |
| 87                 | Judicial business                              |
| 88                 | Making or suspending of standing orders        |

## Register of Members' Financial Interests

5.27 The Register of Members' Financial Interests is published shortly after the beginning of a new Parliament, under the authority of the Committee on Standards and Privileges, and annually thereafter. Between publications the Register is regularly updated and is available for public inspection in the Committee Office of the House of Commons or via the internet. Employment agreements deposited with the Registrar are available for personal inspection only.

5.28 Since 1974, the Register has contained payments, financial relationships, paid employment, gifts or benefits in kind, to provide information of any pecuniary interest which a Member receives which might reasonably be thought by others to influence his or her actions, speeches or votes in Parliament, or actions taken in his or her capacity as a Member of Parliament.

5.29 Members are required to notify the House of any relevant interest they have (known as "declaration") when debating and also in written proceedings in the House, for example, tabling Early Day Motions, amendments to bills or parliamentary questions. Where a Member declares an interest in these situations their name is followed by the letter 'R' in square brackets. The thresholds set for registration are normally linked to one per cent of salary or to a statutory limit.

5.30 The Registrar of Members' Financial Interests is responsible for maintaining the register and advising Members on the rules. The Parliamentary Commissioner for Standards is responsible for investigating complaints that a Member has breached these rules. The Commissioner

reports findings to the Committee on Standards and Privileges, which may then report to the House, and, if necessary, the House may decide on any penalties.

5.31 Ministers must also comply with the Ministerial Code and any reporting regime managed by the Cabinet Secretary, as well as with the rules of the House, in their capacity as MPs.

## House of Lords Papers

5.32 A system similar to that operating in the House of Commons exists so that documents, such as select committee reports, the roll of the Lords and the House of Lords Annual Report and Accounts can be published. To do this they need the authority of the House which is given by means of a silent minute entry – the document being published ‘by order of the House’. Similarly to the House of Commons, papers are given a prefix (in this case HL) and are numbered beginning at one from the start of each session.

## Command Papers

5.33 Command papers are one of the main classes of Parliamentary Papers and consist of Government publications presented to Parliament. The term ‘Command’ comes from the fact they are presented to the United Kingdom Parliament nominally by ‘Command of Her Majesty’, but in practice generally by a Government Minister. The Command Paper series are papers of interest to Parliament where presentation to Parliament is not required by statute and include State papers (including treaties and international agreements), White and Green Papers (Government policy proposals or consultations), some Government responses to Select Committee reports, Reports of Royal Commissions and statistics and annual reports of some government bodies. The presumption should be that any paper that will lead to a debate in Parliament or a statement by a Minister should be published as a Command Paper. The same procedure for publishing is followed regardless of the type of paper.

5.34 Apart from a few exceptions they are published in a numbered series. This system was introduced in 1833 and the current series uses the prefix Cm. The first series, unprefixed, ran to No. 4222 of 1868-69. This was followed by C1 to C9550 (1870-1899), Cd1 to Cd 9239 (1900-1918), Cmd1 to Cmd 9889 (1919-1956), Cmnd1 to Cmnd9927 (1956-1986) and Cm1 onwards from 1986. The Unprinted Command (UC) series is made up of the few papers each year that are presented by Command but not printed in the Command Paper numbered series. These include things like the BBC and Sports Council Annual Reports.

5.35 A list of Command Papers from 2001 onwards is available on the [OPSI website](#), either listed alphabetically by department or numerically by Command Paper number. Command Papers are published on Departmental websites and on the Official Documents website where they

can be viewed in HTML or PDF and purchased. The OPSI website also contains a comprehensive guide to the procedures for printing, publishing and presentation to Parliament of Command Papers entitled 'How to Publish a Command Paper'.

5.36 Normally, Command Papers are presented to both Houses, but it is not unknown for presentation to be made only to one.

## Deposited Papers

5.37 Guidance on the rules for depositing papers is regularly published by the House of Commons Library and should be referred to alongside this guidance. Deposited Papers are those placed in the Library of either House by a Minister, or Commons or Lords Speakers, which are not laid before the House in any other way (i.e. is not a command paper etc). Occasionally, the Members with responsibility for representing the Speaker's Committee on the Electoral Commission or the Church Commissioners are allowed to deposit papers but no other Member may deposit papers in this series. These papers tend to fall into several categories and may include: research reports; tables of data; explanatory notes to legislation; diagrams or maps; consultations; Government promotional material; exchanges of correspondence and copies of forms.

5.38 All documents must have the demonstrable commitment of a Minister to be deposited. Without this it will be refused by the Library. This commitment is usually in the form of a response made in a debate or in a written statement, PQ answer or letter from a Minister. The wording of the commitment must use the phrase 'placed in the Library' or 'deposited in the Library' – it should not use the word 'laid'. When stating in a statement or during a debate that copies of a document are available, Members should be directed to the Vote Office or Printed Paper Office, not the Library. Deposited papers are accepted throughout recesses and do not have to be in a particular format. Papers to be deposited should be e-mailed to the library with a [completed coversheet](#). Once deposited, no item can be withdrawn, although a replacement document can be deposited as well as the original. All documents are to be considered in the public domain once deposited and are supplied to members of the public in response to FOI requests. The list of deposited papers, and the full text of electronically sent papers, can be found at <http://deposits.parliament.uk>

5.39 Since the 2007/08 session, all documents must be transmitted electronically. In addition, since the 2007/08 session, the deposited papers series has been shared by the Commons and Lords Libraries.

5.40 Parliamentary Clerks should make items not easily accessible from the website available to members of the public wishing to access them.

5.41 Written Ministerial Statements should be sent separately from deposited papers.

## 6. The Department of the Official Report

6.1 Hansard is the popular name for the Department of the Official Report. It is also often used to refer to the official report itself, a verbatim report recording what is said in both Chambers, in Westminster Hall and in general committees, together with the text of Written Ministerial Statements and the answers to written parliamentary questions.

6.2 The Official Report is a full report, set out in the first person, of all speakers alike. The term 'full report' is defined as one 'which, though not strictly verbatim, is substantially the verbatim report, with repetitions and redundancies omitted and with obvious mistakes corrected, but which on the other hand leaves nothing out that adds to the meaning of the speech or illustrates the argument'. The report appears daily (available from early morning and containing details of the previous day's proceedings), and there is also a weekly version and a definitive green bound volume. These are the archive set and include an index to the whole session (published as the last bound volume).

6.3 It assists the Hansard reporters if they can be given copies of any Ministerial speaking notes before debates and if quick answers can be given to their queries, normally seeking clarification of quotations and spelling of names. Copies of speaking notes should be sent to [hansardmes@parliament.uk](mailto:hansardmes@parliament.uk), [cairnsdp@parliament.uk](mailto:cairnsdp@parliament.uk) and [ferreiram@parliament.uk](mailto:ferreiram@parliament.uk) or delivered directly to the Hansard reporter. During debates, officials in the box may also receive queries from the Hansard reporters via the doorkeepers and should respond to these as quickly as possible. Following a Minister's appearance in the Chamber, civil servants (normally a Private Secretary), will attend the Hansard Assistant Editors' Office near the Lower Press Gallery to check copy for amendments. Copy is normally ready within about one and a half hours and needs to be checked before being sent to the printers and publication on the Parliamentary website (approximately three hours after the Minister has sat down.) In committee, timescales will vary and it is always best to check. Hansard has its own house style. There will always be areas of disagreement, whether it is on capital letters or whether the Government 'are' or 'is'. Hansard will always stick to the in-house style. Amendments can be made after the report has gone to the printers for later inclusion in the bound volume, if in the opinion of the Editor the corrections do not substantially alter the meaning of anything that was said in the Chamber.

6.4 Debates in Westminster Hall and General Committees (Public Bill Committees, DL Committees etc.) are taped and then transcribed with the aid of a log kept by the committee sub-editor. Briefs and speaking notes should again be supplied prior to the start of the debate. Westminster Hall debates are read in the Hansard Office on North Bridge and committee reports are read in the Hansard offices on the 5th floor of 7 Millbank.

6.5 Departments should endeavour to send written answers to Hansard no later than 6pm on Monday and Tuesday, 4pm on Wednesday and

Thursday and 2pm Friday. Departments with large volumes should send over answers in batches as early as possible. Please ensure that tables for publication are sent in excel or word, not PDF or picture files. Tables may be sent to the following address [writtenanswers@parliament.uk](mailto:writtenanswers@parliament.uk). Written Ministerial Statements should also reach Hansard by the same deadlines to ensure publication but it is the practice to issue them much earlier in the day.

6.6 Hansard produces its own guidance for civil servants which is available from the Hansard assistant editors' office on request.

## 7. Parliamentary Questions

7.1 Scrutiny of Government is a key responsibility of Parliament. This is undertaken in several ways, but particularly by MPs using opportunities to ask questions. The principal method is to 'table' or 'put down' questions for written answer in the House of Commons. The substantive part of this chapter considers this process, including the rules for questions and best practice for departments in answering them. Also covered are written questions in the House of Lords, oral questions to Ministers, and other opportunities, including urgent questions.

7.2 Erskine May states that the purpose of questions is to 'obtain information or to press for action'. Most will be asking questions of government ministers although it should be noted that other Members with specific representative roles (eg. House of Commons Commission Spokesman, the Second Church Estates Commissioner etc.) are also responsible for answering questions. By convention members of the Government are excluded from asking questions.

Motives for questions include:

- to obtain information, or get information placed 'on the record';
- to demonstrate personal interest in a particular matter or area of government business, and to keep up to date in areas of specialist interest;
- to raise a matter of concern relating to an interest or pressure group;
- to raise a constituency matter, e.g. a proposal to build a motorway; or
- as part of a wider campaign, perhaps, employing other devices such as speeches reported by the media, personal letters to the Minister etc, to draw attention to a particular cause or press for action

### Ministerial responsibility

7.3 Ministers' obligations to Parliament are set out in the Ministerial Code<sup>2</sup>:

'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, which should be decided in accordance with the relevant statutes and the Freedom of Information Act 2000.'

7.4 The 'Guidance to Officials on Drafting Answers to Parliamentary Questions'<sup>3</sup>, last issued by the Cabinet Office in February 2005, further states that 'it is a civil servant's responsibility to Ministers to help them fulfil these 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.'

## **Rules for questions in the House of Commons**

7.5 Within the limits of a question (and its supplementaries in the case of an oral), a Member can raise any matter falling within the responsibility of a Minister. This may be clear cut in many cases but there are a range of examples where a question would be ruled out of order because government does not have responsibility. These include spending by Local Authorities and Foundation Trusts etc (although Government has overall responsibility for local government spending), court decisions, operational police matters and the actions of EU institutions.

7.6 A question must satisfy a set of rules governing content and form before it can be placed on the Order Paper. Most of these stem from the basic rule that a PQ should either seek information or press for action. For example, a question:

- should not offer or seek expressions of opinion;
- should not be argumentative in nature;
- must relate to a matter for which the Minister to whom it is addressed is responsible as a Minister. It may not, for example, touch on any activities in his or her capacity as a holder of party office, a Member of Parliament or a private citizen. Questions are put to the senior Commons Minister of a Department rather than to individual Ministers within a Department;
- cannot ask an individual Minister to intervene with or influence another;
- should not seek confirmation of or comment upon a report or rumour, for which a Minister does not have responsibility;
- should not request information on what the effect of opposition party policies would be;

- should be drafted as concisely as possible and conform to normal Parliamentary conventions regarding decorous language and respect for the Crown, the judiciary and Members of both Houses;
- may not touch any matter, which is currently the subject of active legal proceedings (the sub-judice<sup>4</sup> rule i.e. where a civil action is set down for a hearing, or a criminal case is between charges preferred and final determination of sentence or where any appeal has been lodged); and
- may not be answered if it relates to subjects such as the security services or matters of commercial confidence.

7.7 Questions may not relate to matters devolved to the Scottish Government or the Wales Assembly Government unless they:

- seek information the UK Government is empowered to require of the devolved executive;
- relate to matters covered or to be covered by legislation introduced in the UK Parliament;
- concern the operation of a concordat between the UK Government and the devolved executive;
- concern matters which UK Ministers have taken an official interest in; or
- press for action in areas where UK ministers retain administrative powers.

Similar principles apply in respect of the Northern Ireland Executive.

7.8 Further rules apply whereby a question which has already been asked and fully answered cannot be asked again for three months unless there are grounds to believe the situation has changed. Where a Minister has refused to provide the information requested or take the action proposed by the question, it may be asked again after three months. This avoids unnecessary repetition in Hansard and the question book of identical exchanges. For the same reason very similar questions are discouraged, as are questions seeking information already in the public domain. These issues are discussed further in answering questions.

7.9 An additional rule relating to oral questions precludes Members from putting down 'open' questions, i.e. ones that do not suggest the subject matter of the supplementary question. The exceptions to this rule are PMQs and topical question slots.

7.10 Table Office Clerks (who are officers of the House of Commons, not civil servants) ensure that questions comply with the rules of the House. They advise a Member if a question appears to breach a rule and, where necessary, how an amendment can bring it into order.

## **Process for tabling questions in the House of Commons**

7.11 MPs can table written Parliamentary Questions for answer on any day in which the House of Commons is sitting. In addition, after the House has risen for the summer adjournment, Members may table named day questions to Government Departments for answer on each of the recess answering days under the terms of Standing Order No.22B (this also allows government departments to issue Written Ministerial Statements during the summer recess). The relevant tabling and answering days for each session are ordered by the House following a motion from the Leader of the House some weeks before the House rises.

7.12 Written questions take three forms:

- Questions for ordinary written answer – Unless the answer is required on a specified date, questions are put down for answer no earlier than two sitting days after they are received and, by convention, the government aims to answer within a working week of tabling.
- Questions for answer on a named day – i.e. a date specified on the question form, the minimum period of notice being three sitting days (including non-sitting Fridays).
- Further, there is a separate category which is those questions originally tabled for oral answer which were successful in the shuffle but were not reached at question time. These must receive a written answer on the day of the oral question session. If a Member is not present in the Chamber to ask a question for oral answer, and has not previously notified a wish to unstar the question, the question is not called and will be treated as if it had been withdrawn.

7.13 Questions are handed in or sent to the Clerks in the Table Office (House of Commons). Each Member is restricted to no more than two questions for oral answer per day period; and not more than one oral question to any individual Minister per day, as well as a topical question to each department answering them. There is no limit to the number of Questions a Member may put down for ordinary written answer, but since January 2003 MPs have been restricted to asking a maximum five 'Named Day' PQs per day. The e-tabling application of the Parliamentary intranet allows the text of oral and written PQs to be submitted electronically.

7.14 After a question has been tabled, a Member may give notice of withdrawal or change from one type of question to another, providing it is still within the rules of notice. An Oral may be 'Unstarred' - this then becomes a Named Day Written. Questions for written answer are deemed to have been called at 09:30am on the date set down for answer and questions for oral answer not called by the Speaker are deemed to have been called once question time is over on the day they are due for answer and no changes can thereafter be made to them.

7.15 A question is removed from the Question Book only if:

- the Member is appointed to the Government or is elected as Speaker<sup>4</sup>;
- a Member ceases to represent a constituency because of death or other reason;
- the subject matter of the question becomes subject to the sub-judice rule, or
- a suspension of the member in question is effective on the day which the question is set down for answer.

7.16 In circumstances where a Member have been appointed to the Government or elected as Speaker, and a date for a question for written answer printed in the Question Book has passed, the question should not be answered as a Parliamentary Question. The Department concerned may wish to provide the information requested by means of a letter.

7.17 MPs may table oral questions to a Minister any time after the previous question time for that department has concluded. Although oral questions may therefore be tabled some weeks in advance of the actual question time, they will not be published until after 12.30pm, three sitting days (or five days in the case of the Secretaries of State for Scotland, Wales and Northern Ireland), excluding Fridays, before the day for answering.

7.18 Following the introduction of topical questions, two ballots are held at 12.30pm for oral questions to departments answering topical questions. One ballot is for substantive oral questions and the other is for the opportunity to ask a topical oral question. Members may enter and be successful in either ballot or both. When the ballot or 'shuffle' has taken place, questions tabled are emailed to Parliamentary Clerks in the relevant departments.

7.19 All questions tabled first appear in the Notices of Questions section of the 'blues'. It is from the 'blues' that government departments start preparing ministerial replies. They are also the first opportunity for Members to see where they are placed in the oral questions ballot, and to check the correct printing of questions.

### **Transfer of a question**

7.20 Occasionally, a question is tabled which does not fall within the responsibilities of Ministers in the department to which it is addressed. After agreement between the first department to which the question was addressed and another which accepts responsibility for answering, the question is transferred. The Table Office and the Member who asked the question must be informed promptly. Parliamentary Branches should ring the Upper Table Office (020 7219 3731) to confirm the receipt by the Table Office of a fax of a letter notifying the transfer. The Table Office will not accept notices of transfer which arrive after close of play on the sitting day after the notice of the original question was given. Guidance given by the Leader of the House in a response to a Parliamentary Question on transferring questions on 16th February 2006<sup>6</sup>, states 'I expect

Departments to act promptly in transferring questions. It is a discourtesy to the House and to hon. Members if they are not notified of the transfer within two sitting days of it appearing in the Notice Paper. However, an oral question should be transferred within 24 hours of it appearing in the Notice Paper and not on the day for answer.' Departments should not refuse to accept a transfer, if it rightly lies within their responsibilities, even if the delay in transfer leads to the answer being late. Transferred questions are reprinted in 'the blues' with [transferred] after it. Where an answer is being given by a Minister of a department other than the one to which the question was tabled (i.e a question which could have been transferred but was not) it should start with the phrase 'I have been asked to reply'.

### **Round robin questions**

7.21 A question is classified as a 'round robin' when it has been tabled to three or more departments in the same or very similar format. Although individual Ministers are ultimately responsible and accountable for deciding on the terms of answers in their name, it is helpful to them and drafting officials to have advice from the department with lead responsibility for the topic in question in framing their answer. Any available round robin advice should be included in the background information for the Minister when signing the PQ. Cabinet Office Parliamentary Branch can supply officials responsible for drafting 'round robin' advice with relevant guidance. Departments should not delay preparing an answer until 'round robin' advice is provided and should not miss the targets set out below for similar reasons. Departments will be specifically instructed if they should not answer a 'round robin' question until central guidance has been issued. Departments who have been asked to provide 'round robin' guidance to other departments should do this within 24 hours.

### **Planted or 'inspired' questions**

7.22 Before the 2002-03 session, questions, known as 'planted' or inspired questions, were used. These were printed on the Order Paper for the first time on the day they were due to be answered, having only been tabled the previous sitting day. Such short notice was allowed because the Minister to whom it was addressed had indicated that they were prepared to answer it on that day. It was frequently used to make a formal government announcement to the House. The introduction of Written Ministerial Statements largely rendered this process obsolete, although it is occasionally used by those answering Members who do not have access to the written ministerial statement process (e.g. the spokesman for the House of Commons Commission). Members may insist on tabling questions for answer on the next sitting day, though the Table Office advises Members wishing to do this, that they should have obtained the agreement of the answering Department before doing so.

## Answering Parliamentary Questions

7.23 For whatever purpose a Member puts a question, the process of answering is one in which Ministers provide a personal account, in relation to the issue raised, of the work and conduct of their department and the exercise of their own powers and responsibilities.

7.24 As a general rule, answers to all Parliamentary Questions should be accurate, brief and clear. Answers should also be honest and truthful and should answer the question being asked. Both the Ministerial Code and the Civil Service code place the onus on those responsible for answers not to mislead. The Cabinet Office guidelines state that officials 'do not omit information sought merely because disclosure could lead to political embarrassment or administrative inconvenience'. They go on to say that '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, which should be decided in accordance with the relevant statutes and the Freedom of Information Act 2000.'

### Deadlines for answering

7.25 Successive Leaders of the House have consistently set out the clear expectation that departments should ensure that Members receive a substantive response to their named day question on the date specified, and should endeavour to answer ordinary written questions within a working week of being tabled. (See [PQ answer of 16 February 2006](#) (official report vol 442, col 2379)). This is in line with the formal position set out in Erskine May and endorsed by the House in 1972, when Named Day Questions were first introduced. Departments should endeavour to respond to questions for ordinary written 'within a working week of tabling'. In practice this is taken to mean within five sitting days (including non-sitting Fridays) of a question's publication on the blue notice paper (with day of publication on the blue notice paper being day 1). Where a question falls for answer on a non-sitting Friday then the fifth sitting day for these purposes is taken as the next sitting day.

### Disproportionate cost

7.26 There is an advisory cost limit known as the disproportionate cost threshold (DCT) which is the level above which Departments can refuse to answer a PQ. The current disproportionate cost threshold for written questions (the limit does not apply to oral questions) is £800 (from 20 January 2010)<sup>7</sup>.

7.27 Since 1991 the disproportionate cost threshold (DCT) has been set by HM Treasury at eight times the average marginal cost of answering Written Parliamentary Questions. Marginal cost is judged as the direct cost of civil servants' time. Average marginal cost is based on a one-month sample of all Written parliamentary Questions answered by those

departments with the highest volume of questions. Such samples are taken on a quinquennial basis. In years between quinquennial samples, the Treasury applies indexation to the DCT, but only increases it in £50 steps to avoid the need for frequent small changes. HM Treasury has established the average cost of answering of a written PQ as £154.00 and an oral question as £425.00.

7.28 Where officials are recommending that a question is not answered due to disproportionate cost, a note setting out the reasons, justifications and the full costs should be provided to the responsible Minister. The cost estimate should be based on a calculation of the cost of civil servants of the relevant grade working for the required length of time to assemble the information. Cabinet Office guidance for officials drafting answers to PQs refers to the fact that 'where information is being refused on the grounds of disproportionate cost, there should be a presumption that any of the requested information which is readily available should be provided.' A Minister may still decide to answer a question, even if providing the answer results in costs above the DCT, for example, on public interest grounds.

7.29 It is practice in some departments to agree to provide a Member information initially refused (on disproportionate cost grounds) by paying the balance over the disproportionate cost threshold. However, this option may not be available if the relevant officials would not in practice be available to do the work.

7.30 It should be noted that the 'disproportionate cost' answer is intended to be used where the information is held in an accessible form but is expensive to identify. It is not for cases where the information is not held at all (in the latter case the answer would say 'the information is not held' or similar).

7.31 The suggested wording for a disproportionate cost answer is:

"The information is not readily available/held centrally and could only be obtained at disproportionate cost."

## **Readily available information and published sources**

7.32 Members are advised that questions 'must be seeking information that is not readily available elsewhere in the public domain'<sup>8</sup> (including in answers to identical or similar questions in a previous session). Increasingly, this is the case as more and more information is available on government websites, though not necessarily in the format requested in the question

7.33 Where an answer makes use of published material (e.g. statistics, economic data or quotations from reports) the source should be given, as appropriate, either in the text of the answer or as a footnote. Attached papers (for example, statistical tables) should be deposited in the Libraries

of the House. If reference is made to documents in a response, copies of these documents must also be placed in the Library.

## **Referring to previous answer**

7.34 A PQ may be answered by referring to a previous answer where it fully answers the new question. Referrals should not normally be used where the previous answer was given in a previous Session. Similarly, references back to answers given many months before in the same Session are avoided as far as possible. Where it is appropriate to refer back to an earlier answer, the formula used is:

“I refer the hon. Member to the reply given to the hon. Member for (constituency) on (date), Official Report, [insert columns eg column(s) 112-113]”.

7.35 The reason for the referral should be fully explained in the background note for the answering Minister and a copy of the previous reply should be shown to the Minister and also provided to the Member in hard copy with their answer. Answers that refer to an answer given in the House of Lords should be accompanied by a copy of that answer.

7.36 Where the answer was given in a previous session, or many months before in the same session, as long as it is still accurate and up to date, it may simply be repeated.

## **Referring to websites or other published material**

7.37 Where information already exists on a Government website, it may not be appropriate to simply give the web address in the answer. MPs may want information placed on the permanent record (ie in Hansard) and web pages are rarely permanent. Furthermore, Departments should be helpful to MPs and peers, particularly where the fact or figure requested is contained in a much larger set of information.

7.38 If referring to websites, it is important to consider the implications. Departments are advised to ensure that any URL given in an answer connects directly to the information referred to (not a departmental homepage) and is working. Links provided should be available in perpetuity. Any information referred to in this way should be supplied to the Member in hard copy, and deposited in the library in accordance with relevant guidance. In short;

- when copying the link use the URL that connects directly to the webpage/document referred to. Do not simply provide a link to the relevant website;
- when the URL has been inserted double-check it is accurate by clicking on it and checking that there is a straight link to the relevant Webpage/document; and

- it is helpful to add in the title/heading of the Webpage/document, its author and the website the information appears on to assist users in interpretation.

7.39 It is advised that the answer should give the Member the factual information requested (including supplying paper copies of the website pages), with an additional line in the answer indicating that the information is already made readily available. In the long term this may help to reduce the amount of questions seeking information that is already publicly available.

7.40 Similarly, where the information requested is available in a document that has already been placed in the Library it may not be appropriate to simply refer to the document. Departments are advised to copy the requested information from the main document, where this is appropriate, to assist MPs and peers. This is particularly helpful where a requested figure is contained as part of a much larger table.

7.41 Where an answer makes use of published material (e.g. statistics, economic data or quotations from reports) the source should be given, as appropriate, either in the text of the answer or as a footnote. Attached papers (for example, statistical tables) should be deposited in the Library. If reference is made to documents in a response, copies of these documents must also be placed in the Library.

#### Holding replies and pursuant answers

7.42 If it is not possible to answer a named-day written Question in full on the specified date a holding reply must be given. (Holding replies cannot be given for ordinary written questions). An explanation of the delay has to be prepared together with a suitable form of words for a holding answer. This can be simply:

“I shall let the [Rt] hon. Member have a reply as soon as possible”

7.43 This holding reply is not usually printed in Hansard. The substantive answer is printed, when available, as a “pursuant reply”. A “pursuant reply” is also used where a substantive answer has already been given, but the Minister has undertaken to announce further details/results of a survey etc. at a later date. This reply is prefixed with [Holding answer x x x 20xx] and uses the formula:

“pursuant to his/her reply of (date) (Official Report.....Vol.....Col.....) gave the following information.....”

The full text of the answer then follows.

‘I Will Write’ replies

7.44 An “I will write” reply is the answer provided by departments when they are unable to answer the question in the time required and intend to send the requested information by letter at a later date. This approach should only be used rarely, when there is a particular reason for delay. (This is different from a ‘holding reply’, which should be sent when it is not possible to answer a question on a named day, and when the intention is to send an answer on a later date.) The answer should take the form:

“I will write to the [Rt] hon. Member with the information requested. [If appropriate, reason for delay]”

7.45 The answer, in the form “I will write to the hon Member...”, is published in Hansard. Holding answers are not printed by Hansard. A copy of the subsequent substantive response should be sent to Hansard, to be printed with the written answers in the next edition.

### **Confidential information**

7.46 If Ministers need to provide personal or confidential information, which is not appropriate for publication, Departments should make this clear in the answer, instead of using the standard “I will write” formula they should use the following “As my answer contains personal information, I will communicate privately with the hon. Member”. This will ensure that the answer is not recorded as an answer to which a substantive response is outstanding. In these circumstances, a copy of the letter that the Minister sends subsequently should not be sent to Hansard, the Library or the Table Office.

### **Prorogation answers**

7.47 In 2004, following concerns raised regarding the number of ‘I will write’ replies to parliamentary questions, particularly at the ends of parliamentary sessions, the then Leader of the House (Peter Hain), introduced arrangements<sup>9</sup> to reduce their numbers and improve transparency. When questions are tabled in the run-up to prorogation, Ministers should, of course, strive to answer them substantively before prorogation; but, if this is not possible, Ministers should – instead of issuing an “I will write” reply – answer the question substantively with the following form of words:

“It has not proved possible to respond to the Hon [or Rt Hon] Member in the time available before Prorogation”.

7.48 It will then be open to the Member concerned to re-table the question in the new session if they wish. This process should only be used for those questions tabled in the two weeks before prorogation to avoid accusations of misusing the process to ‘clear the decks’.

### **Letters from Executive Agencies and NDPBs**

7.49 It is normal practice for a Department receiving a PQ relating entirely to the day-to-day operations of an Executive Agency to reply:

“This is a matter for....., the Chief Executive of the.....Agency, who will write to the hon. Member.”

7.50 The subsequent letter from the Chief Executive should be sent to the official report for printing, unless it contains personal or confidential information. If the letter is longer than the Official Report would normally publish notification will be printed that the response is available in the library of the House. Ministers remain responsible for the answer in its entirety.

7.51 Since November 2007, it has also been possible for this approach to be taken with letters from the heads of NDPBs. In doing so, however, Ministers are accepting that they are taking responsibility for the answer and are accountable to Parliament for it. The decision is one for Ministers on a case-by-case basis.

### **Grouped Answers**

7.52 When Questions down for written answer are answered together, each question is typed in full, in the order tabled, followed by the reply. There is no introductory sentence stating that they are being answered together. Questions from more than one MP may be grouped, but not questions from more than one Peer. A Commons question may not be grouped with a Lords question. A written question may not be grouped with an oral question.

### **Relationship to FOI**

7.53 The Freedom of Information Act was introduced in 2000. Cabinet Office Guidance to Officials gives relevant information on the relationship between FOI and parliamentary questions. There should be no inconsistencies between the provision of information in answers to PQs and information given under the Act. Ministers should be advised of any relevant FOI cases under consideration when answering PQs and it should be revealed if information being released is of a sort not normally disclosed. If information is not disclosed, or fully disclosed, the draft answer should make this clear and explain the reasons in terms similar to those in the FOI Act (without resorting to explicit reference to the Act itself). For example;

“The release of information would prejudice commercial interests”

7.54 PQs should be answered within the normal deadlines. Consideration of a parallel FOI request is not a reason to delay a PQ answer.

## Background notes

7.55 Background notes are prepared to accompany draft answers for oral and written Questions to assist Ministers. The information may include:

- the Member's known interests (for example membership of Select Committees), and including any previous examples of the Member raising the issue through PQs, debates, EDMs, Points of Order and the weekly business statement. Any political input to the background should be provided by Special Advisers and officials should not speculate about the motives the Member has for tabling the question;
- recent developments or incidents which may have affected the Member's constituents, including any relevant media;
- any major changes in government policy - whether announced, or possible in the future; and
- what the Minister has previously said on the subject.

## Style of written answers

7.56 Use plain English. Replies should be concise and clear, phrased in a logical way. Use active verbs as opposed to passive ones. Avoid clichés and jargon and do not use technical terms unless absolutely necessary. Use abbreviations only after using the words or name in full.

7.57 Replies to PQs are given through the Speaker so MPs should be referred to in the third party. Additionally, MPs are not addressed by name in the House but by the constituency they represent. A full list of correct forms of address is as follows:

|   |  |
|---|--|
| <b>MP in the same political party</b>   | My hon. Friend, the Member for (Constituency)(MP's name)           |
| <b>MP not in the same party</b>   | The hon. Member for (Constituency)(MP's name)                      |
| <b>If the MP is a Privy Counsellor</b>  | My Rt hon. Friend/The Rt hon. Member for..                         |
| <b>If the MP is a QC</b>  | My hon. and learned Friend/The hon. and learned Member for..       |
| <b>If a QC and Privy Counsellor</b>   | My Rt hon. and learned Friend/ The R hon. and learned Member for.. |
| <b>Reference to Government Spokespersons in the Lords (or member of the same party)</b> | My noble Friend the..  |
| <b>Other Peers</b>  | The noble Lord/Lady  |

7.58 Hansard imposes other rules to facilitate printing of answers in the official report. For example, bullet points are not printed in the official

report and therefore departments should ensure that 'bulleted' sections are lettered or numbered. Any tables supplied should be created in Word and formatted in Portrait style. Tables should not be imported from Excel or picture packages. Formatting should be kept to a minimum with no bold, underlining or italics. There should be a clear heading above the table showing what it represents and a comprehensive set of notes following. As indicated above the source of any document should also be included. The notes should make reference to any rounding figures and other important information. Figures which are rounded to the nearest hundred, thousand or million, do not need all the noughts but the interpretation should be included at the top of the relevant column. Where a table is longer than four pages then the Parliamentary Clerk should place a copy in the Library and this should be inserted into the PQ answer. Hansard may themselves decide to place a table in the Library if it is of considerable length. You should use the words:

"The information is in the table(s)"

## **Despatch of answers to the House**

7.59 Written answers to questions must be delivered to Members letter board first, with copies to the Library, the Upper Table Office<sup>10</sup>, Hansard and the Press Gallery. A copy of the PQ is put into the Member's envelope together with a copy of any previous PQ and deposited paper which may be referred to in the reply. Where a reply states that a document is to be placed in the Library of the House this should be done in accordance with guidelines. Parliamentary Clerks are responsible for observing the proceedings of Parliament to ensure that any necessary business, including delivery of written answers, is transacted before the rise of the House, mindful that the House can rise early. Finally, all Parliamentary Units should check that their answers appear in the Official Report. Hansard are able to rectify occasions where answers have not appeared if given sufficiently early notice.

## **Corrections**

7.60 Where an inadvertent error in an answer is discovered it must be corrected. Ultimately, the final decision on which method of correction is appropriate is for the relevant Minister. However, corrections should be made in a way that is transparent and open, not only for the Member, but also for others, including the general public. This means that it will not normally be appropriate simply to write to the Member concerned and place a copy in the Library.

7.61 Since the start of the 2007-08 session a new 'Ministerial Corrections' section has been provided for in the official report. This is intended to allow corrections to inadvertent errors made by Ministers and other Members who provide information to the House in an official capacity. The new process is available for corrections only and "should not be an occasion to provide new information, however closely related to the original

proceeding. Neither should it be used to rehearse arguments which may have given rise to the original error". The Leader of the House's Office has provided separate detailed guidance on the use of this procedure. The advice of the Table Office may be sought on whether the substance and format of a proposed correction is appropriate for this procedure.

## **Oral question time in the House of Commons**

7.62 Oral Questions are answered on the floor of the House under Standing Order No.21 which sets out that questions will be taken in the first hour of business on each weekday except Friday. Each major Department is allocated a particular day of the week for answering oral Questions. The allocation is shown on the "Order of Questions" which is issued as soon as the dates of the next recess are known. The Departments normally have to answer oral Questions once every five weeks during the Session, except Oral Questions to the Prime Minister, which take place every week on Wednesdays for 30 minutes at 12 noon. The rota of questions is the responsibility of the business managers and is regularly reviewed, particularly after machinery of government changes.

7.63 Question Time starts just after 2.30pm on Monday and Tuesdays, 11.30am on Wednesdays and 10.30am on Thursdays. It ends at 3.30pm, 12.30pm or 11.30am irrespective of how many Questions on the Order Paper for that day have been reached. Smaller 'Departments' (e.g. Minister for Women and Equality, Solicitor General) answer in short slots during this one hour period. On Wednesdays, when the Prime Minister answers Questions, the time allotted to Departments is from just after 11.30am to 12 noon.

7.64 Parliamentary Clerks should beware that where two or more departments share a question time, it is possible for the Department answering first to be called back to fill available time if the department(s) answering questions after them do not run to the expected time.

## **The Shuffle**

7.65 The order in which questions appear on the order of business and are called is of great importance, as only those at the beginning of the list are guaranteed to be reached. The ballot, or shuffle, is a lottery blind to considerations of party, seniority, method of tabling, time of submission or the results of previous shuffles. Once the questions are shuffled they are numbered consecutively up to the quota for that time limit. Any questions not successful in the ballot are discarded and no further action is necessary on them. A separate ballot is held for those departments who also answer topical questions.

#### Diagram 4. Quota for oral questions

| Duration of 'normal' oral question time | Quota      | Duration of topical questions | Quota      |
|---|------------|-------------------------------|------------|
| 45 minutes                              | 25 printed | 15 minutes                    | 10 printed |
| 38 minutes                              | 20 printed | 12 minutes                    | 10 printed |
| 35 minutes                              | 15 printed | 10 minutes or less            | 8 printed  |
| 30 minutes                              | 15 printed | -                             | -          |
| 20 minutes                              | 15 printed | -                             | -          |
| 15 minutes                              | 10 printed | -                             | -          |
| 10 minutes or less                      | 8 printed  | -                             | -          |

#### Procedure at question time

7.66 The Speaker calls successively each Member in whose name a question appears on the Order Paper. The Member called rises and asks the question by referring to its number on the Order Paper. (The Member does not read out the text of the question since it is printed on the Order Paper and time is saved by calling the number only). If a Member is not present to call out the question number the question is treated as if it had been withdrawn. If, however, a group of related questions is taken together one oral reply is given to all the questions in that particular group as long as one of the Members is present when the question is called. If the question is not reached, the member receives a written reply.

#### Supplementaries

7.67 After the Minister has read out the prepared answer, the Speaker allows the Member who asked the question, and normally other Members, from both sides of the House, to put supplementary (follow-up) questions to the Minister. The scope of supplementaries is limited only by the rule that they have to arise from the original question. At some point in the proceedings the Speaker will normally call a front bench opposition spokesman to put a supplementary. The Speaker will not call a Member's PQ if he or she has already asked a supplementary; they will instead receive a written reply.

7.68 Supplementary questions are answered impromptu by the Minister on the basis of information provided by the department in notes for supplementaries. The number of supplementaries asked is entirely at the discretion of the Speaker.

#### Grouping Answers

7.69 Very similar or identical questions, particularly orals, are often put down by two or more Members. This occurs because Members wish to ask a Question about the same subject, or wish to try to ensure that a Question on the subject comes out in the shuffle. Where this happens the Questions may be grouped together with the Minister giving a single

answer to all of them. This may benefit the Minister and save some time in the House. It is the Minister (advised where appropriate by his officials) who decides which questions will be taken together, and from how far down the list he will select questions for grouping, subject to the agreement of the Speaker. Advancing PQs too far down the list is not regarded as acceptable. For example, similar or identical questions may appear say as Nos. 2, 7, 11 and 24, but unless your department normally reaches 24 that should not be grouped with the other three. Instead the oral response to No. 24 would be:

“I refer the Hon. Member to the reply I gave some moments ago.”

7.70 The usual formula for grouped oral Questions is:

“I shall, with permission, Mr Speaker, answer this Question and Question(s) No(s) (...) together”.

The Minister then gives a single answer to all the questions in the group. Following the answer the Speaker usually calls first and successively for supplementaries those Members whose questions have been answered together. Early warning of any proposed grouping should be given to the Table Office that morning to check that the grouping is acceptable. Officials should remember that grouping answers increases the chances of those further down the list being reached and they will need to ensure that adequate briefing is provided for all answers that might be reached.

7.71 A written question may not be grouped with an oral Question. Additionally, oral Questions to the Prime Minister are not grouped for answer.

## **Topical Questions**

7.72 On 25 October 2007 the House agreed to a procedure to provide time for Members to ask “topical” oral questions in the last 10 or 15 minutes of some oral Question times from the beginning of the 2007-08 Session. The Modernisation Committee’s intention was to create the opportunity for “topical and spontaneous questions” on issues of the day selected by Members<sup>11</sup>. This process applies to all those departments who previously had oral questions times of 40 minutes or more, as set out below.

## **Tabling of topical questions**

7.73 There are two ballots at 12.30 pm for oral questions to those departments answering topical questions; one for substantive oral questions, and one for the opportunity to ask a topical oral question. Members may enter and be successful in either ballot or both. When there is another question time on the same day, Members can also table one other substantive oral Question.

## **Topical questions in the Chamber**

7.74 The arrangements for topical questions are broadly similar to those for PM's engagements questions. The pro forma topical Question is "if s/he will make a statement on her/his Department's responsibilities". The Minister answers this question once at the start of the topical questions slot and then Members successful in the ballot, and others, are called by the Speaker to ask questions.

## **Departmental action on oral questions**

7.75 The initial answer to an Oral Question particularly should be brief. Three sentences should normally be sufficient. There is little benefit to Ministers in giving long answers as they know there will be related supplementaries that they will have to answer. The Speaker in any case is likely to halt a Minister who appears to be making a speech rather than simply answering the question. Remember also that an oral answer has to be given aloud. It is therefore important to ensure the tone is right and the content is easy to deliver.

## **Supplementaries**

7.76 Supplementary questions vary from the factual to the highly political in content, so that the notes for supplementaries have to anticipate every ramification of the original Question. While some questions are genuinely seeking action or information, others are designed to highlight the merits of an alternative policy or the perceived shortcomings of the Minister's Department. The task facing civil servants is to 'get behind the Question' and provide a range of brief subject headings and corresponding short speaking notes (often drafted in the first person) which the Minister can easily pick up and use to answer the supplementaries in the House. He or she may also reflect upon which other Members the Speaker may call for supplementaries and the type of point they may raise.

## **Transfer of an oral question**

7.77 Departments must ensure they act sensitively to the transfer of an oral question to another department if that question would otherwise have been answered orally. Guidance given by the Leader of the House in response to a Parliamentary Question (16 Feb 2006)<sup>12</sup> states that an 'oral question(s) should be transferred within 24 hours of it appearing in the Notice Paper and not on the day for answer.'

## **Deferred questions**

7.78 A Minister may decide to defer answering an oral question until the end of Question Time. The agreement of the Leader of the House and Chief Whip is needed for this, following which the Speaker's Office must be notified. A Minister may also elect to give an oral answer at that time to

any question for written answer, which stands on the Order Paper for that day. This is an exceptional procedure which should be discussed with the business managers and needs the agreement of the Speaker. This is done in cases where a question requires, or provides an opportunity for, a more extended answer, which might otherwise have taken the form of a Ministerial Statement.

## **Questions in the House of Lords**

7.79 Procedures for dealing with Lords' Questions follow a broadly similar pattern to those in the Commons, although there are differences in their form, and in the way in which they are answered. Overall fewer questions are tabled in the House of Lords than in the House of Commons.

7.80 Questions are handed in or sent to the Clerks in the Table Office (House of Lords), who advise Members on wording and admissibility. The practice of the House is that questions, whether oral or written, should be short, and framed so as to elicit information - statements of opinion are out of order, and statements of fact are included only so far as is necessary to elicit the desired information. Most questions tabled in the Lords are addressed to Her Majesty's Government and not to any particular Minister or Department. However, certain questions may be addressed to the holders of specific official positions: those concerning procedure or the conduct of Government business in the House are addressed to the Leader of the House and those concerning the services and administration of the House to the Chairman of Committees (who is briefed by the Clerks).

7.81 Questions for Oral Answer, formally known as "Starred Questions", may be tabled not more than one calendar month, and not less than twenty-four hours, before the start of the sitting at which they are to be asked. This means that in theory a Question could appear for the first time on the Lords Order Paper, otherwise known as the "Minutes of Proceedings" on the day for answer. However, spaces on the Order Paper are allocated to Members on a first-come-first-served basis, so in practice a reasonable period of notice is usually given. The exception is for "topical questions", one of which is asked as a fourth oral question on Tuesdays, Wednesdays and Thursdays, for which only two working days' notice is given in the House of Lords business. No Member may have more than one oral question on the Order Paper at any one time, but topical questions, which are selected by ballot, do not count for this purpose. Each Member may ask up to four topical questions in any one parliamentary session.

7.82 Oral Questions are taken in the Lords on Mondays, Tuesdays, Wednesdays and Thursdays. 30 minutes are allowed for the four oral questions asked each day:

|           |              |
|-----------|--------------|
| Monday    | 14.35-15.05  |
| Tuesday   | 14.35-15.15  |
| Wednesday | 15.05 -15.35 |
| Thursday  | 11.05 -11.35 |

Oral questions can be asked on each of these sitting days - the maximum number for each day is 4.

7.83 Answers normally start with "My Lords". Ministers' initial answers should not exceed 75 words – where an answer contains material that is too lengthy or complicated to be given orally in the House, it may be published in Hansard. The notes for supplementaries and the background note have to be sufficiently informative to enable the Minister answering for the Government to deal in a fair measure of detail with a wider range of supplementary questions than usually occur in the Commons. They should also take account of the fact that the Lords Minister may be less familiar with the subject matter as they cover wider remits than their counterparts.

7.84 At Question Time, each Peer who has put down an oral Question rises when called upon by the Clerk and begs leave of the House to ask the Question standing in his or her name on the Order Paper. There is no equivalent in the Lords of the Commons' practice whereby an oral Question receives a written reply if it is not reached or called. About eight minutes are allowed for each question, and when this time is up the Leader of the House will, if necessary, intervene to ensure that all questions are called within the 30 minute time-limit.

7.85 Private Notice Questions (PNQs) give Peers the opportunity to raise urgent matters on any sitting day. A PNQ should be submitted to the Lords by 12 noon on the day on which it is proposed to ask it, or by 10 am on days where the House sits before 1 p.m. The decision on whether the question is sufficiently urgent to require an immediate reply rests in the first place with the Lord Speaker, though it is open to any Peer whose request has been turned down to challenge the Lord Speaker's preliminary decision on the floor of the House. The final decision rests with the general sense of the House. The Government Whips Office will notify the Parliamentary Branch of any PNQ requests which are submitted to the Lord Speaker. The Department must provide the Lord Speaker with a short brief on the background to the question, and the Government's assessment of its urgency. This briefing will often have to be supplied, via the Whips Office, at very short notice.

7.86 PNQs are taken immediately after Oral Questions, and procedures follow the same rules. Supplementary questions may be asked, and should be short and confined to not more than two points. Proceedings on a PNQ are expected to take not more than ten minutes in total. In certain circumstances it may be more appropriate for the Government to make a statement on the matter a PNQ is intended to raise.

7.87 Peers may table up to six Written Questions on each sitting day. The Questions are, like Oral Questions, handed in or sent to the Clerks in the Table Office. The Clerks then allocate each question to a Department. When the House rises the questions tabled on that day are emailed to Parliamentary Clerks in all Departments. Where a Department believes that a question has been wrongly allocated to it, it has until the end of the next working day to agree a transfer to another Department and to inform the Office of the Leader of the House of Lords of this transfer.

7.88 In February 2009, the Government agreed to a request from Peers to send them an electronic version of the answer, in addition to the hard copy, when such a request is made to the Table Office.

7.89 Every effort must be made to ensure that a reply to a written Question appears in Hansard within five working days of the date on which the Question is tabled, although the formal time-limit for answering questions is fourteen days. Where the answer is very long a copy may be placed in the Library of the House rather than printed in Hansard.

7.90 A Question for Short Debate (QSD) is a question that can be debated. It is thus, in effect, more like a Commons 'Adjournment Debate' than a Parliamentary Question. QSDs are put down for a specific date - like an Oral Question - but are not prefixed on the Order Paper by an asterisk. They may be taken during the 'dinner break', in which case they are time-limited to one hour, starting at around 7.30 p.m., or the end of business, in which case the time-limit is one and a half hours, starting whenever other business has been concluded. 'Dinner break' questions are marked on the Order Paper with a double dagger. Peers tabling QSDs normally consult the Government Whips' Office in the Lords to agree a suitable date.

7.91 A QSD entitles the Peer asking the Question to speak on the Question at length; a debate then ensues, which can include speeches from the Opposition and Liberal Democrat front benches, and at the end the Government Minister replies. The Peer asking the Question has no right of reply and there is no division, since there is no motion before the House. The Questioner is allotted ten minutes, the Minister twelve minutes, and the remaining time is shared among the other speakers. The reply to a QSD is drafted in the form of a draft speech or speaking notes anticipating points the Peer asking the Question is expected to raise. Where other Peers indicate they will also be speaking in the debate and the points that they intend to make are known, the answers to them are included in the speech or speaking notes. Supplementary notes, in the form of short passages that can be incorporated into a speech, are also provided on other points, which are less likely to come up and are not already covered.

## Urgent Questions in the House of Commons

7.92 The minimum period of notice of a question may not be appropriate in the case of an emergency or important unexpected development. In such circumstances, any Member may apply to the Speaker for permission to ask an Urgent Question of the responsible Minister. Thus, as expressed in Standing Order No 21 (2), an 'urgent question' is a Question which has not appeared on the Order Paper but which in the Speaker's opinion is of an urgent character relating to either matters of public importance or to the arrangement of business. In practice UQs invariably take the form of a question asking a minister to 'make a statement' on whatever matter has arisen. Urgent Questions can be asked of any Department on any sitting day, except for the first sitting day of a new session. This process was known as a Private Notice Question prior to the 2002-03 session.

7.93 In order to ask an Urgent Question the Member must apply to the Speaker before noon on Mondays and Tuesdays, 10.30 on Wednesdays, 9.30 on Thursdays and 10.00am on Fridays. A member may submit for more than one urgent question in any one day but may not ask more than one. Members should not apply for both an urgent question and an emergency debate under Standing Order No.24 on the same subject on the same day. The Speaker's Office will then request briefing from the relevant government department. A Table Office Clerk will call to check that the request for briefing has been received.

7.94 The Speaker subsequently holds a business meeting which determines if any Urgent Questions should be allowed. The Speaker's decision, which is final, is then immediately conveyed to the Department. Members are informed of a successful application via the annunciators and a notice is put up in Members' Lobby. No reasons for the decision are given either to Members or to a Department.

7.95 In coming to a decision, the Speaker has to keep in mind the fact that any Urgent Questions allowed will be answered immediately after normal Question Time, or at 11.00 on Fridays. They thus occupy a privileged position and also take time out of the main business for that day. Applications for Urgent Questions are confidential and no public reference should be made to any application, which has been turned down.

7.96 The Member concerned asks the Urgent Question by reading out the text of the Question. It is for the Government to decide which Minister answers the Urgent Question, although it should normally be the Secretary of State. When the Minister has read out the prepared answer, the Speaker allows supplementary Questions, as with normal oral PQs. On average 30-40 minutes is allowed for an Urgent Question. If requested by the opposition in the House of Lords, an Urgent Question is repeated there in the form of a statement (i.e. taking 45 minutes, rather than ten). A template [Word Document] is provided for this purpose.

7.98 In preparing the background note, Departments should not attempt to argue that the question is not urgent - that is for the Speaker to decide – but may point out relevant facts which may assist in making that judgement. It is imperative that briefing is provided as soon as possible and in good time before the start of the Speaker's meeting to consider business of the day. Any briefing provided late may not be considered and the opportunity to influence the decision will be lost. On occasion the brief may have to be conveyed over the phone direct to the Speaker's Office.

7.99 The Parliamentary Clerk will need to alert the Secretary of State, other Ministers, SpAds and appropriate officials who need to be prepared in case the question is allowed. Ministers and officials will also need to start thinking about the speech and briefing if the question was to go ahead.

7.100 In certain circumstances, such as when an application for an urgent question has been prompted by a new development or media article, the Secretary of State may be considering to make an oral statement. If this is the case, the Business Managers should be consulted immediately.

7.101 It is usually the case that an urgent question, if allowed, is answered by the Secretary of State. If this is not possible, for example if s/he is away from London, another Minister may answer.

7.102 On sitting Fridays, it is important that each Department has a duty Minister available at the House in case an urgent question arises.

7.103 The Speaker's office will inform the Parliamentary Clerk when a decision has been made on whether or not the urgent question is allowed.

7.104 If the question is not allowed, no further action is taken and it is important that no public reference is made to the application having been made.

7.105 If the question is allowed, the draft reply, supplementary and background notes should be prepared as for the reply to an oral question. The Speaker may allow supplementary questions to run for as long as 40 minutes, and notes for supplementaries should be as comprehensive as possible.

7.106 Standing Order No.21 (2) also allows for the weekly business question to be asked of the Leader of the House of Commons. A business question is asked, usually by the shadow Leader of the House, after all other Urgent Questions have been answered.

## **Cross Cutting Questions**

7.107 Since January 2003 there has been provision for cross-cutting questions sessions in the Westminster Hall debating chamber under Standing Order No.10(3). MPs may ask oral Questions to a group of

Ministers from different departments on a chosen cross-cutting issue. Questions are tabled in the usual way and a shuffle is held five days before the session. Up to twelve Questions appear on the Order Paper. The procedures are roughly similar to those for oral Questions in the House of Commons. It is for the ministerial team to decide which Minister answers which question.

## **Oral Questions to the Scottish, Welsh and Northern Ireland Grand Committees**

7.108 Standing Orders Nos. 94, 103 and 110 provide for oral questions to be taken at the commencement of meetings of the above Grand Committees respectively. These last for between 30 and 45 minutes. Similarly to oral questions in the House of Commons those questions not reached orally are printed with the committees' debates for that day.

## **8. Ministerial Statements (Oral and Written)**

8.1 Ministers are bound by the Ministerial Code to make important announcements, such as a change of policy, to Parliament first when the House is sitting. The rights of Parliament are jealously guarded and the Speaker has complained to Ministers on occasions when announcements have been made to the media first. The Speaker may summon a Minister to the House to explain his or her actions.

8.2 Ministers can make announcements to the House by an oral statement or a written ministerial statement.

### **Oral Statements in the Commons**

8.3 There is no explicit provision in **standing orders** for the procedure of making an oral statement, but it is a regular feature of the parliamentary day. These statements cover announcement of major Government policy but can also include such circumstances as the dissolution of parliament or announcing the legislative proposals intended to be submitted to Parliament. When Parliament is in session, the most important announcements of Government policy should be made in the first instance, in Parliament. Generally, they are made in the House of Commons first and repeated in the House of Lords.

8.4 The right to make a statement is treated as a prerogative of Ministers and neither the permission of the Speaker, nor the leave of the House is required. However, statements are introduced with the words "with permission" out of courtesy to the Chair. Statements may relate to any area of a Minister's responsibilities. It is down to the Government to decide which Minister makes any particular Statement. Within Government, it is the role of the House of Commons Business Managers to manage which statements are made, their timing and, where necessary, the order in which they will be made.

8.5 The Speaker has discretion to treat substantive interventions on points of orders made by Ministers as statements, so that questions may be raised on them and replies given.

8.6 Statements must last no longer than 10 minutes (approximately 1,200 words). The time allowed for supplementary questions is a matter for the Chair but generally allow up to one hour is allowed, depending on the number of Members who wish to ask supplementary questions and the other business of that day.

8.7 The Business Managers (BMs) meet weekly so that statements can be considered alongside the business to be announced on Thursday for the following two weeks. The decision on whether to allow a ministerial statement is taken in consultation with No 10. Occasionally, a Minister will wish to make a statement, the case for which is not accepted by the business managers. This could be for business reasons and very occasionally because the statement would not warrant the time on the floor of the House, thereby 'de-valuing' the significant importance of Ministerial Statements. (Conversely, Business Managers may suggest a Minister make a statement if an issue appears to be of significant importance). In the event that BMs do not accept a bid for a statement, other options may be considered, including making a Written Ministerial Statement or changing the timing of the statement. Ultimately, an oral statement cannot be made without the agreement of the Business Managers. It is the responsibility of the Office of the Leader of the House of Commons to confirm the correct title and Minister to the Speaker's office and the announciators by 09.30 on the day of a statement. It is the responsibility of the relevant department to ensure that copies of the statement are made available to the Speaker's Office, the Press Gallery and Members.

8.8 When a statement is delivered to the Speaker's Office it is important to consider that the Speaker will need to be appraised of those Members who have a specific interest in the issue. If the department has considered which Members are most affected by the statement this should be notified to the Speaker's Office, as should details of any areas or constituencies affected, for example by pilot projects.

8.9 In June 2008, the then Speaker confirmed in a statement that copies of Ministerial Statements should be made available to Members in the Chamber as soon as the Minister sits down. Copies should therefore be delivered to the Vote Office in advance, clearly labelled and embargoed for when the Secretary of State sits down.

8.10 Copies of any documents referred to in the statement, such as a White Paper or consultation paper, must be made available to MPs at the same time (but note that Command Papers must be available in the Vote Office shortly after being laid<sup>13</sup>)

8.11 As a matter of courtesy, departments normally copy statements to the opposition spokespersons, via the Government Whips office, about an hour before the statement is made. A point of order on this issue was raised on 27 Feb 2002 to which Mr. Speaker replied "It is not a rule of the House but a courtesy that Ministers give as much warning as possible of any statement that they are going to make. I encourage Ministers to do that. If there is any difficulty or short notice in future, I can use my discretion, but I would rather encourage Ministers to give out their statements well in advance."

8.12 Copies are also made available to the press gallery when the Secretary of State sits down. Speakers have deprecated the practice of informing the media about the content of statements before they have been made to the House. For example, in a Speakers Statement on 30 Jan 2003 it was said that "Hon. Members have raised with me their concerns that the substance of ministerial statements has been reported in the media before being presented to this House. .... I have made it clear, both from this Chair and in meetings with Ministers, that it is of fundamental importance for the proper functioning of Parliament that this House is the first to hear of important developments in Government policy. I recognise the pressures and difficulties that often face Ministers as a result of press speculation about forthcoming statements. My impression, nevertheless, is that in general Ministers recognise and comply with the convention that I have enunciated."

## **Notice of Statements**

8.13 Notice on the day of the statement is, wherever possible, given to Members on the day by means of notices placed in the Members' lobby and displayed on the annunciator. Notice may also be given to the Table office in advance by the office of the Leader of the House so that the title appears in future business and/or on the Order Paper. The Government retain the freedom to make statements without prior notice having been given in this way and, if necessary, not to proceed with a statement of which prior notice has been given. It is important that the title of statements is not political or in the form of a slogan. If referring to a document it is normally better to give notice of "Publication of xxxxx" to help avoid this problem. The Table Office will always advise departments on acceptable titles.

## **Timing of oral statements**

8.14 The timing of a statement will be planned through discussion between the relevant department, No 10 and the Business Managers. It is sometimes necessary, however, to arrange for a statement to be made at short notice. This is usually in response to a specific incident or growing concern.

8.15 Statements take place at a set time during the parliamentary week. Statements would normally be made at 15.30 on Monday and Tuesday

and 12.30 on Wednesday and Thursday (following the business questions). Statements on Fridays are not common (please see section below). Exceptionally, statements, including statements on future business, have been permitted by the Speaker, in urgent circumstances, at other times. These can only take place with the approval of the Speaker (as well as BMs). These include;

- immediately after prayers or after Members have been sworn on a day when the House has been recalled;
- after the disposal of motions at the commencement of public business;
- during the course of consideration of an order of the day;
- between Orders of the Day;
- following the moment of interruption; and
- immediately before the half-hour adjournment debate.

8.16 Where it is necessary for more than one statement to be made on the same day it is usual for the departments to arrange the order based on the significance of the statement. Should they be unable to agree the Business Managers, in the absence of other factors, would arrange for the senior ranking Minister to appear first. When other statements are planned for Thursdays the Leader may decide to allow these to take precedence over business, depending on their importance. The Business Question is then taken after other statements and itself becomes a statement (as opposed to a question), although the format is otherwise unaffected.

8.17 On Fridays, under S.O. 11(4), Statements are made at 11am, when the debate taking place is interrupted to allow for the statement and resumed on its conclusion. The Government avoids making statements whenever possible on Fridays.

8.18 Where a Statement is made first in the House of Lords, the timing of the repeat in the Commons is a matter for negotiation with Commons business managers.

### **Statements on Opposition Days/other events**

8.19 By convention, statements are avoided on Opposition days. A Speaker's statement in response to a point of order on government statements on opposition days stated that "The right hon. Gentleman was kind enough to remind me of Erskine May, and I have consulted page 307, which states: "Prior notice to the Speaker is necessary, but neither his permission nor the leave of the House is required" to make a Government statement. The usual channels will take note that I would prefer it if, on Opposition Supply days, we do not have Government statements. That is the best comfort that I can provide to the right hon. Gentleman"<sup>14</sup>. It is also generally not appropriate to make planned Oral Statements at some other times. For example, during the debate which follows the Queen's Speech at the start of each session.

## **Speakers Statements**

8.20 The Speaker may also make statements to the House on matters of procedure or practice. The Speaker also makes statements in connection with arrangements for ceremonial occasions, the retirement of senior officials of the House, etc. The Speaker is not obliged to inform the Government of the substance of any statement he makes in advance.

## **Deferred Oral PQs**

8.21 Sometimes used as a substitute for making an Oral statement, a Minister may decide to defer answering an oral question until the end of question time. A Minister may also elect to give an oral answer at that time to any question for written answer which stands on the order paper for that day. This is done in cases where a question requires, or provides an opportunity for, a more extended answer, which might otherwise have taken the form of a Ministerial statement.

## **Oral Statements in the Lords**

8.22 Oral Statements in the Lords can be made with the leave of the House without notice. Usually, the responsible Minister is a Member of the Commons, in which case the statement is repeated in the Lords. The timing of any repeated Statement is agreed through the Usual Channels in the Lords, and the Chief Whip can announce the timing in the Chamber. Any repeat of a Commons statement cannot start until after the statement has begun in the Commons. The formulation for starting any repeated statement is "My Lords, with the leave of the House I will now repeat a statement made in the Other Place earlier today by [xxxxx]". The text of the statement is then repeated verbatim from the Commons.

8.23 If the responsible Minister is a Member of the House of Lords, the statement must be made in the Lords first (and if necessary, repeated in the Commons). This usually happens immediate after Oral Questions (Monday to Thursday) or at the start of business on a Friday. Any Lords Statement should begin "My Lords, with the leave of the House I will now make a statement on [xxxx]."

8.24 After the statement has been made (or repeated) to the House, the two Opposition front benches (and occasionally the Convenor of the Crossbench Peers) will speak, and then the Minister should reply. The Opposition Frontbench speeches and the Minister's reply should take no more than 20 minutes in all. There then follows a period of questions and answers for backbench members, for up to 20 minutes.

8.25 Statements made or repeated in the Lords should be made available in the Printed Paper Office and to the Opposition on the same basis as statements made in the Commons. The Government Whips Office can give guidance on this.

## **Written Ministerial Statements**

8.26 Under Standing Order No 22A a Minister of the Crown, being a Member of the House of Commons, may give notice of his intention to make a written ministerial statement, and that it will be printed in the Official Report not later than five sitting days after that notice. In the House of Lords, written statements may be made when the house is sitting by Ministers or the Chairman of Committees. Notice is not required.

8.27 It is not necessary to issue a WMS to accompany the laying of a Command Paper or departmental minute etc, as these will appear in the Votes and Proceedings in any case. However, a department may wish to do this if it is of significant importance to warrant a WMS.

## **Giving Notice of WMSs**

8.28 Notice can be given up to five sitting days in advance of issuing the statement. This information will then appear in future business of the order paper. Notice may be given up until the rise of the House the day before issuing the statement. The title of the statement should simply indicate the subject matter. If giving notice earlier than the day before a WMS is to be issued, Departments should be aware that the title will be on the Order Paper and in the public domain. Although it is possible not to issue a planned statement, it is good practice to give notice only when a final decision has been made.

## **Issuing WMSs**

8.29 Written statements should be issued at 9.30am. Every effort should be made to issue written statements as early in the day as possible and normally by 12.30pm. There will be circumstances when statements cannot be issued at 12.30pm. If this happens, the department should endeavour to notify the Chair of the relevant Select Committee and/or any other Member with an interest. Where it is necessary to delay the issue of a statement the Opposition front bench spokespersons should be informed. On Thursdays, the office of the Leader of the House must be informed if a written statement is not issued by the time of the Business Statement.

8.30 Copies of written statements should be issued to the Library and Hansard electronically. Paper copies to the Press Gallery, Vote Office and Printed Paper Office. Copies for Hansard should not be included with answers to PQs. Copies for the Library should be handed to a member of staff and not dropped in a pigeon hole. All copies should be clearly marked "Written Statement".

## **Withdrawing a statement**

8.31 Notice of a written statement may be withdrawn in advance of the day set for the statement by re-sending the notification to the table office with it annotated "Withdrawn", signed and dated. If the department chooses not to make the statement but too late to withdraw it, it should replace the statement as planned with a short statement that the planned statement will not be made.

## **9. Petitions**

9.1 A petition is a formal written request from one or more people to the Sovereign, the Government or to Parliament. A public petition is one made to the House of Commons and is a formal process involving sending a written appeal to an MP, following a set format, which is then presented to the Commons by the MP. Only Members may present public petitions to the House. Generally, MPs will present all public petitions they receive from their constituents. However, MPs aren't compelled to present petitions and doing so does not imply that they support the action specified by the petition. Petitions to the House, also known as 'public petitions' must be prepared in accordance with the House's rules [External website] concerning form and content, which are available from the Journal Office.

9.2 Public petitions must be endorsed by the Journal Office as being in order, and signed by the Member. Public petitions should ask for something that is in the power of the House to grant. (It is important not to confuse public petitions to the House with petitions seeking to block the passage of a private bill. Petitions against private bills may be made directly by the petitioners if they are "directly and specifically" affected by the bill.)

9.3 Petitions that members of the public send directly to Departments or to No.10 are usually treated as correspondence. There is no formal parliamentary process involved.

9.4 The public also has the right to petition the Queen. The right of the subject to petition the Monarch for redress of personal grievances has probably been exercised since Saxon times. It was recognised in Magna Carta and more explicitly in an Act of 1406. The Bill of Rights of 1688 restated that right in unambiguous terms, " ... it is the right of the subjects to petition the King, and all commitments and prosecutions for such petitioning are illegal"<sup>15</sup>.

## **Informal and Formal presentation**

9.5 Presentation of public petitions can be informal or formal. A Member can make an informal presentation any time when the House is sitting by placing them in a green bag on the back of the Speaker's Chair. Alternatively, Members can present a petition on the Floor of the House.

The presentation takes place immediately before the end-of-day adjournment debate or, on Fridays, at the start of the day's business. The Member is called and may make a brief statement (not a speech) outlining who the petition is from, what it concerns and the number of signatories. They conclude by reading out the 'prayer', which sets out what the petitioners are requesting. No other Member may speak.

## **Publication**

9.6 The text of a petition which has been formally presented is set out in full in Hansard immediately after the Member's remarks. The texts of petitions presented informally appear in Hansard after the day's proceedings, in a section before written ministerial statements. Under Standing Order No. 156 a copy of the petition, once printed, is sent to the appropriate Government department. Following a resolution of the House on 25 October 2007, all substantive petitions should receive a response from the relevant Minister, in the form of an observation or notification that the Government does not have responsibility within two months. Any observations made by a Minister in reply are printed in Hansard after written ministerial statements and a copy is sent to the Member who presented the petition by the Journal Office. Copies of petitions and observations are also sent to the relevant select committee of the House, to decide whether to put the petition onto its formal agenda, though that committee has discretion as to whether to take action, and will not usually consider individual cases<sup>16</sup>.

## **'Tagging' petitions to debates**

9.7 It is open to Members to seek a reference, known as a tag, on the order paper referring to a presented petition as relevant to a particular debate. The agreement of the Member in charge of the relevant item of business (usually the whips) is required to secure a tag. It is expected that such tags would most usually be sought, and agreed to, in respect of adjournment debates in Westminster Hall where the backbench Member with the debate would be responsible for authorisation<sup>17</sup>. This procedure is rarely used.

## **e-Petitions**

9.8 The Leader of the House outlined The Government's response to the Procedure Committee's First Report, Session 2007-08, e-Petitions (HC136), in a written ministerial statement on 22 July 2008<sup>18</sup>. It indicated broad support, in principle, for an e-petition system to be introduced to allow members of the public to petition Parliament more easily.

## **Annex - Further Reading**

There is a wealth of information on all aspects of Parliament. Within Government, guidance has been produced on a range of issues, including

legislation, issuing command papers and European scrutiny. These have been linked to where appropriate in the guidance.

In addition there is material available from Parliament, including factsheets and research papers on the Parliament website. Again these are linked to where appropriate.

The House of Commons Information Office has produced a [selective booklist](#) providing information on the work and history of the House of Commons and Parliament in general.

Every Parliamentary Clerk should have access to the latest edition of Erskine May, the definitive guide to parliamentary practice and procedure.

In addition, the DOD's handbooks of House of Commons and House of Lords procedure provide useful and accessible information about Parliamentary procedure.

Finally, How Parliament Work, by Robert Rogers and Rhodri Walters is an authoritative and readable guide to the day-to-day workings of Parliament.

## **Annex - Guidance to Officials on Drafting Answers to Parliamentary Questions**

This guidance gives a list of points to be aware of when drafting answers to parliamentary questions.

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1. Never forget Ministers' obligations to Parliament which are set out in the 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.'**

2. 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.

3. Approach every question predisposed to give relevant information fully, as concisely as possible and in accordance with guidance on disproportionate cost. If there appears to be a conflict between the requirement to be as open as possible and the requirement to protect

information whose disclosure would not be in the public interest, you should consult your FOI liaison officer if necessary.

4. Where information is being refused on the grounds of disproportionate cost, there should be a presumption that any of the requested information which is readily available should be provided.

5. Do not omit information sought merely because disclosure could lead to political embarrassment or administrative inconvenience.

6. Where there is a particularly fine balance between openness and non-disclosure, and when the draft answer takes the latter course, this should be explicitly drawn to the Minister's attention. Similarly, if it is proposed to reveal information of a sort which is not normally disclosed, this should be explicitly drawn to Ministers' attention. The Minister should also be advised of any relevant FOI cases which are under consideration which could impact on the way the PQ should be answered.

7. If you conclude that material information must be withheld and the PQ cannot be fully answered as a result, draft an answer which makes this clear and explains the reasons, such as disproportionate cost or the information not being available, or explains in terms similar to those in the Freedom of Information Act (without resorting to explicit reference to the Act itself or to section numbers) the reason for the refusal. For example, 'The release of this information would prejudice commercial interests'. Take care to avoid draft answers which are literally true but likely to give rise to misleading inferences.

8. Where an MP/Peer tables a question and has also submitted a separate request to the department under FOI, it is reasonable to reply in terms that the issue is currently under consideration. Once a decision has been reached, the MP/Peer should be informed of the answer and a copy of the letter placed in the Libraries of the House. Consideration should also be given to a written ministerial statement in both Houses.

9. Where a decision on an FOI case results in a change of policy and that information which was previously withheld is now being released, consideration should be given to informing both Houses, for example, through written ministerial statement.

10. PQs should be answered within the normal deadlines. In the House of Commons, a Named Day question should receive a substantive response on the day named and an Ordinary Written question should receive a substantive response within a working week of it being tabled. In the House of Lords, questions for Written Answer are expected to be answered within 14 days. **Consideration of a parallel FOI request is not a reason to delay an answer to a Parliamentary Question.**

## Annex - I will writes

1. This guidance is intended to implement the recent Ministerial agreement on the handling of “I will write” replies to Parliamentary Questions in the House of Commons. The intention is (a) to reduce the frequency of “I will write” replies to a minimum; and (b) to ensure that, when Questions are answered in that form, the subsequent substantive responses are made accessible to Members and to the public by publication in Hansard.
2. The overriding rule must be that wherever possible a substantive answer should be given to all Parliamentary Questions within the required timescale. Named day questions must be answered on the date stated; ordinary written questions should normally be answered within a working week.
3. An “I will write” reply” is the answer provided by Departments when they are unable to answer the Question in the time required and intend to send the requested information by letter at a later date. This answer, in the form “I will write to the Hon Member...”, is published in Hansard. This form of reply is different from a “holding reply”, which should be sent when it is not possible to answer on a named day, and when the intention is to send an answer on a later date. Holding answers are not printed by Hansard. Departments should ensure that holding answers are clearly distinguished from “I will write” replies, by using a clearly different formula: “I shall let the [Rt] Hon Member have a reply as soon as possible”.
4. When questions are tabled in the run-up to Prorogation, Ministers should, of course, strive to answer them substantively before Prorogation; but, if this is not possible, Ministers should – instead of issuing an “I will write” reply – answer the question substantively with the following form of words “It has not proved possible to respond to the Hon [or Rt Hon] Member in the time available before Prorogation”. It will then be open to the Member concerned to re-table the question in the new session if they wish.
5. There is no reason to use the “I will write” formula before a recess as questions can be answered during these periods and printed in the special editions of Hansard.
6. An “I will write” answer should be given only rarely, when there is exceptional reason for delay. In these cases, every effort should be made to ensure that the subsequent substantive response is sent as soon as possible. Departments will wish to bear in mind their departmental target for replying to letters from Members of Parliament.
7. When the substantive response has been issued, it should be sent to the Hansard for printing in the Official Report in the same way as for other Written Answers. The House of Commons should receive the following number of copies, all marked with the heading “Parliamentary Questions – I will write”:

- 1 - Official Report
- 1 – Library, Oriel Room
- 1 - Upper Table Office
- 1 – Library, Derby Gate
- 15 – Press Gallery

8. Departments should supply a photocopy of the original question and answer as a cover page to the substantive response (as is done at present with Chief Executives' letters).

9. If the subsequent response is longer than Hansard would normally publish, notification will be printed that the response is available in the Library of the House. The response will be available to Members in the Library and on application to the House of Commons Information Office.

10. Any outstanding responses must be received by the last day of the Session, so that they can be printed in the Official Report.

11. Ministers will need to bear in mind that the contents of their subsequent letters will be published. If they wish to provide personal or confidential information, which would not be appropriate for publication, Departments should make this clear in the Answer, instead of using the standard "I will write" formula they should use the following "As my answer contains personal information, I will communicate privately with the hon. Member". This will ensure that the Answer is not recorded as an Answer to which a substantive response is outstanding. In these circumstances, a copy should not be sent to Hansard, the Library or the Table Office.

12. The Leader of the House's office will provide an analysis of the number of "I will write" replies and of the time taken to provide a substantive response, based on data supplied by the House of Commons Library. Any Question which has not received a substantive response by the end of the Session will be recorded as unanswered. These records will be provided quarterly to Departments for checking and are submitted annually to the Public Administration Select Committee.

13. Departments should make every effort to use the following when responding to questions:

|  |  |
|--|--|
| Standard "I will write" answer:  | "I will write to the [Rt] Hon Member with the information requested. [If appropriate, reason for delay.]"  |
| "I will write with personal/confidential information" answer: Holding reply: | "As my answer contains personal information, I will communicate privately with the hon. Member" "I shall let the [Rt] Hon Member have a reply as soon as possible" |
| End of Session answer:   | "It has not proved possible to respond to the Hon [or Rt Hon] Member in the time available before Prorogation."  |

## Annex - Distribution of documents to Parliament

|   | HoC Oral PQs | HoC Written PQs | HoC Written Statements | Oral Statements | HoL Oral PQs | HoL Written PQs | HoL Written Statements | Docs laid before Parliament | Library placements/ deposited papers |
|---|--------------|-----------------|------------------------|-----------------|--------------|-----------------|------------------------|-----------------------------|--------------------------------------|
| Govt Whips (Hoc)                                  | 3            | 0               | 0                      | 15              | 0            | 0               | 0                      | 6 (Sis only)                | 0                                    |
| Govt Whips (HoL)                                  | 0            | 0               | 0                      | 15              | 3            | 0               | 0                      | 6 (Sis only)                | 0                                    |
| Hansard (HoC)                                     | 2            | 1               | 2 (electronic)         | 2               | 0            | 0               | 0                      | 0                           | 0                                    |
| Hansard (HoL)                                     | 0            | 0               | 0                      | 1               | 0            | 0               | 0                      | 0                           | 0                                    |
| Derby Gate <sup>19</sup>                          | 0            | 1               | 1                      | 1               | 0            | 1               | 0                      | 0                           | 0                                    |
| Library (HoC)                                     | 0            | 1               | 2 (electronic)         | 2               | 0            | 1               | 0                      | 1                           | 4                                    |
| Library (HoL)                                     | 0            | 0               | 0                      | 1               | 0            | 0               | 1                      | 1                           | 2                                    |
| Table Office                                      | 1            | 1               | 1                      | 1               | 0            | 0               | 0                      | 0                           | 0                                    |
| Press Gallery (HoC)                               | 25           | 25              | 25                     | 25              | 0            | 0               | 0                      | 25                          | 25                                   |
| Clerk of the Parliaments                          | 0            | 0               | 0                      | 0               | 0            | 0               | 0                      | 0                           | 0                                    |
| Speaker   | 0            | 0               | 0                      | 1               | 0            | 0               | 0                      | 0                           | 0                                    |
| Vote Office                                       | 0            | 0               | 50                     | 400             | 0            | 0               | 50                     | 100 if not a Govt paper     | 100 if not a Govt paper              |
| Printed Paper Office                              | 0            | 0               | 50                     | 50              | 0            | 0               | 5                      | 10                          | 10                                   |
| Minute Room                                       | 0            | 0               | 0                      | 0               | 0            | 3               | 0                      | 0                           | 0                                    |
| Select Cttee Clerk <sup>20</sup>                  | 2            | 2               | 2                      | 0               | 2            | 2               | 2                      | 2                           | 2                                    |
| Vote & proceedings office (within Journal Office) | 0            | 0               | 0                      | 0               | 0            | 0               | 0                      | 2                           | 0                                    |

## Annex - Corrections to the Official Report

1. On 19 June 2007 the House of Commons agreed to the 2nd Report from the Commons Procedure Committee (HC541 of session 2006-07) Corrections to the Official Report. This inquiry arose from dissatisfaction by Members that the present system of correcting inadvertent errors by Ministers in Hansard was unclear and untransparent (particularly where correcting letters were placed in the Commons Library).

2. The Procedure Committee, following representations from the Leader of the House, proposed a new scheme involving a separate section of Hansard for printing corrections. Now it has been endorsed by the House,

the new scheme will begin from the start of the next (2007-08) session. This note provides guidance for parliamentary branches and departments as to how the new process will work.

The new scheme

3. There have hitherto been five principal written ways of correcting errors (see Procedure Committee report para 4):

- letter to Editor of Hansard pointing out minor errors which do not alter the meaning and are then corrected editorially by Hansard in the bound volume
- pursuant Answer; submitted after clearance by Table Office for conformity with the House's requirements
- pursuant/inspired Question
- letter to Member; copy deposited in Library
- Written Ministerial Statement

4. Under the new scheme, in appropriate cases corrections—in the name of the Minister—will instead be sent to Hansard, indicating the error, and these corrections will be printed in the Official Report in a separate section. This means that the old process of making a correction by placing a copy of the letter in the Commons Library<sup>21</sup> or by supplying a 'pursuant answer' after checking with the Table Office—i.e. options (b) and (d) above—will no longer operate.

5. But it does not mean that other ways of correcting mistakes are no longer applicable. Where an error is not within the scope of the new system, then you will have to consider whether you need to make a Written Ministerial Statement (option (e) above)—or even conceivably an Oral Statement—as before. But many of the circumstances in the past in which a WMS was used should now be covered by the new procedure: it would thus be expected henceforth that WMSs would only rarely be used for corrections.

6. Option (c) above technically remains available, since in procedural terms it is just a fresh PQ, but it would be inadvisable to use it for the purpose of making a correction. This is because—even if tempted to use it in order to make other announcements or include other information at the same time—there will be no cross reference in the printed or electronic version of Hansard to the question and answer which is being corrected. The Department could come in for criticism and the incorrect information may continue to be used.

7. The new system does not replace the system whereby very minor corrections which do not alter the meaning of the original text would continue to be made editorially by Hansard (option (a) above and see Report para 14).

8. Overall, it is expected that the total number of corrections should not increase and the emphasis remains on officials to ensure the adequate quality control measures are in place. The number of corrections will be regularly monitored by the Office of the Leader of the House of Commons.

### **Scope of errors which should be made under the new system**

9. The new process (see para 13 of the Report) is available for corrections only and “should not be an occasion to provide new information, however closely related to the original proceeding. Neither should it be used to rehearse arguments which may have given rise to the original error.” Accordingly, any proposed correction under the new procedure will need to be cleared by the Table Office (as with ‘pursuant answers’ at present). It is difficult to give precise guidance in advance as to what will come within the terms set out in the Procedure Committee report, but the Table Office will be happy to advise (see para 10 below) and if in doubt it would often be good practice to check with them before engaging the new procedure. The position should become clearer as examples emerge.

10. Paragraphs 7 and 8 of the report make clear that the new procedure is available for errors by Ministers made in or during the course of:

- Anything said in the main Chamber or Westminster Hall
- WMSs
- Written Answers
- Evidence to, and other proceedings in, public bill committees where the consideration of the bill is completed before the error is noticed<sup>22</sup>
- Other general committee (formerly ‘standing committee’) proceedings

Note that, while the procedure applies to evidence submitted to public bill committees, it does not apply to evidence to select committees.

### **Process and timings**

11. If the Department wishes to clear the terms of a correction in advance with the Table Office (for adherence to the House’s requirements) the Table Office will be happy to assist. Otherwise, this clearance stage will take place after the correction is sent to Hansard. Before (or at the same time as) writing to Hansard, the Department must write to the Member concerned (if the correction involves a PQ or otherwise involves a statement directly made to a particular Member).

12. The correction should then be sent to the Hansard. They will then send it to the Table Office for checking, who will return it to Hansard for publication; the Table Office will contact the relevant Department if there is a problem. To allow time for this checking process, Hansard are proposing the following daily cut-off points for delivery by Departments to them:

**4pm** Monday, Tuesday  
**2pm** Wednesday, Thursday  
**12pm** Friday.

13. In order to allow cross-references to be inserted in the bound volume at the point of the original error (as required by the Procedure Committee), corrections need to be received before the deadlines already notified to departments for corrections for the bound volumes. Once those deadlines have passed, then while the correction can still be printed in the current Hansard, no link will appear in the bound volume or on the website. Remember that corrections should always be made at the earliest opportunity.

## **Format**

14. In terms of format, the correction should be free-standing—i.e. the correction letter should:

1. be headed by the name of the Minister in whose name the correction is being made
2. make clear the proceedings in which the original error occurred, with accurate date, column number, and volume number
3. set out the original PQ and answer or equivalent passage—but where there are lengthy tables, it will not be necessary to repeat the tables in full and Hansard will not be reprinting the incorrect table in the corrected answer (to help to avoid people picking up incorrect versions of the table on the internet<sup>3</sup>)
4. set out the terms of the error.

An example of how a correction might be is set out below.

## **Contacts**

15. For further information on this guidance relevant contact points (as at current date) are:

**Leader's Office:** Mike Winter - 020 7276 0979

**Revised:** Tom Healey - 020 7276 0351

**Hansard:** Clare Hanly - 020 7219 5258

**Table Office:** Table Office Clerks - 020 7219 3302/3303

## **Example correction format**

**To: [Editor of Hansard]**

**Correction to the Official Report**

**Mr Pitcher (Minister for Baseball, DCMS)**

An error has been identified in the [Written Answer given to the Hon Member for Homerun] at Official Report 19 September 2007 col 666W. The full answer given was as follows:

**Mr Catcher:** To ask the SofS for Culture Media and Sport what funding is given to baseball by his department. [123456]

**Mr Pitcher:** My department pays grants of £1.45m, broken down as follows:

- English National Baseball Federation £1.25m
- The Baseball Society £0.20m.

The correct answer should have been:

“My department pays grants of £1.45m, broken down as follows:

- English National Baseball Federation £1.05m
- UK Recreational Agency £0.20m
- The Baseball Society £0.20m.”

## **Annex - Topical Questions**

### **Does the Secretary of State have to answer the first question?**

There is a VERY STRONG expectation that the Secretary of State will answer the first question (i.e. a brief answer addressing the major issues of the day), but it is ultimately for the Department to decide.

### **How long should this first response be?**

It should be brief. It should certainly not exceed 1 minute. Mr Speaker has indicated to the Leader of the House that Ministers can expect to be interrupted if the response is longer than this.

### **What should be included in the opening response?**

The substance is a matter for Departments but should fall within the spirit of the recommendations in the Modernisation Committee report. The House would not expect it to be used as a platform for making major policy announcements. Ministers and their Departments are reminded that where a policy announcement is being given, they should first consider either a Written Ministerial Statement or Oral Statement. However, it may be acceptable to use the opportunity in the opening statement (by the Secretary of State) to bring to the attention of the House, a Written Ministerial Statement issued earlier on in the day.

### **Who will answer subsequent answers?**

It is for the Secretary of State to decide. There may be practical and presentational reasons why it may be difficult to decide on the spot which Minister should answer questions with no prior notice.

**If a Minister other than the Secretary of State answers a question from the ballot, will they be required to answer any 'supplementaries' (i.e. any further Member not on the list, that the Speaker decides to call to retain balance) before the next balloted question is asked?**

A Minister will not be expected to answer 'supplementaries' (but of course could). As with Prime Ministers Questions (PMQs), supplementaries need not be related to the previous actual question and will be treated as a 'new' question.

**How much time will the opposition front bench get?**

In total, the Opposition front benches will proportionally get no additional time. However, they may split it between closed and open sections, at the Speaker's discretion.

**What is the definition of topical?**

Although we expect Members to use the opportunity to raise topical issues, there is no definition or procedural requirement for topicality. These are simply classed as open questions. The opening statement by the Secretary of State could influence other Members to ask questions on this topic.

**What will be out of scope (can Members ask about outstanding PQs and correspondence)?**

As long as it is within the responsibilities of the Department it will be within scope.

**Is there any process for open questions not reached?**

They will die (as with PMQs). The open session is planned to be run along similar lines to PMQs.

## Notes

1. After the fifth Wednesday of a session and on Monday if the Tuesday or Wednesday is budget day.
2. [Ministerial Code](#)
3. [www.cabinetoffice.gov.uk/propriety\\_and\\_ethics/civil\\_service/pq\\_guidance.aspx](http://www.cabinetoffice.gov.uk/propriety_and_ethics/civil_service/pq_guidance.aspx)
4. For further information on the sub-judice rule see the House of Commons Standard Note SN/PC/1141  
[www.parliament.uk/commons/lib/research/notes/snpc-01141.pdf](http://www.parliament.uk/commons/lib/research/notes/snpc-01141.pdf) (July 2007) See also the Resolution of the House of 15 November 2001 published in the latest edition of standing Orders (public business)
5. If a member is appointed to a Parliamentary Private Secretary post their question will not be automatically removed. However as the ministerial code states that they should not put questions on matter affecting their department, they may choose to remove it themselves.
6. Official Report Vol 442, Col: 2379.
7. WMS, 20 January 2010, Vol 504 Col 15WS
8. Business of the House and its Committees – a short guide (July 2008)
9. [Written Ministerial Statement 21 July 2004, Official Report, vol 424, col 35WS](#)
10. Oral Questions 23 April 2009, Official Report, vol 291, col 849w
11. Select Committee on Modernisation of the House of Commons, First Report of 2006-07, Revitalising the Chamber: the role of the back bench Member (HC 337), paragraphs 51-4.
12. Official Report Vol.442 Column 2378W
13. [Speaker's ruling 25 March 2009](#)
14. Official Report (2003-03) vol 406, cc701
15. Rotuli Parliamentorum (7 & 8 Hen. IV, No 63)
16. Business of the House and its Committees: short guide
17. Business of the House and its Committees: short guide
18. Official Report 22 July Vol. 479 Column: 96WS
19. To be addressed to Derby Gate Library, 1 Derby Gate, London SW1A 2DG
20. Only very important documents, as and when required (e.g. PQs, WMS, Command Papers etc)
21. It is possible that the requirement of depositing a copy of the letter in the Library may not have universally been followed by all Departments anyway
22. Errors in public bill committees spotted in time should be corrected during subsequent proceedings of the committee
23. In practice where Answers or WMSs are lengthy, Hansard will exercise editorial judgement (as they will have to anyway in relation to errors in speeches) as to how much of the original text should be reprinted