

The Rt Hon Ed Miliband MP

Minister for the Cabinet Office
Chancellor of the Duchy of Lancaster

70 Whitehall
London
SW1A 2AS

Telephone 020 7276 0840
Fax 020 7276 0841
Email psccl@cabinet-office.x.gsi.gov.uk
Web www.cabinetoffice.gov.uk

The Rt Hon Alan Williams MP
Chair of the Liaison Committee
House of Commons
London
SW1A 0AA

23 January 2008

Dear Alan,

GOVERNANCE OF BRITAIN GREEN PAPER: PRE-APPOINTMENT HEARINGS BY SELECT COMMITTEES

The *Governance of Britain* Green Paper sets out the Government's programme of constitutional renewal. This includes a specific proposal to increase Parliamentary scrutiny of appointments to certain posts by way of pre-appointment hearings with the relevant select committee. In keeping with our commitment in the Green Paper, I am writing to update you on progress and to share with the Committee the list of appointments that we are proposing should be subject to pre-appointment scrutiny.

The format of pre-appointment hearings will broadly follow the process set out in the Green Paper. This will involve the Government's nominee for selected posts giving evidence before the relevant Parliamentary select committee. We expect committee hearings to focus on issues of professional



competence. Hearings will be non-binding but Ministers will consider committees' views carefully before deciding whether to proceed with the appointment.

Since publication of the Green Paper, we have consulted widely across Government to identify posts that would be suitable for pre-appointment hearings. In keeping with the principles in the Green Paper, we have focussed on posts which exercise statutory or other powers in relation to protecting the public's rights and interests. We have also considered posts that play a key role in the regulation and administration of the appointments process itself. As a result, the final list comprises senior ombudsmen, HM Chief Inspectors and key regulators. This is also in keeping with a recommendation from the Public Administration Select Committee that pre-appointment scrutiny should focus on "*major auditors, ombudsmen and other complaint investigators, regulators and inspectors, and to those responsible for the appointments process itself*". A full list of proposed appointments is attached.

As we have developed our proposals, we have listened carefully to the views of key stakeholders, in particular the Commissioner for Public Appointments and the Committee on Standards in Public Life. We are also giving careful consideration to recent reports published by the Treasury Select Committee and the Public Administration Select Committee. As a result, the Government plans to proceed with pre-appointment hearings on a pilot basis. This will involve Departments monitoring closely pre-appointment hearings and seeking feedback from those involved, including from select committees. As we embark on this process, it is essential that it is conducted in such a way that we both enhance the role of Parliament in scrutinising public appointments and maintain an appointments process which is proportionate and continues to attract high quality candidates.

Strengthening the role of Parliament is a key aim of *The Governance of Britain* Green Paper. I believe the approach I have outlined in this letter will contribute to this by delivering a process which enhances Parliamentary and

democratic scrutiny of key public appointments whilst continuing to attract high calibre individuals into public life. I very much welcome the Committee's views on the proposed list.

Yours ever,

A handwritten signature in black ink, appearing to read 'Ed', with a long horizontal stroke underneath.

ED MILIBAND

LIST OF APPOINTMENTS FOR PRE-APPOINTMENT SCRUTINY

Chair of the Gas and Electricity Markets Authority (GEMA)
Chair of OFCOM
Chair of the Appointments Commission
Chair of the Care Quality Commission
Chair of the Charity Commission
Chair of the Committee on Standards in Public Life
Chair of the Food Standards Agency
Chair of the Judicial Appointments Commission
Chair of the Office for Legal Complaints
Chair of the Office of Rail Regulation
Chair of the Postal Services Commission
Chair of the Statistics Board
Chair of the Water Service Regulatory Authority (OFWAT)
Chief Fire and Rescue Adviser
Commissioner for Public Appointments
Comptroller and Auditor General
First Civil Service Commissioner
Health Service Commissioner for England (Health Ombudsman)
HM Chief Inspector of Constabulary
HM Chief Inspector of Education, Children's Services and Skills
HM Chief Inspector of Prisons
HM Chief Inspector of Probation
HM Chief Inspector of the CPS
Information Commissioner
Local Commissioners for Administration for England (Local Government Ombudsmen)
Parliamentary Commissioner for Administration (Parliamentary Ombudsman)
Pensions Ombudsman
Pensions Protection Fund Ombudsman
Prison and Probation Ombudsman