



House of Commons  
Public Administration  
and Constitutional Affairs  
Committee

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**Ensuring Proper Process  
for Key Government  
Decisions: Lessons Still  
to be Learned from  
the Chilcot Report:  
Government Response  
to the Committee's  
Fourth Report**

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**Seventh Special Report of Session  
2017–19**

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## Public Administration and Constitutional Affairs

The Public Administration and Constitutional Affairs Committee is appointed by the House of Commons to examine the reports of the Parliamentary Commissioner for Administration and the Health Service Commissioner for England, which are laid before this House, and matters in connection therewith; to consider matters relating to the quality and standards of administration provided by civil service departments, and other matters relating to the civil service; and to consider constitutional affairs.

### Current membership

[Sir Bernard Jenkin MP](#) (*Conservative, Harwich and North Essex*) (Chair)

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### Powers

The committee is a select committee, the powers of which are set out in House of Commons Standing Orders, principally in SO No 146. These are available on the internet via [www.parliament.uk](http://www.parliament.uk).

### Publication

Committee reports are published on the Committee's website at [www.parliament.uk/pacac](http://www.parliament.uk/pacac) and in print by Order of the House.

Evidence relating to this report is published on the [inquiry publications page](#) of the Committee's website.

### Committee staff

The current staff of the Committee are Libby Kurien (Clerk), Sarah Thatcher (Clerk), Ian Bradshaw (Second Clerk), Dr Patrick Thomas (Committee Specialist), Dr Philip Larkin (Committee Specialist), Makka Habre (Committee Specialist), Gabrielle Hill (Senior Committee Assistant), Iwona Hankin (Committee Assistant), and Mr Alex Paterson (Media Officer).

### Contacts

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# Seventh Special Report

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1. The Public Administration and Constitutional Affairs Committee published its Fourth Report of Session 2017–19, *Ensuring Proper Process for Key Government Decisions: Lessons Still to be Learned from the Chilcot Report*, as HC 854 on 29 May 2018. The Government's response was received on 2 August in the form of a letter from the Acting Cabinet Secretary and National Security Adviser Sir Mark Sedwill, and the relevant sections are appended to this report.

## Appendix: Government Response

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### Applying Proper Process

The Government agrees it is necessary that the correct processes are in place to support good decision-making and it is equally important that those processes are managed effectively. The principle of collective responsibility and decision-making allows Ministers to engage openly and frankly within a private space in order to reach a collective position to present to Parliament and the public. The Ministerial Code and Cabinet Manual provide details on the processes that enable this, by codifying the procedures for Cabinet and Cabinet Committees.

The Government recognises the need to keep these processes under review to ensure that they truly deliver and protect collective responsibility. Taking national security decision-making as an example, in the past decade there has been an extensive programme of change to structures, management and culture - a process which started before the Chilcot Inquiry reported and continues now - to ensure that decisions are taken by the National Security Council (NSC)

collectively with the benefit of comprehensive, full and considered advice. Ahead of NSC meetings a comprehensive process of official-level meetings, concluding with NSC(O), ensures that advice is well-tested and represents a full range of views and interests. Most recently, the introduction of the Fusion Doctrine has cemented a rigorous cross-government approach. As National Security Adviser, I should be happy to brief the Committee further on this, if helpful.

### The Role of the Cabinet Secretary

The process for collective decision-making in Cabinet and Cabinet Committees is defined in chapter 4 of the Cabinet Manual. At official level, these processes are overseen by the Cabinet Secretary and Cabinet Secretariat in support of the Prime Minister, who is responsible for the conduct of Cabinet and its meetings. Advice is regularly provided to the Prime Minister, relevant Chairs and Ministers, by the Cabinet Secretary personally or members of the secretariat, on when issues should come to full Cabinet or to a Cabinet Committee for discussion, or when a formal write-round is required to secure collective agreement. Where necessary, the Cabinet Secretary will discuss his advice with the Prime Minister, as Head of the Government and Chair of Cabinet, to reach agreement on the appropriate mechanisms.

The Government has concluded that it is not necessary to complement these robust and effective procedures with a formal direction procedure. The concerns expressed by the Committee have not arisen in practice. Should it be necessary, the Cabinet Secretary can put advice to the Prime Minister identifying where there appears to have been a breach of collective responsibility, and it is then for the Prime Minister to decide the appropriate action as with all matters of ministerial conduct.

The Government also considers that there is an important distinction between the role of the Cabinet Secretary and Secretariats in advising the Prime Minister on collective decision-making, and the role of the Accounting Officer in departments. The process for an Accounting Officer to seek a ministerial direction, in a circumstance where Ministers are acting in a way that the AO believes would breach their obligation to ensure propriety, regularity or value for money, is necessary given the Accounting Officer's direct accountability to Parliament. The Cabinet Secretary's role in decisions on the conduct of Ministers and the operation of collective responsibility is advisory to the Prime Minister as Head of Government.

## **The Cabinet Manual**

The Cabinet Manual is primarily a guide to current rules and practices for those working in government. It is a codification of those rules and practices and not the source. Since the Manual was first published in 2011, the Government has already committed to update it. The Manual will also need to be revised once the UK leaves the EU, to reflect any changes in the constitutional settlement. At the point at which revisions to the Manual are being actively considered, our expectation is that Ministers will want to consider views from Parliament, including relevant committees such as PACAC and the Lords Constitution Committee.