

Prime Minister 3

If we do this - when do the requests



Content that Sir Robert should proceed as at A and B ?

Ref. A09163

for early release

MR. RICKETT

end. I think we

If so, a holding reply to Edward du Cann, as suggested etc, is attached for your signature.

WML 25/7

have to stick to the 30 year rule. not

Your minute of 21st July asked for a draft reply to Mr. du Cann's request for the early release of the report of a Committee chaired by Lord Attlee in 1957 on the Burden on Ministers. A copy of this report is attached.

2. Although the report was classified Confidential there is nothing in it whose publication now would be even remotely prejudicial to the national interest, and nothing which seems in any way sensitive today. Many of its recommendations have been adopted or tried since. The comments on the burdens faced by Ministers are timeless, and make no party political distinctions.

3. In these circumstances, I can see no reason or need to insist on keeping the document back until 1987 when it would be released under the 30 Year Rule. Early release might attract some public interest, particularly if Mr. du Cann has it in mind to use it as a peg for something.

A | 4. The Public Records Act allows the Lord Chancellor to approve the release of documents before the 30 year point. If the Prime Minister is content, I will put a submission to the Lord Chancellor seeking the release of the report. Before that is done, however, I think that the convention requires that Mr. Harold Macmillan should be consulted. Unless the Prime Minister prefers B | to write herself, I will write to him for that purpose before putting a submission to the Lord Chancellor. In the meantime it will be necessary to send C | Mr. du Cann a holding reply, and a draft is attached for this purpose.

RA

ROBERT ARMSTRONG

30th July, 1982

new

GR
I presume this
is yours
Ad 12/8



Alan -
We do not keep
RTA's minutes.
More yours I
think. Kay
13/8

file 16
cc CO minutes
Jan Gow

10 DOWNING STREET

THE PRIME MINISTER

11 August 1982

Dear Edward

Thank you for your letter of 19 July about the Report on the Burden on Ministers written in 1957.

Your friend was right. In 1957, Harold Macmillan asked an all-party group of senior Privy Counsellors under Lord Attlee to make an informal inquiry into the burden on Ministers and to advise him on measures which might be taken.

However, under the 30 Year Rule this Report will not become eligible for release until 1987, and I am afraid I see no compelling argument for breaking the rule in this case. I am sorry if this comes as a disappointment - but if we seek to release one document - we shall be inundated with requests for the release of others

Yours

Raymond

The Rt. Hon. Edward du Cann, M.P.

RB

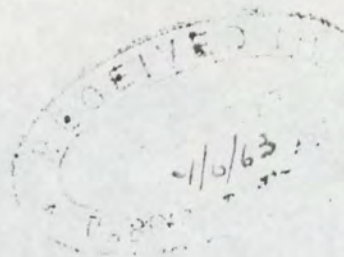


DRAFT LETTER FROM THE PRIME MINISTER TO
THE RT. HON. EDWARD DU CANN MP, HOUSE OF
COMMONS

Thank you for your letter of 19th July about the Report on the Burden on Ministers written in 1957.

You are quite right: in 1957, Harold Macmillan asked an all-party group of senior Privy Counsellors under Lord Attlee to make an informal inquiry into the burden on Ministers and to advise him on measures which might be taken. As you said, under the 30 Year Rule the Report would not become eligible for release until 1987. Release before then would require the approval of the Lord Chancellor; but before the matter is put to him I should consult Harold Macmillan himself, in accordance with the convention governing documents of former Administrations.

I will write to you again as soon as these things have been done.

CONFIDENTIAL

29th July, 1957.

Sir,

THE BURDEN ON MINISTERS

You invited us to enquire into the burden on Ministers and to advise you on the measures which might be taken to ease the pressure and to improve the arrangements in Parliament between Ministers and Members. In the light of our report, you would consider whether any more formal enquiry was called for.

2. We have, as you suggested, kept our enquiry informal; but to extend the range of experience available to us we invited a number of people with great experience of Ministerial Office and Government to join our discussions. Our recommendations are made on our sole responsibility; but it is of interest that these discussions revealed a remarkable identity of view about where the pressure on Ministers was greatest and how it could be relieved.

Extent of the Burden

3. In our opinion the Offices of Foreign Secretary and Chancellor of the Exchequer are by far the heaviest. From time to time the pressure on other Ministers - e.g. the Colonial Secretary - may become very severe. These are passing phases which can be met by ad hoc measures. In general we do not consider that any other Minister, the Prime Minister included, need normally be overburdened if he conducts his affairs sensibly. With the Foreign Secretary and Chancellor of the Exchequer it is otherwise; the responsibilities of both Offices are so great that pressure of work is unremittingly heavy and liable to place an excessive strain on them.

4. Although we have singled out these two as the Ministers in special need of relief, most Ministers nowadays have a lot to do; and not all of them are adept at avoiding adding to it unnecessarily. We have therefore considered a number of ways of lightening the burden on Ministers generally

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in addition to giving special thought to means of relieving the Foreign Secretary and Chancellor of the Exchequer.

5. We have also made certain recommendations about the duties of the Lord Chancellor, not because the pressure on him is exceptionally great but because we do not consider that he has been able since the war to give sufficient time to his responsibilities as head of the Judiciary.

Foreign Secretary and Chancellor of the Exchequer

6. The burden on both these Offices has increased sharply in recent times. Apart from the sheer magnitude of the Foreign Secretary's responsibilities, he is nowadays expected to attend in person many more international meetings than was customary before the war. The same is true to a lesser extent of the Chancellor of the Exchequer; but he, in addition, has assumed far-reaching new responsibilities for economic policy.

7. There are two ways of relieving these Ministers. Their present responsibilities can be split; or measures can be taken to make possible greater delegation to Ministerial subordinates. We are opposed to splitting their responsibilities and we believe that it should be possible to avoid the necessity for it by effective delegation.

8. The Foreign Secretary is at present assisted by two Ministers of State and two Parliamentary Secretaries. Each has delegated to him specific responsibilities. Despite this the burden of the Foreign Secretary is very severe, particularly when he has to handle personally major and protracted negotiations such as those on disarmament. If, as seems likely, he requires further relief it should be sought in increasing the authority and therefore the responsibility of his Ministerial assistants rather than in adding to their number. With this in mind, we would not exclude the possibility of raising one of the Ministers of State to full Ministerial rank, though without a seat in the Cabinet. The point we wish to emphasize, and it applies equally to the Chancellor of the Exchequer, is that the authority of the subordinate Ministers must be increased to the extent necessary to give effective relief to the Minister in Charge. We believe this to be possible without infringing his ultimate responsibility to Parliament for his Department.

/9. The Chancellor

9. The Chancellor of the Exchequer has at present a Financial and an Economic Secretary to help him. The Financial Secretary has for long enjoyed a status and authority unique among Junior Ministers; and the importance of his responsibilities and those of the Economic Secretary has been recognised by placing their salaries on a par with those of Ministers of State. We consider that these Ministers should be able to relieve the Chancellor of the Exchequer of a great deal of the work of the office, a point of particular importance in the Treasury where there is an exceptionally large number of high-ranking officials; and of much of the Parliamentary business of the Treasury including, in particular, the Committee Stage of the Finance Bill which we should like to see left to the Financial and Economic Secretaries and the Law Officers in order to relieve the Chancellor of constant attendance in the Chamber. We believe that it should be possible, by agreement between all Parties, for a convention to this effect to be established. As a further practical measure of relief, we consider that the Financial Secretary should represent the Chancellor of the Exchequer more frequently at Cabinet Committee meetings where the business does not give rise to issues of broad financial or economic policy.

10. There are a number of possible arrangements of the subordinate Ministerial posts in the Treasury as in the Foreign Office. It is not for us to suggest which would be best in any particular circumstances. But we must again emphasize that the burden on the Ministers in Charge will only be relieved to the extent that the subordinate Ministers are given, and what is more important, are known to exercise real authority within a specific sphere of responsibility, subject always to the final responsibility of the Minister.

11. We have dealt here only with the central issue of whether the responsibilities of the Foreign Secretary and Chancellor of the Exchequer should be split or could be delegated further. Elsewhere in our report we make other suggestions for relieving the pressure on Ministers which would affect these two Ministers more than most.

Lord Chancellor

12. We do not consider the Lord Chancellor to rank among the most heavily burdened Ministers. We have, however, given special consideration to his

Office because of the wide range of his duties and the danger that his ability to discharge efficiently what is perhaps the most important of them - advising the Prime Minister on the highest judicial appointments and making appointments to the High Court and County Court Bench - may be impaired by lack of opportunity for him to sit judicially. This has become a serious problem as a result of changes in the times at which the House of Lords and the Law Lords sit. It could be remedied by the adoption by the House of a tolerant attitude to the Lord Chancellor deputing his Speaker's duties rather more than at present. We accordingly recommend that the convention should be established of the Lord Chancellor informing the House weekly of the days on which he would need to take time off from the Woolsack in order to sit judicially.

13. The purpose of this recommendation would be defeated if relief to the Lord Chancellor in his capacity as Speaker of the House of Lords were offset by an increase in his duties as a senior Government spokesman in the House. We therefore recommend that there should normally be an experienced Minister in the House of Lords, preferably without Portfolio, to assist the Lord Chancellor with the wide range of parliamentary duties which customarily falls to him. For the same reason we consider that the Prime Minister should be on his guard against overburdening the Lord Chancellor with Committee duties; indeed, we would go so far as to recommend that the Lord Chancellor should not normally be considered available for service on the more active Committees of the Cabinet.

14. Subject to these recommendations, we do not consider that there should be any change in the present responsibilities of the Lord Chancellor.

15. We take this opportunity of adding a word about the Attorney-General. We have not enquired in detail into the pressure on him but it is our strong impression that it is very severe - more so than the pressure on the Lord Chancellor. Apart from heavy parliamentary duties in the House of Commons, he is constantly in Court. We recommend that consideration should be given to lightening his present obligation of personal attendance in Court by revision of the conventions governing it.

/Delegation

Delegation to Subordinate Ministers

16. Delegation is equally important as a means of relieving the pressure on Ministers and of training and testing aspirants to higher office. At present subordinate Ministers, particularly Parliamentary Secretaries, do not in our opinion carry sufficient responsibility. We recommend that their status and authority should be increased and that this should be made clear to Parliament and in Departments. We would stress the importance of this added responsibility in revealing the capacity of subordinate Ministers for higher office.

17. The suggestions which follow are directed to enhancing the value and standing of subordinate Ministers in their Departments and in Parliament:-

- (1) Subordinate Ministers should on appointment be allotted a specific sphere of responsibility. Within it they should be given authority to handle all but the most important business both in Parliament and in the office.
- (2) There are certain matters of policy which can only be decided by the Minister or by a colleague acting for him in his absence. Decisions on lesser questions of policy should rest with the subordinate Minister, not the Permanent Secretary.
- (3) In Parliament, subordinate Ministers should, by convention, be expected to handle the Committee Stage of Bills, the Minister intervening only on questions of exceptional importance. This convention might be extended, for the majority of Bills, to all stages after the Second Reading.
- (4) No more subordinate Ministers should be appointed than there are worthwhile posts for them to fill. The harm which comes from lack of a responsible job for them to do is not confined to the individual; it undermines the general authority and usefulness of subordinate Ministers.
- (5) Overlapping and duplication of the duties of subordinate Ministers should be avoided by closer definition of the functions of those serving in Departments with closely connected responsibilities such as the Foreign Office and Commonwealth Relations Office or the Service Departments.

/Cabinet

Cabinet and Cabinet Committees

We consider that the Cabinet Committee system is the best means of co-ordinating policy, resolving disputes and giving effect to the collective responsibility of the Government. Our own experience and that of others whom we have consulted has, however, impressed on us the heavy burden of work which Committees throw on Ministers, particularly the most senior ones, unless they are organised and run with great efficiency. We therefore attach importance to the following measures for maintaining the efficiency of Committees and preventing them from adding unnecessarily to the pressure on Ministers:-

- (1) The number of Cabinet Committees and their membership should be regularly and critically reviewed.
- (2) Ministers should be instructed to settle as much as possible of their inter-departmental business direct with the other Ministers immediately concerned. Overburdening of Committees with unnecessary business often arises from lack of guidance to Ministers on the kind of question which needs to be referred to Committee or to the Cabinet.
- (3) Greater use should be made of Committees as instruments of decision to avoid repeated discussion of the same question and overburdening of the Cabinet.
- (4) Chairmen of Committees should authorise senior Ministers with only a peripheral interest in the business under discussion to be represented by a Ministerial assistant. (We do not advise that this should be extended to Cabinet save, as hitherto, in exceptional circumstances.)
- (5) Constant vigilance is required to enforce brevity in Cabinet and Cabinet Committee memoranda. This is first and foremost the duty of the Ministers circulating papers. If their efforts are ineffective the Prime Minister and the Chairmen of the principal Committees should intervene.
- (6) Senior Ministers with heavy co-ordinating responsibilities as Chairmen of Committees need assistance in the form of precis and briefs on Committee memoranda. This should be provided by strengthening their Private Offices rather than by appointing officials specially for the purpose.

19. We have considered the Congressional Committee system and are unanimous in regarding it as unsuited to our system of Government and likely to increase rather than reduce the burden on Ministers.

Reading

20. A great amount of reading, other than Cabinet and Cabinet Committee papers, reaches Ministers. It can take heavy toll of their time and energy. Ministers can and should insist on brevity in Departmental minutes and correspondence; otherwise officials are bound to err on the side of over-conscientiousness and length.

21. Ministers' Private Secretaries can do much to relieve the burden on their Ministers in this and other respects. It is important that their high level of ability should be maintained.

International Conferences and Meetings

22. An increasing amount of time is spent abroad by Ministers, including the busiest of them. This is largely due to the number of international organisations and the growing custom for Foreign Ministers and others to attend meetings in person. So long as the Ministers of other countries insist on attending these meetings it might well be prejudicial to our interests to refuse to follow suit. But in view of the demand this custom makes on Ministers' time - in a recent year the Foreign Secretary spent over 100 days abroad, the Chancellor of the Exchequer 65 - it might be worth considering whether it would not be possible to establish an international convention to restrict Ministerial attendance at meetings, thereby restoring to diplomatic and official representatives their former status and responsibilities. To the extent that attendance by a Minister is unavoidable, we would again urge the maximum possible use of subordinate Ministers. Our concern is not that overseas conferences place an exceptionally severe strain on Ministers; but that they are liable to be faced on their return with a heavy accumulation of work; and that they are too often absent from their offices and from Parliament.

23. We should also mention the time spent by Ministers in meeting visitors from overseas at the airport. In the last twelve months it has cost Foreign Office Ministers some 120/130 hours, and they are far from being the only

/Ministers

Ministers affected. Here again we would urge consideration of a diplomatic convention to spare Ministers this drain on their time.

Engagements and Speeches

24. Ministers receive many invitations to luncheons and dinners, often involving speeches. We consider that too many are accepted. It might help if the Prime Minister were to issue directions limiting the occasions on which Ministers should accept invitations, the guiding principle being the interests of their Office. In addition steps should be taken through Private Secretaries to avoid several Ministers attending the same function and increasing the audience for one of their number.

Parliamentary Procedure

25. We have considered whether any adjustments in parliamentary practice or procedure should be made to ease the pressure on Ministers and to make for greater efficiency in their relations with Members. The most important of our recommendations concerns parliamentary questions. There has been an unmistakable tendency since the war for fewer questions to be answered and more supplementaries to be allowed. Previously the number of supplementaries per question answered was 1.25; since the war it has risen to 1.5. Further, questions tend to be used more and more to raise matters of general policy instead of to obtain information on specific points, with the result that they not infrequently develop into miniature debates, sometimes on sensitive questions of policy. The result is that Ministers feel obliged to brief themselves on the very wide range of points which may be raised by supplementary question. Ministers suffer by a considerable addition to their work (for the Foreign Secretary, who is down to answer twice a week, we are informed that it can be very serious indeed); and Members suffer by the reduction in the number of questions answered orally.

26. We should not wish any action to be taken which might suggest a desire to restrict the right of Members to seek information by parliamentary question; nor do we wish Ministers to be cosseted. But we believe that it would be in the interests both of the House and of Ministers that this tendency for fewer questions to be answered and more supplementaries to be allowed should be reversed and that there should be a return to the proper

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use of parliamentary questions as a means of obtaining information, not of initiating debates on policy.

27. A somewhat similar trend is noticeable in the terms of motions on the adjournment; they are inclined to be addressed more and more to general issues of policy rather than to individual problems and grievances. This is of less direct concern to senior Ministers than the increase in supplementary questions because debates on the adjournment are normally taken by Junior Ministers. But here again, we believe that it would be of benefit to the relations between Ministers and the House if the opportunity for debate on the adjournment were used for its proper purpose of discussing specific problems and grievances.

28. We have two further suggestions. First, that the House should sit at 2.45 p.m. instead of 2.30 p.m. and should rise a quarter or half an hour later to compensate for the loss of time. This we believe would make a material difference to Ministers who may have to sit late at Cabinet or Cabinet Committee or at official luncheon engagements. Second, that by agreement between the Parties, it should be made easier for Ministers to get pairs, particularly when majorities are narrow. We would go further and advocate a return to the former practice of greater ease of pairing for Ministers and Members.

29. Apart from these specific proposals, we have throughout our enquiry considered our various recommendations in relation to the obligations of Ministers to Parliament. One of the principal problems is that the greater the responsibilities of an Office, the more importance Parliament attaches to regular opportunity of hearing the Minister in Charge. We believe, however, that properly handled and with the co-operation of the Leaders of all Parties Parliament could be brought to accept our central recommendation of greater delegation to subordinate Ministers, in the House as well as in their offices, on the grounds that it will increase efficiency by enabling Ministers in charge of Departments to concentrate on the more important questions of policy and to do justice by them in the House. But we repeat what we have already said earlier in this report; that Parliament

/will

will not be brought to accept the extended use of subordinate Ministers as spokesmen for their Departments unless they have authority and ability to match it.

30. We are greatly indebted to our Secretary for his excellent help and work.

We are, Sir,

Your obedient Servants

Signed:

ATTLEE

CROOKSHANK

CLEMENT E. DAVIES

J. CHUTER EDE

JAMES STUART



10 DOWNING STREET

From the Private Secretary

MR. WRIGHT
CABINET OFFICE

I enclose a copy of a letter which the Prime Minister has received from Mr. Edward du Cann M.P.

I should be grateful if you could provide a draft reply for the Prime Minister's signature, to reach us by 30 July.

W. F. S. RICKETT

21 July 1982

DA
30/7
Edward Du Cann
np

K/O



DA

10 DOWNING STREET

From the ¹Private Secretary

21 July 1982

I am writing on behalf of the Prime Minister to thank you for your letter of 19 July. I will place this before her and you will be sent a reply as soon as possible.

W. F. S. RICKETT

The Rt. Hon. Edward du Cann, M.P.

LB

From: the Rt. Hon. Edward du Cann, M.P.



R2117

HOUSE OF COMMONS
LONDON SW1A 0AA

19 July 1982

Margaret

A friend of mine tells me that Harold Macmillan established a Committee on the Burden on Ministers in 1957 under Lord Attlee's Chairmanship, and a report was written.

Under the thirty years rule this will not presumably be due for release until 1987. I wondered whether it might not be possible to release the report earlier. I think many people besides myself would find it interesting and of value.

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The Rt Hon Mrs Margaret Thatcher, M.P.
No 10 Downing Street
S W 1