

# Becoming a Lords minister Dr Alice Lilly

"The great thing about being a Lords minister is that the rest of the team don't have a clue about this place and don't want to know, but they know it's trouble because we didn't have the majority." – Lord Hunt<sup>1</sup>

"I don't know how well it's appreciated just how much parliamentary stuff the Lords ministers have to do because you're on your own." – Lord O'Shaughnessy<sup>2</sup>

Of the UK government's 100-odd ministers – secretaries of state and junior ministers – the ones who receive the most attention are based in the House of Commons. However, a small but important number of ministers (the figure has moved between 10 and 20 since 2010) sit in the House of Lords.<sup>3</sup> Most, but not all, government departments are assigned a Lords minister to represent them in the Upper House. Lords ministers are generally considered junior ministers, and like other junior ministers report to their department's secretary of state.

Commons and Lords ministers perform a similar role. They are responsible for implementing the government's policies and taking legislation through parliament. They oversee policy, spending and the management of public services in their department, and are accountable to parliament for this work.

But the way that Lords ministers approach the role, and the support they are given to undertake it, can be very different from their Commons counterparts. So too can the background from which they come into the position.

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Commons ministers must already be MPs and will usually have several years' experience in parliament before they become a part of government. But dependent on how and when they are appointed, Lords ministers may have no previous experience in government or parliament, with many of them coming from the private sector. Previous experience can have a big effect on how an individual adapts to their new role – a process that sometimes takes place at very short notice.

This paper explores the experience of previous Lords ministers to offer insight into the role and provide advice for anyone becoming a Lords minister. It is the latest in the Institute for Government's *Becoming...* series, and follows previous papers on becoming prime minister, secretary of state and a junior minister.

Drawing on our collection of interviews with former ministers in the Ministers Reflect archive, and previous Institute for Government research, we explore:

- 1. **The transition**: what happens when, the first week in office and the key things new ministers should ask of themselves and the people around them.
- 2. **Getting to know department**: how to understand the department, who does what, and who to talk to about what.
- 3. **Getting to know the Upper House**: what new ministers need to know about representing the government on the red benches of the House of Lords.
- 4. **Managing the day-to-day**: Lords ministers' roles in legislation and policy making, and the impact of the job on their work/life balance.
- 5. **Conclusion: how to be an effective Lords minister** our summary of recommendations for new Lords ministers.

### Becoming a Lords minister – the transition

The call offering a role as a Lords minister may come from the prime minister, their chief of staff or the Leader of the House of Lords.<sup>4</sup> Or, as in the case of Lord Green, appointed as trade minister in 2010, the cabinet secretary.<sup>5</sup> Some former Lords ministers describe the appointment process as "chaotic".<sup>6</sup> In the case of Lord McNally, who became deputy Leader of the House of Lords and a minister in the Ministry of Justice in 2010, the call from the prime minister came only after his appointment was announced on *Sky News*.<sup>7</sup> Some Lords ministers are appointed as both a peer and a member of the government at once, for example those coming from the private sector and so are not members of either House; others are already members of the Lords when they are asked to become a minister.

For some Lords ministers, such as Lord McNally, their appointment can come as a shock. Even those who have already had some involvement in the world of politics and policy can be surprised to be asked to enter government and serve as a minister. Lord Green recalled that "when I arrived I had absolutely not been expecting it. I got the call out of the blue: 'Would you want to be considered to be the trade minister?' to which I initially said 'no'."<sup>8</sup> (He was, of course, subsequently brought round to the idea.) And others may be surprised at the role they are offered. Although Lord O'Shaughnessy expected a ministerial role in 2016, his background in education led him to assume that it would be within the Department for Education. Instead, he ended up becoming a health minister.<sup>9</sup>

Being asked to become a Lords minister may be particularly unexpected if the party asking is not one with which the new minister has a close relationship. Before he became a peer, Lord O'Neill was a key proponent of the 'northern powerhouse' initiative (efforts to boost the economy of the north of England), and had expected that a Labour government following the 2015 election might approach him for advice on the subject. Instead, in May 2015 he received a call from the Conservative chancellor George Osborne, "and the idea, which we joked about – but also with some seriousness – [was] that I'd become a minister for a Conservative government. So, it was all a bit out of the blue, it was a bit of a surprise."<sup>10</sup> He was appointed to the Lords and became commercial secretary to the Treasury.

#### **Clarifying the brief**

When Lords ministers are first appointed, their specific brief may not be clear. Ministerial appointments and reshuffles happen quickly, with most attention usually paid to senior roles. Lords ministers usually occupy more junior roles in a department, as ministers of state or parliamentary under-secretaries of state, and the precise details of their portfolio, and how it fits alongside their Commons colleagues, are not always worked out by the time they are appointed. Clarifying the role is an important part of the transition, but there is no set process for doing this.

For some Lords ministers, the fact that they are the only minister from the upper chamber in the department can allow them some leeway, and their briefs can be quite wide-ranging. In 2010, Baroness Warsi, though unclear on what her new role of 'minister without portfolio' meant, found that she had considerable flexibility to shape the role:

# "The good thing was that nothing was off-limits. I was given a green light to become chief interferer! So if I was interested in any area of law or any area of policy making, as long as the prime minister cleared it, I was allowed to do it."<sup>11</sup>

According to Lord Davies, appointed to the House of Lords in late 2008 so he could serve as minister of state for trade and investment, it is important for new ministers to be proactive in shaping their brief: "You have got to be a self-starter. If you sit there waiting for some order [from] the secretary of state, it ain't going to come."<sup>12</sup>

But the opportunities for individual ministers to negotiate their own brief vary. They will depend on how the relevant secretary of state allocates portfolios, but also the timing of the new minister's entry into government. If a Lords minister is appointed at a time when the government's priorities have already been set, there is likely to be less room for manoeuvre. Or they can simply inherit the same brief as their predecessor. Lord Hunt, who was made a minister for the Department of Health in 2007, found that the allocation of roles within his department involved a list that was simply "ticked off".<sup>13</sup>

Lords ministers also face a difference between their departmental brief, and their brief in the House. As a junior minister in a department, a Lords minister will usually be given a specific area of the department's work to focus on – once it has been worked out. But because there are far fewer ministers in the Lords than the Commons, in the House they will be expected to cover all of the work of their department – not just their own brief.

The situation is even more complicated for those Lords ministers whose roles cover more than one government department.<sup>14</sup> Where a policy area crosses multiple departments, a minister may be appointed to more than one department. Lord Davies, as minister for trade and investment, was split across the Foreign and Commonwealth Office (FCO) and Department for Business, Innovation and Skills (BIS). Ministers in this position have to work out their brief in each department.

#### Getting up to speed with the role

New Lords ministers have little time to get up to speed with their new role – and there is a lot to take on board.

Just days into his new role as a health minister, Lord O'Shaughnessy had to answer questions in the House in the midst of an NHS winter crisis.<sup>15</sup> Similarly, when Lord Faulks was appointed as a minister of state for justice in 2014, from his role as a barrister, he "finished in the Court of Appeal on Friday and started as a minister on Monday. I had my first debate on that Monday, on the front bench. So it was quite abrupt!"<sup>16</sup> Lord Dunlop, made a parliamentary under-secretary of state in both the Northern Ireland Office and Scotland Office in 2015, made his maiden speech in the Lords when opening the debate on the Queen's Speech – a set-piece parliamentary occasion.<sup>17</sup>

New ministers must also hit the ground running in their department. Baroness Kramer, appointed a minister of state for the Department for Transport in 2013, recalled that:

"There's an immediate process in which you get tagged and photographed and get your pass. [Then I went] upstairs and it was 'Minister, we are close to the end of the day. These documents have all got to be signed by this evening.' And I don't think the pace ever stopped from there."<sup>18</sup>

For a new minister, this is a lot to take on board – as Lord Davies explained, it is like "going to a new school and you don't know anybody there and you don't know the rules and you don't know the masters".<sup>19</sup>

Support is available for ministers as they make the transition, and new ministers are generally grateful for the help they are given in the first days of a new role – particularly from their new private offices. Lord Hunt recalled being provided with policy briefings by his new department – but even then he only had about three days to read up before he was put to work.<sup>20</sup> Taking time to get to grips with the brief is important. Lord O'Shaughnessy "spent a lot of time in those first few weeks trying to immerse myself in the subject, meeting colleagues, getting lots of briefings about all areas".<sup>21</sup>

#### Making use of the support available

As Lords ministers make the transition into their new role, it is important that they understand what support is available to them – and how to make the best use of it.

Lords ministers generally have less support than their Commons colleagues. As deputy Leader of the Lords, Lord McNally "was not allowed a special adviser for my work in the Lords because I was only deputy Leader of the Lords and deputy Leaders of the Lords didn't have special advisers."<sup>22</sup> He was able to make use of a special adviser employed by the Leader of the House, but not to choose his own support.

Former Lords ministers recall being very reliant on their private offices. A minister's private office – staffed by civil servants – helps to organise their diary and liaise with other parts of the department, providing and controlling the information that the minister receives. This makes them a crucial part of the support system for Lords ministers, particularly during the transition: "It's a kind of warm embrace where suddenly you've got private secretaries who think you're wonderful and who start producing papers and agendas and making sure you're in the right place at the right time."<sup>23</sup>

It is particularly important to ensure that there is a good fit between the minister and their private office team – especially their private secretary. But the private office team that is in place when a minister is appointed may not always gel with their new principal. For Lord Myners, appointed to the role of financial services secretary to the Treasury in 2008, "my first private office was made up of people who nobody else wanted".<sup>24</sup> For this reason he recommended that his successor try to get involved in picking their private secretary, instead of accepting whoever was offered.<sup>25</sup> This can be a slow process: it took Lord Davies "six to nine months" to get the kind of private office team that he wanted.<sup>26</sup>

The limited support Lords ministers receive means they need to make the most of what they do have, and be clear with their private office about how they like to work. According to Baroness Anelay, who served as a minister of state in four departments from 2014, "you need to be able to be clear very early on with your office about the way in which you wish to work. They will adapt to that and then you don't need to watch everything they do, you just need to be sure that you're being delivered with the kind of briefing you want, and the kind of timetable you want..."<sup>27</sup>

#### **Establishing and communicating priorities**

Lords ministers need to give those around them a clear sense of their priorities – the handful of things they want to achieve and focus on – so that their team knows what they want to spend their time on.

Lord Howell, a minister of state in the Foreign Office between 2010 and 2012, had this advice for first-time ministers: "Have your priorities, have your mission, have your view of how your show, your area fits into the broader scheme of things."<sup>28</sup> Baroness Warsi "had a whole list of things which I wanted to get delivered and so literally I carved out a role which would allow me to deliver my priorities".<sup>29</sup>

She also emphasised the importance of setting out priorities early on, before the job becomes overwhelming:

"I say this to a lot of people now, that when you go into government you will be overwhelmed with the amount of paper shuffling that goes on, the number of debates you have to do in parliament, the number of visits you have to do, all of the handshaking you have to do. You can either start resenting all of that or you can just go with the flow, ignore what you want to do and just be taken along with the wave. There are ministers who have had successful political careers by simply being taken along with the flow. Or you can say, 'OK – I will do all that paperwork but this is the list of priorities that I want to deliver when I am in government.' Then you go in with that list, and have a weekly meeting on each of those items, which is what I did."<sup>30</sup>

If the private office knows where their minister wants to focus their time and attention, they can help make that happen. Lord Hunt found that "if you are clear with your private office and your private secretary that whatever happens and whatever the day-to-day stuff, you are going to focus on these three or four areas, they'll work it for you."<sup>31</sup>

As well as having clarity on priorities early on, it is also important for new Lords ministers to think about the skills and levers that they might have that will help them fulfil their priorities: "You've got to sort out where ministerial input would really make a difference and if you don't do it early, you just get overtaken by events."<sup>32</sup>

In addition to this, one former Lords minister recommended that:

"You need to make sure that the conditions are such that you can do what your objective is. That will depend on the exact thing, but I think there are probably about six or seven things you need to make sure you can do in order to achieve your goal. And I think you should be very cold-eyed about what they are going to let you do. Do you have authority? Who are you reporting to? What is your team? What are your powers? Do you have access? You know, all of those things really, really matter!"<sup>33</sup>

# Becoming a Lords minister – getting to know the department

All ministers need to get to know their department: its structure, work and the key policy issues that it faces.

#### Understanding the structure of the department

The people who support a minister include civil servants, who provide continuity in the department, and political staff, who work with the secretary of state but will also have a relationship with the junior ministers in their department, including any Lords minister. Some of the most important people working around a minister include:

- **Permanent secretary**: the department's civil service head, and a key figure within the department, as former chancellor Ken Clarke remembers: "Some permanent secretaries I worked with much more closely than others and I had to have a reasonable relationship with the permanent secretary, because that very much affected your relationship with the whole department."<sup>34</sup>
- **Directors general**: senior civil servants responsible for key policy portfolios or departmental management functions.
- **Private office staff**: a team of civil servants supporting the minister. They act as 'gatekeepers' to the minister, organising their ministerial box and running their diary. Ministers may want to call on the secretary of state's private office, as well as their own, to resolve issues they face within the department.
- Special advisers (SpAds): special advisers are appointed by, and primarily accountable to, the secretary of state, with the prior approval of No.10. Their specific roles depend on what the secretary of state deems most important. SpAds may be mainly press-focused, tasked with working across departments or managing relationships within the political party, for example. They can be important colleagues for junior ministers, including Lords ministers, in resolving disputes between government departments and helping manage relationships with the party in parliament.

#### Getting to know support structures

There are strong common themes in the support ministers say they find useful.

A civil service 'day one briefing' will provide an in-depth overview of each department. At a minimum, new ministers should be aware of the structures outlined below. This is especially important for Lords ministers entering government for the first time, without a prior career as an MP or minister:

• **The civil service**: the set-up of the civil service varies depending on the department but will consist of multiple grades or levels of seniority and up to 28 professions. Civil servants work in a range of teams, units and other structures grouped around policy areas and tasks. The professions broadly fall into the categories of operational delivery, cross-departmental specialisms and departmental specialisms. The largest grouping is operational delivery – the frontline staff in delivery departments – while the civil servants that ministers are most likely to interact with are those working in policy analysis and communications. Departmental specialisms may be unique to individual departments, for example tax specialists working at HMRC and the Treasury.

- **Departmental boards**: each department has a board that consists of the secretary of state as chair, the junior ministers including the Lords minister, the permanent secretary and other senior civil servants. Civil service boards are advised by non-executive members brought in from outside government (often from business or the charitable sector). These boards are intended to support ministerial decision making and manage departmental business.
- **Cabinet committees and ministerial taskforces**: these bring together ministers from different departments to make decisions that affect the work of multiple parts of the government. Depending on the issue, a department may be represented by its secretary of state or by one of its junior ministers, including the Lords minister if the issue being discussed is part of their policy portfolio.
- Arm's-length bodies (ALBs): public bodies that have varying degrees of independence from the government. In some departments, ALBs spend the majority of the departmental budget and provide oversight for particular policy areas, services or functions. If something goes wrong in an ALB, however, the ministerial team will still find themselves accountable to parliament for the failure – something that former ministers have expressed frustration about.
- Infrastructure and Projects Authority (IPA): 56 departments deliver a range of major projects relating to infrastructure, defence capabilities, government IT systems and the transformation of public services. Supporting this activity from the centre of government is the IPA, a joint unit of the Cabinet Office and the Treasury. Described as a "centre of expertise", it oversees government projects throughout their life cycle and develops the skills and capabilities of project leaders.

#### Understanding how government works

Lords ministers, especially those new to politics, need to understand how government works and how it may differ from their previous experience.

This includes, as Lord Freud – who served as a parliamentary under-secretary and minister in the Department for Work and Pensions (DWP) between 2010 and 2015, having come from a career in the private sector – put it, understanding that "there's also a slower pace in government, not because people are slower, but because there are so many T's to be crossed and I's to be dotted, which again, you don't have in business".<sup>35</sup>

Lord Freud found that "The civil service is very different to business in the way that it runs."<sup>36</sup> One particular difference is that ministers do not have the same control over staff and personnel that they might expect in the world of business:

"It's just so different in government where you don't have control of your team, you can't hold onto your team, you can't reward your team, you can't get the specialists in. When I had a big project in the City, I'd be thinking 'If I get so-and-so to do it they'd be great at that, but their weaknesses are this and I'll get them to balance that out with X...' So I know who they are, what their strengths are, what their weaknesses are and I can build that team. You can't do that in government."<sup>37</sup>

Ministers entering government need to understand the reporting lines for the civil servants they work with. Ministers can task civil servants, but they do not manage them. Lord Myners, whose background before his time in government was in finance, found that:

"There were characteristics of ministerial life which appeared to be very similar to business life, in that a director of a business will have a team of people working for them, but it took me a while to realise that the team of people who I thought were working for me, were working for the Treasury."<sup>38</sup>

This was brought home to him "when my excellent private secretary said she would be late the following morning because she had her annual appraisal. I said, 'Nobody has asked for my input', and she said, 'I don't work for you. I work for the permanent secretary."<sup>39</sup>

Some new ministers also find that their staff do not have the skills and capabilities they would expect. Lord Livingston, a former CEO of the BT Group who was appointed to the Lords in 2013 so he could serve as minister of state for trade and investment in 2013, summed this up:

"The running the organisation bit, the trouble is you didn't have the levers that you were used to having. Your ability to change people and process in a way you could in business was different. So actually, it would have been a bigger help had I been able to exercise the levers. It's a cliché but there's quite a lot of truth in it, the minister is the chairman and the civil servant's the chief executive. So it was a bit of a change. You had a lot of the accountability but not quite some of the capabilities to get it delivered."<sup>40</sup>

# Becoming a Lords minister – getting to know the Upper House

The House of Lords is a unique institution, with its own procedures, ways of working and etiquette. Lords ministers need to grasp this to ensure that they can effectively fulfil their role in the Upper House. This can be a particularly steep learning curve for those ministers who are appointed as a peer in order to take up their ministerial role; those who are already a member of the Lords will have a better grasp of how it works.

#### Understanding the role of ministers in the Lords

Because there are fewer ministers in the Lords than in the Commons, they serve as government spokespeople for issues across their department, rather than just their specific brief.

Lords ministers can be required to answer many more questions in the Upper House, across a wider range of issues, than their Commons counterparts. They therefore need to keep up to date with work across their department. Lord Freud recalled having to ensure that he had a detailed knowledge of all the workings and policies of his department – DWP – so that he could answer questions in the Upper House.<sup>41</sup> Because they must cover a whole department, former Lords ministers recommend "immersing yourself not just in your own policy areas, but actually meeting teams and stakeholders and others in all the areas you're likely to have to talk about is really important."<sup>42</sup>

This responsibility is even more pronounced for Lords whips. Whips in the Lords – in contrast to the Commons – have to perform frontbench duties, such as guiding through legislation, asking questions, and responding for the government in debates. Lords whips usually take responsibility for several government departments at any one time, whose work they are expected to be able to represent in the Upper House. Baroness Stowell, who served as a Lords whip before being appointed as a minister at the Department for Communities and Local Government in 2013, found that being a whip was much like being an "understudy", where you have to represent the government's position on a breadth of subjects.<sup>43</sup>

Mastering issues across the work of the department can be time-consuming – but as Lord O'Shaughnessy recalled, it can also be valuable as it gives Lords ministers a broader view across the department's work than Commons ministers are sometimes able to take.<sup>44</sup>

#### Learning the procedure and culture of the Lords

The procedures and etiquette of the Lords are also very different from those of the Commons, and can be alienating for those new to the role. The Upper House is self-regulating, with the Lords Speaker playing far less of a procedural role than their Commons counterpart. This means that members of the Lords, and in particular Lords ministers, are expected to grasp the House's procedures without much formal instruction. Doing so is important: procedure is taken seriously in the Lords. For example, in January 2018, Lord Bates – a minister in the Department for International Development (DfID) – was late to the chamber, meaning he was not in his place to answer a question. This was technically against procedure, and although a mistake, Bates immediately apologised and resigned, stating that:

"During the five years in which it has been my privilege to answer questions from this dispatch box on behalf of the government, I have always believed that we should rise to the highest possible standards of courtesy and respect in responding to the legitimate questions of the legislature. I am thoroughly ashamed at not having been in my place, and therefore I shall be offering my resignation to the prime minister with immediate effect."<sup>45</sup>

Theresa May did not accept Lord Bates' resignation, and other peers felt that it was unnecessary for an honest mistake – but the incident nevertheless highlighted the degree to which procedure is taken seriously in the Lords.

The importance of procedure also puts a particular onus on the Leader of the Lords, who needs to take responsibility for ensuring that the Upper House is given adequate time and opportunities to consider matters, as well as make sure that peers do not impinge on the rights of the Commons.<sup>46</sup>

Alongside formal procedure, it is important also to respect the etiquette and culture of the Lords. This is crucial for ministers to command the respect and goodwill of their colleagues. Referring to other peers in the correct way is important, for example – and, according to Lord O'Shaughnessy, helps to build respect for the minister.<sup>47</sup> Former Lords ministers report that peers are generally forgiving to new ministers – as long as they are clearly making an attempt to understand their new environment. Lord Marland, a minister for business, innovation and skills between 2012 and 2013 following a stint as minister for energy and climate change, felt that his colleagues did not bear him ill will, and were patient and generous to people they knew were new to the Upper House – though he said that having some humility, and approaching the situation with a touch of humour, were helpful.<sup>48</sup>

But the learning curve is still steep. Lord Myners found his first day as a minister in the House one of the most "humiliating" of his life, because he had no idea about etiquette or procedure in the Lords – or even simple practical things like where to eat.<sup>49</sup> It is easier for ministers who have had some time to adjust to the Upper House before taking on a ministerial role.<sup>50</sup>

The atmosphere in the Lords is also different from that in the Commons. Generally, former ministers report finding that the Upper House is more collegiate and less overtly political.<sup>51</sup> Ministers are expected to reflect this. Lord Faulks advised: "In terms of being at the dispatch box in the Lords, try hard not to be too political unless it is absolutely necessary. Treat everybody with respect, whatever your secret reservations are about the relevance of their questions or what they have to bring to the party."<sup>52</sup>

The Lords' role as a revising chamber means that it can be more focused on the technical nature of policy, rather than the politics. Lord Freud found the Upper House to be "serious", and a good place to help ministers think about implementation.<sup>53</sup> Ministers are held to account in the Lords, but without things descending into a shouting match.<sup>54</sup>

Some Lords ministers find the experience of answering questions in the Lords daunting because of the deep level of expertise that can be found among peers – many of whom have had long careers in government, the law, business and a host of other sectors. For new ministers this can be challenging, particularly if they have to answer questions on issues outside their brief, or for which they have only had minimal time to prepare. As Baroness Stowell reflects: "You cram like crazy to soak up all of this information on a topic which is very, very alien to you in order to competently present the government position. And quite often you'd be facing people that are the world's leading authority on the topic."<sup>55</sup>

When it comes to taking legislation through the Upper House, this can make ministers' jobs harder.<sup>56</sup> But it can also be helpful, because it allows for productive debates. Former Lords ministers emphasise treating the Upper House with respect and trying to work across parties to take people with you.<sup>57</sup>

#### Maintaining relationships between the House and the department

Former Lords ministers, such as Baroness Anelay, report feeling that the role of the Upper House was sometimes neglected because the vast majority of government ministers are based in the Commons.<sup>58</sup> Others made the same criticism of civil servants. Lord Faulks thought that in his department: "The amount of time spent considering how something is going to go down in the Lords is inappropriately small."<sup>59</sup>

The practical effect of this is that Lords ministers do not always receive the level of support from their department that they might like on handling their responsibilities in the Lords. For example, ministers may not receive enough briefing, or not be made aware of wider relevant work by the department – on which they might be questioned. Lords ministers may find themselves needing to chase their department to provide them with the information they need or to remind them to consider the Upper House.

Former Lords ministers emphasised the value of getting officials to understand how the Upper House works.<sup>60</sup> Lord Livingston asked his officials to actually visit the Lords and see for themselves what was happening and said that it could be valuable, to boost their understanding.<sup>61</sup> Lord Faulks praised his "tenacious" private secretary for ensuring that other officials knew what was required, and recalled that "One of the things I think my private office really managed to do was to put the Lords and Lords' business on the map."<sup>62</sup>

#### Working with other ministers

Lords ministers are part of their department's ministerial team. It is important for them to maintain good working relationships with their colleagues to help them understand the broader work of the department – and to ensure that other ministers are aware of issues being raised in the Lords.

According to Baroness Anelay, it is especially important for Lords ministers to develop a strong relationship with their secretary of state: "You need to have a relationship with your secretary of state which means you don't get sidelined. It's all too easy for a Lords minister to feel slighted when they shouldn't be."<sup>63</sup> But as well as ensuring that attention is paid to the Lords, a good relationship with the secretary of state is important in allowing a minister to drive through their priorities. Lord Freud reflected that Lords ministers must make sure "you've got a compatible secretary of state to work with".<sup>64</sup>

A strong relationship with, and access to, the prime minister can also be helpful for Lords ministers – though this is far from standard. When Lord Myners entered the Treasury in the immediate aftermath of the 2007/08 financial crisis, he had unusual levels of access to the prime minister:

"In government, there are ministers who in theory are more senior than others, but in practice they're clearly not. I'm not bigging myself up in any way, but there were certainly ministers in the cabinet who had less sway and less access to the prime minister than I had during that six-month period. There was hardly a day when I didn't see the prime minister, generally with Alistair [Darling, the then chancellor]."<sup>65</sup>

Relationships with other junior ministers also matter, though not all former Lords ministers felt they were important. Lord Myners felt that: "I wouldn't actually say getting to know the other ministers in the department was particularly pressing, because they are here today, gone tomorrow. They will not be your colleagues."<sup>66</sup> And opportunities to get to know other junior ministers in a department can be limited. Myners recalled that in his department, the Treasury, ministers only had meetings once a week – and those were often cancelled.<sup>67</sup>

But for Lords ministers whose role requires them to work with ministers from other departments, relationships at the junior ministerial level help get things done. When working to introduce Universal Credit, Lord Freud found that those relationships – with ministers in the Treasury and the housing and education departments – "circumvented a lot of the pain because departments find it very difficult to work together, from the bottom up, without instruction. So you have to do it at junior ministerial level and do it quickly so there's not a huge amount of wasted time: agree a joint process and then the departments can work together happily."<sup>68</sup>

# Becoming a Lords minister – managing the day-to-day

A Lords minister's daily routine varies. There are certain key tasks that they can expect to deal with most days, in the Upper House and in the department. But they must balance these usual responsibilities with the unexpected. Former ministers report that "the volume of work and the speed of work is really phenomenal" – making effective diary management crucial.<sup>69</sup>

#### **Duties in the House**

#### Answering questions

The daily Lords agenda is less structured than in the Lower House – making it more difficult to work to a predictable schedule. In the House of Commons, departmental questions are scheduled according to a rota. But in the Lords, questions are asked on a more ad-hoc basis. Lord Livingston found that "you can be involved in answering questions, three, four days a week for some of the ministers. I have seen some ministers who've had to answer three questions on completely different subjects in the same day."<sup>70</sup>

This unpredictability is especially pronounced for ministers whose brief covers topics that generate a lot of interest. On his appointment, Lord Myners was told by the then prime minister, Gordon Brown, that his role in the Lords would not take up much time, but "that was not the case, because [the financial crisis] was a very hot subject and therefore lots of questions were being put down in the Lords".<sup>71</sup>

Answering questions in the Lords can take up a lot of a minister's time, and this must be balanced with other commitments. It requires considerable preparation time: according to one former minister, around "eight hours to prepare for eight minutes' question time".<sup>72</sup> Lord O'Neill described the level of ministerial duties in the Lords as "just ridiculous".<sup>73</sup> This is particularly hard for ministers whose job also requires a lot of international travel, as they must balance their trips with duties in Westminster.<sup>74</sup>

#### Taking legislation through

Not all Lords ministers will necessarily need to take bills through the House of Lords: Lord Green, a trade minister, had "no legislation attached to the job; at no point was I piloting legislation through".<sup>75</sup> But for those who do, it can take up large amounts of time – limiting the time that ministers can spend on other aspects of their role.

When Lord Freud took the Welfare Reform Act 2012 through the Lords, he "did 17 committee days, 72 hours of being cross-examined all the time on the whole of the reforms and that was probably too much for one person".<sup>76</sup> Even for lower-profile bills, guiding legislation through the Lords is an intensive process: Lord Faulks described it as "hard graft: lots of late nights, a lot of work".<sup>77</sup>

Passing bills requires a certain set of skills. Because no government tends to have a majority in the Lords, defeats on legislation are more likely than in the Commons. To avoid these, ministers have to work to try and build consensus and persuade peers of the merits of the legislation. Baroness Stowell, Leader of the House of Lords between

2014 and 2016, reflected that "every piece of legislation should be considered as like a campaign".<sup>78</sup> This often requires ministers to focus on the technicalities of a piece of legislation, rather than the politics:

"The Lords at its best, and often it is at its best, is a very good revising chamber. But again, a level of detail as opposed to a party political positioning. I think Lords have to be greater technocrats because they will have lots of technocrats around and the Lords will reject party tribalism if you're wrong and give you a lot of leeway if you are right, and is prepared to listen and answer and engage. And that is very different. Whereas I think the Commons largely just steer the thing through. Keep the support of your own party and that's that. Actually people are quite persuadable in the Lords if you set your case. So the requirement – when you're steering legislation – to be more of a technocrat is higher."<sup>79</sup>

While government defeats are more likely in the Lords, there is also a high likelihood that these will be overturned in the Commons during 'ping-pong' – the stage at which a bill is passed between the Lords and Commons as they consider each other's amendments. This means that the Lords is generally a chamber focused on revising and improving legislation, rather than changing it wholesale. This can help to improve the quality of legislation and allow the government to meet its policy aims more effectively.

#### **Duties in the department**

#### Policy making

Like any ministers, Lords ministers will have a role in policy making. But this role is likely to be relatively small, especially compared to Commons ministers. Baroness Stowell found that "the generalist House of Lords minister usually gets the worst, mundane bit of the policy [because] Commons ministers need to be subjected to more accountability by their political opponents".<sup>80</sup>

This means that Lords ministers are placed in the strange position of "speaking all the time on policy that you have very little influence over within the department".<sup>81</sup> And the amount of time that Lords ministers must spend on their duties in the House means that they have relatively little time left to actually focus on policy making: "There's very little scope for you to have much influence, but at the same time you haven't got the capacity either because you are so tied up having to continually brief yourself to handle the parliamentary stuff."<sup>82</sup>

Former Lords ministers also recall their ability to make policy being shaped by the timing of their appointment: Lord Faulks, when he entered the Ministry of Justice shortly before an election, recalled that he "wasn't starting with a blank sheet of paper and all the main policy direction, I think, had already been decided. I wasn't going to have any influence, really, in shaping it, other than making a few suggestions here and there."

Some Lords ministers will find themselves more involved in policy making. Lord Freud was heavily involved with the "conceptual policy job" of welfare reform.<sup>84</sup> Lord Myners was also able to get involved with policy on housing.<sup>85</sup> But for many Lords ministers, less time in the department is spent on policy making than on other duties.

#### Dealing with paperwork

Former Lords ministers recall dealing with a significant amount of paperwork, from correspondence with other parliamentarians, to making decisions on and signing off documents contained in red boxes. When Lord Davies became a minister, he inherited around 5,000 letters that needed signing.<sup>86</sup> Similarly, Lord Myners discovered 1,500 letters he needed to deal with.<sup>87</sup>

This can be "sheer drudge", according to one former minister: "The hours you spent having to do these bloody letters and the box work, I mean, because ministers deal with minutiae. That's the other funny thing about Whitehall. I don't think people realise what small items have to be submitted to ministers for approval, which in any other walk of life would never, ever get through to the boss."<sup>88</sup> Adjusting to the level of detail contained in red boxes can be difficult for ministers whose previous career has been spent in the private sector. Lord Myners reflected that:

"I found the red box very frustrating. That fear and anxiety that there was something in that box that you weren't going to bother to read properly, you'd just initial it. And if we didn't initial it, they'd bring back the paper immediately and say 'Minister, you haven't initialled it' – and you think 'Gosh, in 30 years' time or so, somebody is going to find this initial!' So this again would fall into the category of 'In business, this didn't happen.' I was chairman of Marks & Spencer, I wasn't given a red box every night. I wasn't asked to initial things to prove that I had read them and agreed them. I was shown big things and I wasn't shown very many, but they were matters of considerable substance, whereas as a junior minister I was being invited to do things like approvals relating to investigations into money laundering, which required ministerial approval."<sup>89</sup>

#### Speaking to experts and citizens

Many ministers find it helpful to speak to experts outside the government to help boost their knowledge of their brief and build relationships with key stakeholders. Lord O'Shaughnessy found that, as a health minister, visits were "without doubt always the best thing you can do, because you get on the ground, you talk to clinicians or researchers or, even better, patients, and you see wonderful, hopeful, hope-giving stories of people".<sup>90</sup> Lord Freud agreed: "Actually, I discovered quite a few things at the front line and it was quite useful, just as a corrective – what was working, what was not working."<sup>91</sup>

Lord O'Shaughnessy also found that speaking to experts is a valuable way of understanding the broader work of the department: "Immersing yourself not just in your own policy areas, but actually meeting teams and stakeholders and others in all the areas you're likely to have to talk about is really important. And critical to that is actually meeting the key peers with an interest [in those policies]."<sup>92</sup>

But the heavy and variable demands on Lords ministers' time mean that fitting these kinds of visits and meetings in can be difficult. This is particularly the case for ministers whose briefs have an international aspect. Lord Howell found that "building in the travel was quite tricky" in his role as a Foreign Office minister, as he had to balance international visits with frequent debates arising in the House on matters relating to foreign affairs.<sup>93</sup>

#### The personal adjustment

Becoming a Lords minister brings many practical and personal changes. It affects a minister's family life, finances and public profile. For those who are new to either government or the Lords – or both – this can take some adjustment.

Peers do not receive salaries in the same way that MPs do, and instead can claim an 'attendance allowance' of either £323 or around £160° (from 1 April 2020) for each day, or part day, that they attend the House.<sup>94</sup> This is a different system from the Commons, where ministers receive both their MP salary and a ministerial salary. Though they also sit in the Upper House, Lords ministers also receive a salary – which makes them ineligible to claim the Lords' attendance allowance. In the 2019/20 financial year, salaries for Lords ministers ranged from £65,625 for government whips to £81,485 for ministers of state. Secretaries of state in the Lords – which are rare, though Baroness Morgan held the role of culture secretary between 2019 and 2020 – were paid £104,360 over the same period.<sup>95</sup>

For new Lords ministers who were previously working in the private sector – often in very senior roles – an appointment can mean a drop in income. Lords ministers must give up any consultancy roles that they hold in order to comply with lobbying rules. Lord Howell recalled that: "I did have some consultancies, which you immediately have to give up. So I took a deep breath and said 'Yes'."<sup>96</sup> But working in government is a considerable privilege for those able to do so. Lord Davies reflected on the importance of the sense of duty: "You know, I think if you've got an ounce of interest in public policy and you get a call from the prime minister, then calls from everybody, to do it, then... and no money, not being paid for two years. I think it's like a calling."<sup>97</sup>

As representatives of the government, Lords ministers attract media attention. For those who have previously worked in the political world or other high-profile roles, this may be familiar. For those who have not had a political career, this can be a shock. Lord Green found that:

"As somebody who is not a professional politician, it takes some getting used to the degree to which you're in the public eye, even as a junior minister. The fact that *The Sunday Times*, right at my appointment, went through the accounts of HSBC and started to look at pension contributions, for example. It was very intrusive. I'm not saying they don't have rights to do that, they do; and in any case it is in the public domain and as far as I'm concerned there's nothing embarrassing about it. But it takes some getting used to that you are suddenly in a position where they are looking for things they can dig up."<sup>98</sup>

Peers are able to choose whether they wish to claim attendance at the lower or higher rate. They can also choose to claim no allowance for days that they attend the House. In May 2020, as the Lords moved to 'hybrid' proceedings in response to coronavirus social distancing measures – involving a mix of attending the House in person and taking part in proceedings remotely – the House of Lords Commission recommended that the maximum daily attendance allowance be reduced to £162. At the time of writing, only peers who speak during a sitting, or who attend a committee, are eligible to claim the allowance.

Lords ministers should also be prepared for some basic practical challenges. As they are generally lower down the ministerial hierarchy than their Commons colleagues, they sometimes do not even have office space allocated at the time of their appointment. When Lord Howell first arrived as a minister at the Foreign Office, "they were very surprised to see me turn up at all, and I said well, 'I've been appointed, I'm going to need an office here'. They said, 'We'll prepare an office for you but it will take three weeks and in the meantime you'll have [a] temporary office'."<sup>99</sup> When Baroness Warsi was appointed party chair and minister without portfolio, she "didn't know which department I was going to sit in, where my office was going to be. Whether I was going to have an office in government as well as the party."<sup>100</sup>

Lastly, taking on a ministerial role inevitably has an impact on family life. Lords ministers spend long days in the House, which has no set sitting hours and often unpredictable workloads. This, combined with time spent on ministerial boxes, events, visits and international travel can take up a lot of time and eat into evenings and weekends. Lord O'Neill found it helpful to ensure that "your personal family situation is such that your partner or kids know what you're letting yourself in for, because you have to give up an amazing amount of time for this thing".<sup>101</sup> It is far easier for those whose personal circumstances allow such flexibility.

# Conclusion: how to be an effective Lords minister

All ministers want to be effective in their roles and get to work on their priorities. But Lords ministers in particular face a number of challenges – having to get to grips with both the Upper House and government (sometimes for the first time), heavy and unpredictable workloads and being expected to operate across a much broader set of issues than their own brief.

But there are steps that ministers can take which will help them get up to speed quickly and make the most of their time in office. Drawing on the interviews we have conducted with former Lords ministers, our four key takeaways for new Lords ministers are:

#### 1. Set clear priorities

Although Lords ministers do not always have the opportunity to determine their exact brief and priorities, it can still be helpful for them to make clear to the civil service, SpAds and other ministers in their department what they wish to focus on. Setting out clear priorities allows ministers – and their private offices – to ensure that they are working in ways that focus on these priorities, rather than being deluged by other work. There are many demands on Lords ministers' time, and it is easy for diaries to become unmanageable. Clearly communicating priorities, and ensuring that these are reflected in diaries, is crucial.

#### 2. Get to know the House of Lords and its ways of working

Some Lords ministers will be appointed to the Upper House at the same time as they take up their ministerial role, meaning they must adjust to the Lords and government at the same time. The Lords has a distinctive role as a revising chamber with significant amounts of expertise – meaning that ministers should approach peers with respect and with less of a political focus than seen in the Commons. Lords ministers can expect to regularly answer questions on their brief and the work of their department more broadly, so it is vital for them to prepare for their parliamentary outings. Respecting the procedure and etiquette of the House is important in building good relationships and persuading Lords of all parties of the merits of their work.

#### 3. Make use of the support available

Lords ministers can call on the support of civil servants in their department to help them fulfil their roles. Private offices can help manage a minister's diary, and arrange for them to receive the briefings and information that they need – though to do this effectively, it is important that they get on well with the minister, and are given a clear steer by them on how they like to work. Because civil servants in departments usually tend to be more focused on what is happening in the Commons than in the Lords, Lords ministers need to push to ensure that they are receiving the information they need to fulfil their parliamentary duties, and that the department is paying adequate attention to how issues and legislation might play out in the Upper House.

#### 4. Build good relationships inside and outside parliament

Because Lords ministers are expected to cover such broad areas of policy, it is vital that they are able to quickly get up to speed on key issues. Drawing on external expertise is a good way of doing this, and meeting with and visiting key experts and those on the front line – as well as citizens – can be a helpful way of understanding key issues and helping to cultivate relationships. Ministers who make clear that they are happy to draw on the breadth of expertise found in the Lords, and who build relationships across the House, tend to find that they are able to work more effectively.

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