From the Chair

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14 February 2018

Publication of Government response to Protecting pensions against scams: priorities for the Financial Guidance and Claims Bill

On Monday 12 February the Committee received a copy of the Government's response to its third report, Protecting pensions against scams: priorities for the Financial Guidance and Claims Bill. On the same day, it was published on the Department's website.

As I am sure you are aware, a Government response usually takes the form of either a Command Paper – the timing of whose publication is controlled by the Government – or a memorandum submitted to the committee, giving the committee control of publication.

If the Government wishes to publish a response by way of a Command Paper, Erskine May is quite clear that it must not be “made available to the public until the paper is available to Members.” Civil Service guidance also states “it is important to remember that the response must in all circumstances be made first to Parliament, either to the House itself or to the Committee.” In this instance, it would appear this procedure has not been followed. The response was not laid before the House as a Command Paper but simply appeared on the Department's website.

Furthermore, if the Government wished to publish of its own accord I would expect the Committee to be informed of the intended publication date. I would also expect this to take into account the Committee’s ability to consider the response prior to its publication, particularly during recess periods. Not only was the Committee not informed of the Department's intention to publish, but the response was published on the same day the Committee received it (a recess Monday), allowing no time for due consideration before it became publicly available.

This strikes me as, at the least, an inappropriate and discourteous way to handle the response. Though I suspect, and hope, this has arisen as result of administrative error rather than as an intentional bypass of usual and prescribed practice, I would like your assurance that it will not happen again.

Best wishes,

Rt Hon Frank Field MP
Chair