

CHAPTER 4
SECRETARY OF STATE'S AND JUNIOR MINISTERS' OFFICES

GENERAL

1 The Secretary of State's and Junior Ministers' offices act as a link between the Minister and Officers of the Department to ensure that the Minister's views are fully understood by departmental officials and that, before action is taken, the Minister is fully aware of any relevant facts and considerations that may be in the minds of officials concerned with the matter.

2 The main body of work passing through these offices can be divided into four broad categories: briefing for Ministerial Committees and other purposes (paragraphs 3 to 14); submissions and papers from the Department requiring the Minister's approval (paragraphs 15 to 29); correspondence and other matters arising on the Department's subjects in the Minister's dealings with Members of Parliament (paragraphs 30 to 45); and correspondence or enquiries addressed personally to the Minister by trade organisations, companies or members of the public (paragraphs 46 and 47).

PREPARATION OF BRIEFS FOR MINISTERIAL COMMITTEES AND OTHER PURPOSES

3 Briefs are most frequently prepared for the Secretary of State on Cabinet or Cabinet Committee papers, and for the Secretary of State and the Junior Ministers for speeches at trade or social functions, for miscellaneous meetings or discussions, or for Parliamentary occasions. Parliamentary briefing is initiated by Parliamentary Branch (see Chapter 5). Briefs for "miscellaneous" occasions must depend so largely on the occasion that no general guidance can usefully be given.

CABINET AND CABINET COMMITTEE BRIEFS

PROCEDURE FOR BRIEFING:

4 It is most important, that so far as is humanly possible, the Secretary of State should be presented with one brief only on each paper, and that this brief should express the comprehensive view of the Department. If there are different views from different divisions of the Department, they should ideally be expressed in one single memorandum. In order to get as near as possible to this state of affairs, the following arrangements are operated:-

- (i) One officer, normally the Assistant Secretary in charge of the branch with the greatest interest in the paper, will be responsible for the preparation of a single brief for the Secretary of State in consultation with the other branches concerned.
- (ii) The Private Office will send out each paper in a blue jacket showing the time by which the brief has to be ready and a list of officers interested in the paper. The officers on this list are sent copies of the cover of the blue jacket. They show the number and title of the paper; the time by which the brief has to be ready; the officer who has been asked to provide the brief; and the list of other officers interested.

Copies are always sent to the Permanent Under Secretary and often to the appropriate Junior Minister. If no brief is necessary, the paper should be returned with "no brief required" marked on the jacket.

- (iii) The Assistant Secretary or other official responsible for preparing the brief should submit it through the appropriate Under Secretary, Deputy Secretary and Permanent Under Secretary to the Private Office. The names of the other Assistant Secretaries who have been consulted in preparing it or who have an interest in it (and to whom it has therefore been copied) should be noted at the foot of the brief. The brief should not be sent to the Minister concerned until it has been passed by either the appropriate Deputy Secretary or by the Permanent Under Secretary. Copies should be enclosed for other Ministers, and the Special Advisors for distribution by the Private Office.
- (iv) Assistant Secretaries should instruct their personal assistants that when they are not available papers in this category should be passed immediately to the senior officer in the division concerned with the subject so that work may be started on the preparation of the brief.
- (v) The Secretary of State's Office will inform the officer responsible for briefing if a meeting has been deferred, or if a paper is suddenly taken off an agenda, and it is consequently unnecessary for the brief to be prepared so quickly; and similarly if a paper which has already been circulated has suddenly been added to an agenda, when the brief will be required more urgently than was expected.

5 If the Private Secretary is uncertain about the strength of the departmental interest in a paper, he will ask the division concerned whether there is sufficient departmental interest for a Minister of the Department to attend when it is taken. It is helpful if such enquiries can be answered as quickly as possible. When the Private Secretary thinks that there is only a marginal departmental interest in a paper, such as would not require the attendance of a Minister, it may be marked out for the divisions concerned "to see". If on examination of the paper the recipient considers that a Minister should attend, he should notify the Private Office urgently.

FORM OF BRIEFS

6 Any brief must, of course, be adapted to the paper for which it is prepared, but generally speaking it should be in the following form:-

- (i) A short introductory statement describing the background of any previous discussion or correspondence on the subject. The Secretary of State does not normally require a summary of the paper itself, unless it is a long paper of only limited departmental interest, which he does not need to read in full.

- (ii) The main body of the brief should be kept as short as possible since the Secretary of State has a very limited time for its study.
- (iii) The brief should end with a short, snappy tabular statement of the main Departmental points, typed with a space between each point. Any points which, from a departmental point of view, it is particularly important that he should make in discussion should be underlined and have a reference to the appropriate section of the paper set against them in the margin. Any general points that have been suggested and which are not necessarily within the Department's province might be summarised separately.

7 Briefs should normally be typed on blue paper (obtainable from Stationery Section) on one side only with a margin of 2½" to allow for marginal references and marginal comments by senior officials. Typing may be single spaced except that in the final tabular statement two lines should be left between each point.

SPEECHES AND STATEMENTS

8 Briefing for Ministerial speeches and statements to be made outside Parliament is the responsibility of the division primarily concerned with the subject matter. A speech or a statement may arise because the organisers of an event have asked the Minister to speak, or, less often, because the Minister is advised to use a particular event as the occasion for a speech or statement. In either case the Private Secretary will obtain advice on whether the Minister should speak by sending a minute with the relevant papers to the division primarily concerned with the subject matter, through the Head of Information Division. When it has been agreed that the Minister should speak, the Private Secretary will ask the appropriate division, again through Information Division, for a brief; the appropriate division is responsible for preparing the brief. When, as will often happen, more than one division is concerned, the nominated division will be responsible for co-ordinating the contribution of other divisions. Information Division will be responsible for making any necessary publicity arrangements for the speech and, where appropriate, for advising on content and presentation.

9 When the speech is to be reported and publicised, it should be sent to the Private Office through Information Division, so that that division may take the necessary action and may make any points on publicity. In all other cases the division should send a copy of the brief to Information Division.

10 If further advice on the speech or statement is required, the Private Office will consult direct the division which prepared the brief and/or the divisions which contributed to it, and will keep Information Division informed of any major changes in the lines which the speech is to follow.

11 Sometimes Information Division will be the division primarily concerned with the subject matter, for example, the annual luncheon of a publicity organisation. On these occasions the Private Secretary will ask the Head of Information Division for a brief; the latter will consult as necessary administrative divisions likely to have an interest in matters to be included in the brief.

12 For speeches on such occasions briefs should be in the following form:-

- (i) A few personal notes about the more important people whom the Minister is likely to meet and who may possibly be mentioned in the course of the proceedings.
- (ii) A general background note summarising the principal issues and problems and the most significant developments in the industry concerned. This should be kept as short as possible.
- (iii) A draft speech in the form in which it might be delivered or a suggested list of points to be made in the course of the speech. The Secretary of State generally prepares his own speeches, and so needs suggested points for the speech and supporting factual material. There are occasions, however, when he should be advised to stick closely to a prepared text, and these should be made clear in the speech notes.

PRESS CONFERENCES, BROADCASTS AND TELEVISION APPEARANCES, ETC.

13 Information Division is primarily responsible for arranging these, in consultation with the division concerned, and for advising the Minister on how they should be conducted. Any briefing which may be required for these purposes should be arranged by the Private Office as in paragraphs 8 to 12 above.

MESSAGES OF ENDORSEMENT OR ENCOURAGEMENT

14 Information Division is responsible for advising the Minister whether he should send a message and for drafting messages which the Minister agrees to send. The Private Secretary will send requests for messages to the Head of Information Division for advice. Information Division will consult as necessary any administrative division responsible for subjects with which the message will be concerned, and will frequently need to obtain much of the content of the draft message from these divisions.

SUBMISSIONS

15 Submissions to Ministers from the Department take in such a wide variety of subjects that it is difficult to give any general guidance. But wherever time allows, the appropriate Junior Minister should see the submission on its way to the Secretary of State. If this is not possible a copy should be sent to the Junior Minister's Office.

16 Officers sending files to the Secretary of State should ensure that old files attached to the main submission are detached before the papers leave the division, unless it is essential to direct the Minister's attention to a document on an earlier file. Even then it should nearly always be possible to extract the information. If the document in question is withdrawn the Registry should be informed.

CABINET AND CABINET COMMITTEE MEMORANDA

MINISTERIAL

17 The Secretary of State is a member of, or is invited to attend, a number of Committees. The membership and terms of reference of any new Cabinet Committee are circulated by the Private Office to the senior officials concerned. If he is unable to attend and subjects of departmental interest are included in the agenda, he may ask the Minister of State or one of the Parliamentary Secretaries to attend on his behalf. The Junior Ministers are also members of Cabinet Committees in their own right.

18 By direction of the Prime Minister, memoranda submitted by the Secretary of State to these Ministerial Committees must be circulated at least 48 working hours before they are to be considered by Ministers. This means that they should reach the Private Secretary at least four days before the meeting. It is not, of course, always possible to observe these time limits but in all cases care should be taken to avoid laying the Secretary of State open to criticism on the grounds of delay. The Private Office should be given as much notice as possible of papers which the Department's Ministers will be invited to submit to Ministerial Committees. Papers should not, save in exceptional cases, exceed four sides in length, although annexes may be added.

19 So far as Ministerial Committees are concerned, communication between the Department and Cabinet Office is carried out by the Private Office. Queries on timing, requests for previous papers etc, should not therefore be made direct to the Cabinet Office.

20 Private Office is responsible for duplicating memoranda for Cabinet Committees. Drafts should be submitted on blue paper, double spaced, with a copy and bearing no heading other than: "Draft Paper for - Committee" and the title and security classification. The first six inches of the first page of a draft memorandum should be left blank so that Private Office can "top" the document with the appropriate serial number and correct form of Cabinet Committee heading.

21 Annexes or official reports, attached to draft Cabinet memoranda, should be in single line spacing.

22 Papers for the Cabinet are duplicated by the Cabinet Office. The draft should be submitted to Private Office in the form described above and it is essential that a clear copy accompanies the original.

OFFICIAL

23 Memoranda are reproduced in the originating Department. For this purpose the originating department should enquire from Committee Section in the Cabinet Office:

- (i) the next serial number and
- (ii) the number of copies required.

24 Copies of memoranda should reach the Cabinet Office in time to be circulated at least two working days in advance of the meeting at which they are to be considered.

25 A specimen layout is at Appendix A. It will be noted that the heading of the paper should bear all of the following details:-

- (i) THE SECURITY GRADING: (The first page of a "Top Secret" paper should also be reproduced on paper bearing the special red heading; stocks of this can be obtained from HMSO - alternatively Committee Section in the Cabinet Office can supply sufficient pages to cover the job in hand).
- (ii) The superscription "THIS DOCUMENT"
- (iii) The copy number.
- (iv) The number of the paper (ie the identifying symbol of the Committee, the year in brackets - and the serial number).
- (v) The date (the month being shown in small letters).
- (vi) The heading "CABINET".
- (vii) The name of the Committee.
- (viii) The title of the paper.
- (ix) The originating Department (in small letters).

Note: All these details excepting (vi) should be underlined, and in capital letters (with the exceptions noted against (v) and (ix)).

26 At the end of the paper proper (ignoring for this purpose any annexes) the name and short address of the originating Department should be shown below the text on the left of the page. Below this should be the date.

27 Only papers circulated under the name of the Chairman or Secretary of a Committee should be signed.

28 Memoranda should be reproduced with the typescript on one side of the paper only. The pages should be numbered at the foot of the page, and should have a 1½" margin. Single spacing should normally be used (an exception is where a Committee is to consider a draft memorandum to which textual amendments may be discussed).

29 Originating Departments must send all copies made (including their own) to the Cabinet Office for circulation. Application should be made to the Cabinet Office for any additional copies required; if an originating Department so wishes, a standing arrangement may be made whereby the Cabinet Office will automatically supply a fixed number of additional copies of memoranda.

PRESS NOTICES

30 Divisions should send draft notices to the Press Section of Information Division as early as possible.

DEALING WITH MEMBERS OF PARLIAMENT

31 The general principle governing the relationship between departmental officials and Members of Parliament is that Ministers are responsible to Parliament for the actions of their department and should not be embarrassed by dealings between officials and Members taking place without the knowledge or consent of Ministers.

LETTERS

32 Letters from Members of Parliament will be acknowledged by the Private Secretary and sent to the appropriate official for advice. Generally speaking the Secretary of State replies personally to letters from Privy Councillors but asks either the Minister of State or the Parliamentary Secretary to reply on his behalf to other Members. Letters from Members of the House of Lords are normally answered by the Minister representing the Department in the House of Lords. A record of the letters passed to divisions for advice is kept in the office of the Minister who is to send the final reply. If no advice has been received a telephoned reminder is given by the Private Secretary immediately following the date the letter was marked for advice to be sent to the Private Office. Advice and draft replies are normally required in eight working days, certain cases will of course require an earlier reply.

33 On receipt of this reminder an interim or final draft reply should be provided at once, or the file should be returned to the Private Secretary with an explanation that no reply is necessary. Requests from the Prime Minister's Office for a draft reply to an MP must be met within 7 days. If a full reply is not possible within this time an interim reply for the Prime Minister's Office to send should be submitted, together with an explanation of why more time is required.

34 The Private Secretary should be advised immediately if the case is transferred to another division of the Department.

35 If, however, it proves necessary to transfer it to another department the papers should be returned to the Private Secretary who will send it to the appropriate Private Office at the same time notifying the Member of Parliament of the transfer. Similarly, communications with Members of Parliament or their private secretaries and with the Private Offices in other departments are normally carried out by the Private Office.

36 Original enclosures to an MP's letter are always returned when the final reply is sent and it is the responsibility of the officer drafting the complete reply to ensure that any necessary copies are made of the originals before they are returned to the Private Secretaries.

37 It has been held that a letter written by a Member of Parliament is not a proceeding in Parliament, and therefore not covered by Parliamentary privilege (Parliamentary Debate on 18 July 1958). It is, therefore, essential that the greatest circumspection should be exercised in dealing with correspondence from Members of Parliament and the contents of

constituents' letters. It is accepted that it may sometimes be necessary to give to bodies outside the Government Service an indication of the contents of such correspondence and letters, or even actually to pass them on, but any such action should always be taken with discretion, and where matters of a contentious nature, particularly allegations of misconduct are involved, the contents of such correspondence or letters should not be disclosed to outside bodies unless it is quite clear that the Member concerned is willing for this to be done. If this is not clear from the correspondence, the Member's consent should be sought through the appropriate Private Office.

38 A Member of Parliament receiving a letter from a Minister is under no obligation to treat it as confidential and is free to publish it if he wishes. Care a Minister's should therefore be taken by officers responsible for drafting letters for signature that both the substance and the form of the draft are such that no embarrassment should arise if the letter were published verbatim. Where there are reasons for wishing the Member to refrain from publication, this should be made clear when the file is passed to the Private Office. The draft should be headed "Confidential" or wording should be used in the body of the draft to indicate any part of the letter which is intended to be for the eyes of the recipient only. It may on occasion be desirable for the Minister to send a letter in a form suitable for publication or for passing on to a constituent under cover of a letter to the Member drawing his attention in confidence to other factors which may help him in dealing with the subject of the letter.

39 Enquiries from the House of Commons Library and Political Organisations, such as Transport House and the Conservative Research Department, should be referred to the Private Office.

INTERVIEWS

40 Members of Parliament calling at the Department should be directed to the appropriate Private Office. If no Minister is available it is for the Private Secretary to decide in consultation, as necessary, with the division concerned whether the Member should be seen by an official. When a Member calls at any other Office of the Department, the Private Office should be notified by telephone, but the Member should not be kept waiting and should be seen by as senior an official as possible.

41 Officials who are asked by a Private Secretary to see a Member will, of course, conduct the interview with proper discretion and make a note of what happened so that the appropriate Minister may know what has taken place.

42 If, as a result of an interview, a letter has to be written to a Member of Parliament the procedure outlined in paragraphs 32 to 39 above should be followed.

TELEPHONE CONVERSATIONS

43 If a Member telephones an official on the business of the Department (other than in the circumstances mentioned in paragraphs 44 and 45 below) the Member should be referred to a Private Secretary.

MEMBERS OF PARLIAMENT ACTING IN ANY OTHER CAPACITY

44 Letters from, or telephone conversations with, Members of Parliament who are clearly writing or speaking in another capacity (eg as a member of

a firm, or as a legal representative) should normally be dealt with at official level but in cases of doubt the Private Secretary should be consulted. In particular the Private Secretary should see the proposed reply if any question of policy is involved; if the reply contains information which would not be communicated if the recipient were not a Member of Parliament, or if the matter is likely, for any reason, to be mentioned personally by the Member of Parliament when meeting the Secretary of State or the Junior Ministers.

45 Similar considerations should guide officials in deciding whether to inform the Private Office of interviews with, or telephone calls from Members of Parliament acting in any other capacity than that of a Member of Parliament.

DEALINGS WITH TRADE ORGANISATIONS AND MEMBERS OF THE PUBLIC

46 The Private Secretary will usually decide, in consultation with the Department as necessary, at what level these letters should be answered but, generally speaking, letters addressed to Ministers from the more important trade organisations will be acknowledged by the Private Secretary and sent to the appropriate divisions for advice, normally for a draft reply to be sent by the Private Secretary on the Minister's behalf. Letters from less important organisations, companies and individual members of the public are generally sent for acknowledgement and reply at official level.

47 Invitations to the Minister in his official capacity are normally sent out for the appropriate division to advise urgently whether or not the Minister should accept the invitation.