The Lee Seng Tee Distinguished Lecture 2011

Watching Prime Ministers

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PRIME MINISTER’S FUNCTIONS 1947

1. Managing the relationship between the Monarch and the government as a whole
2. Hiring and firing ministers
3. Chairing the Cabinet and its most important committees
4. Arranging other ‘Cabinet business’, i.e., the chairmanships of other committees, their memberships and agendas
5. Overall control of the Civil Service as First Lord of the Treasury
6. The allocation of functions between departments; their creation and abolition
7. Relationships with other heads of government
8. An especially close involvement in foreign policy and defence matters
9. Top Civil Service appointments
10. Top appointments to many institutions of ‘a national character’
11. ‘Certain scholastical and ecclesiastical appointments’
12. The handling of ‘precedent and procedure’
PRIME MINISTER’S FUNCTIONS, 1995

CONSTITUTIONAL AND PROCEDURAL

1. Managing the relationship between government and the Monarch
2. Managing the relationship between government and Opposition on a Privy Counsellor basis
3. Establishing the order of precedence in Cabinet
4. The establishment and interpretation of procedural guidelines for both ministers and civil servants
5. Oversight of changes to Civil Service recruitment practices
6. Classification levels and secrecy procedures for official information
7. Requesting the Sovereign to grant a dissolution of Parliament

APPOINTMENTS
(Made in the name of the Sovereign but chosen by the Prime Minister)

1. Appointment and dismissal of ministers (final approval of their parliamentary private secretaries and special advisers)
2. Headships of the intelligence and security services
3. Top appointments to the Home Civil Service and in collaboration with the Foreign Secretary to the Diplomatic Service and in collaboration with the Defence Secretary to the Armed Forces
4. Senior appointments to the armed forces
5. Top ecclesiastical appointments plus regius professorships and the Mastership of Trinity College Cambridge
6. Top public sector appointments and appointments to royal commissions
7. Award of peerages and honours (except for those in the gift of the Sovereign)

CONDUCT OF CABINET AND PARLIAMENTARY BUSINESS

1. Calling meetings of Cabinet and its committees; fixing their agenda
2. The calling of ‘Political Cabinets’ with no officials present
3. Deciding issues where Cabinet or Cabinet committees are unable to agree
4. Granting ministers permission to miss Cabinet meetings or to leave the country
5. Ultimate responsibility with the Leaders of the Houses for the government’s legislative programme and the use of government time in Parliament
6. Answering questions twice a week in the House of Commons on nearly the whole range of government activities
ORGANISATIONAL AND EFFICIENCY QUESTIONS

1 Organisation and senior staffing of No. 10 and the Cabinet Office
2 Size of the Cabinet; workload on ministers and the Civil Service; the overall efficiency of government
3 The overall efficiency of the secret services; their operations and their oversight
4 The creation, abolition and merger of government departments and executive agencies
5 Preparation of the ‘War Book’
6 Contingency planning on the civil side with the Home Secretary e.g. for industrial action that threatens essential services or for counter-terrorism
7 Overall efficiency of the government’s media strategy

BUDGETS AND MARKET-SENSITIVE DECISIONS

1 Determining, with the Chancellor of the Exchequer, the detailed contents of the Budget. By tradition, the full Cabinet is only apprised of the full contents of the Budget Statement the morning before it is delivered
2 Determining which ministers (in addition to the Chancellor) will be involved and in which fora in the taking of especially market-sensitive economic decisions such as the level of interest rates

SPECIAL FOREIGN AND DEFENCE FUNCTIONS

1 Relationships with heads of government (e.g. the nuclear and intelligence aspects of the US-UK ‘special relationship’)
2 Representing the UK at ‘summits’ of all kinds
3 With the Defence Secretary the use of the royal prerogative to deploy Her Majesty’s armed forces in action
4 With the Foreign Secretary the use of the royal prerogative to sign or annul treaties, recognise or derecognise countries
5 The launching of a UK nuclear strike (with elaborate and highly secret fallback arrangements in case the Prime Minister and Cabinet are wiped out by a bolt-from-the-blue pre-emptive strike)
PRIME MINISTER’S FUNCTIONS, 2011

CONSTITUTIONAL AND PROCEDURAL

1 Managing the relationship between the Government and the Monarch and the Heir to the Throne

2 Managing the relationship between the Government and the Opposition on a Privy Counsellor basis

3 Managing the relationships between UK Central Government and devolved administrations in Scotland, Wales and Northern Ireland

4 Establishing order of precedence in Cabinet

5 Interpretation and content of procedural and conduct guidelines for ministers as outlined in the Ministerial Code and the draft Cabinet Manual

6 Oversight, with the Cabinet Secretary advising, of the Civil Service Code as enshrined in the Constitutional Reform and Governance Act 2010

7 Decisions, with the Justice Secretary, on whether and when to use the ministerial override on disclosure under the Freedom of Information Act 2000

8 Requesting the Sovereign to grant a dissolution of Parliament (unless and until Parliament passes the Fixed-Term Parliament Bill)

9 Authorising the Cabinet Secretary to facilitate negotiations between the political parties in the event of a ‘hung’ General Election result

10 Managing intra-Coalition relationships with the Deputy Prime Minister

APPOINTMENTS
(Made in the name of the Sovereign but chosen by the Prime Minister).

1 Appointment and dismissal of ministers (final approval of their parliamentary private secretaries and special advisers) in consultation with the Deputy Prime Minister for Liberal Democrat appointments and the appointment of the Law Officers

2 Top appointments to the headships of the Security Service, the Secret Intelligence Service and the Government Communications Headquarters

3 Top appointments to the Home Civil Service; and, in collaboration with the Foreign Secretary to the Diplomatic Service; and, with the Defence Secretary, to the Armed Forces

4 Top ecclesiastical appointments (though since Gordon Brown’s premierships, the Prime Minister has conveyed the preference of the Church of England’s selectors to the Monarch without interference).

5 Residual academic appointments – the Mastership of Trinity College, Cambridge; the Principalship of King’s College London; a small number of regius professorships in Oxford and Cambridge (the First Minister in Edinburgh is responsible for the Scottish regius chairs). Since the Blair premiership the No 10 practice has been to convey the wishes of the institutions to the Queen without interference.

6 Top public sector appointments and regulators (with some informal parliamentary oversight)
Appointments to committees of inquiry and royal commissions

The award of party political honours

Party political appointments to the House of Lords (independent crossbench peers are selected by the House of Lords Appointments Commission and the Prime Minister conveys the recommendations to the Monarch without interference)

CONDUCT OF CABINET AND PARLIAMENTARY BUSINESS

1 Calling meetings of Cabinet and its committees. Fixing their agenda and, in the case of committees their membership in consultation with the Deputy Prime Minister

2 The calling of ‘Political Cabinets’ with no officials present

3 Deciding issues where Cabinet or Cabinet committees are unable to agree

4 Deciding, with the Deputy Prime Minister, when the Cabinet is allowed an ‘opt out’ on collective responsibility and subsequent whipping arrangements in Parliament

5 Granting ministers permission to miss Cabinet meetings or leave the country

6 Ultimate responsibility (with the Deputy Prime Minister and the leaders of the House of Commons and the House of Lords) for the government’s legislative programme and the use of government time in the chambers of both Houses

7 Answering questions for 30 minutes on Wednesdays when the House of Commons is sitting on nearly the whole range of government activity

8 Appearing twice a year to give evidence before the House of Commons Liaison Committee

POLICY STRATEGY AND COMMUNICATIONS

1 Keeper, with the Deputy Prime Minister, of the Coalition’s overall Political Strategy.

2 Oversight of No 10 Communications Strategy and work of the Government Communication Network.

3 Pursuit and promulgation of special overarching policies particularly associated with the Prime Minister e.g. the ‘Big Society’

ORGANISATIONAL AND EFFICIENCY QUESTIONS

1 Organisation and Staffing of No 10 and the Cabinet Office (including the Prime Minister’s relationship with the Deputy Prime Minister and the two senior Cabinet Office ministers dealing with policy strategy and public service reform)

2 Size of Cabinet, workload on ministers and the Civil Service

3 The creation and merger of government departments and executive agencies
BUDGET AND MARKET-SENSITIVE DECISIONS

1 Determining with the Chancellor of the Exchequer, the Deputy Prime Minister and the Chief Secretary of the Treasury the detailed contents of the Budget. By tradition, the full Cabinet is only apprised of the full contents the morning before the Budget statement is delivered

2 Interest rates are now set by the Monetary Policy Committee of the Bank of England. The Prime Minister and the Chancellor of the Exchequer possess an override under the Bank of England Act 1998 if the ‘public interest’ requires and ‘by extreme economic circumstances’ but this has never been used

NATIONAL SECURITY

1 Chairing the weekly meetings of the National Security Council (which also serves, when needed, as a ‘War Cabinet’)

2 Oversight of the production and implementation of the National Security Strategy

3 Oversight of counter-terrorist policies and arrangements

4 Overall efficiency of the secret agencies, their operations, budgets and oversight and the intelligence assessments process in the Cabinet Office

5 Preparation of the ‘War Book’

6 Contingency planning to cope with threats to essential services and national health from whatever sources

7 With the Foreign and Defence Secretaries the use of the royal prerogative to deploy Her Majesty’s Forces in action (with Parliament, by convention, being consulted if time allows)

8 With the Foreign Secretary the use of the royal prerogative to ratify or annul treaties, to recognise or derecognise countries (though in certain circumstances, the House of Commons can block treaty ratification under the Constitutional Reform and Governance Act 2010)

SPECIAL PERSONAL RESPONSIBILITIES

1 Representing the UK at a range of international meetings and ‘summits’

2 The maintenance of the special intelligence and nuclear relationships with the US President under the terms of the 1946 Communications Agreement, the 1958 Agreement for Co-operation on the Uses of Atomic Energy for Mutual Defence Purposes and the 1963 Polaris Sales Agreement

3 The decision to shoot down a hijacked aircraft or an unidentified civil aircraft which responds neither to radio contact nor the signals of RAF interceptor jets, before it reaches a conurbation or a key target on UK territory (plus the appointment of two or three deputies for this purpose)

4 Authorisation of the use of UK nuclear weapons including the preparation of four ‘last resort’ letters for installation in the inner safes of each Royal Navy Trident submarine and the appointment, on a personal basis rather than the Cabinet’s order of precedence, of the ‘nuclear deputies’ lest the Prime Minister should be out of reach or indisposed during an emergency