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<CHN>45

<CHT>THE UK

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<H1>45.1 Introduction

<TX1>The UK Parliament is a unique legislature. Developed literally over centuries, rather than as a result of the establishment of a new regime or political system, this is an institution shaped by informal rules and practice, and the ad-hoc development of services and departments. As such, its parliamentary administration presents equally unique and sui generis characteristics. As this chapter will show, the parliamentary administration of the UK Parliament is characterised by a lack of clear hierarchy and leadership, and a fragmentation of services, committees and departments; all of which have developed on the basis of ad-hoc needs, often in response to specific crises, such as the 2009 expenses scandal or 2018/2019 wave of bullying and harassment claims. We set out the chapter as follows: we start by providing a brief overview of the structural framework within which the parliamentary administration of the UK parliament operates; then focus on its governance structures and how these have developed over time; and end with staff and their functions, and how they support parliamentarians' work.

<H1>45.2 The Structural Framework of Parliamentary Administration of the UK Parliament

<TX1>The UK Parliament is bicameral. The House of Commons (the lower chamber) consists of 650 elected Members of Parliament and the House of Lords (the upper chamber) of approximately 820 Peers, the vast number being appointed, but with a small rump of hereditary peers and bishops (numbering 92 and 26 respectively). The two Houses have therefore very different types of legitimacies and forms of working; whereas MPs undertake this as a full-time job, this only applies to a very few Peers, the vast majority of whom have very active working lives outside Parliament. Likewise, the nature of the roles performed varies considerably between the two Houses, which affects the type of administrative support needed but also the way the Houses are governed. The administration of the UK Parliament is carried out by almost 4,000 permanent staff, working in the tea-rooms, clerking in the Commons and Lords chambers or committee rooms, or maintaining the building.

<TX2>Constitutionally, both Houses are financially autonomous from the executive. Both Houses determine their own budgets. In 2019/20 the Commons administration had an annual budget of approximately £789 million; the Lords administration £215 million (House of Commons Administration, 2020; House of Lords Administration, 2020).¹ About twenty years earlier, in 2000, the figures had been £240 million for the Commons, £31 million for the Lords (House of Commons Commission, 2001; [House of Lords Administration, 2001](#)). These numbers are not easily comparable though: there have been shifts in accounting practice; and some costs have now been shifted elsewhere. Much of the increase, however, is due to the rising cost of infrastructure—in particular, the rising cost of maintaining the crumbling Palace of Westminster estate. All that said, the financial stance of the executive may have an influential role on parliamentary finances. For instance, in 2010-15, the Coalition government had a policy of fiscal austerity; in the same period the Houses of Parliament also chose to find savings wherever possible, in line with other public services (eg., [House of Commons Commission, 2011](#)).

<TX2>Like the UK constitution, the administration of the two Houses of Parliament at Westminster has developed in a haphazard manner over a long period of time. For instance, it is only very recently that the governance of the Houses has begun to professionalise. The House of Commons Commission, the governing body for the administration of the lower House, was only established in 1978, despite the existence of the House of Commons for centuries. Until then, House of Commons administration had been ‘governed’ by a commission which included the Speaker and ministers from the executive. This late professionalisation of the parliamentary administration at Westminster is partly because there wasn’t much to administer. The parliamentary estate (initially, just the famous Palace of Westminster) was controlled by the executive for much of the 20th century. Full control of the Palace of Westminster only passed to the parliamentary authorities in 1992; and it was only at this point that the Houses gained corporate status (Yong, 2018). But it is also because parliamentarians have collectively focused their energies on partisan battles and have given little time to systematic reform. Where reform has taken place, it has been ad hoc and incremental. Thus, the governance arrangements of the Houses and between the Houses remain hazy and unclear, with the organisation and professionalisation of staff developing only recently and unevenly in response to parliamentarians’ needs.

<H1>45.3 Administrative Governance

<TX1>Currently, each House has a relatively similar set of administrative arrangements. We can divide these arrangements into two: the *governance* of administration—the political control and oversight of administration—and then *staff organisation, roles and functions*. Dealing first with governance, at the apex of House administration is a political body: the Commission. This is chaired by the Speaker or Lords Speaker, and consists of parliamentarians from key parties or groups, including the Leader of the House and their opposition counterpart, the Shadow Leader. The Leader of the House is a minister who represents government in parliament, having significant powers over the scheduling and overall running of parliamentary business; the Shadow Leader is the MP from the official opposition covering that area (the official opposition being the largest opposition party). Since 2016, non-executive external members also sit as Commission members. The Commission is responsible for setting direction of the administration: the strategic priorities for services and the staffing and pay of House staff. It is worth noting that Commission members in both Houses do not have portfolios: decisions (if they are made at all) are made on a consensual basis by all members.

<TX2>Supporting each House Commission is a set of ‘domestic committees’—so-called because they deal not with matters ‘external’ to Parliament, but rather cover particular areas of House administration, such as finance, services and audit. These committees consist of parliamentarians, who advise the Commission on the matters within their remit. Also below each Commission is an Executive Board or Management Board, which are each composed of non-partisan, permanent staff. This is usually chaired by the relevant Clerk, the most senior permanent official of the respective House and who in recent years has come to lead the House service or administration. The Board also consists of senior officials from key departments of the House service: library and research, chamber services, the committee office, finance and so on. The role of the Board is to both provide advice upwards to the Commission, but also to provide direction downwards to the respective House departments or operating units. Each House service has a number of functional departments—devoted to supporting the plenary chamber, committees, research services, security and so on.

<TX2>The two organograms below help explain House governance.

<FGCAP>Figure 45.1 House of Commons – governance structure

<FGCAP>Figure 45.2 House of Lord – governance structure

<TX2>There have been a number of reviews of the governance and administration of each House. By and large, these reviews have focused more on administrative arrangements and organisation rather than governance and the appropriate degree of political oversight and control. Where reviews have touched upon governance arrangements, they have been highly critical: the Commissions in particular have been seen to be weak in providing oversight and direction (for a more detailed discussion, see [Yong, 2018](#)).

<TX2>There are several reasons for this weakness. The first, already highlighted, is that change has come about in an ad hoc rather than systematic fashion. Secondly, relationships, personalities and a lack of clear purpose have traditionally made the Commissions weak as governance bodies. The Commissions are structured to reduce government influence, but in practice power is relative and determined by relationships. Although non-executive external members now sit on the Commissions, the key players have always been politicians. As the Chair, the Speaker is perhaps the most powerful figure in the Commons Commission. They are usually the longest serving member of the Commission, and set the Commission agenda, but they are limited by the requirement of impartiality. The Leader of the House can also be very powerful. As indicated above, they are *not* the leader of the reigning political party—they are the government minister responsible for organising government business in the House. The Leader's power comes from the government's usual majority in the Commons and their power to control the business of the House. Indeed, where long-term administrative and procedural change has come in the Commons, it has often been because the Leader of the House has been reform-minded (for example, Norman St John-Stevas and Robin Cook). And, excepting the Speaker, the political members of the Commission rarely stay in post long—often as short as two years—and so their primary concern is with the partisan battle in the Chamber, rather than the institution. In short, no one seems fully in charge.

<TX2>A similar state of affairs exists in the Lords. It has a larger Commission, because of the inclusion of a greater number of political groups. Moreover, the Lords operate under a self-regulation principle, which presumes equality between peers; so, for example, contrary to the Speaker in the House of Commons, the Lord Speaker is not in fact the Presiding Officer and does not lead the development of debates in the Lords' plenary chamber. Instead, Peers self-regulate their own participation in debates. At the same time, the Leader of the Lords is weaker than their Commons counterpart because no government has had a majority in the Lords for the last two decades. Finding consensus for administrative and organisational change amongst the House can be difficult.

<TX2>Moreover, domestic committees only advise (and do not order) their Commissions, but there has been a long history of a lack of clarity about the committees' respective remits. Finally, it is worth noting that permanent officials in the administration have often been cautious in acting given the requirement of impartiality in an intensely political environment. The saying 'officials advise, ministers decide' from Whitehall (the civil service branch supporting the executive) applies with equal force in Westminster—perhaps with even stronger force, since (as we have seen) there is no obvious 'minister' for officials to follow in either House.

<TX2>All this—weak governance and the absence of clear leadership—has meant that systemic, long-term institutional problems have persisted without clear resolution, sometimes erupting in highly publicised controversies. The most well-publicised is the expenses scandal of 2009, in which a number of MPs in the House of Commons were exposed for having misused their expenses. This came about largely because of fragmented governance, and a failure on the part of successive

administrations to take decisive action. But there have been other institutional problems: the controversy over the appointment of a new Clerk of the House ([Meakin and Geddes, 2020](#)); bullying and harassment of staff in both Houses ([Cox, 2018](#); [Ellenbogen, 2019](#); [White, 2019](#)); and the ongoing saga of the refurbishment of the crumbling Palace of Westminster, which is now a major health hazard ([Meakin, 2021](#)). These problems stem from two fundamental predicaments: a lack of clarity about who is in charge; and the inability of those in charge to take decisive action. That said, in recent years, there have also been institutional successes in developing and strengthening services—particularly in terms of the development of public engagement services and digitalisation ([Judge and Leston-Bandeira, 2018](#)). Public engagement services, which include participatory mechanisms as well as broader services such as education, have expanded exponentially since the turn of the 21st century, in response to a perceived need to strengthen engagement with the public.

Historically, bicameral relations have also been limited due to the problems noted above. However, there are now both formal and informal meetings of the key bodies and actors from each House, in order to communicate, coordinate and negotiate. Bicameral relations have accelerated in recent years, partly because of austerity and partly because of capital development. As we see below, some services such as security, most of public engagement services, digital and maintenance of the parliamentary estate are shared. So too, are some costs in a pre-determined ratio (usually with the Commons paying more—70:30 or 60:40). But both Houses remain keen to maintain their autonomy. A longstanding concern—particularly of the Lords—is that they do not lose out in any proposal to share resource.

45.4 Staff Organisation, Roles and Functions

This section sets out the structures and departments that make up the administration of the UK Parliament, discusses its objectives and character, and considers how the administration may evolve in the future.

The bicameral nature of the institution means most of these staff are split between the two Houses: over 3,000 staff in the Commons and approximately 570 in Lords ([House of Commons, 2020](#); [House of Lords, 2020](#)). The services have grown substantially in the past two decades: since 2001 the number of Commons staff has more than doubled (from 1377), and the size of the Lords staff has increased by over 50% (from 377) ([House of Commons Library, 2016](#)). Over this same period there has also been a move towards unifying some cross-Parliament services, following the passing of the Parliament (Joint Departments) Act 2007. IT services were the first to be managed jointly: through the Parliamentary Information and Communication Technology Department, renamed and remodelled as the Parliamentary Digital Service in 2015, following the Digital Democracy Commission set up by then Speaker John Bercow. Security, estates, procurement, the education service and the Archives are also shared between both Houses, although without designation as joint departments. [Table 45.1](#) lists the different departments within the parliamentary administration in both Houses.

Table 45.1 Departments within the parliamentary administration

<i>Commons</i>	<i>Lords</i>	<i>Joint / shared services</i>
Chamber and Participation Team	Parliamentary Services (Black Rod's Department, Committee Office, Journal Office, Legislation Office, Library, Hansard)	Parliamentary Digital Service (joint department)
Select Committee	Department of Facilities	Parliamentary Security

Team	(Property and Office Services, Catering and Retail Services)	Department (hosted by the Commons)
Research and Information Services	Clerk of the Parliaments' Office	In-House Services and Estates (hosted by the Commons)
Governance and Strategic Business Resilience Team	Communications Team	Parliamentary Archives (hosted by the Lords)
Member Services	Human Resources Office	Parliamentary Procurement and Commercial Services (hosted by the Lords)
Interparliamentary Relations Office	Finance Department	

<TX2>The structures show the wide-ranging variety of tasks carried out by the people who make up the administration of Parliament. Tasks range from ensuring parliamentary business can proceed smoothly and in line with procedural rules: staff clerk debates in the lower House's two plenary chambers (the Commons chamber and Westminster Hall) and in the chamber of the House of Lords, process parliamentary questions, manage votes (divisions) and produce an edited verbatim record of proceedings (Hansard). Separate teams clerk select committee meetings, lead their inquiries and draft their reports, for committees in both Houses (and joint committees). Parliamentary staff also support the institution by helping the public engage with and feel part of their legislature through outreach and participation activities in Westminster and around the country. Archivists and heritage specialists manage the Parliamentary Archives and art collections. Parliamentary staff also keep the parliamentary buildings secure, clean and operational—a major undertaking given the age and condition of the Palace of Westminster, and the needs of a UNESCO World Heritage Site—and manage the corporate, commercial administrative and financial services required for a multi-thousand workforce. The Parliamentary Digital Service staff provides Members and their staff with essential IT equipment and support, as well as building and maintaining key digital services and outputs, such as the website and other applications, such as the tool to submit questions to the government electronically; in addition to contributing to the development of the virtual and hybrid chambers during the coronavirus pandemic, alongside the Parliamentary Broadcasting Unit (part of the Chamber and Participation Team). Individual members in each House can also access advice on procedure from clerks, helping to ensure parliamentary questions and proposed amendments to legislation are in order. They can also utilise the services of the libraries of each House, which produce briefing papers on a vast range of policy areas, as well as on legislation and business scheduled for debate. The libraries also respond to queries directly for members and their staff provide a bespoke and impartial research and information service. The Interparliamentary Relations Office, based within the Commons, and Overseas Office in the Lords, manages relations with other parliaments and the delegations provided to inter-parliamentary assemblies.

<TX2>As noted earlier, both Houses have undergone periodic reviews of their administrative structures, aiming to modernise and professionalise the administration: for example, the external review of the management of the House of Lords in January 2021 which found that the “organisational performance of the House of Lords lags that of many commercial, public sector and voluntary organisations” (House of Lords, 2021, p 5). The general trend of reviews in the Commons since the 1974 Compton Review, has been to unify the administration, moving away from a federal system of departments. These reviews have also considered the ‘bureaucratic’ leadership of the institution. The House of Commons Service is led by the Clerk of the House, and the House of Lords Administration by the Clerk of the Parliaments. In addition to their roles as the chief procedural adviser to each House, the occupants of these posts also serve as the Accounting Officer and

Corporate Officer for their House, under the Parliamentary Corporate Bodies Act 1992. The wide-ranging responsibilities of the Clerks' roles has led to questioning over whether any single occupant of each post can offer both procedural and management expertise. In 2014 this issue caused the recruitment of the Clerk of the House to be paused and then terminated, due to the concerns of MPs that the selected candidate, the Director of Parliamentary Services in the Australian Parliament, did not have the necessary procedural expertise ([Meakin and Geddes, 2020](#)). A select committee was established to consider the future of the post, and recommended the establishment of a Director General post, with "responsibility for resource allocation and delivery across the House service", working as a leadership team with the Clerk (House of Commons Governance Committee, 2014, p60). The External Management Review of the Lords, mentioned above, recommended the creation of a Chief Operating Officer post, to "focus on the work outside the Chamber and Committees i.e., the management of the House as against the business of the House" (House of Lords, 2021, p7).

<TX2>Developments in recent years have led to the establishment of departments or organisations which are technically independent of the House of Commons Service or House of Lords administration, but part of the wider governance of the institution. The Independent Complaints and Grievance Scheme was first established in July 2018 and became a fully independent bicameral team in December 2018. The major refurbishment of the parliamentary building—the Restoration and Renewal of the Palace of Westminster—has required the establishment of two organisations independent of the parliamentary administration: the Parliamentary Works Sponsor Body and its Delivery Authority.

<TX2>A further part of the wider staffing of the institution—but independent of the administration of each House—are the researchers, secretaries, and caseworkers serving the elected and non-elected parliamentarians in the Commons and Lords. These staff are employed directly by the MP or Peer for whom they work, with approximately 3,200 staff for MPs (an increase of 75% since 2001) ([IPSA, 2020](#); [House of Commons Library, 2016](#)). Typically, each MP has a team of about 2 to 3 members of staff, though some, particularly those with ministerial and/or party responsibilities, have much larger teams. MPs' staff are key in supporting the various roles performed by MPs. Although this division varies, most MPs have staff based in both Westminster and their constituencies. The salaries of MPs' staff are paid through allowances provided by the Independent Parliamentary Standards Authority (IPSA), with set job descriptions, salary scales and model contracts provided. Again, IPSA is another body independent from Parliament, which was set up following the expenses scandal in 2009.

<TX2>Following the recommendation of Gemma White QC's independent report into the bullying and harassment of MPs' staff in 2019, that "there must be a fundamental shift away from regarding Members of Parliament as '650 small businesses' with near complete freedom to operate in relation to their staff", the House of Commons Commission has also established a Member Services team to act as a HR department for Members and their staff (White Report, 2019, p 3; [House of Commons Commission, 2020](#)). Arrangements for Peers' staff in the Lords are far less formalised, however, with no set allowances for staffing or formal structures for supporting such staff (as highlighted by Lord Foulkes, HL Deb, 30 April 2019, c868). This means their figures on the number of staff are not provided, although there are nearly 600 people as receiving a staff pass for Peers of the Lords ([House of Lords Commission, 2020](#)).² Where the staff of individual Peers receive a salary for this work, this is paid by the individual member personally (and many have paid employment outside of Parliament).

<TX2>The staff fulfilling the governance of the institution are classed as “crown servants”, rather than civil servants, serving the legislature rather than the executive and, crucially, politically impartial. There are strict restrictions on political activity for members of staff in the House of Commons who advise or work directly with MPs, as set out below:

<EXT1>“The core tasks of the House of Commons Service include supporting the House and its committees and supporting individual Members (and their staff). Members are entitled to expect that these services are provided with complete political impartiality and that briefing, and advice are not influenced by the personal political opinions of individual members of staff. Staff who advise Members must be, and appear to be, impartial. When the impartiality of such staff is compromised, not only may their ability to do their job be impaired, but the reputation of the House of Commons Service may also suffer.”

<source>(House of Commons, [2021](#), Chapter 18)

<TX2>It is a permanent administration, serving successive parliaments. It is often permanent on an individual level also, with many clerks, in particular, spending their entire career within Westminster. This can pose a conflict inherent in the role: staff are in post to serve both the current cohort of parliamentarians but also the institution of parliament itself (Crewe, [2017](#); Yong, Davies and Leston-Bandeira, [2019](#)). The two aims can—and often do—conflict. Yong ([2018](#), p 90) describes the “fundamental tension lying at the heart of the relationship between the political wing and the permanent House administration” as:

<EXT1>“the constitutional (and prudent) necessities for permanent staff to be *both* responsive *and* politically impartial. House staff must be responsive to each and every member, but balance this with their responsibility to the House as a corporate entity which exists across time”.

<TX2>A further example comes from the long-running saga over the need to repair the parliamentary building, the Palace of Westminster. As Corporate Officer, the Clerk of the House would be legally responsible under the Corporate Manslaughter and Corporate Homicide Act 2007 if a fire within the Palace were to prove fatal. Despite this responsibility, however, he has no power to force MPs or Lords to approve fire safety works and indeed was accused of being part of a conspiracy to force parliamentarians out of the building (as noted in HC Deb, 16 Jul 2020, c1750).

<TX2>Even the House of Commons Twitter account reflects this essential tension, with staff banned from tweeting the results of divisions in the Chamber, after complaints from Conservative MPs (Hern, [2020](#)). This row, although seemingly superficial, points to another tension for the permanent parliamentary staff: striving to increase public engagement with parliament, but having to do so on a non-partisan basis, while the institution operates primarily on a partisan basis. Prior and Leston-Bandeira ([2020](#), p 5) have highlighted how the idea of a single “brand identity” is a “problematic concept for parliaments”. This concept is of primary concern for staff: public engagement activities by the institution are primarily delivered by staff rather than parliamentarians (Leston-Bandeira, [2016](#)).

<H1>45.5 Conclusion

<TX1>The parliamentary administration of the UK Parliament reflects the sui generis characteristics and nature of this legislature, as an institution that has developed in a piecemeal fashion, often in response to specific crises, rather than in a strategic and systemic manner.

<TX2>This starts with the relationship between its lower and upper chambers, the House of Commons and the House of Lords. These are in theory separate bodies, with the vast majority of their parliamentary administration operating independently according to the relevant House's rules and procedures. However, in practice an increasing number of services are shared. This is in great part due to both Houses being hosted within the same building, leading to the sharing of key services such as security, which has become all the more important over the last few decades in face of more tangible terrorism and other threats. Likewise, the need to address the repair, restoration and renovation of the main building itself, the Palace of Westminster, has made the need to work together all the more real. Besides this, newer services such as digitisation and some elements of public engagement such as education services have also been developed mainly as joint services, again in great part due to the sharing of physical resources. This increase in joint working has been concomitant with the development of more comparable roles and administration structures, such as the Speaker and Lord Speaker, or the Boards supporting the work of the Commissions.

<TX2>However, this masks a much messier reality, which reflects the ad-hoc way in which parliamentary administration has developed. As this chapter has shown, the UK Parliament is characterised by a relatively late professionalization of its governance system, which has followed a considerable expansion of the needs to be met by parliamentary services over the past three decades. This expansion of needs results from the development of new functions for parliament such as public engagement, but also of a strengthened role in policy-making for parliament (Cowley and Russell 2016) following a few key reforms of parliamentary business since the turn of the century. Although governance structures are now more clearly delineated, there remains a lack of overall leadership of parliamentary administrative services and functions. Amendments to structures and governance processes are often made in response to specific needs arising from crises, such as the latest bullying and harassment claims. There is also an inherent separation and tension between parliamentary and institutional duties of staff, along with the existence of 650 separate mini-businesses (MPs' offices) which have been out of reach from parliamentary administration oversight. Notwithstanding the very professional and efficient delivery of services by parliamentary administration of the UK Parliament, this is an institution supported on the basis of dispersed and often disjointed service processes. Still, recent reviews and reforms have begun to create a more unified parliamentary administration.

<backmatter>

<notestitle>**Notes**

<referencetitle>**References**

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¹ Note the budget of the Commons *includes* capital expenditure (eg., cost and maintenance of infrastructure and the estate, but *excludes* the cost of members' salaries and staff, which is now paid out of a separate vote. That separate vote—the cost of members' expenses (which includes partisan staff employed by members in the Commons)—is currently an additional £226 million ([Independent Parliamentary Standards Authority, 2020](#)).

² This figure is not limited to those providing research or secretarial assistance, including, for example, drivers for individual peers. This data is only provided from 2014, preventing historical comparison.