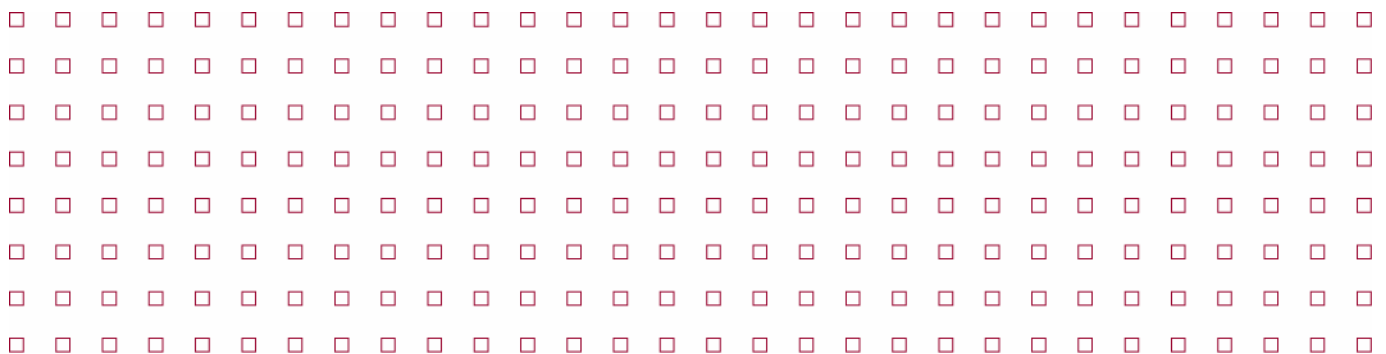




Protocol for Appointment Process of Lord-Lieutenants

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Ministry of
JUSTICE

Protocol for Appointment Process of Lord-Lieutenants

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Contents

Protocol for Appointment Process of Lord-Lieutenants	3
1. Introduction	3
2. Role of the Lord-Lieutenant	3
3. Criteria for the post	4
4. Consultation	5
4.1 Consultation List	5
4.2 Objectives of the consultation	6
4.3 Process	6

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1. Introduction

In the *Government Response to the Sixth Report of the Justice Committee (Session 07-08) On Public Appointments: Lord-Lieutenants and High Sheriffs*, (December 2008) the Government committed to publishing a protocol formally setting out the types of people and bodies whose views would always be sought in future consultations when appointing a new Lord-Lieutenant. A clear consultation process will help inspire confidence that those names to be recommended by the Prime Minister to The Queen may be seen to be appointed on merit.

This paper meets that commitment by setting out briefly the role of the Lord-Lieutenant, key criteria for the post and the proposed consultation process together with a suggested list of those who should be consulted during the appointment process.

2. Role of the Lord-Lieutenant

Lord-Lieutenants are Her Majesty's representatives in the county and as such must uphold the dignity of the Crown. Essentially non-political, the Lord-Lieutenant's role is a varied one in the community of which the ceremonial aspect is only one part. Lord-Lieutenants give their time to the office voluntarily. Aside from royal duties, Lord-Lieutenants generally promote and encourage voluntary and charitable organisations, and take an interest in the business, urban and rural and social life of the county. Lord-Lieutenants have wide discretion in how they carry out the tasks expected of them and also in those they choose to undertake. However certain duties are expected of the Lord-Lieutenant and they are broadly classified as follows.

- Arrange visits of the Royal Family and all that involves (planning, security, briefing on local issues);
- Support and promote a wide range of voluntary activity both publicly and behind the scenes.

- Support and promote civic and social activity within the Lieutenancy.
- Support local business, including visits to local businesses.
- Support the Armed Forces, liaise with local units of the Royal Navy, Royal Marines, Army and Royal Air Force and their associated Cadets Forces; support the Territorial Army.
- Play an active part in the honours system, including increasing public awareness of the honours system, encouraging nominations, helping to assess nominations, and presenting certain honours, medals and awards on behalf of The Queen (such as the Elizabeth Cross, Queen's Commendations for Bravery, CBEs, OBEs, MBEs, Queen's Award for Enterprise and Queen's Award for Voluntary Service).
- In most Lieutenancies in England and Wales, lead the local Magistracy as Chairman of the Advisory Committee on Justices of the Peace in liaison with the Ministry of Justice.
- Select, appoint and make appropriate use of a Vice Lord-Lieutenant and Deputy Lieutenants

Lord-Lieutenants normally retire at 75 although it is possible for them to retire earlier if they so wish.

3. Criteria for the post

As noted above, the role of a Lord-Lieutenant is a varied one, hence, people from all walks of life may be considered for the position. However, essential criteria for the post are:

- Knowledge and understanding (or a willingness to learn) of the whole county, particular issues and any challenges the county faces
- Good communicator
- Commands respect of peers and others, (essential to maintain good relations with Chief Constable, Chief Executive of Local Authority in particular)
- Relates well to people at all levels
- Tactful, discreet, impartial

4. Consultation

The Government is committed to the principles of diversity and has sought to widen the pool from which new Lord-Lieutenants are drawn whilst still nominating on merit. Hence the views of a wide range of representative people in the county are sought. Discussions have taken place with those responsible for the process of identifying and recommending to the Prime Minister appointments of Lord-Lieutenants in all parts of the United Kingdom in order to share knowledge and good practice. The following description of the main elements of the selection process in all parts of the United Kingdom has been agreed.

4.1 Consultation List

As a first step, a list is prepared of the individuals and bodies whose views should be established. Depending on the region, the list will include:

- Local MPs
- Local MSPs in Scotland
- Local Assembly Members in Wales
- Local Government (Chairmen and Chief Executives of County and County Borough Councils and any unitary authorities)
- Magistracy
- Constabulary (Chief Constable of the local constabulary)
- Bishop of the diocese and other prominent community religious leaders, including in Scotland Moderator of the Presbytery
- Voluntary bodies, such as St John Ambulance, St Andrew's Ambulance (Scotland), Red Cross, youth organisations
- Representatives of territorial armed services
- Chief Executives of major charities in the county
- Academics
- Health sector

- Agriculture
- Industry/commerce
- Members of the Lieutenancy itself such as Vice Lord-Lieutenants and Deputy Lieutenants and the outgoing Lord-Lieutenant
- High Sheriff (England and Wales only)
- Lord-Lieutenants of neighbouring counties
- Minister for the Region (England only).

Local consultation is the key element of the selection process. It may not be possible or appropriate for all those on the list to be consulted in every case. Equally the list is not exhaustive and should not preclude additional people being consulted depending upon local circumstances:

4.2 Objectives of the consultation

The consultation aims to help develop the 'job description', including a statement of any particular requirements for the role for that particular county. The consultation process also aims to throw up names of candidates who might be considered for the recommendation for the appointment.

The essentials of the consultation process are the same across all parts of the United Kingdom, but the processes are different. They are described below.

4.3 Process

In England, the process of consultation is carried out by the Head of Honours and Appointments Secretariat in the Cabinet Office. Normally, this individual will write to most of the individuals/groups in the list and also spend two or three days in the county having face to face discussions with some individuals who may have particularly relevant knowledge. The results of the consultation are reported to the Prime Minister for consideration. The Prime Minister makes the eventual recommendation to The Queen.

In Scotland, the process of consultation is carried out by the Office of the Secretary of Commissions. Appropriate elements of the list at 4.1 are consulted and at least three names are submitted to the First Minister by the Permanent Secretary with initial recommendations. The Permanent Secretary then submits the names with the agreed recommendation on behalf of the First Minister to the Honours and Appointments Secretariat for the Prime Minister to submit to The Queen.

In Wales, the process of consultation is carried out by the Welsh Assembly Government's Public Administration Division which consults, as appropriate, those individuals/organisations listed in paragraph 4.1. A recommendation is then made to the First Minister for Wales who, currently, then asks the Secretary of State for Wales to commend to the Prime Minister that the recommendation is made to The Queen.

In Northern Ireland, the process of consultation is carried out by officials in the Northern Ireland Office and reported to the Secretary of State for Northern Ireland. The Secretary of State advises the Prime Minister who then makes the recommendation to The Queen.

Honours and Appointments Secretariat

Cabinet Office

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