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Dear Accounting Officer

PARLIAMENTARY COMMUNICATIONS

Contact

Please address enquiries to toaenquiries@hmtreasury.gov.uk

Action

Each accounting officer should ensure they and relevant staff in their organisations are familiar with the guidance in this letter on communication with Parliament and act accordingly.

Context

A key element of propriety is meeting parliamentary expectations, especially transparency. While the primary document of record for central government departments and public bodies is the report and accounts, for matters with a high degree of parliamentary interest, accounting officers should actively consider sharing information on a timelier and/or more frequent basis.

Accounting officers will need to take a judgment on when this is appropriate, including drawing on their interactions with Parliament. It can include regular releases of information on issues where there is ongoing interest from the Public Accounts Committee (PAC), such as very large and/or high-profile projects in the Government Major Projects Portfolio (GMPP). It may also be appropriate to release information on a one-off

or time limited basis when pertinent to wider topical issues, such as if there is related legislation making its way through Parliament. In such circumstances, it is good practice to first discuss this with the Public Accounts Committee (and where appropriate, the relevant departmental committee) to agree exactly what information to share, and at what frequency. There is no requirement to limit communications with the PAC to formal hearings and responses provided through Treasury Minutes.

As Ministers are ultimately accountable for deciding what information is to be given and for defending those decisions as necessary, their views must be sought if a question arises of withholding information which a Committee has asked for. If official witnesses are pressed by the Committee to go beyond these limits, they should make clear to the Committee that they are unable to answer the questions as the line of questioning is for the relevant Minister and that they are not authorised by their Minister to go any further. Select Committees should respect this position and it is then for the Committee to decide whether to request the Minister to provide the evidence.

Where Ministers instruct an accounting officer that they are of the view the public interest is best served by keeping information confidential (for example if disclosure would undermine the government's position in commercial negotiations), it may be appropriate for the accounting officer and the Minister to agree whether there is the option of sharing the information with the relevant parliamentary committee(s) on a confidential basis and so facilitate scrutiny while maintaining the public interest concerned. This may include sharing of material such as accounting officer assessments that inform the seeking of ministerial directions or additional information from assessments where it may be beneficial if the committees are provided with more detail than can be included in published summaries.

In addition, where an accounting officer is planning to put information into the public domain, and that information is likely to attract a high degree of media and public attention, the accounting officer should ensure parliamentarians are properly sighted **in advance** on this.

In practice, this means ensuring that the information has been first shared with the relevant committees and they are aware of the publication plans. Accounting officers should remember that, unless there are otherwise agreed procedures in place, it is for the parliamentary select committee to determine whether and when to publish any correspondence and other formal documents sent to it.

That does not preclude government bodies from publishing the substantive information in another form. However, where urgency is required, the organisation should discuss with the Committee, and should not assume that information provided only in writing will have been picked up in time. Unless absolutely unavoidable, accounting officer should not publish information outside of normal working hours.

Finally, a reminder on some specific aspects of the hearings and reports of the PAC.

- Before publishing a report, the PAC will usually share a copy in advance (usually accompanied by a press notice) under strict embargo with the relevant department(s). This is purely for information, to allow the department to see the contents before it is published. Such reports have at this stage been signed off by the Committee, and there is no opportunity for the department to request any amendments.
- The government's formal response to a PAC report is provided through a Treasury Minute, which will be commissioned by Treasury Officer of Accounts Team. Guidance on providing any public comment in advance of that Treasury Minute is provided on pages 20 and 21 of the guidance on departmental evidence and response to select committees (known as the Osmotherly Rules).¹

Annex 1.1. of Managing Public Money² provides further details on Communication with Parliament, including a non-exhaustive list of specific areas where Parliament must be given information. The additional guidance in this letter will be incorporated into that annex as part of the next update of Managing Public Money.



David Fairbrother
Treasury Officer of Accounts

¹ <https://www.gov.uk/government/publications/departmental-evidence-and-response-to-select-committees-guidance>

² <https://www.gov.uk/government/publications/managing-public-money>