



**HANDLING CORRESPONDENCE FROM
MEMBERS OF PARLIAMENT,
MEMBERS OF THE HOUSE OF LORDS,
MEPs AND MEMBERS OF DEVOLVED
ADMINISTRATIONS**

GUIDANCE FOR DEPARTMENTS

CABINET OFFICE

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INTRODUCTION

1. The Prime Minister and Cabinet colleagues attach great importance to the effective and timely handling of correspondence. This vitally important interface with members of the public, Members of Parliament (MPs) and Peers should be given the highest priority.
2. The following guidance has been prepared by the Cabinet Office for officials working in Ministerial Correspondence Units or who otherwise routinely handle correspondence. Its purpose is to remind departments of the general principles they should follow when replying to correspondence from MPs, Peers, MEPs and Members of the devolved administrations. It also covers the handling of correspondence from the general public, correspondence received via email and the handling of petitions or campaigns. This replaces the guidance published in July 2005 and as before, contains detailed guidance on the handling of transfers of correspondence between departments, cross-departmental correspondence and the resolving of disputes. It also provides guidance on the handling of correspondence from Members of the European Parliament (MEPs) and Members of the Devolved Legislatures.
3. The guidance should be used in conjunction with any internal guidance departments may produce for officials who regularly draft replies to such correspondence. The same principles apply to the handling of Peers' correspondence.
4. Any questions on the handling of correspondence should, in the first instance, be directed towards the correspondence unit of the relevant Government Department.

Any questions specifically on this guidance should be addressed to:

Parliamentary & Correspondence Team
Cabinet Office
70 Whitehall
London SW1A 2AS

Telephone: 020 7276 0527

PERFORMANCE TARGETS

MPs and Peers

5. All departments should set targets for replying to correspondence from MPs. These targets (which may be different to the targets set for other types of correspondence) will be published in the annual correspondence report co-ordinated by the Cabinet Office (see paragraphs 56–59). Individual departments' targets for routine correspondence from MPs should be a maximum of 20 working days. Departments should consider setting themselves more challenging targets. When calculating the target date for reply, the clock should start the day **after** (Day 1) the correspondence was received.
- 6.. When calculating the response date for correspondence that has been transferred from another department, departments should treat such correspondence in the same way as correspondence sent direct from an MP, i.e. the clock should start the day after it was received by the department that agreed to receive the transfer. The originating department should notify the MP of the transfer.
7. All correspondence should be replied to within target where possible. However, on occasions, for example due to the complicated nature of a case, it may not be possible to respond to each letter within departmental targets. Where this is the case, departments should continue to set strict targets and ensure all correspondence is responded to as quickly as possible, keeping the MP informed when there is likely to be a significant delay in sending a full reply.
8. Departments may also wish to set internal targets for improving their handling of MPs' correspondence. These targets may be set out in departments' Service Delivery Agreements (SDAs) or Public Service Agreements (PSAs).

“TREAT OFFICIAL” CORRESPONDENCE

9. Although this guidance is primarily aimed at handling correspondence from MPs, Peers, MEPs and the devolved administrations, departments should adhere to the principles set out in this guidance when handling correspondence from members of the public. Departments should publish their own detailed guidance for dealing with treat official correspondence within their department, including deadlines for reply. Departments are encouraged to publish their performance in the handling of such correspondence on an annual basis, either online or in annual reports. Letters sent by individuals from overseas should be treated in the same way as letters sent within the UK.
10. Treat official correspondence is considered to be letters, faxes or emails replied to by officials, normally from members of the public. It should not include letters from MPs, Peers, MEPs, or members of devolved administrations where a

Ministerial reply is required or where Ministers have decreed that officials should reply.

11. When a treat official is the responsibility of another Department, the transfer should be handled in the same manner as correspondence from MPs, Peers, MEPs or members of devolved administrations. Departments should take a proactive view when responding to treat official correspondence, replying promptly and as helpfully as possible and only transferring correspondence where the majority of the content is not within their departmental responsibilities. It is recommended that Departments who have close links on similar policy areas work together to develop Memorandums of Understanding to ensure the transfer handling process works quickly and smoothly, in particular when large volumes of correspondence are received on one topic.

MEMBERS OF PARLIAMENT (MPs)

SUBSTANTIVE REPLIES

12. The right of MPs to take up constituents' cases and other issues directly with Government is an important part of the democratic process and underlines the accountability of Ministers to Parliament. It is essential that MPs receive carefully considered and prompt responses to their enquiries, addressing constituents' concerns. Every effort should be made to provide an MP with a substantive reply within the deadline.
13. A 'substantive reply' is where the response answers all or most of the points or questions raised in any correspondence.
14. Departments must ensure that:
 - (i) **all replies to letters from MPs are of the highest quality - accurate, clear and helpful.**
 - (ii) **every effort is made to reply promptly and in line with departments' own published standards for answering ministerial correspondence.**
15. Replies to correspondence should be properly referenced. Where the incoming item of correspondence has a reference number, this must be quoted in the reply.
16. As a matter of course, replies should be sent to the originating office of the correspondence (i.e. either the Parliamentary or constituency office) unless indicated otherwise by the Member concerned.
17. Where an MP has included a constituent's details in their correspondence, Departments should refer to the constituent's full address (including postcode) in

the reply. Officials should consider whether there is a need to consult with colleagues in other departments or Agencies. Officials must ensure that any consultation does not breach the confidentiality of the MP, or those of his or her constituent.

'HOLDING' REPLIES

18. Due to the complicated nature of some cases it may not always be possible to provide a substantive reply within department targets. Where this is not possible, departments should issue a 'holding' reply.
19. 'Holding' replies should:
 - (i) apologise that it will not be possible to send a substantive reply within departmental targets; and
 - (ii) explain the reason(s) for the delay, set out the action that is being taken to answer the MP's enquiries; and tell the MP when he or she can expect a substantive reply.
20. **Every effort must be made to reply to correspondence from MPs promptly and within the original deadline. A 'holding' reply will not count as a clearance of a case in respect of a Department's performance on handling correspondence. The original target date for reply will remain the same regardless of whether a holding reply is issued.**

TRANSFERRING CORRESPONDENCE

21. On occasions correspondence will need to be transferred to another department for reply, for example, if the receiving department has no policy responsibility for all or any of the subject matter in the correspondence that is received. Where this is the case and another department can be clearly identified as having that responsibility, the correspondence should be transferred by agreement within **3 working days of receipt**. An explanation should be provided if a transfer is attempted after 3 working days.
22. **Responsibility lies with the transferring department until the transfer has been agreed.** Where possible all transfer action should take place electronically, but originating departments should retain a copy of the original correspondence. **Any request for transfer to another Department should clearly state the reason for transfer**, as should any rejected transfer. All email communication between Departments regarding transfers should include full contact details (contact name, telephone and email) to ensure issues can be resolved in good time. Transfers should only be actioned once the case has formally accepted by another Department.

23. Occasionally disputes between departments may occur on who should handle certain correspondence where it is unclear which department has the lead policy responsibility. Disputed cases should be resolved by departmental correspondence units within **3 working days**. In extreme cases, if correspondence units fail to resolve the dispute; they should raise the matter with the relevant Private Office who should attempt to resolve the matter with their counterparts. **Exceptionally** further advice should be sought from the Head of the Direct Communications Unit in No.10. All disputes should be resolved within **5 working days**. It is recommended that Departments who have close links on similar policy areas work together to develop Memorandums of Understanding to ensure the transfer handling process works quickly and smoothly, in particular when large volumes of correspondence are received on one topic.
24. The MP should be informed about the transfer of his or her letter by the transferring department as soon as possible and the reason(s) for the transfer should be explained. This will help the offices of MPs when tracking the progress of their correspondence and in the allocation of future correspondence. The receiving department should also acknowledge the letter and set out when a reply can be expected.
25. Correspondence from MPs (and others) to UK Ministers, which deals solely with devolved matters will normally be transferred to the appropriate devolved administration for a substantive reply. Officials should note that correspondence can only be transferred where this does not breach the confidentiality of the MP or those of his or her constituent.

LIST OF MINISTERIAL RESPONSIBILITIES

26. Departments may wish to refer to the *List of Ministerial Responsibilities* for help in identifying the correct department to lead on a particular piece of correspondence. Copies of the *List of Ministerial Responsibilities* can be obtained online at Gov.uk - <https://www.gov.uk/government/publications/government-ministers-and-responsibilities>

CROSS-DEPARTMENTAL CORRESPONDENCE

27. MPs and Peers may write to a department raising a number of issues that cross the responsibility of a number of different departments. If the receiving department is responsible for responding to any part of any correspondence and can respond to the remainder by obtaining contributions from other Departments involved, they should do so in order to provide a fully joined up response. Where exceptionally, however, it is felt at the outset that any of the matters raised relating to another department would best be dealt with through a separate reply (e.g. due to the complex nature of the matter or where some significant research may be involved) the responsibility for replying to those matters should be transferred to the relevant department within **3 working days**. The correspondent should be advised where this is the case.

28. Contribution requests from other departments should be acknowledged and fulfilled within **5 working days**. Departments should ensure all contributions for cross-departmental correspondence are subject to the same quality clearance as other correspondence. **When departments are issuing a co-ordinated response they should make clear in the final reply which Department/Minister is responsible for any issue that does not fall within their remit** (As a courtesy, the relevant Department should also be notified).
29. In the rare exception it may be necessary for Ministers to sign off letters where it is not strictly a policy area they are responsible for. Where this is the case a background note should be attached setting out the reasons why the Minister should sign off the reply and where advice has been sought. Ministers should be prepared to take a pragmatic approach to signing off letters on cross-Government issues.

SIGNATURES/DUTY MINISTERS

30. **All correspondence to Ministers from MPs etc. should be signed off at an appropriate equivalent ministerial level**, including where possible correspondence received from Privy Counsellors. Where an MP has written about the day-to-day operations of an Executive Agency or a Non-Departmental Public Body, Ministers may authorise the appropriate Chief Executive to reply.

This apart, official replies to letters from MPs should only be authorised in **exceptional** circumstances, for example, when dealing with a large volume of letters on the same issue which would lead to a significant improvement in departmental performance handling or that it has been decreed that under certain circumstances an official reply would be more appropriate.

31. Where the appropriate Minister is unavailable to sign off correspondence because of absence, departments should consider making arrangements for the Duty Minister to sign in his or her absence
32. During periods of Parliamentary recess departments should ensure they have a formal Duty Minister process in place. Departments may wish to gain Ministerial approval to sign off correspondence electronically, or gain Ministerial approval for a Private Secretary either to sign off correspondence on behalf of a Minister or, if the Minister is in agreement, to respond to the correspondence on their behalf.

CONFIDENTIALITY

33. MPs may write to departments about personal matters relating to their constituents and/or attaching confidential information that relates to them or other matters. Where this is the case, departments should treat correspondence with

great care to ensure that confidentiality is not broken. If there is any doubt, the MP should be consulted about any areas of difficulty that may arise. Departments should also consider the requirements of any relevant legislation when handling or disclosing personal information.

CAMPAIGN LETTERS

34. MPs may write to departments as part of a larger policy campaign. All types of correspondence from MPs should be treated equally and any response should be sent within departmental targets. Departments may wish to consider the use of a formulated standard reply when responding to similar or identical campaign letters on a particular subject. Departments should consider setting a threshold level for the drafting of a standard reply (for example 50 letters received on the same subject). MPs should be aware that they may not receive an individual tailored response to every piece of identical campaign correspondence.
35. Departments may also wish to 'pre-empt' a campaign in its early stages by issuing a 'Dear Colleagues' letter to all MPs on the government's stance to be provided to constituents.
36. When a campaign originates from an individual or specialist interest group other than an MP or Peer, Departments may wish to locate the source of the campaign (for example if orchestrated by an organisation's website) and provide a standard response from a Minister in an effort to avoid further campaign correspondence.

E-PETITIONS

37. Members of the public or specific interest groups are able to highlight issues to the Government via the e-petitions website.

E-MAIL CORRESPONDENCE

38. Some MPs prefer to correspond by e-mail. Departments should ensure systems are in place for those MPs who wish to do so. E-mails should be treated and monitored in the same way and subject to the same response targets as formal written correspondence. Replies should either be in the form of an e-mail or letter. Departments should agree to any requests from MPs to correspond solely via electronic mail.
39. Departments may wish to consider offering the public the ability to submit issues via an online web form on their Gov.uk website as alternative to e-mailing or sending in 'treat official' correspondence. Submissions via online forms should be handled in the same manner as all other treat official correspondence.

40. Departments should ensure they follow the appropriate guidelines on the handling of electronic data.

MEMBERS OF THE HOUSE OF LORDS (PEERS)

41. Departments should apply the same principles and standards set out above for MPs when dealing with correspondence from Peers.

MEMBERS OF THE EUROPEAN PARLIAMENT (MEPs)

42. Departments should apply the same principles and standards set out above when dealing with correspondence from MEPs.
43. The FCO Consular Division (fcocorrespondence@fco.gov.uk) should be consulted on correspondence about consular cases. If an MEP requests briefing in preparation for an overseas visit, these should be given equal priority as similar requests from MPs.

MEMBERS OF THE DEVOLVED ADMINISTRATIONS

44. Members of the devolved administrations comprise members of the Scottish Parliament, the National Assembly for Wales and the Northern Ireland Assembly.
45. As a matter of good practice it is recommended that all correspondence from members of the devolved administrations should receive a ministerial response, apart from correspondence which is referred to Agencies where a Chief Executive response may be more appropriate. Departments must ensure that they have a clear and consistent policy which can be explained to Members.
46. When putting in place procedures for the handling of correspondence from members of the devolved administrations, departments should in particular note the following:
- (i) All correspondence to UK Ministers from Scottish, Welsh or Northern Ireland Ministers should receive a Ministerial reply;
 - (ii) All correspondence from First Ministers (and the deputy First Minister in Northern Ireland) should receive a response from the Secretary of State (subject to para iv with regards to Northern Ireland)
 - (iii) All correspondence to UK Ministers from members of the devolved administrations who are also Privy Counsellors should receive a Ministerial reply. This should be from the Minister to whom the letter is addressed; and

- (iv) All correspondence to UK Ministers from the First and Deputy First Ministers in Northern Ireland should receive a Ministerial reply and responses must **always** be sent to both ministers. This can be achieved by either sending a single reply **addressed to both the First Minister and deputy First Minister** or alternatively two letters may be sent separately to both of them provided each concludes with a phrase such as *“I am writing in the same terms to the First Minister/deputy First Minister”* in order to make clear that both Ministers will be receiving a reply. .

MONITORING AND THE ANNUAL REPORT

47. The Cabinet Office publishes an annual report (on a calendar year basis) detailing departmental performance in the handling of Members’ correspondence. The Report includes details of:
- Departmental targets for replying to ministerial correspondence;
 - Volume of correspondence received (from MPs and Peers); and,
 - Percentage of replies within targets.
48. Departments should ensure robust systems are in place to monitor the handling of correspondence for internal purposes and for the Cabinet Office annual report.
49. The annual report is based on substantive replies only. Therefore when compiling their annual return, departments should not include details of acknowledgements, holding replies or correspondence that has been transferred to other departments.
50. Annual reports only include departmental performance on the handling of correspondence. **FOI requests are handled separately and should not be included in correspondence statistics.** Therefore departments should only provide information on the handling of non-FOI requests when submitting their annual returns.

FREEDOM OF INFORMATION (ACCESS TO INFORMATION)

51. **All requests for information under the FOI Act including letters from MPs and Peers should be handled in accordance with the requirements of the Act.** Guidance for Departments on the handling of FOI requests is available separately at www.justice.gov.uk/guidance/guidancefoi.htm. Requests for environmental information should be treated in accordance with requirements of the Environmental Information Regulations (EIR) 2004, guidance on the handling of EIR requests can be obtained at www.defra.gov.uk/corporate/engov/eir/index.htm.
52. Departments should ensure that they adhere to guidance produced by the Information Commissioner on dealing with requests for MPs’ correspondence

relating to constituents. Guidance can be accessed at http://www.ico.gov.uk/upload/documents/library/freedom_of_information/detailed_specialist_guides/guidance_on_dealing_with_requests_for_mps_6_august_version1.pdf

53. When dealing with requests for, or about MPs' correspondence, where it is proposed that information be released, departments should consult the MP(s) concerned.
54. The performance on the handling of FOI and EIR requests will be recorded separately.