

“POLITICISATION” AND THE CIVIL SERVICE

A note by Robin Mountfield

This note was mostly written in 1999, but revisited in 2002. It deals with two aspects of the question of politicisation of the Civil Service. The first is the treatment of press officers in the aftermath of the 1997 Election; the second, leading from the first, is the wider issue of whether the traditional British model of a non-political Civil Service is sustainable.

The Government Information and Communication Service

The dread word politicisation was not much heard before the 1997 Election. In the eighties I used to wonder whether a politically neutral Service could long survive a political system pulling to the (relative) extremes – Thatcherism and Bennism – which threatened to leave an intuitively centrist profession slung impossibly over a treacherous chasm. But the political parties pulled closer together; and by the time of the 1997 Election there was little talk in the political parties or in the media or in the Service about whether Labour could work with Mrs Thatcher’s ‘one of us’ Civil Service – as there had been in 1964 after ‘13 wasted years of Tory misrule’. On the contrary, there was a positive euphoria in Whitehall at the way new Ministers and old mandarins could get down to work.

Yet within weeks there were ominous creaks in the timbers of the Whitehall village – not (at least in most departments, though exceptions were reported in the papers) in the mandarinate itself but in the Government Information Service. Several long-serving Heads of Information were removed, having allegedly been felt by their new Ministers to be either personally incompatible or professionally wanting compared with the paragons of Opposition Millbank: both complaints were heard, in different proportions. Several Ministers were said in the press to want to appoint their own chosen supporters – either direct from the media or from the Walworth Road/Millbank machine, and either as Special Advisers with executive control or as normal Civil Servants but without the proper competitive recruitment process.

As the Autumn wore on this issue became more tense – on the one hand Ministerial dissatisfaction with the GIS, on the other concern about politicisation of appointments and of the things the GIS was expected to do. I was asked (not by Ministers, but by Sir Robin Butler) to chair a small working group to review the whole thing.

A book published in 1999 (‘Sultans of Spin’ by Nicholas Jones) spent some pages seeking to demonstrate that the report made me (and by implication the rest of the working group) a stooge of Alastair Campbell - simply rubber-stamping all the changes he had told people he wanted in order to reinforce his control-freak dominance of the

Whitehall information machine. Nicholas Jones is an experienced lobby journalist, but not, it seems, a careful reader of official prose. He said (page 168) that I considered ‘there was no danger of the information service being politicised’. On the contrary, much of the report was directed specifically to averting the risk of politicisation – of appointments, by some very direct recommendations; and of practice, by specifically reaffirming the long-standing guidance on propriety (which was set out in full in an Annex) and by a new Best Practice Guide of which a draft was also included.

The Report started with a statement that the effective communication and explanation of policy and decisions should not be an after-thought, but an integral part of a democratic Government’s duty to govern with consent. It certainly addressed the need for tight co-ordination of the Government’s information activities: that is not in itself a bad thing – indeed it is really common-sense, if inconvenient for journalists trying to make a story from inconsistent reports from different sources. It recalled the awkward fact that effective presentation may carry political benefits for the Government party, but noted that, provided it is consistent with the Civil Service Code and the Guidance on the Work of the Government Information Service, such benefits are accepted as part of the natural advantages of the incumbent which can accrue to the Government party under the British political system: that is not some novel post-Election rationalisation but taken straight from the text of guidance in existence for many years. The Report also made proposals – mainly formulated within the information service itself – for modernising its practices which in some parts, though by no means all, had failed to keep abreast of changes in the media world.

It also stressed the need for information officers to be kept much better ‘in the loop’: in some Departments, Special Advisers had been seen by journalists as a more reliable source of information on their Ministers’ views than the Departmental press office. This was not new – it had become a recognised role of Special Advisers under the previous Government too – but in some cases, of which the Treasury was a much commented-on example at that time, it had become a serious problem. It is not true, as Jones alleged, that the Report was silent on the question of who should police the relationship between Special Advisers and Press officers – on the contrary, as well as making specific and important proposals on how the relationship should work, the Report placed responsibility on the Permanent Secretary, with the Minister, to monitor it closely and take steps to correct any tendency to diverge.

It was the furore following the much-publicised departure of several Heads of Information that more than anything else led to the setting up of the working group. On this issue, the Report strongly re-asserted the orthodox non-political basis of appointment. There were only two permissible routes. If the appointment was to be from within the Service, the Minister could choose from a short-list put to him by the Department (often after some form of internal competition). In that case – as with a Private Secretary appointment – the Minister might make a personal choice – though the Report warned against over-doing personal chemistry, tartly observing that appointments could not sensibly be subject to successive chemical reactions whenever a Minister changed.

The second, and only other, route was open external competition, supervised directly by the Civil Service Commissioners. A Minister could then only accept the recommended candidate, or the first recommendation if more than one were judged acceptable. He could not (since the Commissioners' rules were changed following Ken Clarke's preference for Derek Lewis over other 'acceptable' candidates as head of the Prison Service) choose between 'acceptable' candidates: if he was unwilling to accept the first name, the only course would be to re-run the competition from scratch. These arrangements were re-stated explicitly, and they leave no room (as it was alleged some new Ministers wished to do) for them to parachute their own candidates in. On this essential point, therefore, the report firmly reasserted the non-political status of the Head of Information and of the information service.

But what of Alastair Campbell's own position? Unlike Bernard Ingham and other Chief Press Secretaries, Campbell was a Special Adviser, explicitly relieved of the obligation of neutrality: was this not a breach in the dyke? I do not believe it was. Giving evidence to the Select Committee on Public Administration on 23 June 1998, I said that "the appointment of Alastair Campbell with an explicitly political role actually clarifies the position, it is a more honest position... We are all very jealous, particularly those of us who have been permanent civil servants for a very long time,...of preserving the non-political status of the career Civil Service and I think Alastair Campbell's position as a Special Adviser actually helps to preserve that by clarifying the distinction between the two positions." That remains my view. There is a separate question about whether, as some allege, the Special Advisers in the No. 10 Press Office go beyond the limits of their Special Adviser status into Party activities which should not be paid for from public funds. Sir Richard Wilson in his evidence to the Select Committee referred to "the difficult boundary between effective presentation and party political advocacy". No-one who has ever tried will pretend it is an easy boundary to define, essential though it is to draw and police. On the narrower question of whether career information officers were systematically being drawn into improper activities, I do not think that in my time they generally were.

So it is simply not true that the working group I chaired had merely done Campbell's bidding, as Nicholas Jones alleged. The working group, which included senior people quite capable of making up their own minds, made its recommendations because they believed they were right, not because Campbell wanted some of them. The Report was a carefully balanced defence of the non-political system. It placed stress – and not just for form's sake – on the existing propriety Codes; on observing Parliamentary propriety; on political neutrality and the need for information officers to be not only bright-eyed and bushy-tailed but also trusted for accuracy, detachment and even-handedness. And it re-asserted the rules on non-political appointments: it is true that many went, some of them in circumstances I regret; but none of the replacements in the end were placemen.

In retrospect I think that although the Report dealt firmly with political intervention in appointments, it failed to address adequately one important aspect of this issue – the power of Ministers to dismiss, or squeeze out by one means or another, a press officer

whose face did not fit. This is not an easy problem, for two reasons. First, it has always, and sensibly, been understood that in a case of genuine and protracted personal incompatibility, one or other of the incompatibles has to go (this is the ‘personal chemistry’ point addressed in the Report). But this is clearly inconsistent with a non-political Civil Service if it is used systematically to allow Ministers to surround themselves with personal courts. At the level of the individual, the practice is made more painful by the now near-universal prevalence of job-advertising and competition for posts (not an unalloyed advantage for the Service) rather than the previous model of managed career-development postings; this has meant that a Ministerial insistence on a change has recently often meant the enforced departure of an individual from the career Service, rather than merely a move to a new posting. Second, the ‘squeezing out’ process is not always as clear-cut and identifiable as to be a dismissal, and therefore equally difficult for the individual to challenge and for the system to guard against. It is a real and possibly a growing problem none the less.

The original version of this note, written in 1999 not long after I retired, was marked ‘Strictly Personal’, and I sent it only to a small number of former colleagues and recognised outside experts, on that basis. It nevertheless found its way, by means I have not discovered, into Nicholas Jones’ hands; and he returned to the question in a second book, ‘The Control Freaks’, published in 2001. Commenting on my note, he acknowledged that the working group had genuinely sought to protect the non-political status of civil servants, but went on to say I had failed ‘to understand the mechanics of the spin-doctoring techniques that Labour had mastered in opposition’, and particularly that I had not addressed ‘the overriding requirement for the communications strategy of a democratic government: the need to provide a level playing field when releasing information to the public, with equal access for all news outlets’ (page 242). These issues lie beyond the scope of this note; I comment here only that I think he exaggerates how much of a change there has been in ‘trailing’ announcements, in by-passing Parliament, and in selective release of news or comment to temporarily favoured recipients. I also think he, and others, fail to recognise that ‘spinning’ has so far over-reached itself that it has become almost counter-productive, and that a self-correcting mechanism is therefore at work.

The Wider Issue of Politicisation

Since these events, the sustainability of a non-political Civil Service on the British model has become increasingly a matter of conjecture. The British Civil Service is now, apart from Canada’s, virtually the only major Civil Service in the developed world to remain genuinely unpoliticised in its upper reaches. Others – in Europe, in the Old Commonwealth – may claim to be, but no longer are. Appointments of the new and dis-appointments of the old may not always clearly follow from Party allegiance, but they reflect Ministerial preference and thus personal and political rather than constitutional and institutional loyalty. In the American system, most of its top three layers changes every four years to make way for new Presidential appointments. Political neutrality is clearly not the only way of doing things.

The neutrality of the British Civil Service still enjoys the formal support in principle of most parts of the body politic. The Minister for the Cabinet Office (Dr Mowlam) re-asserted it categorically in a Parliamentary Answer on 10 November 1999:

“The Government are committed to maintaining a permanent and impartial civil service and to upholding the principles of integrity, honesty, impartiality and objectivity set out in the civil service code. That commitment is reinforced in the ministerial code.”

But politicians are, in the main, human beings; their support for neutrality has not prevented some politicians of both main parties hankering when in Government for senior officials who espouse their policies with open enthusiasm – people who are ‘one of us’, though not necessarily party supporters. They can sometimes interpret the detachment of career officials as obstruction. They like to have about them people who will pursue their policies with personal commitment – not ones who will do a Vicar of Bray on them. Politicians, and many members of the public, find it hard to understand how a Civil Servant can spend large chunks of his career, as I did, first nationalising industries and then privatising them, without becoming cynical.

The case for political – or Ministerial - appointments to the most senior and the most critical posts is indeed by no means a negligible one. Cynicism is not, in my experience, a hallmark of British mandarins; professional scepticism is. And although intellectual rigour and the ability to ask the hard questions is a quality often under-valued by politicians, it can develop into a certain world-weary contempt for new ideas. Indeed, apart from replacing world-weariness with enthusiasm, perhaps the strongest case for more Ministerial appointments is the introduction of new blood and new ideas into the profession.

The career basis of the Civil Service has been its central feature since Northcote-Trevelyan (justified in their 1857 Report on the principle of “get them in young and they won’t notice they’re being under-paid for the rest of their lives” – a principle which has survived to the present day). The political neutrality in a sense follows from the career basis rather than preceding it – if you join for life, you must serve successive Administrations; and if you must do that, you had best not be aligned too closely with any political party.

The case for political neutrality is thus closely linked to the career cadre: continuity of experience, not just of a particular policy area (often fairly specific, like tax policy or the social welfare system) but of the working of the Government and the Parliamentary machines – these are a professional specialism in their own right, and the Service does itself no favours by describing the mandarins as generalists.

The career cadre has one other essential characteristic – the nurturing of a common ethical base of accepted standards: standards not easy to legislate for in a Code (though the Service waited too long to write them down systematically), yet drawing immense – and internationally envied – authority from the way they are bred in the bone .

But the career-based political neutrality also carries with it an intellectual bias towards analysis, comparison of alternatives and the instinctive subjection of ideas to rigorous and sceptical questioning. These qualities must not be carried into excessively academic detachment, an over-literary method of communicating or a negative approach to new ideas (and these are all dangers to which the Service sometimes succumbs, as its critics outside, inside and in between commonly accuse). But they are qualities necessary somewhere in the decision process.

The Service has devoted a great deal of effort in the last 15 or 20 years to developing its management skills – with far greater success than is generally recognised. It is not generally appreciated, in all the chatter about failure to ‘deliver’, that in the areas of public services delivery directly in civil servants’ hands – the 80% of the Service in Agencies etc – productivity rose by about 3% per annum in the 90s, much faster than in the private service sector; and that most aspects of service quality also recorded substantial and measurable improvements. Other areas of public service ‘delivery failure’ for which Ministers tend to blame the Civil Service are no more in the gift of civil servants than they are of Ministers themselves – transport, education, health, local government: the contribution of civil servants in these areas is an aspect of their advice to Ministers rather than their own ‘delivery’. In the area of advice, however, there is more room to question how far the Civil Service has performed well. Many civil servants have felt uneasily for some time that their policy-analysis and policy advice skills, though generally impressively strong by external standards, have not developed in parallel, and indeed have not always responded adequately to the growth of academic, think-tank and pressure-group influences on policy. The Civil Service is no longer the monopoly provider of policy advice to Ministers; we live in an altogether more plural world. Recent developments like the re-launch of the Civil Service College in the new Centre for Policy and Management Studies reflect the determination of the Permanent Secretaries to sharpen these skills for a new environment, and especially to develop a new receptiveness to new ideas and influences, alongside the infusion of new people into the Service at all levels of the policy process.

But the career structure is subject to multiple challenges. One of the most important of these is perhaps the secular shift towards more mobile careers; whether we like it or not, many younger people inside the Service and outside it do not now naturally think of working for a single employer for life. The Service has always offered extraordinary variety within its own boundaries: but today the commitment to an institution is weaker than it was.

Quite apart from this secular change, there is a new emphasis on increasing the infusion of new skills, ideas, experience and cultures in each age-group in the Service. During the Second War, and in the Reconstruction period just after it, the Civil Service benefited from a major influx of new talent. In the sixties and seventies, the profession to some extent closed in on itself, and ‘late entrants’ (itself an illuminating phrase) were relatively few, and mainly at the middle level. There is now – and has been for the last ten years or so – a much increased emphasis on new blood. This has especially been in the Executive Agencies and in professional specialisms; but there is now a clear, and very welcome,

recognition that the Service needs to enrich its mix of talent and experience to recruit the ablest people not only straight from University, not only as Agency Chief Executives or even as Permanent Secretaries (most of whose posts are now open to outside competition) but at each level of policy advisers and managers.

Provided these people are genuinely recruited by competition on the basis of excellence, and not just because the face fits or the opinions suit, and provided they intend and are able to work equally loyally for an alternative government, I have not a shadow of doubt that the Service will benefit from it – a view shared by all my former colleagues. It must be said, though, that the disparity of pay levels, which rises exponentially at the higher levels, is a major obstacle to external recruitment. Recent changes to pay-scales with apparently big increases at the top may be largely illusory unless there is a commitment to increase the size of the pay ‘pot’ to fund the discretionary increases they would apparently allow – which has not happened previously when pay scales for the Senior Civil Service have been extended. Even with these new increases, the gap between top pay in the Civil Service and total remuneration (base pay, bonus, share incentives etc) of comparably exceptional people in a major listed company is a factor of two or three or even more; more still compared with the City. Either people must be brought in at higher levels of pay than existing insiders (which produces bigger tensions the more frequently it happens), or general pay levels must be increased significantly (which still seems improbable), or the Service will not find many really outstanding people willing to come in.

But there are risks in this weakening of the career basis. In one sense, the very purpose of bringing more people in from outside is to weaken the strong corporate culture of the Service in its inward-looking exclusiveness. Yet it is precisely that strong culture that nurtures the great virtues of the British Civil Service. Anyone who has visited overseas bureaucracies and lectured widely abroad, as I have done in recent years, cannot fail to be impressed by the extent to which the British Civil Service is respected in other countries, for two distinct reasons. The first, which might surprise critics at home, is that it is regarded as one of the two or three principal exemplars of modern public administration reform, widely emulated abroad. The second is the professionalism, the political neutrality and most especially the ethical standards and incorruptibility of the British Civil Service, which are regarded with envy throughout the world. It would be foolish to pretend that those who come late to the Civil Service must be personally less than professional, ethical or incorruptible; but the dilution of the career coherence of the Civil Service puts its ethical coherence under pressure too. That is emphatically not a reason for not opening up the Service; but it is a reason for being extremely careful about how we do it. Simply increasing the number or widening the role of Special Advisers (however capable or expert they may be individually) lays the whole body politic open to the patronage and jobbery which it was Northcote-Trevelyan’s great legacy to stop.

The problem of Special Advisers has received much recent attention, and I do not deal with it in this note. There are issues about their number, their role, their selection and terms of service, their accountability, all of which bear indirectly on the political neutrality of the Civil Service. My own view is that the greatest immediate threat the

Special Advisers in their present form pose to the Civil Service is not politicisation of civil servants but their marginalisation in the advice process. But it is not difficult to envisage Ministerial interest going wider, into outside appointments on a semi-personal basis to positions of direct managerial authority as well as the present role of advice and influence. The use of secondments outside the full rigour of the Commissioners' rules is one worrying area; unpaid advisers with no accountability is another. The case for a Civil Service Act to help regulate these things is in my view a strong one, even though in itself it can do little more than influence the climate.

Another major risk in changing the career basis of the Civil Service is to the existing accountability structure. The pressures to increase the external accountability of civil servants to Parliament and the media are increasing generally; but if appointments continue to be made on the basis of political neutrality, these pressures should be manageable. If appointments come to be appointed on political or personal grounds, however, it would be hard to avoid a more public form of accountability going beyond the present convention of accountability through Ministers. The American system, with confirmation hearings and answerability to congressional committees, is one illustration of this; but even in 'Westminster model' administrations where top appointments are now personal or political ones, the tendency is for individuals to become in effect political figures in their own right, for their views to be known, and for the Minister's own accountability to be diluted accordingly. Now many would regard a development on these lines as good for the UK, good for open government, and good for the robustness and rigour of the advice process. Maybe: but no one should under-estimate the extent and significance of the changes that would flow from it in the constitutional relationships of Ministers, civil servants, Parliament and the media. Changes of that kind should not be allowed to creep up by degrees; they should be made consciously after careful thought and public debate.

The challenge for the next few years is to retain the virtues of a non-political service whilst at the same time opening it up to newcomers who will – and should – counter the bad effects of a wholly career-based system whilst retaining and reinforcing the good. The way we do things is not the only way, as international practice shows. It has its faults – though much is being done to tackle them. But it also has immense virtues that inter-weave with the rest of our constitution. The political neutrality has not yet been lost; but we should not imagine it is invulnerable. If changes were ever to be made, they should not be made by accident or by stealth, but openly after proper consideration and public discussion.

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