

## **The Future of the Civil Service**

This is a note of the principal points made and arguments deployed at a conference hosted by the Public Administration Select Committee on 29 October 2003.

### History

The conference was being held 150 years after the publication of the Northcote-Trevelyan Report in November 1853, and over 80 and 40 years after the Haldane and Fulton Reports respectively. Maybe it is time for another root and branch review of the role and effectiveness of the civil service?

### Overview

Northcote-Trevelyan promoted modern civil service values as a means of improving the effectiveness of the civil service. They were not in conflict. This still applies 150 years on. It would be wrong, on the one hand, for the civil service to become politicised. But it would be equally wrong for it to be ineffective. The aim was to find a way between these two risks.

### The Current Civil Service

There was no doubt that the civil service needed to evolve and change. The quality of the Senior Civil Service (the SCS) may be generally high but it is very variable. It certainly needs to become more outward looking and engage more successfully with outside stakeholders. It is very good at “managing upwards” but not very good at self-analysis:- identifying and rectifying its own weaknesses.

But open competition is bringing about significant change. It is currently estimated that the SCS will eventually be comprised of c30% external candidates and only 70% internal promotions. As an example, it seemed inevitable and sensible that the Department of Health and the National Health Service should become increasingly integrated, with merged skill sets.

And considerable effort is now being put into improved performance management, including more honest reporting.

All these changes mean that the old assumption of a career for life is now moribund. This will inevitably have significant consequences for the old “implicit contract” in which demanding barriers to entry and subsequent high professional standards were rewarded by a moderately-paid but very secure long-term career.

## Ministerial involvement in Open Competitions

Concern has been expressed about the Government's suggestion that Ministers should be allowed to choose between a number of candidates judged suitable for appointment following open competition.

In favour of the suggestion:

- It was noted that all the candidates would have been approved by the Civil Service Commissioners (CSC)
- It was sensible to allow the relevant Minister to appoint someone who matched their "risk appetite":- i.e. some Ministers would prefer a cautious candidate, others would prefer someone more willing to push policy boundaries. It would be difficult for the CSC to take account of this during the appointment process.

On the other hand:

- It is necessary to appoint the best person for the job. This points to the need for "appointment on merit" via open competition.
- "Merit" is not an abstract concept. People need to be matched to jobs. The CSC accordingly believe that "merit" is particular to the job, which in turn means that it is particular to a certain set of circumstances at a particular time.
- The appointment is not particular to the relevant Minister. After all, Ministers move on very frequently. DFID had three Secretaries of State in 6 months during 2003! But the Minister and the appointee clearly need to be compatible. The CSC accordingly take great care to encourage the responsible Minister to describe the sort of person that they want to employ.
- The civil service needs to maintain the confidence of administrations of different political persuasions. This points to the need for an apolitical appointment process.
- Indeed, a new Minister could legitimately disavow the choice of a predecessor, especially if from a different political party.
- Open and merit-based competition has the incidental benefit that it improves diversity.
- Ministerial involvement in the appointment process would encourage ambitious civil servants to suck up to Ministers, to the detriment of the giving of honest advice.
- Experience had shown that Ministerial involvement in appointments has often caused serious problems. The most prominent example was possibly Ken Clark's appointment of Derek Lewis as Head of the Prison Service. Unfortunately Mr Lewis had not hit it off with Michael Howard, and this caused serious problems. A number of special adviser and "Czar" appointments has also turned out to be unfortunate.

- The Government's argument that, since Ministers are given a choice of candidates when making appointments to public boards, the same procedure should apply to the SCS, was unconvincing. The roles of, say, the Chairman of the Financial Services Authority and of a senior civil servant are very different. The Chairman is an independent officer chairing an independent board with statutory duties. The civil servant works at the centre of government ready to serve Ministers of varying political persuasions. This suggests different recruitment processes.

### Special Advisers

The issue here was the Government's suggestion that special advisers should be allowed to convey Ministers' instructions to, and commission work from, civil servants.

Most speakers thought that media-driven concern about special advisers had been greatly overdone. There were after all only 74 advisers currently in post, of which 37 were in the offices of the Prime Minister, the Deputy Prime Minister and the Chancellor.

There was nevertheless concern that it would be difficult, in practice, for middle-ranking officials to be sure that the special adviser was not embellishing the Minister's views, or representing his/her own views as those of the Minister. An official who sought to double-check might be seen as obstructive.

But others thought that the proposed change merely encoded present practice where officials regularly received steers from special advisers, and welcomed them. Serious decisions would inevitably need to be recorded in some formal way and thus would need formal Ministerial approval.

### A Civil Service Act?

Although the Government remained committed to such an Act "in principle", it needs to compete with "other legislative priorities".

And if such an Act ever saw the light of day, it would concentrate on "values". Decisions about the management of the civil service would still be implemented via Orders in Council. And Codes of Practice (such as those governing the behaviour of special advisers) would be authorised by the Act – and no more than that. The Act would not be a straitjacket.

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