

Civil Service Reform - Hidden Dangers?



Better Government Initiative

Civil Service reform - hidden dangers?

Foreword

It is perhaps unsurprising that, at a time of deep and sustained economic and public expenditure problems, relations should be difficult between some Ministers and their civil servants. Options for policy changes involving expenditure are heavily constrained. Ministers rightly sense the urgency of improving our economic competitiveness and of finding better quality and cheaper ways of delivering public services and are frustrated by the pace of change. The civil service – though not itself the determinant of policy or responsible for most public service delivery- is at times an easy and convenient target for attack and blame.

The Better Government Initiative (BGI) does not believe that the civil service should be immune from criticism. We have our own ideas to offer on areas where the civil service can and must do better, drawing on our extensive experience of achieving successful change. However, we believe that the current blame-game and some of the changes being championed could have far-reaching and undesirable consequences and that a more careful analysis is needed of the risks involved to the roles of the civil service in our constitutional context. We have attempted such an assessment in the attached discussion paper.

We welcome much of the Coalition's reform programme for the civil service as set out in *The Civil Service Reform Plan* and the recently published *One Year On Report*. We strongly support some of the "Further Actions" identified in the *One Year On Report* for improving delivery of major projects and building capability including through deploying talent more effectively. But we have substantial concerns about some aspects of the proposals on supporting Ministers and on the role of Ministers in top appointments.

The starting point for our concern is the recognition that the civil service has three important functions that tend to be underplayed or ignored in current debate about the civil service:

- It has what one current senior Minister has termed as a 'guardianship' role in helping to ensure that government as a whole acts with propriety and in conformity with the law. As he put it, the administrative civil service provides a continuing safeguard that ministers of any persuasion will not be able to use the machinery of the state to personal or party political advantage. But the civil service value of impartiality is not just about political impartiality. It is also intended to ensure that non-corrupt state servants treat all citizens impartially under the law. Because in this country we are so used to the sustained application of these and the other civil service values, we perhaps underestimate their importance and forget how comparatively rare they are internationally.
- The 'Whitehall' civil service in particular supports Ministers in the management of decision making in government. This is an expert and professional task supporting evidence-based analysis, collective decision-making by Ministers, effective dissemination of decisions and their implementation, and subsequent evaluation of whether objectives were achieved. Its antithesis is 'sofa government' and varieties of 'kitchen cabinet' - it is not difficult to call up examples of dysfunctional decision-making of this kind.
- Officials are expected to provide objective advice and not simply to say what they think the Minister wants to hear - the notion of 'speaking truth unto power'. Of course the best Ministers welcome and encourage this; but not all Ministers want to hear alternative views or have the confidence required for such a dialogue.

These roles have been underpinned throughout the modern era by a permanent civil service, with the values of integrity, honesty, objectivity and impartiality, which is recruited on merit. In our view promotion and top appointments, and the increasingly important dimension of decisions to terminate appointments, need for the same reason also to be determined on the basis of merit, rather than on the basis of personal or political links or their absence.

Against this background, we have a number of concerns about the proposals in the *One Year On Report* on supporting Ministers:

- The proposed Extended Ministerial Office could, we are told, have staff personally appointed by the Minister with roles including support for policy formulation and implementation which parallel or mark the work of the department. This is not a new idea - there is plenty of evidence of its benefits and pitfalls in the rather different context of relations between No 10 and departments (or of the Treasury under Gordon Brown, both internally and in relation to other departments). We welcome the proposal to appoint more expert advisers, providing they are genuinely expert. Beyond this, such a model runs risks of confused accountability and responsibility and we worry that such Extended Offices also risk becoming institutionalised cocoons impervious to dissenting opinions or unwelcome facts. We note that, in the championing of this proposal, there has been little recognition that UK departments of state already have an unusually large number of Ministers (with supporting staffs) by the standards of international comparators. A better starting point might be to concentrate on building effective Ministerial teams within departments.
- Some Ministers perhaps also hanker after a Chief of Staff heading this extended office who is politically or personally linked to them. Again this is not a new phenomenon and there is evidence of its risks as well as its merits.
- Experience suggests that, if the Extended Office model is to be taken forward while maintaining the merit principle, there will need to be a clear role for the Permanent Secretary in determining the grading of posts and the personnel management of the civil service element of the Extended Office on the same basis as other departmental staff.

As to the proposals on greater Ministerial involvement in appointments:

- We welcome the recognition that there needs to be more continuity in top appointments (though we note that the proposed five year tenure for Permanent Secretaries appears to have been borrowed from New Zealand without other safeguards in that system; in practice it could lead to undesirable churn as the cliff edge of departure or reappointment approaches).
- We note that some proponents of greater Ministerial involvement argue their case on the simple proposition that a Secretary of State must be allowed to choose his/her Permanent Secretary because this relationship and the Permanent Secretary's competence are key to success. This proposition logically applies to each Secretary of State on taking up his/her appointment in each department. Given the rate of turnover of Secretaries of State, it would potentially lead to even more churn in appointments than is already the case and probably to the personalisation, if not the politicisation, of the Secretary of State/Permanent Secretary link.
- We support Ministerial involvement in appointments on the revised basis already introduced by the Civil Service Commission. If churn is to be reduced and a permanent, non-political civil service sustained, when a vacancy arises the current Minister must act within this process not just for her/himself but as a custodian of the interests of her/his successors of whatever party. Once this is recognised, the case for the process as a whole to be carefully regulated and merit-based rather than personalised becomes much clearer.

The BGI argues generally for more evidence-based, objective analysis, which looks at whole systems and is alert to unintended consequences. This applies to reform of the civil service no less than other areas. The civil service needs to be seen in its wider government and constitutional context.

The relationship between Ministers and civil servants is a two-way process. Competence in central government in its widest sense is an issue about both Ministers and civil servants. We hope that further discussion of these issues will be set in this wider context – though we doubt this will prove to be the case.

Moreover, successive administrations have recognised that the Civil Service as an institution does not simply belong to the government of the day and, if major changes are contemplated, these should be addressed on a cross-party basis, through Parliament or another inquiry process.

Sir Richard Mottram
Chair, the Better Government Initiative
July 2013

Civil Service reform - hidden dangers?

Introduction

The Civil Service is experiencing a period of sustained criticism including public attacks on it by some Ministers accusing it variously of inertia and obstruction, lacking essential skills and being a closed shop for policy advice. The Better Government Initiative (BGI) is concerned that some of the proposals in the Government's Civil Service Reform Plan (CSRP) raise genuine issues for the way in which this country is governed and could change the role of the civil service and its relationship to Ministers significantly.

We are aware that because of our extensive experience of working in and with central government we may be thought to have a bias towards what has already been shown to work in our constitutional context. We certainly are concerned to preserve the values of a permanent civil service recruited and promoted on merit. Although Ministers claim they share this aim we think it is challenged by some of the current proposals. However, we also understand the need for the civil service to adapt and develop in response to changing social, economic, environmental and technological conditions. Indeed we have all been involved in making such changes over many years.

The BGI strongly supports change where its purpose is to improve the quality of policy making or the management of public services. Much of the CSRP, with its focus on management information, commissioning, procurement and project management skills, seems sensible and necessary. However, we are concerned that addressable weaknesses in these areas are being used to justify different changes that may undermine the ability of the civil service to perform its governance functions. We believe there are risks to quality, stability, probity and accountability from such changes. These are, of course, issues that principally engage the "Whitehall" element of the civil service rather than the service as a whole.

Principles

Unlike other western democracies, the UK famously has no codified or embedded constitution. One result of this is the unusual degree of control this affords the Executive, through their effective control of Parliament which itself has unlimited legislative sovereignty. Relationships between the Crown, the Executive, Parliament and the Judiciary are regulated partly by law but mainly by conventions which attempt to cover for the absence of the checks and balances provided elsewhere by written constitutions. By their nature, conventions can be developed and changed more easily than constitutions can be amended. This offers flexibility but also dangers where underlying principles are lost sight of.

There is, of course, no single correct approach to managing these relationships, but in a modern complex democracy they should be regulated to ensure that Ministers behave fairly and properly, do not use the resources of the state to benefit their party, have access to comprehensive and objective advice on policy and that the transfer of power between governments is smooth and efficient. Changes to these arrangements, which have evolved over many years, that do not simultaneously look at all these elements and make alternative provision may well be seen later to be defective.

One Act of Parliament¹ which does attempt to regulate these relationships provides for appointments to the Civil Service to be made on the basis of free and fair competition. It also requires the Minister for the Civil Service to publish a Civil Service Code, which must require civil servants to carry out their duties with integrity and honesty, and with objectivity and impartiality.

There are good reasons for these requirements. Open and fair recruitment should remove concerns about cronyism, corruption and political tribalism in appointments. At the level of the individual citizen, the civil service values are intended to ensure fairness and consistency in decision-making. In relation to Parliament they underpin the requirement to provide truthful and full answers and in relation to

¹ Constitutional Reform and Governance Act 2010.

Ministers they are the basis for the requirement to “speak truth unto power”.

These values provide the basis for the “guardianship” role of the civil service which is not discussed in the Civil Service Reform Plan (CSRP), but was set out by the Minister for Government Policy, RT Hon Oliver Letwin MP, in an event at the Institute for Government² when discussing the role of the administrative civil service - the Whitehall core.

“In their capacity as guardians, our administrative civil servants are called upon to play an altogether different role as guardians, administrative civil servants act on behalf of the crown to ensure that the government as a whole acts with propriety and in conformity with the law.....The importance of this civil service role can hardly be over-stated. It is one of the great bulwarks against tyranny. The administrative civil service provides a continuing safeguard that ministers of any persuasion will not be able to use the machinery of the state to personal or party political advantage.”

Leaving aside the separate argument about whether this function is one formally carried out on behalf of the Crown³, the BGI agrees with this sentiment which we are given to understand has the support of coalition Ministers more widely.

One of the BGI’s concerns is that investigating claims of impropriety, can only be carried out by a body that is both competent and sufficiently independent of individual ministers. The role could be carried out by specialist quangos, administrative tribunals or special prosecutors, as it is elsewhere. But in the UK we have assigned the task to a permanent civil service, which could be compromised by some of the changes now being proposed or discussed.

Permanence in this context does not mean that the individuals concerned can never move or be replaced, nor that there is no room for a return to effective succession planning. The essence of permanence in this respect is that the appointments of administrative civil servants are made and terminated by a process which is not in the direct control of ministers. Permanence does not mean that Civil servants cannot be removed for bad behaviour, poor performance or redundancy, only that the processes should be clear and independent of ministers.

The importance of permanence in this sense is obvious, but worth spelling out. In a system where primacy is rightly given to the elected minister, officials can only be expected to act as a check on the propriety of their decisions and behaviour if they are assured that doing so will not lead to dismissal or blight their future career. That cannot be assured where officials are appointed by the minister or serve entirely at their pleasure. Sir John Elvidge, former Permanent Secretary to the Scottish Government, described the twin pillars of legitimacy as ... “political legitimacy and [professional legitimacy] professionalism assessed objectively”⁴ and observed that where ministers become involved directly in appointments then the second pillar becomes conflated with the first. This narrows the base of legitimacy and undermines the confidence of the public.

It is not just the interests of propriety that justify the second pillar. Civil servants cannot be expected to give frank advice which disagrees with the Minister, or which challenges advice from a Special Adviser or favoured external think tank, if that advice is likely to prove career limiting. Of course, in a democracy, elected ministers must have the final say on the policies they present to Parliament, but, in our experience, confident ministers and Special Advisers welcome the advice of their officials on problems or alternative approaches and use it positively.

Some of the questioning in the current PASC enquiry is suggesting that the high rate of turnover among senior civil servants in recent years is undermining the concept of a Permanent Secretary and a permanent civil service because the individuals concerned cannot have enough experience in post to act as the main policy adviser to ministers. The BGI is very concerned by the churn in the civil

² [Why Mandarins Matter Rt Hon Oliver Letwin MP](#)

³ Mr Letwin describes the use of “the crown” as a metaphor for the persisting state which rises above the practice of party politics

⁴ [Oral evidence to PASC - 15 January 2013](#)

service⁵. This is primarily because of the impact it has on the effectiveness of the service: its ability to carry through necessary changes and the costs it imposes on other bodies in developing working relationships. This churn needs to be addressed and we are disappointed that the Civil Service Reform Plan does not address the main causes.

The BGI is especially concerned by the churn in Permanent Secretaries and the most senior civil service. Since the election in 2010 all but one of the Permanent Secretaries has changed, some more than once. Even allowing for some backlog of delayed moves in the run up to the election, this is a very high rate of turnover. The reasons for this turnover are no doubt various. Ministers have blamed some on individual civil servants pursuing their own career choices. The individuals concerned have generally declined to say in any detail why they have left. However, there is repeated reporting in the press that some at least have been forced to leave as a result of differences with their Secretaries of State.⁶ While the Civil Service Commission statutorily regulates entry to the civil service, there is no equivalent process for exits arising from disagreements with Ministers. Yet these can be as damaging to the ability of civil servants to offer frank advice as excessive ministerial involvement in appointments.

Specific Proposals for Change

Ministers have made a number of proposals for change, many on the basis of the assertion of the existence of a problem rather than evidence of one. The recent report prepared by IPPR for the Cabinet Office⁷ makes use of the World Bank Indicator of Government Effectiveness to suggest that the UK could learn from the practice of other countries ranked more highly than us, principally Canada and Australia.

As the World Bank and the compilers of these indicators recognize, there are methodological issues, which mean that conclusions need to be drawn cautiously from the indicators and the rankings they imply. We think it important to note that the Government Effectiveness indicator is one of six indicators that comprise the “Worldwide Governance Indicators”, including others, for example on the rule of law and the control of corruption which we also need to have in mind in assessing the effect of change. Governance is not just about service delivery.

It is welcome that the IPPR has sought to link the case for change to “evidence” of better outcomes, but they have not shown that the specific changes they propose are linked to those outcomes, nor what impact they might have on other indicators in the set. The World Bank data sets provide assessments from 1996 to 2011. Over time Australia has improved and Canada fallen back somewhat in some indicators so there is no obvious conclusion to be drawn on whether the increasing politicisation/personalisation of their government machines over that period has added value. Germany has political appointments at the top level of their departments but with a permanent professional civil service below that. It does not seem to significantly out perform the UK on the indicators. In relation to those who argue that only a system where top political leaders choose their subordinates can confidently deliver success, it may be of interest that the UK outperforms the USA, where there are extensive political appointments, on 5 of the 6 indicators.

Access to external skills

One rhetorical device used to make the case for change is a reference back to “Yes Minister” and “Sir Humphrey”: excellent television which drew on the inevitable tension (recognised the world over) between elected ministers and permanent officials to caricature the process of government. The inference we are invited to draw is that a comedy series made more than 30 years ago is, in some

⁵ [Good Government Mid Term Review](#)

⁶ See for example [Daily Telegraph 6 June 2013](#) or The Times 4 June 2013

⁷ [Accountability and Responsiveness in the Senior Civil Service](#) June 2013

sense, a reflection of the civil service of today.⁸

It simply is not the case that the civil service today is a self-perpetuating caste of bureaucrats, ruthlessly sidelining special advisers, and controlling the flow of advice to ministers. The reports of the Civil Service Commission show that recruitment to the top of the civil service is increasingly by open competition and that those from outside the civil service fill half of all senior appointments by that route.⁹ It is also increasingly the case that those appointed from within the civil service will, like the current Cabinet Secretary, have spent a significant period in the private sector earlier in their careers.

This openness allows the civil service to bring in broader skills and experience but, because it is overseen by the independent Civil Service Commission, it is compatible with the concept of a permanent civil service in the sense described above. It is also now an established feature of the way the Civil Service has operated for many years. The lack of particular skills and experience cited in the CSRP cannot simply be attributed to restrictions on external recruitment at senior level. If there is a skill shortage, e.g. in digital services, it may reflect the fact that these skills are in general short supply in the economy and the civil service is unable to meet the market rate to attract them.

Indeed the practice of external recruitment is sufficiently well established that it is time for some review of the extent to which it has proved to be successful and of the conditions in which it is most likely to be an effective approach.

The role of Ministers in making appointments

Since the CSRP was published the aspect of recruitment that has attracted the most debate has been the role of ministers in the appointment process. An argument has been advanced by a number of ministers that the process of managing a large department and shaping policies is one which would work better if the political and administrative heads of the organisation were more closely aligned, sharing the same vision and priorities. The mechanism proposed to achieve this is for Ministers to have a direct say in the appointment of their Permanent Secretaries.

The Civil Service Commission already involves Ministers extensively in the choice of Permanent Secretaries¹⁰ by:

- consulting at the outset on the nature of the job, the skills required, and the best way of attracting a strong field;
- agreeing the final job description and person specification, and the terms of the advertisement;
- agreeing the composition of the selection panel, in particular to ensure that there is sufficient external challenge;
- meeting each of the short-listed candidates, to discuss his or her priorities and feeding back to the panel on any strengths and weaknesses to probe at interview.

This gives incumbent – but not future – ministers considerable influence in the selection process. The question is whether it is necessary or acceptable to go further and what the consequences of doing so would be. The Government's "One Year On" report on the CSRP¹¹ defers a decision on whether to proceed with changes until a review of the effects of the CSC arrangements in the autumn.

⁸ Those advocating further change are strikingly less keen to draw on "The Thick of It" – the modern day equivalent in satirical effect and documentary power, which portrays government in the 2000s: dominated by Ministers and their special advisers with an enfeebled civil service.

⁹ [Annual Report Civil Service Commission 2011-12](#) See pages 16-17

¹⁰ [Civil Service Commission Explanatory Note](#)

¹¹ [Civil Service Reform Plan: One Year On](#)

Some, including former Ministers, have argued that Ministers should be one member on selection panels; it stretches credulity to believe that such a change would not quickly end with Ministers having the casting vote.

Others, including the Institute for Government¹², argue that the existing arrangements involve ministers to such an extent that it would be acceptable to give them the final choice from among a shortlist of “qualified candidates” established by a selection panel. The Civil Service Commission has rejected this proposal. They did so on the grounds that “it would favour, for the first time in over a century, a relationship that is much more conducive towards personal patronage and possible politicisation”. Leaving aside the questionable assumption that as many as four appointable candidates would be routinely identified, this innovation, taken with the involvement of Ministers already offered by the current arrangements, would effectively leave them in control of the appointment.

The IPPR takes a similar line but suggest that the Prime Minister rather than an individual Secretary of State could make the final choice on the basis that s/he would be best placed to consider the right combination of personalities and skills for each Department and the appointment would be seen to be less personal to an individual minister who might move on. The BGI thinks it implausible that Prime Ministers will have either the time or, perhaps, the aptitude to make these decisions on a regular basis. In practice the task would quickly become delegated to a combination of Special Advisers and Ministers.

Some of those arguing for more Ministerial involvement draw on an analogy from the business world of the roles of the Chairman and Chief Executive of a company. While the analogy may say something useful about the nature of one relationship in a company, it ignores the context provided by the detailed requirements of Company Law, the Articles of the Company, the auditors and the audit committee and the role of the shareholders in approving appointments to the Board. There is no equivalent statutory framework around Ministers, only conventions.

In our view the Commission is right to recognise that Secretaries of State have a legitimate and immediate interest in the selection process but that to take that further, without additional safeguards, could create significant problems. Most importantly, the creation of an actual or apparent personal link between an appointee and an incumbent Secretary of State could create further instability.

Focusing on the personal chemistry between ministers and their Permanent Secretary inevitably raises the question of the interests of successor Secretaries of State, maybe of a different party. Would it become accepted that an incoming Secretary of State had the right to appoint a new Permanent Secretary? (The Department of Transport has had 8 Secretaries of State in 10 years). The conclusion of that line of development would be an undermining of the guardianship role, the emergence of a class of “political” officials and increased instability in the leadership of Departments. That would not help the management of change or improve the effectiveness of public services. It would also hinder the smooth transfer of office between governments that has been a strength of the British system.

These dangers could be ameliorated, along with the risk of apparent or real politicisation of appointments, by requiring consultation with shadow ministers, before appointments are made.

The IPPR has made proposals for increased accountability for Permanent Secretaries, exercised by the Head of the Civil service or the Cabinet Secretary. The BGI sees no fundamental difficulties with this suggestion but believes that it should be balanced with some mechanism to protect Permanent Secretaries who believe they are being pressured to leave or effectively dismissed.

The mechanism that is being proposed by the Government is for Permanent Secretaries to be appointed on a fixed 5-year contract with no automatic assumption of renewal. The details of the proposed contracts have not yet been revealed. However, Ministers have focused on the inclusion of performance objectives to improve accountability. A contract may be a useful device for enshrining obligations and responsibilities on both sides including transparent mechanisms for terminating the contract. As noted above a 5-year term would be a considerable extension of tenure by recent

¹² [IfG: Permanent Secretary Appointments and the Role of Ministers](#)

standards. Even so it will be important that the negotiation of the contract, the review of performance and the question of renewal are all subject to processes that are objective and subject to independent moderation.

Support for Ministers

The BGI recognises that ministers can and do feel frustration as they try to drive change in their departments. They are conscious that their tenure is likely to be relatively brief and the process of policy development, evidence gathering and assessment, internal and external consultation, all of which are essential to good policy making, can seem unbearably slow. In this context, civil servants who identify problems, even with proposed solutions, can appear as “professional nay-sayers”, leaving ministers feeling that they alone care about the success of their policy. Few Ministers have direct experience of managing large organisations and those who have are used to having around them a core of like-minded colleagues with similar philosophies and attitudes to risk. They would like to recreate those conditions within government.

The extent to which Ministers are in fact a lone voice in trying to manage their departments is considerably exaggerated. They can now draw on:

- a team of junior ministers, typically of 4-6 depending on the size of the department, to oversee detailed aspects of policy;
- a Departmental Board, chaired by the Secretary of State, including at least two experienced Non-executive Directors which holds the Permanent Secretary to account on management issues;
- Parliamentary private secretaries, one or two per department – to provide a link to the parliamentary party and individual members;
- Special (political) Advisers, two per department, to ensure that Ministers’ political objectives are understood and taken into account and to carry out political work inappropriate to civil servants;
- senior specialist advisers, who are experts in their field to provide advice on issues of particular concern to Ministers (these appointments are vetted by the Civil Service Commission to ensure that their expertise is genuine but there is no imposed limit on their numbers).

Both current and shadow Cabinet Office Ministers have talked about adding to this level of support a *Cabinet* style arrangement in which Ministers have around them a hand picked team of both external appointees and civil servants. The proposals made recently by the Government do not use the term *Cabinet* but seem to have similarities with those systems. Although the details provided are sparse, it seems that what is proposed is an extension of the current arrangements in that there would be more external appointees than is current practice and some at least of these would move from being advisers to Ministers to an executive role directing the civil service in the name of the Minister. While the BGI does not object to the principle of increasing support for ministers, the current proposal does not appear to have considered the implications for accountability, the merit principle, the guardianship role or the revolving door they would create as people pass through en route for more lucrative jobs in the private sector.

The recent experience at DCMS with a Special Adviser apparently involving himself in statutory functions in parallel with official channels and claiming to speak for his Secretary of State illustrates the potential difficulties which can arise and which must be addressed.

Any development in this area should be subject to some important safeguards:

- The process for ministerial appointment should include verification that appointees have the relevant skills/experience or expertise for the role.
- Care should be taken to avoid “lobbyists” being placed in sensitive positions e.g. by way of secondments.
- Ministerial appointees should not be able to give directions to civil servants.
- The size of the teams should not become so large that they seek to operate independently of, rather than in co-operation with, the civil service.
- Civil servants chosen by ministers to join these teams should remain under the authority of the Permanent Secretary who should remain responsible for decisions about their grading and

promotion.

Nor have the implications for the size of the ministerial team been considered. There would be no justification for maintaining the present numbers of ministerial posts in such an environment other than for the management of the Parliamentary party through the payroll vote. France, which does operate a Cabinet system, seems to have less than 40 Ministerial appointments, about one third of the number in the UK.

Accountability of Civil Servants

Both Parliament and Ministers are seeking improved accountability from civil servants. For Ministers the issues seem to be primarily about dealing with poor performance, while for Parliament, especially the PAC, the issue is about establishing responsibility for things that go wrong.

Accountability for the delivery of public services is confused. Traditionally Ministers are accountable to Parliament for their policy, including its application. Permanent Secretaries are also accountable to Parliament for the proper expenditure of the Department's resources and departmental civil servants are accountable to the Permanent Secretary through the performance management arrangements both for the advice they give Ministers and for the implementation of policies. In practice the situation is much more complex:

- The dividing line between policy design and implementation is blurred.
- Senior Civil Servants now routinely give evidence to parliamentary select committees but cannot answer questions on the advice given to Ministers or their views on the underlying policy.
- Ministers now generally decline to take responsibility for purely operational failures.

In response to this it seems that the Head of the Civil Service¹³ has accepted that Select Committees will be able to call Senior Responsible Officers (SROs) to give evidence about progress on the projects they are responsible for without getting the prior approval of Ministers. The BGI is not opposed to this in principle. However, if individual civil servants are to be held to account in this way, it will be important to clarify responsibilities so that they are not held responsible for political decisions which may have led to changes to the project mid-way through implementation. Policy changes will need to be documented and, if asked to do something which they believe is impracticable, civil servants should have the right to either decline to accept the instruction or, as Permanent Secretaries currently do, ask for a written direction. Permanent Secretaries as Accounting Officers should have the right to attend hearings to which SROs have been invited.

Conclusion

The BGI is not complacent about the need for continuous improvement in the civil service and for that reason we are not opposed to most of the proposals for change in the CSRP, which reflect the environment in which the civil service now works. However, we think that not enough recognition is given to the extent to which these changes are already happening, nor, in considering the adequacy of the civil service's performance, to:

- the very high level of honesty and integrity of the civil service. By contrast with many other countries we have in general a remarkable absence of corruption, dishonesty and impropriety. Overwhelmingly citizens can access entitlements and services without let or favour;
- the relative ease with which people can obtain the services and support they need or are entitled to. While it is the exceptions that will always command media attention, securing entitlements such as benefits, grants, licenses and information is generally relatively swift and painless. Services from

¹³ [Sir Bob Kerslake at IfG 10 July 2013](#)

vehicle licensing to job-finding are increasingly available on line on a 24x7 basis;

- the successful delivery of many major projects and innovations. Again the exceptions make the headlines, but the successes are numerous. The Olympics, the current pension reforms, raising the state retirement age, PAYE online and the modernization of the Passport Office are just some of the examples. Overall most research shows that, contrary to the popular media view, project failure rates are no higher in the public than in the private sector.

We are disappointed that the CSRPs does not address some of the key failings in policy making and implementation we have identified in both our major reports¹⁴, in particular the proposal for Government and Parliament to agree and enforce explicit standards for the preparation of legislation which has recently been endorsed by the Political and Constitutional Reform Select Committee¹⁵ The Leaders' Group of the House of Lords has made similar proposals.

Our reports make other proposals that could also help secure more effective working between coalition ministers and the civil service, for example:

- Ministers should have access to formal training for the role.
- Opposition parties should have much earlier access to the civil service prior to elections, which will help with the earlier identification of issues and their solutions.
- More time should be allowed for the formulation of coalition agreements with support from the civil service.
- A coherent work force strategy identifying the numbers of civil servants required and their skills should be developed and greater stability in appointments created.
- Programme and project management procedures should be developed which document the end of the policy/design phase and the start of implementation, together with documented change management processes, to clarify accountabilities.
- The new Departmental Boards should be allowed to develop and implement business plans which align priorities and resources and improve management reporting.

The Civil Service serves the government of the day, but the government does not own it. It has to remain capable of serving any other government. Each government has to have confidence that the civil service will give it good and well-founded advice and has access to the right knowledge and skills to deliver its programme. For that reason we believe it would be better if changes were made within a cross-party consensus which would last beyond individual parliaments and which could give some Parliamentary endorsement for arrangements which currently rest too heavily on conventions which are subject to continuous incremental change without proper consideration of the implications. That may be achieved by an independent or parliamentary commission, as some including the Chairman of the Public Administration Select Committee have proposed, or by other means.

The web of conventions, laws and expectations within which the Civil Service operates constitutes a complex eco-system which is likely to fail if one part is changed without proper regard to how it interacts with others.

¹⁴ [1. Reforming Government and the Executive. 2. Mid Term Review](#)

¹⁵ [Ensuring Standards in the Quality of Legislation](#)