

Working With Ministers

Today's civil service faces a number of new challenges. One was summarised by the Cabinet Office as follows:

The public has higher expectations than ever before about the service it is entitled to:

- *A fair, universal provision is no longer enough: people expect their personal needs to be addressed.*
- *'Authority' is increasingly challenged.*
- *Inadequate provision is not accepted.*
- *Litigation over failures is increasing.'*

Another was summarised by Tony Blair:-

The principal challenge is to shift focus from policy advice to delivery. Delivery means outcomes. It means project management. It means adapting to new situations and altering rules and practice accordingly. It means working not in traditional departmental silos. It means working naturally with partners outside of Government. It's not that many individual civil servants aren't capable of this. It is that doing it requires a change of operation and of culture that goes to the core of the civil service.'

Whitehall civil servants therefore need to carry out their traditional professional duties within a modern demanding society in a way which will best achieve worthwhile outcomes. We are not employed to 'make policy', or 'to manage'. We are employed to get things done on Ministers' behalf. We need to make sure that every piece of advice, every brief, every management decision, every letter and every meeting takes us a little closer to our Minister's objectives. How better to start this book, therefore, than by looking at our relationship with Ministers, and how to help them achieve their long term goals?

The Three Key Professional Duties

It is vital, when working with Ministers, to recognise that we have three distinct professional duties. We need to be clear which duty we are carrying out at any one time, for each requires different skills and behaviour. Our three duties are as follows:

First, civil servants give advice to Ministers before they make policy decisions. We must give them private, honest, informed advice and we are expected to face them with the truth even when it turns up in an inconvenient form. The Civil Service Code says that the constitutional and practical role of the civil service is to assist the government of the day with integrity, honesty, impartiality and objectivity. Put another way, we are employed to 'speak truth unto power'.

Second, we must help Ministers promote and defend their decisions, even if we advised against them. We must, when operating in this mode, now pay much more attention to the tone and impact of what Ministers say and do, rather than focusing on the detail that underlies the policy decision. It matters little whether we think Ministers

are right or wrong. It is vital that their programmes are professionally promoted and defended if they are to achieve their objectives.

Third, we are responsible for delivery: implementing Ministers' decisions on the ground and possibly drafting the necessary legislation. Again, we become less analytical, and much more proactive. We now focus almost exclusively on ensuring the delivery of worthwhile outcomes, working closely with delivery partners both inside and outside our department. Indeed, although we undoubtedly continue to work for Ministers, we often have to *use* Ministers (I know no better word) in order to achieve Ministers' own objectives. After all, little is as effective in driving forward a difficult agenda, as a strong Ministerial speech or a well-prepared meeting between a Minister and a Ministerial colleague, or a powerful interest group, or a delivery partner.

By the way, the need to focus on long-term goals does not exempt us from the duty to respect the numerous constraints within which we are forced to work. These constraints are therefore described in some detail later in this book. But our key professional skill is to be innovative in achieving Ministers' objectives without breaking any rules, and without going on about how difficult it all is.

Before going into further detail, let's take a quick look at our clients.

Ministers

The most junior Ministers are Parliamentary Under Secretaries of State, of whom there will be one in a small department and three or four in a large department. They do a great deal of important work, including piloting Bills through Parliament. They also carry out a wide range of representational and other duties, which means that they are always getting up early in the morning to attend events outside London, and then staying in the House until late in the evening to speak in adjournment debates. They take important decisions on individual cases and narrow issues. But they seldom get to take politically important decisions. These are reserved for their seniors.

The second tier of Ministers are Ministers of State, of which there are, again, usually one to three in a department. These Ministers are more experienced and powerful and will handle – or assist Cabinet Ministers with – the more complex and/or politically tricky issues.

Then there are Cabinet Ministers. Most of them are Ministers in charge of departments, but there are others, including the Leader of the House of Lords and the Chief Whip. Very large or important departments also sometimes get a second Minister in the Cabinet. The Chief Secretary, for instance (who negotiates Government expenditure with his or her colleagues) is number two in the Treasury. Cabinet Ministers who are in charge of departments are usually styled 'Secretary of State' except, for instance, for the Chancellor of the Exchequer. The title of the Secretary of State for the Home Department is almost always shortened to 'Home Secretary', and 'Foreign Secretary' is also a shortened form. These men and women are of course very powerful, but there is a pecking order within the Cabinet which varies with the political importance of the Minister's department, and his or her personal clout and experience. But the Chancellor, the Home Secretary and the Foreign

Secretary are always very influential, and invariably the top three posts in the pecking order.

The whole structure is headed by the Prime Minister, an analysis of whose role and responsibilities is beyond the scope of this book. Suffice it to say that Prime Ministers have only a limited amount of political capital at their disposal, so they prefer to work through consensus, especially when dealing with senior and powerful colleagues. And as civil servants develop a natural loyalty to their departmental Ministers, the result is that there is no clear pyramid of management responsibility, which can make it difficult to handle cross-departmental issues. However, the strengthening of the Cabinet Office, which took place in the late 1990s, has gone some way towards addressing this problem.

Private Offices

Every Minister is provided with a dedicated life support system known as a Private Office. These offices are a key link in handling Ministerial correspondence, organising the Ministerial diary, conveying Ministers' views to officials, and providing Ministers with information and views from their departments. They therefore play a crucial role in managing two precious commodities for Ministers: information and time. They also play a crucial role in helping the Minister understand – and ask difficult questions about – advice from the department.

It is worth investing a lot of time and effort into working well with Private Offices. Putting on one side the fact that you should want to help them do their jobs, you also want them to think that you are helpful, knowledgeable, sensible and flexible. This is because they will communicate their views to the Minister, in all sorts of subtle ways – and sometimes not so subtle if they really do detest you.

The Minister in charge of the department will have quite a large office – maybe 12 or more staff in a large department – headed by a Principal Private Secretary (PPS). He or she will be a more experienced official, able to act as interlocutor and trouble-shooter with senior departmental officials. The PPS is a handy first point of call if you need urgent help or advice and do not know who else to approach. PPSs are on call 24 hours a day, 365 days a year, and know where all the bodies are buried. For this reason, they are usually promoted when they leave Private Office, myself included.

The officials in charge of other Ministers' offices are known as Private Secretaries, and they are usually quite young, partly because much of the work is essentially straightforward – preparing notes of meetings and so on – and partly because the job offers excellent experience for future senior officials. And although the work is straightforward, that does not mean that it is easy. The Private Secretary has to take a mass of information and paperwork from the department and prepare it so that it is easy for the Minister to assimilate it even in the small hours of the morning. The Private Secretary might therefore highlight certain text, or prepare a summary of a long document, but must not distort the message when doing so.

The same applies when the Private Secretary is communicating the Minister's views to the department, including when preparing a note of a meeting. It is permissible to emphasise particular points and stress any action needed, but it is not permissible to misrepresent, distort or exaggerate the views of the Minister or anyone else. The main exception is that Private Secretaries will generally ignore what lawyers call *obiter dicta* i.e. things that are said when Ministers, like the rest of us, choose to air their views on a wide range of subjects in the middle of a conversation about a scarcely related subject. These comments can usually safely be ignored – but only if the Private Secretary is sure that the Minister will not, two weeks later, ask what has happened about his decision to relocate a large part of the department to his constituency.

Don't hesitate, by the way, to challenge the accuracy of a note of a meeting, whether prepared by a Private Secretary or someone in the Cabinet Secretariat. Even the first Cabinet Secretary admitted to 'racking his brains to record and report, what he thinks that they think that they ought to have thought.' The result of such a process can easily be wrong, and such meeting notes are usually too important to go uncorrected.

Things can get difficult when the Minister gets angry, because the Private Secretary is then the one that has to transmit that anger to his or her colleagues in the department. They will usually seek to tone down the Minister's comments but they, like the Minister, will run out of patience if officials seem to be ignoring comments and requests. The result is that they will then quote the Minister's actual words. (I once saw a minute which said '...as I asked for this well over a year ago...if I do not get a paper...within a month I shall commission it outside the department.'). If you get something like this then you really are in trouble.

Be aware, however, that some Private Secretaries get ideas well above their station. It can be very helpful if they ask 'idiot boy' questions that might well occur to someone not closely involved in your area, and they can sometimes be helpful in spotting silly mistakes, or by drawing attention to some development or Ministerial view of which you were not aware. Sometimes, however, and sometimes encouraged by their Ministers, they start acting as alternate policy advisers, commenting freely on the merits of your work. Watch out for this, for something has gone badly wrong if a Minister prefers to hear the advice of his Private Secretary to that of the responsible official.

Private Secretaries also control official attendance at Ministers' meetings. Ideally, the Minister will allow four types of official to attend. The first will be the lead official(s) responsible for preparing the advice and implementing any decisions. The second type will be those, such as more senior officials and lawyers, who will provide further useful contributions to the discussion. The third, occasional attenders, will be inexperienced officials who are gaining experience of working with Ministers. They are expected to keep their mouths shut, and can be usefully employed in writing the note of the meeting, thus removing a chore from the Private Secretary. The fourth are press officers, who should be involved in discussing any issue which has a presentational aspect.

In practice, all Ministers get understandably jumpy if too many officials turn up – and it also looks inefficient, especially in meetings with outsiders. The basic rule, therefore, is one official (not counting the Private Secretary or Special Adviser) to each visitor, although you can usually get away with two officials if there is only one visitor. If there are no visitors

then each Minister will have their own threshold, which will be communicated to you by the Private Secretary. It can be particularly difficult if the Minister has favourite civil servants, and won't see anyone else, even if they know much more about the subject under discussion. But you have to accept the Minister's decision and there is no point in shouting at the poor Private Secretary who probably hates it as much as you do.

The daily life of a Private Office revolves around 'the box' – the red rectangular box in which the Minister carries his or her homework. Some Ministers, to everyone's amazement, manage to sign all their letters, and respond to all their submissions, when in the office. Others take several boxes home each night and then never touch them. But most plough through one or two boxes, if only because they contain some quite fascinating stuff.

A typical box will contain a red 'immediate' folder of items requiring immediate decision or action, about which the Private Secretary will ask first thing in the morning. Then there will be a diary folder, prepared by the Diary Secretary – a position which can be one of the worst jobs in Whitehall; there are no thanks if everything goes well, but immediate retribution if something goes wrong: 'How could you send me to Wigan North Western when I should have gone to Wigan Wallgate? Didn't you (a 19 year old who has never been north of Wembley Arena) know the difference?' Ministers also accuse novice Diary Secretaries of arranging meetings to which the Minister had not agreed, and so on. They quickly learn never to confirm any engagement without the Minister's signature, preferably in blood.

Diary Secretaries will therefore threaten to maim any official who has the temerity to tell a member of the public that the Minister's diary is free at a certain time. This is because the member of the public will then expect to be able to arrange a meeting at that time and, if the meeting is not then arranged, they will know that the Minister chose not to see them, rather than that the Minister was literally unable to see them. Frequently, therefore, you will be trapped between a member of the public (who cannot understand why it takes more than 30 seconds to check that the Minister is free – have we never heard of telephones and computers?) and the Diary Secretary (who will ensure that nothing in your official life will ever run sweetly again if you dare to commit the Minister without his or her written agreement – which will not be forthcoming for several weeks). What is the best way of handling this problem? I wish I knew.

The rest of the box will contain folders full of submissions, letters for signature, and background information. The last seldom get read (would you read it at 1 o'clock in the morning?). The letters get signed, if they look sensible, often without the Minister looking at the covering note from officials. So, if the Minister should definitely give some thought to whether he really wants to sign the letter, you must get the Private Secretary to put a big red note on top. Submissions will also get looked at in varying depth, depending upon how sensible the recommendation – at the top of the document – seems to appear. Again, therefore, do not hide a little bombshell in the middle of a submission. You may think that you are protecting your back, but this ploy will cut no ice with the Minister when the unexpected bomb detonates a day or two later.

Ministerial Aides

One or two other interesting species can be found in and around Private Offices.

Parliamentary Private Secretaries (confusingly also known as PPSs) are not civil servants but are MPs who help senior Ministers with their Parliamentary duties. They often attend meetings within the department and should be given as much help and information as possible. However, their duties are primarily party political, and they hold no formal office on behalf of the voter or taxpayer. There are therefore obvious limits to the amount of assistance that they can be given by officials and they should only be given otherwise confidential information if it is clearly necessary for the discharge of their Parliamentary and political duties.

All departments have one or more Special Advisers who are personal appointees of the Secretary of State, but employed as temporary civil servants. They give political, presentational and policy advice to Ministers and help write political speeches and articles, or add a political dimension to speeches etc. drafted by officials. They work closely with Private Offices and Press Offices and give advice in parallel with line divisions. Within that broad job description, their role, experience and abilities vary a great deal. One or two can be difficult to work with, but the vast majority are generally helpful and keen to work with officials. You should therefore keep in close touch with Special Advisers on issues which are likely to attract their attention, and you should be ready with advice and information.

Although Special Advisers may attend meetings with outside organisations, and sometimes make speeches on behalf of their Ministers, they do not represent the Government in any formal sense. They may also let you know their Minister's views and work priorities, and may, on behalf of their Minister, ask you to do work of a fact-finding or advisory nature. But they cannot go so far as to give you instructions. Your principal responsibility continues to be to your line management and your Ministers via their Private Offices. Indeed, your advice to Ministers should always be communicated in person or via Private Offices, even if previously seen and/or agreed by a Special Adviser.

Like Private Secretaries, Special Advisers can be an excellent source of advice about Ministers' policy instincts and priorities. It is certainly worth talking to them before putting up any major submission, and it is usually a good idea to give them a chance to comment on your draft. However, do not make the mistake of letting a Special Adviser steer you in a direction which seems unwise. Maybe the Special Adviser's advice will be different to yours, and maybe the Secretary of State will not take your advice, and maybe the Special Adviser will accurately foretell the Secretary of State's decision, but that should not stop you putting up advice in which you believe.

The main difference between permanent civil servants and Special Advisers is that the latter are usually fiercely loyal to their Minister, on whose career they themselves depend, and sensitive to what they perceive as disloyal criticism. For instance, it is quite in order to ask a Private Secretary what on earth caused the Minister to say such and such a thing to a visitor. The Private Secretary will explain what happened, or acknowledge that the Minister made a mistake, and then you can get on and loyally sort out the resultant problem. But if you put the same question to a Special Adviser, they will often go into defensive mode and/or, even worse, tell the Minister what you said, which hardly helps build up a long term relationship. So it is best to give Special Advisers the clear impression that you believe that

their Minister walks on water. They will suspect that you are lying, but respect you for it.

You should also watch out for demarcation disputes with Special Advisers. Many Ministers thrive on a steady diet of witty or barn-storming speeches, which civil servants are not equipped to provide. And although we should stand ready to rebut factually incorrect stories, we are not equipped to provide a political rebuttal service which swings into action whenever the Minister is criticised in the media. Both of these tasks should properly fall to Special Advisers, but they are often under enormous pressure and cannot see why they should not get help from the massed ranks of the department. There is usually nothing for it but to stick to your guns. You must certainly never ever start writing political speeches. But holding the line is much easier if you have first established yourself as someone who is keen and highly able to help Ministers achieve their objectives.

The Number 10 Policy Unit contains a mixture of Special Advisers and permanent civil servants. Individuals within the unit can be very influential. You should therefore work closely with the member of the unit assigned to shadow your department, whenever your subject comes to their attention. Equally, however, don't automatically assume that any one individual in the unit is speaking on behalf of the unit, or on behalf of the Prime Minister. They may well be doing so, but they may also be giving their own views which may not be shared by others.

Parliamentary Clerks look after departments' relations with Parliament, ensuring that questions are answered, Bill amendments laid and so on. They are usually both very knowledgeable and helpful. Indeed, they like to be asked questions because it greatly helps them if you understand their systems and timescales.

Information Officers work in the Press Office but usually develop a very close working relationship with Ministers, and so should form a key part of your extended team. They will help you design media strategies, draft press releases etc. and they will oversee any contact with journalists. Involve them very early on, as you need to 'design in' the way in which you will explain and communicate any new policy. However, like you, they will not seek to 'spin' a story in the sense of seeking to leave a journalist with an over-favourable impression of a development. New Ministers and Special Advisers therefore frequently compare them unfavourably with Party press officers, although the more experienced ones come to admire the trust that can be built up between specialist reporters and their departmental opposite numbers.

Ministers' Duties

Ministers owe certain important duties to their civil servants.

First, they must consider your advice, even if they do not take it. They cannot tell you what to do without first giving you an opportunity to advise them on the suitability of their proposed course of action. The Ministerial Code says that 'Ministers have a duty to give fair consideration and due weight to informed and impartial advice from civil servants . . . '.

On the other hand, Ministers are, to some extent, free to choose how they will receive your advice. Some will have meetings only with selected officials. If you are not in that group then you will always have to submit advice on paper. Other Ministers hate paper, and you will need to be able to brief them – succinctly but effectively – in meetings or in the back

of the Ministerial car. But note that Ministers may not require you to give them advice in a public forum, and the advice that you give to Ministers will not normally be made public. It can be difficult enough to give contentious advice whilst worrying about the reactions of your colleagues. It is twice as difficult if you also have to take account of the possible reaction of outside observers, journalists or television viewers. Equally, it is important that Ministers should be allowed to reject your advice without fearing criticism for having done so.

But note also that, if the decision is important, you must prepare, and the Minister must accept, a written submission. Important decisions must never be based merely on oral briefing, or a PowerPoint presentation. This is mainly to ensure that the decision is soundly based on a proper consideration of all the relevant facts and arguments. For instance, a Minister, pleased with the apparent success of a programme, might encourage his or her officials to think about an encore. Such encouragement can sometimes appear welcome, but must be resisted until the case for and against the further programme has been properly thought through. And there is a less positive reason. A formal submission is a defence against a Minister who might not accept advice and then subsequently seeks to blame his or her officials.

If a Minister makes a decision that you consider to be seriously wrong then you have the right – indeed it is your responsibility – to check (a) that the Minister has been presented in writing with all the relevant facts and arguments, and with a clear recommendation, in a form which he can easily assimilate, and (b) that he or she has understood all the important factors. If this has not happened then you should consult the Minister's Private Secretary about the best way to correct matters.

Further written advice will often be enough, including any necessary apology for failing to prepare comprehensive advice the first time round. But if comprehensive advice has already been submitted, and the decision is important enough, then you are entitled to argue the case a second time, preferably in person. If the Minister then still rejects your recommendation then you must accept the decision. It is not for you to question the political or strategic thinking that might have contributed to the decision in question unless, exceptionally, the Minister appears to be ignoring legal advice or defying Government policy, e.g. by failing to consult interested colleagues.

Second, Ministers may not ask you to help them circumvent collective discussion, e.g. by announcing a 'decision' whilst a Ministerial colleague remains opposed to it. If you are caught in such cross fire you should either refer the issue to your Permanent Secretary or seek collective resolution by involving the Cabinet Secretariat who will arrange discussions at the necessary level.

Third, Ministers may not ask you to do things which are illegal or improper. For instance, they may not ask you to pay a 'state aid' which is prohibited under European Law. And they may not tell you to commit expenditure unless you have obtained the necessary approvals, e.g. from the Treasury. (It is not enough for your Minister to assure you that he has spoken to the Chief Secretary and received the OK. The Chief Secretary may have a quite different recollection of the same conversation, or at the very least has a duty to consult his or her civil servants before making the decision.)

Fourth, Ministers may not ask you to hide things from interested officials and

Ministers in your own or other departments. It is of course sometimes sensible to work up a proposal before showing it to colleagues. After all, although you do not work only for your own Ministers, you certainly work first for your Ministers. But you may not collude in a 'bounce' and if you feel that colleagues in another department would expect to be told about a proposal, then you must tell them – and you should ensure that your Ministers are equally well informed. It is embarrassing, to say the least, if they find that the Chief Secretary appears to know more than they do.

The main exception to this rule is that there is no need for you to disclose your own and your Minister's negotiating position in a public expenditure negotiation. But the relevant facts which underlie your position must be disclosed.

Fifth, Ministers should be polite to their officials – because of course we cannot answer back. In practice, we can forgive an occasional flash of bad temper, recognising that Ministers are often under great pressure. Indeed, it is worth remembering that Ministers who are constantly charming in public may sometimes be less than charming to their staff (and vice versa). I suspect that that is because we all have only a limited amount of charm to hand around. And Ministers are human, too, with the usual run of human strengths and weaknesses. But consistent bullying, rudeness and foul language are unacceptable.

It can be hard to know what to do if a Minister appears to be breaching one of the above rules. If you know the Minister well enough, and if you are sure that you are not being thin skinned, you should raise any concerns yourself. Alternatively you might consult the Minister's Private Secretary. And failing that you should enlist the help of a senior colleague.

Giving Advice to Ministers

We have a professional duty to give clear unbiased advice, based on a sound knowledge of the facts and a wise analysis of the competing arguments. Above all, we understand the need to question both explicit and implicit assumptions, especially those about human, corporate or national economic behaviour. We make full use of our common sense or instincts, drawing on our experience in the policy area in question. And we above all give advice which will deliver worthwhile outcomes, not just in some idealised Whitehall world but in real schools, hospitals, or barracks.

The best civil servants are also very good at putting themselves in Ministers' shoes, and understanding their fears, ambitions and pressures. We understand that Ministers are on the shortest of short term contracts and are constantly trying to balance a number of conflicting pressures. Ministers need to know that civil servants understand those pressures. If this does not come naturally, then set some time aside to reflect on why Ministers took that unexpected decision, or said or wrote that unexpected thing. There is always a reason, even if you would not always agree that it is a good one.

The best civil servants also know that their advice will often be unwelcome or unexpected, so they do not expect it to be accepted straight away. There is usually a moment to be seized, but you might have to wait for it.

Indeed, you should never tell a Minister that he or she cannot do something unless you also offer them an alternative approach which substantially achieves the same political

objective, or at the very least undertake to look for a way round the obstacle, and to report back very quickly. You must therefore develop the ability to distinguish between Ministers' fundamental objectives and the specific solutions which they might put forward, but which might not be workable or affordable.

Remember, too, that, as Ministers are under constant pressure, you must do everything possible to help them work quickly, efficiently and effectively. Always prepare your work in a way which allows them to concentrate on essential decisions, and on presentation. Be succinct – especially in meetings.

Ministers are inevitably very concerned to perform well in Parliament. It is particularly important that they are well prepared for Oral Parliamentary Questions, Statements and Debates, all of which can be very testing even for experienced Ministers. On the other hand, do not make the mistake of believing that political opponents are also enemies. Parliament operates rather like an old-fashioned club. Fierce public debate is often for show, and political opponents are often surprisingly friendly when not on public view.

Ministers hate it when civil servants hog the thinking time. It is often the case that we know that a difficult decision needs to be taken in, for example, five days time. We then spend four (or four-and-a-half) days crafting elegant advice. This cannot possibly allow the Minister enough time to reflect on the issue, let alone ask for further information or consultations. Of course it will take you some time to consult colleagues, consider all the options etc. But, as a rule of thumb, you should put up a preliminary submission, if only for information, about half way through your thinking period. If nothing else, this will give the Minister a chance to reflect on the issue in bed at night. And he or she will be able to feed in their own thoughts and questions, before it is too late. We may not welcome substantial changes to our proposals – but it is better to know about them before the deadline is only a few hours away.

Similarly, Ministers hate surprises. They need to be told bad news, told about serious problems, and told when important decisions are brewing, as soon as you are aware of them. They may not be very pleased, but they will be a lot less pleased if they first hear of the problem from someone else, or even worse from the press, and then find out that you knew all along.

There is of course a lot more to persuading a Minister than simply providing logical advice. As noted above, your advice is much more likely to be accepted if you have already established that you understand political realities. You also need to show that you can cope with setbacks and can dig yourself – and your Minister – out of a hole. Indeed, if you have made a mistake yourself, and then said 'sorry' and done your best to put it right, you will probably find that this results in your having a stronger relationship with your Minister. He or she will have made mistakes too!

More widely, however, you need to show that you understand 'the real world' outside Whitehall, and are innovative and enthusiastic. I will return to understanding the real world, and innovation, later in this book. As for the need for enthusiasm, you need to remember that personal impressions count heavily with Ministers. They want to be able to rely on their officials, and are very disappointed if officials do not seem committed to their objectives and are in any way unimpressive, hesitant or over-cautious; or if they do not seem to know what they are talking about. You are paid to be creative and to look for

solutions. You should make it clear that obstacles frustrate you, too. You should also tell them about your successes, and prepare very carefully for even the most routine meetings with them. This will reinforce their trust in you, and this in turn will give you greater authority in your dealings with others.

Also (I hate to say this, but it is important) remember that your clothes, appearance and body language send clear messages, whether or not you want them to. Take care that those messages are the ones that you wish to send, both to Ministers and to colleagues.