

Bernard Jenkins' Speech to the FDA May 2013

The Public Administration Select Committee (PASC) sounds like an echo of Jim Hacker's department in "YES MINISTER", and the Parliamentary Broadcasting Unit reports that our select committee has made for popular viewing.

- PASC was watched on-line for 153,000 hours during 2012,
- significantly more than the Treasury Select Committee (114,000),
- the Home Affairs Committee (89,000)
- or the Public Accounts Committee (78,000).

This is not surprising, given that our remit covers the effectiveness of the Civil Service, Whitehall departments and their agencies. The theme which continues to emerge from our inquiries is of the central importance for the government to form clear programmes for change, for strong leadership and sustained strategic thought at the heart of Government. Many difficulties faced by modern governments reflect the neglect of consistent thinking and leadership and the tendency to be diverted from the long term by the daily pressures of events, which leaves ministers trying to do too much but achieving less than they could.

We also oversee the work of numerous public bodies:

- the Parliamentary and Health Service Ombudsman,
 - the Charities Commission,
 - the UK Statistical Authority,
 - the Lords Appointments Commission,
 - the Civil Service and Public Appointments Commissioner,
 - and the Committee on Standards in Public Life,
- all of whose Chairs are subject to PASC pre-appointment hearings.

We maintain a watch over the Ministerial and Civil Service Codes. Following the resignation of Andrew Mitchell as Chief Whip, we questioned Cabinet Secretary Sir Jeremy Heywood on his investigation into what had taken place. We concluded that the structures for investigating possible breaches of the Ministerial Code are not working well and we reiterated our call for the Prime Minister's Adviser on Ministers' Interests to be authorised to instigate his own investigations into misconduct.

Following the Francis Report, we have begun a broad inquiry into complaints-handling in Whitehall departments and their agencies, including the NHS. Do complaints systems provide swift and fair redress, and how do departments and agencies use complaints to improve the quality and responsiveness of public services? How could the role of the Ombudsman be made more effective? This may lead to a broader study of the relationship between citizens and public services. Will models of citizen engagement proposed by the Government deliver the stated aim of better public services?

We have a programme of ten short inquiries looking at statistics and their use in Government: about ways in which statistics are created and published, and how we should strengthen public trust in government statistics.

We recently finished gathering evidence on two more inquiries: The first examined the regulation of the charitable sector, looking at the impact and implementation of the Charities Act 2006.

The second considered public engagement in policy-making, including proposals to reform the way policy can be developed by those outside Whitehall.

We are also finishing an inquiry into government procurement.

We have just concluded taking oral evidence in our major inquiry into the Future of the Civil Service.

The state of Whitehall has been a continuing concern for PASC during this Parliament.

Our earlier report 'Change in Government: the agenda for leadership' cautioned that –

“The Government has embarked on a course of reform which has fundamental implications for the future of the Civil Service, but the Government’s approach lacks leadership”.

We noted that, since the Northcote-Trevelyan report of 1854, the Civil Service had been subject to repeated reform and change with the aim of “modernising” it. The Committee argued that many of these reform programmes ended in failure or simply petered out, partly as a result of a failure to consider what the Civil Service is for, what it should do and what it can reasonably be expected to deliver. We called for the Government to set out how it will achieve the change it sought for the Civil Service.

The Government’s Civil Service Reform Plan was published in June 2012, but as one of our witnesses [academic and former special adviser, Patrick Diamond] told us, the plan does not include more than “a series of rather piecemeal often unrelated proposals [...] it is difficult to establish the case for reform when there is a lack of an over-arching vision of what the civil service is and does”.

Like you, I believe that the Civil Service is one of the UK's most important institutions.

Professor [Lord] Peter Hennessy described the Civil Service as –

‘the greatest single governing gift of the nineteenth to the twentieth century: a politically disinterested and permanent Civil Service with core values of integrity, propriety, objectivity and appointment on merit, able to transfer its loyalty and expertise from one elected government to the next.’

It has underpinned stability and continuity of government throughout periods of unprecedented change. The importance of the Civil Service to our country means that changes to the way Whitehall works must be underlined with a sense of purpose for what the Civil Service should do.

The Reform Plan does not purport to be based on such a vision. It has followed a series of rows, blunders and public disagreements with officials, involving ministers of all parties. It is wrong to suggest that PASC has decided against the Civil Service Reform Plan. In my view, there are many new and good ideas in the Reform Plan, and some that may need some refinement. PASC may well express views on its various initiatives. But, as ministers have said, it is an action plan, not a strategic document.

It does not purport to address the fundamental question of what the civil service is for, but is, as ministers themselves say, a series of initiatives and changes. The question is what is the right way to go about fundamental change in one of the great institutions of state – on which the stability of our largely uncodified constitution is founded and the continuity of government has depended for a century or more?

I have warned against ministers paying the blame game and criticising their own officials in public.

But some ministers appear to have made up their minds – the civil service is to blame for successive governments' poor performance and the reform plan is the result. The government has abolished the National School for Government and is even starting to contract out policy advice, the *raison d'être* of the senior civil service. There has been serious attempt to change the way permanent secretaries are appointed, which many have said threatens the fundamental principle of a permanent and impartial civil service. Former Cabinet secretary Lord Wilson of Dinton described this to us as a return to “patronage”.

Yet my own view is that successive governments have ended up with the civil service for which they are responsible. If there are failings in the civil service – and there surely are – it is because ministers of all parties have not provided the necessary effective leadership. Noone has been able to step back to consider what the civil service should be, in the modern age, and in the modern context.

Many recent failures of government stem from a tendency to think less about the long term than about the daily news agenda. It has been sad to see eminent and able figures, who have devoted their lives to public service, acting out less of “Yes Minister”, more caught up “in the thick of it” – the title we chose for our damning report about the supervision and conduct of special advisers. Public recriminations risk turning a series of expensive and embarrassing mishaps into a crisis of government. The failure of whole functions of government is becoming common place. The launch of the Child support agency 20 years ago was regarded as a horrible aberration. Look today at how long it took to get a grip of child tax credits; or the rural payments agency; and just look at the Borders Agency. What is happening at HMRC, where we hear that the phones take so long to be answered?

This is not about finding someone to blame. We do need to accept that these failures seem to be occurring with increasingly rapidity, and that the system seems incapable of addressing the reasons for these failures or they would not keep occurring.

I welcome the FDA's contribution to the debate with its new alternative white paper: 'Delivering for the Nation: Securing a world-class Civil Service.'

When giving evidence to PASC, Dave Penman made the point that the Civil Service was a convenient scapegoat for Government frustration. He also said: "We talk a lot about the competence and experience of civil servants, and not many people talk about the competence and experience of Ministers." Well: yes and no. There is no escaping from the failures of leadership by senior civil servants too.

I agree with the FDA that the starting point for reform must be a proper appraisal of the challenges the civil service faces, and that the process of reform can only really succeed if there is respect on both sides:

- Respect by civil servants for the extremely difficult and changed role of Ministers,
- and respect by politicians for civil servants' unique and complex role in policy development and implementation.

I share the FDA's belief that 'The civil service's ability to "speak truth unto power" is an asset to be prized', and this is a theme I have often emphasised.

The FDA lays great emphasis on the need to address training, skills and expertise, but these failings are symptomatic of something deeper that is going wrong.

I believe that the key concern for the state of the Civil Service must be the quality of leadership of our government administrative system.

To take one example: It cannot be conducive to good government that there has been a change of permanent secretary role in all but one of the sixteen Whitehall departments since the 2010 General Election. Four departments are already on their third permanent secretary. This begs the question why we still call this a "permanent" civil service.

The policy of moving top people around departments, intended to aid cross-departmental working, has led to a decline in specialist expertise at the top of departments. What has gone wrong with the leadership that has allowed this situation to arise, where there is not continuity, where there are permanent secretaries with little experience in their Departments, and where people are being ripped out of jobs where they have a crucial role and being replaced by somebody with much less experience?

The FDA evidently shares my concern.

What has gone wrong with the leadership of the Civil Service that has allowed so many of these concerns to develop? Why does nobody feel responsible, or feel that they must take responsibility - a question as much for ministers and the political class, as it is for the leadership of the civil service?

The questions about the feeling of responsibility and the feeling of accountability demand real exploration. Why do ministers feel they are being

blocked? Why do departments and agencies believe they are being asked to deliver the impossible? I cannot believe that this is just about “performance management”, which can be so corrosive of the genuine motivation which is what brings people in to work for the public service. This is about a system of decision making which is in denial about what the system is capable of; and in which those who do know what is wrong feel unable to tell those in authority the truth. Why else did the Borders Agency accept a whole lot of undeliverable targets? What has gone wrong with the values of the service that people are unable to say the truth? Is it ignorance, or fear?

Any effective administration depends upon trust amongst the leading protagonists, effective governance of the organisation, which in turn depends upon the quality of leadership at the top. Perhaps these questions can only be addressed by a parliamentary commission, a joint committee of both houses, along the same lines as the Tyrie Commission into the banking system. This would not be instead of the Civil Service Reform Plan, or an excuse to obstruct or block that programme, but to ask what should follow it.

Between 1853 and the Fulton Committee which reported in 1967, there was a Royal Commission on the Civil Service about once every 15 years – eight of them. Since Fulton, there has been nothing.

Think how much has changed in that time! Think how much business has changed. Technology has transformed management practices, the way politics works, and the relationship between the state and the citizen. Think how different society is today. Think about the effect of devolution and decentralisation. Think what the citizen expects of state services – and what politicians think government should be able to deliver. Think how different the state looks today from how it looked in 1967. Think how different is the UK’s role in the world; how differently governments relate to each other; how globalisation has internationalised challenges – and decision-making.

And think about how all this tests the relationship between the permanent civil service and your ministers. Think about how diverse the political and administrative community has become – how much less top civil servants and their political masters may have in common in terms of class, religion, sex and educational background. Think about how much scrutiny to which this relationship is now subject – from Parliament, from Freedom of Information, from intrusive and speculative media who no longer offer any deference to inherited structures or office holders. Think how little private space there is for the crucial relationships at the top of government. This needs deep and objective consideration.

I have suggested that parliament should establish a carefully chosen commission on the future of the civil service to lay out a comprehensive programme of reform, with cross-party support and the endorsement of parliament as whole. Its recommendations would be a foundation for future stability.

Perhaps unsurprisingly, Sir Jeremy Heywood and Sir Bob Kerslake disagreed with me when they appeared before PASC. They believed that the best course of action was rapid implementation of the current Civil Service Reform Plan. Sir Jeremy says the best way to address problems is to deal with them

as they arise. The evidence suggests that this approach is not working. Our system of public administration is not going to fix itself, if it is left to the normal conduct of government.

But I am encouraged that the FDA has also raised the idea of a commission, asking in its alternative white paper: "Is it time for a more comprehensive, authoritative and cross party review of the civil service – perhaps a Commission similar to Fulton?"

Civil service reform is too important to be a hasty response to political pressures and frustration. I hope we at PASC will stake out the ground for debate, and I look forward to answering your questions.