



House of Commons
Liaison Committee

Civil Service: lacking capacity

First Report of Session 2013–14

Report, together with formal minutes relating to the report

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Liaison Committee

The Liaison Committee is appointed to consider general matters relating to the work of select committees; to advise the House of Commons Commission on select committees; to choose select committee reports for debate in the House and to hear evidence from the Prime Minister on matters of public policy.

All publications of the Committee (including press notices) and further details can be found on the Committee's web pages at www.parliament.uk/liaisoncom

Membership at the time of the report

[Rt Hon Sir Alan Beith MP](#) (*Liberal Democrat, Berwick-upon-Tweed*) (Chair)

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Welsh Affairs – [David T C Davies MP](#) (*Conservative, Monmouth*)

Work and Pensions – [Dame Anne Begg MP](#) (*Labour, Aberdeen South*)

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Civil Service: lacking capacity

Introduction

1. We took evidence from the Prime Minister on 10 September 2013 about the capacity and skills of the Civil Service and its record of managing contracts with the private sector. We cited evidence from select committee reports covering topics such as the electronic monitoring of offenders, rural broadband and the UK Border Agency.¹

2. Our evidence session with the Prime Minister followed the publication by the Public Administration Select Committee (PASC) of *Truth to Power: How Civil Service reform can succeed*. The PASC report, which concluded a year-long investigation into the state of the Civil Service and the Government's proposed reforms to Whitehall departments, found that there had been a breakdown of trust between ministers and officials. PASC reported that:

Ministers tend to blame failures in defence procurement or the Borders Agency on civil servants or previous governments and we believe that Civil Servants may attribute such failures to inexperienced ministers with party political agendas. Either way, few ministers or officials seem to be held accountable when things go wrong. More importantly, there is a risk that an atmosphere of blame overshadows acknowledgement of excellent work.²

3. The Public Administration Select Committee argued that there was a conflict between the requirements of the Haldane model of ministerial accountability—which makes ministers responsible for all that occurs within their department—and the demands of modern politics. The Committee noted that some ministers were frustrated that they were unable to remove civil servants whom they regard as under-performing or obstructive, despite being held accountable for the performance of their department. Officials themselves did not feel accountable or empowered to take full responsibility for their part in delivering ministerial priorities, and the Committee concluded that a review of the Haldane doctrine was necessary to ensure effective government in the modern context.³

4. The Public Administration Select Committee argued that the Government had not set out the challenges facing the Civil Service in the future, or attempted to answer the question of what the Civil Service is for in the modern age and concluded that such a long-term strategic consideration of the Civil Service was necessary for the Government's reform agenda to succeed.⁴

5. The topics raised with the Prime Minister in our evidence session demonstrated the following failings in Whitehall:

1 Oral evidence taken on [10 September 2013](#), HC (2013–14) 647, Q1–87

2 Public Administration Select Committee, Eighth Report of Session 2013–14, [Truth to Power: how Civil Service reform can succeed](#), HC 74, para 18

3 Public Administration Select Committee, Eighth Report of Session 2013–14, [Truth to Power: how Civil Service reform can succeed](#), HC 74, para 18

4 Public Administration Select Committee, Eighth Report of Session 2013–14, [Truth to Power: how Civil Service reform can succeed](#), HC 74, para 28

- a) A bias to inertia
- b) A failure to learn from failure
- c) A belief in incremental change versus long-term vision
- d) Working in departmental silos rather than cross-cutting initiatives
- e) A shortage of commercial and contracting skills
- f) A tendency to procure from large suppliers rather than small and medium enterprises.

6. This Report considers the Prime Minister's evidence in light of the single PASC recommendation: the establishment of a Parliamentary Commission on the Civil Service, to be established as a Joint Committee of both Houses, and report ahead of the 2015 general election.

Electronic monitoring

7. In a Statement to the House on 11 July 2013, the Lord Chancellor and Secretary of State for Justice, the Rt Hon Chris Grayling MP, confirmed that an audit into the Ministry of Justice's electronic monitoring contracts with G4S Care and Justice Services and Serco Monitoring had revealed significant anomalies and overcharging in the billing practices by the two companies. The Secretary of State revealed that the Ministry of Justice had been charged for monitoring of individuals who had not been tagged; had been returned to prison; and in some cases, were deceased. The overcharging was estimated to "run into the low tens of millions of pounds in total for both companies", and dated back to the commencement of the contracts in 2005. The Secretary of State warned that the overcharging might even have dated back to the start of the previous contracts, in 1999.⁵

8. The Secretary of State revealed that contract managers had identified the issues around billing practices in 2008, but "nothing substantive was done at that time to address the issues".⁶ The Secretary of State stated that the behaviour of officials in his department needed to be examined closely as the management of the tagging contracts had been "wholly inadequate".⁷

9. In his evidence to us in September, the Prime Minister noted that the electronic monitoring contract dated back nearly a decade, and that there were "examples of good contracting and bad contracting" within the Civil Service.⁸

10. The fact that contract managers had been aware, to some extent, of the overcharging by G4S and Serco in the electronic tagging contracts since 2008 suggests that the individual civil servants did not know how to raise this problem with senior management or ministers, or were unwilling to do so—a clear sign of a failure of

5 HC Deb, 11 July 2013, [col 573](#)

6 HC Deb, 11 July 2013, [col 573](#)

7 HC Deb, 11 July 2013, [col 573](#)

8 [Q29](#)

leadership. This adds to the evidence received by PASC during its inquiry into the state of the Civil Service, and reinforces the concern that the Government has not got a coherent analysis of why things go wrong.

InterCity West Coast train franchise

11. The collapse of the tendering process for the InterCity West Coast (ICWC) Main Line train franchise in October 2011 was attributed, at the time, by the Secretary of State for Transport, to “completely unacceptable mistakes” by Department for Transport (DfT) officials working on the franchise process.⁹

12. A review of the franchising process by the DfT’s non-executive director, Sam Laidlaw, revealed, however, systemic problems in the way the department resourced and managed the franchise process. Mr Laidlaw stated that:

planning and preparation in respect of the ICWC franchise was inadequate and failed to allocate time appropriately or incorporate sufficient flexibility in respect of the process timetable;

the organisational structure at the DfT failed to set out roles, responsibilities and associated accountabilities clearly, and the resources of the organisation were excessively stretched due to the Government’s spending review and the competing pressures of other projects;

the effectiveness of the governance framework was severely reduced by the lack of clarity in the functions, authorities and interrelationships of various committees and boards;

significant risk issues were identified through internal and external quality assurance procedures over the course of the ICWC franchise process; however, the quality and robustness of the ICWC procurement was subordinated to an overriding pressure to complete the procurement on time; and

whilst the governance framework was not effective in escalation or resolution of the flaws in the ICWC franchise process, there was a failure on the part of those responsible for escalation and resolution, indicating a culture of limited ownership and ineffective oversight.¹⁰

13. The Transport Committee concurred that the failure of the tendering process demonstrated a systemic issue in the leadership of the DfT:

Embarking on an ambitious, perhaps unachievable, reform of franchising, in haste, on the UK’s most complex piece of railway was irresponsible and involved such an element of risk that greater senior executive oversight and relevant technical expertise was required.

9 HC Deb, 15 October 2012, [col 46](#)

10 [Report of the Laidlaw inquiry: Inquiry into the lessons learned for the Department for Transport from the InterCity West Coast competition](#), HC (2012–13) 809

[...] We strongly suspect that there are lessons for ministers in terms of more realistically matching policy ambition to departmental capacity and resources, not least in their role as chairs or members of boards. We recommend that the Secretary of State inform us of the lessons he considers current and future ministers, rather than officials, should draw from the cancellation of the ICWC franchise competition.¹¹

14. The Public Administration Select Committee concluded in its report *Truth to Power: How Civil Service reform can succeed* that the collapse of the franchising process was “symptomatic of many wider questions concerning governance and leadership within the Civil Service”.¹² PASC suggested that there was a tendency in Whitehall to scapegoat a few officials rather than answer the questions that arise from failure and “address wider shortcomings in systems and culture”.¹³

15. The Prime Minister told us in March that “something went very wrong at the Department for Transport” during the franchising process, and stated that the Cabinet Secretary had been misled by officials.¹⁴

16. The West Coast Main Line franchise fiasco demonstrated a failure of coherent leadership within the Department for Transport. The failure of ministers and the departmental board to address the flawed franchising process and ensure that the department had the resources and skills successfully to tender the contract demonstrates systemic organisational weaknesses in the Civil Service. The House needs to be assured that there has been a careful analysis of the wider organisational and leadership factors which led to this failure and that those lessons have been widely shared across Whitehall.

Rural broadband

17. The Committee of Public Accounts reported in September on the rural broadband programme, which aims to use £550 million to help get superfast broadband to largely rural areas, benefiting approximately 4.6 million premises. The Committee concluded that the Department for Culture, Media and Sport (DCMS) had “failed to deliver meaningful competition for the letting of local contracts”, and that assumptions made in the department’s business case were “wildly inaccurate”. The Committee warned that the lack of transparency in the contracts with the single supplier, BT, was “a serious risk to value for money”.¹⁵

18. The Environment, Food and Rural Affairs (EFRA) Committee has reported that “the roll-out of rural broadband has not been without difficulties”, and noted that while “getting

11 Transport Committee, Eighth Report of Session 2012–13, [Cancellation of the InterCity West Coast franchise competition](#), HC 537, para 26

12 Public Administration Select Committee, Eighth Report of Session 2013–14, [Truth to Power: how Civil Service reform can succeed](#), HC 74, para 85

13 Public Administration Select Committee, Eighth Report of Session 2013–14, [Truth to Power: how Civil Service reform can succeed](#), HC 74, para 85

14 Oral evidence taken on [12 March 2013](#), HC (2012–13) HC 484-iv, Q24

15 Committee of Public Accounts, Twenty-Fourth Report of Session 2013–14, [The rural broadband programme](#), HC 474

state aid clearance is an achievement the DCMS should be proud of”, the procurement process “clearly failed” to be competitive.¹⁶

19. The Prime Minister told us in September that while there were “lessons to learn” from the roll-out of rural broadband, he believed that some of the criticisms of the programme were “slightly unfair, because it really is going ahead and is getting through to people”.¹⁷ In a supplementary letter to the Chair of EFRA Committee, the Prime Minister added:

While we would have welcomed greater competition, it is important to recognise that the NAO concluded that approach we have put in place has reduced cost and transferred risk to the private sector.¹⁸

20. Committees of this House have found that the Department for Culture, Media and Sport delivered a procurement process that was not competitive, and has awarded all the contracts for the roll-out of rural broadband to a single, large company. This is clearly not what was intended. This adds to PASC’s findings about the lack of commercial skills in the Civil Service, and reinforces the questions about why the leadership seems unaware of these shortcomings and incapable of adjusting policy to reflect these limitations.

Universal Credit

21. The National Audit Office reported in September on the progress of the Universal Credit programme and found that “throughout the programme the Department [for Work and Pensions] has lacked a detailed view of how Universal Credit is meant to work” and that “in practice the Department did not have any adequate measures of progress”.¹⁹ The NAO concluded that:

At this early stage of the Universal Credit programme the Department has not achieved value for money. The Department has delayed rolling out Universal Credit to claimants, has had weak control of the programme, and has been unable to assess the value of the systems it spent over £300 million to develop. These problems represent a significant setback to Universal Credit and raise wider concerns about the Department’s ability to deal with weak programme management, over-optimistic timescales, and a lack of openness about progress.²⁰

22. The Prime Minister told us that the DWP had learnt lessons from the initial stages of Universal Credit implementation and that the “rationalisation” of the department should not affect its ability to deliver the policy.²¹

16 Environment, Food and Rural Affairs Committee, Sixth Report of Session 2013–14, [Rural Communities](#), HC 602, paras 47–49

17 [Q44](#)

18 Letter to Anne McIntosh MP, 4 October 2013

19 NAO, [Universal Credit: early progress](#), HC (2013–14) 621

20 NAO, [Universal Credit: early progress](#), HC (2013–14) 621

21 [Q55](#)

23. The Committee of Public Accounts (PAC) reported in November 2013 that the management of the Universal Credit project had been “extraordinarily poor” and argued that a “lack of oversight allowed the Department’s Universal Credit team to become isolated and defensive, undermining its ability to recognise the size of the problems the programme faced and to be candid when reporting progress”.²²

24. The PAC concluded that “the litany of problems in the Universal Credit Programme were often hidden by a culture prevalent in the Department which promoted only the telling of ‘good news’”.²³

25. The key question in relation to Universal Credit is why the Department for Work and Pensions seemed to be unaware of the risks and constraints in relation to the implementation of Universal Credit until three years into the project. We are concerned that officials provide information to ministers on the basis of what they think ministers want to hear: this, as PASC argues, is the antithesis of “telling the truth to power”.

UK Border Agency

26. The Home Affairs Committee reports each quarter on the UK Border Agency, and its successor organisations in the Home Office. In the Committee’s most recent Report, published in November, it found that the backlog of immigration cases was now around 432,000. The Committee has also expressed concern that, despite the abolition of the UKBA, it was “unclear” how Ministers would bring about the necessary change of culture in the new organisations.²⁴ The Prime Minister told us in September that splitting UKBA into separate parts, each with a distinct focus, would make it easier for there to be effective leadership.²⁵

27. It is too early to determine the effectiveness of the new model for managing migration, but the Government’s decision to move the functions of the UK Border Agency in-house does at least suggest a willingness to learn from past failures. We are concerned, however, that such structural reforms on their own will not be sufficient to tackle the closed, secretive and defensive culture of UKBA highlighted by the Home Secretary—especially given the acknowledgement by her Permanent Secretary that most staff will still be doing “the same job in the same place with the same colleagues for the same boss”.²⁶ We remain concerned, that while seeking to learn lessons from failure, the lack of openness, trust and honesty between different levels of management, and the associated negative culture and attitudes of the organisation, have not been analysed or addressed, and the same problems may persist.

22 Committee of Public Accounts, Thirtieth Report of Session 2013–14, [Universal Credit: Early Progress](#), HC 619

23 Committee of Public Accounts, Thirtieth Report of Session 2013–14, [Universal Credit: Early Progress](#), HC 619

24 Home Affairs Committee, Fourth Report of Session 2013–14, [The work of the UK Border Agency \(October–December 2012\)](#), HC 486, para 16

25 Home Affairs Committee, Fourth Report of Session 2013–14, [The work of the UK Border Agency \(October–December 2012\)](#), HC 486, Q56

26 Oral evidence taken before the Home Affairs Committee on [26 March 2013](#), HC (2012–13) 486, Q68

Further examples of Whitehall contract management

28. The Committee of Public Accounts reported in October 2012 on the Government's Affordable Homes Programme and expressed serious concerns about the financing of the scheme. The Committee also noted that that the Affordable Homes Programme would only meet 2% of the unmet housing need, and called for the Department for Communities and Local Government to "urgently" address how it would meet the other 98%.²⁷

29. The Prime Minister stated in his evidence in September that he was confident that the Civil Service had the necessary skills to deliver the Government's housing policies, stating that many of the policies were "being delivered by the Treasury, where I think there is the expertise".²⁸ In supplementary evidence the Prime Minister wrote that:

The Treasury has developed Help to Buy, in close co-operation with industry and regulators, to ensure that the scheme received the right technical input. In addition, the Treasury procured specialist advice from a major accountancy firm to determine the correct commercial scheme.²⁹

30. The Environment, Food and Rural Affairs Committee reported in July on the Government's "short-sighted" approach to capital investment in flood defences. The Committee also expressed its concern that the Flood Re scheme may not "achieve the value for money normally required of Government policies".³⁰ The Prime Minister told us in September that ministers would need to "look carefully" at whether the Department for Environment, Food and Rural Affairs had the skills to negotiate the Flood Re scheme with the insurance sector.³¹

31. In September 2012 the Home Affairs Committee reported on the failure of G4S, the principal security contractor for the 2012 London Olympic and Paralympic Games, to fulfil its contractual duties. The Committee concluded that

The blame for G4S's failure to deliver on its contract rests firmly and solely with the company. There is no suggestion that LOCOG, the Home Office or anybody else involved in the process contributed to the problem in any way.³²

32. The Prime Minister told us on 10 September that G4S "let the country down" over the security for the Olympics, but argued that the situation demonstrated "the effectiveness of the Civil Service at helping to plan and organise", through the early detection of the problem with G4S and the development and operation of a contingency plan.³³

33. The civil servants working on the security for the 2012 Olympic and Paralympic Games have been rightly lauded. They demonstrated that the Civil Service can

27 Committee of Public Accounts, Thirteenth Report of Session 2012–13, [Financial viability of the social housing sector: introducing the Affordable Homes Programme](#), HC 388

28 [Q58](#)

29 [Supplementary evidence from the Prime Minister, 15 October 2013](#)

30 Environment, Food and Rural Affairs Committee, Third Report of Session 2013–14, [Managing Flood Risk](#), HC 330

31 [Q62](#)

32 Home Affairs Committee, Seventh Report of Session 2012–13, [Olympics Security](#), HC 531-I, para 33

33 [Q32](#)

successfully manage complex projects. Such successes are outweighed, however, by less successful contracts managed across Whitehall departments, such as the approach to flood defences and affordable housing. There remains significant evidence that Whitehall is not equipped to support consistent contract management, and is subject to a tendency to be driven by short-term pressures, rather than long-term value for money for the taxpayer.

Conclusion

34. We remain unconvinced that the Government's Civil Service Reform Plan for Whitehall is based on a strategic consideration of the future of the Civil Service. The Prime Minister's evidence to us in September did nothing to suggest that the Government has a coherent analysis of why things in Whitehall go wrong.

35. *We endorse the recommendation of the Public Administration Select Committee (PASC) that the Government should ask Parliament to establish a Parliamentary Commission into the Civil Service and that this should be a Joint Committee of both Houses, on the same lines as the Parliamentary Commission on Banking Standards. We share the view of PASC, based on the principles established by the Constitutional Reform and Governance Act 2010, that substantial reforms to the Civil Service—which exists to serve future governments as well as the present one—should be scrutinised by Parliament. We recommend that the Commission be established as a matter of urgency and report before the end of this Parliament, to enable its findings and recommendations to be implemented after the election. We recognise that there would need to be discussions between the House and the Government about the appropriate funding of this.*

Conclusions and recommendations

Conclusions

1. The fact that contract managers had been aware, to some extent, of the overcharging by G4S and Serco in the electronic tagging contracts since 2008 suggests that the individual civil servants did not know how to raise this problem with senior management or ministers, or were unwilling to do so—a clear sign of a failure of leadership. This adds to the evidence received by PASC during its inquiry into the state of the Civil Service, and reinforces the concern that the Government has not got a coherent analysis of why things go wrong. (Paragraph 10)
2. The West Coast Main Line franchise fiasco demonstrated a failure of coherent leadership within the Department for Transport. The failure of ministers and the departmental board to address the flawed franchising process and ensure that the department had the resources and skills successfully to tender the contract demonstrates systemic organisational weaknesses in the Civil Service. The House needs to be assured that there has been a careful analysis of the wider organisational and leadership factors which led to this failure and that those lessons have been widely shared across Whitehall. (Paragraph 16)
3. Committees of this House have found that the Department for Culture, Media and Sport delivered a procurement process that was not competitive, and has awarded all the contracts for the roll-out of rural broadband to a single, large company. This is clearly not what was intended. This adds to PASC's findings about the lack of commercial skills in the Civil Service, and reinforces the questions about why the leadership seems unaware of these shortcomings and incapable of adjusting policy to reflect these limitations. (Paragraph 20)
4. The key question in relation to Universal Credit is why the Department for Work and Pensions seemed to be unaware of the risks and constraints in relation to the implementation of Universal Credit until three years into the project. We are concerned that officials provide information to ministers on the basis of what they think ministers want to hear: this, as PASC argues, is the antithesis of “telling the truth to power”. (Paragraph 25)
5. The civil servants working on the security for the 2012 Olympic and Paralympic Games have been rightly lauded. They demonstrated that the Civil Service can successfully manage complex projects. Such successes are outweighed, however, by less successful contracts managed across Whitehall departments, such as the approach to flood defences and affordable housing. There remains significant evidence that Whitehall is not equipped to support consistent contract management, and is subject to a tendency to be driven by short-term pressures, rather than long-term value for money for the taxpayer. (Paragraph 33)
6. We remain unconvinced that the Government's Civil Service Reform Plan for Whitehall is based on a strategic consideration of the future of the Civil Service. The Prime Minister's evidence to us in September did nothing to suggest that the

Government has a coherent analysis of why things in Whitehall go wrong. (Paragraph 34)

Recommendation

7. We endorse the recommendation of the Public Administration Select Committee (PASC) that the Government should ask Parliament to establish a Parliamentary Commission into the Civil Service and that this should be a Joint Committee of both Houses, on the same lines as the Parliamentary Commission on Banking Standards. We share the view of PASC, based on the principles established by the Constitutional Reform and Governance Act 2010, that substantial reforms to the Civil Service—which exists to serve future governments as well as the present one—should be scrutinised by Parliament. We recommend that the Commission be established as a matter of urgency and report before the end of this Parliament, to enable its findings and recommendations to be implemented after the election. We recognise that there would need to be discussions between the House and the Government about the appropriate funding of this. (Paragraph 35)

Formal minutes

Wednesday 27 November 2013

Members present:

Sir Alan Beith, in the Chair

| | |
|------------------------|-----------------------|
| Kevin Barron | Andrew Miller |
| Dame Anne Begg | Mr Laurence Robertson |
| Mr Clive Betts | Mr Graham Stuart |
| Mr William Cash | Mr Andrew Tyrie |
| Geoffrey Clifton-Brown | Keith Vaz |
| James Duddridge | Joan Walley |
| Sir Alan Haselhurst | Mr John Whittingdale |
| Mr Bernard Jenkin | Mr Tim Yeo |
| Miss Anne McIntosh | |

* * *

Draft Report (*Civil Service: lacking capacity*), proposed by the Chair, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 35 read and agreed to.

Resolved, That the Report be the First Report of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

* * *

[Adjourned till Wednesday 11 December at 6.00 pm]

Witness

The following witness gave evidence. The transcript can be viewed on the Committee's web page at www.parliament.uk/liaisoncom

Tuesday 10 September 2013

Question number

Rt Hon David Cameron MP, Prime Minister

[Q1-87](#)

Published written evidence

The following written evidence was received and can be viewed on the Committee's inquiry web page at www.parliament.uk/liaisoncom

1 Rt Hon David Cameron MP, Prime Minister ([EPM 0001](#))