



# The Westminster Model and the “Indivisibility of the Political and Administrative Elite”

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## The Westminster Model and the ‘Indivisibility of the Political and Administrative Elite’: A Convenient Myth Whose Time Is Up?

### Abstract

This article argues that the principle of indivisibility in the relationship between political and administrative elites acted as a central convention of the Westminster system for much of the twentieth century. It explores how over recent decades this principle has been challenged by the shift to a principal-agent approach. It considers the extent to which this shift diminishes the traditional Westminster understanding of the minister-civil servant relationship as one based on a symbiotic interdependent partnership. In its place has emerged a more universal command and control relationship which is seen as necessary to meet the demands of modern accountability and transparency. Such a change has fundamentally altered a long-established power-bargain between ministers and civil servants and undermined a core tenet of the Westminster Model.

The story of the British Civil Service in the early twenty-first century is of an institution confronted by an overarching dilemma: is it possible for an organisation to be subject to constant reform and still retain its key characteristics? This dilemma can be refined by posing a more exacting question: has more than three decades of government-driven change in Whitehall rendered the Westminster model [WM] inadequate as an organising perspective of the British system of government?

To this dilemma, this article analyses the changing relationship between the political and the administrative class since the late 1970s. The established constitutional orthodoxy of the WM presents this relationship as a constant, based on a familiar set of characteristics: civil servants advise, ministers decide and the bureaucratic class is neutral, impartial and permanent. The cornerstone of the minister-civil servant relationship, established by the 1918 Haldane Report is that it operates as a symbiotic partnership that in constitutional terms, is indivisible.

This article makes the case that the cumulative impact of reforms undergone by Whitehall since the late 1970s has embedded a very different type of relationship to that presented by the WM. A flavour of this shift is captured in the various contradictory positions offered by politicians in the framing of their view of the bureaucratic class:

- ministers constantly pay lip-service to the Civil Service’s ability in terms of support and intellectual excellence while at the same time criticising it for lacking the appropriate skill-sets for the twenty-first century (see AUTHOR 2008; Diamond 2013).
- officials are portrayed as first rate policy designers, yet conversely caricatured as ineffective policy implementers (Mulgan 2003; Hyman 2005; Barber 2007).
- ministers still invoke the somewhat hackneyed analogy of Whitehall as a “Rolls-Royce-like” machine, praising it for the quality of the support and service it provides. They are then swift to blame it for multiple policy failures, often in terms of an inability to devise policies that effectively translate into “real world” outcomes (see King and Crewe 2013; Seddon 2014; Hilton 2015).

Such views do little to convince the external world that ministers and civil servants still view their own relationship as the trusting and unified dyad of Westminster folklore.

The article then seeks to analyse the context of change and its impact on minister-civil servant relations by exploring the drivers underpinning the reforms introduced over recent decades, often discussed under the label of New Public Management (NPM). It argues that what has emerged in all but name is an accountability-based, principal-agent relationship that stretches beyond its limits the constitutional notion of symbiosis, so undermining a key tenet of the WM. The article goes on to address a crucial paradox in the dynamics underpinning the way in which this change has played-out. Despite the compelling evidence revealing the establishment of a new and different connexion between ministers and civil servants, both rhetorically hold to the claim that the conventions of the WM remain the lodestone that guides their relationship. The article employs Rod Rhodes' (2005) insight that the key role of the WM is as a myth that legitimises the British polity rather than a reflection of the realities of politics and policy making in the UK. This paradox then is explained below in terms of a collective desire to sustain a particular set of elite power relations.

The pathology of such an approach is in the ambiguity and confusion it creates. The last Coalition Government's (2010-15) (HM Government 2012, 8) civil service reform plan neatly captures such inconsistency:

The current model of a permanent, politically impartial Civil Service *will remain unchanged*. It exists to serve the Government of the day, while retaining the flexibility to serve future Governments. Civil servants carry out three broad types of role, at home and overseas. *All need to change in order to meet the new challenges and address weaknesses*. [emphasis added]

The Government sees no irony in suggesting that everything will stay the same, yet everything must change.

The argument set out below is that what has unfolded in relation to civil service mirrors a pattern that has occurred in other areas of UK government, but most recently and notably in the context of devolution (see AUTHOR et al 2014). The approach adopted by ministers is one which seeks to hold to the line that following on from reform of a particular area of government, all the key features of the WM remain intact.

In the context of this article on civil service reform under the theme of "Walking Away from Westminster", it is argued that:

- since 1997, but in particular after 2010, a number of core changes in the process of governing have fundamentally transformed both Whitehall and more broadly, the state (AUTHOR 2008; Rhodes 2005; Diamond 2012).
- this in turn creates a crucial problem; whilst UK governance is going through a process of radical change, the constitutional precepts are said to remain in place.
- The net effect of the political class holding to this position is that the mechanisms of democracy and accountability are not keeping up with changes in practice.
- The most crucial pathology exposed by the shift in the nature of the relationship between ministers and civil servants to a principle-agent setting is that the deliberative space afforded for critical engagement over public policy has been diminished. The WM has always been recognised for its limited number of veto points. Such a shift has further exacerbated this dimension of the model, leading to what Anthony King and Ivor Crewe (2013) refer to as growth in the "blunders of our governments."

The article first sets-up what is the traditional understanding of the civil service. It then explores the emergent paradox of a reform programme that has sought to fundamentally transform Whitehall, most recently under the aegis of a shift to a “post-bureaucratic state”, against a backdrop of claims that its core traditions remain unchanged. It concludes by reflecting on the pathologies that emerge from the inconsistency of trying to sustain the convenient myth of the WM’s imperviousness to change.

### **The Establishment of the Westminster Model**

The original WM of official/ministerial relations was a remarkably consistent governing mechanism. It was based on the notion of an indivisible state elite ruling in the national interest and accountable via Parliament to the electorate. Democracy was embedded in the system but not in a way that would compromise strong government. Officials would eliminate the noise of sectional and partisan interest to ensure policy in the national interest. The central convention underpinning the Whitehall model<sup>1</sup> was the idea that the relationship between a minister and civil servant was symbiotic (AUTHOR and AUTHOR 2000). Theakston (1995: 46) captures the ‘formal or constitutional’ dimension of the model:

The Civil Service has no constitutional personality or responsibility distinct or separate from that of the government of the day; it is a non-political and neutral bureaucracy, loyally committed to the aims and the interests of that government; the duty of officials is to ensure that ministers are fully apprised of the problems, constraints and options they face, but then it is also the duty to make the best of the policy that ministers lay down and to put into effect their decisions, for which ministers are responsible.

The key emphasis is on indivisibility in the relationship between ministers and civil servants. Such an approach was established as a convention by Lord Haldane’s 1918 Report (Ministry of Reconstruction 1918).

### **Understanding Haldane**

Haldane established the convention that officials advise a minister on a subject [free from fear or favour] and so there is no requirement for the separation of power between the political and administrative class. This approach sought to provide a “deliberative space” to allow officials to “speak truth unto power.” It is the antithesis of the US ‘Wilsonian model’ and other European models premised on more pluralistic sentiments and an explicit separation of powers between the political and administrative class. Constitutionally the Haldane convention does not recognise any division in the personality of ministers and their officials – a key feature returned to throughout this article (AUTHOR 2008, 16-17).

The Haldane convention forms the cornerstone of the Whitehall model. It established the principle that officials and ministers operate in an indivisible manner, whereby ministers decide after consultation with their officials, whose wisdom, institutional memory and knowledge of the processes of governing help guide the minister. The official is loyal to the minister who takes responsibility when things go wrong. Whatever the problems with this approach in its practical

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<sup>1</sup> Reference to a Whitehall Model throughout this article is a short-hand term used to highlight the dimensions of the Westminster model that explicitly relate to the functioning of the Civil Service.

application, democratic or otherwise, it outlined clear lines of responsibility and accountability. Ministers were the ones held to account even if they often evaded the responsibility.

Haldane established the notion that the ministerial-official relationship was a symbiosis, where civil servants and ministers had a “shared personality” and were seen as a single entity. It was a convention that was to receive legal clarification in the 1944 Carltona doctrine.<sup>1</sup> What evolved was the expression of ministerial power through the department with officials implementing a minister’s wishes. Often the process of decision-making was one of dialogue between senior officials and ministers (see AUTHOR et al 2001; AUTHOR and AUTHOR 2004). Within this symbiosis, the norms underpinning the senior civil service included: political neutrality; being dedicated to serving both the government and the national interest (which of course created an interesting space where national interest may trump government goals); loyalty to the minister but being afforded the deliberative space to [critically] advise; to serve all governments equally; a monopoly over policy advice; and accountability to the minister who in turn was accountable to Parliament –officials had no public personality, they were anonymous. It is on these conventions that the Whitehall model emerged over a century ago.

### **The Erosion of Haldane**

What has increasingly emerged since 1979 is a rhetorical gap between claims by the political class that the Whitehall model remains unchanged and the reality that suggests something quite different. As set out below, a combination of NPM and the politicisation of policy making, (with the rise of more programmatic and ideological ministers) has eroded the core symbiotic element in the relationship between ministers and civil servants. Yet, there has been a reluctance to accept the erosion of Haldane. As is often the case in the UK, radical change is masked behind the rhetoric of stability and tradition, making it difficult to identify new practice.

The argument of this article is that what we have seen is a phased but radical transformation of the civil service, disguised as continuity. A process that started in the late 1970s, continued after 1997, but has notably accelerated since 2010, has significantly re-shaped what officials do. It is also possible to offer a tentative view that since the election of a majority Conservative Government in 2015, the scope and pace of change has continued. The nature of these reforms in themselves is not necessarily the issue, as adaptation to the needs of a twenty-first century bureaucracy is understandable. What is important is when the scale of change is not properly recognised and a critical gap emerges between the actual practices of government and the constitutional architecture – particularly over the issue of both accountability and checks-and-balances, in terms of the senior civil service as a veto-player. In the next section, the article maps out the process of reform that has contributed to the opening up of such a gap.

### **NPM and the Erosion of Symbiosis**

NPM emerged in the early 1980s as an alternative form of governance seeking to eclipse traditional public administration (see Aucoin 1990, Christensen and Lægheid 2011; Pollitt and Bouckaert 2011; Hughes 2012; Hood and Dixon 2015). Crucial to this article is the way in which NPM undermined the traditional understanding of the role of the civil service (Rhodes 2005; Page 2010, Aucoin 2012). The existing literature has a tendency to present NPM as little more than a managerialist and technical process. In so doing, the highly political underpinnings to NPM reform which, in the British case are closely tied to a Thatcherite and post-Thatcherite transformation of the state, are at best understated, and at worst unacknowledged.

## Thatcherism and NPM

Thatcherism is often portrayed as a starting point for an on-going process of change across Britain's governance landscape. Since the early 1980s there has been a politicisation of the policy process, including at the level of central government (see AUTHOR 2015). Thatcherism politicised the ministerial and civil service relationship, *not* through a process of "overt" party politicisation (see AUTHOR 1997) but covertly in the way in which a "them" and "us" relationship emerged (AUTHOR 2015). The Thatcher and later Major Governments implicitly rejected the Haldane model, seeing officials not as facilitators, but as a constraint on the achievement of ministerial goals. This in turn led to a series of reforms concerned with bolstering ministerial power and a concomitant erosion of Whitehall's veto-playing capabilities.

Thatcherism, partly informed by public-choice accounts of bureaucracy, shaped the way post-1979 governments viewed the Civil Service in a more adversarial light (Hood 1990, Dowding 1995, Richards 1997). Whitehall was seen as a partner in the policy process, but only in the context of a particular notion of "party sovereignty" - it was there to implement the will of the government. Failure to do so was portrayed as an entrenched unwillingness to politically engage with the Thatcherite project or as managerial incompetence. The idea that officials had a role in mediating ministerial preferences was challenged head-on. Thatcherism politicised the minister-civil servant relationship by a shift from mutual dependence to conflict (AUTHOR 2005). The Civil Service, in this sense, joined the "enemies within" or "not one of us" and defined as constraints on the Thatcherite project (see Hoskyns 2000). Thatcherism's instincts were institutionalised through NPM.

The reforms introduced between 1979-97 led to major changes in the role of civil servants that have been extensively charted elsewhere (see AUTHOR 1997; AUTHOR et al 2001; Campbell and Wilson 1995; Dowding 1995; Foster and Plowden 1996; Rhodes et al 2003; Rhodes 2005; Page 2010). From its gestation in the early 1980s, NPM ushered in a series of politicised reforms that undermined the traditional Whitehall model. Most notably, it eschewed symbiosis for a binary approach in the ministerial-civil servant relationship. The Whitehall model is based on the idea that officials operate according to the public service ethos (AUTHOR and AUTHOR 2000; 2004). They are acting out of a sense of public duty and have a higher duty than ministers, being concerned with national, not sectional, interests. Thatcherism, influenced by public choice economics saw officials as self-interested utility maximisers - the very antithesis of the public service ethos.

The consequence of this assumption was a belief that to obtain compliance from officials it was necessary to recalibrate the relationship between ministers and officials to that of a principal and agent. As Huber (2000, 399) notes:

Principal agent models generally assume that conflicts of interest exist between principal and agent – such conflict is the essence of the delegation problem. One way to address the problem is to get rid of it by aligning the preferences of the agent and the principal.

The principal-agent model is underpinned by a dynamic of hierarchy and conflict so challenging the previous, co-dependent power-relationship between a minister and an official. The Whitehall model afforded considerable influence to officials [within the confines of ministerial loyalty] by offering a deliberative space to provide advice and criticism to the minister and through identifying officials as the primary overseers of implementation (Page 2010). This relationship sought to avoid overt [public] conflict and was legitimised through conceptions of ministerial responsibility and the notion that such an elite bargain was in the public interest.

In practice, NPM re-constructed officials as rational actors with potentially conflicting goals to their minister. This challenged the Haldane model which effectively regarded officials and ministers only existing in relation to each other; one cannot work without the other. This led to the reconfiguration in the relationship with ministers seeking to assert greater political control over the bureaucratic class (Author and Author 2000, Aucoin 2012). Consequently Thatcherite reforms of Whitehall had a distinctly *political* impact. Claims that NPM was simply ushering in a new managerialist approach disguised the impact on existing minister-civil servant power bargain. It was the beginning of the end for the Haldane “symbiosis” approach to be replaced over time by a more conflictual, binary relationship.

Crucially, throughout this period ministerial rhetoric reinforced the notion that the WM remained intact. Both the Thatcher and Major Governments regarded constitutional reform as a distraction. This drew criticism from certain quarters of the New Right who argued Thatcherism had failed to pursue a truly radical agenda by explicitly pursuing a new constitutional settlement, preferring instead to shy away from such issues (see Green 1987; 1993; Letwin 1992; Minogue 1996; Hoskyns 2000). It was an approach that was to be replicated by subsequent governments.

### **From NPM to Post-Bureaucratic Governance: 1997-Onwards**

All post-1997 governments have embraced a familiar managerialist critique of Whitehall (see Page 2010). One term in, Tony Blair complained of having “scars on my back” from attempts to persuade Whitehall to improve policy delivery. Public servants, he implied, were operating in “policy chimneys”, protecting their own interests rather than advancing government programmes (see AUTHOR et al 2000; Hyman 2005). His memoirs reiterated these frustrations observing that Whitehall’s problem is not political bias but inertia: “They tended to surrender, whether to vested interests, to the status quo or to the safest way to manage things – which all meant: to do nothing” (Blair 2010, 205).

What the 1979 Conservative administration established and was subsequently embedded by the New Labour administration and the 2010-15 Coalition has been a late-modern conception of the role of the state in providing public services (AUTHOR et al 2016). Whilst the state-society balance differs between Labour and Conservative, and there are certainly significant differences in levels of public expenditure, there are considerable similarities in their view of the civil service and the changes that are necessary for improvement in public service delivery.

After 2010, the recalibration of state-society relations centred on a post-bureaucratic vision of “democratic accountability.” It drew on a loose set of ideas organised under the “Big Society” motif and presented as an alternative to New Labour’s expanded and over-centralised state (see Blond 2010; Boles 2010; Norman 2010). The Conservatives, in this period of Coalition Government, claimed the inherited economic situation rendered few options beyond cutting public spending. Nevertheless, delivering public goods could be maintained by drawing on non-state providers. The statecraft to achieve this was located within the embryonic idea of the Big Society. Both social enterprises and the private sector could provide public services to create a “post-bureaucratic society.”

This agenda is not particularly new. Since 1979, UK governments have been attempting to reform the state to improve the effectiveness of government, increase the efficiency of the civil service and provide better public services whilst controlling costs. There are clear parallels with New Labour’s Third Way approach to welfare reform. Labour’s public service reform programme focused on pluralising service delivery (often bringing in third and private sector suppliers) and increasing choice for users (AUTHOR 2008).

Contra to New Labour's top-down approach towards pluralising public service delivery, the Big Society presented reform as a bottom-up process, emphasising greater voluntarism alongside a wider-mix of providers. Critics argued elements of the Big Society were rhetorical to provide a legitimisation for reduced spending and state intervention (Kerr, Byrne, and Foster 2011). The section below considers to what extent the reforms under the guise of both the Third Way and the Big Society have embedded a post-bureaucratic settlement and with it a further shift from the norms associated with the WM?

### **Reconfiguring Whitehall and Post Bureaucratic Governance**

The period of Whitehall reform under New Labour has been charted elsewhere (see AUTHOR 2008; Diamond 2014; Page 2010; Rhodes 2005) and led to considerable changes unfolding across the civil service. Notable highlights include:

- significant increases in special advisers (especially around the prime minister);
- a much greater focus on implementation through the Prime Minister's Delivery Unit;
- increased use of private suppliers in the delivery of public services
- a greater use of targets and market mechanisms as methods for controlling agents.
- a growing mistrust between officials and ministers (although this was not universally the case)

These changes were presented as occurring within the context of the existing Whitehall model (see AUTHOR 2009; Diamond 2014). The 2010 government sought both to build on and adapt the New Labour reform agenda, which, as we see below, moved further away from the WM. To some degree this was political, but it was also a reflection of wider changes in processes of governance in a post-bureaucratic age.

The Coalition Government set out a clear agenda for transforming the civil service. The *Civil Service Reform Plan* was published in June 2012. As the Public Administration Select Committee Report [PASC] (2013) observed, the plan was careful to stress that: "the current model of a permanent, politically impartial Civil Service will remain unchanged", while envisaging a smaller, flatter civil service which is much more open in terms of policy making, giving ministers greater control over appointments and allowing for more 'outsider' appointments. The brief overview of key reforms below reveals how Whitehall and the overall working of government has been further transformed. Cumulatively, these changes have inculcated an accountability-based, principal-agent relationship between ministers and civil servants as the norm.

#### Increased Political Control

The pursuit of a more explicit principal-agent relationship between ministers and civil servants challenged the previously more inter-dependent, Haldanesque footing in their relationship. It would of course be misleading to suggest there was never any evidence of mistrust in individual minister-civil servant relations in the post-war years, as diary accounts from the likes of Crossman and Benn reveal. Such examples though were more the exception than the rule. From the Thatcher years onwards, the recalibration in the relationship between ministers and civil servants, predicated on a 'them and us' view has increased a sense of distrust and stretched the credulity of Haldane. As PASC (2013, para 57) reported:

Media reports focused in part on the statement by the Minister for the Cabinet Office in October 2012 that civil servants had blocked decisions made by ministers, both in the current and previous



governments. The Minister repeated these allegations in evidence to us, stating: “it has not been contested that that has happened—deliberate obstruction. I am not saying it is a routine daily event, but the discovery that on particular occasions officials had blocked clear ministerial decisions, failed to implement them or instructed that, in some cases, what Ministers had decided should not be implemented, has not been subject to any contest”.

The accumulation of mistrust between officials and ministers has been reflected in the increased politicisation of policy advice and greater divisions between ministers and officials. Various factors have accelerated a growing politicisation across Whitehall. The rise in political advisors – 38 in 1997, 74 in 2010 and 107 by 2015 (Maer and Faulkner 2015) and the creation of extended ministerial offices [EMOs] have increased ministerial resources in relation to ministers (Cabinet Office 2013). As Martin Donnelly (2014), BIS’s Permanent Secretary observed:

The crucial specificity of the British system is that political or personal advisers are not a separate layer of administration. In France or other countries with a cabinet system, advice will go to the member of the Minister's cabinet for approval and, if necessary change, before being sent to the Minister. One implication of this system is that it requires many fewer junior Ministers. Another is that inter-Ministerial coordination tends to function on two separate levels – political and official - leading to a higher risk of policy incoherence and conflict over resources. The Whitehall model ensures that official advice is seen directly by the Minister. Additional comments can be provided by special advisers and by the Minister's private office, but they do not change the advice itself. It is this direct access, together with career progression which does not depend on Ministerial patronage, which allows honest and occasionally unwelcome advice to be provided.

There has also been an increased role for ministers in appointing Permanent Secretaries (Civil Service 2013). It was argued that for ministers to have confidence in their permanent secretaries and in turn to remain accountable for the actions of a department, they should have a key influence in appointing to the most senior posts. This change raises questions over the principle of neutrality and whether senior officials seeking appointment at this level would continue to “speak truth unto power” for fear of promotional non-preferment. At the same time the introduction of performance objectives for individual Permanent Secretaries in 2012 challenged the WM’s conception of individual ministerial accountability. As the former Cabinet Office minister Francis Maude argued at their launch:

Publishing the objectives of Permanent Secretaries is an important step towards reforming the Civil Service and sharpening its accountability to ministers and the public. Everyone can now judge how well the most senior civil servants are doing at getting best value for taxpayers’ money and delivering the government’s objectives. (Cabinet Office 2012)

The effect has been a recalibration in the relationship between ministers and civil servants in which ministers have sought to increase their power over the senior civil service through particular mechanisms of managerialism and accountability. Such reforms are not without contradiction. On one level, ministers have berated Whitehall for its lack of skills and blamed civil servants for blocking change (a view consistent across both the Labour and Coalition administrations). On another level, ministers see reform occurring through officials taking more responsibility – the desire for “delegated mission command” (PASC 2013). Collectively, these changes reveal the further diminution of Haldaneian symbiosis between ministers and senior civil servants, instead emphasising in starker terms a more explicit, binary, principal-agent setting.

### Reducing the Size of the Civil Service

Fundamental to both the Coalition and the 2015 Conservative Government has been contracting the state in the context of austerity (AUTHOR et al 2015). The state was seen as too

large and delivery could instead be undertaken by the private and voluntary sector without damaging services. Between 2010-15, there has been a 15 per cent reduction in civil servants with a 25 per cent cut since 2005 (Civil Service Statistics November 2014)

### Pluralisation

Since 1979, governments have sought to pluralise service deliver, shifting from a one-size-fits-all approach. New Labour significantly increased the role of social enterprise and the private sector. The Coalition developed this approach through a “new culture of voluntarism, philanthropy, social action” (Cameron 2010): “...to make it easier to run a charity, social enterprise or voluntary organisation ... Get more resources into the sector - social investment, giving and philanthropy [and make] it easier for sector organisations to work with the State” (Cabinet Office 2010a). This process has three main drivers: privatisation, devolution and the development of open policy making. Since 2010, there has been an increased role for the private sector in the delivery of core public services - the police, the NHS and local government - so eroding the senior Civil Service’s monopoly on policy advice.. As the Civil Service Reform Plan (2012:4) notes: “Open policy making will become the default. Whitehall does not have a monopoly on policy making expertise.”

### Civil Servants as Managers not Policy Makers

One consequences of the pursuit of NPM has been to reduce the policy advice function of officials, as governments have sought to break up Whitehall’s monopoly on policy advice (AUTHOR and AUTHOR 2006; AUTHOR 2008). The speed of change in this area rapidly accelerated under the New Labour and Coalition Governments. Civil servants it has been argued, require different skills for the 21<sup>st</sup> century, particularly in policy implementation [see Table 1].

**Table 1. Changing Skills of Civil Servants**

<i>Requirement</i>	<i>Traditional Skills</i>	<i>Post-bureaucratic Skills</i>
<i>Overall ethos</i>	Generalist policy skills	Specialized skills
<i>Policy Role</i>	Policy advice and making	Policy implementation and delivery
<i>Management</i>	Political management	Project and implementation management
<i>Relationships</i>	Networking/bureaucratic infighting	Management of external relations - contracts
<i>Function</i>	Problem solving	Delivering

Civil servants are still trained as policy makers, but increasingly they work in management, contract negotiation, project management and implementation (see Seddon 2014; Hilton 2015; Hood and Dixon 2015). Two features emerge from this arrangement. The first is de-emphasising the critical, deliberative function of senior officials in policy-making, manifested in a principal-agent approach. The second is a skills gap, illustrated by a number of high profile policy failures (see King and Crewe 2013; Schuk 2014; Taylor 2015). Officials are identified as lacking the ability to oversee complex contract negotiations (Schuck 2014). King and Crewe observe the approach to large and complex problems is not defined as an issue of “project management”, as it would be in the private sector, but instead is seen in terms of delivering the normal run of business (National Audit Office 2014/15).

## Digitization

The rise of digitisation has been portrayed as a major change in the governance toolkit (Dunleavy et al 2006; Margets 2015). The last two decades have witnessed a shift from Weberian forms of bureaucracy as the central mechanism for delivery of government goals to an increasing reliance on new techniques such as surveillance, behavioural norms [including “nudge”], regulation and incentives (AUTHOR 2009). Developments in digital technology are central to these changes and have the potential to transform the processes of governance. Those invoking the “smarter state” narrative (IPPR 2009) identify the potential and real effects of digitization in reducing the number of civil servants involved in policy delivery.

Digitisation has the potential to challenge the original Weberian concept of functional departments (Hilton 2015), a “live” theme within wider debates on Civil Service reform. The former Head of the Government Digital Service, Mike Bracken, observes that in the context of online provision, departmentalism no longer makes sense: “Logical groupings [make sense] to ministers [because that’s how] we run parliament. We need that. But in terms of delivery of service in a digital age, departments and structures don’t often make that much sense” (cf. Aston 2015). There is a deeply embedded path-dependency associated with the function-based, departmental model of bureaucracy, no more so than as the cornerstone of the Whitehall Model. Its abandonment would require an overhaul of the UK’s accountability conventions, setting in train a sizeable contagion across other areas of the constitution.

## Improving Implementation

The Coalition’s approach to implementation has been somewhat contradictory. The Big Society narrative sought to develop civil society as the driver of policy implementation, breaking from New Labour’s strategy of enhancing central policy making capacity (AUTHOR 2008; AUTHOR 2011). The Coalition made much of its abandonment of New Labour’s Delivery Unit to be replaced by an Implementation Unit. Yet, beyond the rhetoric of pluralisation, the emphasis has been on asserting ministerial power. The government developed non-executive boards to oversee the implementation of department policy, while arguing: “[p]olicy will be decided by ministers alone, with advice from officials. Boards will give advice and support on the operational implications and effectiveness of policy proposals, focusing on getting policy translated into results” (Cabinet Office 2010). Centralising tendencies elsewhere have re-emerged. Chris Mullin, the Deputy Director of the Implementation Unit observed:

Although it regularly undertakes rapid analysis to meet ministerial needs, the IU’s main work is to undertake six to eight week ‘deep dive’ reports that aim to get right to the bottom of thorny implementation issues. These build on many of the techniques developed by PMDU. (Civil Service Quarterly 2014)

Continued frustration over Whitehall’s “problem with implementation” resurfaced after 2015. Cameron spoke of Whitehall’s “buggeration factor” constraining ministers in achieving their objectives (Financial Times 2015). The Government establish ten Implementation Task-Forces based on “familiar”, cross-cutting issues such as “housing, health and troubled families.” required to report directly to the Prime Minister and the Cabinet (Cabinet Office 2015).

## Post-Bureaucratic Accountability

After May 2010, the Coalition sought a distinct break from centralism and a target culture. It formally abolished the use of targets in such areas as crime, housing, local government and the health service. Public Service Agreements and Departmental Strategic Objectives were replaced

by Departmental Business Plans offering a different form of control and accountability, eschewing the language of targets. *Priorities* and *transparency* became the accepted *lingua franca* of public services. Whitehall was tasked with shifting from “bureaucratic accountability to democratic accountability” driven by enhanced transparency. A commitment:

... to enable the public to hold politicians and public bodies to account; to reduce the deficit and deliver better value for money in public spending; and to realise significant economic benefits by enabling businesses and non-profit organisations to build innovative applications and websites using public data (David Cameron 2010a).

Government and public sector web sites were identified as the medium to deliver a new form of democratic accountability. Yet targets in all but name soon reemerged (see Table 2).

**Table 2: Numbers of Departmental Targets/Objectives 2010, 2011-12 and 2015**

<b>Department</b>	<b>New Labour [PSA] Targets (2010)</b>	<b>Coalition Objectives (Average for 2011 and 2012)<sup>2</sup></b>	<b>Current ‘Live’ Objectives (June 15)<sup>3</sup></b>
Education	6	25	11
Treasury	2	24	15
Home Office	7	35	19
Defence	3	24	26
Justice	5	36	15
HMRC	3	5	8
Foreign Office	10	17	9
Health	3	33	15
Energy & Climate	7	18	9
Work and Pensions	8	37	12
Transport	4	17	16
Int’l Development	7	21	2
Environment	8	17	9
Culture, Media, Sport	4	27	11
Local Government	6	37	5
Business	6	49	7
Cabinet Office	6	35	31
<b>TOTALS</b>	<b>95</b>	<b>453</b>	<b>220</b>
<b>DEPT. AVERAGES</b>	<b>6</b>	<b>27</b>	<b>13</b>

<sup>2</sup> Original data drawn from C. Talbot <http://blog.policy.manchester.ac.uk/whitehallwatch/2012/08/targets-what-targets-change-and-continuity-in-the-performance-regime-in-whitehall/>

<sup>3</sup> Data taken from all Govt. departments ‘business reports’ and departmental publications (available via gov.uk). ‘Objectives’ defined as either stipulating a numerical aim within the department’s remit, or the necessity of further specific action(s) to achieve a policy aim or goal, all recorded ‘targets’ were live (i.e. not complete) at the time the data was sourced.

Departmental business plans operating in conjunction with Permanent Secretary objectives symbolise the extent to which an informal culture of targets based on a principal-agent model has become embedded across Whitehall. Rhetorical claim that bureaucratic accountability has been abandoned at the behest of democratic accountability would seem misplaced. Where differences do emerge in the pre- and post-2010 approach is that many of the benchmarks are now diffuse outcomes rather than clear and specific goals. From the centre downwards a “cascading culture of target-setting” has not been abandoned (AUTHOR 2008; Gains 2003; Talbot 2010).

### **Analysis: The Post-Bureaucratic State - Farewell to the Westminster Model?**

Since 1979 governments have sought to recalibrate the state, seeking out smarter, more efficient and effective public services (Hood and Dixon 2015). Reform has occurred in the context of government trying to have it both ways – claiming that all has changed and yet all remains the same; of “walking away from Westminster” to a new post-bureaucratic world, while averring that the Whitehall model remains intact. The intriguing question is why?

Governments have been rhetorically committed to devolving power from Whitehall for localism, decentralisation and to “set managers free”. There are clear implications for the traditional Whitehall model, particularly in relation to responsibility and accountability. Yet in practice, the centripetal tendency in the British system, of power being drawn back to the centre, has not disappeared. Ironically, over thirty years of both managerialist and de-centralising reforms have not seen the abandonment of centralism. As seen above, ministers have sought to further assert their authority over Whitehall and large swathes of the extended state by employing a principal-agent approach in the delivery of public goods.

To explain this recurrent contradiction the focus lies with ministerial responsibility and the way it shapes politics and policy. The Westminster convention that ministers have responsibility for all that goes on in their domain invokes a strong reflexive tendency in the British polity against any drift towards subsidiarity. Contra some of the claims in the “de-politicisation” literature (Flinders and Buller 2006), the adversarial nature of the British political system combined with ministers being responsible for all they survey, ensures a resistance to download key policy decisions to localities or managers. This is a consequence of the way ministers sit within their departments.

Civil servants are there to protect and support ministers (an example of bureaucratic accountability) not to serve the public (democratic accountability). Officials are adept at developing policy set by ministers, defend ministerial positions and generally supporting departmental lines and budgets. They are less well equipped to think about the development and delivery of policy on the ground. This creates a frustration for ministers who find themselves drawn to the support officials provide in the Whitehall/Westminster arena, but are disappointed when policies are not effectively implemented (see AUTHOR et al 2008; AUTHOR et al 2012)

Frustration over issues of both implementation and delivery, the so-called “rubber lever syndrome”, has led to ministers seeking to hold Whitehall to account for such failings. The use of targets (“objectives”) for both departments and permanent secretaries is the most obvious manifestation of their response. It has led to a fundamental change in the relationship between

ministers and civil servants; a shift from interdependence to a binary mode of separation, based on a principal-agent model. Ministers have sought to download accountability while at the same time protecting against a diminution in the power they wield.

During this time, governments have avoided addressing question on the constitutional implications implied by these reforms. Their approach has been to argue that reform is wholesale, yet maintaining that the WM remains intact. Anything else would require the need to re-imagine the long-established constitutional certainties underpinning the British approach to governance. . The final section of this article identifies a set of unresolved tensions across Whitehall that in the longer-term appear unsustainable.

### **Pathologies to Sustaining the Myth of the Westminster Model**

A number of pathologies emerge from a strategy emphasising the fundamental reform of Whitehall while claiming constitutional conventions are unaffected:

1. The structures of government based on functional departments and processes of accountability through ministers and departments remain largely nineteenth century entities. Consequently, there is a growing dissonance between the way policy is made and delivered and the institutional and democratic structures of government.
2. There is a fundamental contradiction in relation to expectations of implementation. Government is expecting, through targets and benchmarks, consistency in national standards, while encouraging diversity in delivery at the local level (education policy is an obvious example where government has created free schools and academies but then used inspection and sanctions on head teachers to ensure national standards). This is where the preservation of the WM is revealed: managers are free to manage as long as they do what central government requires. No government has yet reconciled the desire for decentralised implementation beyond Whitehall with the desire to retain ministerial control.
3. The problem of accountability is far from being resolved. The WM offers an appealingly simple, lineal, but outdated model of accountability. There has been no attempt to construct a process of accountability when autonomy exists at different levels of policy making and delivery. How, for instance, do you hold government to account when contracts outlast the life of an administration? Under the new forms of governance there is a need for contractors, voluntary sector organisations, officials and ministers to define their responsibilities and then to have clear lines of accountability that relate to the reality of government rather than a constitutional myth (Rhodes 2005).
4. The vision of the Civil Service operating in a post-bureaucratic world is very different to the nineteenth century Northcote-Trevelyan paradigm. In an environment of pluralised policy-making and delivery, officials need to become the arbiters of the system ensuring transparency, fairness and accountability in a fractured system of governance. They need new skills, not just as project managers, but as contract specialists. As one example from many, the upgrading of London Underground, officials lacked the skills to negotiate contracts and the situation was made worse by the limited number of major accountancy firms overseeing the process who often provided advice both to contractors and government( King and Crewe 2014,379).
5. The role of the Civil Service is potentially shifting towards that of an ‘overseer’. It needs to oversee contracts, accountability and democratic processes, and ensure equity in a devolved and fragmented system. The primary function of officials is no longer just that of policy

making, but now also as regulators of the policy process. Given the absence of veto-players in the Westminster system, this becomes a crucial dimension.

6. Yet, evidence suggest that reforms and their impact on the minister-civil servant relationship is constraining the latter's veto-playing function. A National Audit Office (2016: 4) report on accountability concludes:

The complexity of both policy and implementation has increased over the decades, the balance of pressures on AOs (*Accounting Officers nee Permanent Secretaries*) has shifted in a way that potentially undermines accountability to Parliament. AOs now operate in an environment where ministers often perform a more 'executive' role in policy implementation and have sought greater involvement in top civil service appointments, while appointing increasingly influential special advisers to act on their behalf. This appears to have tilted the balance so that AOs have greater pressures to give weight to political drivers rather than public value. [italics added]

The Report led the former Chair of the Public Administration Select Committee, Margaret Hodge (2016) to conclude that: "...the old convention of civil servants being accountable to ministers who are accountable to parliament is broken. It worked when Haldane invented it after the First World War...I think until we re-establish that link... we won't get very far in improving the quality of services or value for money".

7. To address these issues, change could for example involve an organisational and cultural shift from a departmental focused to a problem focused approach which is more flexible, smaller and digitally based. This would require a move from hierarchical bureaucracy to what could be labelled "cybernetic-squad" bureaucracy. A recognition that there are certain, specialised bureaucratic/technical skills that are not linked to departmental functionalism, but need to focus on specific problems, allow for flexibility and rapid intervention. Expertise would no longer be located within a department, but to a team deployed to deal with particular projects or intractable problems. This was how the now defunct Implementation Unit operated - identifying problems and seeking to resolve them. Such an approach would allow a concentration of the new skills required of civil servants and avoid duplication. It would, however, require a very different ministerial-civil service relationship and more particularly, an overhaul of the Westminster Model.

### **Conclusion: Whitehall and the Westminster Model**

Has more than three decades of government-driven change in Whitehall rendered the WM inadequate as an organising perspective of the British system of government? The evidence outlined above is compelling in suggesting yes, with the proviso that the model remains operational in terms of acting as a legitimising mythology for a way of governing that no longer exists. In reaching this conclusion, the article sets out a number of cautionary lessons to be drawn from the current path of reform.

Hood and Dixon (2015) posed a simple question – has reform over this same period led to government “working better and costing less”? Their answer at best is one of equivocation that casts much doubt over the claims associated with NPM. Here we wish to turn the question on its head and ask what has been lost by walking away from the Whitehall model? To what extent have the changes that have been outlined above thrown up unforeseen or unintended consequences?

The endurance of Weberian bureaucracy has stemmed from its capacity to deliver public goods. The rationality and routinisation that underpins it has formed a central feature of the

modern world. There is an implicit bureaucratic justice in standardised and rational legal delivery. The shift to post-bureaucratic modes of delivery beyond a one-size-fits-all approach by complexifying and individualising for example the benefits systems have generated greater anomalies. Similarly, there is a danger of further fragmentation – again an unintended consequence as deliverers of services multiply. As policy delivery becomes increasingly networked rather than hierarchical, assigning responsibility and obtaining redress become more difficult.

There is also a real danger of a loss of expertise and of objective policy making. One of the skills of the traditional approach was to be small ‘p’ political and to understand the consequences of particular courses of action. Problems have arisen, particularly in the British system with its absence of checks-and-balances, when advice in these areas has not been taken on board, ignored or more crucially not been made available. We would argue this has occurred because the deliberative space to provide critical input has contracted. The drift away from the WM, in terms of the eschewing of symbiotic minister-civil servant relationship to be replaced by a principal-agent approach has compounded the problem.



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<sup>i</sup> The Carltona Doctrine establishes the principle that the actions of civil servants are synonymous with the actions of departmental ministers. Civil servants should be perceived as the *alter ego* of their minister. The principle was established in a 1943 ruling made by the then Master of the Rolls, Lord Greene in the case of *Carltona Ltd v Commissioners of Works* [1943] in which he stated that: 'In the administration of government in this country, the functions which are given to ministers (and constitutionally properly given to ministers because they are constitutionally responsible) are functions so multifarious that no minister could ever personally attend to them...[therefore] The duties imposed upon ministers and the powers given to ministers are normally exercised under the authority of ministers by responsible officials of the department. Public business could not be carried on if that were not the case' (see Freedland 1995, Foster 2001).