

The new Government has come to office committed to civil service reform, in terms of improving delivery. At the same time, pressures to cut the deficit have led to a recruitment freeze and pressures to downsize departments. New civil service legislation has guaranteed merit based appointments and preserved impartiality as key principles for the civil service. More radical models of reform have yet to be implemented.

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1 Introduction

Despite several initiatives in the past forty years, Ministers remain critical of the civil service. The Fulton Report found in 1968 that the civil service was inadequate for "the efficient discharge of the present system and prospective responsibilities of government."¹ In 2003 the then Cabinet Secretary Sir Andrew Turnbull said" we need urgent change if we are to respond effectively to new problems and the expectations of service users".² In July 2010 David Cameron pledged to turn government on its head and introduce people power; public servants would be accountable to the people for their activities.³ Each quote betrays a concern with efficient service delivery and a fear that the civil service is not fit for purpose.

The Public Administration Select Committee report *Good Government* summarised a decade's worth of initiatives within the public sector to improve service delivery. PASC has already published the following reports which dealt with various aspects of civil service reform in the 2005-2010 Parliament:

- The skills and capacities of the civil service, including departmental capability reviews (*Skills for Government; Civil Service Effectiveness*);⁴
- Relations between the centre of government and departments (*Politics and Administration: Ministers and Civil Servants*; the Committee's work on the centre of government and the 'new centre');⁵
- Safeguards for ensuring high standards of ethical conduct in government (*Ethics and Standards*);⁶
- The use of performance targets and other measures of governmental effectiveness (*On Target? Government by Measurement*);⁷
- Citizen and service user involvement in policy and service delivery (User Involvement in Public Services; Choice, Voice and Public Services; Public Participation: Issues and Innovations);⁸

¹ On 8th February 1966, the Prime Minister Harold Wilson announced in the House of Commons the appointment of a Committee on the Civil Service (which became known as the Fulton Committee) 'to examine the structure, recruitment and management, including training, of the Home Civil Service, and to make recommendations'. The Committee reported in 1968 *The Report of the Committee on the Civil Service* Cmnd. 3638 1968

² See Library Research Paper 03/49 *Whither the Civil Service*?

³ "Cameron tells civil servants he wants to turn Government on its head" 8 July 2010 *Guardian*

⁴ Public Administration Select Committee, Ninth Report of Session 2006–07, *Skills for Government*, HC 93–I; Oral and written evidence of the Public Administration Select Committee, Session 2004–05, *Civil Service Effectiveness*, HC 307

⁵ Public Administration Select Committee, Third Report of Session 2006–07, *Politics and Administration: Ministers and Civil Servants*, HC 122–I; on the Committee's work on the centre of government, see, for example, oral evidence taken before the Public Administration Select Committee on 19 July 2007, Session 2006–07, HC 958–i

⁶ Public Administration Select Committee, Fourth Report of Session 2006–07, *Ethics and Standards: The Regulation of Conduct in Public Life*, HC 121–I

⁷ Public Administration Select Committee, Fifth Report of Session 2002–03, On Target? Government by Measurement, HC 62–I

⁸ Public Administration Select Committee, Sixth Report of Session 2007–08, *User Involvement in Public Services*, HC 410; Public Administration Select Committee, Fourth Report of Session 2004–05, *Choice, Voice and Public Services*, HC 49–I; Public Administration Select Committee, Sixth Report of Session 2000–01, *Public Participation: Issues and Innovations*, HC 373–I

- Feedback mechanisms for improving how government operates (*When Citizens Complain*; oversight of the Parliamentary Ombudsman's work);⁹ and
- The values and principles underpinning public service (*The Public Service Ethos*).¹⁰

The Good Government report concluded that the civil service was not unfit for purpose, but that there was much scope to improve operational capacity.

47. Yet it is also true that British government has much scope to improve its capacity for operational delivery. We received evidence from the work of bodies like the National Audit Office pointing to the need for government to sharpen up its basic administrative and operational performance.⁵¹ The Audit Commission said in evidence to us that: "...many of the preconditions for good government are in place, they are inconsistently applied to policy development and implementation".⁵² British government has been especially poor at project and contract management, as Sir John Bourn noted from his long experience of leading the NAO.¹¹

The National Audit Office commissioned research from Accenture in 2008 on international comparisons which found that the United Kingdom's public administration compared favourably when benchmarked against countries such as Canada, New Zealand and Sweden, which have public administrations seen as being the most advanced in the world. However it fell short on citizen focused consultation. The research also found a discrepancy between how well UK public administration functions and actual results as citizens perceive them.¹²

2 The civil service- facts and figures

The Institute for Government briefing *Smaller and better? Whitehall after the cuts* summarise the current shape of the civil service as follows:

The Civil Service accounts for 485,000 people out of a total public sector workforce of 6 million₃. But within the Civil Service, the classic Whitehall mandarins of Yes Minister fame make up only a small subset. The Whitehall core of the 19 main departments contains almost 50,000 civil servants. The majority of civil servants are involved in the "front-line" delivery of public services – 80,000 running the employment and benefits system, 70,000 collecting taxes and paying credits, 50,000 running the prisons and probation service, etc¹³

Library Standard Note 2224 *Civil Service Statistics* gives an overall picture of civil service numbers since 1997:

• There were approximately 482,630 fte permanent industrial and non-industrial civil service staff at 31 March 2009; 1% more than in 1997, but 8% fewer than the peak in 2004.

⁹ Public Administration Select Committee, Fifth Report of Session 2007–08, *When Citizens Complain*, HC 409; for an example of the Committee's oversight of the Ombudsman's work, see oral evidence taken before the Public Administration Select Committee on 18 October 2007, Session 2006–07, HC 1086–i

¹⁰ Public Administration Select Committee, Seventh Report of Session 2001–02, *The Public Service Ethos*, HC 263–I

¹¹ Good Government Eighth Report of 2008-09 HC 97

¹² International Comparison of the UK's public sector, available from http://www.nao.org.uk/publications/0809/capability_review_programme.aspx

 ¹³ Institute of Government Briefing Note October 2010
http://www.instituteforgovernment.org.uk/pdfs/smaller_and_better_whitehall_after_the_cuts.pdf

• Numbers have fallen significantly since the mid-1970s. At 31 March 1976, the civil service numbered 751,000 fte staff.

More detailed statistics on distribution by department, by region, and gender breakdown are given in the annual National Statistics publication *Civil Service Statistics*.

The PASC report Outsiders and Insiders: External Appointments to the Senior Civil Service found that since around 20 per cent of the senior civil service has consisted of individuals originally recruited from outside government. Since 2005 more than half of the new entrants to the Top 200 (Director Generals and above) came from outside the civil service.¹⁴ In 2008 Sir David Normington, Permanent Secretary at the Home Office, reviewed senior civil service staffing and training, partly due to concerns about increasing numbers of appointments to the SCS from outside.¹⁵ PASC found that those appointed from outside were paid significantly more and often did not appear to perform better. They often left after a few years.

2.1 Civil service reform 1979-97

The most important post war change to the civil service was the creation of executive agencies in the early 1980s. Large parts of the civil service were detached from departments and organised under agencies, such as the Pensions Agency, the DVLA etc. Two thirds of civil servants now work in agencies, which are designed to implement Government policy while departments concentrate on policy. However, the distinction can be difficult to make in practice and the division put pressure on the traditional doctrine of ministerial accountability.

The other major change was to delegate responsibility for pay, management and procuring services to individual departments and agencies. The Cabinet Office was no longer responsible for leading pay negotiations and providing personnel advice and bodies such as the Property Services Agency were wound up.

John Major was associated with the Citizens' Charter, designed to make public services much more responsive to customer needs. In 1996, a non statutory civil service code was introduced, given statutory force in the *Constitutional Reform and Governance Act 2010*.

2.2 Civil service reform since 1997

Labour began with a 'Modernising Government' initiative, creating a Performance and Innovation Unit at the Cabinet Office. Initiatives intensified after the 2001 general election and the appointment of Sir Andrew Turnbull as Cabinet Secretary in 2002. A new set of units were developed under a Delivery and Reform Team, including:-

- a Reform Strategy Team
- a Strategy Unit

a Delivery Unit

- an e-Transformation Unit
- a Corporate Development Group
- an Office of Public Service Reform and

¹⁴ HC 241 2009-10 Table 2

¹⁵ Senior Civil Service Workforce and Reward Strategy Cabinet Office not formally published

the Office of Government Commerce

A Professional Skills for Government initiative was also launched by Sir Andrew in 2004 to train civil servants in leadership and core skills. Departmental Boards were created to bring in non civil servants to assist in developing the strategic direction of each department. The white paper Civil Service Reform: Delivery and Values published in 2004 emphasised the need for a new civil service professionalism.

However, most Whitehall observers concluded that the main change was the increasing power of the Treasury through its system of Public Service Agreements for each department. Research Paper 05/92 The Centre of Government: No 10, the Cabinet Office and HM Treasury examines the historical relationship between these three and the shifts under Tony Blair and Gordon Brown.

As pressures to increase efficiency intensified, attention shifted to relocation and sharing back office functions. The Lyons report in 2004 recommended relocating 20,000 civil servants and the Gershon report recommended sharing functions and merging departments. The Inland Revenue and Customs and Excise were merged and there were targets for administrative savings to be achieved, overseen by the Chancellor of the Exchequer, Gordon Brown.¹⁶

The new Cabinet Secretary, Sir Gus O' Donnell was appointed in 2005 and announced Departmental Capability Reviews to examine:

- Departments' strategic and leadership capabilities,
- how well they run human resources, IT, finances, and
- how well they engage with key stakeholders, partners and the public

A series of Capability Reviews followed and were published revealing problems in all major departments. Critics pointed out that the review teams were composed of civil servants. An IPPR report on the first four in 1996 found that "Despite the almost excessive focus on 'delivery' by the Blair governments, the capability reviews reveal that key Whitehall public service delivery departments exhibit significant shortcomings in this area."¹⁷

The National Audit Office assessment of the Capability Review Programmes found that some valuable work had been undertaken, but there was uncertainty about the overall focus of the work.

Following the financial crisis in 2008-9 the Prime Minister Gordon Brown announced cuts in the senior civil service, a renewed emphasis on cutting expenditure on consultancy and marketing and merging arms length bodies. Putting the Frontline First: Smarter Government was presented to Parliament in November 2009 and was a Treasury led initiative.

The website *How to be a Civil Servant*, set up by Martin Stanley, a former civil servant, draws attention to the problem of a series of short term initiatives on civil service reform:

Much the same question has been raised by Oxford Professor Christopher Hood commenting on what he calls the "Civil Service Reform Syndrome":

¹⁶ For background see Library Standard Note 2588 The Lyons and Gershon Reviews (2006)

¹⁷ Is Whitehall fit for purpose? An analysis of the capabilities review IPPR Guy Lodge 2006

"We have seen this movie before – albeit with a slightly different plot-line – with a rash of other attempts to fix up the bureaucracy, with the same pattern of hype from the centre, selective filtering at the extremities and political attention deficit syndrome that works against any follow-through and continuity. It is the pattern we have seen with ideas like

total quality management,

red tape bonfires,

Citizens Charter

'better consultation',

risk management,

competencies,

evidence-based policy and

joined-up policy-making', and now

service delivery.

Such initiatives come and go, overlap and ignore each other, leaving behind tombstones of varying size and style."¹⁸

2.3 Civil service legislation

The *Constitutional Reform and Governance Act 2010* dealt with a long running debate about the legislative basis of the civil service. Background is given in Library Research Papers 09/73 and 10/18.

The legislation is limited in its scope. It puts into statute the existing practice, that appointments to the civil service are made on merit in fair and open competition, apart from strictly limited exceptions such as special advisers and short term appointments. The Civil Service Code is given statutory force and a new version has been issued under the Act. This gives civil servants the duty of abiding by the core values of the civil service: integrity, honesty, objectivity and impartiality. This legislation, which was supported by the Conservatives and Liberal Democrats in opposition, appears to close off more radical civil service reform options of universal fixed term contracts for senior posts, and 'cabinets' of politically committee civil servants in each department. The UK remains an outlier internationally in terms of a permanent and impartial set of civil servants, who serve each administration in turn.

3 The Coalition Government's plans for the civil service

The Conservative manifesto stated the following with respect to the civil service:

We will improve the civil service, and make it easier to reward the best civil servants and remove the least effective. We will also reform the Civil Service Compensation Scheme to bring it into line with practice in the private sector.

We will open up Whitehall recruitment by publishing central government job vacancies online.¹⁹

¹⁸ http://www.civilservant.org.uk/csreform97to09.shtml

The Liberal Democrat manifesto referred to improving IT procurement and value for money in Whitehall. The Programme for Government committed the Coalition to deficit reduction but did not spell out the implications for civil service employment.

In the first six months of the Government a number of new permanent secretary appointments have been made. The commentator Sue Cameron noted how key departments, such as Work and Pensions, Foreign Office, BIS, DCLG, Health and Defence were to be run by those appointed from within the civil service or with a local government background.²⁰

3.1 Accountability and transparency

David Cameron spoke in July of the need to 'turn government on its head' by making departments accountable to the public and moving away from bureaucratic targets which distorted activity. The Transparency Initiative was launched in May 2010 with a letter from Mr Cameron to all departments and the creation of a Transparency Board in the Cabinet Office, chaired by Francis Maude.

On 8 November 2010 Oliver Letwin made a statement in the Commons:

We are publishing Business Plans, publicly setting out how and when Government Departments will achieve the radical structural reforms needed to deliver the Coalition's Programme for Government.

Taken together, these Plans will change the nature of government. They represent a power shift, taking power away from Whitehall and putting it into the hands of people and communities; and an horizon shift, turning government's attention towards the long-term decisions that will equip Britain for sustainable social success and sustainable economic growth.

The publication of these plans will bring about a fundamental change in how Departments are held to account for implementing policy commitments; replacing the old top-down systems of targets and central micromanagement with democratic accountability. Every month, Departments will publish a simple report on their progress towards meeting their commitments.

In addition, the second part of each Business Plan explains how government will give people unprecedented access to the data they need – in a simple, easily accessible format – to scrutinise how we are using taxpayers' money and what progress we are making in improving society through our reforms.

These transparency sections of the Plans are being published in draft to allow Parliament and the wider public to say whether each Department is publishing the most useful and robust information to help people hold the Department to account.

The Business Plans are available from the transparency website at no 10 and the Cabinet Office has a key role in driving efficiency and effectiveness across the public sector.

In response to the statement, there were several questions about accountability should plans change. Oliver Letwin, minister of state at the Cabinet Office said:

¹⁹ http://www.conservatives.com/Policy/Where_we_stand/Cleaning_Up_Politics.aspx April 2010

²⁰ "Thank God for Whitehall reshuffle" 17 Nov ember 2010 *Financial Times*

Mr Kevin Barron (Rother Valley) (Lab): The Minister says that Departments will publish a simple report on their progress towards meeting their commitments. What will happen if those commitments are often not met?

Mr Letwin: What will happen is a series of things that are inconvenient for the responsible Ministers, rising to something that is rather more than inconvenient. In the first place, a report will be made, which will be available to everybody-no Minister likes to see such a thing appear in public. Secondly, the Minister involved will find himself having a discussion with my right hon. Friend the Chief Secretary and me to explain what has occurred- *[Interruption.]* I do not know whether Labour Members want to know about this, but I am trying to explain it. The second thing that will happen is that the Minister will meet the Chief Secretary and me, and the permanent secretary will have a conversation with the head of the civil service. Finally, if the problem is still not resolved, the Secretary of State in question will have a meeting with the Prime Minister and the Deputy Prime Minister. This is a serious set of incentives; if one thinks about what it was like under the previous Government, or any previous Government, one realises that Ministers do not wish to go through that process and will therefore try to meet their objectives.²¹

Commentators generally welcomed the reforms as making information more available, but queried whether this would be a paradigm shift in the relationship between government and its citizens, since the traditional principles of ministerial responsibility were not being challenged.²² The chair of the Political and Constitutional Reform Select Committee, Graham Allen, has already queried how the Government will measure what success is in terms of an individual policy.²³

3.2 Reductions in civil service numbers

Reductions in civil service numbers since the high point of 2004 were already underway before the May 2010 election.

In July 2009 the Brown Government attempted to change the terms of the Civil Service Compensation Scheme, which sets out the payments made when civil servants are made redundant. The Coalition Government introduced the *Superannuation Bill* which is designed to cap payments at 12 months' pay for compulsory exits and 15 months' for voluntary exits. Further detail is available in Library Research Paper 10/56.

The Chancellor's Spending Review was announced on 20 October. Departments other than health and overseas aid will see average real terms cuts of 19% over the period to 2014-15. Standard Note 5718 *The Outcome of the 2010 Spending Review* explains that the average cut is 8.3% but many departments would have much greater reductions, with the Department for Business, the Communities and Local Government Department, DEFRA and the Treasury all seeing cuts of 25% or more. There is a particular focus on cutting senior civil servant posts.

In a speech to civil servants, the Cabinet Secretary Gus O'Donnell complained of misrepresentation of their work and pay in the media:

And let us be absolutely clear. It is not the lure of pay and pensions that draws most people to the civil service. The median salary of a civil servant is $\pounds 22,850$ a year –

²¹ HC Deb 8 November 2010 c27

²² "Whitehall spending: information overload" Mark Easton blog 19 October 2010

²³ Letter from Chair of Political and Constitutional Reform Committee to Nick Clegg 11 November 2010 http://www.parliament.uk/pagefiles/44254/111110%20Chair%20to%20Nick%20Clegg.pdf

lower than the wider public sector, and lower than the private sector. Indeed, 60% of civil servants earn less than the private sector median of £25,000. The average pension is £7,000. Nor has the number of civil servants grown over recent years – in fact, quite the reverse. We will soon have the smallest civil service since the beginning of the second world war.

As head of the Home Civil Service, I am acutely conscious of the impact of this misrepresentation on men and women working extremely hard for their communities, especially at a time when many face a renewed uncertainty about the future.²⁴

3.3 Central procurement

Sir Philip Green was commissioned to examine the potential for efficiencies by the incoming Prime Minister and published his Efficiency Review in October 2010. This made the case for more central procurement, using the buying power of central government. While the report did not quantify the savings, the government spends £191 billion on procurement and property, so a 5% reduction would save nearly £10 billion.²⁵ Some commentators noted that this approach militated against the decentralisation of the Thatcher administration and might signal the return of bodies such as the central Properties Services Agency.²⁶

In evidence to PASC in July 2010 Cabinet Office minister, Francis Maude, indicated machinery of government changes that had been made:

Q77 Greg Mulholland: Obviously, this is something that the Committee, I think, will be particularly focused on, and rightly, during this Parliament. Could you clarify for us, first of all, just so that we are clear, the relationship between the Efficiency and Reform Group in the Cabinet Office and the `Star Chamber' of ministers and how those two bodies will work together?

Mr Maude: Well, the Efficiency and Reform Group is a collection of the pre-existing parts of central Government. The only machinery of Government change we have made is to bring the Office of Government and Commerce, the OGC, and its agency, Buying Solutions, under the ambit of the Cabinet Office, so all of this is, as it were, under one roof, a virtual roof in this case, because there is a lot of interaction between, for example, the Office of Government and the CIO, the Chief Information Officer who deals with information technology, where the relationship with procurement in OGC is very clear, so bringing it altogether in one place has created the Efficiency and Reform Group. The relationship with the public spending process is this: that there is an Efficiency and Reform Board which sits over the Efficiency and Reform Group, which is co-chaired by the Chief Secretary and myself. We are looking essentially at crosscutting changes that will drive efficiency. For example, the Efficiency and Reform Group support me in the work we are doing in renegotiating contracts with the Government's biggest suppliers in centralising procurement of commodities, goods and services across the Government so that the Government can use its scale and buying power to drive down costs to the taxpayer. The greater extent to which we succeed in driving down costs in those cross-cutting ways, the more assistance it gives to departments in the way they address the pressing demands of spending reductions and deficit reduction, so its relationship with PX is kind of through me and the Chief Secretary, equipping us to put pressure on departments through this spending process

²⁴ "The Civil service is not full of fat cats" 10 November 2010 *Guardian*

²⁵ Standard Note 5674 Background to the 2010 Spending Review p11

²⁶ See for example Professor Dunleavy's blog post at http://blogs.lse.ac.uk/politicsandpolicy/?p=4443

to take out unnecessary cost from their internal structure and processes rather than the pain being taken in the delivery of front-line services on which our citizens depend.²⁷

3.4 Wider public service reform agenda

A Public Service Reform white paper is expected in January 2011 according to the Cabinet Office Business Plan, to build on announcements on encouraging mutualisation of the public sector. Francis Maude announced on 17 November 2010 'Rights to Provide' across public services so that employers would be expected to accept suitable proposals from front line staff who want to take over and run their services as mutual organisations.²⁸

The immediate media reaction was generally positive, but there were concerns that without legal safeguards, mutuals might at a later stage be sold to the private sector. Mr Maude indicated that mutuals would be encouraged within the civil service. This may raise issues of consistent treatment of customers and standard levels of service.

The National School of Government was established under Labour as a non-ministerial department, a successor to the Civil Service College and offers training and consultancy mainly to the civil service. Its future is at present uncertain, since the School appeared on the list of public bodies whose future is to be considered, issued by Mr Maude on 14 October 2010.

4 **Prospects for reform**

A number of recent reports have argued that the traditional model of accountability no longer works effectively. The Institute for Government identified a responsibility gap between political leadership and day to day management in its report *Shaping Up: A Whitehall for the Future*. It recommended greater strategic direction from the centre and more personal responsibility for Permanent Secretaries. It recommended that the Government's strategy should be collectively owned by all permanent secretaries, led by the Cabinet Secretary, and that departments should be led by strategy boards.

In November 2010, the Institute for Government also published an issues paper *Ministerial accountability in an era of devolved public services* which discusses the question of how ministerial accountability for devolved services will operate. It summarises current conventions on ministerial responsibility and looks at the strains placed upon the tradition doctrine by modern public service practices.

The Better Government Initiative's report Good Government: Reforming Parliament and the *Executive* argued that the 'sofa government' of Mr Blair and Mr Brown (at the Treasury) had not led to better policy making and recommended that ministers be required to take into account impartial civil servant advice. It also argued that much more serious succession planning was needed, given the current high rate of external appointments at Director General level. This was a point supported by PASC in its January 2010 report *Outsiders and Insiders: External Appointments to the Senior Civil Service.*

The pressure group Reform, produced in 2009 *Fit for Purpose*? This recommended much more radical reform to abandon the traditional doctrine of ministerial accountability:

The report makes the following recommendations to bring Britain's Civil Service into line with international best practice:

²⁷ http://www.publications.parliament.uk/pa/cm201011/cmselect/cmpubadm/397-i/39707.htm

²⁸ HC Deb 17 November 2010 c43WS

> Democratic accountability provides the best means to hold senior civil servants to account.

Democratically elected politicians should have the power to appoint senior civil servants.

The doctrine of Ministerial responsibility should be abolished. It not only shields officials from taking personal responsibility for their actions but also draws Ministers into the process of delivery.

Instead, Ministers should be responsible for the strategic direction of policy and its communication. Officials should be personally responsible for the construction of policy and the use of resources.

> All Civil Service vacancies should be advertised openly. Discrimination in favour of "internal" over "external" candidates and the system of grades should be abolished. Recruitment led by individual line managers should supersede centrally approved appointments; what matters is the quality and cost of appointees. Reform of this kind would see a much greater flow of personnel between the private, voluntary and public sectors, and the recruitment of officials with direct experience in the policy areas that they cover.

> Civil servants need to act as if their every decision is open to scrutiny. Select Committees should call a much greater range of officials to give evidence.

> All political parties should make Civil Service reform a reality of their shared commitment to localism. At present Whitehall too often claims responsibility for parts of national life – healthcare, education, policing and so on – for which it is simply too remote to be the most effective change agent.

Ed Straw, writing for the think tank Demos in 2004 was also very critical of the current model for the civil service:

Straw said: 'Imagine becoming chief executive of a large organisation and being told that the entire management are "independent"; you have no control over recruitment, promotion and pay; and the senior staff operate as a separate organisation with a mind of its own. Modern organisations do not and cannot work like that.

'Today government's role is mostly about service delivery. Ministers are accountable to the electorate for delivery of improved services, and yet they appoint almost no one to oversee it,' he added.²⁹

His report *Dead Generalists* drew attention to some of the consequences of moving civil servants regularly from post to post – poor project management knowledge, lack of institutional memory and isolation from professional networks, which spread good practice.

²⁹ "Demos calls for an end to the generalist" 17 September 2004 *Public Finance*