

Accountability in modern government: what are the issues?

A discussion paper



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About this paper

This paper forms the basis for a discussion with those people concerned about the state of accountability in the UK. It explores the main issues affecting accountability, the failures that flow from these issues and how they can be addressed. Over the coming months, in consultation with others, we want to test and develop our ideas to form specific recommendations. We will publish a final report setting out what we have learned and what we recommend later in 2018.

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Contents

Foreword	2
Summary	3
Weak accountability and the risk of failure	3
Three factors responsible for weak accountability	5
Options for improvement	6
1. Introduction	7
The nature of accountability	7
Unacceptably weak accountability	8
2. Fundamental gaps in Whitehall's accountability	13
The Prime Minister's power to hire and fire ministers	13
Ministers' accountability to Parliament	14
Civil service impartiality and constraints on ministerial control	16
Permanent secretaries' duties as accounting officers	17
Consequences of unclear accountability	20
3. Outdated accountability in a complex public sector	22
The increased complexity of modern government	22
The failure of accountability to keep pace with complexity	24
Consequences of outdated accountability mechanisms	29
4. A culture of blame	31
The emphasis on blame	31
Consequences of the culture of blame	32
5. Potential directions for improvement	34
Improving Whitehall's accountability	34
Improving accountability in the wider public sector	35
Changing the culture of accountability	37
References	38
Advisory group	50

Foreword

Accountability lies at the heart of a healthy democracy. It is the foundation of trust in the Government. Without good accountability there are risks that the extraordinary powers granted to ministers and officials can be misused, or that resources can be wasted through inefficiency and poor management of public money.

The UK's ability to make policy, to deliver it and to run a modern country can be world-leading at its best. Yet there are many instances when it falls short of those heights, and it is currently facing challenges that are testing its ability to cope. Brexit is the most significant undertaking of any peacetime government in decades, while an ageing population is testing the limits of the NHS.

From infrastructure to pensions, from Whitehall to the council office, government is also becoming more complex. Tragedies like the Grenfell Tower fire show how difficult it is to establish who should be held to account in this context. This is putting the many conventions which underpin our system of accountability under strain. Where accountability is weak, it can lead to chronic underperformance, poor value for money and outright failure. That damages public trust in government, which is hardly at a high point at the moment. That is one reason why we are doing this work now.

To make improvements, we must know where the problems lie and understand why. This discussion paper builds on the Institute for Government's previous work to outline the main areas where accountability is currently weak.

We invite responses to these arguments and will publish our conclusions in a further report later this year.



Bronwen Maddox
Director, Institute for Government

Summary

This paper forms the basis for a discussion with those people concerned about the state of accountability in the UK. It explores the main issues affecting accountability, the failures that flow from these issues and how they can be addressed. Over the coming months, in consultation with others, we want to test and develop our ideas to form specific recommendations. We will publish a final report setting out what we have learned and what we recommend later in 2018.

There are weaknesses in the UK's system of accountability, which often struggles to keep up with the realities of modern government both nationally and locally. These weaknesses have contributed to repeated failures, which harm the public and undermine the trustworthiness of public institutions.

Weak accountability and the risk of failure

Accountability lies at the heart of democratic government. It enables people to know how the Government is doing and how to gain redress when things go wrong. It ensures ministers and civil servants are acting in the interests of the people they serve. Accountability is a part of good governance and it can increase the trustworthiness and legitimacy of the state in the eyes of the public.

Every day, 5.4 million public sector workers deliver services ranging from health care to schools to national defence.¹ A host of bodies hold them to account – whether the National Audit Office undertaking around 60 value for money inquiries a year,² Ofsted inspecting more than 5,000 schools per year,³ or the main Government ombudsman services dealing with nearly 80,000 complaints from the public in 2016/17 alone. More than 21,000 elected officials, ranging from MPs to local councillors, scrutinise these services on behalf of citizens.

When that accountability works properly, it helps the UK's government to be among the best in the world.⁴ For example, public spending is authorised by Parliament and routinely stays within the limits set. The accountability that surrounds this – provided through oversight by the Treasury, audit by the National Audit Office and scrutiny by the Public Accounts Committee – is strong and dates back to the 19th century.

However, in areas where that accountability is weak, the risk of failure – whether financial mismanagement, the collapse of services or chronic underperformance – increases. Several Institute for Government reports have documented failures that display the symptoms of weak accountability: a lack of clarity about who was responsible; a lack of consequences for poor performance; a lack of transparency and information; and, most tellingly, the same patterns of failure occurring repeatedly:

- Issues in delivering flagship policies often arise because of unclear relationships between ministers and senior civil servants. For example, Universal Credit was launched with an infeasible timeline. As problems emerged, a 'good news' culture

developed, which delayed efforts to face up to the problems. Ministers and civil servants ended up blaming each other,^{5,6} leaving the impression that there were no consequences for those involved.

- Even when failures are clearly attributable to ministers, it is perfectly possible for them to avoid consequences and remain in office. For instance, the former Secretary of State for Justice, Chris Grayling, decided to go ahead with his probation reforms – aiming to outsource services and reduce the amount spent⁷ – despite internal and external warnings that rushing to implement such ambitious changes before the 2015 General Election was challenging and risky.^{8,9,10,11} In the same way in 2003, in the face of warnings and opposition, notably from the then Mayor of London, Ken Livingstone, the then Chancellor Gordon Brown championed three complex public–private partnership contracts to upgrade London’s underground rail network.¹² Even though serious financial and operational problems emerged,^{13,14} neither minister was ever required to justify why they persisted in their approaches.
- There are similar issues when failures are clearly the responsibility of officials. The civil service has been responsible for repeated failures driven by the same underlying causes. For example, poor contract management has resulted in departments having insufficient information to monitor performance.¹⁵ The resulting failures – in areas ranging from the tagging of prisoners¹⁶ to the outsourced administration of benefits¹⁷ – have been allowed to repeat themselves across departments and over time. This reflects poor governance and a lack of leadership in dealing with such weaknesses.¹⁸
- Weak accountability contributes to failures beyond Whitehall. Our past work has highlighted the consequences of the fragmented approach to the governance and oversight of arm’s-length bodies.^{*19} For instance, the Common Agricultural Policy Delivery Programme faced challenges partly due to the poor co-operation between the Rural Payments Agency and the many organisations involved, each having a different vision about what the programme should deliver.²⁰
- There are also plenty of examples in the wider public service. Most recently, the decision to wind up the Wakefield City Academies Trust, which provided education to 8,500 pupils,²¹ led to the various parties involved – the trust, the local authorities, the school commissioner and the department – highlighting the historic failings of others.^{22,23,24,25}

Weak systems of accountability within government are compounded by weak parliamentary scrutiny.²⁶ A lack of reliable information to establish the facts, overly forceful questioning by some select committees and the defensiveness of civil servants: all prevent effective scrutiny.

* We define arm’s-length bodies as ‘organisations that form part of the state but do not operate within traditional departmental structure’ (Gash T, Magee I, Rutter, J and Smith N, *Read Before Burning: Arm’s-length government for a new administration*, Institute for Government, 2010, p. 16).

The factors responsible for weak accountability

There are three factors underpinning the weak accountability that is perpetuating failure. They are: fundamental gaps in accountability in Whitehall; a failure of accountability beyond Whitehall to keep pace with an increasingly complex public sector landscape; and a pervading culture of blame.

1. There are fundamental gaps in accountability at the heart of Whitehall

Here, accountability is governed by a set of conventions, which have evolved over time sometimes to reinforce, but often to undermine, accountability:

- While the civil service is formally responsible to ministers, civil service impartiality places limits on how ministers can hold civil servants to account. Even when individual civil servants, as accounting officers, are directly responsible to Parliament, there is a lack of clarity about the consequences for good or bad performance.
- These conventions have been used to sustain a tradition of secrecy. This has gone so far that the relationship between minister and civil servants has been characterised by Lord Hennessy, the leading historian of Whitehall, as a 'marriage'. As such, it effectively places the interests of those working within it ahead of voters, taxpayers and service users.
- Whitehall's accountability is based on the myth that responsibility can be allocated to specific departments, neatly packaged up between individual ministers and their departmental officials. This denies reality. There are many issues – like increasing the supply of homes and housing – that can only be tackled by departments working together. Similarly, systemic weaknesses in financial management, in commercial relationships and in human resources can only be addressed on a cross-departmental basis. But Whitehall's conventions actively hamper this.

2. Successive administrations have failed to ensure that accountability has kept pace with the increasing complexity of modern government

This is reflected in many ways:

- Whitehall has approached the oversight of the arm's-length bodies to which it delegates important responsibilities in an *ad hoc* fashion, with little regard for how effective the oversight is and without an overarching model that ensures consistency.²⁷
- Successive governments have used private and voluntary sector providers to deliver services, but have failed to put in place effective mechanisms to scrutinise the performance and value for money of such arrangements.
- Governments have too frequently made changes to the oversight of major public services, such as hospitals and schools. The regulators, inspectorates and improvement agencies overseeing such services change every few years, resulting in instability and ineffectiveness.
- Finally, the movement to devolution – first to the nations of the United Kingdom and more recently to decentralised administrations within England – has fostered more local accountability, but it has also inevitably resulted in a more complex system.²⁸ The structures of accountability have yet to catch up.

3. Accountability is too focused on blame when it needs to focus on improvement

In government, accountability inevitably involves the informal and subjective judgements of politics. This political element creates a particular tendency to overemphasise blame. While accountability certainly involves apportioning blame when something goes wrong, it should also foster an environment that leads to improvement. This is what the public cares most about – preventing failures recurring, rather than simple retribution.²⁹

However, public sector accountability does not foster such an environment:

- It is rarely seen as supporting people to do a better job. Indeed, the opposite is the case, with aggressive questioning and high-profile witch-hunts often featuring.
- It does not promote learning. Instead of frank discussions about what went wrong and what would be needed to improve the situation, the tendency is to obscure the facts and claim things have improved, with little evidence to back this up.
- It fails to provide space for appropriate risk-taking and innovation. Instead it creates a high-stakes environment, where a perceived slip-up can end a career.

Options for improvement

This paper suggests potential options for strengthening accountability, based on our analysis. These involve changes to structures, increased transparency and moves to improve the culture. These options are meant to elicit discussion rather than to set the Institute for Government's position at this stage.

We would welcome your views on these questions:

- Where do weaknesses in accountability lead to the most significant problems for the public?
- How could accountability be strengthened? How could the ideas proposed in Chapter 5 be developed? What other potential solutions should the project consider?

To comment, please contact us at:

accountability@instituteforgovernment.org.uk

We would be grateful to receive comments by **Monday 21 May 2018**.

1. Introduction

Accountability plays an important role in influencing public trust in the democratic state. Yet the UK's current system is beset with longstanding weaknesses.

This discussion paper draws on the evidence produced by the Institute for Government and others about the effectiveness of accountability in UK government. It has benefitted from the project's high-level advisory group.* In the coming months, we want to engage with all those interested in accountability (practitioners, experts and others) to test our ideas and form recommendations. This paper is the basis for these discussions about the key accountability issues in the UK, their consequences and how they can be addressed. We will publish a final report setting out what we have learned and our recommendations later in 2018.

In this chapter, we define accountability and the way it combines political and administrative elements in the UK. After highlighting what good accountability should look like, we provide a brief overview of failures that display the symptoms of weak accountability, which play out against a backdrop of low public trust in government.

The nature of accountability

Accountability matters in government and robust accountability is indicative of good governance.¹ It promotes citizens' confidence in their government and increases the wider legitimacy of the public sector.^{2,3,4} When issues occur, it ensures that citizens can obtain redress.

At heart, accountability is about a relationship – between those responsible for something and those who have a role in passing judgement on how well that responsibility was discharged. The relationship can take various forms:

- **Oversight:** the relationship involves one side overseeing the other through direct reporting lines for performance.
- **Regulation:** the relationship involves one side regulating the other through the setting and enforcement of rules about how certain things should be done.
- **Inspection:** the relationship involves one side inspecting the other through assessments of how well responsibilities have been discharged.
- **Scrutiny:** the relationship involves one side scrutinising the other through the ability to question and report on what has happened.

These relationships are often formalised through established procedures, rules and structures. The aim is to create accountability relationships that are robust enough to

* For a list of advisory panel members, see pages 50 and 51.

improve the quality of decisions made by those with responsibilities. The Institute for Government has previously identified four hallmarks of robust accountability.⁵

Clarity of accountability: there should be clear and well-documented structures that establish exactly what an individual or organisation is responsible for, and to whom they are accountable.

Appropriateness of control: if people are to be held accountable in a fair way, they must have had sufficient control over the outcomes on which they are being judged.

Sufficiency of information: there must be enough relevant information available to judge whether responsibilities have been performed.

Clarity of consequences: there should be a consistent and widely understood link between performance above or below defined levels and the proportionate rewards and sanctions that flow from it.

However, some forms of accountability cannot be completely formalised. In particular, government involves political accountability, which is inevitably based on informal political circumstances. These include the state of public opinion, citizens' decisions at the ballot box, personal relationships between politicians, and the scrutiny of the media.⁶ This political accountability does not rely on formal rules, nor does it provide consistent, clear criteria for performance and subsequent rewards or sanctions. For instance, politicians may be deemed responsible for things well beyond their control; facts, data and information may be used to create stories driven by ideology rather than objective truths. In the end, political accountability delivers consequences which arise not only from the actual performance of the political party in power or its politicians, but also from public opinion and the media's impressions.

Formalised structures and informal political circumstances come together wherever democratically elected politicians work alongside appointed officials – whether this is in Whitehall, in the devolved executives, or in town halls throughout the country. Both are necessary – the trick is ensuring they work (reasonably) well together.

Unacceptably weak accountability

The accountability system currently in place has many strengths. About 5.4 million public sector workers⁷ deliver services to citizens daily throughout the country: this includes health care, education, employment services, infrastructure maintenance and many others. Across the UK, over 21,000 people are directly, democratically accountable to the citizens and in charge of scrutinising these services. This includes 650 MPs in Westminster, 73 MEPs, 304 members of the four devolved assemblies, police and crime commissioners, directly elected mayors and almost 21,000 local councillors. This is the most fundamental form of accountability within UK politics and, broadly, it works.

There are many systems in place to uphold accountability. Parliamentary select committees play a crucial role in holding the Government to account. In the 2015 to 2017 sessions of Parliament, they conducted more than 460 inquiries. Likewise, the various ombudsmen play a crucial role in ensuring accountability. In 2016/17, six of the major government ombudsmen handled nearly 80,000 complaints from the public across a range of public services.

When it comes to public spending, permanent secretaries (as accounting officers) are personally responsible for their departments' money, the Treasury provides oversight within Whitehall, the National Audit Office audits government from outside Whitehall and, finally, the Public Accounts Committee (PAC) provides scrutiny on behalf of Parliament. It is a striking feature of UK government – in contrast to many other countries – that public spending routinely stays within the limits set.

However, in other areas accountability is weak, increasing the risk of failure. Most attention is focused on high-profile failures, such as when a particular service collapses. Ongoing financial mismanagement – as well as outright fraud in some cases – results in large amounts of public money being wasted through projects or policies that deliver poor value for money.

But failures most often take a less high-profile form – such as chronic underperformance. In the absence of robust accountability, such underperformance can persist for years without attention being drawn to it or anybody taking responsibility for resolving it.

Numerous Institute for Government reports have documented failures that display the signs of weak accountability: a lack of clarity about who was responsible; a lack of consequences for poor performance; a lack of transparency and information; and, most tellingly, the same patterns of failure repeated again and again.

Unclear responsibilities between ministers and civil servants

Failures in delivering flagship policies often follow from, or are compounded by, unclear responsibilities and relationships at the top of departments between the minister and senior civil servants. This lack of clarity over who is accountable makes it difficult to assess who is responsible for decisions:

- Universal Credit is a recent example of this. The National Audit Office (NAO) and others criticised the initial timetable for implementing the programme.⁸ The NAO's early review of the programme also highlighted that the department was unable to explain how it had arrived at the original date of October 2013 for the roll-out, or how it had determined whether this deadline was feasible.⁹ There are conflicting accounts of who was to blame for issues in early phases of the programme, with the then minister, Iain Duncan Smith, being adamant that the civil service was to blame for the unrealistic initial timetable and civil servants arguing that the timetable was driven by politicians.¹⁰ As public criticism grew, rumours arose that allegations were made by ministers against the department's Permanent Secretary, Robert Devereux, which triggered an intervention from the Cabinet Secretary.¹¹ To this day, it remains unclear who was responsible for the early shortcomings.
- The Rural Payments Agency (RPA) struggled to implement the Single Payment Scheme around 2006. As a result, payments to many farmers were very late. The NAO commented that the agency had underestimated the effort that would be required and lacked the management information to make improvements.¹² Officials at RPA reportedly assured ministers that it would be feasible to implement the most complex of three options for making single payments to English farmers. This advice served as a basis for the minister, Margaret Beckett, selecting the most complex option.¹³ However, despite criticism from the Environment, Food and Rural

Affairs Committee,¹⁴ and the Chief Executive Officer of the RPA being sacked following the failures to implement the scheme, the Environment, Food and Rural Affairs Committee found that there were no clear and transparent consequences for the advice offered by civil servants and the decisions made by ministers, including

Margaret Beckett and Sir Brian Bender – respectively, the responsible Minister and Permanent Secretary.^{15,16}

// There are numerous examples of ministers staying on after overseeing failures in their department

Clear responsibility of ministers

Even when ministers are clearly responsible for policies they have pursued in the light of warnings, they are not held to account by the Prime Minister or by Parliament. There are numerous examples of ministers staying on after overseeing

failures in their department, where the failure is clearly attributable to the minister themselves. This shows a lack of consistency between performance and outcomes:

- Chris Grayling remained a member of cabinet despite widespread criticism of his probation reforms, which aimed to reduce the amount spent on probation services while outsourcing the services. Given the scale and ambition of the reforms, the Institute for Government, among others, raised concerns at the time about the pace at which they were pursued – timed to be completed just before the 2015 General Election.^{17,18} As the changes came through and the bulk of the probation service was outsourced to private organisations, it transpired that some of the organisations run by the private sector to manage offenders posing low- and medium-risk had run into financial trouble and required additional funding due to changes in caseload.¹⁹ A joint report by HM Inspectorate of Probation and HM Inspectorate of Prisons highlighted that not enough was done to help prisoners and that in some of the cases examined people had not received any assistance with securing employment or education.²⁰ These issues did not prevent the Prime Minister from appointing Grayling Secretary of State for Transport in 2016.
- Similarly, none of the main architects and advocates of the Metronet project to upgrade London's underground rail network – which cost the taxpayer between £170 million and £410 million²¹ by the time it failed in 2007 – felt the consequences of its failure. The project started in 2003, when the Government launched three innovative public-private partnership (PPP) contracts with private providers for the upgrade. The PPP approach was championed by ministers, particularly Gordon Brown from the Treasury, against the wishes of the Mayor of London.^{22,23} In 2007, two of the three contracts collapsed for financial reasons. The programme had been deemed overly complex given its scale, timelines, and the number of companies and assets involved.²⁴

Clear responsibility of officials

There are similar issues when problems are clearly the responsibility of officials. For instance, some systemic issues such as weak contract management have led to recurring failures across government. Yet for decades nobody was clearly responsible for tackling these systemic issues, and there was no system of accountability that focused attention on this glaring gap:

- Poor commercial skills underpin a string of failures in government contract management.^{25,26,27} This has led to high-profile incidents such as the failure of G4S to deliver on its contract to ensure security at the 2012 Olympic Games, due to a staff shortfall.²⁸ The Government had to call in military personnel to make up for the shortfall.
- Contractors G4S and Serco overbilled the Government for their services providing electronic monitoring of offenders. Officials didn't notice the irregularity for eight years, at which point millions of taxpayers' money had been overspent.^{29,30,31} Likewise, the provision of health and disability assessments by private contractors did not achieve value for money. The NAO identified issues with contract management and monitoring, as well as issues with the department making overly optimistic assumptions.³² Despite issues such as poor performance, government continues to award contracts to major providers of outsourced services.^{33,34}
- The National Programme for IT in the NHS was notable not only for its failure to deliver, but for the significant amount of public money involved. An inquiry by the PAC was particularly damning of the way the Department of Health had handled the project from the early stages and, then later, in response to the issues that began to emerge.³⁵ The initial timescale of the project was too short, and the overall scale of the project was underestimated.^{36,37}

Responsibility beyond Whitehall

Weak accountability has also led to repeated failures beyond Whitehall. Inadequate



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oversight of arm's-length bodies, a fragmented approach to governance and gaps between central and local government mean that lessons are not learned, responsibility is not identified and consequences fail to materialise in the wake of repeated failures in public services. In these situations, accountability is difficult because there is insufficient

information to judge performance and organisations may not have appropriate control over tasks delegated to them:

- The Common Agricultural Policy Delivery Programme, established in 2012, was characterised by several issues stemming from the churn in leadership, the fragmented approach to governance and oversight and the lack of co-operation between the RPA, the Government Digital Service (GDS) and the Department for Environment, Food and Rural Affairs (Defra).^{38,39} At the heart of these issues was a difference in strategic vision and direction for the programme.⁴⁰ Whereas the GDS was focused on making the process entirely digital, the RPA wanted to ensure that it paid farmers on time. In the end, the Government was unable to make payments on time – an NAO report noted that by the end of March 2016, 16% of farmers had still not received any money.⁴¹
- In 2008, 1.2 million pupils were informed that their SAT results would be delayed after the private provider ETS Europe failed to deliver results to the Qualifications and Curriculum Authority (QCA) in time.^{42,43} This failure meant that as an arm's-length body of the then Department for Children, Schools and Families (DCSF) (now

called the Department for Education (DfE)), the QCA did not deliver on one of its duties. Subsequent reviews found that possible shortcomings in the degree of challenge provided by DfE (DCSF) officials to QCA on its project and risk management meant that the problem was overlooked.⁴⁴

- The unclear oversight arrangements at Durand Academy enabled the Trust to make transactions with related private companies despite conflicts of interest.⁴⁵ The NAO and the PAC expressed concerns in 2014 that the DfE's oversight of academies was being hampered by a lack of information on school performance.⁴⁶

These failures have wider implications. Frequent media coverage of government 'blunders' can lead to public cynicism and the impression that there is no accountability for failure in government. For example, seven government departments gave Kids Company £41.4 million in grants from central government over 15 years. Yet, no individual was held responsible for government continuing to issue these grants even when concerns were raised about the financial sustainability of the charity, which collapsed in 2015.⁴⁷ Similarly, nobody has been held to account since the cancellation of the London Garden Bridge project despite millions of pounds⁴⁸ of taxpayers' money having been committed.

The lack of accountability can sometimes be extreme. For example, it was only after persistent public pressure that new proceedings on the Hillsborough disaster were opened – more than 20 years after the event – which finally revealed the sustained cover-up that had taken place.⁴⁹ More broadly, revelations about sexual abuse of both children and adults have highlighted the tendency of people and organisations – whether in the public, private or voluntary sectors – to turn a blind eye.⁵⁰ Such examples undermine the sense that 'the authorities' can be trusted to put things right.

The debate about low levels of trust in government in the UK forms the backdrop to any discussion of accountability. There is a widely held belief among British people that government is failing to deliver and does not operate transparently.⁵¹ This creates considerable challenges which the Government and other politicians must face. We believe that robust accountability can help improve the trustworthiness of government institutions and, ultimately, improve people's lives.

The rest of this discussion paper outlines the key issues relating to accountability in government. Chapter 2 examines accountability in Whitehall, arguing that the accountability system is built on a series of conventions that result in glaring gaps, a lack of transparency and an inability to deal with cross-cutting problems. In Chapter 3, we review how accountability operates given the increasing complexity of the public sector, arguing that our system of accountability has failed to adapt to the way that modern government operates. In Chapter 4 we set out the consequences of the culture of blame that all too often surrounds public sector accountability. Finally, Chapter 5 offers up potential suggestions for reform.

We welcome comment on these reform proposals, as well as suggestions of alternatives.

2. Fundamental gaps in Whitehall's accountability

Accountability in Whitehall is governed by a series of conventions. These have evolved over time to leave glaring gaps and a lack of transparency, as well as being ill-equipped to deal with the reality of cross-cutting responsibilities.

This chapter looks at the accountability of top decision makers in Whitehall. This inevitably combines both formal and informal elements, given Whitehall's position at the interface between the political and administrative worlds. So rather than having a single set of rules, accountability in Whitehall is governed by four main conventions:

- the Prime Minister's power to hire and fire ministers
- ministers' accountability to Parliament
- the civil service's impartiality and constraints on ministerial control
- permanent secretaries' duties as accounting officers.

The chapter looks at the nature and history of each of these conventions. It concludes that they have evolved to leave glaring gaps in accountability, a lack of transparency and the inability to deal with cross-cutting responsibilities.

The Prime Minister's power to hire and fire ministers

The Prime Minister can hire and fire ministers at will. This power, which arose from the royal prerogative of the monarch to appoint ministers, is one of the few formal powers of the premiership.¹ It is used more than in most other countries, resulting in high levels of ministerial churn² – by January 2018, 71% of all government ministers were new in post since the June 2017 election.³

This power might suggest a strong focus on accountability for ministers, with rapid hiring, firing, promotion and demotion reflecting performance. In fact, it tends to work the opposite way. In practice, it is seen as a mechanism for asserting prime ministerial authority and for signalling the political intentions of the government. For instance, coverage of the January 2018 reshuffle dwelt on Theresa May's political position, and on the gender, age and ethnicity of those hired and fired rather than performance.^{4,5} As a result, the use of a prime minister's power to hire and fire tends to reflect the feelings of the government party (or parties) and the need to connect politically with the public, rather than serving as a strong mechanism of accountability.

There have been attempts to channel this instrument of political accountability into the more formal structures. The Prime Minister publishes a ministerial code, which sets out the standards of conduct expected of ministers and the grounds for their dismissal. This can have some bite, though usually over issues of propriety rather than

performance. For example, in December 2017, Damian Green, the then Minister for the Cabinet Office and First Secretary of State, was asked to resign after making misleading statements, a breach of the ministerial code.^{6,7}

However, this arrangement has its limitations. The Prime Minister is the only judge of whether a minister has breached the code, and what the consequences should be.⁸ Many breaches have gone unpunished where imposing a punishment would have carried political risk for the Prime Minister or their party. For example, in January 2018, Boris Johnson, the Foreign Secretary, was reportedly rebuked in cabinet for his contribution to a cabinet meeting being briefed to the media in advance, in violation of the code. The consequence was effectively an oral warning, delivered in cabinet, rather than dismissal.⁹ Somewhat ironically, the verbal warning and subsequent cabinet discussion about the need to maintain confidentiality were almost immediately leaked, this time without any consequences for those breaching confidentiality.^{10,11}

When it comes to the hiring and firing of ministers, the power of the Prime Minister is clear. The basis on which decisions are made, however, is fundamentally political and probably inevitably so.

Ministers' accountability to Parliament

In terms of accountability for their performance, the convention of individual ministerial responsibility sets out ministers' 'duty to Parliament to account, and to be held to account, for all the policies, decisions and actions of the department, including its arm's-length bodies'.¹²

This convention has a long history, but its modern form is often ascribed to the 1918 Haldane Report.¹³ This report was authored at the end of World War I in response to the rapid expansion of government. Multiple new departments had been created, often with overlapping and confused remits. There was also an ongoing debate about whether departments were best run by a board, or by a single minister in overall charge. Finally, the report was responding to the emergence of government bodies with no legislative basis and which had no formal reporting line to Parliament.

The Haldane Report provided what has been regarded as the definitive judgement on all these issues, setting a pattern for UK government which has held for 100 years. It advocated that departments should be structured around the principal services they provide, that they should be headed by a single minister, and that minister should be accountable to Parliament for all the actions of the department.

Consequences for ministers

The Haldane Report, however, leaves some issues unresolved. It does not, for example, go beyond setting out that individual ministers should be responsible for all the actions of their department. What this means has been clarified by practice and precedent over the years.

So, while ministers are formally accountable to Parliament for their policy decisions, they are in practice not held responsible for the consequences of these decisions. Only one of the 80 ministers and senior officials (except from heads of executive agencies) associated with the 12 government 'blunders' examined by Crewe and King

(2013) was sanctioned: the exception was Margaret Thatcher, whose downfall was partly due to the introduction of the poll tax.¹⁴

This is, in part, because of the delay between an initial policy decision and the consequences of it becoming clear. Given the extensive use of the Prime Minister's power to hire and fire ministers in reshuffles, ministers are seldom still in post by the time consequences emerge.

Similarly, ministers are no longer expected to resign for errors made by civil servants in their department. In 1954, Sir Thomas Dugdale, the then Secretary of State for Agriculture, resigned over faults made by officials in the transfer of 725 acres of land in Dorset, which had resulted in allegations of maladministration and a cover-up by the civil service.¹⁵ Historically, what became known as the 'Crichel Down affair' is often cited as an illustration of a golden age when ministers took responsibility and resigned for things they could never have controlled. In reality, Crichel Down was very much the exception, even in its own time.^{16,17}

Instead, the understanding of ministerial responsibility has shifted. The expectation is that ministers are not necessarily expected to resign over errors in their departments, although they certainly have a duty to fix these issues once they become clear. For instance, in 1999, Jack Straw did not resign over operational failures leading to delays in passports being issued, although he issued an apology and later said he felt his job was on the line if he could not resolve the issue.^{18,19} When failures to deport foreign national prisoners came to light in 2006, the then Home Secretary, Charles Clarke, did not resign. However, after a month during which the department was seen as being unable to get a grip on the situation, Clarke was asked by the Prime Minister to move jobs as part of a reshuffle, which he refused, and left Government.²⁰

So ministerial responsibility is not, and was rarely ever, interpreted literally. It doesn't require ministers to resign for any and all failings of their department.

The curtailment of civil service accountability

Another aspect that arises from the Haldane Report is the role of the civil service reporting to Parliament. The report itself says little on the subject but does make clear that officials should appear before Parliament to explain and defend their actions. Over time, though, the notion of the minister as accountable to Parliament has been interpreted as meaning that ministers and civil servants have a *de facto* indivisible relationship before Parliament.²¹ This understanding was reinforced by the Carltona principle (1943), according to which the minister remains accountable for actions carried out by civil servants on their behalf.^{22,23} The final iteration of this convention of ministerial responsibility was formulated by Robert, Lord Armstrong, the then Cabinet Secretary, in 1985, who argued that 'the Civil Service has no constitutional personality separate and apart from the government of the day'.²⁴

So over time, governments have come to a view that civil servants are not directly accountable to Parliament, but only appear before select committees as representatives of their minister, who can decide which official should appear and what information they should provide.^{25,26} This relationship between civil servants and select committees is framed by the Osmotherly Rules, which were first published around 1980, but have never been endorsed by Parliament and continue to be

contested, including during an exchange between the Prime Minister and the Liaison Committee in December 2017.^{27,28}

The fragmented nature of ministerial responsibility

The Haldane Report notes that there will inevitably still be many overlapping interests between departments. However, it merely states that there should be 'systematic arrangements for the collaboration of Departments' without providing any detail as to what this might practically entail.²⁹

Ad hoc arrangements have been developed, such as those established around the 2012 London Olympics. This showed that departments, arm's-length bodies and private contractors could collaborate to deliver a major project successfully when a specifically created organisation was in place to maintain focus.^{30,31}

But such examples are very much the exception rather than the rule. In 2014, the National Audit Office (NAO) reported that the governance of arrangements for managing and deporting foreign national offenders was over-complicated. The Ministry of Justice, Home Office, Prisons and Probation services, the Foreign and Commonwealth Office, and the National Offender Management Service all had responsibilities, but nobody was ultimately accountable for performance. More recently, the Border Planning Group was set up in March 2017, eight months after the EU referendum to deal with border issues after Brexit. It contains representatives from 21 departments including the Home Office, Defra and HM Revenue and Customs (HMRC), and plays an important role in facilitating cross-departmental collaboration. It is co-chaired by the Second Permanent Secretary at the Home Office as well as the Chief Executive and Permanent Secretary of HMRC. However, the Public Accounts Committee (PAC) has expressed concern that there isn't clear leadership and accountability to effectively manage the UK border after Brexit, with no single individual or department accountable overall for border management.³²

Civil service impartiality and constraints on ministerial control

The current interpretation of the convention of ministerial responsibility puts a huge weight on the civil service reporting to ministers, not to Parliament. This creates tension with another of the main conventions that governs Whitehall – the impartiality of the civil service.

The 1854 Northcote-Trevelyan Report laid out the basis for impartial civil servants supporting ministers.^{33,34} At the time, appointments were routinely made on the basis of political patronage and the cast of senior officials changed along with each new government. Northcote-Trevelyan introduced the idea that civil servants should be appointed 'on merit' (that is, on the basis of their ability to do the job), and that they should be impartial in political matters.³⁵

The principle of appointment on merit means that ministers are severely restricted in their ability to either appoint or remove civil servants. This creates a natural tension, especially given the supposed importance of the civil service's accountability to ministers. Ministers have often felt frustrated³⁶ at being held responsible for a department's performance while being unable to select civil servants or to remove them for obstruction or underperformance.³⁷

Despite the formal conventions, which mean that ministers cannot make decisions on rewards or promotions, civil servants have strong incentives to be responsive to their ministers (or at least to their Secretary of State). The entire ethos of the civil service is directed to serving ministers, and more personally being seen to be able to work well with ministers is essential for promotion to the most senior roles. Lord Hennessy, the leading historian of Whitehall, has compared this informal relationship to a 'governing marriage' – an image that has come to dominate much of the discussion of the relationship.³⁸

The analogy is revealing of Whitehall's attitude to accountability. In a marriage, while the relationship is ideally a strong one based on mutual trust and loyalty, the responsibilities are owed by each partner to the other. So, for example, under this interpretation, it would be perfectly permissible for a permanent secretary to advise a minister that a policy has severe limitations but then agree to attempt to implement it provided the minister does not criticise the civil service publicly when things inevitably go wrong. Indeed, this seems to be the usual situation – while government engages in many high-risk policies, virtually none of the civil service's concerns come into the public domain.

And such a situation conforms to the loyalties found in a marriage – both act to protect each other. The civil service is protected by the cover of ministerial responsibility. The ministers themselves are insulated because the rapid use of the Prime Minister's hire and fire powers means they are unlikely to be in post when things go wrong.

This highlights the weaknesses of our conventions and the dangers of informal relationships. Instead of an accountability relationship built on clear responsibilities, transparency of information and clear consequences, Whitehall's conventions achieve almost the exact opposite. Crucially, there is nothing that takes into account the interests of the people whom government is meant to serve – citizens and taxpayers.

Permanent secretaries' duties as accounting officers

The insistence that ministerial responsibility means civil servants cannot be directly accountable to Parliament is at odds with the final convention that governs Whitehall's accountability. Under the accounting officer rules, permanent secretaries, as accounting officers, are directly accountable to Parliament for the money their departments are spending.

The evolution of the accounting officer role

This convention pre-dates the Haldane Report. The legislative basis for accounting officers is the product of 19th century reforms launched by William Gladstone to create 'systematic parliamentary controls of public money'.³⁹ These reforms resulted in the creation of the PAC in 1861, which provides parliamentary scrutiny, and the Exchequer and Audit Department in 1866 (the predecessor to the NAO), which provides independent audit information.

The accounting officer role itself was first formalised in an 1872 Treasury minute, which mentions an official senior enough to influence anything that affects the department's receipt or expenditure, who would 'represent his department before the Parliamentary Committee of Public Accounts'.⁴⁰ When the role was created,

HM Treasury opted to give it to permanent (rather than political) heads of the department, mainly due to the perceived workload and temporary nature of ministers.⁴¹

Modern-day accounting officers are directly accountable to the PAC⁴² for 'the quality of management in the department, including its use of public money and the stewardship of its assets'.⁴³ They also provide assurance to the Treasury and the PAC that the department's activities (especially spending commitments driven by policy) meet the standards set out in HM Treasury publications (propriety, regularity, value for money and feasibility).

If ministers wish to take actions that breach these standards, the accounting officer can express concerns. Should these concerns not be addressed by informal discussions, the accounting officer can ask the minister to issue a 'formal instruction [to the] accounting officer to proceed with the implementation of a policy' (that is, a ministerial direction).⁴⁴ So ministerial responsibility remains – the accounting officer's role is to ensure its consequences are transparent to the minister and to Parliament.

As with ministerial accountability, the accounting officer system strictly restricts responsibilities to individual departments. There are, of course, many situations where two or more departments have responsibilities feeding into a single government objective. However, the accounting officer mechanism generally does not make allowances for this, with HM Treasury requiring that a single accounting officer remains accountable at all times.⁴⁵ The reality of how things operate must be twisted into the structures of the accounting framework rather than the other way around.

The effectiveness of the accounting officer framework

The accounting officer role has long played a key part in ensuring that all expenditure is properly authorised by Parliament, and that it remains within the limits set by the Treasury.⁴⁶ Three aspects strengthen the role of accounting officers: oversight comes from the Treasury, which has the power to enforce direct administrative controls over spending; audit by the NAO ensures independent information is available; and scrutiny by the PAC means that issues come into the public domain. Accounting officers face lengthy investigations, from the Treasury and publicly before the PAC, for even minor breaches of the formal rules. They can ultimately be stripped of their accounting officer status, as was the case with the Chief Executive of the Student Loans Company in 2017 and the Chief Legal Ombudsman in 2014.^{47,48}

This framework is, however, not as effective at ensuring value for money or the feasibility of spending programmes. This is because these requirements are much harder to enforce. Whereas a breach of the formal rules controlling spending will almost inevitably come to light, the consequences for failing to ensure that a project is value for money or feasible are much less clear-cut. This means that permanent secretaries face correspondingly greater incentives to prioritise serving their minister (making the 'marriage' work) over their duties as accounting officers.⁴⁹ This can be seen in the low number of ministerial directions requested (none were issued between 2010 and 2015), and the fact that none has ever been issued on the grounds of feasibility.⁵⁰ The directions issued over the funding of Kids Company and the London Garden Bridge focused on value for money arguments. However, it is difficult

to know the extent to which the threat of a direction enables better conversations and decisions in government, as there is no mechanism for scrutinising the extent to which this occurs.

The weaknesses of the accounting officer rules are most clearly demonstrated when the implementation of flagship policies goes wrong, but no directions are issued.⁵¹ For instance, the PAC questioned why officials at the Department for Communities and Local Government had not sought a ministerial direction before proceeding with the FiReControl project.⁵² The project was designed to reduce the number of control rooms required to handle calls to the Fire and Rescue Service. The lack of buy-in from local forces, rising costs and unclear lines of accountability led the department to cancel the project in 2009. This failure wasted £469 million.^{53,54} In its report the PAC noted that:

‘The Department failed to apply effective checks and balances from the start. The project progressed too fast without essential checks being completed. For example, Departmental and Treasury approval was given without proper scrutiny of the project’s feasibility or validation of the estimated costs and savings.’

Since then, some evolution has occurred. For instance, the Infrastructure and Projects Authority plays an important role in strengthening assurance processes and developing capability.⁵⁵

Yet, in the case of Universal Credit, the PAC’s 2013 report directly criticised the accounting officer, Robert Devereux, over the failure to act on early warning signs of implementation failures.⁵⁶ However, it is not clear what, if any, consequences flowed from this criticism. It is not even clear who was responsible for deciding what those consequences should be, leaving an impression that there was a lack of transparency. The PAC observed correctly that its job was to scrutinise not sanction. It could not be the minister, as criticism arose through the accounting officer system, which is independent of ministers. Those in charge of establishing responsibility could have been:

- the Permanent Secretary at the Treasury, as the principal accounting officer, although this would have been unusual since the Treasury has no responsibility for implementation
- the Head of the Civil Service, then Bob Kerslake, who was formally responsible for Robert Devereux’s line management
- the Cabinet Secretary, Jeremy Heywood, though he had no formal responsibility for Devereux’s performance.

All that can be said with certainty is that there was no transparency here – there was no public statement by any of these individuals offering their justification for the actions they had, or had not, taken in light of the PAC criticism.

Such lack of clarity highlights the key weakness of the accounting officer framework. Accounting officers have often been effectively accountable to themselves for making the right calls on difficult decisions. There have been some moves in recent years to

incorporate permanent secretaries' performance as accounting officers into their performance assessments by the Cabinet Secretary. But these assessments are themselves shrouded in secrecy.⁵⁷

The reinforcement of silos

Finally, the existing conventions actively work against cross-departmental improvements. The recent collapse of Carillion, a large supplier to the public sector, highlighted once again concerns about the weaknesses in government's commercial relationships. These weaknesses cut across departmental boundaries. However, the formal situation is that each permanent secretary is individually responsible for what happened in their department. This reduces the role of the PAC to playing a costly game of 'whack-a-mole', as the same underlying problem emerges repeatedly in different departments over time.

Since 2013, the civil service has stepped up efforts to address these cross-cutting issues by professionalising activities such as contract management across Whitehall.⁵⁸ To do so, it has set up cross-departmental 'functions' designed to provide expert advice and services across Whitehall and to build specialist skills (such as commercial, project delivery and digital skills).⁵⁹ Each is led by a head of profession who reports to the Chief Executive of the civil service. This more joined-up approach across departments is a step in the right direction. However, there is no formal accountability for these functions to Parliament, and therefore no mechanism to resolve tensions between these cross-cutting responsibilities for capability and permanent secretaries' departmental responsibilities for delivering outcomes.

This creates a vicious cycle. Without proper accountability, many supposed improvement initiatives have been ill-conceived and actually undermined departmental performance. This in turn has reinforced the view of permanent secretaries that they should resist cross-departmental initiatives.^{60,61} And this, of course, makes it much harder to tackle the widely acknowledged underlying weaknesses in how Whitehall operates.⁶²

Consequences of unclear accountability

These four conventions have grown over time, each following their own evolution, sometimes reinforcing, but often undermining, each other. When compared to the ideals of an accountability system, three main issues emerge:

- There is a clear gap in the accountability of the civil service.
- There is a focus on secrecy rather than openness.
- These conventions all work to reinforce rather than break down departmental silos.

The gap in civil service accountability

As set out above, the civil service is formally accountable to ministers, but civil service impartiality means there are limits to how ministers can discharge this accountability. Even with the accounting officer framework, where civil servants are directly accountable to Parliament, there is a lack of clarity about the consequences for poor performance, or indeed for good performance.

Another weakness in this area is the lack of political oversight for reforms aiming to improve the effectiveness of the civil service. The Minister for the Cabinet Office notionally plays a part in overseeing reforms to the civil service, but the post has seen considerable amounts of churn in the last 19 years. Since 1997, there have been 17 ministers in this post, with only one (Francis Maude) staying in post long enough (five years) to see through reforms in this area.⁶³

The tendency to secrecy

The conventions have come to embody a culture of secrecy. In particular, the role of civil servants has been constrained, and instead of providing Parliament with all the facts about any given situation, they merely follow the ministerial line. Even when, as accounting officers, civil servants are tasked with making sure Parliament is aware of issues, the relatively low number of ministerial directions suggests that, predictably, most issues are kept within the bounds of the 'marriage' between the minister and the permanent secretary.

There have been some moves to break down this traditional secrecy. The Government has started to publish assessments of how the implementation of major projects is going.⁶⁴ And in 2014, the Government revised the Osmotherly Rules so that senior responsible owners for major projects can now be held directly accountable by Parliament for implementation.⁶⁵ More recently, the NAO and the Treasury have started to bring greater transparency to accounting officer assessments which review the feasibility of projects, among other criteria.^{66,67}

Dealing with departmental silos

One of the defining features of all these conventions is that they reinforce silos in government. Ministers and accounting officers' responsibilities and accountabilities are strictly confined to their departments. This ignores the reality that many aspects of government, whether the solutions to 'wicked' policy issues, the commercial relations of government with large contractors, or the careers of civil servants, cut across departmental boundaries.

Interestingly, cross-cutting structures to counter Whitehall's silo-based culture are most developed on the political side. Ministers must follow the convention of collective responsibility, dating back to the 18th century. This requires them to support government policy even if they disagree with it,⁶⁸ limiting their autonomy.⁶⁹ And some ministers are now appointed to portfolios that cut across different departments. For example, Sam Gyimah, the Minister for Higher Education is a minister in both the Department for Business, Energy and Industrial Strategy and the Department for Education.⁷⁰

3. Outdated accountability in a complex public sector

In recent decades, the way modern government operates has become more complex.¹ The system of accountability in place in the UK has failed to keep pace with these changes. This results in a shortage of information, gaps in accountability mechanisms and too little focus on how they work in practice within complex networks.

Accountability within the public sector beyond Whitehall is fundamentally complex. Services delivered to the public are shaped by networks of organisations and decisions taken at various levels of government, rather than by the actions of individual people or specific organisations.²

This chapter looks at the nature of modern government and the delivery of public services. It shows how the way in which government operates has become more complex over time. It argues that successive administrations have failed to update accountability arrangements to keep pace with this complexity. This is evidenced by:

- The failure to develop capability to monitor private service providers or to set up arm's-length bodies.
- The churn in policy and other initiatives, creating, destroying and reconfiguring organisations and structures, and seldom taking the implications for accountability into consideration.
- The lack of structures necessary to make accountability work in the complex networks that characterise modern government, which cannot be reduced to chains of bilateral relationships between organisations.

The chapter concludes by outlining the resulting problems with accountability.

The increased complexity of modern government

The way that public services are delivered today is sometimes characterised by a long chain that stretches from Whitehall to the public. At one end of the chain, the representatives elected by citizens and their officials oversee the business of the state. At the other end of the chain, public services are delivered individually to citizens (as in health care and education) and sometimes to the population as a whole (defence or economic regulation).

But the metaphor of a chain understates the complexity of modern government. This complexity has developed over the last 30 years, under the influence of new public management thinking – a model of public sector governance emphasising efficient delivery of services.^{3,4} There has been a move to involve many kinds of organisations in delivering public services, such as arm's-length bodies, private and voluntary sector

providers. Combined with increasing devolution, this creates challenges for accountability.

The confusing nature of arm's-length government

Arm's-length bodies, also known as quangos, are now fundamental to the running of the British state. We have noted before that they 'protect the constitution, regulate big business and provide a wide range of executive functions and expert advice'.⁵ For all the noise about there being too many arm's-length bodies and the repetition of calls for further 'bonfires of the quangos', in fact the number of arm's-length bodies has been falling continuously since the 1980s.⁶

The issue is not one of numbers, but of complexity. The current classification of 'arm's-length bodies' is confusing. By the early 2010s, there were at least 11 types of arm's-length body but no consistency over why these bodies were given the institutional form that they were.

In addition, there are often numerous arm's-length bodies involved in the delivery of a service, each playing a distinct role. In education alone, the Education and Skills Funding Agency funds schools; the Standards and Testing Agency develops the curriculum; Ofsted inspects schools; and the Office of Qualifications and Examinations Regulation (Ofqual) regulates the examinations pupils sit.

The increased use of private and voluntary sector providers

Government is now rarely the sole provider of publicly funded services. In education, employment, health – indeed, almost every area – private, public and voluntary sector organisations compete for the right to provide our services, with users often having a say in whose services they receive. By the early 2000s, roughly £1 in every £3 that the Government spent on public services went to independent providers.⁷

In such an environment, the accountability between citizens, Parliament and providers is more difficult to enforce, which risks leaving the public without a clear idea of who is responsible when issues such as poor performance arise.^{8,9,10} The more recent trend – the channelling of public funds to autonomous local bodies (such as NHS Foundation Trusts, academy schools, or Local Enterprise Partnerships) – has complicated accountability further, making it less clear who, if anyone, is accountable for the delivery of public services.^{11,12}

And, of course, some key government objectives involve actors who are not funded or regulated by government. For example, like many of her predecessors, the Prime Minister says she intends to build more homes.¹³ This involves a vast range of public sector interests including planning, regulation, taxation, redevelopment and homelessness, to name a few. But, in addition, most house building is done by private companies, and is effectively paid for by private individuals buying or renting those homes (this is in contrast to the major state-driven housing initiatives in the post-war period).

The growing significance of devolution

Finally, there has been increasing devolution of responsibility and control for delivering public services. Since the late 1990s, legislatures in Scotland and Wales have been responsible for the performance of most services in those nations.¹⁴ By and

large, there are clear accountabilities in place in some policy areas, and these reforms have delivered much greater democratic accountability to citizens. However, there are 'jagged edges' where the policy split between central and devolved government is complex (such as in tax and welfare), meaning accountability for different aspects of the system is split between different organisations, notably as new powers are devolved.¹⁵

Over the last few years, devolution deals and elected mayors in England have created new governance models with accountability for spending shifting to the level of individual combined authorities.¹⁶ While bringing power closer to citizens at the local level has clear benefits in terms of democratic accountability, the NAO has noted that policies such as the devolution deals giving more powers to local areas to stimulate growth have 'significant accountability implications' that central government and local areas will need to clarify.¹⁷

The failure of accountability to keep pace with complexity

Changes in policies, oversight and roles have often been made without taking accountability implications into account. As a result, much of the accountability system in place today, which as noted above dates back to the 19th century, does not keep pace with the increasing complexity of the public sector. Three major issues stand out:

- the failure to develop the capability to ensure accountability
- the constant churn in how services – and their oversight – are structured
- the lack of focus on overall objectives when multiple organisations are involved in making things happen.

The lack of capability to ensure accountability

Successive governments have failed to develop the capability to ensure that accountability works in the increasingly complex landscape of government public services. This is particularly true in the case of arm's-length bodies and outsourcing.

Outsourcing creates a seemingly simple line of accountability between the government and the provider. However, the relationship between the state and those delivering services is actually very complex. Most basically, a provider may be less likely to admit an error or areas for improvement as to do so might jeopardise its likelihood of winning future contracts. In addition, the accountability mechanisms used – for example, payment by results – can have extremely perverse incentives, leading providers to 'teach to the test', fabricate data, and so on.^{18,19}

Given the risks involved, it is striking that government has seldom developed high-powered capabilities to manage these relationships (the development of outsourced welfare to work provision over the course of nearly two decades is a noticeable exception). Government's capacity to effectively monitor contracts is generally weak, particularly as the activity is often relegated to junior officials and perceived as lacking in prestige.^{20,21,22}

This means government is often poor at initiating and managing contracts. For example, there were shortfalls in the Government's approach to managing the

InterCity West Coast franchise competition, which was cancelled in 2012. The NAO found that this was due partly to issues in the procurement process, including a lack of transparency and a lack of management and oversight of the competition.²³ There are particular issues around collecting, collating and analysing performance data.²⁴ As a result, it took the Government eight years to spot the 'widespread overbilling' by contractors in charge of the electronic monitoring of offenders, after millions of pounds of taxpayers' money had been overspent.^{25,26,27}

All too often, commercial confidentiality has been used as an excuse to justify this lack of information, and the resulting lack of clarity over the costs and performance of contractors. The lack of clear rules, which preserve genuine trade secrets but allow the public and Parliament to examine which services were delivered at what cost, is ultimately undermining trust in the whole concept of outsourcing.

Government also lacks the capability to effectively and consistently set up and monitor arm's-length bodies.²⁸ Their governance relationship with departments is all too often characterised by a lack of clarity on roles and responsibilities, rapid turnover of staff on both sides of the relationship, as well as more specific areas of tension over the degree of independence of the arm's-length bodies.

Concerns have therefore grown that the 'freedoms enjoyed by arm's-length bodies [made] them unaccountable and inefficient'.²⁹ This has been exacerbated by several incidents. For instance, in 2008, the results of curriculum SAT tests for 14-year-olds were delayed by more than a month after the company contracted by the Qualifications and Curriculum Authority failed to deliver test results on time, resulting in a public outcry.³⁰

The lack of capability in effectively managing relations, even with executive agencies, was further exemplified by the challenges faced by the Common Agricultural Policy Delivery Programme. The poor co-operation between the department (Defra), the Rural Payments Agency and experts in the Government Digital Service arose from the number of organisations involved in the programme and the diverging strategic direction, vision and priorities each had for the programme.³¹

There has been some progress recently. The Cabinet Office has, for example, published a code of good practice which reflects the Institute for Government's research and encourages these tensions to be managed productively.³² But there is still a long way to go.

The churn in services and oversight

Governments regularly recreate policies and the organisations tasked with delivering them. For instance, the further education sector has been shaped by 28 pieces of legislation since the 1980s, and no relevant organisation in the sector has lasted more than 10 years.³³ Such frequent changes come at a cost, notably in terms of accountability, which is often an afterthought.

For instance, the Government's push for a greater number of academies around 2010 led to accountability concerns. Schools had been funded by, and accountable to, local government. But after 2010, many schools were converted into being academies,

thereby gaining more autonomy from local government. They received direct funding from the Government and were accountable to the Secretary of State for Education.³⁴

This created huge, and predictable, issues around accountability. National government had no mechanisms for properly overseeing what was happening in thousands of schools spread throughout the country. After some years, the Government eventually appointed eight regional schools commissioners in 2014³⁵ to provide additional local oversight for the growing number of academies.³⁶ Accountability in this area is beginning to become clearer as the role of the commissioners is being embedded. However, it has taken over half a decade after the launch of the policy to get to this point. And there are still unresolved issues: for instance, the lack of local democratic accountability.³⁷

Health care regulation is another example of reinvention, having evolved significantly over the last 20 years. In 1997, no national policy covered all aspects of care quality and safety.³⁸ This changed in 2003 with the creation of the Healthcare Commission, among other regulators. However, following pressure to rationalise the number of regulators, the Healthcare Commission's role and that of two other regulators were taken over by the Care Quality Commission in 2009. On top of this, the health care sector is the responsibility of the Department of Health and Social Care, which established Monitor as the regulator of foundation trusts in 2004. Monitor's role was strengthened in 2012, and it was then merged with the NHS Trust Development Authority to form NHS Improvement in 2016.³⁹ NHS Improvement itself combines two separate bodies trying to act as one, and each performing the roles of regulator and improvement authority for different groups of NHS trusts. In the long term, these roles are incompatible as it can mean the regulator 'marks its own homework' as the improvement authority. This means further institutional change is likely.

Similarly, there are issues since 2016 around the introduction of the NHS' Sustainability and Transformation Partnerships to improve care.⁴⁰ These structures are continually evolving, possibly into 'integrated care systems' or 'accountable care organisations', new bodies that could notionally draw together different NHS organisations with other local services providing health care.⁴¹ But the public and patients have had minimal involvement in either the setting up or running of these new structures.⁴² These complex changes have led to calls for better accountability, notably as local politicians felt side lined from their development.⁴³

There are a series of accountability issues that have not been resolved despite increased devolution. For example, there are obvious issues that may arise out of central government attempting to impose its will on local powers, including mayors. The Metronet failure of 2007 in London was partly characterised by the contracting model (a public-private partnership) being imposed against the will of the Mayor of London, who had been elected on an anti-public-private partnership platform.⁴⁴

Challenges also arise when it comes to new bodies being accountable locally. For instance, only half of the Local Enterprise Partnerships created after 2010 considered that they were clearly accountable to the local electorate in a 2016 survey conducted by the NAO.⁴⁵

A lack of focus on government's overall objectives

Many government objectives and services are delivered by numerous organisations at national and local level, spanning the public, private and voluntary sector, and interacting with each other in different ways. There is obviously a need to focus on the bilateral relationships between this myriad of different organisations. But there is also a need to think about accountability at an aggregate level – are the complex interactions between organisations actually achieving the government's overall objectives. This is, of course, what the public ultimately cares about. It raises a particular set of questions.

The first question is about **information** – is there authoritative information about how well the different organisations within the service in question are performing, and how this adds up to achieve the government's overall objectives?

The absence of such information means inefficiencies can grow over time. For example, the 2011 Winsor Review on police pay revealed that the pay structure had not changed substantially in 30 years, despite major developments in the way the UK's 40-plus police forces operate. This led to a waste of resources and unfair arrangements, in particular for officers who worked unsocial hours but were paid the same as others.⁴⁶

There is often no need to create new data – in many areas the necessary information already exists. For instance, there is information on the relative performance of hospitals in the NHS, on the degree to which the NHS as a whole is raising productivity, and on the total levels of funding and demand for NHS services. However, often the data has to be drawn together by organisations outside government.⁴⁷ For example, the Institute for Government produces a regular performance tracker, assessing how well public services (including hospitals, schools, the police and adult social care) are operating.

But despite the importance of such an assessment, there is no public body doing the same, and no mechanism by which such information flows into our accountability system. Indeed, the situation has been exacerbated by government decisions – for example, the abolition of the Audit Commission removed the organisation that could have provided clear information about the nature and causes of the pressures currently facing local government.

The second question is about **responsibility** – is there a mechanism for judging how the decisions of different organisations are affecting overall government objectives? This issue is particularly stark at the moment. The Treasury has traditionally seen its role as agreeing budgets with departments and then ensuring that departments keep within these budgets. It does not, however, traditionally accept responsibility for performance – in the Treasury's view it is up to departments and individual service providers to make sure the money they have agreed delivers the Government's objectives.

This has always been a theoretical weakness within the UK system – the department with the most control over the setting of budgets skips responsibility for the consequences. However, since the 2015 Spending Review this is certainly not just a

theoretical issue. Even following a host of emergency cash injections, there are huge pressures on many public sector organisations, ranging from prisons to hospitals to the ministry of defence.

It is clear that the 2015 Spending Review systematically overestimated what could be achieved through the budgets it set. Yet there is no mechanism for exploring what happened, and for the Treasury to take responsibility for ensuring that these failures are not repeated in Spending Review 2019.

The third question is about **learning** – is there a way for multiple organisations to consistently learn from past successes and failures? There are some mechanisms in the case of major failures. Public inquiries are a well-established formal mechanism to examine failings which are significant enough to garner widespread public concern. Tragedies ranging from the Aberfan coal tip landslide to the Ladbroke Grove rail crash were therefore all the subject of inquiries, and the inquiry into the Grenfell tragedy is ongoing. They are an effective way to learn from failure, particularly in complex situations involving actions undertaken by many different individuals and organisations.

The importance of learning has been highlighted before. Successive governments have stated that preventing the recurrence of events which have caused public concern is their primary purpose.^{48,49} Despite this, the effectiveness of inquiries is, in this regard, often undercut by a lack of appropriate oversight for the implementation of their recommendations. We have argued previously that select committees should ensure that the Government is accountable for implementing recommendations made by inquiries.⁵⁰

The final question is about **political intervention** – is there a way that politicians can constructively intervene when controversies arise? The nature of political accountability means that, when issues come to the forefront of the public debate, ministers sometimes intervene to respond to the public's reaction, taking ultimate responsibility for fixing the issue. However, such intervention seldom takes place within a structured set of rules and escalations. Instead, it is often symptomatic of a failure of the accountability arrangements in place to respond to the complex delivery chain associated with modern government.

A prominent example of a ministerial intervention to tackle an issue that had captured public opinion is the role that Ed Balls, the former Secretary of State for Children and Families, played in the aftermath of the tragic death of Baby P. in the London borough of Haringey in 2007. Several public agencies had been involved and, in the wake of the toddler's death, a combination of the public's strong reaction, pressure from the Opposition and the tabloid media led to a political crisis for the Government and Ed Balls.⁵¹ On the basis of initial findings from the Healthcare Commission, Ofsted and the Chief Inspector of Constabulary, Ed Balls invoked his duty to maintain public confidence and directed Haringey Council to appoint a new Head of Children's Services, thus removing Sharon Shoesmith – the then current Director – from her post 'with immediate effect'.⁵² The intervention and decision to sack her was deemed unlawful and Shoesmith ultimately sued, winning a pay-out for unfair dismissal over the issue.⁵³

Another example had to do with the relaxation of border controls in November 2011, notably in airports, which led to a public outcry.⁵⁴ The then Home Secretary, Theresa May, claimed that a risk-based approach to people entering the UK was extended without ministerial approval. This led to the suspension of Brodie Clark, the head of UK Border Force, who subsequently resigned from his post.^{55,56} Clark subsequently sued the Home Office but both sides agreed an out-of-court settlement of £225,000, with neither side admitting liability or fault.

Consequences of outdated accountability mechanisms


The failure of accountability to keep pace results in:

- accountability gaps in some public services
- shortage of information on public services' performance
- a lack of accountability for the overall objectives of government.

Accountability gaps in some public services

The churn in policy and regulation can easily create accountability gaps when new structures are set up with no clear plan for how they will be monitored or held to account. This was the case when academies were set up to be directly accountable to the Department for Education.

This model was flawed in two ways. First, the department didn't have all the information it needed to monitor performance, nor the capacity to directly oversee thousands of schools, and had to rely on whistle-blowers to flag up issues. Second, the main accountability mechanism in the case of academies was for Parliament to hold the Department for Education's Permanent Secretary to account. However, for issues such as 'the misuse of funds in an individual academy', the Permanent Secretary's control over these schools was deliberately constrained by statute.⁵⁷ In short, the arrangement resulted in some schools falling between accountability gaps.⁵⁸

 The complex ways in which public services are delivered can lead to a lack of clarity on... where accountability lies

Shortage of information on public services' performance

The complex ways in which public services are delivered can lead to a lack of clarity on where issues originate and where accountability lies for fixing them. However, there is no body charged with independently interpreting financial and performance data and drawing out conclusions as to what it implies. This leads

to partisan interpretations, with figures regularly traded across the dispatch box that simply confuse the public and obscure accountability.

A lack of accountability for the overall objectives of government

Ultimately, the public cares about whether the overall objectives of government are delivered. The details of the individual accountabilities of the various organisations are not the main issue. Where those objectives are achieved by a public sector that

largely reports to a single minister (such as the NHS), then the doctrine of ministerial accountability might seem to be enough.

However, even in such cases responsibilities are not clear-cut. Problems in hospitals can arise if patients cannot be discharged into social care – the responsibility of local government. In more complex areas – such as objectives for the level of house building – the lack of accountability allows objectives to be missed for literally decades without any systematic account of why this is happening and how the situation will be improved. Ultimately, the public can, of course, remove a government from power through a general election, to push its successor to take responsibility for improving the situation; but this is a very blunt instrument.

4. A culture of blame

Accountability in the UK is too focused on blame, when it needs to focus on improvement. To achieve this shift, accountability must enable learning and allow space for appropriate risk-taking and innovation.

In this chapter, we highlight how the political dimension of accountability overemphasises the role of blame in holding individuals and organisations to account. This, ironically, undermines the focus on improvement that the public wants to see following failures.¹ We outline what accountability needs to achieve, beyond the simple allocation of blame, if it is to contribute to improvements in how government operates. We finish by noting that moving beyond blame comes down to changing the culture of accountability.

The emphasis on blame

Blame is a part of accountability. When things go wrong, it may well be the case that 'heads must roll'. Sometimes this is because individuals were directly responsible for serious failings. But more often, it is because the existing leadership has to resign given the scale of an issue, or because it cannot be in charge of putting problems right. For instance, in 1982, Lord Carrington, the then Foreign Secretary resigned 'honourably, taking responsibility for the Argentine invasion of the Falklands',² following criticism of the Foreign Office. He noted in his resignation letter that 'much of the criticism is unfounded. But I have been responsible for the conduct of that policy and I think it right that I should resign'.³ In 2007, the Executive Chairman of Her Majesty's Revenue and Customs (HMRC), Paul Gray, chose to resign after taking responsibility for a 'substantial operational failure within the department' after millions of child benefit claimants' records were lost after being copied on to discs and posted.^{4,5}

However, the response to failure can't simply be a hunt for someone to blame. Such an approach leads to perverse incentives, such as the temptation for those delivering public services to focus on compliance and box-ticking.⁶ It can also foster defensiveness and risk-avoidance.⁷ This is particularly true when there is no clarity on whether blame was apportioned to the right individuals. Some consequences such as the departure of the CEO of the Rural Payments Agency following issues with the Single Payment Scheme, or Sharon Shoesmith at Haringey (see p.28), can feel like a quick fix to situations that arose out of decisions made by many different individuals and organisations.

Government accountability is particularly at risk of overemphasising blame. Government failures naturally force themselves on to the political agenda. The media plays a key role in this, often serving as an alarm, raising public awareness of issues

and encouraging further political scrutiny.^{8,9,10} At the same time, media coverage will often focus on blame and sanction. This is probably inevitable – stories about the alleged mistakes of particular individuals simply make for better copy than ones about the complexities of decision making and the lessons that need to be drawn. In addition, unlike the private or voluntary sector, government faces an organised opposition, whose role involves seeking out and highlighting problems, often accompanied by calls for rapid and supposedly decisive action.

There is, of course, no natural incentive for the Opposition or the media to highlight the successes and good work of government. This skews the balance of risk and reward associated with public service. The result has been cycles of negative feedback, where dismissals can be exceptionally high-profile and costly in terms of public image, but with little hope of resolving complex underlying issues.¹¹ For example, Shoesmith's dismissal appears to have done little to resolve the underlying problems. Indeed, it may have made some things worse – with some evidence showing it is less likely that people would become social workers or want to work in troubled councils like Haringey.¹²

Consequences of the culture of blame

The public sector needs a system of accountability which is focused on improvement, not just blame.¹³ Studies by various ombudsmen have shown that the public care more about learning lessons than retribution.¹⁴ Similarly, multiple governments have stressed that the primary purpose of public inquiries is 'preventing recurrence', rather than attributing faults.^{15,16}

A system of accountability should create an environment which:

- **Generates incentives** (both rewards when performance is good and sanctions when it is poor) for both individuals and organisations to act in the interests of citizens.
- **Develops individuals**, making them better able to achieve their goals¹⁷ and improve in their role.¹⁸ Those holding people to account should be providing advice and constructive challenge, clarifying questions of role and purpose, and helping to focus efforts.
- **Promotes learning**. When lessons are learned from both successes and failures, future failings can be prevented and performance improved.¹⁹ Accountability as learning is increasingly recognised as a vital mechanism in driving improvements,²⁰ effectiveness²¹ and delivering beneficial co-operation.²²
- **Enables desirable risk-taking and innovation**. Appetite for risk and innovation ultimately comes down to organisational culture.²³ For instance, forward-looking accountability can enable innovation by focusing on how to respond to future challenges rather than blame for past mistakes.²⁴

However, the current UK system of accountability falls short on every count. As highlighted earlier, the early stages of Universal Credit were characterised by a 'good news' culture, which undermined the department's ability to critically assess the scale of the issues the programme faced.²⁵ Similarly, the Ministry of Defence has not

learned from systematic overspending on the defence budget, which was unaffordable by £6 billion around 2009.²⁶ Despite much remedial action, the budget is again unaffordable by at least £4.9 billion in 2018, partly due to weaknesses in forecasting and over-optimistic assumptions.²⁷

Our system of accountability is rarely seen as supporting people – and often has the opposite effect. For example, relations between the civil service and Parliament can be difficult.²⁸ While penetrating and persistent questions are at the heart of successful scrutiny, the combative attitude some parliamentary select committees take towards witnesses can be unproductive, as is their focus on blame. It leads officials to become excessively defensive. And it means Parliament often does not have as much influence on the effectiveness of government as it could have.²⁹

There is also a cultural bias against risk-taking and innovation: as the Chief Executive of the civil service, John Manzoni, noted in 2016 'over time we've put risk aversion into the system and that's not something that one can change overnight'.³⁰ Where officials do take risks there is a sense, as in the case of Brodie Clark, that they are in danger of being scapegoated and unjustly punished (see p.29).

This environment hampers improvement. But to change it requires a new culture of accountability – a worthy but intangible aim. New cultures can only be built over the long term, mainly through tangible changes to structures and processes.

5. Potential directions for improvement

This final chapter sets out potential directions for reform, which we will investigate over the coming months.

The suggestions below flow from the issues identified in this discussion paper. They are also informed by priorities that the Institute for Government has identified in previous work. During the next phase of the project, we will talk to those interested in accountability (practitioners, experts and others) to test our ideas and form recommendations.

If you would like to comment on these potential areas or any other solutions, please contact us at: accountability@instituteforgovernment.org.uk

Improving Whitehall's accountability

Chapter 2 highlights issues arising out of the existing accountability arrangements in Whitehall, which are governed by a set of historic conventions evolving slowly over time. While they sometimes reinforce accountability, more often they actually undermine it.

Clarifying the fundamental accountability of the civil service

While officials are formally accountable to ministers, ministers' powers are limited by the fact that the civil service should be politically impartial. The direct accountability to Parliament that permanent secretaries have as accounting officers provides little clarity over the consequences of good and bad performance.

There is therefore a need to clarify the fundamental accountability of the civil service. In practice, this could mean:

- Strengthening the formal accountability of officials by building on performance assessments for permanent secretaries, expanding the role of departmental non-executive directors or creating a proper board structure, with non-executive members supporting the PM in her role as minister for the civil service.
- Ensuring that civil service reform has meaningful political oversight – appointing a minister who actively owns the issue of accountability and civil service reform and can stay in post long enough to deliver their agenda.

Improving Whitehall's transparency to enable meaningful scrutiny

The doctrine of ministerial responsibility and the dynamics that shape the relationships between ministers and permanent secretaries make it difficult for Parliament and the public to shed light on decision making at the top in Whitehall.

The scrutiny of Whitehall would be greatly improved by further transparency. This might involve:

- Based on the existing publication of major project ratings by the Infrastructure and Projects Authority, developing ways to systematically highlight potential risks and how they are being addressed. Likewise, this might build on recent efforts to make available accounting officer assessments of major projects, as recommended by the National Audit Office and the Committee of Public Accounts, so that government can show the level of consideration that has gone into making a decision.¹ This could also involve civil servants and ministers more systematically setting out the evidence base for their policies, building on Sense About Science's Transparency of Evidence initiative.²
- Allowing honest conversations between Parliament and selected civil servants about the major projects they oversee, making greater use of private sessions. This could supplement public hearings. It might also go hand in hand with a strengthening of the duty of civil servants to give an account to Parliament through a reform of the Osmotherly Rules that frame the relations between Government and Parliament.

Establishing cross-departmental accountabilities

By convention the accountabilities of officials and ministers are confined to departmental silos. This makes it difficult to establish meaningful responsibility for issues that span multiple departments. This applies to policy goals that require several departments to collaborate in order to be met (such as building housing or reducing homelessness), or weaknesses in cross-departmental capabilities (such as contract management or project management).

This could be addressed by establishing better, more clearly visible structures for cross-cutting accountabilities. In practice, this might mean:

- Establishing standard approaches for organising and accounting for cross-cutting projects – building on the mechanisms used in previous cross-cutting projects such as the 2012 London Olympics.
- Bolstering accountability mechanisms for cross-departmental issues – such as commercial and contracting or HR capability – by improving the formal accountability of the civil service's functions to Parliament and improving clarity on how this integrates with the departmental structures, including the accountabilities of permanent secretaries.

Improving accountability in the wider public sector

Chapter 3 argues that successive administrations have failed to ensure that accountability has kept pace with the increasing complexity of modern government. This complexity makes it difficult to maintain accountability links, especially where functions and responsibilities span central and local government and are subject to frequent churn of both people and policy.

Developing mechanisms to prevent gaps in accountability in public services

Government needs stronger capabilities in various areas, particularly in the way it manages contracts with private providers and its relationship with arm's-length bodies. This type of weakness is compounded by frequent change in policies and by oversight arrangements that tend to ignore accountability. This means that some

issues or organisations can fall between the cracks, sometimes to the detriment of the public.

To prevent this from happening, potential solutions might focus on developing greater capability to prevent accountability gaps. In practice, this could involve:

- Better diagnostic tools to highlight accountability gaps across the public sector. This could build on the accounting officer system statements, which set out accountability for everything the department manages.
- Improving the relationship between arm's-length bodies and their partner departments, by developing partnership skills and capabilities and by classifying arm's-length bodies in a more consistent way. Such efforts would build on recent work by the Cabinet Office and could incorporate changes to oversight mechanisms for arm's-length bodies.³

Providing impartial information on public sector performance

The complex ways in which public services are delivered can lead to a lack of clarity on where issues originate, and where accountability lies for fixing them. There needs to be more of a focus on providing the right information to enable scrutiny.

To help rectify this situation, there is potential to improve the provision of information on public sector performance. In practice, this could mean:

- Requiring government contracts to oblige all public service providers to publish specific performance data, as previously recommended by the Institute for Government.⁴ This could build on recent efforts to implement Open Contracting Data Standard or 'open book accounting'* to make public scrutiny easier.^{5,6}
- Ensuring that there is an independent body responsible for providing and interpreting information on the performance and trends in efficiency of public services. Such authoritative information would help Parliament, the public and other observers hold the Government and service providers to account.⁷

Ensuring more systematic scrutiny of issues that matter to the public

The public cares that government delivers on its commitments – such as housing targets, or access to social care – rather than the minutiae of the accountability of the organisations involved in delivering services. At times, a lack of accountability means that some objectives that matter to the public are missed repeatedly, with no reasons provided on why this is happening and how the situation can be improved. And there is currently no way to ensure that the mismatch between budgets and objectives in the 2015 Spending Review (see p.27–8) will not be repeated in 2019.

This could be addressed by establishing new forums and making better use of existing ones to scrutinise what is happening within the complex networks of government public services. In practice, this might involve:

* We define open-book accounting as a process by which 'suppliers share information about the costs and profits of a specific contract with their client' (Comptroller and Auditor General, *Open-book Accounting and Supply-chain Assurance* (HC 91-I), 2015, p. 6, retrieved 17 April 2018, www.nao.org.uk/report/open-book-and-supply-chain-assurance)

- Ensuring that parliamentary select committees take more of a role in holding government to account for the actions it takes to implement recommendations made by inquiries. This can help ensure that improvements are made where issues arise within specific services.⁸
- Setting up Public Accounts Committees at the local level (as recommended by the Centre for Public Scrutiny) to examine the value for money and impact of public services delivered by public, private and voluntary sector organisations. This could help provide clarity to local service users.⁹

Changing the culture of accountability

Finally, accountability is too focused on blame, when it needs to focus on improvement. This creates perverse incentives and hampers appropriate risk-taking and innovation. The culture of blame permeates government at every level and makes

// Accountability is too focused on blame, when it needs to focus on improvement

accountability harder. It creates perverse incentives, discourages learning and limits the willingness of individuals to take risks and innovate.



The changes outlined earlier in this chapter could help promote better, more honest discussions about why things go wrong, and how they can be improved. This in turn

should help improve the culture of accountability and enable wider learning through an environment which is 'defined less by adversarial relations and more by developing mutually beneficial co-operation in service delivery'.¹⁰

There may also be other steps that could be taken to directly improve the culture of accountability. Those holding others to account need to get better at encouraging learning and appropriate risk-taking. At the same time, those with responsibilities need to be better at understanding the purpose of accountability, and working with it to improve performance rather than seeing it as an ill to be managed. In doing so, they also need the support of a better accountability system. This could involve:

- Encouraging parliamentary committees to focus more on long-term improvement, and to systematically follow issues over time rather than just investigating failures after the fact. This could involve committees using data to prompt more effective discussions about government performance, rather than using it as an instrument of blame.
- Developing ways to help government leaders think about and focus on improving accountability, building this type of considerations into the work of the new Civil Service Leadership Academy, and ensuring that all senior leaders develop the skills needed to make accountability work.

This chapter is based on our initial analysis. We want to hear from stakeholders, practitioners and anyone interested in government accountability as we refine our thinking in the next few months. We will publish our final report later in 2018. It will contain recommendations for change in key areas where we think reform is needed.

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Advisory group

We are grateful to our advisory group for their comments on our work. The membership of our panel, detailed below, includes members from all interested perspectives.



Sir David Bell

David Bell is the current Vice-Chancellor of the University of Reading. He has spent much of his career working in public service, as Director of Education for Newcastle City Council from 1995 to 2000 and then as Chief Executive of Bedfordshire County Council. He was HM Chief Inspector of Schools at Ofsted from 2002 to 2006 and Permanent Secretary at the Department for Education from 2006 to 2012.



Rt Hon Dominic Grieve QC MP

Dominic Grieve is a Conservative politician and has been Member of Parliament for Beaconsfield since 1997. He is the current Chair of Parliament's Intelligence and Security Committee. He was previously Attorney General for England and Wales and Advocate General for Northern Ireland, Shadow Secretary of State for Justice, Shadow Home Secretary and Shadow Attorney General. Before entering politics, he was a barrister specialising in occupational safety and health law from 1980 to 1997. He was appointed Queen's Counsel in 2008 and to the Privy Council in 2010.



Rt Hon Dame Margaret Hodge MP

Margaret Hodge is a Labour politician and has been Member of Parliament for Barking since 1994. She is the former Chair of the Commons Public Accounts Committee. She has previously served as Minister of State for Culture and Tourism, Minister of State for Work, Minister of State for Children, Minister for Universities and Under-Secretary of State for Disabled People. She now chairs the All-Party Parliamentary Group on Responsible Taxation, which aims to help Parliament build and maintain a fair, sustainable and transparent tax system.



Jacqui McKinlay

Jacqui McKinlay is the current Chief Executive of the Centre for Public Scrutiny (CfPS). CfPS has a long track record of supporting and promoting good governance and scrutiny in local government, as well as other public services and the private sector. Prior to this, she was Director of Strategy and Customer Services at Staffordshire County Council and has also worked in health, sport and the civil service.



Dame Julie Mellor

Julie Mellor is the Chair of the Young Foundation as well as serving as a Trustee for Involve, the participation organisation, and Clore Social Leadership. From 2012 to 2017, she was Chair of the Parliamentary and Health Service Ombudsman, which deals with complaints about public services and supports the Public Administration and Constitutional Affairs Select Committee in holding government to account for good administration. Following a career in business, she became Chair of the Equal Opportunities Commission from 1999 to 2005 and then a partner at PwC. She has served as a non-executive board member for numerous organisations, including Nesta; the Department for Business, Innovation and Skills; and the Commission for Racial Equality.



Sir Richard Mottram

Richard Mottram is a Visiting Professor at the LSE. He was until recently chairman of Amey plc. From 1992 to 2007, he held a number of Permanent Secretary appointments in the civil service: heading the Ministry of Defence, the Department of the Environment, Transport and the Regions, and the Department for Work and Pensions; and serving twice in different roles in the Cabinet Office, dealing with, among other things, public service and civil service reform.



Professor Tony Travers

Tony Travers is an academic and journalist who specialises in issues affecting local government. He currently holds a professorship within the Department of Government at the London School of Economics. He has also served as a member of the Audit Commission from 1992 to 1997 and was a Senior Associate of The King's Fund from 1999 to 2004.

About the authors

Benoit Guerin is a Senior Researcher at the Institute for Government. Prior to that, he worked on cross-government reviews at the National Audit Office. He has also advised governments and EU institutions as a member of the performance evaluation team at RAND. Benoit has worked in the French Prime Minister's strategy unit and was formerly an intern at the Institute.

Julian McCrae is a Senior Fellow at the Institute for Government. Julian joined the Institute in July 2009 from the Prime Minister's Strategy Unit, where he was Deputy Director. He started his career at the Institute for Fiscal Studies, where he spent eight years and published work on the UK's personal taxation and welfare system.

Marcus Shephard is a Researcher at the Institute for Government. In addition to our work on public inquiries, he has also worked on the Institute's Brexit team. Marcus also worked for the Royal Society and the Parliamentary Office of Science and Technology.

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