House of Commons
Public Administration Select Committee

Smaller Government: What do Ministers do?
Seventh Report of Session 2010–11

Volume I: report, together with formal minutes, oral and written evidence

Additional written evidence is contained in Volume II, available on the Committee website at www.parliament.uk/pasc

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The Public Administration Select Committee

The Public Administration Select Committee is appointed by the House of Commons to examine the reports of the Parliamentary Commissioner for Administration and the Health Service Commissioner for England, which are laid before this House, and matters in connection therewith, and to consider matters relating to the quality and standards of administration provided by civil service departments, and other matters relating to the civil service.

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Summary

One of the Coalition Government’s main aims has been to combat the UK’s deficit by making significant reductions in the cost of government. As a result the public sector is being asked to find new, innovative ways of working to continue to deliver high quality services with fewer resources and fewer people. Government ministers, particularly junior ministers on which this Report focuses, should not be exempt from having to re-evaluate how they work and what they do. In addition doing so would be consistent with the Prime Minister’s promise to “cut the cost of politics.”

We are in no doubt that ministers are busy. However, activity needs to be distinguished from achievement. Effectiveness also needs to be distinguished from efficiency. The accounts we have received give the impression that ministers are too involved in the day-to-day running of their departments; take too many relatively minor decisions; and engage in numerous activities that could be delegated to others. This draws their focus and energy away from their primary objective, providing leadership and setting the overall policy of their departments. Ministers must focus on the key strategic decisions that need to be made in their departments. Having fewer ministers, who gave priority to their core responsibilities, could help bring about this change in culture.

The Government’s intention to create the “Big Society” and respond to the “post-bureaucratic age” also provides an opportunity to re-evaluate how ministers work. As the Government advances reform to devolve more power to local authorities and communities this will shift ministers’ focus away from delivering services and towards creating the framework within which these services are delivered. Following the creation of this smaller centre, that is not directly responsible for delivery, the Government should no longer require as many ministers as it currently has.

Having too many ministers is bad not just for the quality of government, but also for the independence of the legislature. The Ministerial and Other Salaries Act 1975 (MOSA) limits the total number of ministers at 109 but this is regularly exceeded by appointing unpaid ministers. In addition, the existence of Parliamentary Private Secretaries (PPSs) who, while not ministers, are expected to support the Government in all divisions in the House, further increases the size of the payroll vote. Currently 141 Members—approximately 22% of the House of Commons—hold some position in the Government. This is deeply corrosive to the House of Commons primary role of acting as a check on the Executive, and will be made worse by the Government’s plans to reduce the number of MPs. One simple step the Government should take immediately to limit this size of the payroll vote would be to limit the number of Parliamentary Private Secretaries to one per Secretary of State. If this was done it would result in 26 fewer Members being on the payroll vote.

In addition the Government should take the following steps to reduce the number of ministers.

i. Treating the MOSA as setting a strict limit on the number of ministers. The Government should not employ unpaid ministers if doing so would take it over the
MOSA limit;

ii. Reduce the number of ministers in the House of Commons in line with the reduction in MPs. This should be legislated for now and take effect in 2015; and

iii. Conduct a fundamental review, by midway through this Parliament, of the number of ministers required in the smaller government which the Coalition is seeking to create.
1 Introduction

1. In a speech during the election campaign David Cameron said that “there’s something else the British public wants us to do, and that is to cut the cost of politics. Everyone is having to do more for less.” Therefore, was it not time “politicians and ministers did a bit more for a bit less?”

2. Certainly one of the Coalition Government’s main aims has been to combat the UK’s deficit by making significant reductions in the cost of government. As a result the public sector is being asked to find new, innovative ways of working to continue to deliver high quality services with fewer resources and fewer people. Government ministers should not be exempt from having to re-evaluate how they work and what they do. This Report attempts to address this issue by examining what the purpose of ministers is, what they do, and how they could be better utilised. Our intention is to see whether it would be possible for government to function properly, or even more efficiently, with fewer ministers.

3. Since the election there have been a number of developments which have impacted on ministers and their relationship with Parliament. The Government’s proposals to reduce the number of MPs without a corresponding reduction in ministerial numbers will increase the size of the payroll vote – the number of MPs who hold a government job and are therefore required to vote with the Government or resign – strengthening the Executive at the expense of the legislature. The Government’s intention to promote the Big Society and respond to the post-bureaucratic age by devolving responsibility for swathes of public services to the local level and enhancing local accountability, raises questions about the role of a minister in a more decentralised state. There are already more ministers, including those serving in devolved assemblies, than there were before devolution. Finally, the existence of a coalition has implications for the way that ministers conduct their duties. The Government has already recognised some of these developments and has said that it is likely they will reduce ministerial numbers “at some point in the future”.

4. This is not the first time the Public Administration Select Committee has examined this issue. In its inquiry Too Many Ministers? our Committee in the previous Parliament found that the UK Government was an international outlier when it came to ministerial numbers; employing more ministers than India, Canada and South Africa. More recent research by the Constitution Unit has shown that the House of Commons has more ministers than many Western European countries, including France, Italy, Spain and Germany. In addition, the ratio of ministers to members of the legislature in the House of Commons is 1:8, compared to 1:14 in Spain and Germany, 1:16 in Italy and 1:29 in France. Our predecessor’s Report also found that the total number of government ministers has grown steadily since 1900, with the rate of increase particularly marked for ministers below

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1 David Cameron: Change our political system to put people back in control, 21 April 2010
2 There are currently 18 ministers in the Scottish Executive, 10 in the Welsh Assembly Government and 14 in the Northern Ireland Assembly in addition to the 6 ministers representing the devolved administrations at Westminster. This compared to 11 ministers in total before devolution.
3 HC Deb, 25 October 2010, col 132
5 Ev 60
Cabinet level. This reflects successive prime ministers’ understandable desire to exercise patronage over those who determine whether the Government’s legislation is approved.

5. The Report concluded that this trend had several detrimental effects; placing a burden on the public purse and harming the interests of good government due to too many ministers clogging up decision making processes and blurring lines of responsibility. Most significantly, it concluded that increasing the number of ministers was corrosive to the independence of the legislature, by increasing the size of the ‘payroll vote’. This Report will not rehearse these arguments in favour of fewer ministers. Instead, it attempts to advance the debate by examining whether revising the role of ministers could provide a way to reduce their numbers.

Our inquiry

6. We received evidence from seven organisations and individuals over the course of this inquiry. We also held three evidence sessions with academics, former civil servants, former special advisers and both current and former ministers. We would like to thank all those who contributed to our inquiry, especially our three Specialist Advisers who joined the inquiry at a late stage to support us with their specialist knowledge.

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6 Public Administration Select Committee, Too Many Ministers?, para 3
7 Ibid. paras 10-21
8 Professor Lord Norton of Louth, Rt Hon Peter Riddell and Professor Robert Hazell acted as unpaid Specialist Advisers to the Committee during this inquiry. They were appointed to the Committee on 1 February 2011 and their declarations of interests can be found in the formal minutes for that meeting.
2 Ministerial Functions

7. Ministerial functions are several. Some occupy a considerable amount of time. We are in no doubt that ministers are busy, more so now than before despite an increase in numbers. However, activity needs to be distinguished from achievement. Effectiveness also needs to be distinguished from efficiency. Ministers may achieve desired outcomes but not necessarily by employing optimum resources. Activities that are politically desirable also need to be distinguished from essential tasks. The two are not mutually exclusive but not all tasks deemed desirable by ministers are necessary to fulfilling their essential duties. Our aim is to identify the core tasks of ministers – those that ministers have to fulfil and which cannot be carried out by others – and how those tasks may be fulfilled efficiently. This, we believe, is the means of delivering on the Prime Minister’s goal of achieving more with less.

8. Over the course of this inquiry we were left in no doubt that ministers are kept extremely busy by their jobs. Mike Penning MP, Parliamentary Under-Secretary of State in the Department for Transport (DfT), described his typical day as starting at 5:30 am and finishing around midnight.9 Norman Baker MP, another junior minister at the DfT, commented that he had been “quite surprised by the amount of work that there is to do as a minister”.10 Chris Mullin, a former minister, told the Committee that there was “no shortage of work”;11 while Tony Baldry MP, another former minister, commented that he did not think “there was any time when one wasn’t working as a minister pretty hard.”12

9. However, it was less clear whether they were always spending time on activities that needed to be performed by a Minister of the Crown. For example, in his diaries Chris Mullin makes it clear that he believed that he was having little impact upon policy during his time as a minister and that many of the tasks delegated to him were trivial:

The number of letters awaiting signature after my absence is so large that overflow is housed in two large cardboard boxes on the floor of my office [...] That’s all I am really, a glorified correspondence clerk.13

To Birmingham, ostensibly to open the International Water Exhibition [...] in fact the exhibition had been open a couple of hours by the time I arrived [...] So much ministerial activity is entirely contrived and pointless.14

This was a view that he repeated when he appeared to give evidence:

There is [...] a certain amount of pointless activity that could be cut out [...] I think there has probably been an increase in pointless activity.15

9 Q 212
10 Q 211
11 Qq 59 [Chris Mullin]
12 Q 57
14 Ibid. p. 37
15 Qq 4-5
10. Jonathan Baume, the General Secretary of the FDA,\(^\text{16}\) told our previous Committee that he was aware of cases where civil servants had been required to create projects to occupy junior ministers.

The more junior ministers you have—and we have more junior ministers than ever—the more work you have to find for them [...] one of the biggest single frustrations about the political process within the civil service is just the number of junior ministers you have and the work projects that have to be designed and engineered at a political level.\(^\text{17}\)

11. We asked Sir David Normington, then Permanent Secretary at the Home Office, if he had ever had to create work for a minister to keep them busy. He diplomatically answered “not in recent times.”\(^\text{18}\) The Rt Hon Peter Riddell, senior fellow at the Institute for Government (IfG), also mentioned that senior civil servants he had talked to considered “that they certainly have too many Under-Secretaries and they could normally volunteer at least one” that could be dispensed with.\(^\text{19}\)

**Too much to do?**

12. The challenge we therefore posed to our witnesses was exactly which ministerial activities could be curtailed. What exactly constitutes this pointless activity identified by Mr Mullin? Was he correct in describing it as pointless? If so, how can we ensure that ministers do not participate in it? We focused on junior ministers as they were subject to the majority of negative comments, as most of the “pointless activity” seems to be delegated to them. In addition, if there is going to be a reduction in ministerial numbers those reductions are likely to be made from amongst the junior ministers; reducing the number of Secretaries of State would require making substantial changes to the machinery of government.

13. We received a number of suggestions of what activities ministers could stop doing including:

i. Spending too much time acting as a departmental ambassador – giving speeches at conferences, receiving delegations and making visits.\(^\text{20}\)

ii. An excessive amount of media work. It was suggested that greater use of official spokesmen could be made to reduce the demands placed on ministers by this activity.\(^\text{21}\)

iii. Certain parts of ministers’ parliamentary duties were also highlighted as being a less than optimal use of ministers’ time. Chris Mullin commented that “the

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\(^{16}\) The Union which represents senior civil servants.

\(^{17}\) Oral evidence taken before the Public Administration Select Committee on 12 March 2009, Session 2008-09, HC 352-i, Q 61

\(^{18}\) Oral evidence taken before the Public Administration Select Committee on 16 November 2010, Session 2010-11, HC 601-i, Q 125

\(^{19}\) Q 106

\(^{20}\) Q 118 [Peter Riddell], Q 8 [Chris Mullin], Qq 9-10 [Lord Rooker], Q 132 [Professor Hazell]

\(^{21}\) Q 22
demands on ministers from Parliament have greatly increased in recent years” singling Westminster Hall out for particular attention.\textsuperscript{22}

iv. Getting unnecessarily involved in attempts to run their departments. Lord Rooker said that he thought many ministers were under the impression that they were there to manage their department, when they were supposed to govern it to change the way the ministers interact with their departments and the type of decisions that they take.\textsuperscript{23}

14. It may be unfair to characterise these activities as “pointless”. For example giving speeches at conferences, one of the most frequently cited examples can help maintain a good working relationship with key interest groups by going to these events.\textsuperscript{24} However, it illustrates how there will always be greater demands on ministers’ time than can possibly be met; therefore it is necessary to prioritise how this time is spent. For example, Tony Baldry MP described his various junior ministerial positions he held as involving “project management [...] doing electricity privatisation”, and a “a four-year stint in the Department of the Environment [...] doing] process management. As a junior minister you were involved in making everyday decisions that had to be made in relation to local government or to government agencies.”\textsuperscript{25} There is no doubt that, for example, managing the privatisation of the energy market is an important task that needs to be done. The question is whether it is appropriate or necessary for a minister to do it?

15. The impression these accounts provide is one where ministers are too involved in the day-to-day running of their departments; take too many relatively minor decisions; and engage in numerous activities that could be delegated to others. One unidentified former Lords minister has said that:

I made more decisions in the first week [as a minister] than I did in two years as [head of a large organisation].\textsuperscript{26}

This draws their focus and energy away from their primary objective, providing leadership and setting the overall policy of their departments. As Lord Norton described it ministers should “focus on what is strategically important, rather than just getting through the paperwork”.\textsuperscript{27}

16. This is not a new phenomenon. In his book, “How to be a Minister”, Gerald Kaufman drew attention to the constant stream of invitations that a minister receives:

Even if they disagree with your government’s policies, every trade association likes to have a ministerial representative to grace its lunch or dinner. So you will be

\textsuperscript{22} Q 13 and Q 14 [Lord Rooker]
\textsuperscript{23} Q 9, Q 131 [Mr Riddell] and Q 294 [William Rickett]
\textsuperscript{24} Q 341
\textsuperscript{25} Q 11
\textsuperscript{26} Dr Ben Yong and Professor Robert Hazell, \textit{Putting Goats Amongst the Wolves: Appointing Ministers from Outside Parliament}, (London, 2011), p 34
\textsuperscript{27} Q 130
constantly invited to be guest of honour at the annual lunch of the Concrete Mixers’ Benevolent Association or dinner of the Guild of Roof Tiling Employers.\textsuperscript{28}

The impact of such unnecessary work was essentially acknowledged in Gerald Kaufman’s advice as to what to do with the avalanche of invitations: \textit{“Reject them all.”}\textsuperscript{29}

17. Similarly Lord Hennessy argued in \textit{“The Hidden Wiring”} that the burden of unnecessary work on ministers makes them less efficient and can cause them to make poor decisions.

\begin{quote}
If nothing is done [about ministerial workload ...] the efficiency of Government [...] will continue to suffer [...].\textsuperscript{30} As they say in social services world, these people need help, and as so often in life, they are the last ones to realise it.\textsuperscript{31}
\end{quote}

18. The impression that ministers’ time is poorly spent has been reinforced in a report by the Constitution Unit on the experience of ministers who were appointed from outside Parliament (“outsider ministers”). This found that:

\begin{quote}
Almost all outsider ministers interviewed thought that traditional understandings and expectations of ministerial office had become outdated. For a start, it involved outmoded ideas about what any one individual could realistically handle. All outsider ministers registered concern about the amount of work a junior minister was expected to do. “It was the most exhausting job I’d ever done. It was relentless”, said one former businessman and outsider.\textsuperscript{32}
\end{quote}

One Minister interviewed felt that this was caused by \textit{“the lack of clear lines of delegation.”}

All outsider ministers who were interviewed during this research project thought that the role of a minister should be limited to strategic direction, rather than being a \textit{“jack of all trades”}.\textsuperscript{33}

\begin{quote}
[Ministers] shouldn’t get involved in running the department. I think there should be a much clearer cut of responsibilities: permanent secretaries should run departments and ministers should deal with policy. Otherwise it’s hopeless. Very few ministers have ever run anything. There is no way you’re going to convert them into good managers.\textsuperscript{34}
\end{quote}

Another stated that what was needed was a rethink of what it meant to be a minister and that \textit{“Governments need to be more honest about the capacities of the Executive.”}\textsuperscript{35} Lord Smith of Finsbury, former Culture Secretary, has gone on the record saying that the amount of paperwork he had to contend with was \textit{“plainly ludicrous”} and that much of this

\textsuperscript{28} Gerald Kaufman, \textit{How to be a Minister} (London, 1997 ed), p 24.  
\textsuperscript{29} Ibid. p. 24.  
\textsuperscript{30} Peter Hennessy, \textit{The Hidden Wiring}, (London,1995), p 171  
\textsuperscript{31} Ibid. p172.  
\textsuperscript{32} Yong and Hazell, \textit{Putting Goats Amongst the Wolves}, p 34  
\textsuperscript{33} Ibid. p 35  
\textsuperscript{34} Ibid. p 35  
\textsuperscript{35} Ibid. p 35
work often had to be done in the evening due to the number of appointments he had during the day. He commented that this “was no way to run a life let alone a country [...]”.

19. The number of decisions that ministers are currently expected to make became apparent when current ministers gave evidence to us. Mike Penning MP said that he was involved in both decisions that “are hugely important to the country” and “really small decisions, really quite small decisions.” However he emphasised that even these small decisions could “impact around the country” and that it was important that these decisions were taken by junior ministers.

**What should ministers do?**

20. The question we therefore have to answer is what should ministers do. What is their proper role? There have been many academic accounts of what ministers do. For example, the Constitution Unit report on outsider ministers contains the following table describing the different skills and roles that ministers are conventionally expected to fulfil.

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36 “No way to run a life let alone a country” Guardian Professional: Public Leaders Network, 17 September 2010, guardianpublic.co.uk
Table 1: The Skills and Roles of a Minister

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<th>Policy</th>
<th>Executive/managerial</th>
<th>Political</th>
<th>Public</th>
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<tr>
<td>Understanding the policy-making process</td>
<td>Leadership in the Department</td>
<td>Negotiations with other Departments/Cabinet</td>
<td>Briefing media, giving radio and TV interviews</td>
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<td>Setting clear strategy, objectives and priorities</td>
<td>Setting budgets and controlling expenditure</td>
<td>Handling relations with governing party</td>
<td>Meeting and negotiating with interest groups</td>
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<tr>
<td>Approving green and white papers. Approving govt bills and delegated legislation</td>
<td>Signing off major contracts (IT projects, defence procurement)</td>
<td>Parliament: Answering questions; replying to debates; taking bills through; appearing before Select Committees</td>
<td>Meeting with general public</td>
</tr>
<tr>
<td>Reviewing policy, internally in the department, or with external partners</td>
<td>Industrial relations negotiations (e.g., prison service, Civil Service pensions)</td>
<td>Intergovernmental and EU negotiations</td>
<td>Explaining and defending government policy</td>
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<td>Departmental case work (immigration, planning appeals etc)</td>
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<td>Sponsoring NDPBs and Executive Agencies</td>
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However, these accounts have tended to be more descriptive than evaluative; focusing on what ministers spend their time doing without directly addressing how they should spend their time. Therefore, we have formulated our own account of what we believe the proper role of a minister is. These functions can be grouped in terms of the bodies with which ministers have a relationship: Government, Parliament, and the public.

37 Yong and Hazell, *Putting Goats Amongst the Wolves*, pp 13-14
**Within Government**

21. Within Government, a minister—especially a Minister of the Crown—fulfils three key tasks. The first is to set policy priorities. This is their primary function. Ministers are responsible for setting the policy and providing leadership to their department to ensure their objectives are met. Once policy is set it is the job of civil servants to ensure that the outcomes are delivered. This function of ministers has been made particularly clear by the existence of a Coalition Government. The two parties agreed a programme for government and then ministers, within their own departments, created business plans which set out how they would be delivered.

22. This does not mean that when policy has been set the minister will have no further involvement with it; the implementation of policies can be as politically sensitive as the policy decision itself. It is not possible to draw a line through the policy process after which no more ministerial involvement is required. The process of designing and implementing a scheme can raise issues that require a minister to make further political judgements. In such a situation, civil servants should present ministers with a range of options about how the policy could be implemented, the minister should make a decision and then the civil servants act on that instruction.

23. The second function that a minister must perform within government is to negotiate on behalf of their department, in cabinet committees, in bilateral meetings and in formal meetings of the Cabinet, as well as with the Treasury about their spending programmes. The classic study of British Cabinet Ministers by Bruce Headey found that these two tasks—being able to take a view and to fight departmental battles within government—were those that civil servants looked to ministers to fulfil. Ministers must also represent the UK at inter-Governmental meetings, such as the EU Council of Ministers.

24. Thirdly, ministers must also ensure those charged with running the department, their senior civil servants, are able to do so, but they should not personally manage the department. We welcome recent decisions to have Secretaries of State chair their departmental boards and to have junior ministers as members. Setting strategic direction at board level, thereby setting the overall objective of an organisation, is the right focus for ministerial effort, rather than attempting to micromanage the department. Once policies are decided and priorities are set it should be possible to delegate implementation to civil servants and agencies. The guidance and strategy that ministers have provided should be sufficient to enable civil servants to make these decisions.

**Answering to Parliament**

25. Ministers must also discharge certain duties in Parliament. They must be accountable to the legislature through answering oral and urgent questions, opening and responding to debates and appearing before select committees. Ministers must also explain and justify their legislative proposals as they go through Parliament.

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The public face of Government

26. Acting as the public face of Government is an important ministerial function. Ministers need to get outside their departments and meet a wide range of stakeholders to ensure that their policy decisions reflect the reality on the ground; and to guard against them getting captured by their department’s own agenda. Attending public events, while essential to ensure that ministers keep in touch with the issues affecting the people they serve, will necessarily compete with other demands on their time. Ministers must prioritise the numerous demands on their time to ensure that their energy is directed to where it is best spent.

A new approach to being a minister

27. We are arguing that ministers should be released from their unnecessary duties to allow them to focus on their core functions. David Laughrin, a fellow of the Public Leadership Centre at Ashridge Business School, advocated ministers focusing on a limited range of activities and policy options. He argued that successful ministers need “focal intelligence” which he defines as the ability to focus on an “insightfully limited selection of policies related to what matters most now, and in the future [...] and not to be distracted by the hubbub of other traffic that will come their way”. He draws a comparison to the concept of ‘Mission Command’ in the armed services where commanders:

Make absolute and unequivocally clear the strategy and goals they are seeking to pursue. However, they will largely leave the implementation and detailed work to others, except for a few key topics and selective audit of broader effectiveness.39

28. Achieving this will require a change in political culture both inside and outside Whitehall. William Rickett, a former senior civil servant, spoke of recent governments’:

tendency to insist on a constant flow of events and what are called “announceables”; to publish ever-longer documents, at ever-shorter intervals; to legislate ever more frequently; to move Ministers around more frequently; and change the structures of Departments more often. Those all add to the activity and workload of Government in a not very effective way.40

He concluded that the key lesson was to concentrate “on achievement rather than activity” which he believed would be the most effective way to reduce the number of Ministers.41

29. As Dan Corry, a former special adviser, emphasised this situation is not solely of the Government’s making. He thought that pressure from the media to be seen to be doing something meant the politicians felt obliged to come up with new “announceables”:

If you could have a different world, where there wasn’t 24/7 media, [where] people didn’t say they have no momentum, we could say, “We’re not going to publish a

40 Q 294 [William Rickett]
41 Q 322
White Paper for two years in Education because we’ve set the policy. We’re going home.” That would be great, but who is going to have the nerve to do that?42

Lobbyists, businesses, charities and the media would have to accept having reduced access to ministers, if we want ministers to spend more time focussing on their core job rather than creating “announceables”. We believe that the current set-up creates a vicious circle—the more ministers focus on ambassadorial work and making announcements, the more such activity is expected of them and therefore the more time they are forced to devote to these activities. It is not in the public interest for ministers to be so media driven.

30. Having fewer ministers would help bring about a new system of ministerial working. This seems to be the experience of Lord Rooker when he was a minister in the Northern Ireland Office before devolution. He said that the fact that there were only four ministers with responsibility for all aspects of government in Northern Ireland meant that officials were forced to “fillet out the key strategic decisions that as a minister you really had to do. So you didn’t get all the minutiae that you got in the Westminster Red Boxes. You were highly targeted.”43 Charles Clarke, former home secretary, has made a similar point arguing:

Civil servants need to be cleverer in getting ministerial agreement to criteria for decisions to be taken under delegated powers. Ministers needed to be cleverer at refusing to be seduced into believing that they need to take every decision to know every individual policy detail. The culture of ministers and officials needs to be changed.44

31. The Government’s drive to reduce public expenditure is forcing all public servants to re-evaluate the way they work; ministers should be no exception. Like the rest of the public service ministers will have to find ways to do more with less. Currently ministers engage in unnecessary activities and take too many low level decisions. Some activities ministers engage in gain little from having a minister conduct them and they could cease. This would provide ministers with more capacity to focus on the important tasks and provide them with the time necessary to give them proper detailed consideration. Ministers must focus on the key strategic decisions that need to be made in their department. Having fewer ministers, so that they have to prioritise on their core responsibilities, could help bring about this change in culture.

Accountability

32. One argument against reducing the number of ministers has been that it undermines the doctrine of individual ministerial accountability. If ministers take fewer decisions and focus on a smaller range of issues this raises the question of who should be held accountable for those decisions that ministers are no longer making. Currently, the doctrine of ministerial accountability means that ministers are formally accountable for all decisions taken by their department. The Ministerial Code states that:

42 Q 300 [Dan Corry]
43 Q 22 [Lord Rooker]
44 “No way to run a life let alone a country” Guardian Professional: Public Leaders Network, 17 September 2010, guardianpublic.co.uk
Ministers have a duty to Parliament to account, and be held to account, for the policies, decisions and actions of their departments and agencies.

The Minister in charge of a department is solely accountable to Parliament for the exercise of the powers on which the administration of that department depends.\(^{45}\)

33. The need for ministers to be accountable for their actions was one of the main arguments made for retaining the current number of ministers. Norman Baker MP argued that the current number of ministers was essential “if you want accountability and good decision making in Government”.\(^{46}\) Similarly, Mike Penning MP argued that if the number of ministers was reduced this was likely to result in either overloading the Secretary of State or having “civil servants taking decisions that should be taken by ministers, which would be worse decisions”.\(^{47}\)

34. The extent to which this doctrine is applied in practice is questionable. Ministers are already answerable for a great many decisions taken in their name by officials. As our predecessor committee, the Public Service Committee, noted in its report on Ministerial Accountability and Responsibility in 1996, “Modern government is so complex, and a Minister’s functions so various, that ministers must delegate most of them.”\(^{48}\) They exercise what Professor Diana Woodhouse, Oxford Brookes University, has referred to as ‘explanatory responsibility’,\(^{49}\) explaining or accounting for the department’s actions. Such responsibility is often confused with culpability, or what Woodhouse terms ‘sacrificial responsibility’. The convention is as important for establishing lines of authority within Government as much as it is a means of identifying culpability for the actions of others. In the words of Nevil Johnson, “it defines who is responsible for what rather than who is responsible for whom”.\(^{50}\) It is the basis on which power has been vested in ministers on an ever-increasing scale.\(^{51}\)

35. The popular perception of the doctrine is that it ensures that a minister resigns in the event of a serious error occurring within the department for which the minister is responsible. However, this perception has little basis in fact in terms of ministerial resignations. As the IfG note, “Ministerial resignation due to departmental error has never been particularly prevalent.”\(^{52}\) Lord Wilson, former Cabinet Secretary, agreed arguing that:

> I do not think that the research bears out the statement that Ministers resign when civil servants get it wrong. I think it is about whether Ministers retain the confidence of their Back Benchers and of the Prime Minister.\(^{53}\)

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45 Ministerial Code, paras 1.2 b and 4.6
46 Q 278 [Norman Baker]
47 Q 278
51 Ibid. p. 84.
53 Oral evidence taken before the Public Administration Select Committee on 1 February 2011, Session 2010-11, HC 714-ii, Q 152.
Ministers are as, if not more, likely to resign for reasons of personal impropriety or disagreements over policy as they are for departmental errors. The most recent example of a minister resigning for departmental failing is Lord Carrington who resigned as Foreign Secretary following the invasion of the Falklands in 1982.

36. The distinction has variously been drawn between policy errors and failures in the implementation of policy. If an action by a civil servant is outwith a minister’s policy direction or something for which the minister cannot reasonably have been aware, there is no obvious reason why the minister should do other than account to Parliament for what has happened and ensure that corrective action is taken (‘amendatory responsibility’, in Woodhouse’s terms). The distinction between policy and operational actions is not necessarily watertight but it has a practical utility and in large part may be taken to reflect the reality of departmental life.

37. For example following the Maze Prison escapes, James Prior, then Secretary of State for Northern Ireland, declined to resign following an inquiry which criticised “a major failure in security for which the governor must be held accountable”. In the face of arguments that “the responsibility for the administration of a Department remains irrevocably with the Minister in charge”, Prior stated that:

I do not think it right for the House to accept that there is any constitutional or other principle that requires ministerial resignations in the face of failure, either by others to carry out orders or procedures or by their supervisors to ensure that staff carried out those orders.54

More recent examples of officials rather than ministers being held accountable for errors of this kind might include: Paul Gray, Chairman of HMRC, resigning following the loss of child benefit data;55 and Johnston McNeill, Chief Executive of the Rural Payments Agency, who was sacked when the deadline for calculating Single Payment Scheme entitlements was missed.56

38. Reducing the number of ministers need not affect the ability of ministers to be answerable to the House. As now, senior ministers can deal with the broad issues of policy within the department. Furthermore, ensuring that ministers discard tasks that are not essential has the effect, if anything, of making clearer those tasks for which they have responsibility. Other matters can be dealt with not only by a smaller number of junior ministers (particularly Parliamentary Under Secretaries of State whose primary purpose, as their title implies, is dealing with their departments’ business in the House) but also, as we shall suggest, by others, including whips. We believe that the recommendations we make can be implemented without undermining the answerability of ministers to Parliament and, if anything, may improve it.

39. However, and this is the more significant issue, if the Government is to devolve responsibility for large areas of public service delivery to a local level then it raises the

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54 Institute for Government, Ministerial Accountability, para 10
55 HC Deb, 20 November 2007, col 1102
56 HC Deb, 16 March 2006, cols 104-105WS
question as to whether there is a clear or compelling need for ministers to answer for those decisions, other than in the event of a chronic failure of those bodies to fulfil their tasks.

40. At a speech to the IFG the Deputy Prime Minister said that:

> It will take time to shift responsibility away from our over-centralised, bureaucratic state. [...] Ministers standing at the despatch box will continue to be held responsible for local decisions over which they no longer have any control. This will feel uncomfortable, to say the least: responsibility without power, the curse of the decentralising Minister.57

As the IFG notes this is a paradox. It raises questions about the division of accountability and responsibility, and the role of ongoing oversight shorn of the ability to influence. It also questions whether it is practical to retain centralised accountability for decentralised services, and what the implications of doing so might be. This is not a new problem. In 1968 the Fulton Report recommended an early and thorough review of the whole question of Ministerial accountability in relation to the hiving off of functions, but no such review was then carried out.58

41. It is clear that the Coalition’s plans to devolve responsibility for service delivery to a local level puts additional pressure on the convention of ministerial accountability. Consideration may need to be given as to whether the role of the minister becomes – in Woodhouse’s terms – one of ‘redirectory responsibility’, redirecting questions from Members,59 rather than one of day-to-day responsibility for decisions taken by local decision-makers.

42. This inquiry has not identified a perfect solution to these questions around ministerial accountability but one possibility would be for the Ministerial Code to make explicit reference to “redirectory responsibility” as a legitimate aspect of ministerial accountability in the context of a more decentralised state. This would militate against the contemporary practice in governments from all parties to remain answerable for many functions for which departments no longer exercise direct control.

**Parliamentary Scrutiny**

43. The doctrine of ministerial accountability, as we have noted, is important for determining the matters for which ministers are accountable. If those responsibilities are shifted elsewhere, then answerability for their exercise should also logically transfer with them. Whereas ministers remain ultimately accountable for executive agencies— since these represent a hiving-off of responsibilities within Government— it is not clear that they can and should be accountable for the decisions taken by bodies that no longer fall within the responsibility of government departments.

58 Ibid. para 18
44. The current habit of grilling ministers and expecting them to answer on every local detail militates against efforts to devolve and to decentralise. If Parliamentarians continue to ask ministers questions about issues that they are not, or should not be involved with, it will encourage ministers to interfere with these matters. Erskine May states that:

Questions to Ministers must relate to matters for which those Ministers are officially responsible [...] It is not in order in a question to ask for action to deal with matters under the control of local or other statutory authorities, or of bodies persons not responsible to the government [...]

It continues:

Questions on matters which have been clearly devolved to the National Assembly for Wales, the Northern Ireland Assembly or the Scottish Parliament relating to the details of policy or expenditure are not in order.  

45. The Procedure Committee recommended, in its Fourth Report of the Session 1998-99,61 “that, after devolution, the range and details of questions to be put to the Secretaries of State for Scotland and Wales should be reduced to matters relating to their Ministerial responsibilities.” They went on to say:

We believe that any reformulation of the rules about Questions must:

i. recognise the fact of devolution, and limit the range of permissible questions accordingly;

ii. provide guidance to Ministers about the matters the House will expect them to deal with;

iii. avoid drawing Ministerial responsibility so tightly that questions about the relationship between the devolved legislatures and administrations and the United Kingdom government or parliament are ruled out of order.”62

46. It would be open to the House to pass a resolution, similar to that agreed on 25 October 1999 in relation to devolution63, limiting questions to subjects for which Ministers are responsible following the devolution of responsibility for service delivery to a local level.

47. We understand that, in the absence of any specific instruction from the House, the Table Office would rely on its interpretation of the relevant legislation and on the pattern of answering established by Ministers to decide whether or not a question was admissible.

48. We conclude that a three-part approach is needed:

i. Members recognise the difference Parliament has made in passing the legislation and exercise self-restraint in not tabling questions on matters for which ministers are no longer responsible.

62 Ibid. para 10
63 Votes and Proceedings, 25 October 1999, p159
Smaller Government: What do Ministers do?

ii. Ministers, in answering questions, respect the new legal framework and decline to reply on matters for which they are not responsible.

iii. The Table Office takes full account of any legislation as well as the pattern of answering by ministers and advises Members that questions on matters for which ministers are no longer responsible are out of order.

Following the implementation of the Government’s proposals to devolve responsibility for public service delivery to local communities we would invite the Procedure Committee to re-examine the rules surrounding the content of Parliamentary Questions to ensure that they reflect new realities about responsibility and accountability for service delivery.

Ministers in a ‘Post-Bureaucratic Age’

49. The Government has repeatedly stated its intention to promote the Big Society and respond to the existence of a post-bureaucratic age by returning power to local communities in a whole range of areas. The Coalition Agreement included a commitment to “promote the radical devolution of power and greater financial autonomy to local government and community groups.”64 On the same theme it promises to “support the creation and expansion of mutuals, co-operatives, charities and social enterprises, and enable these groups to have much greater involvement in the running of public services.”65

50. Speaking to civil servants last July the Prime Minister spoke of government moving “into a post-bureaucratic age”. He set out his intention to turn government on its head; taking power away from Whitehall and putting it into the hands of people and communities. He wanted to give people the power to improve public services through; transparency, local democratic control, competition and choice. The Government is advancing a public service reform agenda that emphasises greater decentralisation in significant areas such as education, health and welfare, with much greater power and responsibility being vested with local communities.66 Sir Gus O’Donnell expanded on this point; he said that the Prime Minister’s speech showed that in the future:

civil servants shouldn’t think of themselves as being responsible for delivering outcomes. That is one of the key things. So I think this is the idea of localism devolving power and for the civil servants to be helping the Coalition Government to set up structures, and the politicians will be responsible for whether those structures actually deliver the outcomes they want.67

51. We intend to evaluate the concepts of the Big Society and the post-bureaucratic age in a future inquiry. Here we shall accept the Government’s account and ask “If the

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65 Ibid. p 29 (emphasis added)
66 “The Prime Minister’s speech at Civil Service Live event”, The Official Site of the Prime Minister’s Office, 8 July 2010, number10.gov.uk
67 Oral evidence taken before the Public Administration Select Committee on 28 October 2010, Session 2010-11, HC 555-i, Q 61
Government’s vision for a post-bureaucratic age is realised, what will this mean for the role of ministers? 

52. One of the often cited reasons for the expansion of ministerial numbers in the post war period is that it coincided with the Government taking on many more functions, most notably as a consequence of creating the welfare state. This implies that the degree of devolution of responsibility the Government intends to embark on will provide an opportunity to reduce ministerial numbers. Local authorities and community groups will be given responsibility for the delivery of services and ministers will shift their focus to creating the framework within which these services are delivered. As a result ministers should be directly responsible for less, and have fewer decisions to take.

53. We recognise that radical reform cannot happen immediately. Ministers will be required to drive this transformation, sometimes in the face of inbuilt opposition from the current system. When Rt Hon Oliver Letwin MP announced the creation of departmental business plans he said:

> We are keeping the number of ministers consistent in order to ensure that we can impose political will on the machine to get the fundamental reforms that give power out to the people of this country.

Similarly, Rt Hon Francis Maude MP told us:

> getting to a point where you have smaller Government and big society requires a hell of a lot of stuff to be done.

54. There is a something of a paradox here and one that works to the advantage of the Executive. Certainly after these reforms have become embedded there would be no case for maintaining the present number of ministers based on arguments about the administrative needs of government. The Government has already suggested that it might be open to reducing ministerial numbers, although not immediately. During the debate on an amendment, tabled by Mr Charles Walker MP, to the Parliamentary Voting System and Constituencies Bill which would have reduced the number of ministers, the Deputy Leader of the House said that:

> It is likely at some stage in the future we will reduce the number of ministers.

We very much welcome this acknowledgement that the current number of ministers cannot be justified indefinitely.

55. The Government has set out a radical agenda for the reform of public services which focuses on decentralisation and moving responsibility for service delivery to a local level. While ministers will be required to implement these changes, a smaller centre that is not directly responsible for delivery will require fewer ministers.

68 Public Administration Select Committee, Too Many Ministers?, para 4
69 HC Deb, 8 November 2010, col 34
70 Evidence taken before the Public Administration Select Committee on 27 July 2010, Session 2010-11, HC 397-i, Q 63
71 HC Deb, 25 October 2010, col 132
56. To realise the Government’s aspiration to reduce the number of ministers we recommend that, following the introduction of these reforms, the Government conduct a fresh review of ministerial numbers by midway through this Parliament. We expect this review to identify scope for significant reductions. If this does not happen we will interpret this as a sign that the Government has failed in its ambition to devolve real power and responsibility to local communities; a central tenet of its Big Society agenda.

**Ministers and departmental structures**

57. At the start of this Report we recalled the Prime Ministerial view that the public sector should be expected ‘to do more for less’ in current straightened financial circumstances; with most Government departments seeking 33% savings in their administrative budgets. The ministerial ranks should not be exempt.

58. We asked our witnesses if they could identify any ministerial jobs, or even entire departments which they thought could be combined or abolished. However, Lord Norton commented that the Lords Constitution Committee’s Report on devolution had recommended that the Welsh, Scottish and Northern Ireland Office be merged into a single Department for Constitutional Affairs.

There is no reason why you need this separation because most of the relationships with the different parts of the UK are with the subject-specific Departments, not with the Scotland Office or the Wales Office. There is no reason why they shouldn’t merge. It almost looked as if that would happen until [...] it was discovered that the Secretary of State for Wales is mentioned in statute, so you can’t do it overnight.72

59. A report which examined the role of territorial secretaries following devolution found that “part of the case for a merger [of the roles] is that the Secretaries of State do not have enough to do”,73 a fact the report said was already privately acknowledged in Whitehall.74 The report describes the role of these Secretaries of State as being essentially “liaison and troubleshooting”, a view which is supported by the Memorandum of Understanding between the UK Government and the devolved administrations.

The Secretaries of State for Scotland, Wales and Northern Ireland also have responsibilities within the UK Government for promoting the devolution settlement, for ensuring effective working relations between the Government and the devolved administrations, and for helping to resolve any disputes which may arise.75

60. Professor Hazell recommended a new set up involving a Secretary of State and two junior Ministers “so that there was still someone nominally from Scotland, Wales and Northern Ireland”76 and noted that successive Cabinet Secretaries had, since 2001,

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72 Q 135
74 Ibid. p 15
75 Department for Constitutional Affairs, *Memorandum of Understanding and Supplementary Agreements*, Cm 4444, October 1999, p1
76 Q 136
suggested this to incoming Prime Ministers. However, he recognised that such a reform would be politically difficult and that “political fear that has prevented this reorganisation [...] the fear of offending national sensitivities.” This reluctance of Scotland, Wales and Northern Ireland to “let go of mother” at Westminster does not bode well for the present settlement.

61. Merging together these departments would not involve a major reorganisation given the relatively small size of the three respective offices. The most recent figures available show that the Scottish Office currently employs 100 full time equivalents (FTE), the Welsh Office 60 and the Northern Ireland Office 110. This change would save two Cabinet posts and one junior minister. It would also enable devolution issues to be considered in the round, rather than treating it as three separate bilateral relationships. In addition, as the devolution settlements become more similar, with Northern Ireland having recently gained policing and justice powers and Wales having voted to acquire primary legislation powers, the case for treating each separately is diminishing.

62. Another suggestion, made by Rt Hon Peter Riddell was that the functions of the Department for Culture, Media and Sport could be transferred to other departments following the London Olympics. His argument was that the Department’s spending review settlement made it very difficult to see the long-term survival of the Department: “Post-2012 there isn’t very much for it to do and it could be easily absorbed elsewhere.” Since these comments were made DCMS has been given additional responsibilities for broadcasting and media, which may alter the balance of the argument.

63. Chris Mullin questioned whether the position of Deputy Leader of the House was necessary although other witnesses thought the existence of the Coalition might undermine the case for this post’s abolition. We will return to the issue of the Coalition and ministerial numbers in Chapter 4. It has also been argued that the workload of the Leader of the House is more than enough for one person. Furthermore the role of the Leader of the House will need to be re-appraised when the House Business Committee is created.

64. We recommend that as departments adapt to meet the requirement for a reduction of a third in their administration budgets, the continuing existence of ministerial posts as well as those of officials should be within scope of the restructuring plans. This should include examining which departments could be merged together to reflect their decreased responsibilities. Similarly, the Government’s review of ministerial numbers should focus on functions rather than posts. It is essential to identify those tasks of Government which need to be fulfilled and then allocate ministerial posts as

77 Q 138
78 Q 136
80 Q 112 [Peter Riddell]
81 Q 54
82 Q 55
appropriate to carry them out. What must be avoided is the patronage-driven route of creating posts and then allocating tasks to keep the office-holder occupied.

65. We also recommend a serious look at the Whitehall Departments of State for Scotland, Wales and Northern Ireland (subject to the special circumstances of the security consideration in Northern Ireland) in particular to ensure that political structures in Whitehall reflect and reinforce Parliament’s clear intentions, expressed in legislation, to devolve power and responsibility.
3 Ministerial Effectiveness

66. Our academic witnesses argued that if ministers were better equipped with the necessary skills it would be possible to meet the administrative needs of government with fewer of them.83 Lord Norton expressed a number of concerns about ministerial ability to perform their jobs. He believed that currently too much of a premium was placed on parliamentary skills.

Members who are good at the Dispatch Box and in committee are more likely to be promoted than those who may have strong managerial skills but who are poor parliamentary performers. Some ministers survive because of their performances in the House even though they may not be good at taking decisions and managing their Departments.84

While he thought these skills were important, he did not believe they were the only skills that were required by ministers.85 This led to ministers being “amateurs” when it came to leading their department. As Professor Kevin Theakston pointed out in his study of junior ministers, ministerial appointments and careers in the UK follow a pattern not much different to that of the Victorian era:

a backbench apprenticeship in the House of Commons, leading to one or more junior posts on the ministerial hierarchy before promotion to the Cabinet or (more likely) a return to the backbenches or retirement from politics. Today, as in the nineteenth century, MPs continue to win office primarily for political reasons and because of their skills as parliamentarians, and not because of specialist subject expertise or extra parliamentary executive experience.86

67. This contrasts with experience elsewhere. As Professor Richard Rose has observed, only a limited number of ministers enter office with sufficient specialist knowledge to be able to initiate measures on their own. By comparison with other Western countries, British ministers are among the least likely to receive office because of specialist expertise.87 He continues:

An MP is unlikely to have been involved in the problems with which the ministry deals prior to entering Parliament; to have little opportunity in Parliament to come to grips with the dilemmas of choice that the ministry faces; and often, to have had no preparation as an Opposition spokesman on the subject.88

68. Allied to the lack of specialist knowledge is the turnover of ministers. By the time they feel they have a good grasp of the issues and how to run the department, they get appointed

83 Q 142
84 Ev 57
85 Q 164
87 Richard Rose, Ministers and Ministries (Oxford, 1987), p. 81
88 Ibid. p 81
to another post or are removed from the Government. New ministers come in and, in essence, are left to re-invent the wheel, relying on their experience and observations as junior ministers, their outside experience, their intuition, or guidance from officials.89

69. Before the Second World War, a minister was usually in place for about four years. In the quarter-century after, it was on average two years or less.90 Nowadays, some ministers may be in place for only a matter of months. Some have held several offices within the space of a few years, John Reid (now Lord Reid of Cardowan) being a particular example. Within a period of eight years (1999-2007), he held seven posts in Cabinet. Similarly there have been 6 Secretaries of State for Defence since 2005.91

70. The UK Government is thus distinctive not only for having a relatively large number of ministers, but also ministers who are unspecialised in the areas for which they are responsible and for which they may have responsibility for only a short space of time. This lack of continuity in government departments can only serve to undermine ministerial effectiveness. Prime Ministers should resist the temptation to hold regular, extensive reshuffles.

Training and guidance

71. Senior ministers have usually been appointed to office with little guidance from the Prime Minister as to what is expected of them and have been left to determine for themselves how they should manage their departments, including their junior ministers.92 Some training is now made available to ministers. The National School of Government already offers professional development for ministers in the form of its “Ministerial Programme.” Its website describes the programme as follows:

There are no lectures, no traditional classroom training sessions, and no "off the shelf" courses. Everything we do is tailored to the needs of individual Ministers. Our approach is based heavily on active participation, informal workshops and access to the right experts at the right time.93

Lord Norton shared with us his answer to a Parliamentary Question asking for details about the provision made for training coalition ministers:

...the number of Ministers who have attended induction events organised by the national school, or who have commissioned expert briefings or other forms of leadership development, are as follows: induction workshops: 31 Ministers; induction briefings to individual Ministers or to specific teams of Ministers: 32 Ministers; expert parliamentary briefings: nine Ministers; expert finance and

89 Ev 59
90 Rose, Ministers and Ministries, p 83
91 Geoff Hoon, John Reid, Des Browne, John Hutton, Bob Ainsworth and Dr Liam Fox.
93 “About the Ministerial Programme”, National School of Government, 11 February 2011, nationalschool.gov.uk
governance briefings: three Ministers; and individual work on leadership development: nine Ministers.  

While welcoming this provision, he remained of the opinion that the provision of training remained “somewhat sporadic”. As a consequence he believed that:

Government has tended to be inefficient, relying on quantity rather than quality in the provision of ministers. Senior ministers are not trained in managing a Department and do not necessarily know how to get the best out of their junior ministers. They may well be able to do more with less.

72. Another complaint sometimes made by former ministers, in addition to a lack of training, is the absence of any formal induction. One former Lords minister commented that:

I was dropped right in it. A few weeks after appointment I was taking a Bill through the Lords. It was sink or swim.

73. The IfG is currently engaged in a major research project investigating ministerial effectiveness, which is being led by Rt Hon Peter Riddell. The project will be addressing the following questions: what are the characteristics of an effective minister? What are the main influences on effectiveness? Why aren’t there more effective ministers? And what can be done to improve the situation? This project has not yet been completed or reached any firm conclusions. However, Mr Riddell’s submission included some suggestions as to how ministerial effectiveness might be improved. These were:

i. Improving the management of ministerial careers – greater stability in office; a more formal appraisal system; and

ii. Improving ministerial development via systematic mentoring, coaching and advice at various stages of a ministerial career.

74. When we put these suggestions to former ministers there was some appetite for more training and a genuine review process. Lord Rooker commented that when Labour came to Government it initially ran awaydays for ministers to allow them to collectively discuss problems across different departments, which he had found useful. He also commented that more formal professional development for ministers would be useful, including a “genuine appraisal system.” Other suggestions made by former ministers included a:

mentoring process, whereby a more experienced minister acts as a guide for a newly-appointed minister.

94 HL Deb, 27 October 2010, col. 291W.
95 Ev 58
96 Yong and Hazell, Putting Goats Amongst the Wolves, p 37
97 Ev 55
98 Ibid.
99 Qq 92-93
100 Yong and Hazell, “Putting Goats Amongst the Wolves”, p 32-33
Another possibility was to provide written guidance; something already done in New Zealand, Scotland and the US.\textsuperscript{101}

75. Professor David Richards, University of Sheffield, interviewed former Labour ministers about their preparation for office in 1997. This had included a seminar series at Templeton College, Oxford. However, participants were dubious about its value. For Margaret Beckett, who served as Secretary of State for the Department of the Environment, Food and Rural Affairs for a large part of Tony Blair’s administration, “... the key issue was that no training can prepare you for the pressure of ministerial life, only experience helps”. Another, unnamed minister found the training “irrelevant”.\textsuperscript{102}

76. Mike Penning MP expressed a major reservation about giving more training to ministers

  I would really worry if you had to do a course and pass a course to be a minister, because we’re not clones, we’re individuals. [...] I’d have failed the course; whatever course you put me on.\textsuperscript{103}

Norman Baker MP said that he felt his time as an opposition spokesman had provided him with the knowledge necessary to perform his job. He also argued that that many of the skills needed to be a successful minister were those which he had developed during his time in the House:

  Part of the skills of being a politician, in so far as you have them, you learn them before you get to office: how to communicate with people, I hope; how to prioritise your time; and how to absorb information quite quickly. Those are the skills that a Member of Parliament has to have, so in that sense a Minister just has the same skills.\textsuperscript{104}

77. We are not persuaded by these observations. Undoubtedly Parliamentary experience does provide many of the skills that Members of Parliament need to perform well as a minister. However, other skills notably those required to oversee a large and complex organisation are unlikely to be developed during a Member’s career in the House.

78. Our predecessor’s Report \textit{Skills for Government} concluded that more “could be done to professionalise the ministerial side of the business of government.” It recommended a systematic performance appraisal system and argued that there was a need to instil a “culture of commitment to professional development amongst ministers.”\textsuperscript{105}

79. We endorse the recommendation of PASC in the last Parliament that there should be more systematic training, mentoring, coaching and assessment of ministers. While we concur with the scepticism expressed that it is impossible for any training or induction to prepare a minister for all the challenges that he will facing during his time

\textsuperscript{101} Yong and Hazell, \textit{Putting Goats Amongst the Wolves}, p 33

\textsuperscript{102} David Richards, \textit{New Labour and the Civil Service}, (Basingstoke, 2008), pp 80-81

\textsuperscript{103} Q 274 [Mike Penning]

\textsuperscript{104} Q 275 [Norman Baker]

\textsuperscript{105} Public Administration Select Committee, Ninth Report of Session 2006-07, \textit{Skills for Government}, HC 93, paras 149-151
in office, this does not mean that such training is useless, merely that its limitations should be understood. The purpose should be to help them identify areas of their performance where they can improve. This should not be seen as criticism of current ministers’ performance, merely an acknowledgement that everyone, including ministers, can always find ways to be better at their job.
4 Ministers in a Coalition

80. The IfG’s report on coalition government, United We Stand?, argues that junior ministers in departments where the Secretary of State is from a different party are facing an increased workload. This is because they act as “watchdog ministers”, ensuring that the department’s policies are acceptable to the coalition partner. Thus, it is argued, coalition governments mitigated against fewer ministers.

81. The report argues that “such ministers carry a heavy burden in providing a Liberal Democrat voice across the full range of departmental business, as well as leading on their own specific area of responsibility.” It continues “Insiders confirm that Liberal Democrat ministers are facing greater pressures on their time as a result, but their more junior status entitles them to less support than that provided to secretaries of state.” These arguments seem equally applicable to departments where the Secretary of State is a Liberal Democrat and the junior ministers are Conservatives. This is a view that was echoed by Rt Hon Peter Riddell who stated that “Coalition governments tend to require more junior ministers”.

82. The report concluded that these junior ministers should be provided with more support both at an official level, but also in the form of special advisers to help with tasks that officials are not able to conduct. The report also recommended that additional Liberal Democrat ministers should be appointed in departments that currently have no Liberal Democrat representation. Currently Defra, DfID and DCMS as well as the Wales and Northern Ireland Offices have no Liberal Democrat minister.

83. Not all witnesses were convinced that it was necessary to have a Liberal Democrat in every department. Lord Norton noted that studies of coalitions had found that the stability of a coalition government was greatest when the proportion of ministers from each party reflect their strength in the legislature. He also thought that the fact there was not a Liberal Democrat in every Department would encourage greater inter-departmental working.

84. We asked Norman Baker MP, the Liberal Democrat Minister in the Department for Transport, if he recognised the IfG’s description of watchdog ministers. He said that he found this account “a bit patronising to Lib Dems to say that is what our role is. Our role in government departments is to behave as ministers do.” However, he went on to acknowledge that there did need to be a mechanism to ensure that the Coalition agreement was adhered to.

Clearly, there is a need to ensure that the Coalition agreement is not being broken, but the Secretary of State has said to me that he has been given the duty by the Prime

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106 Institute for Government, United We Stand?, p 32
107 Ev 56
108 Q 143 [Lord Norton]
109 Q 236
Minister of making sure the Coalition agreement is delivered as far as the Department for Transport is concerned, and that’s what he does.\(^{110}\)

He also thought that the coalition set-up led to a more detailed consideration of new policies because “both parties have to be happy with an issue”, and thought that this kind of more detailed process for developing policy would be a good way to proceed even if the governing parties were not in a coalition.\(^{111}\)

85. The need to reconcile different viewpoints within Governments is not a challenge unique to the Coalition. There have often been conflicting ideas within Government, both from different departmental interests and different wings inside a single party just as the Coalition combines parliamentary parties. The mechanisms of Cabinet Government that already exist are designed to work through these differences when deciding Government policy, and they should be sufficient to deal with any challenges posed by having two different parties share power. This was reflected in Sir Gus O’Donnell’s evidence when he said that the existence of a Coalition had served to reinforce the mechanism of Cabinet Government:

> there have been a lot of Cabinet Committee meetings taking place, and coalition forces that because it’s the way of—this word—coalitionising everything; to make sure it goes through a Cabinet Committee. In a coalition, I would predict we will have a lot more Cabinet Committee meetings.\(^{112}\)

A Coalition cabinet committee has been created to “manage the business and priorities of the Government and the implementation and operation of the Coalition agreement”, which is served by an informal Coalition Operation and Strategic Planning Group.\(^{113}\) This demonstrates that mechanisms of cabinet government can be adapted to meet the challenges posed by coalition government.

86. Sir Gus O’Donnell also highlighted that the Coalition had not led to an end in intra-party disputes and that the mechanism of Cabinet Government was being used to resolved policy disagreement, whether they were between or within the two Coalition partners.

> I think what we’ve found on a number of these committees—the Home Affairs Committee would be an example—is that there has been as much argument and challenge from members from within the same party as there has between members of the different parties. It’s the process of coming to collective decision making.\(^{114}\)

87. We are not persuaded by the argument that coalition government requires additional members. All parties are coalitions of different viewpoints so there will always be a need to reconcile different positions within Government when formulating policy. The normal mechanisms for cabinet government should be sufficient to deal

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\(^{110}\) Q 222  
\(^{111}\) Q 239  
\(^{112}\) Evidence taken before the Public Administration Select Committee on 28 October 2010, Session 2010-11, HC 555, Q 43  
\(^{113}\) “Cabinet Committee System”, Cabinet Office, September 2010, cabinetoffice.gov.uk  
\(^{114}\) HC 555, Q 47
with these challenges. The existence of the Coalition should therefore not provide any justification to increase ministerial numbers on the grounds of increased workload.

88. Studies that do argue that consultation and co-ordination between coalition partners is more demanding than under single party governments do not necessarily advocate an increase in the number of ministers. A comparative study of coalition found that in several countries that have experience of coalition Special Advisers and senior civil servants play an important role in managing the coalition. For example, in Scotland:

An important coordinating role is played by the small team of political advisers working to the two leaders, whose number was increased to facilitate coalition management.115

While in New Zealand:

Much of the coordination is undertaken by the political advisers attached to each minister. Advisers combine advice on subject policy issues with wider coalition management.116

One Special Adviser who was interviewed suggested that 60% of his time was spent on the latter.

89. Of the countries studied by this report only Denmark didn’t have Special Advisers playing a role; instead senior civil servants play some role in relation to coalition management. With the report finding that “in the absence of a cadre of political advisers, senior departmental officials are also called on to provide more political advice for ministers, a role that becomes more acute when the government is a coalition or enjoys only minority status.”117

90. Even if the Coalition does create additional work, this is not work that would justify the appointment of additional ministers. As studies of other countries with experience of coalitions has shown, Special Advisers and senior civil servants can perfectly adequately perform the consultation and co-ordination tasks created by a coalition.

115 Ben Seyd, *Coalition Government in Britain: Lessons from Abroad*, (Constitution Unit, January 2002) p 97

116 Ibid. p 110

117 Ibid. p 102-103
5 Ministerial Numbers and the Payroll Vote

91. We believe that the evidence we have received shows that it would be possible to reduce the number of ministers without affecting the core functions of government. This would be done through a combination of: using ministerial time more effectively, focusing on key priorities, changing their role to reflect future reductions in the size of the state, and by merging some departments. The question now is how many ministers should there be?

Ministerial Numbers and Legislation

92. The number of ministers is subject to two statutory limits. The first, the House of Commons Disqualification Act 1975 (HCDA), limits to 95 the number of ministers who can sit and vote in the House of Commons. The second is the Ministerial and Other Salaries Act 1975 (MOSA) which constrains the number of ministerial salaries that can be paid. The MOSA limit is 109 and it is broken down by category. For example, there is a limit of 21 paid Cabinet Ministers excluding the Lord Chancellor. However, these categories can be worked around—ministers may be entitled to attend Cabinet without being Cabinet Ministers,118 or a whip may be given a nominal ministerial post in order to count against the limit for junior ministers rather than whips.119 The table below shows the composition of the current government.

118 Currently 5 non-Cabinet Ministers regularly attend Cabinet: Francis Maude, Oliver Letwin, David Willetts, Sir George Young, and Patrick McLoughlin. Others may attend Cabinet when relevant business is being discussed.

119 Public Administration Select Committee, Too Many Ministers, para 6
Table 2: Current Government Composition

<table>
<thead>
<tr>
<th>Post</th>
<th>Paid under MOSA</th>
<th>Unpaid</th>
<th>Total</th>
<th>Ministers attending Cabinet</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cabinet Ministers (including Lord Chancellor)</td>
<td>22</td>
<td>1</td>
<td>23</td>
<td>23</td>
</tr>
<tr>
<td>Of which MPs</td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>Of which Peers</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Ministers of State(^{120})</td>
<td>29</td>
<td>0</td>
<td>29</td>
<td>5</td>
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<tr>
<td>Of which MPs</td>
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<td></td>
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<tr>
<td>Of which Peers</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total Cabinet</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>28</td>
</tr>
<tr>
<td>Parliamentary Secretaries</td>
<td>33</td>
<td>4</td>
<td>37</td>
<td>-</td>
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<tr>
<td>Of which MPs</td>
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<tr>
<td>Of which Peers</td>
<td></td>
<td></td>
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<td></td>
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<tr>
<td>Law Officers</td>
<td>3</td>
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<td>3</td>
<td>-</td>
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<tr>
<td>Of which MPs</td>
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<td></td>
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</tr>
<tr>
<td>Of which Peers</td>
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<td></td>
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<tr>
<td>Whips(^{121})</td>
<td>22</td>
<td>5</td>
<td>27</td>
<td>-</td>
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<tr>
<td>Of which MPs</td>
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<td>Of which Peers</td>
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<tr>
<td>Total</td>
<td>109</td>
<td>10</td>
<td>119</td>
<td>-</td>
</tr>
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<td>Of which MPs</td>
<td></td>
<td></td>
<td></td>
<td>95</td>
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<tr>
<td>Of which Peers</td>
<td></td>
<td></td>
<td></td>
<td>24</td>
</tr>
</tbody>
</table>

93. The evolution of these limits over time is complex. The limits were regularly revised between 1940 and 1975, usually upwards, and often to bring them into line with existing practice. MOSA applies to paid ministers in both Houses, whereas the HCDA applies only to the House of Commons, but to paid and unpaid ministers alike. Neither Act covers Parliamentary Private Secretaries (PPSs) and other informal appointments that are unpaid and lack executive authority (such as tsars and envoys appointed by the previous Administration).

94. In practice, the appointment of unpaid ministers means that the number of ministerial posts exceed that provided for by MOSA and has regularly done so. Unpaid ministers are not a new phenomenon; one of the reasons advanced for increasing the statutory limit during the 1960s and 1970s was that existing ministers were unpaid. However, the number

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\(^{120}\) Includes Chief Whip

\(^{121}\) Excludes Chief Whip
of unpaid appointments has increased in recent years. There were no unpaid ministers in the Government in July 1996. Between 1 April 1998 and 1 April 2006 the number fluctuated between 1 and 5. There are currently 11 unpaid ministers and whips in the Coalition Government. Rt Hon Peter Riddell described the tendency of successive Governments to appoint unremunerated ministers as “a real abuse”. Our Committee in the previous Parliament recommended that “the Ministerial and Other Salaries Act 1975 should be treated as setting an absolute limit on the number of government ministers, paid or unpaid.”

Payroll Vote

95. The number of ministers in the House of Commons matters. It affects the ability of the House to scrutinise the Government. As PASC in the previous Parliament said:

Ministerial appointments are about more than the effectiveness of government. They are also used as rewards and as a means of exercising political control. Increasing the number of ministers increases the Prime Minister’s powers of patronage and inflates the Government’s payroll vote in the House of Commons – i.e. the number of Member of Parliament who hold a government job and are therefore expected to vote for the Government or resign.

Jonathan Powell was very open with PASC in the previous Parliament about why successive Prime Ministers had increased the number of ministers. “If the Prime Minister has his way, he would appoint every single backbencher in his party to a ministerial job to ensure their vote.”

Parliamentary Voting System and Constituencies Act

96. The Government has legislated to reduce the number of MPs from 650 to 600 in the next Parliament. This will compound the problem of the payroll vote. During the Act’s second reading debate concerns were expressed that if the number of MPs was reduced but there was no corresponding reduction in the number of ministers, then the Government would directly control a higher proportion of votes in the House.

97. Reducing the number of MPs from 650 to 600 represents approximately an eight percent decrease in the number of MPs. If the same reduction were applied to the number of ministers in the House of Commons then the Government would have to appoint 8 fewer ministers taking the overall number in the House of Commons to 87. Mr Charles Walker MP (a member of PASC) tabled an amendment to the House of Commons Disqualification Act 1975 requiring the Government to reduce the number of ministers in

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122 “List of Government Departments and Ministers”, Cabinet Office, July 2010, cabinetoffice.gov.uk
123 Q 103
124 Public Administration Select Committee, Too Many Ministers, para 19
125 Ibid. para 22
126 Public Administration Select Committee, Goats and Tsars, Q 32
127 The precise figure is 7.69%
the Commons in line with the reductions in MPs that it was proposing. His amendment was defeated by 293 votes to 241. A similar amendment was rejected in the House of Lords. We think that the House of Commons will have to revisit this question.

98. It is important to understand not only how the number of ministers in the House of Commons is set but also why they are set at their current level. Prime Ministers and their Chief Whips have every incentive to increase their patronage over those who determine the progress of legislation. The temptation to create more and more ‘jobs for the boys’ (and girls) is not conducive either to better government or better scrutiny of legislation. A further increase in the proportion of MPs who are ministers does not reflect the Coalition’s stated objective of “strengthening Parliament.”

99. We agree with our predecessor Committee that the Ministerial and Other Salaries Act 1975 should be regarded as setting an absolute limit on the number of ministers. Government should not appoint unpaid ministers if this results in them having more ministers than envisaged by the Ministerial and Other Salaries Act.

100. Furthermore, in line with the Prime Minister’s desire to reduce the cost of politics, and following the decision to reduce the number of MPs, the Government needs to legislate for a corresponding reduction in the upper limit for the number of ministers. This should be done by reducing the upper limit for the number of ministers who can sit in the Commons as set out in the House of Commons Disqualification Act 1975. These changes should take effect in 2015, when the reduction in the number of MPs also comes into force.

Further Reductions

101. Witnesses to the inquiry PASC conducted into ministerial numbers in the last Parliament, including Lord Turnbull, Lord Birt, Professor Anthony King, and Rt Hon Sir John Major all argued for a reduction in ministerial numbers. They believe that a reduction of between 25 to 50% would be possible. The Committee recommended a reduction of around a third in the number of ministers, a limit on the payroll vote of 15% of the membership of the House of Commons and a limit on PPSs of one per department or Cabinet Minister. Under this structure a government would have, on average, three ministers in each department although in practice larger departments would have more and smaller departments, or departments where representation in the Lords could be shared, fewer. The table below, initially produced with our predecessor’s report on this matter, provides a guide to how ministers could be divided between the two Houses and different ranks.

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128 HC Deb, 25 October 2010, col 108
129 Public Administration Select Committee, Too Many Ministers?, para 13
130 Ibid. para 36
102. We revisited these conclusions with our witnesses to examine whether the recommendation made during the previous Parliament still stood. The academics who appeared before us agreed with the suggestion made by Lord Hurd that the abolition of “20 Ministerial posts at different levels would not only be popular but would be followed immediately by an adjustment of workload.”

103. We believe that adherence to the MOSA and modest reduction in the limit set by HCDA should only be the start of the process. For the reasons we adduce in this Report, we believe there is scope for much greater reductions. Therefore we repeat the recommendation made in our original Report that, over the course of this Parliament, the total number of ministers should be reduced to 80 shared between the Commons and Lords.
6 Payroll Vote – Alternative Solutions

104. Our inquiry was motivated by the impact that the number of the ministers has on the independence of Parliament. These concerns have been magnified by the fact that the number of MPs is being cut from 650 to 600 with no corresponding reduction in the number of ministers in the House of Commons. This will result in the Government directly controlling a higher proportion of votes in the House. As we noted in the last chapter, the obvious solution is to reduce the total number of ministers. However, there are other ways of addressing the problem: appointing ministers to the Lords rather than the Commons; reducing the number of—and making greater use of the remaining—non-ministers who make up the payroll vote.

Using the Whips

105. The number of ministers could be reduced by redistributing some ministerial functions to the Whips in the House of Commons.

106. Lord Rooker suggested that greater use be made of Whips to respond to some Westminster Hall debates and some adjournment debates in the Main Chamber. The use of Whips for such functions is already common in the Lords. Whips in the Lords regularly answer Questions at the Despatch Box and also share the task, and on occasion shoulder the primary task, of taking a Bill through the House. In the current session, for example, the lead member of the Government on the Public Bodies Bill, a major Government measure, is Lord Taylor of Holbeach, a Whip. There have also been two recent occasions when Whips have stood in for Ministers in the Commons. On Friday 3 December 2010 James Duddridge MP, a Whip, responded to a debate on the Turks and Caicos Islands because the Minister was unable to attend and during the 2010 Christmas Adjournment Robert Goodwill MP, also a Whip, responded to the Treasury debates.132

107. While it might seem less than desirable to have a minister (Whips are ministers) who is not directly responsible for the relevant policy take a debate, this already occurs on occasions. On 12 January 2011 Nick Hurd, Minister for Civil Society, responding to a debate on Government IT procurement, described himself as a “fish out of water.”133 More generally, adjournment debates often raise specific and detailed constituency matters, which it would be unrealistic for a minister to have encyclopaedic knowledge of before the debate. Any minister can quickly learn whether their pre-prepared brief meets the concerns being raised, or if it requires re-evaluation. The purpose of adjournment debates is generally for Members to communicate their concerns to the Government and ask for action to be taken. Whips seem well placed to perform this function as they already have a role to play in keeping Ministers informed on the views and mood of the House, and a Whip is normally present in any case to move the motion for an adjournment.

133 “Government IT debate run by ‘fish out of water’”, PC Pro, 14 January 2011, pcpro.co.uk/news
108. There is scope for greater use to be made of Whips in the performance of some Parliamentary duties, such as responding to adjournment debates. This would be a better use of resources and provide scope for ministers to focus on their other tasks.

**Ministers outside the Commons**

109. The Executive’s power of patronage in the House of Commons could be reduced by appointing more ministers from outside; either by creating more Lords ministers or by appointing ministers who were not Members of either House.

**Ministers in the Lords**

110. In the Lords, the number of ministers tends to be small both relative to ministers in the Commons and to the size of the Upper House. Given the almost complete absence of Parliamentary Private Secretaries in the Lords, the size of the so-called payroll vote is not a concern. The Government could either appoint existing peers or, following more recent trends, create a peer in order to allow a person to take up ministerial office. Appointing peers as ministers has its advantages. It widens the pool of talent from which ministerial appointments can be made. Peers are also undistracted by constituency duties.

111. Concerns are often been expressed about how to make these ministers accountable to the elected House of Commons. However, the Ministerial Code states that Secretaries of State are accountable to Parliament, not specifically the House of Commons. Furthermore, new means by which ministers in the Lords can be directly answerable to the House of Commons are already being discussed. In the last Parliament, the Procedure Committee looked at the possibility of having Lords Ministers answer questions in Westminster Hall. They suggested that this be trialled on an experimental basis at the start of this Parliament.\(^\text{134}\) If successful, consideration could also be given to having Lords Ministers answer Westminster Hall debates on a more regular basis. This would have the additional benefit of sharing a wider range of parliamentary duties across all government ministers.

112. It is important that ministers who are not Members of the elected House can be answerable to the Commons. This would allay any concerns that Secretaries of State who have been appointed from the House of Lords can avoid legitimate scrutiny by the elected Chamber. We believe that the pilot of having Lords ministers answer questions in Westminster Hall, as previously recommended by the Procedure Committee, should be conducted as soon as possible. While there is no urgency, as no Secretary of State currently sits in the Lords, this provides an opportunity to try out new arrangements in a less politically charged environment.

113. As PASC in the previous Parliament noted an increased use of the ministers in the Lords should not be considered in isolation from wider constitutional developments.\(^\text{135}\) So far the Government is yet to come forward with its proposals to reform the House of Lords which may well involve some element of electing its membership. If this is done it is likely to change the status of Lords ministers as, like their Commons counterparts, they will have

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\(^{134}\) Procedure Committee, Third Report of Session 2009-10 Accountability to the House of Commons of Secretaries of State in the House of Lords, HC 496

\(^{135}\) Public Administration Select Committee, Goats and Tsars, Summary
democratic legitimacy. This may lead to calls to develop a mechanism of accountability that enables elected representatives to hold all Government ministers to account, regardless of what chamber they sit in. We cannot anticipate how elected members of a second Chamber would react to such a proposal, given that ministers in the Second Chamber would enjoy as much electoral legitimacy as their counterparts in the Commons.

114. The issue of Lords ministers cannot be considered without acknowledging the likelihood of future reforms. If the Government proposes, and Parliament agrees, to create a wholly or partially elected Upper House it will have to think both about how it distributes its ministers between its two Chambers, and how democratically elected representatives can hold ministers to account, regardless of which Chamber they were elected to. We encourage the Government to consider all these issues as it develops its policy on Lords reform.

Ministers from outside Parliament

115. PASC in the previous Parliament looked at the issue of appointing people as ministers who were not Members of either of the Houses of Parliament in its Report “Goats and Tsars”. It found that this solution is not without precedent: the posts of Lord Advocate and Solicitor General for Scotland have, at times, been held by non-parliamentarians. Similarly, in times of war people from outside Parliament have been appointed to ministerial posts.136

116. A number of witnesses to that inquiry supported the idea of appointing a small number of junior ministers who were members of neither House. They saw the key issue as being how they were made accountable to the House of Commons. This was a point made by the Regulatory Policy Institute:

   Citizens do not vote for Ministers. While electors can collectively dismiss a constituency MP because of poor performance as a Minister, they are formally asked to vote only for a representative for that constituency. They have no say in the appointment or removal of Ministers (whether drawn from the Commons or Lords) once a government is formed.137

While currently the majority of Ministers are elected, the primary mechanism for holding ministers to account stems not from the fact that they themselves are elected; but that they are accountable to a House that consists of elected Members. Therefore, in principle, ensuring proper accountability of unelected Ministers does not pose a greater challenge than the accountability of current Lords ministers, who are also not elected or accountable to an elected Chamber. Our predecessor Committee recommended that this was an idea “worthy of further consideration”, but that it should be considered as part of the wider discussion about House of Lords reform.138

136 Public Administration Select Committee, Goats and Tsars, paras 87-88
137 Ev w1 [Note; references to ‘Ev wXX’ are references to written evidence published in the volume of additional written evidence published on the Committee’s website]
138 Public Administration Select Committee, Goats and Tsars, paras 90-91
Parliamentary Private Secretaries

117. Parliamentary Private Secretaries (PPSs) are unpaid assistants to ministers. Over time, they have increased in number and they have also become embedded as part of the payroll vote: though not receiving a salary as PPSs, they are expected to support the Government during votes or resign their position. Every Cabinet Minister and Minister of State in the Government is allowed to have a PPS, subject to the Prime Minister’s approval. There are currently 46 PPSs. Although PPSs hold no official government position and draw no salary their role is considered a first stepping stone on the ministerial ladder and the experience gained can ensure they are better equipped for promotion if it comes. The Ministerial Code states categorically:

Parliamentary Private Secretaries are expected to support the Government in important divisions in the House. No Parliamentary Private Secretary who votes against the Government can retain his or her position.141

As Lord Norton said PPSs are “treated as part of the so-called payroll vote, even though they are not paid. The jobsworth vote might be a better characterisation of it.”142

118. The functions of this unofficial role are not clearly defined. However, it is not evident to us what value so many PPS posts adds to the business of government. One visible task is passing notes to ministers from their civil servants in debates; a job that could be done either by any available Member in the Chamber or by doorkeepers, as is done in Lords.

119. We asked current ministers how useful they found their PPSs. While neither of the ministers that appeared before us are eligible for a PPS, Norman Baker commented on how useful he had found the two PPSs that were assigned to the Department for Transport.

We have two PPSs now, but the lead has been with us for some time, and his role is brilliantly important because he comes to us with the backbenchers’ views.143

Nevertheless, he agreed that there was an issue “as to whether we [the Government] need as many PPSs as we have.”144

120. As Professor Hazell observed many of the functions performed by PPSs could be done by Whips:

One of the main functions of a PPS is to pass on intelligence to his Minister about the mood in this place. That is also a function of the Whips.145

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140 “Government publishes list of Parliamentary Private Secretaries”, The official site of the Prime Minister’s Office, 17 November 2010, number10.gov.uk
141 Ministerial Code, para 3.9
142 Q 116
143 Q 246
144 Q 244
145 Q 156 [Professor Hazell]
121. Another argument that is often given for the existence of PPSs is that they act as the “first rung on the ministerial ladder” and provide a form of political apprenticeship. Lord Norton was not convinced by this argument:

I am not sure what you are training: how do you know they are going to be very good Ministers just because they are very good at carrying your bags or something? A far more productive route, which is where you want to be channelling them, is the sort of job you’re doing, because service on a Select Committee is much more visible and more productive, and I think from a parliamentary perspective it is much more worthwhile.146

122. When he gave evidence to PASC in the last Parliament Sir John Major described the size of the payroll vote as a "constitutional outrage".147 His view was that only Cabinet Ministers should be entitled to PPSs. This was also the suggestion made by Lord Norton and others who suggested setting a limit of “one PPS per Department under the control of the Secretary of State.” He argued that doing so would make the post more meaningful than the current arrangement.148

123. Reducing the number of PPSs has a notable benefit in terms not only of the relationship between the House of Commons and that part of it which forms the Government—strengthening the House in being able to call government to account—but also in terms of the efficiency of government. The growth in the number of PPSs has diluted the impact and status of the individual PPSs and is a further antithesis of “strengthening Parliament” which is the Governments stated objective. When there were relatively few PPSs, with each serving as an assistant (sometimes a recognised close confidant) of a Cabinet minister, they had much higher profile than they presently enjoy. They could be invited in place of their minister to deliver a speech or attend a particular ceremony. Reducing the number of PPSs may have the effect of enhancing their status, enabling them to shoulder some of the burdens presently carried out by junior ministers.

124. Reducing the number of ministers will in itself have a consequence for the number of PPSs, since it will be reducing the number of people eligible to have PPSs. However, we believe it is important to go further and limit the number of PPSs, thus reverting to the status previously held by the occupants of such posts and also again making it more of a recognisable route to ministerial office.

125. We do not believe that the Government needs as many PPSs as it currently has. They perform few functions of real value; the few they do could easily be performed by others, notably the Whips. We recommend that only Secretaries of State should be allowed to appoint Parliamentary Private Secretaries and that the Ministerial Code be amended to limit PPSs to one for each department.

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146 Q 158 [Lord Norton]
147 Public Administration Select Committee, Goats and Tsars, Q 155
148 Q 114, Qq 32 & 40
7 Conclusion

126. At the start of this Report we recalled the Prime Ministerial view that the public sector should be expected ‘to do more for less’ in current straightened financial circumstances. The ministerial ranks should not be exempt— they need to find ways of doing more with less. Currently ministers spread themselves too thinly, spending time on activities where their involvement adds little value and fails to focus their efforts where they are really needed. We believe that Ministers need to prioritise their time better and focus only on those activities where their involvement is critical. Ministerial numbers should be reduced to force them to concentrate their attention where it will make the most difference—on an “insightfully limited selection of policies related to what matters most now, and in the future [...] and not to be distracted by the hubbub of other traffic that will come their way.”149

127. Having too many ministers is bad not just for the quality of government, but also for the independence of the legislature. Currently 141 Members150, approximately 22% of the House of Commons, hold some position in Government. This is deeply corrosive to the House of Commons primary role of acting as a check on the Executive. One simple step the Government could take immediately to limit this size of the payroll vote would be to limit the number of Parliamentary Private Secretaries to one per Secretary of State. If this was done it would result in 26 fewer Members being on the payroll vote.

128. In addition we believe there is clear scope for the Government to reduce the number of ministers. It should do so by taking the following three steps:

i. Treating the Ministerial and Other Salaries Act (MOSA) as setting a strict limit on the number of ministers. The Government should not employ unpaid ministers if doing so would take over the MOSA limit;

ii. Reduce the number of ministers in the House of Commons in line with the reduction in MPs. This should be legislated for now and take effect in 2015; and

iii. Conduct a fundamental review, by midway through this Parliament, of the number of ministers required in the smaller government which the Coalition is seeking to create.

These changes would help the House of Commons regain a measure of independence from the Executive.


150 95 MPs in Government posts see “Limitations on the number of Ministers and the size of the Payroll vote”, House of Commons Library Standard Note SNIPC03378, and 46 PPSs see “Government publishes list of Parliamentary Private Secretaries”, The official site of the Prime Minister’s Office, 17 November 2010, number10.gov.uk
Conclusions and recommendations

What should Ministers do?

1. The Government’s drive to reduce public expenditure is forcing all public servants to re-evaluate the way they work; ministers should be no exception. Like the rest of the public service ministers will have to find ways to do more with less. Currently ministers engage in unnecessary activities and take too many low level decisions. Some activities ministers engage in gain little from having a minister conduct them and they could cease. This would provide ministers with more capacity to focus on the important tasks and provide them with the time necessary to give them proper detailed consideration. ministers must focus on the key strategic decisions that need to be made in their department. Having fewer ministers, so that they have to prioritise on their core responsibilities, could help bring about this change in culture. (Paragraph 31)

Accountability

2. This inquiry has not identified a perfect solution to these questions around ministerial accountability but one possibility would be for the Ministerial Code to make explicit reference to “redirectory responsibility” as a legitimate aspect of ministerial accountability in the context of a more decentralised state. This would militate against the contemporary practice in governments from all parties to remain answerable for many functions for which departments no longer exercise direct control. (Paragraph 42)

Parliamentary Scrutiny

3. Following the implementation of the Government’s proposals to devolve responsibility for public service delivery to local communities we would invite the Procedure Committee to re-examine the rules surrounding the content of Parliamentary Questions to ensure that they reflect new realities about responsibility and accountability for service delivery. (Paragraph 48)

Ministers in a ‘Post-Bureaucratic Age’

4. The Government has set out a radical agenda for the reform of public services which focuses on decentralisation and moving responsibility for service delivery to a local level. While ministers will be required to implement these changes, a smaller centre that is not directly responsible for delivery will require fewer ministers. (Paragraph 55)

5. To realise the Government’s aspiration to reduce the number of ministers we recommend that, following the introduction of these reforms, the Government conduct a fresh review of ministerial numbers by midway though this Parliament. We expect this review to identify scope for significant reductions. If this does not happen we will interpret this as a sign that the Government has failed in its ambition
to devolve real power and responsibility to local communities; a central tenet of its Big Society agenda. (Paragraph 56)

**Ministers and departmental structures**

6. We recommend that as departments adapt to meet the requirement for a reduction of a third in their administration budgets, the continuing existence of ministerial posts as well as those of officials should be within scope of the restructuring plans. This should include examining which departments could be merged together to reflect their decreased responsibilities. Similarly, the Government’s review of ministerial numbers should focus on functions rather than posts. It is essential to identify those tasks of Government which need to be fulfilled and then allocate ministerial posts as appropriate to carry them out. What must be avoided is the patronage-driven route of creating posts and then allocating tasks to keep the office-holder occupied. (Paragraph 64)

7. We also recommend a serious look at the Whitehall Departments of State for Scotland, Wales and Northern Ireland (subject to the special circumstances of the security consideration in Northern Ireland) in particular to ensure that political structures in Whitehall reflect and reinforce Parliament’s clear intentions, expressed in legislation, to devolve power and responsibility. (Paragraph 65)

**Ministerial effectiveness**

8. The UK Government is thus distinctive not only for having a relatively large number of ministers, but also ministers who are unspecialised in the areas for which they are responsible and for which they may have responsibility for only a short space of time. This lack of continuity in government departments can only serve to undermine ministerial effectiveness. Prime Ministers should resist the temptation to hold regular, extensive reshuffles. (Paragraph 70)

**Training and Guidance**

9. We endorse the recommendation of PASC in the last Parliament that there should be more systematic training, mentoring, coaching and assessment of ministers. While we concur with the scepticism expressed that it is impossible for any training or induction to prepare a minister for all the challenges that he will facing during his time in office, this does not mean that such training is useless, merely that its limitations should be understood. The purpose should be to help them identify areas of their performance where they can improve. This should not be seen as criticism of current ministers’ performance, merely an acknowledgement that everyone, including ministers, can always find ways to be better at their job. (Paragraph 79)

**Ministers in a coalition**

10. We are not persuaded by the argument that coalition government requires additional members. All parties are coalitions of different viewpoints so there will always be a need to reconcile different positions within Government when
Smaller Government: What do Ministers do?

formulating policy. The normal mechanisms for cabinet government should be sufficient to deal with these challenges. The existence of the Coalition should therefore not provide any justification to increase ministerial numbers on the grounds of increased workload. (Paragraph 87)

11. Even if the Coalition does create additional work, this is not work that would justify the appointment of additional ministers. As studies of other countries with experience of coalitions has shown, Special Advisers and senior civil servants can perfectly adequately perform the consultation and co-ordination tasks created by a coalition. (Paragraph 90)

Parliamentary Voting System and Constituencies Act

12. It is important to understand not only how the number of ministers in the House of Commons is set but also why they are set at their current level. Prime Ministers and their Chief Whips have every incentive to increase their patronage over those who determine the progress of legislation. The temptation to create more and more ‘jobs for the boys’ (and girls) is not conducive either to better government or better scrutiny of legislation. A further increase in the proportion of MPs who are ministers does not reflect the Coalition’s stated objective of “strengthening Parliament.” (Paragraph 98)

13. We agree with our predecessor Committee that the Ministerial and Other Salaries Act 1975 should be regarded as setting an absolute limit on the number of ministers. Government should not appoint unpaid ministers if this results in them having more ministers than envisaged by the Ministerial and Other Salaries Act. (Paragraph 99)

14. Furthermore, in line with the Prime Minister’s desire to reduce the cost of politics, and following the decision to reduce the number of MPs, the Government needs to legislate for a corresponding reduction in the upper limit for the number of ministers. This should be done by reducing the upper limit for the number of ministers who can sit in the Commons as set out in the House of Commons Disqualification Act 1975. These changes should take effect in 2015, when the reduction in the number of MPs also comes into force. (Paragraph 100)

Further Reductions

15. We believe that adherence to the MOSA and modest reduction in the limit set by HCDA should only be the start of the process. For the reasons we adduce in this Report, we believe there is scope for much greater reductions. Therefore we repeat the recommendation made in our original Report that, over the course of this Parliament, the total number of ministers should be reduced to 80 shared between the Commons and Lords. (Paragraph 103)

Using the Whips

16. There is scope for greater use to be made of Whips in the performance of some Parliamentary duties, such as responding to adjournment debates. This would be a
better use of resources and provide scope for ministers to focus on their other tasks. (Paragraph 108)

Ministers outside the Commons

17. It is important that ministers who are not Members of the elected House can be answerable to the Commons. This would allay any concerns that Secretaries of State have been appointed from the House of Lords can avoid legitimate scrutiny by the elected Chamber. We believe that the pilot of having Lords ministers answer questions in Westminster Hall, as previously recommended by the Procedure Committee, should be conducted as soon as possible. While there is no urgency, as no Secretary of State currently sits in the Lords, this provides an opportunity to try out new arrangements in a less politically charged environment. (Paragraph 112)

18. The issue of Lords ministers cannot be considered without acknowledging the likelihood of future reforms. If the Government proposes, and Parliament agrees, to create a wholly or partially elected Upper House it will have to think both about how it distributes its ministers between its two Chambers, and how democratically elected representatives can hold ministers to account, regardless of which Chamber they were elected to. We encourage the Government to consider all these issues as it develops its policy on Lords reform. (Paragraph 114)

Parliamentary Private Secretaries

19. We do not believe that the Government needs as many PPSs as it currently has. They perform few functions of real value; the few they do could easily be performed by others, notably the Whips. We recommend that only Secretaries of State should be allowed to appoint Parliamentary Private Secretaries and that the Ministerial Code be amended to limit PPSs to one for each department. (Paragraph 125)
Formal Minutes

Tuesday 1 March 2011

Members present:
Mr Bernard Jenkin in the Chair
Nick de Bois          Robert Halfon
Charlie Elphicke      Kelvin Hopkins
Paul Flynn            Lindsay Roy

Draft Report (Smaller Government: What do Ministers do?), proposed by the Chair, brought up and read.

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

Paragraphs 1 to 128 read and agreed to.

Summary agreed to.

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

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

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

Written evidence was ordered to be reported to the House for printing with the Report on 12 October, 23 November and 7 December.

[Adjourned till Thursday 3 March at 9.30 am]
Witnesses

Tuesday 19 October 2010

Chris Mullin, Lord Rooker, and Tony Baldry MP

Tuesday 23 November 2010

Professor the Lord Norton of Louth, University of Hull, Rt Hon Peter Riddell, Institute for Government and Professor Robert Hazell, CBE, UCL

Tuesday 7 December 2010

Mike Penning MP, Parliamentary Under-Secretary of State, Department for Transport and Norman Baker MP, Parliamentary Under-Secretary of State, Department for Transport

William Rickett CB and Dan Corry

List of printed written evidence

1  Rt Hon Peter Riddell Ev 55
2  Professor the Lord Norton of Louth Ev 56
3  Constitution Unit, University College London Ev 60

List of additional written evidence

(published in Volume II on the Committee’s website www.parliament.uk/pasc)

1  Regulatory Policy Institute Ev w1
2  Further written evidence from Regulatory Policy Institute Ev w5
3  Professor Matthew Flinders and Anika Gauja Ev w5
4  Campaign for Arms Trade (CAAT) Ev w6
5  Professor Kevin Theakston Ev w7
List of Reports from the Committee during the current Parliament

The reference number of the Government’s response to each Report is printed in brackets after the HC printing number.

Session 2010–11

First Report  Who does UK National Strategy?  HC 435
Second Report  Government Responses to the Committee’s Eighth and Ninth reports of Session 2009-10  HC 150
Third Report  Equitable Life  HC 485  (Cm 7960)
Fourth Report  Pre-appointment hearing for the dual post of First Civil Service Commissioner and Commissioner for Public Appointments  HC 601
Fifth Report  Smaller Government: Shrinking the Quango State  HC 537
Oral evidence

Taken before the Public Administration Select Committee

on Tuesday 19 October 2010

Members present:
Mr Bernard Jenkin (Chair)

Nick de Bois
Robert Halfon
Greg Mulholland
Mr Charles Walker

Examination of Witnesses

Witnesses: Tony Baldry MP, Member of Parliament and former Minister, Chris Mullin, former Minister and Lord Rooker, Member of the House of Lords and former Minister, gave evidence.

Q1 Chair: May I welcome you all to this inquiry entitled, “What do Ministers do?” Could you, for the sake of the record, please just say who you are?
Lord Rooker: Jeff Rooker, Member of the House of Lords.
Chris Mullin: Chris Mullin, a former Labour MP.
Tony Baldry: Tony Baldry, Member for Banbury.
Chair: And all former Ministers.
Tony Baldry: Yes.
Chair: Thank you.

Q2 Robert Halfon: Mr Mullin in particular, I’ve read some of your books, which have given me great pleasure over the years.
Chris Mullin: Obviously a man of taste and discernment.

Q3 Robert Halfon: In your diaries, you describe a junior Minister as a glorified correspondence clerk. Based on your experience of government, what would you describe the role of Ministers to be?
Chris Mullin: Well, you mustn’t take things out of context. There is a huge variation in the types of junior Ministerial jobs. I had three. The third one, which was Africa Minister at the Foreign Office, was thoroughly rewarding and very worthwhile. Certainly, even when I was the lowest form of life in the Department of the Environment, Transport and the Regions, where life was a cascade of all the things one’s many superiors didn’t wish to do, there was still a lot to be done. There was no shortage of work. There was a great deal more to it than being a glorified correspondence clerk. For example, we had major legislation going through and junior Ministers were required to be on the Bill Committees. And I was continuously on Bill Committees from January to July, and at one stage on three major Bill Committees simultaneously. So it would be very difficult to cut that out. The only way to cut that out would be to have officials give evidence to respond to the Committee. In fact your Chairman was the spokesman for the Opposition on the air traffic control parts of the Transport Bill.
Chair: And I was right.

Q4 Robert Halfon: Would you say that the academic, more traditional descriptions of Ministerial functions of departmental management, accountability to Parliament, and being the public face of the department were accurate?
Chris Mullin: Yes, and you are of course the public face of the department or even of the Government, if you’re in one of the departments that involves foreign travel, as I was in a couple of cases. Then you’re the face of the British Government. And you might well be the face of the department as you go around the country. There is a vast range of things to do. There is, in my view, a certain amount of pointless activity that could be cut out.

Q5 Robert Halfon: And has the role of Ministers changed in the past 10 years, say?
Chris Mullin: I think there has probably been an increase in pointless activity.

Q6 Chair: What are the pointless activities?
Chris Mullin: Well, for example, I don’t know how typical Environment, Transport and Regions was, but it was a vast department with eight Ministers and massive responsibilities. We received a lot of invitations for Ministers to address conferences, and it was clear that many of these conferences were concocted. There was no actual demand for them. Some agency or consultancy had put them together; often these consultancies were run by people who had been researchers or had worked here in some capacity or other. To attract an audience, they needed to say that a Minister was going to be addressing it and so I could find myself on any day of the week addressing, for example, 300 senior local government officers in a posh hotel in Mayfair on the virtues of “best value,” which was then a twinkle in New Labour’s eye. The trouble with all that was, first of all, it was an area with which I was entirely unfamiliar. That’s the other thing: if you’ve got lots of superiors, these invitations tend to drift down until they reach the bottom. The same thing happens within the Civil Service too because nobody wants to draft the speech, so that gets passed down until you get to the guy who is on work experience. He has no idea what “best value,” for example, is all about, so he googles it. The speech I was given on that day contained the phrase “best value” 43 times without ever defining it and I was expected to stand there and chant it like a Maoist slogan. That kind of thing is humiliating, I found.
Q7 Nick de Bois: Just going back to the number of conferences you addressed, was it in your power to say you wouldn’t do them?

Chris Mullin: Yes, it was. And I was a big one for saying “no”; but when I’d been there about a week—I was under no illusions about my place in the pecking order—an invitation was passed down to me from Nick Raynsford’s office, the then Housing Minister. He received lots of invitations. He knew more about housing than almost anybody and he was always accepting them. Brilliant man, Nick, but he always accepted these invitations, but of course when the day drew near, something more interesting or important had cropped up, so it would be passed down to me. When I’d been there about a week the private secretary’s note was inadvertently still attached and it read, “This is a very low priority. I suggest we pass it to Mr Mullin.” So I wrote “No” on it in large letters and waited to see what would happen. As I anticipated, within minutes someone was in my office explaining to me why it was of the highest priority.

Q8 Chair: Would our other two witnesses like to chip in on any of this?

Lord Rooker: Well, I say as a preamble, my experience might in some ways be useful to you; it may not be. My 12 years in government encompassed four years as a Minister in the Commons, followed by eight in the Lords, and it’s an entirely different set-up, so I can explain it from my own personal experience of point of view. Obviously, my Commons experience is some time ago, but unlike Chris I stayed in the Government during the period at the same level, but in six different departments. Almost twice I was the worst nightmare; I was the Minister who returned after about eight years. I started off in MAFF, but my final department was DEFRA, which effectively was MAFF minus the environment.

Q9 Chair: So you were a Minister of State throughout?

Lord Rooker: A Minister of State throughout, yes. A junior Minister, but a Minister of State throughout. And of course the Lords operates completely differently to the Commons. I have views about the Lords that are somewhat radical, and therefore a minority view about whether there should be Ministers there and what the role should be in terms of revision, rather than repetition. Chris’s point about conferences is a fair one. I’ve thought, having read your previous two reports, and the activity does ebb and flow. My experience at MAFF for the first two and a half years was frantic because it was a change of government, like what’s happening at the moment to Ministers. That period in your life will be different. After two years, when I went to DSS as Pensions Minister, I found I was implementing what was on the conveyor belt. The putting things on the conveyor belt had already been done by others. I’d started in MAFF initiating several, including the role I have at the moment—although it wasn’t designed that way—in terms of legislation for the Food Standards Agency; we were initiating whereas in other departments you pick up what’s on the conveyor belt. The chance to put something new on the conveyor belt doesn’t arise that often, so you’re implementing. You mentioned management in the preamble to your question. Departments are different; I know that because the number I’ve been in, sometimes you felt that you weren’t in the same government—the procedures and things like that. Ministers do waste time, in the sense that some of them think they’re there to manage the department. They’re not; they’re there to govern it. One of my great advantages, prior to being a Minister, was I actually read Gerald Kaufman’s book. The great advantage of Gerald Kaufman’s book, How to be a Minister, is that Gerald was never in the cabinet; he was an engine-room Minister. He made the point about: imagine you’re on the Government team first, and the department team second. I used to say this as I arrived in a new department—that I was on the Government team. That’s not the way the department looks at it. They want you to do everything just for the department. Trying to get joined-up government is much more difficult because of that approach and you will end up doing conferences, meeting delegations, and all kinds of things—you sometimes wonder why you’re doing it. I had occasions when I was doing meetings with stakeholders accompanied by a Member of Parliament. The MP got the right to a meeting with the Minister, but the stakeholders really wanted access to the civil servants who were accompanying the Minister. Now, they could have had that meeting quite separately, depending on the nature of it. They didn’t need the interlocutry of the Minister and the MP to do that.

Q10 Chair: And there is the Minister who looks at the civil servants for an answer as soon as he is asked a difficult question.

Lord Rooker: Well, precisely, and the conversation, the technical conversation, on some of these issues would take place wholly between the stakeholders and the experts; you may be on some highly scientific issue. You wouldn’t be dealing with political decisions—well, you might in terms of cost issues, but some of these were quite technical. So, those are areas where I can see there are lots of opportunities. There are far too many Ministers but you’ll probably come to that.

Q11 Chair: Mr Baldry.

Tony Baldry: I was fortunate that I was a Parliamentary Private Secretary to Lynda Chalker and John Wakeham, which was a sort of apprenticeship. As a PPS you get the opportunity to see how your Minister or Secretary of State is running their department, and John Wakeham was an extremely skilful Secretary of State. Picking up from colleagues, I think the truth of the matter is that junior Ministers are engaged in earnest endeavour of different types. So, for example, the whole of my first task in the Department of Energy was project management. It was simply a year of doing electricity privatisation and there were occasions when I thought I ought to be almost paying the Government for allowing me to do this almost sort of PhD study, “How do you privatise an electricity industry?” It was entirely a
project from year to year. Like other colleagues, I then went and did a four-year stint in the Department of the Environment, which as both Chris and Jeff have described, was very much about process management. As a junior Minister you were involved in making everyday decisions that had to be made in relation to local government or to government agencies that somewhere needed Ministerial authority, and those decisions had to be taken somewhere, and therefore they were taken by junior Ministers. There were large numbers of conferences, in part because part of the currency of officials in their day-to-day dealings with NGOs, organisations, and others was to say to people, “Look, if you help us and cooperate, we’ll make sure that the Minister turns up to your AGM,” but actually as a junior Minister—

Q12 Chair: I’ll let you have one story.

Tony Baldry: It’s a very short story, but it’s an important story and it just shows how life can change. Things weren’t going too well at home. It was the time of one of those ghastly things when there is a reshuffle; you’re never quite sure if you’re going to be sacked or promoted. John Major said, “Look, I hear things aren’t going too well at home. I’m going to send you to the quietest department I can think of;” which at the time was MAFF. Absolutely nothing was happening in MAFF at that time. Then, within a couple of months, we had BSE and fisheries with a vengeance. My last couple years in government were crisis management. So there is project management, there is process management, and there is crisis management. I think there is no way in which you can teach anyone, you just have to hope that you’re going to have the relevant skills when it comes to it, and also the wit of collective decision taking with colleagues. I think one of the most important parts of the day in our time—and I don’t know whether this has happened under Labour colleagues—was prayers. Immediately, first thing in the morning, eight o’clock, eight-thirty, half an hour to an hour spent with the Secretary of State, all the Ministers coming together, and we would all go through what we thought the trickiest political decisions we were going to have to take were. So we would say to colleagues, “This is the decision I’m going to have to make. What are colleagues’ views?” So, you would get a steer from the Secretary of State, you would get a steer from colleagues, as to whether you were being sucked into an administrative process and losing your political touch. So you had to be willing to share views and take colleagues’ views.

Chris is right: the thing that I found the most unbelievably frustrating as a Minister was the continuous turf war in Whitehall between different private offices and different Ministers. It is inevitable if you have a collective government, where you have a whole number of people having input on a particular decision, but it is awfully destructive and leads to briefing against colleagues. That bit is very frustrating and it takes a long time to learn how you actually manage that process.

Q13 Chair: Mr Mullin?

Chris Mullin: One thing you do have to bear in mind is that of course the demands on Ministers from Parliament have greatly increased in recent years. Westminster Hall didn’t exist; I can’t remember how long ago it came into being, but it was relatively recently, and that requires half a dozen, maybe seven or eight Adjournment debates a day, which you require junior Ministers to respond to. So, it’s not just a question of the work having expanded exponentially outside of this place. That’s if you want to keep things like Westminster Hall functioning, and in my view that works very well.

Q14 Chair: It’s an irony isn’t it? Westminster Hall creates more work for Ministers, so we have more Ministers, so the Government have more patronage, and I don’t know of a Westminster Hall Adjournment debate that has ever changed anything.

Chris Mullin: Well, in that case one of your recommendations would have to be to get rid of Westminster Hall. The only point that I’m making to you is that you can’t cut Ministers and increase the demands from this building as well. You must cut both; that’s all.

Lord Rooker: Well, if I might say, there is a partial solution to that, which I’m happy to come to later. This is the comparison that I have, but I was lucky enough to go from being a Minister in your House to the other place. It doesn’t happen very often and actually Lynda Chalker was another good example, but she stayed in the same department. In the Lords, the Whips speak; you’ve got 17 Whips in this House and none of them speak. You can have a career in this place and go through a whole period in Parliament in the Whips Office and never utter a word. Now, frankly, if you cut the number of Whips in half and made the others speak, you could send them to Westminster Hall. They are attached to departments. Whips in the Lords do it now; their work rate is twice that of Whips in the Commons, in terms of performance. There are solutions to these intractable problems. You don’t have to keep the same process that you’ve got today. All that people want in Westminster Hall for their constituents is an answer from the Government to an issue that can be reported back. That could be equally done by the departmental
Whip as a spokesman for the department as it could be by a junior Minister.

Q15 Mr Walker: You were talking about speeches, Mr Mullin, and said that no one wants to write speeches in the department, so it goes to the chap on work placement. Did you ever get halfway through a speech and think, "Who the hell writes this rubbish?" or did you not read them before having to read out the rubbish and think, "No, I really can’t accept the quality of this?"

Chris Mullin: Oh Lord—I am a writer by profession and I do attach some importance to words, so I always try to civilise them, but of course, if you’re doing three or four a day, and they appear at the very last moment, on areas about which you know nothing all, what you can do is limit.

Tony Baldry: It is a bit depressing, though, that no Labour Minister or official under a Labour Government seemed to understand anything about the concept of “best value”, but that is something—

Chair: Let’s not have party political points.

Q16 Mr Walker: Moving on from that, would the three of you have judged your time in politics a failure if you hadn’t become Ministers?

Lord Rooker: The answer is no. I entered this place on 28 February 1974. I had no expectation of ever being a Minister. As the long period in opposition came, I was on the Front Bench, until John Smith sacked me because I had radical ideas about student finance and that was the end of the matter. I enjoyed the role and I made sure that I used the work of representing constituents occasionally to change odd bits of law. Therefore, it’s generational, because that long period in opposition made a difference because generations missed out on the opportunity, if you like. So, the answer is no. I had no burning desire. I really enjoy working for a Minister, but it wouldn’t have been a failure if I hadn’t been. And the fact that I went from one House to the other, unplanned, and remained a Minister, certainly wasn’t part of any plan; I was just incredibly lucky.

Chris Mullin: No, I certainly wouldn’t. I attach great value to the role of Member of Parliament. I was one of those who tried to encourage the idea that the Select Committee route is an alternative to being a Minister. For example, I think my vote tipped the balance on the Liaison Committee, which was in favour of paying Chairmen of Select Committees, precisely in order to make it a credible alternative to Ministerial office. I went into government because I was curious to find out how it worked. I turned down the first two opportunities in 1992 and 1996 to go on the Front Bench, and I turned down the job I was given in the Environment Department as well, until the main person rang back and said, “Come on Chris, it’s only for a few months and then I’ll find you something more up your street in the Foreign Office or the Home Office,” and I’m afraid I fell for that. So, no, I certainly wouldn’t. I think you could have, for example, a career through the Select Committees where you can make at least as much impact. One of the reasons I found the most junior role I first had in government so frustrating was because I had been the Chairman of one of the Select Committees, and I felt I had a greater degree of influence in that capacity than I did as a junior Minister, in every respect, until the Foreign Office, where, as I say, it was one of the happiest times of my political life.

Q17 Chair: Mr Baldry.

Tony Baldry: The telephone went one day and a voice at the other end said, “There is going to be a resignation from the Cabinet today, as a consequence of which there is going to be a cascade of minor Ministerial appointments. Will you be at No. 10 at 12 o’clock?” I was trying to get my mind around the concept of a minor cascade of Ministers, and I arrived at No. 10 and Margaret Thatcher was there and she said to me, “Tony, I can’t understand why I haven’t made you a Minister before.” I did not have a Minister before.”

Q18 Robert Halfon: You mentioned in your remarks, Lord Rooker, that it wasn’t the job of a Minister to manage a department, but when we had the crisis at the Home Office, John Reid said the Home Office was not fit for purpose, implying that the whole fault was the system and that his job was therefore to manage the Home Office to make things better. Can you comment on that, please?

Lord Rooker: Well, obviously, that was some time after I was at the Home Office. Two of the jobs I had were only for a year; I was lucky that most of the others were two and in one case three years, and that was much more effective. I was at the Home Office for a year with David Blunkett, so I wouldn’t compare the two periods. I think if there is a complete breakdown in the management of the department, then the Minister has got to take some responsibility because they should have been in a governance role ensuring that the permanent secretary, the directors general—the management board, in other words—was up to the job. I mean, that is their function. It’s not their function to be involved in the day-to-day management of the department, but it’s the governance. If there are warning signals, and they must have been there if there was such a complete breakdown, i.e. dysfunction between the then management board, the directors general, the reporting structure, Ministers should have spotted that, if they were performing an oversight role of the department.

Now, that can come in many ways. The Ministers themselves can have a discussion on a regular basis about the overall oversight of the department, and you
can pick up weaknesses that might be coming and have a discussion about it. That presupposes, of course, as Tony says, that Ministers actually meet. I had a year in one department where the Ministers never met. On no occasion were the Ministers ever together in the same room, either politically, with a third party, with stakeholders, or at a team meeting. The fact is I’ve 12 years of detailed daily diary cards in my cellar and I can prove it. So, you can run a department even if the Ministers never collectively meet, but it’s that governance factor that the signals should be there. So, that was a failure of Ministers that it got that bad, but they shouldn’t have been involved in the management. They should have ensured that the management structure was working.

Tony Baldry: But at the other end of the scale, when Michael Heseltine was Deputy Prime Minister and Secretary of State for the Environment, every year he would have a root and branch inspection of the department, right down to every single job. So he and Ministers would go and effectively seek to justify, and get officials to justify, every single post that existed in the department, which meant he as Secretary of State was confident that there was no fat in the department.

It also meant that he was confident when he was negotiating with the Chief Secretary to the Treasury. He could say, “Look, I have done this root and branch inspection of my department to every single post. I’ve relocated people from here to there, and therefore if I’m putting in this bid for money, I genuinely need it.” So, I think it’s a difficult conundrum and if one is not careful, if one doesn’t manage a department to a certain extent, you can just get carried away. You find yourself on a conveyor belt of the process and the two things become rather disjointed—a political governance thing and the department going at its own pace.

Q19 Chair: We have had a lot of extemporisation and a lot of very interesting and full answers, but I think we want to get through more questions, so if we could have shorter answers I would be extremely grateful. In summary, what do you think that Ministers should stop doing that they do at the moment?

Tony Baldry: I think you’ll find it very hard to find things that Ministers should stop doing because I think there are always going to be political pressures on Ministers. I think that Ministers are going to be told to get out around the country to explain their departments’ policies over the next coming weeks. There is an exponential increase in lobbying groups and pressure groups, and other groups wanting to talk to Ministers. I think it’s very hard to find easy, convenient ways to say, “If Ministers stopped doing those bits of life, then you could have fewer Ministers.” I just don’t think that is in the politics of the possible.

Q20 Chair: However, in the real world, where we all know that the Executive should be more separate from the Legislature, there are a lot of jobs that Ministers do that could be done by other people.

Tony Baldry: But Mr Jenkin, in the real world people aren’t expecting Ministers to go to and answer Westminster Hall debates. They’re not expecting Ministers to take Bills through the House of Commons. Being on a Bill team, taking a Bill through, you’re just dealing with the broad politics of it, and the policy of it; you’re dealing with the actual minutiae of legislation. One day—

Q21 Chair: Okay, how much time does a Minister spend doing media?

Lord Rooker: It depends on the department. It not only depends on the department; it depends on how well Ministers are able to explain what they’re doing. During my two years at MAFF, for example, early in 1998, so after the Government came into power, someone published an article about GM potatoes being fed to rats. All of a sudden—I know, because I’ve got the records—I did 21 interviews in one week defending the Government’s policy on GM, i.e. we hadn’t agreed any GM. The press cuts each day were an inch thick.

Q22 Chair: In the United States, you would use an on-the-record spokesman to do that sort of thing. You don’t need somebody who is a Member of Parliament to explain what the Government’s policy is.

Lord Rooker: Yes, but you need a government spokesman and in some ways the lessons that were learnt from that were that Ministers weren’t the best people. Sometimes officials and the scientists are much better at explaining things to the media—and in terms of public confidence, by the way. That’s the very reason that the Food Standards Agency was set up: to take it away from Ministers so they don’t appear on the television—others can do it. Your question is a direct question. Now, you have to appreciate you’re coming at it from the Commons point of view. In most departments there is a Lords Minister with a function of things to look after—their day job—and their night job is to do all the other departmental business in the Lords, all of it: legislation, questions, Select Committees. Ask yourself why one person in the Lords can cope but it takes six in the Commons to share the rest of the departmental work. Now, it’s true the Lords doesn’t have Standing Committees. It does have a parallel Chamber, so there are issues like that.

Chris Mullin: They don’t have constituencies either.

Lord Rooker: Ah, but hang on a minute. If the argument is that they don’t have constituencies, then we’re having more Ministers because they’re spending time on constituency functions. Now in some governments, Sweden in particular, when you become a Minister you come out of that role, and someone else does it for you. You’ve got to make your mind up what you want people to do, but it still doesn’t explain why there is a disparity in the size of some departments in terms of the roles they take. I will give you one final example of this, because it comes from my own experience. I had a year as a direct rule Minister in Northern Ireland. I know that
direct rule is not like devolution, but there were 11 departments in Northern Ireland looked after by four direct rule Ministers. You didn’t run the department; you couldn’t, flying over there once, maybe twice a week. What you had to do, and what the civil service in Northern Ireland was used to doing, was fillet out the key strategic decisions that as a Minister you really had to do. So you didn’t get all the minutiae that you got in the Westminster Red Boxes. You were highly targeted. Some of this was very public: key decisions such as cutting the number of councils—a highly contentious issue—cutting the number of secondary bodies, dealing with the health service. It forced you to do that. Now, I’m not arguing—

Q23 Chair: Direct rule in Northern Ireland does have accountability difficulties, doesn’t it?
Lord Rooker: Yes, there was the issue of direct rule. You were coming back here to do the legislation. There wasn’t that role in Northern Ireland. But I’m not saying it’s black and white. What I’m saying is that there is another way of doing the role. So the box isn’t full of all those minutiae every day, which is administrative systems that Ministers get involved in that could quite easily be done by other people.

Q24 Chair: But should we be using or basically employing MPs to be spokesmen and ambassadors for the department? That seems to me to be a useful use of patronage for a job that could be done by civil servants.
Tony Baldry: You’re speaking on behalf of the Government and defending a collective government, and that is why you’re there. Very often, the reason that you’re there, rather than officials, is that you’re having to defend political decisions and sometimes they are difficult.

Q25 Chair: But that could equally be done by, say, a Minister in the Lords?
Tony Baldry: It seems to me the conclusion that we’re coming to is that all Ministers should go to the Lords and leave the Whips to do everything in the Commons.

Q26 Chair: No, I didn’t say that. Mr Mullin?
Chris Mullin: You’ve asked what functions could be disposed of. Of course there are several departments—this is fairly obvious—where their functions have already been largely abolished. I refer to the Scottish Office, the Northern Ireland Office, and the Welsh Office. Yet they still seem to be represented around the Cabinet table. So one obvious first suggestion you could make is that there be one Minister for those regions and not three.
Lord Rooker: There’s six, isn’t there?
Chris Mullin: If you count the junior Ministers as well, but I’m talking solely about Cabinet at this stage. Another thing you could do—this would, I guess, require some reform to the law or the procedures of the House—is you could give the officials a right of audience before Bill Committees. So you have a Minister of State taking you through it, but instead of having to send notes backwards and forwards to the box, the officials, who are the real experts when it comes down to minutiae, could actually provide the answer. That would relieve you of the need to put junior Ministers on Bills. But that’s something that you’d have to think about. You would have to change the functions. It’s no good saying that we need fewer Ministers if you’re keeping the functions the same; you have to address the functions.

Q27 Chair: Coming back to the Transport Bill 2000, I think we had two or three Ministers on that single Bill, plus the Whip.
Chris Mullin: It had hundreds of clauses. It was immensely complex; at least it was to my befuddled brain.

Q28 Chair: But one Minister could do it, supplemented by the right officials?
Chris Mullin: That was my view sitting on that Bill Committee at that time. Yes, Remember. I was on three of those large Bills—hundreds of clauses in each case—simultaneously.

Q29 Chair: But Mr Baldry, if a foreign Minister of relatively junior rank is visiting this country, he still wants to meet a Minister, doesn’t he?
Tony Baldry: Absolutely, and Ministers in the Foreign Office have to spend quite a bit of time overseas doing exactly that—representing us overseas.

Q30 Chair: So it would be wrong to regard all departments as the same in this respect?
Lord Rooker: Well, there is virtually no legislation in the Foreign Office, for a start—questions, but virtually no legislation.

Chris Mullin: But there was not a shortage of things to do, if you divide the world up regionally.
Tony Baldry: Again, it’s all about accountability. It seems to me that Ministers have to be accountable for government and government policy, and of course you could have officials appearing before Bill Committees but it then raises questions about where the accountability and responsibility lie.

Q31 Chair: What about this political apprenticeship point? Do you think this is a legitimate use of political office—to use political office in government as a sort of training role? Is that a sensible use of political patronage? Mr Baldry, you described being a Parliamentary Private Secretary.
Tony Baldry: The House has had Parliamentary Private Secretaries for decades and it seems to me that it’s a very sensible way of training people. It’s also quite a sensible way of seeing whether colleagues can actually manage with the restraints and difficulties of collective responsibility. Let’s be clear, being a Minister and having to defend every department—Chris went out to the regions—you would be going out and you’d be defending not just your own department but every single department in government, and that is not for everyone.

Q32 Chair: Mr Mullin?
Chris Mullin: Yes, you’ve mentioned PPSs; here you can take a bit of a scythe in my view. This has been
an area that has grown exponentially and I can’t understand why.

**Chris Mullin:** Mr Baldry says they don’t cost anything, but they do cost one thing: they diminish the number of Back-Bench Members available for scrutiny. They enable the Government to get as many people as possible on to the payroll in order to minimise critical activity in the Chamber; that is part of the purpose in my view. That is how governments have used it. So there are an awful lot of people dependent upon the patronage of government. You have your 90-odd Ministers in the Commons. You then have 20, 30, 40—more than 50 perhaps—PPSs. You then have aspirant Ministers who get a stiff neck looking up at the fount of power, rather than over their shoulder at the people who put them there. In my view, no one who is not a Secretary of State should have a PPS. No Ministers of State need PPSs. The one that attached himself to me in a clam-like fashion when I was at the Foreign Office was a darn nuisance and I couldn’t shake him off. What they do is, they plant questions, because they do not have enough to do, and they plant the supplementaries for those who are high enough in the ballot. Then they forget to tell the hapless Minister what supplementary they’ve planted and you’d find out in the Tea Room on your way to the Chamber. So, there is scope for real reduction there. You need more of these folk on the way to the Chamber. So, there is scope for real reduction there. You need more of these folk on the Back Benches asking questions, not inside the tent.

**Q33 Chair:** But Professor Theakston in his evidence about all sorts of different things, and it’s not always going to be possible to get your hands on a Secretary of State?

**Chris Mullin:** Absolutely not.

**Lord Rooker:** Absolutely not. That goes back to the Whips as well: why do you need 17 Whips in the Commons to do party management of the flock that is there? In some ways with the PPSs, it just makes matters worse. Chris is quite right. I was a Minister of State and in 1997 I was given a list just after the election, in the Lobby one night, by a Whip, who said, “These are the people you’re to choose a PPS from.” I said, “I don’t want a PPS.” He said, “You’ve got to have a PPS.” So I chose someone, who was very effective for four years both at MAFF and DSS; it doesn’t work in the Lords having a Commons Member as a PPS. I was never a PPS in the Lords. I was a PPS myself for about two years in 1974–1977, until I got the sack. I was PPS in the Law Officers Department and I was sacked because I voted the wrong way on the first devolution Bill. Just as an aside, this so-called apprenticeship bit, I was on the Front Bench for most of the 18 years. I came off deliberately because I had never been able to be on a Select Committee. I came off for two years and went on the Public Accounts Committee for two years; I learnt more about the machinery of government in two years on the Public Accounts Committee than I had learnt in 16 years on the Opposition Front Bench doing different jobs, so the Select Committees are a much more targeted and legitimate route in terms of scrutiny on behalf of the public, than it has ever been with PPSs.

**Q34 Chair:** Mr Baldry, I would just point out that the Prime Minister was never a PPS; the Chancellor of the Exchequer was never a PPS. There is a large number of Ministers that have never been PPSs.

**Tony Baldry:** I said we were very fortunate in my generation in being able to be PPSs. Chris is a natural rebel, so I can see why he’d take the line that he does. I take the view that the government of the day have a duty and a responsibility to seek to get their business through the House. I think PPSs fulfil an extremely valuable role in keeping Ministers in touch with what Back Benchers are doing, getting into the Tea Rooms, attending Back-Bench committee meetings. I think they’re a thoroughly useful part of the process of the House of Commons.

**Q35 Mr Walker:** Yes, exactly.

**Q36 Mr Walker:** In fact, one of my colleagues said they’re so meaningless that his has never been taken away. He has had it for six years. Then we hear of colleagues becoming vice-chairmen of the Conservative International Office. I didn’t know we had an international office. So there is this creeping patronage to keep people onside, and I don’t understand how we can call being a PPS the payroll vote when they’re not paid. I’m sorry if I’m having a rant, but it does seem to me that the skill a PPS needs—when they’re not paid—when they’ve run out of PPS positions they then start handing out to new bugs vice-chairmanships of the party.

**Chris Mullin:** Absolutely.

**Mr Walker:** I have to come in here. First of all, it’s a fairly recent trend that PPSs have become part of the payroll vote. In the 1960s, there were a number of PPSs who voted against their government; not often, but when they did lose their position as PPS. It is even more invidious than just making PPSs. My own party, for example—my God, they’ve created a number of PPS positions; they’ve created so many it’s impossible to get a list because the Library can’t keep up—when they’ve run out of PPS positions they then start handing out to new bugs vice-chairmanships of the party.

**Q37 Chair:** Shall we let our witnesses speak?

**Mr Walker:** They’ve spoken a lot.

**Tony Baldry:** With respect, Mr Jenkin—
State or a Minister straight away, and a very useful person to be able to get your hands on to make sure that messages get through is a PPS.

Q38 Chair: But it could be easier to get hold of the telephone number of the private secretary of the Secretary of State.

Tony Baldry: But you can’t always have a political conversation with the private secretary of the Secretary of State. You have to be realistic about the politics of it.

Q39 Chair: What about the special adviser, then? What role do they have?

Tony Baldry: I think special advisers do have a role, but special advisers don’t have a role necessarily in keeping in contact with individual backbench MPs.

Q40 Chair: Well, they could.

Chris Mullin: We aren’t—with the possible exception of Mr Walker—talking about abolishing PPSs, but we are talking about restricting them to the people who need them, and the people who need them are the very top brass. This is an area that has grown exponentially and it’s grown for entirely cynical reasons. It’s about sucking more people into the payroll. It’s nothing to do with being a natural rebel that causes me to take this line; I believe the function of Parliament is to hold the Executive to account, and you can’t do that if a third of the Parliament are inside the Executive.

Tony Baldry: At the same time, Chris, there is also the function of the Government to get its business through, and if part of getting its business through is ensuring that it can help to get its business through, then I think that is a perfectly reasonable thing to happen.

Q41 Chair: I think this is the tension in the argument we’re dealing with. But my last question is—perhaps it’s easier for you, Lord Rooker, because of your more senior rank at Minister of State level—can you each think of something that you’ve initiated in policy terms that you’ve seen through and delivered? Because presumably that’s what Ministers are really meant to do: they’re meant to initiate policy and then see that it is delivered. Mr Baldry—Energy for example?

Tony Baldry: I was also a Minister of State. I think during my time, under Michael Heseltine and others, everything from City Challenge, dramatic improvements of our inner cities—

Q42 Chair: Were they your idea, your initiative?

Tony Baldry: No, they were collective—seriously, on some of these things, collective initiatives between George Young, Michael Heseltine and myself.

Q43 Chair: At Energy you were doing what you described as “project management.” Isn’t that really the job of a civil servant?

Tony Baldry: No, because again there were a whole number of political judgments to be made. For example, in Energy we had to make a serious political decision about whether we at that time privatised the nuclear industry.

Q44 Chair: But that was the Secretary of State’s decision, wasn’t it?

Tony Baldry: I think it was a collective decision within the department.

Q45 Chair: But could he not have made it without you?

Tony Baldry: I’m sure John Wakeham could have made decisions—

Q46 Chair: When you were at Energy, what policy did you initiate, on your own, that became part of the Government’s policy?

Tony Baldry: I think it’s very rare for any Cabinet Minister to implement a serious piece of policy on their own because we have a collective government. Indeed, any serious piece of policy is almost certainly going to be resolved by a Cabinet sub-committee or by Cabinet agreement.

Lord Rooker: You’re trying to solve problems in some ways, I had a serious think about this and looked at your earlier report. In terms of initiation, you may pick up an idea that is given to the Government and make a reality of it in terms of practical policy. I can think of a couple. The first was back in 1997 at MAFF and it concerned the cattle tracing system. The big issue was: did we have it and where did we put it? I was threatened with an accounting officer’s certificate for the decision I made, that it wasn’t put in the home counties, but that was a decision I did initiate. I was so fed up with the options I was given that I went to the Tea Room of the Commons and said to the people there, “Has anybody got a building that will fit 120 bog-standard VDU jobs, brand new jobs, anywhere in the country, preferably not in the home counties?” Dale Campbell-Savours came back two weeks later with something on the West Cumbrian coast, at Workington. It has been one of the most successful operations; I’ve put more jobs into West Cumbria than anyone else, but against the desire of the plan at the time.

The other one: we were given a report by Professor Philip James when we came in in 1997 that we should dislocate food regulation from food sponsorship for MAFF because of this problem of sponsoring what you’re regulating as a department. That was the genesis of the Food Standards Agency, which I took as a Bill, and as a department, to take it out of the department, against the wishes of some people in the department—not all—but that had to be delivered because No. 10 wanted it delivered as well. It wasn’t always easy because there were clashes between Ministers. One other—

Q47 Chair: This would seem to be Minister of State level. You wouldn’t be doing this at Parliamentary Under-Secretary level?

Lord Rooker: Well you would, because to be honest—this is the one point I would make—although I have six departments to draw on, the tone of the department is set by the person in the Cabinet; there is no question about that. In most of the departments I was in, you wouldn’t have known any hierarchy between Parliamentary Under-Secretaries and Ministers of State. That’s the honest truth. It’s
different if you're a Lords Minister because you're on your own as the Lords Minister and therefore you're doing work right across the department, but I never really saw this hierarchy that people might think. You're either in the Cabinet or you're not, and the person running the department, the Secretary of State, sets the tone of the department, and is the person who decides what roles the juniors should have. Sometimes they might get a junior with a big reputation halfway through a government. You get that kind of issue. That hierarchy—you could abolish the ranking. It should be abolished. You should have the Lords Minister, but it shouldn't be ranked. The Lords Minister has a specific function. That's the designation, so there is no ranking. In the Commons, it could be exactly the same: you're either in the Cabinet or—who was the Secretary of State of the Government, call them Minister of State. Call them Minister because they like the sound. Parliamentary Under-Secretary doesn't sound like a Minister because it gets confused with parliamentary private secretaries, permanent secretaries. It's terrible: I went to see Yes Prime Minister last night, so it is still imbued in my head that the different secretaries, but you could flatten it out. You need to flatten the hierarchy. That's a way then of reducing the numbers both in the Whips Office and in government; you could radically cut the number of Ministers quite easily.

Chris Mullin: Your question was, could I name a policy that changed as a result of my initiation? Yes, and I can name quite a few.

Q48 Chair: But can you think of some of the jobs you—

Chris Mullin: I'm going to give you one specific example, because I think that's what you need. Two women MPs came to me who had a lot of young girls in their constituency—with a large Asian Muslim population—who were disappearing from school at the age of 14 or 15 to Bangladesh or Pakistan and coming back married to someone they didn't wish to be married to. They told me the simple way to deal with that was to raise the age at which spouses could be imported into the country. Initially they thought 18 would be something because these girls would then stand a better chance of fighting for themselves, so I got on to the Foreign Office, and the lawyers naturally said that this was completely against human rights etc., and even in the Home Office, where the decision had to be made, their lawyers said the same thing, but Des Browne and I did it. It proved such a success that it has since gone up to 21. A few months later I was visiting a school in my constituency that had a lot of Bangladeshi children at it and I said to one of the teaching assistants, a Bangladeshi herself, "Do you have a problem with girls disappearing and coming back married?" "Oh, we used to," she said, "but then the Government changed the law so that it doesn't happen now." And I thought, "Yes!" It's not often that you pull a little lever in government and live long enough to see the effects on the ground. That was one example, and I could draw attention to half a dozen others, many of which arose when I was Chairman of the Home Affairs Committee—I could point to a lot of things that have changed.

Q49 Chair: But is your junior Ministerialship the essential component of that success?

Chris Mullin: Yes, it was the fact that I was a Minister; it doesn't matter where you are in the pecking order. The last point that Jeff was making is exactly right. If you've got a Secretary of State who knows how to delegate, as I did when I was at the Foreign Office, you're just left to get on with it. Everybody thought I was a Minister of State; I wasn't as it happened.

Q50 Chair: Was it the fact that you were a Minister and an MP? Was that the crucial component in that particular case?

Chris Mullin: I think it was, because I wouldn't have known about the problem if I hadn't really been an MP with a problem in my constituency. At the Foreign Office I dealt at Head of State level in Africa, and you can't do that if you're a junior official.

Tony Baldry: Mr Jenkin, I'd just like—

Q51 Chair: Very briefly. Tony Baldry: I don't think we ought to underestimate the amount of process a Minister has to deal with. For example, there were some European elections in the mid-1990s where the Greens did extremely well. The Government got very worried and, if you recall, Chris Patten introduced a White Paper, This Common Inheritance. This Common Inheritance had a huge number of policy recommendations, which junior Ministers were then implementing in the Department of the Environment for about four years afterwards, because of course government, NGOs, everyone, were doing a tick-box exercise, asking, had each recommendation in the White Paper been implemented? The Government were being judged on their green credentials by whether they had delivered. Whether or not that was an effective process is neither here nor there; it was the process at the time. So junior Ministers going into that department had to continue seeing through that process until they got shuffled and moved to another department. I don't think one ought to underestimate the fact that junior Ministers very often are involved in implementing decisions that may well have been taken before they arrived in the department and will carry on being taken once they leave a department, and one is involved in a network, a mesh, of decision taking with other Ministerial colleagues, other departments and civil servants.

Q52 Nick de Bois: The Coalition Government got a little bit defensive when it was pointed out that they had more Ministers than the previous Government after setting up the government team. This really does require a short answer, I think you'll agree: do you think the current number of Ministers is too high?

Lord Rooker: Yes.

Tony Baldry: No.

Chris Mullin: Yes.

Q53 Chair: Mr Mullin, was that a yes?

Chris Mullin: Yes; it was not only a yes, but if you're looking for a recommendation, I would enforce the Ministerial Salaries Act, which limits the number. Governments have got round that traditionally by...
appointing unpaid Ministers and there are a number
in the current Government, you’ll see. The previous
Government did exactly the same thing—often rich
people. Sometimes what would happen under the
previous administration—and I have no doubt it
happens under this one—is that the Chancellor would
ring up after the reshuffle was over and say, “You’ve
missed off my friend x,” and x would then be added,
but because all the allocation had been used up, he
couldn’t be paid. Or they would look at the team and
say—this happened at the Department of Trade, or
whatever it’s called these days, Business—“Oh, we
don’t have a woman there.” So they then had to find
a woman—this is purely for decorative purposes—and
she couldn’t be paid either, so she was discriminated
against, because she was a woman. This is purely
purely public relations reasons. If you enforce the Ministerial
Salaries Act, that puts a cap on the number.

Q54 Nick de Bois: And would you say that is a
limit that would be acceptable?
Chris Mullin: Yes, I think so. Get it down to that level
first of all and then after that look around and see:
does the Leader of the House require a deputy? Do
we require three Secretaries of State to represent the
regions? There are some easy pickings here.

Q55 Nick de Bois: Mr Baldry, you disagreed. Could
I just ask you why you took the position you did?
Tony Baldry: Because, to pick up on Chris’s point, it
seems to me that the government of the day, the
Coalition Government, are entitled to seek to get their
business through the House. And it seems to me very
good and sensible politics to have a Leader and a
Deputy Leader of the House, with the Deputy Leader
representing the Liberal party. This is the first time
that we have had a coalition government for very
many years, the actually working, in my view, incredibly
effectively. That is largely because Liberal Democrat
Ministers have been meshed into the Government. It
presents some unusual circumstances and I think the
Government have risen very well to those
circumstances, and if their colleagues are willing to
be Ministers and accept no pay, then I don’t share the
cynicism of Chris on this. I think that they’re doing a
very worthwhile and necessary job.

Chris Mullin: It’s worse than that. Some of them are
willing to pay to be Ministers.
Lord Rooker: I disagree with Chris, by the way,
because I think the limit—I think it’s 95—is too high.
I think that is too high.

Chris Mullin: But it wouldn’t be a bad starting point,
would it?
Lord Rooker: It would be an excellent starting point,
but frankly, 75—you could do it with 75.

Q56 Chair: Mr Mullin, I would invite you to explain
your remark that some people pay to be Ministers.
Chris Mullin: What I mean is that some extremely
wealthy people did exactly the same thing—because it’s
known—and often, occasionally, and I’m not naming
names here, they’re donors to a party or something
like that—that they won’t require a salary. They don’t
depend on a salary, and therefore they stand a much
better chance of getting into government than the

humble servant of the people who would hope to be
paid. Just going back to Jeff’s point, if you go down
as far as Jeff is recommending, then you also have to
recommend functions that have to be done away with,
and you have to go down as far as saying that officials
should be given the right of audience in Standing
Committees and so forth. You can’t just think of a
number and cut.

Q57 Nick de Bois: May I follow up that point? Is
there not a danger—I have seen this in business
organisations and I know they are not quite the
same—that with too many Ministers you also create
an inertia and almost a self-justification? We have read
some accounts in which junior Ministers have sat
down and thought, “Goodness me, what have I got to
do?” We were told that work could be created for
them. Just by appointing a role for whatever reason,
whether it’s just to look pretty or whatever it is, you’re
going to hurt decision making because we don’t have
the level plateau at the moment, do we, that you were
referring to in management terms.

Tony Baldry: Well I don’t think in eight years of being
a Minister I ever saw a role of work being created. I
don’t think there was any time when one wasn’t
working as a Minister pretty hard.

Q58 Nick de Bois: What about frustrating decision
making though?

Tony Baldry: The frustrations of decision making are
very often the frustrations that we are a collective
government. For example, if you’re a Minister and
you are making a decision, you have to get clearance
from a whole number of other departments. Very
often, for example, when I was in the Department of
the Environment, you had to get clearance from
Scotland, Wales and Northern Ireland—their
Secretaries of State had to tick the box. Very often
that could be very frustrating and very difficult. That’s
the frustration. The frustration is not about not having
sufficient work to do.

Q59 Nick de Bois: Could I put the same question to
you in a different way, Lord Rooker and Mr Mullin?
Many successful business organisations, since
particularly the early 1990s, have been stripping out
layers of executives with a view to not just cutting
costs but increasing the efficiency of decision making.
It seems to me that with a duplicate parallel civil
service running alongside Ministers, we have room to
do that, particularly if we cut back on some of the
roles you have talked about. Would that not be a more
efficient way of running a department?

Lord Rooker: Looking at the original evidence that
happened before the election, I think Lord Turnbull
was one of the witnesses to this Committee and he
was asked that question and I think he gave the answer
“three”. I have read the evidence. There is no
discussion about the fact that we’re a two-Chamber
Parliament. You’ve got a real dilemma. You could be
really radical and give Ministers the right of audience
in each other’s House. I have to say I would warn
Members of the Commons, Ministers, on going to the
Lords, because they will crucify them because the
level of scrutiny in the Lords is greater on Ministers

than in the Commons, in my view. However, you could be radical and say that a Minister is a Minister in the Government, and therefore the same Minister answers in both the Commons and the Lords. Now, that would be a fairly radical move, but it is one you could do and it would be very sensible because it would have the effect of squashing the layers. It isn’t just a cost-cutting exercise; it’s from a convenience, administrative point of view, and to be honest, political consistency that the same person is dealing with their bit of the department in both Houses. But the right of audience—the Commons has got to ask itself whether it wants a Minister of whatever level coming down from the Lords to answer questions at Question Time, things like that. You could do that; there is nothing stopping you recommending that.

This place needs a shake-up. There is no question there is nothing stopping you recommending that.

Question Time, things like that. You could do that; coming down from the Lords to answer questions at it itself whether it wants a Minister of whatever level the right of audience—the Commons has got to ask political consistency that the same person is dealing just a cost-cutting exercise; it’s from a convenience, could do and it would be very sensible because it that would be a fairly radical move, but it is one you could do and it would be very sensible because it consequence of what is going to be happening tomorrow and so forth. In that regard, I think we will have quite clearly needed to be various mechanisms put in place to make sure that it works. Having a Leader and a Deputy Leader of the House, for example, seems to me a very sensible way forward. It doesn’t seem to me to be unreasonable, on the Conservative Benches, that colleagues are engaged in supporting the coalition as effectively as possible. Everyone in this room—those of us who are still in the House—over the next few weeks, are going to be dealing with an enormous amount of work as a consequence of what is going to be happening tomorrow and so forth. In that regard, I think we will all find that having a number of PPSs, having a number of Ministerial colleagues, is going to make that task much more effective. I think there is a tension there: this Committee and the House have got to decide this. Is the role of Parliament to give the Government the toughest time possible, or is the role of the governing party in the House of Commons to make sure that the governing party or the coalition party gets its business through the House? I personally see it that the governing party has a responsibility to seek to get its business through the House. I was a Minister in a government that didn’t have a majority. Towards the end of the Major days, we didn’t have a majority; it was unbelievably frustrating and I don’t think it was in the best interests of Parliament and certainly not in the best interests of the country.

Lord Rooker: I disagree with that. I was once lectured by the late Enoch Powell after, along with Audrey Wise, I upset the Chancellor’s Budget in 1977 in the interests of poor people because the tax system had gone against them. He lectured us in the Chamber, that, as a Budget, the Chancellor was entitled to get whatever he put in the Finance Bill and the House had no role in interfering. Well, I disagree with that entirely. My view is the House is the House. You can’t just say, “Oh, 75 is a good number, we’ll go for that.” You have to change the functions because otherwise you just heap more work. Even when I was the lowest form of life in Environment, Transport and Regions, there was no shortage of things to do. It wasn’t that there was a shortage of things to do. Nobody was inventing work particularly; some of it did seem to me to be pointless. It was very hard work, so you have to reduce the functions. I was the king of the Adjournment debates in the year 2000; I replied on one occasion to more than four in a day, and it’s no good saying, “We’ve got to get rid of you.” Someone else is still going to have to do that work.

Q60 Greg Mulholland: Taking slightly further the point that Tony replied on, and also taking Charles’s point earlier, do you think, being blunt, the fact that we have a coalition government is leading to a danger of the proliferation of Ministers because we have a very large proportion of the Liberal Democrat party who are Ministers, and at the same time we have, let’s face it, too, lots of disgruntled Conservative Back Benchers who were hoping, and probably expecting, to be Ministers had it been an outright Conservative government? Do you think that that very tension means that we have more Ministers then we need?

Tony Baldry: Well, I think there are two issues there. First, the coalition Government is unusual, and I think there have quite clearly needed to be various mechanisms put in place to make sure that it works. Having a Leader and a Deputy Leader of the House, for example, seems to me a very sensible way forward. It doesn’t seem to me to be unreasonable, on the Conservative Benches, that colleagues are engaged in supporting the coalition as effectively as possible. Everyone in this room—those of us who are still in the House—over the next few weeks, are going to be dealing with an enormous amount of work as a consequence of what is going to be happening tomorrow and so forth. In that regard, I think we will all find that having a number of PPSs, having a number of Ministerial colleagues, is going to make that task much more effective. I think there is a tension there: this Committee and the House have got to decide this. Is the role of Parliament to give the Government the toughest time possible, or is the role of the governing party in the House of Commons to make sure that the governing party or the coalition party gets its business through the House? I personally see it that the governing party has a responsibility to seek to get its business through the House. I was a Minister in a government that didn’t have a majority. Towards the end of the Major days, we didn’t have a majority; it was unbelievably frustrating and I don’t think it was in the best interests of Parliament and certainly not in the best interests of the country.

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Q61 Chair: There is a balance to be struck between scrutiny and paralysis, which I think is what is being said.

Lord Rooker: Yes, but I don’t think it’s got anything to do with being a coalition government, by the way. I would have given exactly the same answers if it was a majority government or a coalition government.

Q62 Greg Mulholland: I was going to say, it’s interesting but it’s not an answer to the question I’ve asked yet. Let me perhaps take it on and push you to answer it by answering the next question, because I think there is a concern that there is certainly a resistance to reducing the number of Ministers because of the need to balance two different parties. Of course, today we have the Parliamentary Voting System and Constituencies Bill going through the Commons, and of course part of that is to reduce the number of MPs from 650 to 600, which is 8%. Therefore, regardless of the needs of balancing the grievances of Liberal Democrat and Conservative
Back Benchers, surely we need to reduce the number of Ministers by 8% also.

Chris Mullin: I think two out of the three of us here agree with that proposition on the whole. I don’t think it’s healthy for there to be a creeping growth of the Executive. There have also been a lot of phoney special envoys created in recent years; there was one for the rainforest in our time, and one for Cyprus. It tended to be either the disappointed or people who had been ejected from government after only a short time; it was to keep the folk happy and that is not a healthy way to manage, in my view. As Jeff says, Parliament benefits from a higher quality of scrutiny, and if you’ve got all the most intelligent people neutralised, because they’re half inside the tent or wholly inside the tent, then the quality of the scrutiny is thereby diminished. That is not healthy in a democracy.

Q63 Greg Mulholland: Tony, you were shaking your head so presumably you think it’s okay to have the same number of Ministers and have fewer MPs to hold them to account?

Tony Baldry: What colleagues will have heard today is three former Ministers all explaining how busy we were as Ministers. None of my colleagues here have said at any time that they were either underworked or underemployed, so the suggestion that you just get rid of 8% or 10% of Ministers for some tokenism—someone is going to have to pick up that slack. The demands on the Ministers in the House are actually greater than when I was a Minister, so I think you could, of course—the Government can do whatever they want ultimately—but I think the consequences will be that Ministers overall will give the House a less good service.

Q64 Greg Mulholland: Just to press you on that point—that may be the case. I’m sure there is a huge amount of work—do you not think that if we have fewer MPs holding the same number of Ministers to account we are damaging parliamentary scrutiny?

Tony Baldry: No. I think that the number of Ministers required are what are required to do the job, and I don’t see any reason why Select Committees and the House will not be able to keep those Ministers to a proper scrutiny if the numbers in the House reduce. I don’t see that as a logical conclusion.

Q65 Chair: But come on, it’s about voting figures, isn’t it—it’s about patronage; the proportion of MPs that are covered by patronage and the number of governing party MPs who are left free to express their views in votes in the House of Commons. It’s democratic accountability, and there would be less of it, wouldn’t there? Mr Mullin.

Chris Mullin: That is exactly the point I just made a moment ago.

Q66 Robert Halfon: The key point you seem to have made is that if you reduce the number of Ministers, you therefore need to reduce some of the responsibilities that they have, which I agree with, given the responsibilities of Ministers having to be an MP, Minister and so on. Surely the answer then is to be much more radical—to move to a much more American system where Ministers are mainly appointed from outside Parliament, and Parliament is just there to scrutinise what the Executive is doing. Then you would be able to reduce the number of Ministers.

Chris Mullin: Yes, but, as a distinguished Conservative remarked many years ago, “Politics is the art of the possible,” and I think, with all due respect, if you were to make that recommendation, you’d find that nothing actually changed. So my advice to you, as a former Chairman of a Select Committee, would be to concentrate on what is possible. It is true that the American model is entirely different, where everybody is a friend of the Man, basically. It was the case with the last President that everyone was the friend of the Man’s father. That has drawbacks too. One of the great advantages of our particular system is the link between Members of Parliament and their constituencies, between Ministers and their constituencies. That’s what keeps your feet on the ground over the years. It also gives you some practical experience of the impact of the decisions made in government that you might not have otherwise. So our system does have weaknesses, and one of them certainly is that there are too many people on the inside of the Executive, or hoping to be, and it has strengths, and that’s the constituency link.

Lord Rooker: May I just add to this? I realised when you were talking about training that I can remember, before we came into government in 1997, when the late John Smith was leader and I was still on the Front Bench, he ordered the whole Front Bench up to Templeton College, Oxford. We had two sessions of two full days together, with discussions from former civil servants, business leaders, whatever. I can remember some of the issues there—that problem solving doesn’t always require big Bills. The other thing is the central lesson, and I tried to use it in government as well: when a new policy comes along, if you can, pilot it. Don’t bring anything in over the whole country overnight if you can possibly avoid it. Pilot it. And you could pilot a change. You have some written evidence from the Regulatory Policy Institute1 that makes a suggestion about operating departments on the basis that Ministers are genuinely a board of trustees setting the strategy, controlling the money and looking after the governance—in the way that non-Ministerial departments are governed now. I have the honour of chairing one in that kind of role, and in fact, when I read the paper I thought, “Heavens above, they’re describing the way the Food Standards Agency more or less works.” You could pilot it. You could suggest that two or three departments operate differently to the rest in terms of the Ministers’ relationships; they still have the relationship with the department, but you don’t have to do everything all at once, all in one big bang. As Chris said, if you try something that is so radical, you’ll end up doing nothing. But, you know, it’s bit by bit. Test it out. See if it works. If it doesn’t, you can retrace; you don’t lose face. That is one of the biggest problems we have: everything is all done at once. That’s why these big mistakes all occur.

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Chair: A very helpful suggestion.

Q67 Mr Walker: Let me pick up Mr Baldry here. He is obviously a representative for the union of Ministers. At a time when we’re reducing Whitehall by 20%, we’re moving on senior civil servants, we’re sacking quangocracy bosses, the only area of government that really couldn’t cope with any reduction whatsoever because what they do is so critically important to the running of this country is the Ministerial corps, despite the fact that Lord Norton of Louth has said there are too many Ministers, Professor Anthony King, Lord Turnbull, Sir John Major, the entire weight of academic evidence, the entire commentator corps believe there are too many Ministers. The only people who believe there aren’t enough or about the right amount seem to be current Ministers and those who speak on behalf of current Ministers.

Tony Baldry: I was invited to this Committee to speak on behalf of myself and I speak on behalf of myself. I think, Mr Walker, the test is this, isn’t it? I think this Committee, if this is the line you want to go down, if that is the approach you want to get, I think you need to draw up your list of those Ministers that you think you should cull and then I think you need to look at the departments, and I think you need to ask whether the Foreign Office could manage with one less Minister, or whether DFID could manage with one less Minister.

Q68 Chair: Well, the Foreign Office and DFID may be bad examples, but it seems to me that there are other departments—

Tony Baldry: But that is my point, Mr Jenkin: that you go through this list and you say, “We can’t do that.”

Q69 Mr Walker: They just have to manage. That’s what we say, “You just have to do it.”

Tony Baldry: Mr Walker, if that’s going to be your approach, that’s fine. That is a recommendation that this Committee can make, but you cannot just randomly do that without saying which Ministers and which departments you believe should be culled—would you get rid of the Leader of the House? How many Whips would you want to get rid of?

Q70 Chair: How about getting rid of the Deputy Leader of the House?

Tony Baldry: Well, what I am saying, Mr Jenkin, is that you need to be very clear about which Ministers you wish to cull. Otherwise—

Q71 Chair: That is a good challenge

Tony Baldry: Otherwise you get to a situation where every department has to cull a Minister and then you get special pleading saying, “You can’t cull the Foreign Office;” “You can’t cull the Ministry of Defence.” So, I think you have to follow the logic of what you’re suggesting.

Q72 Mr Walker: But it is actually not a good challenge, because it’s the Government’s job to do that. Parliament will legislate. If we lose 8% of Members of Parliament, it is more than reasonable that the level of Ministerial patronage does not fall below that level but is kept at a comparator level. That is not being overly ambitious. Then it is the responsibility of the Government, not this Committee, to go away and to decide how they fit within that new cap of 87. It’s not our responsibility.

Tony Baldry: I think there may be a confusion here of two different political issues. First, how many people do you need for Ministers, for the Government to run effectively. Then there is a different point—a separate point—one which Mr Mulholland was raising, which is: fine, if you’re going to keep the same number of Ministers but reduce the size of the House of Commons; does that ensure that you still have the same degree of accountability and scrutiny? That seems to me to be an entirely different point.

Q73 Mr Walker: That’s what, in essence, we’re arguing for; if you reduce the size of the House of Commons by 8%, which I don’t think is necessarily a brilliant idea in the way it’s been mapped out, but if you do that, there is really no real argument not to reduce the number of Ministers by a corresponding amount for the reasons that Mr Mulholland outlined in his questioning. There just simply can’t be. There might be some construct to justify it, but it’s not one that will hold the confidence of the public.

Tony Baldry: Well, I look forward to seeing the Committee’s list of those Ministers that you would expect and want to cull—those specific departments.

Mr Walker: It’s not our job; that’s the Government’s job.

Q74 Greg Mulholland: Mr Walker hasn’t used the phrase, so I’m just going to throw it at you. I’m not picking on you, Tony. Big society, smaller state, so why not fewer Ministers?

Tony Baldry: Mr Mulholland, I repeat myself. I think, if this Committee wants to suggest there are fewer Ministers—say, you might wish to look at the Scottish Office, the Northern Ireland Office: should you reduce the number of Ministers in those departments? I think you need to test the extent to which those departments or the Secretaries of State to those departments believe they require those Ministers. I do not see, at the Dispatch Box at oral questions, Ministers giving the impression they’re not doing anything. If you believe you can cull a number of Ministers, then I think this Committee has to have the intellectual courage and conviction to say, “Okay, we think these Ministerial positions should go.” You should set out which departments you think are too large in their Ministerial component. I don’t think it’s sufficient just to say there should be an across-the-board reduction of Ministers.

Q75 Greg Mulholland: Won’t there be less to do if we have the big society and we have lots of things going on outside and less going on from top-down government? Won’t there be less for Ministers to actually do?

Tony Baldry: I think you’ll find there’s always going to be plenty for Ministers to do. And actually, big
society isn’t incompatible with having a functioning and working government.

Q76 Greg Mulholland: To show that we are being fair, I’m going to ask Mr Mullin and Lord Rooker. We saw devolution introduced under the previous Labour administration—although there are different views on whether that was a good thing or a bad thing, and I think it was a good thing—but we did not see a drop in the number of Ministers, despite seeing enormous numbers of functions transferred to Cardiff and Edinburgh. Why not?

Lord Rooker: The interesting thing is, of course, we saw a reduction in the number of MPs, did we not? It goes back to your point: the House reduced the MPs because of devolution. I think they lost 12 in Scotland and a few in Wales, Northern Ireland has not been corrected; they only have 18, because they had direct rule put on them. They can’t justify 18, but that is still there at the present time. Yes, you are absolutely right. I was a bit surprised when devolution came along at the number of Ministers in the devolved governments, I have to say. I was a bit surprised. I do not say that to be in any way critical. The fact of the matter is this is probably the first Committee to look at this holistically across the piece. In terms of big society, it is a good example in a way. I just looked down the list last night; I have my own culling list here. The Department for Communities and Local Government at the moment has six Ministers. Not one of them is a Lords Minister either, by the way. Big society means Eric Pickles has said he is going to sign a cheque to local government and let them get on with it. So why do you need a Local Government Minister? You have to ask yourself why you need six Ministers in that department.

Mr Walker: Patronage.

Lord Rooker: You have to ask yourself these questions. I’m not picking on anybody, but the fact of the matter is it’s probably not your Committee’s job, but the Department of Climate Change—if Energy had been put with Environment and Food and Rural Affairs, you’d have had the Department of Climate Change. You didn’t need a new Secretary of State, an independent department and the extra Minister who came with it. It is the machinery of government is a matter for the Prime Minister. What you need to do is constrain the Prime Minister on the number of Ministers, and let him organise the Government.

Tony Baldry: Just an observation on Communities in the Labour Government: you will probably find in that department there are one or possibly two Ministers who are pretty permanently doing the quasi-judicial function of dealing with planning and planning decisions, which takes up an enormous amount of time. I suspect you will find at least two Ministers in that department who spend a lot of their time doing that.

Lord Rooker: I was Planning Minister for a year under John Prescott. That actually was my function. It is a quasi-judicial function. Now, I don’t know what it was like in Tony’s time, but I was the Lords Minister, so I had no constituents. To be honest, you only get the big ones on the ones who come to you, because you have the Planning Inspectorate dealing with the other issues, and you are very limited on the decisions you can take that deviate from the legal advice you might get after a planning inquiry.

You need to send some people into departments to have a look at this. I have some fantastic people who have been in my private offices over the years, real young thrusters, who I would put together as a little work squad to go into various departments because they know where the bodies are and they could come back and tell you: “You can cull this, you can cull that, and it will still work.” They do not normally have the chance to do that kind of thing, so there are people around Whitehall who could be used to do that.

Chair: Mr Walker, you are done, are you?

Tony Baldry: He just wants to cull—cull as many Ministers as possible!

Q77 Chair: Do we think there need to be two different ranks of Ministers? Lord Rooker: Cabinet and other.

Q78 Chair: Cabinet and other, but not parliamentary secretaries and Ministers of State?

Lord Rooker: Yes, I agree with that.

Q79 Chair: Shall we move on to Ministerial effectiveness? What factors affect how effective a Minister is?

Tony Baldry: I think there is a difficult balance between leadership, management, when you intervene, when you do not. Any Minister each day is going to have quite a lot of submissions put up to them by civil servants. It is having a sense of which ones of those you pick up and decide to intervene on and raise with officials, maybe adjust, maybe alter. I think it is the ability to communicate; it is the ability to grip civil servants without offending them, and the ability to communicate with colleagues.

Q80 Chair: Do we think a Minister is more effective simply because he is a Member of Parliament?

Chris Mullin: I think it helps. I wouldn’t lay down a hard and fast rule. If you look at some of the “GOATs”, their track record has been very variable. There have been some very successful ones, I think, like Lord Myners, who had a specialised knowledge of the areas they were dealing with. There have been some who have been put there for reasons that are, plainly speaking, inexplicable. What does an effective Minister require? An ability to think and act strategically, certainly an ability to communicate with the world outside and an ability to relate to Parliament, which brings us to the last point. If you look back, there’s been a very mixed record of having Ministers from outside Parliament. Do you remember John Davies in the 1960s, who had been a very big fish? Frank Cousins was another one. They had both been big fishes in their respective pools, but it didn’t work, their being in Parliament. One can think of a lot of more recent “GOATs” for whom that is also the case. I would not lay down a hard and fast rule but, on the whole, it helps to be able to relate to Parliament.

Q81 Chair: Lord Rooker, would you say that your career path could become perhaps a more normal
career path? You become a Minister and then you graduate to the House of Lords, so you do not occupy a place in the House of Commons, so you are not part of that dominating faction in the House of Commons, but you are a Minister with parliamentary experience. **Lord Rooker:** As I said originally, my experience is unusual and there is no question about it.

**Q82 Chair:** But could it become more usual? **Lord Rooker:** It could, but I have survived in the Lords—I say “survived in the Lords”—by my expertise, the House of Commons. I would use examples to illustrate, when I was doing legislation, about constituency life and things like that. Indeed, in my current role chairing a non-Ministerial department, I am very much focused on the fact that we, as an organisation, are answerable to Parliament. That figures incredibly importantly in my view, in terms of scrutiny. The point is, you do not have to do everything all at once. You could suggest that for half a dozen.

There are Ministers who were in the Lords. Ann Taylor had a gap: she came into the Lords and then came back as a Minister. It was not quite the same as transferring over. You can learn the ropes pretty quickly. It is another House. I did not know anything about the Lords when I went there. In fact, I tried to abolish it when I was here with a technical Bill back in the 1980s, which I reminded them of. But the fact is it is different, simply because the assumption that everyone has retired is not true. There is a world expert on every subject you are dealing with, either behind you or in front of you, so you never bull. You have to operate completely differently. The level of expertise and scrutiny is very different from that in the Commons. It could be a route with a two-Chamber Parliament. I have my own views: I don’t think there should be Ministers in the Lords and I don’t think the Lords should start Bills. You can’t revise what you should be Ministers in the Lords and I don’t think the Parliament. I have my own views: I don’t think there is it is different, simply because the assumption that everyone has retired is not true. There is a world expert on every subject you are dealing with, either behind you or in front of you, so you never bull. You have to operate completely differently. The level of expertise and scrutiny is very different from that in the Commons. It could be a route with a two-Chamber Parliament. I have my own views: I don’t think there should be Ministers in the Lords and I don’t think the Lords should start Bills. You can’t revise what you have started. I have a much more radical view about the role of the second Chamber, but that is really not what you are looking at, at the present time.

**Chair:** I am afraid not. **Tony Baldry:** I think what we have worked out, Mr Jenkin, is that my colleagues would like to abolish the Lords, they would like to abolish PPSs, they would like to abolish Ministers.

**Lord Rooker:** No. For what it is worth, I think we need two Chambers. I think the second one should be arithmetically half the size of the first. I think it should concentrate on revision and scrutiny, which means you cannot start Bills there, because that is what happens.

**Chair:** We are not going to do the Lords today. **Lord Rooker:** No, but that is why—I can share experiences with ideas of what might work, but you can try them out. You do not have to do everything all at once, and you can recommend a trial period, different departments, get the willingness of the Prime Minister as head of the Government, to have a serious look at this. With all this independent evidence that you’re collecting, which is coalescing towards a different approach to what we have now, you are pushing at what I hope is an open door, with a Prime Minister who is willing to look at different ways of doing things.

**Q83 Chair:** Mr Mullin, do you have anything to add on that question? **Chris Mullin:** I have one other point as regards more effective Ministers. The one piece of advice, if ever I was asked, that I would offer to a reigning Prime Minister is, “For God’s sake, don’t keep throwing all the pieces into the air every year and seeing where they land.” This habit of annual reshuffles is deeply destabilising to effective government. If you look back at the last Government, although one could make this point about several recent governments, there were eight Secretaries of State for Work and Pensions in 10 years. I was the sixth Africa Minister; we were on our 10th by the time we left office. A man came to see me in 2002 who worked for a little environmental agency that I had once had responsibility for. I asked him, “How many Ministers have you had to account to up until now?” We had only been in office five years by this time. He said, “We’re on our 10th and quite frankly it’s utterly counter-productive.”

**Q84 Chair:** What encourages Prime Ministers to keep having reshuffles? **Chris Mullin:** I think they like headlines. There has become this habit, firstly, that you need an annual reshuffle. Then of course there are crises, and so somebody has to resign as a result of a scandal or they got into a bit of trouble somewhere. Instead of doing the minimum by way of a reshuffle, they often use that as an opportunity to shuffle about nine people.

**Q85 Chair:** Do you think they do it to keep the parliamentary party on its toes? **Chris Mullin:** No. I don’t. I think it is hyperactivity. In this 24/7 world, we require new sensations every so often. We have had 10 Prisons Ministers—

**Q86 Chair:** Is it not about giving everybody a turn? **Chris Mullin:** Yes, there may well be an element of that, as far as the junior jobs are concerned. It is deeply, deeply destabilising. What it means is in fact the officials run everything and, if they come up against a difficult Minister, they know that he’ll be gone in a year’s time. This happened to me on one or two occasions. You know that the same documents will appear in the in-tray of your successor the week after you’re out the door. Now, if you look at the career of someone like Jack Straw, it strikes me as much more satisfactory: four years Home Secretary, five years Foreign Secretary. You can achieve something on that watch, but you can’t if you are just being turned over annually.

**Q87 Nick de Bois:** Is not a Prime Minister’s hand a little tied by the fact that he can probably only choose from a limited pool of talent, ultimately? We elect people from all different walks of life and, frankly, some are going to struggle to push through programmes, because they have not been used to that. So in many ways, his hands could be tied a little bit. When you think about it, you’re narrowing down the actual choice for a Prime Minister, I would argue. I
Chris Mullin: No. Although it is quite true the pool of talent is sometimes limited, in my 23 years in this place there always was sufficient talent in my view. It is a view often held by those in the stratosphere. I have just read Jonathan Powell’s book in which he made this point about how they would like to have the freedom to choose from outside, because there is such a limited pool of talent inside. Of course, Jonathan Powell was an occupant of the stratosphere for the entire time, and he never had to account for any decisions that he made, although he had an awful lot of influence on people’s lives. It’s quite healthy, I think, for Prime Ministers to be constrained in what they can do, in some respects.

Q88 Robert Halfon: Reading your diaries and loads of biographies of other Ministers, the Red Box issue comes up again and again. We just talked about the effectiveness of Ministers. Is there a way to change that, because it does seem to me somewhat odd that I put the box in at 11 o’clock at night onwards, after voting, Ministers have to go back and do their boxes, non-stop until the early hours. This cannot be a way to run a Ministry.

Chris Mullin: I agree with that. Because I was a relatively junior Minister, major, life-threatening decisions didn’t appear in my box, but I laid down some very strict rules. No Red Box ever reached my house, for example. It came to my constituency office. It came in a Ministerial car, 283 miles each way—I put a stop to that as soon as I found out about it. You have to go in with that in mind. Yes, you are quite right: you are completely flooded with paper. Sometimes, it is an official tactic to wear you down, to render you ineffective, so that officials can get on with doing the things that matter.

Q89 Robert Halfon: What is the answer to that? Why does it need to be done late at night?

Chris Mullin: I do not understand that, but it wasn’t particularly tough for Prime Ministers to be constrained in what they do, the routine stuff.” By and large, I could manage. I never once did I ever take a box home at 22.00 to work on it, in 11 and a half years. It might be different for Cabinet Ministers given papers at the last minute, and crises. You have all of that. I am not saying that did not happen.

In some ways, I miss the Saturday morning box now, because I always had to work out the hell I was sleeping on a Friday night to tell them where to send it. It was not always possible to know where that was the case. The weekend was different. I was not in Friday; I would try not to work for the Government. Like most MPs, you need to have that little fill-in over the weekend. This issue that they have a busy day, meetings, delegations, receptions, speeches, voting in the Commons at 22.00, you have to take the box home and spend two or three hours on it. If that is the case, they are the wrong person to be a Minister: they simply cannot organise themselves. Send them all Kaufman’s book. Gerald wrote this incredibly useful book for people, because he was never a Cabinet Minister. He wrote it from the perspective of a junior Minister. It was really helpful.

Q90 Robert Halfon: Almost every Minister I have spoken to currently, when I ask this question, they all say—bar one Cabinet Minister—that they do their boxes at the very late hours of the night, usually after voting, and that it takes hours, and on weekends.

Lord Rooker: If I get this wrong, there are enough ex-private secretaries around Whitehall. My very first one is sitting in this room. He only lasted two hours because Ministerial functions changed. In 11 and a half years and six departments, I never, on any occasion, took a box home at 10 o’clock to work on it, not once. I am not saying I never took any work home if I was on a Committee the following morning or there was a document I wanted to look at. My instruction was to the private office, whether I was in the Lords or the Commons it did not matter, “I will come and go during the day. I will start early.” I was picked up—I used the car—at 07.30. Maybe I’ll go to the gym. “I will come and go. I will not have back-to-back meetings during the day, but I will come and go. When I come in my room, I want the in-tray to be full, not the box. I want the in-tray to be full. So when I come, I will know there are things I need to do, the routine stuff.”

Q91 Chair: Do you recognise that, Mr Baldry?

Tony Baldry: Each colleague will have their own work schedule, which they feel comfortable with. They need to sort out their own private office, as to what they want to do. Different colleagues clearly have different patterns, but there is a certain amount of work that has to be done, and you have to get through it in your own time. Of course, Lords Ministers are spared the fact they do not also have constituency duties and constituents that they have to correspond with and fit in, and so forth. The real point
is that Ministers have to get a grip on their private office and actually run the thing as they feel would be most effective for them.

Chris Mullin: Our colleague Michael Jack, when he was a Minister, circulated a note to officials saying that if they were minded to put any submissions in his box for the weekend, would they kindly include their home telephone numbers, because the Minister would almost certainly wish to ring them up on Sunday afternoon and discuss the matter. He found, remarkably, that weekend submissions fell off dramatically.

Q92 Chair: Finally, on training and support for Ministers, famously we had in the last Parliament a Home Secretary who plaintively said, “We don’t get any training for this job.” Do you feel that is a fair complaint, that there should be more training for Ministers, even if the training starts when you get the job?

Lord Rooker: My answer is yes. In fact, I have gone back and looked at some of the files that I have kept. There was an organisation, the Government Centre for Management and Policy Studies. I have a feeling it might have been run by the Cabinet Office. At the time, when we came into government in 1997, there were all kinds of little awaydays for Ministers, discussing with each other, collectively across different departments, some of the problems we were having. Awaydays would be not too far from the office. There was that element of sort of training. It was never called “training,” but it was actually quite useful to have the opportunity of a couple of hours to listen to other colleagues talk about issues in their department, to be with a facilitator to pose a few questions. I think that would be useful. It dropped off, I have to say. We used to be called into the management, as it were, occasionally, as junior Ministers. We had the chance to be called into No. 10. We would have a little lecture from the management and be allowed to ask a few questions, but I noticed, after about three or four years, Tony stopped doing it. I was never asked any more.

Q93 Chair: This was an appraisal process, was it?

Lord Rooker: No, it was to discuss the issues of the day, problems across department, across government. It was a free-for-all. It was too grand to call it “training,” but there was an operation. Frankly, it ought to be institutionalised. It is very difficult to do beforehand, although, as I say, John Smith sent us up to Templeton College, where we had these chats with people who had been in the system—ex-Ministers and ex-permanent secretaries—which was quite helpful. It is very difficult to do that. Maybe for the Front Bench you can do it. Within government, there ought to be something for Ministers, in terms of—as I say, training is too grand—certainly development while they’re a Minister, and of course a genuine appraisal. I always assumed Ministers were appraised by the Civil Service secretly, and that is how No. 10 found out about various things, or the Treasury did, because they are the ones who run the show in that sense, because that is where the money is.

Q94 Chair: Were any of you aware of being appraised, and should you be more formally appraised?

Chris Mullin: I found that the Whips put in a bad word for me from time to time, but that was because I voted against Iraq and somehow got appointed to government subsequently. They never really forgave me for that, but I certainly think they put the boot in secretly.

Q95 Chair: Should there be formal appraisal of Ministers, perhaps by the permanent secretary and somebody independent?

Lord Rooker: The answer is yes to that. It’s quite interesting, because last week we had Francis Maude’s statement, the bonfire. The people on those bodies, the quangos—the non-departmental public bodies, the non-Ministerial departments—go through the board members’ systematic appraisal every year. I have chaired the Food Standards Agency now for just over a year. I have had to appraise every one of the board members and I am due for appraisal. That did not happen, and I had to explain to people there—they’re all civil servants—“Look, in 12 years as a Minister, I’ve had no experience of doing appraisals.” They said, “What do you mean?” I said, “It’s not done. I never appraised anybody.”

Tony Baldry: I think the difficulty, Mr Jenkin, is that, if one looks back at colleagues whose Ministerial careers seemed to have been prematurely cut short, that was usually not because they were inefficient. I’m just thinking of various examples. One found it very, very difficult at the Dispatch Box. A colleague found it very difficult dealing with submissions—well, he always wanted to have a state meeting on every submission that went up to him, which just meant the whole machinery of government ground to a halt.

Q96 Chair: Michael Heseltine always had oral briefings on everything. Why is that a problem?

Tony Baldry: No, he didn’t have oral briefings on everything. Michael Heseltine was an extremely good delegator, and Michael was very good at selecting the two or three key issues on which he wished to be briefed. He let Ministers of State and other Ministers get on with a hell of a lot. The point I’m making is that being a Minister is not a job like any other kind of job in management or wherever, where you can have a convenient appraisal team. All sorts of people are going to have to make political judgments about you—the 22 Committee, colleagues going up to the Chief Whip. There was a whole mash of that. Ultimately, it will be a decision that will be taken by the Secretary of State of the Department, the Prime Minister, Chief Whip and others, based on a whole number of things. One’s effectiveness in managing the department will be part of that, but only part of it.

Q97 Chair: Mr Mullin, the last word.

Chris Mullin: Jack Straw, when he was the Secretary of State, invited in a management consultant to come around and appraise us all. He came to see me, and he said, “We think you’re a very effective Minister, but we think the Africa Department should be removed from the Foreign Office, given to DFID, and
you should be the Secretary of State for International Development.” I said to him, “I would be obliged if you didn’t make that recommendation, please, because although I think you have the influence to get me abolished, I don’t think you have the influence to get me made Secretary of State for International Development.” And that is how we left it. I have no idea what he concluded.

Q98 Chair: So it is difficult for appraisal of Ministers to be relevant to the political climate in which we live.

Chris Mullin: It is quite difficult, because nobody has an overview of all our different functions, one of which, of course, takes place in this building.

Q99 Chair: Could the Ministers appraise each other, with a bit more structure and method?

Lord Rooker: It has to be done professionally. There is a system out there. The private sector does this; local government does this. The National Audit Office could have a role in this area, in terms of professional appraisal. It has to be done professionally. You have to take the politics and the personality out of it if you’re looking at effectiveness, because those decisions will be made, as Tony says, by the Chief Whip, the Prime Minister. Your face might not fit. You might attack the Treasury one day and upset the Chancellor of the Exchequer because they’ve been cruel to your department. But that’s a political issue. In terms of effectiveness, as far as doing the job is concerned, on behalf of the public, because that is who we are essentially there for, it also gives you a chance for yourself, I would think, as I’ve found in the last Government, to think, “Why am I here? What am I doing? What’s on the tin? Am I doing what is expected of me? Is there any gap that nobody has raised with me?”

Q100 Chair: You do not get a job description, do you?

Tony Baldry: No.

Lord Rooker: No. You do not even get a contract. You are not employed as such. You are not an employee. There is no paperwork; you do not sign anything, being a Minister.

Q101 Chair: Would it be better if your Secretary of State gave you a job description, as opposed to just a list of responsibilities?

Lord Rooker: Yes, something you could be judged against to discuss your performance.

Tony Baldry: I think you know whether you are cutting the mustard as a Minister, and your colleagues will soon tell you—Back-Bench colleagues, colleagues in the House, colleagues in the Tea Room. Others will soon tell you. You will soon get to hear if it is felt you are not actually cutting the mustard.

Chair: Well, our witnesses have certainly cut the mustard this morning. Thank you very much for your time; it’s been a most interesting session. Thank you.
Tuesday 23 November 2010

Members present:

Bernard Jenkin (Chair)

Charlie Elphicke  Greg Mulholland
Robert Halfon  Lindsay Roy
David Heyes  Mr Charles Walker

Examination of Witnesses

Witnesses: Lord Norton of Louth, University of Hull, Rt Hon Peter Riddell, Institute for Government, and Professor Robert Hazell CBE, Constitution Unit, UCL, gave evidence.

Q102 Chair: I welcome our witnesses to this session of PASC and ask you for the record to identify yourselves.

Peter Riddell: I am Peter Riddell. I am a senior fellow at the Institute for Government.

Lord Norton: Philip Norton, Lord Norton of Louth, Professor of Government at the University of Hull.

Professor Hazell: Professor Robert Hazell, and I am Director of the Constitution Unit at University College London.

Chair: Welcome.

Q103 Charlie Elphicke: Mr Riddell, I am interested in the fact that the number of Ministers has been rising steadily for the last hundred years. Lord Hurd of Westwell said, “A decision by an incoming Prime Minister to abolish 20 Ministerial posts at different levels would not only be popular but would be followed immediately by an adjustment of workload.” Do you agree with this statement and how many Ministers do you think are needed?

Peter Riddell: I largely do agree with it. It is very interesting that we have had a trebling over the last century. A lot of it is to do with the extension of the state’s responsibilities. You couldn’t go back to what it was under Asquith. It was 107 paid Ministers in 1980 and it’s now 119. Under the Ministerial and Other Salaries Act the peak is 109, which implies there are 10 unpaid Ministers. I think that’s one of the real abuses that has happened; we’ve had the limit exceeded by having Ministers who aren’t receiving salaries. They still cost the taxpayer a lot of money because servicing a Minister is pretty expensive: they have a private office, they used to have a car and there are a lot of extra costs. You are probably getting on for £500,000 per Minister even though they don’t get an extra salary. The first thing I would do is enforce the Ministerial and Other Salaries Act, which has been abused, not only by the current Government—but particularly under the last Government, abused, not only by the current Government—in 1997 there were 14 Ministers representing Scotland, Northern Ireland and Wales, including the Scottish Law Officer. There are now seven. Despite that halving from those three national Departments we have a substantial increase in the number of Ministers because other Departments have just proliferated.

One other statistic shows how the system has been abused. In 1997 there were 14 Ministers representing Scotland, Northern Ireland and Wales, including the Scottish Law Officer. There are now seven. Despite that halving from those three national Departments we have a substantial increase in the number of Ministers because other Departments have just proliferated.

Q104 Charlie Elphicke: Lord Norton and Professor Hazell, do you agree with Mr Riddell?

Lord Norton: Indeed, because it is a quote that you’ve taken of Lord Hurd from when he gave evidence to our Commission to strengthen Parliament and we agreed with the conclusion he reached, and I agree with Peter Riddell. What I said in my memorandum following our Commission report was to think of amending the statute so there is a limit, say of 70, but at the same time allowing for a review of Departments and a justification for each Ministerial post. I think if one aimed for that, it would act as a very important discipline. The important thing is not just numbers; it is a culture shift that I want. At the moment the emphasis is on numbers for the sake of patronage, not on quality for the sake of good governance. I think we need fewer Ministers, but better trained Ministers.

Professor Hazell: Peter Riddell has talked about the absolute number of Ministers. Another way of coming at this is to look at the size of the Ministry compared with the size of the legislature. We have compiled some figures, which I can supply to the Committee, on those ratios in the other large countries of Western Europe, by which I mean France, Germany, Italy and Spain, all of which have legislatures broadly comparable to ours in that they are big Parliaments, so the size of the two Chambers combined is more than 500. Very roughly, the ratio of the size of the Government to the size of the legislature in the UK is 1:8, and in those other countries it is around 1:15. Our Government, relative to the size of the legislature proportionately, is twice as large as the Governments of those other countries.

There is clearly no right answer to what the size of the Government should be and it is fair to point out that those other countries have much less centralised systems of government. Germany is a federation; Spain has become a de facto federation. France and Italy have strong systems of local and of regional
government. That leads into Peter’s point that, even following the introduction of devolution here, when there was clearly an opportunity to reduce the Ministry by half a dozen Ministers, the Government didn’t do so. As it happens, we were having a seminar last night at the Institute for Government that partly addressed this point and we had a number of ex-Ministers present, all of whom agreed that the size of the Ministry could be reduced. When I asked them, “Roughly by how much, in your experience, do you think it could be reduced?” they volunteered the answer, “At least a quarter.”

**Lord Norton:** To add a postscript, Professor Hazell was taking about the proportion of Ministers to the Chamber. If you expand that to what is referred to as the payroll vote—in other words, including PPSs, those who are not formally part of the Government but are none the less treated by the Ministerial Code as virtually being part of it for voting purposes—it actually becomes one in five.

**Q105 Charlie Elphicke:** Very briefly, can each of you give an example of a particular Ministerial post you think should just be axed?

**Professor Hazell:** At the seminar last night, we had a former Secretary of State who was interested in this issue and he had made inquiries in his own Department—where he had four junior Ministers—of how many there had been a generation before, and the answer was that there had been two, and his officials said that the Department had run equally well. I think it is particularly at the junior Ministerial level that there are probably elements of redundancy and we know from some Ministerial memoirs that they have sometimes felt pretty spare. Picking up on Philip’s point, I think a strong axe should be taken to Parliamentary Private Secretaries. I believe that under the new Government there are now 46, which I think is a larger figure than we have ever had.

**Chair:** 47.

**Professor Hazell:** These clearly are payroll vote figures. So far as I’m aware, they do very little. It should not be forgotten that a former Chairman of this Committee was a PPS for a year early in the Blair Government in the late 1990s. I think he found he was given almost nothing to do.

**Q106 Mr Walker:** Can I just say they do something that is very important, and that is fill up the Ministerial water jug during debates. Let’s not be too dismissive of PPSs.

**Peter Riddell:** Can I give an example? I have the list in front of me. BIS has four PPSs; DECC, a Department that was created purely to give a job to Ed Miliband, has now three PPSs. You go through it and it is purely a patronage thing. We could easily have many fewer PPSs. On the individual Departments, I think you would have to do a kind of Treasury spending exercise; perhaps Francis Maude, in his role in charge of headcounts, might do it when you go through Departments. However, I have found—it is very interesting talking to senior civil servants as part of the work I have done at the Institute for Government—that quite a lot of them consider that they certainly have too many Under-Secretaries and they could normally volunteer at least one. Partly it is also to do with where Lord Norton is a specialist: how you deploy some of the Whips. The Whips in the Lords handle debates and there is an interesting example: why can’t some of the Commons Whips handle some of the debates in Westminster Hall, because they are allocated to Departments?

**Q107 Chair:** Can I just press you on the PPS question? How do you define a PPS legally? How could you create a statutory limit on PPSs?

**Peter Riddell:** Well, they are all announced now. It used to be, as you well remember, very difficult to get a coherent list of them. No. 10 has now put one out. It could be put in the Ministerial Code. There is a limit on—

**Chair:** They are subject to the Ministerial Code.

**Peter Riddell:** No, the numbers I meant could be subject to the Ministerial Code. After all, there is a limit—in many respects. I regard it as a misguided limit—on the number of special advisers. There is no reason why you can’t put a limit on the number of PPSs.

**Lord Norton:** You are correct: you can’t do it by statute because there is no statutory provision. This is an unofficial arrangement, a private arrangement as Clement Attlee described it. It would have to be dealt with through the Ministerial Code, which at the moment is used in such a way that, as I mentioned in the memorandum, gives it to the Government both ways because the PPSs are treated by the Ministerial Code as part of Government for the purposes of voting, but are treated as private Members for the purpose of sitting on Select Committees.

**Q108 Chair:** If I may just press the point, for political purposes they are a vehicle for encouraging the hope of higher office among Members of Parliament and, as you say, they are not statutory. How can you regulate the ambition of individual Members of Parliament, because this could easily be converted into some form of unofficial patronage, in which case it would be outside the scope of any rules or any code?

**Lord Norton:** Absolutely. You can’t do it by statute; you need to change the culture through the code or you have to persuade the Prime Minister to have fewer to stop PPSs being on Select Committees so you actually encourage Members to think about an alternative career structure. You can’t do it formally, but I think you can change the culture. If I could just add in response to Mr Elphicke’s point about—

**Chair:** He is leaving for another Committee.

**Lord Norton:** But I’ll get it on the record. He was asking about getting rid of and identifying particular Ministerial posts that would go. I would start off slightly differently. Rather than saying, “That posts goes,” I would start by looking at the tasks fulfilled by Ministers and seeing whether they’re necessary and, if they are, whether they could be reallocated and, picking up Peter Riddell’s point, for example, be undertaken by Whips, so that you actually make use of those to a fuller extent and reduce the size of the Ministry.
Q109 Robert Halfon: Going back to your point about PPSs and the payroll vote, if you look at the list of those who were made PPSs, I suggest the majority of those people would probably always vote with the Government anyway and so, de facto, are on the payroll vote. It could be argued that they have been made PPSs for other reasons.

Peter Riddell: Yes. I think there is a difference between informal and formal. They have to have now, otherwise they get the sack. You’re quite right: I have the list in front of me and I accept exactly your point of political analysis. That is also true of a lot of people, and other MPs. After all, MPs normally do support their own party; that is why they are in the party.

Q110 Chair: I can see quite a number on that list who have been tamed by being made PPSs.

Peter Riddell: We could have quite an interesting discussion going through the list, Mr Chairman. You’re right. However, this puts on a formal limit. The other thing it has—it is very relevant to this Committee—and one of the depressing things I found is a number of MPs of the new generation who were appointed to Select Committees in July and no sooner were they on than they were appointed PPSs. These were actually rather good people and I felt slightly depressed that they felt, “Oh well,”—immediately at the sniff not even of power, but of the possibility of power—“off we go from a Select Committee.”

Q111 Robert Halfon: I actually very much enjoy being on this Select Committee, you’ll be pleased to know. The second point I wanted to make is on a cut in the number of Ministers. Wouldn’t the answer really be to get rid of Departments and therefore you could merge Business and Skills for example. I have never understood why there needs to be a separate Department. Why can’t you just merge Departments with other Departments and that way you guarantee the cut?

Lord Norton: Yes. It is a reversion to the old status. We certainly recommended one PPS per Department under the control of the Secretary of State. You are quite right: then there is some status attached to it and I think it meant more, whereas now it is diluted through quantity.

Q112 Robert Halfon: Which Departments would you think you could abolish now without a problem?

Peter Riddell: There is a slight problem, which is the existence of the coalition.

Chair: Again, we are going to come to that later.

Peter Riddell: If you look, for example, at the spending review, it is very difficult to see the long-term survival of Culture, Media and Sport, certainly post the Olympics. Post-2012 there isn’t very much for it to do and it could be easily absorbed elsewhere. The other things, ultimately, are the three territorial Departments. It is in the files in the Cabinet Office to be done. There is always a good political reason not to do it. We have elections in Scotland and Wales so you don’t do it then, and no doubt there are political reasons with the Liberal Democrats, and no doubt in Scotland as well. Ultimately you could do that; there is no serious argument for keeping them separate.

Lord Norton: It almost happened in 2003 and the only reason it didn’t was because they realised the Secretary of State for Wales was mentioned in statute so they couldn’t do it overnight, otherwise it may have happened. From the point of view of functions, there is no reason why you shouldn’t have a Department for Constitutional Affairs covering the different parts of the United Kingdom.

Q113 Mr Walker: Just a brief question on PPSs. Lord Norton, you did a report for William Hague in 2000. Did you not recommend then that only Secretaries of State should have a PPS?

Lord Norton: Yes.

Q114 Mr Walker: So it actually meant something being a PPS as opposed to something that’s handed out like sweets.

Lord Norton: Yes, it is a reversion to the old status. We certainly recommended one PPS per Department under the control of the Secretary of State. You are quite right: then there is some status attached to it and I think it meant more, whereas now it is diluted through quantity.

Q115 Mr Walker: One last question on that. We have lots of very keen new colleagues who are going to go places, but when they were made PPS to a Minister of State, they sent us all letters saying, “I’m now PPS to this Minister, and if you have any questions about the work of the Minister or the Department please come and see me.” Why would we waste our time seeing somebody who has been here for six months when we could just go and see the Minister? A lot of them do seem to be make-work jobs, to be perfectly honest.

Lord Norton: Indeed, and you are quite right in the sense that it is an inverse pyramid in that those at the bottom are very keen for people to come and see them. Whereas those who actually want to influence the Government will go towards the top of the pyramid. I would start there.

Q116 Mr Walker: We see them most nights in the Division Lobby.

Lord Norton: Indeed. As I say, they are treated as part of the so-called payroll vote, even though they are not paid. The jobs worth vote might be a better characterisation of it. That strikes me as one of the reasons they are brought in—to give them a sense of worth, but also to make sure that they are available when the Government needs them in the event of a tight vote.
Q117 Mr Walker: Just very quickly to finish on and to pick up Peter Riddell’s point, I, too, was deeply distressed to see people coming off extremely good Select Committees not to become PPSs to Secretaries of State, but to become PPSs to Ministers of State. For example, people coming off the Defence Committee when we were just about to have a defence review and people coming off the Treasury Committee when we are in the midst of an economic recovery. It was extremely distressing to see people thinking that being a PPS to a Minister of State was somehow more important than exercising their judgment and expertise on a Committee of the House.

Peter Riddell: Absolutely. Also, on all sides, at a time when there is a pruning back of the cost of politics, even though there is no cost in that, and the scrutiny role of Parliament is supposed to be strengthened, this shows that the Executive likes to behave like the Executive as always.

Q118 Chair: Is anybody in any disagreement with this? Could too few Ministers do harm to the administration of government?

Peter Riddell: I think the key point is function as Philip Norton said. We’ve been doing a study at the Institute for Government on what makes an effective Minister and one of the interesting things to come out of that study is, you talk to people who have been Ministers and say, “Could you have spent your time more usefully?” they virtually all say, irrespective of personality or other difference, “We spent far too much time seeing lobbying groups and we ought to have spent less time doing that and more time in the Commons.” There is always a danger of the Civil Service believing that, when Ministers spend time in the Commons, unless they are taking a Bill through or answering questions, they are wasting their time. It is very revealing that one of the shrewdest politicians, Alan Johnson, always used to come over here for lunch when he was Home Secretary, sometimes as a surprise to the Home Office and Civil Servants, he was actually doing his function as a political one. Also, on speeches and meeting lobbying groups, most Ministers would say they could cut back sharply, but civil servants fill the diary.

Q119 Chair: Conferences?

Peter Riddell: Yes.

Q120 Robert Halfon: Do you think that there should be a time limit or a time in which new MPs should be appointed PPSs or recommended, because some of us have been appointed very quickly? Would you recommend a certain period to learn in Parliament before that appointment happens?

Chair: Anybody?

Peter Riddell: I think you could only do a voluntary thing of at least 12 months. You can’t do anything more than voluntary for the reasons Philip gave—self-denying ordinance.

Q121 Robert Halfon: Obviously the Prime Minister has the patronage over who becomes a PPS, but do you think Ministers should have more say on which PPSs they particularly want? As I understand it, with the current crop, for the most part, apart from a few exceptions, Ministers were just told which PPSs they were given as opposed to—

Chair: And special advisers.

Robert Halfon: And special advisers.

Peter Riddell: It is up to the personality of the Minister, isn’t it, and how strong they are.

Lord Norton: It certainly was the case that it was the senior Minister who was responsible for the appointment of PPSs, subject to the approval of No. 10.

Q122 Chair: Do we know why Mr Gove doesn’t have a PPS?

Peter Riddell: I think he does, doesn’t he? Yes he does.

Chair: He does? I beg your pardon.

Mr Walker: But a lot of Ministers of State were quietly complaining that they didn’t want a wretched PPS because they would have to keep him or her amused and busy, which meant more work for them in reality. It’s a bit like having a work placement.

Q123 Chair: I think we need to move on from the influence of the payroll vote on Parliament. May I ask a preliminary? A lot of this debate turns on an understanding, or a misunderstanding, of the British constitution going back to Montesquieu and the separation of powers. Is this about the separation of powers? Does Parliament work if the Executive is fused with Parliament?

Lord Norton: The Government is drawn from Parliament; it is still separate. It is a parliamentary system, and in parliamentary systems the Government is drawn through elections to the legislature. You are going to have Ministers within the Parliament; I think there are certain benefits to Parliament from that. There are benefits to Government; there are benefits for Parliament. There is a problem if it becomes a too large a proportion of the House. In 1950, the payroll vote—Ministers plus PPSs—was about 15%; now it is just over 20%. You are getting to the level where it is probably becoming something of an imbalance. It is a fundamental point because you have Government as Members in the Chamber, when that very same Chamber is there to subject that Minister to critical scrutiny. You need to have a sufficiently large number of Members who are willing to question Government and ultimately, if necessary, to say no to Government and be in a position to make that stick.

Professor Hazell: I would only add that greater separation of powers—that is, excluding Ministers from the legislature—doesn’t necessarily strengthen the legislature. In those European countries where they adopt that practice—the best known is France—the Parliament is not very strong vis à vis the Government. Philip made the point about how Ministers, though being Members of the legislature, can in some ways be more directly accountable to it, and Peter has already given an example of how accountability is not just formal accountability, answering questions at the Dispatch Box or taking Bills through Parliament; it is also informal accountability such as Alan Johnson coming over to the Commons for lunch. You will all know that, when
you want to talk to a Minister, sometimes the informal forums—when you’re waiting to vote in the Division Lobby and such things—can be as important as the formal parliamentary occasion.

Chair: It is why we don’t want push-button voting, for example.

Mr Walker: Absolutely.

Q124 Chair: Is the language of separation of powers useful to help us understand the relationship between the Executive and Parliament, or should we jettison that concept?

Lord Norton: I regard it as a misleading concept because when we refer to separation of powers it usually doesn’t mean separation of powers; it means separate election of the Executive and the legislature. There is an overlap of powers in those systems, the same as there is here. I talk about separation as seeing the Government as distinct from the House of Commons, even though part of the House of Commons forms the Government.

Peter Riddell: I think it is a question of balance. I agree entirely with what Philip said, but I think it is a question of balance and the balance has gone out of kilter. That is what we are all saying. The increase in proportion of what you’d narrowly define as Ministers, including PPSs, has got too great. That is what we are saying. The balance has gone wrong and we need to bring it back, but not going to the constitutional extent of separation of powers. I know there are some people who argue we ought to move, but that does involve separate election.

Q125 Chair: So actually, we are just talking about undue influence of the Executive.

Lord Norton: Yes.

Q126 Chair: And you would all agree with that? Are you happy with that Charlie because I know you are a champion of the separation of powers?

Mr Walker: I am. I would like to ask one last question; I know there are colleagues who have been here all session. I think this coalition Government is doing a lot of good.

Chair: We do come to the coalition question later.

Mr Walker: I am just coming to the question I want to ask. It is doing a lot of good. I don’t want to be seen to be churlish, but it does seem to have a down on representative democracy at the moment. Not only are we seeing a reduction in the number of Members of Parliament by 50, but actually, if you are following conservativehome, you are seeing a number of Conservative District and County Councils volunteering reductions in Councillors at the next elections of 20% to 30%. I am quite keen on representative democracy. We are actually underrepresented in this country compared with most Western democracies. It just strikes that this is rather odd. At a time when we have put 120 unelected peers into the House of Lords over the past six months, we are not only reducing the number of MPs, but some County Councils are reducing representative democracy at a local level by 30% and justifying it by saying, “We are moving to an executive system; we need less people to run the Council.”

Chair: One sentence each please, because we are very short of time.

Peter Riddell: Very simple: I would have put a greater priority on reducing the number of Ministers than the number of MPs.

Lord Norton: I would probably agree with that; I think there is a case for reducing both.

Professor Hazell: I was going to make the point that has been made; it is ironic that the Government, which proposes to reduce the Commons by 50 members, has already increased the House of Lords by over 100 in its first six months.

Q127 Lindsay Roy: I shall forgo questions 4 and 5, because I think they have been well covered. Gentlemen, you are suggesting that the criteria to establish or determine the number of Ministers would be a needs analysis, a fitness for purpose functionality of key tasks. Presumably, therefore, if the key tasks change or the needs change the number of Ministers may change, up or down a bit. Do you agree?

Lord Norton: Yes, I would agree with that. I think there ought to be an overall limit but within that there is scope for change. Over time we do variously see some change—some go, some are increased—but yes, you need to have that degree of adaptability to meet the particular functions of government. You need to be clear what those functions are, whereas I think the number has increased, not necessarily related to the functions of government, but because the Prime Minister finds it useful to have that extra degree of patronage.

Q128 Lindsay Roy: Are there any other criteria you would use in determining the number of Ministers?

Peter Riddell: The parliamentary aspect is quite important. Clearly some Departments have got many more parliamentary responsibilities than others and you have to take that into account. It needn’t be necessarily by a full Minister; that’s why we made the point about using Whips. Just to go back, I find it puzzling that when devolution came in and we had this sharp reduction in Ministers from Scotland and Wales and obviously in a more difficult way from Northern Ireland—it was more staggered—suddenly there apparently emerged a greater demand for Ministers elsewhere. It doesn’t work like that. Obviously, Northern Ireland showed in the 1970s when the Department was created and when direct rule was imposed that, clearly, there had to be a Minister to do it, but those things are pretty exceptional.

Q129 Lindsay Roy: There seems to be some kind of compensatory principle here.

Peter Riddell: It was a compensatory principle plus. That was the worst thing. It wasn’t just that several were replaced; it was 15.

Q130 Robert Halfon: Can I just ask you about the workload of Ministers? I know we have touched on the tasks. Can you tell me what you think of the red box system and whether you think it is efficient, because some Ministers I speak to say they’re up all
night doing it. Others say they don’t do them; they do them in the daytime. What’s your view?

Lord Norton: I think there are one or two essential points there. The point I make in the memorandum, quoting Frank Field, is that Ministers create the work to fill the time available. The other point is that it relates to the nature of the Ministers, because there is no formal training, so some are quite adept at knowing how to handle and how to manage the particular workload—how to manage the Department, including how to handle the red box. For others, there is a red box, they open it, they deal with it because it’s there. Now others, as you were touching on, don’t necessarily do the red boxes. Some Ministers have said, “I’m going to do it during the day—that’s it, not taking them—and I’m just going to focus on what is strategically important, rather than just getting through the paperwork for getting through it.” I think a lot depends on the quality of Ministers through training them in how to go about the job. I think they could do it much more efficiently and be much more in control of what is going on, rather than simply being the recipients of whatever is put in the box.

Q131 Robert Halfon: Given that the vast majority of Ministers do the red boxes, do you think that that system needs to be changed so that, rather than Ministers spending all their time in pointless meetings as ambassadors, they would have time in the day? As a new MP, most of the replies I get back from the Civil Service are often very poor and they are signed off, as you know for sure that they have not had the chance to read it properly because they have probably to sign off another thousand similar things.

Lord Norton: If I can just come back to this point about the importance of training, as I put in the memorandum, at the moment the problem with Ministers is there is a premium on their parliamentary abilities—how good they are at the Dispatch Box, not necessarily how good they are at managing the Department and, more importantly, how good they are at strategic thinking. If you have Ministers who actually understand the importance of standing back and creating time to think, “Where do we want to be in five years’ time?” and developing a strategy for delivering that, that is the sort of Minister you need and therefore that starts to put the rest of the work in context.

Peter Riddell: One qualification of what Philip said. He used the phrase “managing the Department”. I think one has to be very careful on that. I think there is a difference between setting objectives for the Department and making sure they are followed up, and actually managing. With very few exceptions, most of you don’t have much experience of running large organisations, and that is one of the big changes. I think that one of the things when you look at Ministers and talk to them about how they use their time, most of them haven’t been used to operating big organisations and that is quite a problem. I agree entirely: one of the things in the Institute for Government report that we will be recommending is proper induction and training merely to handle the workload. We had two seminars at the Institute at the end of September with a total of 30 to 35 Ministers over two morning sessions discussing how to be most effective. The red box issue came up, and also the other issue that came up was quality of correspondence. I think there is a broader educational point there on literacy, even of the very bright civil servants and their ability to use grammar, but that is a separate issue for the Education Committee. It is actually one that irks a lot of Ministers. A lot of it is to do with use of time, and because you are independent agents as MPs, very few of you have worked in situations that have required the management of time that a Minister requires.

Q132 Robert Halfon: The culture—it is not just a question of whether or not MPs know or are good users or managers of their time. Having been a politics student and read all your work about what happens with red boxes and so on, and how they put the hard stuff at the bottom and so on and so forth, surely the culture of the Civil Service is red boxes and surely the only way that will change is if it is revolutionised and the work is no longer given out in this way.

Lord Norton: I think that comes back to the Minister knowing what he or she wants in terms of giving direction as to what should go in the box. That means you have to have a clear view of what you want to achieve. What is important? What is not important? I think that then flows from that, so, if you like, it is the culture from the top down in order to achieve that. I think that is the crucial dimension. I may agree with the point you are making, but if the Minister says, “This is what I want done, and how I am going to do it,” that is the important thing.

Professor Hazell: Two points about culture. I was myself a civil servant for 15 years in the Home Office and the first point I would make is that what Ministers do varies enormously between Departments and between Ministers in a Department. In the Home Office, we always had two junior Ministers who did huge amounts of casework, one on immigration and the other on prisoners and parole. This brings me to my first point about culture. When you as Members of Parliament write to a Minister, you expect to get a reply from the Minister. That is part of the Minister’s workload, and on immigration matters, the junior Minister in the Home Office used to be the one who had these red boxes. He has trolley loads of files that are taken to his office every day, and his private secretary effectively chains him to his desk and he is not allowed to go home until he has done that day’s casework. Those are probably untypical Ministers in doing such a big volume of casework, but that is part of Ministerial load.

I think the second point to make about culture is that if Ministers are not to do some of things that we have been discussing, which arguably they should not—like meeting so many delegations from interest groups and trade bodies and the like, or going to conferences to give speeches—those invitations will continue to come in and those bodies will expect a Government figure to go and address them. Who should that be? Instead of a Minister, it could be a senior civil servant, but then the world out there needs to accept that a senior civil servant isn’t necessarily second best, giving the speech that he has probably drafted or signed off, in the place of the Minister.
Chair: Or a PPS or a Whip.

Professor Hazell: Indeed. That brings me to my other point about the culture here in terms of answering Adjournment debates or whatever it may be, or debates in Westminster Hall, and whether you would be willing to accept that sometimes it would be a Whip responding to those debates, rather than a Minister. The cultural change has to happen not just in Whitehall, but in those bodies out in civil society and also here in Parliament that have dealings with Whitehall.

Q133 Robert Halfon: When you look at the newspapers and they are asking whether a Minister does well or is judged on good performance, they always say, “That Minister is known in Whitehall for doing his red boxes.” I remember there was a female Minister in the last Government who was criticised because she had a family and because she allegedly didn’t do her boxes, and it always seems to be judged on whether people do their red boxes or not and surely that’s wrong. Surely the role of Ministers should actually be ambassadors, going to conferences, being the face of the Government, not sitting in their offices doing paperwork that could be done by civil servants.

Professor Hazell: But Ministers can, if they are firm with their private office and with their staff, control what is in the red box. When they have a sense of what is coming into it as the daily diet, as it were, or the nightly diet, they can say, “I don’t want any more of this kind of correspondence.” I think throughout Whitehall there need to be clearer lines and levels of delegation, because if the Minister is saying “I don’t want to see this kind of stuff,” he is in effect saying, “I don’t want to make the decisions any longer on this kind of stuff.” There then needs to be a dialogue with the officials in which they agree what the level of delegation is as to who will make that decision.

Lord Norton: May I respond on that? There is a fundamental point about how we should see Ministers and how Ministers should see themselves, which comes back to my point about strategic thinking. A Minister should not be assessed in terms of whether they do the red box or indeed whether they are very good at giving speeches to different organisations. They should be assessed in terms of the effect they have—what are they seeking to achieve in that Government role and have they achieved it or not?

That is the fundamental thing. That is to do with effect. A part of the culture here limits it because Ministerial success—this is how Members tend to see it as well—is in terms of whether you get a Bill through, not necessarily what consequence the measure has. We are only now coming round to getting the need for post-legislative scrutiny. I think there needs to be fundamental re-evaluation of the purpose of Ministers.

The other point I was going to make, which relates to the point, is that there does seem to be a culture here—it tends to be a feature I’ve noticed of Members and therefore perhaps it percolates up to Ministers—of not being very good at saying no. Mr Walker: We aren’t either.

Peter Riddell: Can I just take on a point that was touched on, which is the lack of proper development and induction? You suddenly become a Minister and from day one you are expected to be all singing, all dancing. There was a little bit of induction at the beginning of the Government and we have done quite a lot with the Institute for Government subsequently, and we will carry on doing that, which is better than nothing. However, the other thing is appraisal. This is one of the interesting things from talking to a lot of Ministers. You mentioned when they are written up in the paper. I used to do that when I was a journalist, until July, and you do things before reshuffles, but that is often the only time when people hear on the grapevine or you hear talking late at night that “X is on the way up,” or “Y, I’m very sorry, it’s all over.” No one tells them until they get the phone call from the Prime Minister or the Chief Whip, or more likely the Chief of Staff to the Prime Minister. One thing is quite desirable. Ministerial life, in a curious way, is rather lonely. They are on their own. Every other organisation would have some system of appraisal that would help people improve a bit, rather than this rather arbitrary one. Permanent Secretaries do notes before reshuffles.

Chair: We must move on I am afraid, but thank you very much. Mr Walker.

Q134 Mr Walker: I will just agree quickly with Lord Norton. I think we might be at the root of this inflation because we as Members of Parliament are hopeless at saying no to our constituents. Lots of what comes across our desk is important, but a lot of it is just rubbish that people should sort out themselves, but just to stop us disappointing our constituents we send it off to the Minister and expect an answer. I think we are part of the solution to this. Very briefly, I think you might have touched on this earlier: we have seen a large amount of devolution—Scotland, Northern Ireland, Wales—yet we still have two Ministers for each of these Departments. Why is that the case? Is it because we want these countries to feel important to us, which they are, or is it because we really just want to have additional places round the Cabinet table?

Lord Norton: I don’t think they are mutually exclusive. I think it is a combination of the two things, even though I think there is a recognition that there is a need for fewer Ministers. When I chaired the Constitution Committee in the Lords we did a big report on devolution and recommended that those Departments should be merged.

Q135 Mr Walker: Into what Department?

Lord Norton: Well, effectively, a Department for Constitutional Affairs, which would cover the different parts of the United Kingdom. There is no reason why you need this separation because most of the relationships with the different parts of the UK are with the subject-specific Departments, not with the Scotland Office or the Wales Office. There is no reason why they shouldn’t merge. It almost looked as if that would happen until, as I say, it was discovered that the Secretary of State for Wales is mentioned in statute, so you can’t do it overnight.

Peter Riddell: I would entirely agree with that. It is a combination. There is never a good time for it, which is often the greatest obstacle in politics. There is the
additional complication with the coalition and the structure of it.

Q136 Mr Walker: If you merged it into a Constitutional Department you would have one Secretary of State and one junior Minister, so you would shed four Ministers straight away. Would that be how you see it happening, Professor Hazell?
Professor Hazell: Symbolically, you might want to have two junior Ministers so that there was still someone nominally from Scotland, Wales and Northern Ireland. The political fear that has prevented this reorganisation, which has been mooted for the last 10 years ever since devolution came in, is the fear of offending national sensitivities. The difficulty, since Wales has generally been used to having a Secretary of State from Wales, Scotland from Scotland and so on, is, who is going to be the head of the Department and will Wales, Northern Ireland and Scotland still have their voice?

Q137 Chair: Would you accept the argument that Northern Ireland is a special case?
Professor Hazell: It certainly was a special case. It is much less so now since the devolution of policing and justice.
Chair: Don’t think the Northern Ireland Secretary would say that.
Professor Hazell: The Northern Ireland Office is now very much smaller than it used to be. It is now much more on all fours with the Wales Office and the Scotland Office.

Q138 Mr Walker: Do you think it would have happened if the Conservatives had won a majority at the general election?
Professor Hazell: I don’t know. I do know that successive Cabinet Secretaries have put this forward as a recommendation to incoming Prime Ministers, ever since 2001. I don’t know what was recommended in 2010.

Q139 Mr Walker: Final point, Chairman. If it is about offending people, we have only one MP in Scotland and we haven’t any in Ireland, so the only people we would be in danger of offending is Wales, where we have eight Members of Parliament.
Chair: I think that is not entirely relevant.
Professor Hazell: I am looking at Mr Mulholland. Given it’s a coalition, I think the Liberal Democrats might have a different viewpoint.
Mr Walker: That’s what I thought.
Chair: Mr Mulholland, do you want to make a comment?
Greg Mulholland: You’re absolutely right.

Q140 Lindsay Roy: It was to follow through the theme in terms of effectiveness because I don’t want to divert, I think what you are suggesting is cultural change. I was very interested in the work that you have done with new Ministers in terms of managing time, managing workload. Is not the key to this some leadership training and strategic thinking and empowering other people and ensuring that appropriate delegation occurs?

Peter Riddell: Absolutely.
Lord Norton: I agree with that. That was the point I made about the questions I’ve talked about the training that is available to Ministers. If you look at the answer there, it is not just the limited number of Ministers who have it, but the type of training that is provided. I absolutely agree with the thrust of your question.

Q141 Lindsay Roy: Are there then plans to take this forward in a different dimension and have you had any discussion with Ministers about this? Is there any opposition that this is a very paternalistic approach to Ministerial responsibility?
Peter Riddell: At the Institute for Government, we worked with the opposition parties before the election. We did quite a lot of work via Francis Maude. We did less work with the Lib Dems. I think the Lib Dems were less anticipating the future role. We are intending to do work with the new opposition, probably starting next year. We are already doing work and we are in consultation with Ministers and senior civil servants on this point.

Q142 Chair: But the point you’re making is, better Ministers could mean fewer Ministers?
Professor Hazell: Absolutely.
Peter Riddell: Absolutely.
Lord Norton: Yes.

Q143 David Heyes: On the general theme of smaller numbers of underemployed junior Ministers, is there not a need to make an exception from that argument in the context of the coalition Government? We have already mentioned the workload, particularly I think on Liberal Democrat junior Ministers, who have an overarching need to monitor the work of the entire Department, as well as a particular brief. Is that not an argument for more junior Ministers in the present context?
Professor Hazell: Broadly speaking, it has to be proportionate to their strength in the House of Commons. Suppose at the last election, the Lib Dems, instead of winning nearly 60 seats, had won only 30, but they had still been invited to form a coalition, we would have expected them to have roughly half the number of Ministerial posts that they have. Already they don’t cover all Whitehall Departments; I think there are five Departments where there is no Lib Dem Minister. In my scenario, there would be at least half the total number of Whitehall Departments where there was no Lib Dem Minister. In other countries where they have coalition government, it is not uncommon for one of the coalition partners to be quite small and therefore to be represented in very few Ministries. So simply in terms of the way coalitions are formed, roughly in proportion to their parliamentary strength, you can’t ensure that the junior partner has this kind of comprehensive coverage.

Peter Riddell: I think the issue there is partly one of rigidity because everything is carefully allocated and carefully balanced. It is quite easy for a Prime Minister, if there is a reshuffle under a single-party Government, to move people around. When you have
a coalition, it is formally in the agreement that everything has to be done with consent, both in terms of allocation of posts and allocation of people, so it imposes a rigidity. I think it is possible to make better use of existing numbers—for example, using Whips in the Commons and Lords from the Liberal Democrats in Departments where there aren’t formally Ministers. I think more can be done by that. Changing the roles of the Commons Whips could achieve some of that. Yes, it is a factor against reduction, but you could deal with it if there was more imaginative use made of the existing payroll.

**Lord Norton:** I was just going to reinforce that with two points. One draws on coalition theory, which suggests that if there is a balance in terms of the parties proportionately, that underpins the stability of the coalition. The other point is if you had one Lib Dem in every Department, I think the danger is that would encourage departmentalism, that sort of isolation of Departments. I think it is better to have more cross-Government dialogue and, as Peter Riddell says, as we have in the Lords, where you have Liberal Democrat Whips who are answering for different Departments.

**Q144 David Heyes:** But isn’t it the case that the Institute for Government are recommending that there should be a Liberal Democrat junior Minister in every Department? There seems to be some disagreement between you.

**Peter Riddell:** No, there isn’t really because if you used the Whips you would achieve that objective.

**Q145 David Heyes:** These underemployed Whips who don’t whip—where does the evidence come from that Whips are underemployed and could be used in this new role?

**Peter Riddell:** I am not saying they are underemployed.

**David Heyes:** My Whip always seems to be particularly busy.

**Peter Riddell:** But Whips are allocated to Departments. You could get to a position whereby a Lib Dem Whip was attached to a Department where there wasn’t a fully fledged Minister, so there would be a Government spokesman. I think that I am saying is you could reallocate. I am not saying they are underemployed, but given part of the Whip’s job is to deal with a particular subject area and a departmental area, you could use that. You could reallocate them, without increasing the size of the payroll vote or anything like that, in a slightly different way.

**Q146 David Heyes:** What, by taking jobs away in this coalition from Conservative junior Ministers?

**Peter Riddell:** No, not at all. I was just saying if you have a Department where there isn’t a fully fledged Minister, why not have a Lib Dem Whip to cover that Department, maybe answering Westminster Hall and also ensuring there is a coalition viewpoint from every Department. It wouldn’t involve taking jobs away from Tories or anything like that; it would be a redistribution of where people are.

**Q147 Mr Walker:** How many Whips are there?

**Chair:** Mr Walker.

**Mr Walker:** Sorry, how many Whips are there?

**Chair:** Mr Walker, please.

**Mr Walker:** Sorry, just how many Liberal Democrat Whips are there?

**Chair:** No, Mr Walker, please. I am chairing this meeting. Have you finished Mr Heyes?

**David Heyes:** Yes, I have.

**Chair:** May I just ask, would it be an advantage to hold Whips to account by making them explain on the record why people should vote for the Government’s measures, rather than shielding them from cross-examination?

**Lord Norton:** Surely that is the task of Ministers in bringing measures forward to justify why you should vote for them.

**Q148 Chair:** But Whips get up to all sorts of activities that they never need to explain and they are never questioned about.

**Lord Norton:** I am not sure how you can formally get them to answer for the particular way they are going about it.

**Q149 Chair:** But it would be interesting wouldn’t it?

**Lord Norton:** Oh yes, fascinating. A study of the Whips is something I have written about. I am not necessarily sure you would get them on the record.

**Q150 Chair:** Mr Riddell, can I just challenge you on this idea that, just because we have a coalition, we need more Ministers. Is that what you’re saying?

**Peter Riddell:** No, I am saying it is harder to reduce when you have a coalition. Actually, the—

**Q151 Chair:** But that is just about the Coalition needing to spread out the spoils of office among two groups instead of one.

**Peter Riddell:** No, it’s to ensure that every Department ensures that the coalition’s viewpoint is heard. That’s what I’m saying.

**Q152 Chair:** In a two-party system, or broadly a two-party system, parties are coalitions. A Government has to represent the left and right of the party across the Government just as much as a coalition, so the coalition is a bit boarder, that’s all.

**Peter Riddell:** No, because there is a rigidity in it. You are absolutely right, as you well know from your long experience, Mr Jenkin, that all parties are coalitions, but if it is a single-party Government it is done informally. It is now very formal. If you look at the coalition partnership agreement, it says that any change, either in which Ministers are allocated to where and in the personalities, involves the DPM as well as the PM. That introduces a rigidity. I stick to everything I said earlier about reducing the number of Ministers. All I am arguing is that with a little more imagination you can meet the requirements of the coalition and get your fewer Ministers, but it is harder than it would have been because of the rigidities of the coalition agreement.

**Q153 Chair:** Professor Lord Norton is indicating assent.
Lord Norton: Peter is absolutely right—there is that rigidity in the coalition agreement that you don’t get otherwise. There is no formal agreement on how many members of the Cornerstone group should be in particular Departments.

Professor Hazell: I agree as well. I would only add that, given the need in any coalition for the coalition partner to be consulted across the board, and sometimes that is difficult for the junior partner because their number of Ministers will be limited, there are other ways of trying to ensure that consultation—for example, by having slightly more special advisers.

Peter Riddell: Could I just answer Mr Walker’s quiet intervention? He asked how many Whips there are. There are two Lib Dem Whips in the Commons, three in the Lords, so you could—

Mr Walker: So the numbers add ups.

Peter Riddell: Yes.

Chair: Was that your question? I apologise for preventing it.

Mr Walker: I apologise for being so pushy.

Chair: That’s all right, I’m used to it.

Q154 Greg Mulholland: I believe there are three Liberal Democrat Government Whips in the Commons, including the Chief Whip and two juniors. Just a point of correction.

Chair: Well, you should know.

Greg Mulholland: Unless they are fibbing to me, or hiding. I generally don’t listen to them anyway. Can I just go back to the discussion we had about reducing the Ministers? We haven’t really touched on the different ranks of Minister: We have talked about the PPSs, but we of course have Minister of State and Parliamentary Under-Secretaries of State, or PUSs as they are sometimes called. It strikes me that some of the functions of the Parliamentary Under-Secretary of State are what PPSs actually do now. Historically, perhaps those roles of assisting with questions and so on were carried out by the junior Ministers rather than PPSs. Do we need those two different ranks of junior Minister?

Professor Hazell: I am not sure that we do and I think probably that Parliamentary Under-Secretary might be the rank that would go if you wanted to rationalise a bit.

Lord Norton: In the Commission to Strengthen Parliament, what we recommended was a cap on the number of Cabinet Ministers and then a cap on the number of junior Ministers. I take Robert’s point: there is probably a political advantage in the current hierarchy because you move up—Parliamentary Under-Secretary, Minister of State. Then, in terms of the administration of government, I would probably agree with Robert, because the danger is that if you are styled Parliamentary Under-Secretary of State, perhaps you are not going to be taken that seriously by officials as if you have the rank of Minister of State or Secretary of State.

Peter Riddell: I would retain the three levels, partly as career progression, but I would have fewer at the two bottom levels and fewer at the top if you reduce the number of Departments.

Q155 Greg Mulholland: Do you think they have clear, distinctive roles—the Ministers of State versus Parliamentary Under-Secretaries of State? Is there a clear job description for one as opposed to another or do they end up overlapping to a great extent?

Peter Riddell: It depends entirely on the Department. To go back to Robert Hazell’s earlier point from his Home Office experience, it varies enormously, also on personality. Some Ministers in the current Government have enormous portfolios, rather larger than one or two Cabinet Ministers do, and it varies considerably. In other cases, it is clearly that the Department is dominated in real business as well as personality by the Secretary of State. So it varies considerably.

Lord Norton: And some of the named posts, when you think about Minister for Prisons or Minister for Sport, actually differ. Some are Ministers of State and some are Under-Secretaries.

Q156 Greg Mulholland: If we got rid of PPSs, apart from for Cabinet Ministers, presumably some of that support role could be done by the Parliamentary Under-Secretaries of State.

Lord Norton: In so far as you actually need that. I think a lot of what the PPSs do could be dispensed with anyway.

Professor Hazell: And also by the Whips. One of the main functions of a PPS is to pass on intelligence to his Minister about the mood in this place. That is also a function of the Whips.

Lord Norton: A lot of it is make-work. If I can just give a contrast with the Lords, in the Commons, the PPSs sits behind the Minister getting notes from the Box, so you need a different PPS for each Minister. In the Lords you don’t have any of that; one of the attendants brings the notes from the Box to whichever Minister is on the Front Bench.

Q157 Mr Walker: It wouldn’t be a job without that.

Lord Norton: No, that’s my point.

Q158 Charlie Elphicke: I can see PPSs have come in for something of a bad press and the image one has is of cost-free water bearers who are captured at low expense by the patronage system and become robots at their masters’ will. On the other hand, when you have a very large intake, as we have had on the Government Benches, of over 150 new MPs, is there not an argument for using the PPS-ship or role as a way of testing out unknown quantities and getting a measure as to those who may be useful and able to hold office in later times?

Lord Norton: The answer to that would be no, simply because of the expansion in numbers and you have a dilution of the significance of the PPS. When there were very few PPSs, they had a much higher profile. You knew who the PPS was and quite often they were seen as important, rather like Tam Dalyell with Richard Crossman—sort of an unofficial adviser to the Secretary of State, and quite an important one. Now the role is diluted, so we have a list of PPSs but otherwise nobody has the faintest idea who they are.

Chair: Until they resign.
Lord Norton: They don’t have that significance. I am not sure what you are training; how do you know they are going to be very good Ministers just because they are very good at carrying your bags or something? A far more productive route, which is where you want to be channelling them, is the sort of job you’re doing, because service on a Select Committee is much more visible and more productive, and I think from a parliamentary perspective it is much more worthwhile.

Peter Riddell: Can I just give an example?

Chair: Very briefly.

Peter Riddell: David Cameron always goes back to his time working with Chris Mullin on the Home Affairs Committee in his first Parliament as being very important in his development here.

Q159 Chair: Very good point. May I just move on to the question whether Ministers need to be parliamentarians? If the Government wants to have more of the ambassadorial spokesman-type decision makers in Government, do they have to be parliamentarians at all?

Lord Norton: Yes, I am against appointing Ministers from outside because I think there are benefits, not just for Government. There are benefits for Parliament to have Ministers within, and not just in terms of answerability, because you have Ministers appearing before Committees. It is the point we touched upon earlier—the sheer proximity of being available. It is good for Government because you’ve got Ministers in and they can justify what they are doing, but it is good for parliamentarians because the Ministers are present formally but also informally, and you do have that route if the Prime Minister wants to bring in somebody from outside—they can be brought in via the Lords. Then they are within the Westminster system, they have some appreciation of what Parliament is about and they are accessible, which I think is one of the key points.

Professor Hazell: It is a matter of convention that Ministers belong to one or other House of Parliament. It is not a constitutional requirement and there were occasions in the last century when Ministers served in Government without being a Member of either House. Broadly, I think I agree with Philip that it is desirable when a Minister is appointed from outside Parliament that they are then put into Parliament, and the way that it is done here is typically by putting them into the House of Lords, as has happened on a dozen or so occasions in the last 10 years. Occasionally, it is done in response to an emergency. To pick up Mr Roy’s earlier question about the need for flexibility, Lord Myners, for example, was brought in from the City at the time of the banking crisis because he was a finance expert and the Government felt they badly needed such a person to help them handle that crisis; he was immediately put into the Lords.

Q160 Chair: That’s quite an advantage of an appointed House, isn’t it?

Professor Hazell: Indeed.

Peter Riddell: Could I just pull up one brief point? The problem is Prime Ministers don’t necessarily understand the Lords at all. One of the problems with the GOATS was that the parliamentary and political role was undersold to them. They were quite often told by the Prime Minister, “You don’t have to bother with the Lords; I really want you as an expert adviser.” One of the key distinctions as between the adviser and the Minister is that the Minister has political responsibility and accountability, desirably to both Houses.

Lord Norton: If you had induction, that would be encompassed by that, so Ministers would have a full appreciation of the role. If you were thinking about Ministers not being parliamentarians and that was going to be the rule, you would then have to think through the fundamental implications that that would have for the type of person who might seek election to the House of Commons.

Q161 Chair: But it might widen the pool of talent available for Prime Ministers to appoint.

Lord Norton: Well, you can argue that it already is, for the route we have just mentioned, if there is somebody out there that you want to bring in. But there is a danger that becomes too predominant because then it does have fundamental implications for MPs.

Q162 Chair: Should there be a form of temporary peerage for such purpose?

Lord Norton: No, I don’t see why, because usually those people who are appointed Ministers have qualities to be Ministers and those qualities would justify them being a Member of the second Chamber.

Q163 Robert Halfon: In your note, you said part of the problem is that Ministers are primarily judged on their performance in Parliament. Surely the answer to this would be to appoint Ministers from outside Parliament who do more of the managerial thing, and then you get the Whips to account for them in Parliament.

Lord Norton: I don’t think that would be very popular with Members because they would want to have account and answerable to them the person actually taking the decisions.

Q164 Robert Halfon: Or you could perhaps have some of the junior Ministers?

Lord Norton: I think the answer is the Ministers must have parliamentary skills as well; there is a premium on them at the moment. My point is you need to retain those skills but need to add to them the skills you require to engage in strategic thought, to know how to determine policy within the Department, to lead the Department. I think you need that sort of balance. I don’t want to take Members from outside Parliament because I think if they don’t understand Parliament there is a problem that derives from that. I think there is a value in having an appreciation of Parliament and ideally having prior parliamentary experience because they are then sensitive to the needs of Parliament, and indeed the needs of individual Members.

Q165 Robert Halfon: In the United States they are not accountable to Congress.

Lord Norton: They can answer before Committees.
Q166 Robert Halfon: Why don’t we do that instead?
Lord Norton: There it is totally different because they are all the President’s men or women because it is a single Executive.

Q167 Chair: Is there a case for a non-Ministerial rank of senior externally appointed manager or some such?
Peter Riddell: Everyone can appoint their advisers, but that adviser role is entirely different from a Ministerial one. I think it has to be absolutely clear cut because I can see real sources of abuse there where you appoint Tsars and all that type of thing—largely ephemeral in many cases. The advantage of appointing someone as a Minister is the accountability. That is crucial.

Professor Hazell: We are doing a study on Ministers from outside Parliament and I think there are two points to make. One is that in most parliamentary systems in Europe, Ministers are appointed from Parliament. Our Westminster system is typical of parliamentary systems. There are a few European counties where Ministers can be appointed from outside Parliament, or once they are appointed they are put outside Parliament. The point to make about the first group, where they can be appointed from outside Parliament, is you were saying it widens the pool; potentially it does, but so far our research is suggesting that the kind of people who get appointed already have considerable political experience.

Q168 Chair: They are insiders not outsiders.
Professor Hazell: Well they have either served at a lower level of Government, they’ve been a city Mayor, they’ve been the President of a German Land or they have served in the party and have political experience in that way. It is quite rare for someone to be appointed as a pure technocrat.

Q169 Chair: How should we bring people into Government who have experience in big business, running big organisations, who then can run Departments because it is a very arduous thing to combine a business career with a political career, and it is increasingly impossible with all the conflicts on interest?
Peter Riddell: That is like a contemporary civil servant. If you want to run, let’s say, a particular agency. The interesting—

Q170 Chair: Isn’t one of the advantages of the American system that it breathes in and out people from other walks of life?
Peter Riddell: It is a very different culture there of people coming in and out and there are advantages in that. There are people who have been repeatedly coming in. In the Thatcher era Derek Rayner came in frequently as an adviser. The advantage of the Ministerial route is accountability. The example that we are about to see is Stephen Green, who was introduced in the House of Lords yesterday and is going to take over as Trade Minister after a rather long gap. In a sense, he will be a Minister, which is good because he will be accountable, but his real role is as a super-adviser on boosting British exports and trade.

Lord Norton: There is a fallback. Peter mentioned special advisers. They don’t just have to be political special advisers; you can appoint expert special advisers as well.

Q171 Chair: We are going to move on to public bodies now. We are running over time, but the evidence session has been fascinating and we are very grateful to you. Particularly to Lord Norton, you sit on the Lords Constitution Committee and the Delegated Powers and Regulatory Reform Committee, or you are aware of their report on the Public Bodies Bill. Can you explain to us what the Lords’ concerns are about the Public Bodies Bill?
Lord Norton: There are two: one is to do with process and one is to do with substance. Process was the speed with which it was introduced. We are taking a wary approach to those Bills that have not had the opportunity to be subject to pre-legislative scrutiny. The substantive problem with the Public Bodies Bill is that is essentially the Henry VIII provision—in other words, giving the Secretary of State power to amend primary legislation through secondary legislation by order.

Q172 Chair: Doesn’t it make sense that Government should be allowed to organise Government how it wants? We let Government organise Government Departments and reorganise the deckchairs of Government Departments willy-nilly under the Crown Prerogative. Why don’t we just give it to the Government under Crown Prerogative?
Lord Norton: Because there is a difference between Government Departments and the bodies that are covered by the Bill. Government Departments are the prerogative of the Prime Minister; he can move them around. The bodies encompassed by the Bill are not things that Government have just introduced on their own whim. They are bodies that have generally been introduced by statute, so they have been the subject of extensive parliamentary deliberation and Parliament has approved them, so Parliament ought to be given the opportunity to say whether those roles should be changed or not, rather than just saying—the chief mischief here is through schedule 7 of the Bill—“Here is a list of those bodies that, at any stage in the future, a Minister may by order move to one of the other schedules with a view to changing its functions or getting rid of it.” That would be subject solely to an order, which is subject to a short debate—no scope for amendment and that’s it. With the first order to move out of schedule 7, you wouldn’t know what the Government plans necessarily were for it until it moved elsewhere and there is a second order. Parliament really doesn’t have the opportunity to discuss it in the way it did initially when setting up these bodies. That is the problem; there is a fundamental objection to the scope of the Bill though the Henry VIII provision.

Q173 Chair: What safeguards are you recommending?
Lord Norton: A number of amendments are to be discussed this afternoon in terms of Ministerial powers. My view is to get rid of the chief mischief, which is schedule 7 rather than the other schedules, get rid of clause 11, which engages schedule 7, and get rid of schedule 7. I think the Government have now accepted that certain bodies in schedule 7 shouldn’t be there anyway, particularly those with judicial or quasi-judicial functions, because it actually interferes with the constitutional principle of the separation of the Executive from the judiciary. Some bodies will have to come out of that schedule. If you move them out, then it is even more invidious for bodies that are left in, because they will be left in a living uncertainty as to what their future is. I think that is the only way you can deal with that particular problem.

Q174 Chair: Should the Henry VIII provisions be unsuessed?

Lord Norton: That’s one option, but I don’t see why you maintain the schedule 7 provision. It is just, as far as I can, the Government being lazy because it is saying, “There are various bodies; we’ve not decided what to do with them. We’ll stick them in there until such time as we do decide.”

Q175 Chair: Or the Government should be prepared to do a Public Bodies Bill every year.

Lord Norton: Not every year. Since these are going to be reviewed, the idea was why not have a Public Bodies Bill each Parliament, and therefore that gives Parliament the opportunity to review what the Government is planning. As I say, this leaves the Government free to move forward and order, once it has decided, what it wants to do with the body. I gave the example: if you look at schedule 7, the Information Commissioner is in there. The Information Commissioner has to determine cases to which the Government is a party. The Information Commissioner might be perfectly able not to be influenced by the thought that his office is in schedule 7, but critics might take a different view because if he finds in favour of Government, critics might say, “Well he would do that, wouldn’t he?”

Chair: If he is operating under the cosh?

Lord Norton: Because he is worried that if he goes against Government, they will be moved from schedule 7 and be dealt with in one of the other schedules.

Chair: Got it. Are either of the other two witnesses burning to contribute on this topic?

Peter Riddell: No.

Q176 Robert Halfon: Do you think quangos, as they are, are accountable and democratic or are too many of them filled with party placemen?

Lord Norton: It depends what they are because “quangos” is such a generic term; it encompasses a host of bodies. If you take those with which I have been particularly interested—on the Constitution Committee we looked at the regulatory stage and regulatory bodies—the thing is they are set up by statute. There is a whole host of accountability; we refer to 360 degrees of accountability in terms of bodies to which they are answerable. Through the courts they are judicially reviewable. They are answerable to Parliament, because departmental Select Committees cover the principal Government functions and associated public bodies, so they are answerable to Parliament and they are bound by the statute that sets them up.

Peter Riddell: The Institute for Government produced a report earlier this year looking at the various types of arm’s length bodies, and the criteria, some of which the Government used, were on whether they needed to be independent, whether they provided a technical service or whether that would be provided judicially. On the nature of appointment—it goes back to the hearing you had last week with Sir David Normington, because he is now doing this merged post, as you explored—I think it is showing his accountability on what he has done on appointments. Now Ministers would argue in some cases it is perfectly justified to have sympathisers running certain bodies, but you have to be careful which bodies they are running.

Q177 Robert Halfon: Don’t you think that so many of them are just another form of party patronage and the wrong people might be appointed or appointed for the wrong reasons?

Peter Riddell: The process of appointment is now pretty rigorous. My worry is more that you can get not politically partisan people but the type of identikit type of person from a very narrow background appointed because they fit the existing criteria and the criteria of the Appointments Panel. Post-Nolan, there is a bit of sameness and a lack of adventure sometimes.

Q178 Robert Halfon: When we had Professor—I forget his name—

Chair: Flinders.

Robert Halfon: Professor Flinders before us a couple of weeks ago, he argued that quangos enhanced democratic participation. When I said, “Does that mean we should have elections to quangos to make them more democratic?” he said no. He said it should just be “do-gooders” and that quangos encourage do-gooders to participate in the community.

Peter Riddell: I think the key there is accountability, and it is up to Select Committees to make sure that they look at what the quangos are doing in the area, or arm’s length bodies, and it is up to the range of Select Committees to keep them up to the mark. Too often I don’t think all Select Committees do that.

Q179 Chair: Do our witnesses support the Francis Maude concept of accountability: a quango is somehow unaccountable or less accountable than what is contained in a Government Department, where the Minister answers directly to Parliament?

Professor Hazell: Not necessarily, no. I think every Government rediscovers the reasons for having arm’s length bodies. Those are independence, expertise, a greater commitment—including ability to commit time on the part of the board members compared with the Minister—and quangos can have a clearer strategy and set of objectives than if their function is absorbed
into a multi-purpose Government Department. As Peter Riddell has said, appointments to quangos now have to go through a much more rigorous process, which is generally supervised by the Commissioner for Public Appointments. The new mischief, if there is one—I am building on Peter’s point about the sameness of the people appointed to quangos—is that many of them hold multiple quango posts.

Q180 Robert Halfon: Don’t you think, just as we are about to move towards electing our police commissioners, that we could have more democratic quangos—that people could be elected to quangos?

Peter Riddell: I think it depends on the function. I think one has to look at different ones in different ways. You can get rid of a lot, as the Government has proposed to do—largely advisory committees—or you can merge them. I think it very much depends on function and also accountability. Election is crucial in some areas, but in other areas it is more the fact that you, as MPs, can hold them to account.

Lord Norton: I’m not sure you want to elect a Judicial Appointments Commission, for example. It really does depend on the particular body. There is a case for looking at these bodies. Particularly when we looked at regulators, we came up with the proposal—not in relation to particular regulators, because they are answerable to the respective Select Committee—to think about having a Select Committee on regulators so you could look at the totality of the operation and the impact that’s having. I think there is a value there from a parliamentary perspective.

Chair: I think that is probably us.

Professor Hazell: Whenever you propose direct election to these bodies you have to think hard what the turnout is likely to be. If it is going to be very low it may not have very much democratic legitimacy.

Robert Halfon: You could say that about any election. You might as well say that about local elections—only 30% of people go out and vote, so we might as well ban local elections for local government.

Lord Norton: You could say that about referendums.

Q181 Charlie Elphicke: Gentlemen, there are concerns raised in some quarters that quangos use public money to instruct lobbyists to press their case with Government. Do you think it is appropriate or inappropriate for public money to be used in such a way?

Peter Riddell: I think “to lobby Government” in the sense in which you define it is inappropriate. I think some of it has happened with some arm’s length bodies. There was a certain amount of lobbying of your own party before the election by people who wanted to ensure their survival. I remember seeing it at the last party conference before the election. Some of them are employing lobbyists. I think that’s inappropriate and needs to be quite tightly controlled.

Q182 Chair: Exhibition stands?

Peter Riddell: And exhibition stands, which is help in kind.

Q183 Charlie Elphicke: Would you go so far as to say in many cases it is an abuse of public money?

Professor Hazell: It is inappropriate and it should be unnecessary. Any reasonably well-run quango should have good contacts with its own sponsoring Department and with the wider political world.

Q184 Chair: Should we recommend banning it?

Lord Norton: It depends. Again, it comes back to the distinction of who’s doing the lobbying. If it is an external organisation, you could limit that by saying it’s inappropriate. You may have somebody who is in-house whose role is to explain to parliamentarians what the body is doing. It is a benefit to Parliament to have somebody there who is the link person with the organisation, but who is part of the organisation, whose task is to—

Q185 Mr Walker: Sorry, but don’t cut me off, Chairman. Why can’t the chief executive do that, because we as parliamentarians are bombarded by junior parliamentary officers and parliamentary affairs managers? Surely it is the job of the chief executive to go and make his case to parliamentarians and the board of that organisation.

Lord Norton: I should declare an interest, because several of these parliamentary officers are my graduates and are good at the task. It rather comes back to the point we were discussing earlier about the role of senior Ministers. They have to provide leadership. They are there for strategic thought. They aren’t able to spend all their time dealing with parliamentarians, I am afraid. It is horses for courses. You need members of staff who have particular responsibilities while the person at the top is doing the leading.

Mr Walker: Final point. I think we do an important job.

Chair: No, order, order.

Mr Walker: Please, please, Chairman.

Chair: No, you’ve made the point, you’ve made the point and we have to move on. It has been a tantalising session. Thank you very much for your assistance. An hour and a quarter has flown by and caused some frustration to my Committee. Thank you very much.
Tuesday 7 December 2010

Members present:
Mr Bernard Jenkin (Chair)
Charlie Elphicke
Paul Flynn
Robert Halfon
David Heyes
Greg Mutholland
Mr Charles Walker

Examination of Witnesses

Witnesses: Norman Baker MP, Parliamentary Under-Secretary of State, Department for Transport, and Mike Penning MP, Parliamentary Under-Secretary of State, Department for Transport, gave evidence.

Q186 Chair: Welcome to our witnesses. Could you please identify yourselves for the record?
Mike Penning: I am Mike Penning, Parliamentary Under-Secretary of State at the Department for Transport.
Norman Baker: I am Norman Baker, Parliamentary Under-Secretary of State at the Department for Transport, Local and Regional Transport.

Q187 Chair: Thank you very much indeed for coming and thank you, if I may say so, for volunteering to give us evidence. Our only reluctance was that, to cut to the chase, you would be required to give the Government line to take. Can I clarify at the outset whether you’re speaking on behalf of yourselves as parliamentarians or whether you’re speaking on behalf of the Government?
Norman Baker: I’m speaking for myself.
Mike Penning: And I for myself as well.

Q188 Chair: That’s very useful and we’re very grateful for that. So you haven’t been given lines to take and a briefing, and you don’t have civil servants behind you taking notes?
Mike Penning: We have to be realistic, Mr Chairman. There are civil servants behind us and every word I say will be taken down and used in evidence against me later.

Q189 Chair: I can assume that you’re going to say different things because you’re giving your own views?
Mike Penning: We are individuals from two separate parties as part of the Coalition. I think that would be the best way to describe it.

Q190 Chair: And how many civil servants have you brought with you?
Mike Penning: I have my Private Secretary with me, and similarly for you.
Norman Baker: The Civil Service have brought themselves, but I’ve one person from my Private Office.

Q191 Chair: Right, well welcome to them as well. To cut to the chase, we have some serious questions that we want to ask you, but it is realistic to assume that you’ve come to justify why there are so many Ministers and why we need to keep the present number of Ministers.
Norman Baker: I’ve come to give you an honest answer to your questions as far as I can. I’ve not come with a preconceived idea as to what line we should take.
Mike Penning: To be fair, I sat on a Select Committee myself for many years, and it is for the Committee, Mr Chairman, to decide what our evidence comes forward with. What I will be giving is an honest appraisal of the first six months as a brand new Minister in a Coalition Government and telling the Committee what it’s like. Then you can make your own decisions as to what we need and how we need them.

Q192 Chair: You must both be quite surprised that you are Ministers. Mr Penning, going back a few years, you were the press officer to the whipless MPs, during the Maastricht rebellion of the early 1990s, and you’ve come a very long way.
Norman Baker: That was a long time ago, wasn’t it?
Mike Penning: It is a huge privilege, and I have to pinch myself sometimes—not least when the Prime Minister calls you while you’re in Sainsbury’s doing your shopping to confirm your appointment. It is a huge honour and a privilege, but also a huge culture shock to come from being an Opposition spokesman to being a Minister of the Crown.

Q193 Chair: I should declare an interest. You were then elevated to the lofty heights of being press officer in Central Office and responsible to the then Shadow Secretary of State for Transport, namely myself. So you bring some experience to your present job.
Mike Penning: It all comes to those who wait.

Q194 Chair: I remember that you were also running something called the Campaign against a Federal Europe.
Mike Penning: Yes.

Q195 Chair: You used to be very interested in that issue, but you seem to have dropped that issue since you became a Member of Parliament.
Mike Penning: That issue was won, if we’re talking about the party position, and it was Conservatives against a Federal Europe.

Q196 Chair: Did you ever speak in a debate since you got into Parliament about Europe?
Mike Penning: I have spoken about Europe, yes, and continue to talk about Europe.
Q197 Chair: But you support the Government’s policy on Europe?
Mike Penning: I’m the Deregulation Minister at the Department, as well, and a huge amount of the regulation that I have to look at, after it’s come from other colleagues as well as my Department, is European legislation. I have strict instructions to the officials—that come from the powers above me—that if we have to implement, we do the bare minimum on what we have to because of the cost to business.

Q198 Chair: When you became a Member of Parliament, you quite rapidly became a Whip, so were you always ambitious to be a Minister?
Mike Penning: I have to say, Mr Chairman, I’ve never been a Whip.

Q199 Chair: I beg your pardon; I stand corrected. But you were quite ambitious to be a Minister?
Mike Penning: No, I was ambitious with such a small majority. I had a majority of 499 when I was elected in 2005; I still, to this day, think the most important job that I have is being a constituency MP. I’m a Minister of the Crown, but my role in life on this planet is to look after my constituents. I now have a slightly larger majority, which is great news for me, but this gives more credence to the fact that you need to look after your constituents.

Q200 Chair: Mr Baker, you must be even more incredulous that you’re sitting in a Government Department with red boxes and civil servants around you?
Norman Baker: It’s on the record, in fact, that I did predict a hung Parliament several months before the general election; unfortunately I didn’t put a bet on it. I also thought that the logical outcome of that, given that the Labour Party was likely to go backwards, would be a Lib Dem-Tory arrangement. In those circumstances, I took the view personally that a Coalition was the preferable option to some sort of day-to-day, mouth-to-mouth arrangement. I’m surprised to some degree, but in a sense I did anticipate that we would end up where we were.

Q201 Chair: Does that include swallowing such difficult medicine as voting for increases in top-up fees?
Norman Baker: You’ll have wait until Thursday to find that out.

Q202 Chair: So you’re not going to tell us whether you’re going to support the Government that you’re a member of?
Norman Baker: It’s a complicated issue to do with the Coalition agreement, as you know, in terms of what the Coalition agreement says about that particular issue, which isn’t black and white. There is a meeting of my parliamentary party and I will wait and see what people say at that meeting.

Q203 Chair: These are very complicated issues, particularly in the Coalition. I’m not going to question your integrity, whatever you decide to do, but you must be as surprised as anybody that you’re confronted with such a dilemma.

Q204 Robert Halfon: Do you believe the doctrine of collective responsibility is the same, given that we now have a Coalition Government, as has existed over the last 20 years or so?
Norman Baker: I believe that if you were to vote against the Government, you have to resign, if that’s what you mean.

Q205 Chair: Vote against the Government?
Norman Baker: Yes.

Q206 Chair: If you abstain, that would be classed as a resignation?
Norman Baker: I don’t know whether you want to spend a lot of time on this particular issue, which is perhaps not germane to your general inquiry.

Q207 Chair: I think it is actually.
Norman Baker: There is a Coalition agreement that says that, on this particular issue, the Lib Dems have the right to abstain, and that is particularly provided for in the Coalition agreement.

Q208 Charlie Elphicke: Just to pick up on a point Mr Penning was making, he said that he had originally got elected to the House of Commons in highly marginal circumstances. At the last general election, you said that your majority increased slightly. Would you like to tell us a bit about that?
Mike Penning: I was being slightly tongue-in-cheek, to be fair, Mr Chairman.

Q209 Chair: I’m not sure that this is within the remit of the Committee—the size of the Minister’s majority.
Mike Penning: To answer the question, I had a majority of 499. With the boundary changes, the estimate took that down to 130. I now have the honour and privilege of having 13,466, which makes for, as I said earlier on, a really difficult balance of time between being a Minister and your constituency commitments. Then of course the other strange group in this is family, which we all forget sometimes.

Q210 Charlie Elphicke: That was where I was heading before Mr Penning told us the swing, which sounds probably about the largest in the House of Commons.
Mike Penning: It was the largest swing against Labour, 14.4%.

Q211 Charlie Elphicke: How do you as Ministers—you too, Mr Baker—manage the whole issue of trying to be a constituency MP, trying to be a Minister and make decisions, and trying to spend some time with your friends and loved ones and maintain an element of normality?
Norman Baker: It’s very difficult. I have been quite surprised by the amount of work that there is to do as a Minister; if you do your job properly and conscientiously, then it does take a huge amount of time. I was actually up to, for example, 1 o’clock last night because I promised the Secretary of State a paper on something that I have a meeting with him on later on this morning, so I had to finish that and I ended up doing that last night. My normal working week would be into Parliament on a Monday morning and really not going home until Thursday evening; that does mean that constituency work is boxed into the Friday. Last week, I spent seven hours—I counted—signing letters just in the constituency when I got back to Lewes. Of course, then, as Mike says, you have to look after your family as well, so you end up with huge demands on your time. I agree with Mike absolutely that the people who employ you, ultimately, are your constituents, and we ignore that at our peril.

Q212 Chair: Would one of you like to describe a typical working day?

Mike Penning: I will if you want. It’s probably easier if I just do a couple of days, Mr Chairman.

Chair: Okay.

Mike Penning: I usually say goodnight to my wife at some stage on a Sunday night; that is usually the last time I have a face-to-face conversation with her until Thursday evening, even though we sleep in the same bed every night. My car comes for me at quarter past six and I get to the office here at the House of Commons last night until ten—then you’re in the car, going back home with the box or whatever briefing papers for today. As I say, I like sleeping in the same bed as my wife—it’s a strange thing to do—but we don’t have a conversation very often because I was home at quarter past 12 and I was back up at quarter to six this morning.

That normally happens till Thursday evening. Then, like most constituency MPs, we move into constituency mode Friday and through the weekend.

Q213 Chair: Mr Baker, do you want to add to that or does that answer do for you as well? Except you come in on your bicycle. Mike Penning: It takes probably an hour a day just to do that. I don’t mind that because when I was in opposition I used to feel that, as an ordinary backbench MP, you must have the right to contact a Minister and get a decent reply. That is part of doing your job as a constituency MP. Now I am on the other side, I want to make sure that Members of Parliament who have a query get a proper answer.

Norman Baker: Yes—a ministerial bicycle. Like Mike, it’s the same sort of schedule to some degree; he could have mentioned external visits that we do. For example, I went to open the Leeds cycle hub, which I think is an important thing for Ministers to do, because it is a vote of confidence in that mode of transport and to say this is where we think transport is going in terms of local transport. That sort of thing is important to give a ministerial stamp to. There is reading submissions from civil servants, which obviously takes quite a long time in terms of formulating and developing policy. There is then selling policy, which is equally important to get the Government’s message across, which means dealing with pressure groups, dealing with businesses, dealing with media. There is the business of the House and there is a huge amount of work to do in replying to parliamentary questions and letters.

Mike Penning: Colleagues’ letters.

Norman Baker: It takes probably an hour a day just to do that. I don’t mind that because when I was in opposition I used to feel that, as an ordinary backbench MP, you must have the right to contact a Minister and get a decent reply. That is part of doing your job as a constituency MP. Now I am on the other side, I want to make sure that Members of Parliament who have a query get a proper answer.

Q214 Chair: Do you think it is really necessary for a Minister to be at all the meetings that your civil servants arrange for you to meet with delegations and representations? It has been put to us in evidence that people are actually more interested in meeting the key officials, rather than the Ministers that come and go?

Norman Baker: Civil servants don’t arrange the meetings; the Civil Service produces a list of requests of people who want to meet you. We then say “yes” or “no” to those. I nearly always say “yes” to an MP who wants to come in and see me, because I think that is right. Sometimes I will say “no” to a group that I think is not relevant. Sometimes I will say, “You should meet officials.” I take those judgments in terms of my areas as to how to deal with those meetings. So, I don’t allow civil servants to say, “You’re in my office again for approval. That is quite frustrating, perhaps legislation that Norman or other Ministers have been putting through has to come back through the Department, which I think is an important thing for Ministers to do, because it is a vote of confidence in that mode of transport and to say this is where we think transport is going in terms of local transport. That sort of thing is important to give a ministerial stamp to. There is reading submissions from civil servants, which obviously takes quite a long time in terms of formulating and developing policy. There is then selling policy, which is equally important to get the Government’s message across, which means dealing with pressure groups, dealing with businesses, dealing with media. There is the business of the House and there is a huge amount of work to do in replying to parliamentary questions and letters.

Mike Penning: Colleagues’ letters.

Norman Baker: It takes probably an hour a day just to do that. I don’t mind that because when I was in opposition I used to feel that, as an ordinary backbench MP, you must have the right to contact a Minister and get a decent reply. That is part of doing your job as a constituency MP. Now I am on the other side, I want to make sure that Members of Parliament who have a query get a proper answer.
Mike Penning: The same for me. My diary is a difficult job for my diary secretary, particularly with my role in my constituency, but it has to be approved by me for it to be in the diary. I haven’t looked at the evidence that you’ve taken, but for a lot of people it is hugely significant to meet a Minister of the Crown and hear their points made.

Q215 Chair: It’s what we’re calling “the ambassadorial role”. You think that’s important?

Mike Penning: No. I disagree; we make decisions. In terms of the assumption that civil servants make decisions on a Minister’s behalf, I don’t know what happened in the previous Government but it certainly doesn’t happen for me. I have turned down more than enough requests from officials to do something or agree something, and that is perhaps because we’re new and we have a slightly different view. It’s very difficult for the civil servants who were working under the previous Administration and now are under the Coalition—a completely different Administration. The hardest question I always put back to them is, “Why? Why are you asking me to do that? Why are you asking me to sign that off?” That is very difficult if you haven’t been asked that question on a regular basis before.

Q216 Paul Flynn: Can you give us examples of decisions that you’ve made or changes that have happened in the past six months because Mike Penning or Norman Baker was doing the job rather than anyone else?

Mike Penning: I laid a written ministerial statement yesterday on the legislation on ship-to-ship transfers, which is obviously a hugely difficult piece of legislation. There are a lot of views on both sides and it was laid two days before the general election was called. I suspended that legislation when I first came in because I don’t think there was correct consultation. I have amended that legislation because of the consultation that I asked to take place. The civil servants probably would admit if they were here that they didn’t want it to take place, and the new legislation will be on the statute book within the next couple of weeks.

Q217 Paul Flynn: And Norman?

Norman Baker: I will give you the most recent example in my head. There has been some concern about the reimbursement arrangements for concessionary fares for the deals between operators and local authorities. I was concerned that the Government when you say something.” Therefore, there has been a degree of self-censorship outside the Department for Transport.

Q220 Paul Flynn: What decision you’ve taken or comment you’ve made are you most ashamed of?

Norman Baker: Most ashamed of? I don’t think I’m ashamed of anything yet, as a matter of fact. I think the Government’s working quite well. I am proud of the Coalition; I think it is cohesive and it works well. In terms of the Department for Transport, there is a good synergy between Ministers. There is a good ministerial team, if I may say so.

Q221 Paul Flynn: You have a whole range of responsibilities in your portfolio. How much time do you give to being a watchdog to make sure that the Conservative members in your Department don’t step out of line with the Coalition agreement?

Norman Baker: Do you want me to go there now?

Q222 Chair: We were going to come on to it. Give a quick answer now, but we are going to do a bit later on.

Paul Flynn: We are coming on to it, yes.

Norman Baker: As I said, there is a degree of synergy, so it is probably less of an issue in the Department for Transport than it may be—I don’t know—in other Departments. I don’t have a problem with any of the policies, frankly, which we’ve been advocating. In fact, I’m very pleased with them. For example, the emphasis on rail is just where I would want it to be. Clearly, there is a need to ensure that the Coalition agreement is not being broken, but the Secretary of State has said to me that he has been given the duty by the Prime Minister of making sure the Coalition agreement is delivered as far as the Department for Transport is concerned, and that’s what he does.

Q223 Paul Flynn: Michael, the first time I saw you doing your ministerial duties was at the Armistice Day service for the Merchant Navy.

Mike Penning: Yes.

Q224 Paul Flynn: I’ve never seen a Minister there before.

Mike Penning: Correct.

Q225 Paul Flynn: You don’t have a major role in that, but your presence was greatly appreciated by everyone involved. Do you think it is reasonable for you to give up a Sunday morning to attend an event like that? As I say, you didn’t have a role in it and it
is very much a minor event, presumably, compared with your ministerial duties.

Mike Penning: You have to look—I try to do this as a Minister—at "What would I like to see a Minister do if I were, for example, a representative of the Merchant Navy or the HM Coastguard?" I am the Shipping Minister. It’s a portfolio I’m very proud of; it’s a national portfolio. That day recognises those who have fallen serving their country in the Merchant Navy. I thought it was important that I was there; I thought it was astonishing that Ministers hadn’t been there before. I will freely admit that I was embarrassed that there was not a representative of the Coastguard there; there will be from now on, and I will be there each year.

Q226 Paul Flynn: Bearing in mind your constituency duties and your family duties, do you think that is a reasonable use of a Sunday morning?

Mike Penning: Yes, I do.

Paul Flynn: Okay.

Q227 Robert Halfon: You’ve both described your workload in great detail. I appreciate how hard you both work, but even if you have ten Ministers in your Department, to use a transport metaphor, isn’t it a bit like the M25: you build another lane, and it’s still full of traffic? It doesn’t matter how many Ministers you have; because of the kind of work you do, there will always be huge amounts of paperwork. Is there not, surely, a more efficient way of doing things, so that you don’t have to work until one in the morning?

Mike Penning: There are other ways of doing it. I’m lucky; I don’t get travel sickness reading or working in a car, so I spend the hour going home and the hour coming in working on my box, which means that I don’t tend to take work into my home. If a box arrives for the weekend, then I do. In the last six months, we’ve managed to get the box—this is what we’re particularly talking about—contents to a level that is really relevant. Now, I admit, early on I was saying, “What the devil is that doing in there?” But if we want Ministers to be responsible, rather than just being a mouthpiece or a watchdog, then they need to understand their brief and take responsibility and put their signatures next to documents that they’ve read and they’ve done. Now, do all Ministers do that? Have all Ministers in the past done that? I don’t know.

Q228 Robert Halfon: But do you not agree that even if you had ten Ministers in your Department, or 20, they would all come along and say exactly the same thing about how big their workload was? It wouldn’t necessarily reduce it.

Mike Penning: Honestly, before I came to this Committee I sat and thought to myself: we have a Minister of State, two Parliamentary Under-Secretaries of State and a Secretary of State.” My portfolio is hugely wide-ranging and very large for a Parliamentary Under-Secretary of State, and to take that out and give part of it to Norman and part of it to Theresa, I just can’t imagine how they would ever get any decisions made or anything done. Unless they left it to the civil servants to make the decisions, which I don’t think is the right way.

Norman Baker: I agree with Mike. I would also say, if you’re looking to make things more efficient, that the efficiency is got not by removing the accountability, which Ministers provide; it’s actually by looking at how the Civil Service works. Quite often, I get briefs that are, frankly, far too thick and unnecessarily thick. Someone has been sitting there for two days writing this, but I actually don’t need it because most of it I know anyway and the other stuff is a political judgment. I’m given speeches to read out that I don’t read out normally because they don’t sound like me or say what I want to say. What I want in terms of speeches, mostly, is a series of bullet points, if that, or even just a number of statistics and I will get on and make it, but that is counter-intuitive to the Civil Service, which likes it all settled in a nice orderly format.

Q229 Robert Halfon: Do you not think that the red box system is incredibly inefficient because some Ministers, as you say, work all night doing it. It is crazy to be looking at a red box after a day’s work. Iain Duncan Smith says he doesn’t do a red box; he just takes stuff in a plastic bag, literally, and he works on it that way. It seems to be a crazy system for running a Government.

Norman Baker: Personally, I don’t have a red box very often; on about three occasions since I’ve been appointed I’ve had a red box sent down to my home at a weekend where there has been no alternative. When I go home, I like to switch off. I don’t like to mix family life with work. Even though I don’t get home very often, I like to be home and be at home. So I tend to work in the office or occasionally my room in the House; that is where the work gets done, not at home.

Q230 Greg Mulholland: Good morning gentlemen. Norman, you will be glad to know that I won’t be asking you anything about Thursday’s vote whatsoever.

Norman Baker: Well, I won’t ask you in that case.

Q231 Greg Mulholland: I’m not saying I may not at a later or a different stage. This is particularly relevant to what you’ve said Mike; do you think that there are activities that you’ve been doing since your appointment that are not a good use of your time? You will be well aware of Chris Mullin and his book. Indeed, when he came to give oral evidence to this Committee, he said, “There is a certain amount of pointless activity that could be cut out. I think there probably has been an increase in pointless activity.” Are you doing pointless activity that could be cut out?

Mike Penning: I read Chris’s book before I was a Minister and I’ve gone back and read it since. It is perhaps being used wrongly as a reference book, rather than as a diary, as to what it was like then. I don’t
know if Norman is going to agree with me on this, but I think the big difference is that the new batch of Ministers—particularly those who came in my intake and the one before with Norman—are not willing to just rubber stamp stuff. When I am being asked to go somewhere, there is only one occasion where I’ve said, “I’d rather have not been here, the way it was done.” That was on a visit. I would have wanted to go, but I would like to have seen it done another way. The key to this is that I have several large agencies that under the previous administration were given huge autonomy; I’ve reined that autonomy in as hard as I can. This means that there is more work and that there will be more scrutiny, but I think that is right. But no, I don’t actually agree with Chris.

Norman Baker: No, I think that is right. If Ministers find that they are undertaking pointless activity, I would suggest that they do not have a grip on their ministerial job because I don’t believe what I do is pointless. I think it’s quite focused. In a sense, just as Mike has created work for himself by reining in the agencies, I have created work for example by saying to the Civil Service, “If an MP wants to see me about an issue in their constituency, I will see them.” When they say, “We don’t recommend that you see them,” I will say, “I’m sorry, but this Member is elected. He or she has a constituency to represent and I will see them.”

Q232 Greg Mulholland: There has also been a suggestion in some of the evidence that we’ve had that civil servants have sometimes made work for junior Ministers, particularly at the Parliamentary Under-Secretary level. When we asked Sir David Normington, Permanent Secretary at the Home Office, if he had done that, he rather intriguingly replied, “Not recently.” In your Department and in your experience have you had the impression that the Civil Service is finding things for you to do? Norman Baker: If you don’t take control of your office and your portfolio, you will drown in paper. Have no illusions about that—that is the way the Civil Service operates. But they also respond when you say, “Why? Why are you putting that in there?” I used to get speeches written for me. They don’t write them for me anywhere else; they just write them for the policemen they have already. Anybody who knows me in the House knows I’ve never read a speech since the day I was here. I memorise what I’m going to say and I go out and do that. That gives the Civil Service a complete heart attack, because they do not have control over exactly what you’re saying, word-for-word, but it’s for Ministers—I really do stress this—to take control. If Ministers feel that it is out of control, then they need to address it, rather than the civil servants; the Civil Service will just do what the Civil Service does, which is to produce more and more and more for you, but if you say to them, “That’s the way I want my office to operate. That is the way I want my box to operate, and my diary,” etcetera, you can control it. We are a very busy Department, but even with the events in the weather that have been going on for the last few weeks, we have time to talk to colleagues. I agree with Norman; the one thing I am absolutely adamant about is that, if colleagues want to come and see me, either in the House, at a political meeting, or in a departmental meeting, they get it. It is for the Ministers to get a grip.

Q233 Chair: Mr Baker, has anybody made work that you’ve discovered afterwards? What about attending conferences and going off and speaking at events?

Norman Baker: As I say, I do think that there is a role for Ministers—you used the word “ambassadorial”—to represent the Government policy outside. If you have a major conference going on with key players in the sector, like the UK Bus Awards that I went to the other day, then I think it is discourteous not to turn up and represent the Government on those sorts of occasions. As I said earlier on, I will receive a list of invitations and I will make a judgment in each particular case as to whether I should go or whether I shouldn’t.

Mike Penning: On those sorts of things, Mr Chairman, I think that is very important. We were in opposition for a long time, and the one thing that I know from when I looked after Shadow Ministers or when I was a Shadow Minister myself is that if you are not there, people will say, “We don’t recommend that you see them.” When I went to the other day, then I think it is discourteous not to turn up and represent the Government on those sorts of occasions. I am going to the Prince Michael International Road Safety Awards and it means a lot to them to have the Road Safety Minister there. That is right.

Q234 Greg Mulholland: I am conscious that we need to press on. If I could just ask you one question. I’m very tempted Mike, to ask you, having gone through a boundary change and seen your majority go down and then successfully having got a huge majority, what you thought about your own Government abolishing the seat and making that majority potentially worthless—but I won’t ask you that. I would like to ask you both a question that goes back to the balance, which I do think is very important—the need for you as human beings to balance your two roles as Ministers and MPs, which is a unique and important part of our system, with your family life. Do you not agree that that means that Friday in your constituency is an important—the need for you as human beings to balance your two roles as Ministers and MPs, which is a unique and important part of our system, with your family life. Do you not agree that that means that Friday in your constituency is as important as having another day in Parliament?

Norman Baker: Personally, I agree that it would be helpful if all of us had all Fridays off; I think that’s right. I do know that the British Parliament sits longer each year than most other comparable Parliaments. Certainly, I’ve said to my office, “I don’t want anything on Fridays, barring emergencies. I want to be absolutely clear it’s constituency day.” Indeed, I’ve said to them not to put things on Thursday afternoons on the basis that, if there is only a one-line vote, then
I can go home on Thursday afternoon. The quid pro quo for that is that you work the long hours, into the early hours sometimes, Monday, Tuesday, Wednesday, but I’d rather do it that way rather than string everything out through the week.

**Mike Penning:** I am actually looking forward to the boundary changes because I will expand rather than contract.

**Q235 Greg Mulholland:** An even bigger majority then?

**Mike Penning:** An even bigger majority. I agree Fridays are hugely important to me and to my constituents. We have a duty Minister schedule. To be fair, even when I have been duty Minister it hasn’t really affected me. Having the occasional day—I think I have one coming up—where I will be duty Minister on the Friday—means that months in advance we’ve scheduled that in and actually I will take some time on the Monday morning or Thursday afternoon and give that time back to my constituency that I’ve lost on Friday.

**Norman Baker:** I’m duty Minister on Christmas Day, for your information.

**Chair:** Good for you.

**Mike Penning:** I’m Christmas Eve.

**Q236 Chair:** Mr Flynn, have we done your watchdog question?

**Paul Flynn:** I don’t think we have. I’ll start on it.

**Chair:** Shall we move on?

**Paul Flynn:** The Institute for Government has suggested that being a watchdog is the role of Liberal Democrat Ministers in the Department; not only do you have your portfolio to look after, but you have to keep your eye on the other Ministers to make sure that they abide by the deal that was done.

**Norman Baker:** That is a bit patronising to Lib Dems to say that is what our role is. Our role in Government Departments is to behave as Ministers do, whether they are Conservative or Lib Dem, in whatever Department they’re in, and to get on with our portfolio and to deliver Government policy which was agreed through the Coalition agreement. Having said that, both sides of the Coalition have an interest in making sure that we identify obstacles coming ahead; if there is an issue that is going to cause a problem for one party or the other, it’s sensible to try and be aware of that in advance. Of course, it is sensible for Ministers of both sides to have a watching brief, in a light touch way, over what’s happening in the Department. We have a Ministerial meeting every Tuesday, when the Secretary of State and the three Ministers in the Department come together. That is an opportunity to talk about wider issues as a Ministerial team. The Secretary of State has also said to me that it’s a good idea in terms of forward planning that we think about having ad hoc meetings on specific issues so we can see what is coming down the track, to use a railway metaphor. That is the way we work to try and make sure that we know what is going on and what is likely to happen. If there is an issue that is particularly sensitive for either the Conservatives or the Lib Dems, then we know about it long before it happens and we can feed into that point in a structured and cohesive way.

**Q237 Paul Flynn:** You took a line, I think Norman, that was opposed to the last Government—a line on the environment—and a line that is very much opposed to this Government as well, possibly even more so. Don’t you find the difficulty there, in personally doing the dirty deals, the compromises, and doing these on behalf of your party?

**Chair:** It never happens in the Labour party.

**Norman Baker:** The Coalition is a compromise by definition. The reality is that we didn’t win the election, neither did the Conservatives, that’s why we have a Coalition Government. As far as the environment is concerned, I’m very happy with what the Government is doing: we have major investment in rail; we have £560 million for the local sustainable transport fund and we have good support for the buses. I deal with the environmental issues in the Department, so the air pollution issues come to me, so I get to influence them directly. Beyond the DFT, we have all the stuff that Chris Huhne is doing: the renewable heat incentive and so on. I think we’re doing rather well on the environment.

**Q238 Paul Flynn:** Nuclear power for instance?

**Norman Baker:** Sorry?

**Paul Flynn:** I seem to recall that you were opposed to nuclear power.

**Chair:** I think this is slightly off the subject of what Ministers do, I have to say.

**Mike Penning:** I just wanted to say that Norman is right: we have these formal meetings and we can ask for things we put in our diaries, but actually we don’t live in silos up there. I wander into Norman’s office and we have a cup of tea and I talk to him about something that’s worrying me or bounce an idea off. Norman does exactly the same to me. I know it must be difficult for colleagues because the Coalition is brand new and we haven’t had one for a few years, to say the least, but it actually works very well. We agree on many more things than we disagree on, and there is a process in place should we then disagree.

**Q239 Paul Flynn:** This was the impression given to us by a number of witnesses, that because of the Coalition it’s necessary to have possibly a larger number of Ministers than would be essential, in order to keep this watchdog role.

**Norman Baker:** I don’t think the number of Ministers is in any way related to the Coalition. The Coalition generates perhaps more consideration of an issue because, in a sense, both parties have to be happy with an issue, but actually quite sensible. The dangers of one-party Government—this is a Lib Dem view, if you like—are that there are not enough voices saying, “Is that right?” When you have two parties trying to do something, there is always a voice that is slightly different saying, “Is that right? What is the justification for that?” I actually think that policy is much improved by that process.

**Q240 Paul Flynn:** Are you comfortable with the Coalition policy of maintaining the number of
Ministers, increasing the number of Lords, and decreasing the number of Members of Parliament?

**Norman Baker:** The policy on Ministers is what you’ve asked us here to talk about today. I’m very happy with the policy on Ministers. As Mike said, if we had one less Minister at the Department for Transport, that would be an enormous workload increase for the three of us who were left. I think the number of Ministers is about right.

**Mike Penning:** I can’t see where this link is. I know Norman has the watchdog, but I cannot see where the argument is that there are more civil servants because of the watchdog role. Frankly, I find it ludicrous.

**Q241 Paul Flynn:** The argument is that the power of the backbenchers will go down if you reduce the number of MPs. We don’t know what’s going to happen with the Lords, but certainly there is an increase there. The relative power between those who are in the Government, who have to follow the Government line, the payroll vote, is maintained and we have fewer backbenchers. That’s the argument.

**Mike Penning:** That’s a completely different argument. The policy, as to what the role of the Minister is, The checks and balance side is there, but the role of a Minister, as to what work we do on a daily basis, which is I think was what we were asked to come and talk to you about, is completely different from that.

**Q242 Paul Flynn:** We’ve had a lot of evidence. You’re in your honeymoon days as Ministers now, but we have had evidence from Ministers—not just Chris Mullin, but others as well—who said that they were there; they would move from one relatively meaningless junior Ministerial job to another one, sometimes spending their whole parliamentary careers going from Department to Department, and then, at the end of 10 years or so, look back and decide that they had achieved very little.

**Mike Penning:** Doesn’t sound great to me.

**Q243 Paul Flynn:** There is an element that says it’s in the Government’s interests to maintain the large number of Ministers and others who are in the payroll vote, so when the difficult vote comes along they can guarantee that they’ll get their business.

**Norman Baker:** If we’re serious about accountability, which we are, and thus the whole public bodies reform, for example, and we’re serious about making sure that a Minister is responsible for activities who is answerable to Parliament, rather than some obscure civil servant, who is not answerable, then I think the number of Ministers is about right. That’s my honest view.

**Q244 Chair:** Can I just challenge you on that? Ministers in the Lords are just as accountable as Ministers in the Commons. Anybody can be summoned before a Select Committee and held accountable. This accountability argument is bit spurious, isn’t it? You don’t have to be an MP to be accountable.

**Norman Baker:** We don’t actually have a Minister in the Lords, but Ministers in the Lords are not elected and therefore are not accountable in the same way as Members of Parliament who are Ministers as well. I think there is a difference there, if I may say so. You might make a separate point about PPSs. I don’t know if you intend to go on to that. There is an issue, in my judgment, as to whether we need as many PPSs as we have.

**Q245 Robert Halfon:** Do you have any PPSs?

**Norman Baker:** No.

**Chair:** Sorry; you’re jumping in a bit. Can I go to Mr Elphicke please?

**Q246 Charlie Elphicke:** Yes, with PPSs, don’t you think it’s a case that it’s a bit like the Dodo saying everyone must have prizes. They don’t do anything particularly practical, but they are just kind of locking in the payroll vote? Is that fair or unfair?

**Mike Penning:** I think that is unfair. We have two PPSs now, but the lead has been with us for some time, and his role is brilliantly important because he comes to us with the backbenchers’ views.

**Q247 Chair:** But do you need two in the Department?

**Mike Penning:** It’s a big Department and there is a lot of work to be done. It’s above my pay grade to say how many there should be, to be honest with you.

**Chair:** It’s very telling that you’re talking about ‘the lead PPS’.

**Mike Penning:** At the end of the day, we will use them. They will be worked to death, I can assure you.

**Q248 Chair:** They do send out a lot of rather otiose letters inviting us to table questions. I don’t need a PPS to write to me in person on headed notepaper.

**Mike Penning:** But you’re a very experienced Chairman.

**Q249 Chair:** But it is not necessary.

**Mike Penning:** There are others who actually ask.

**Q250 Chair:** We all know that a few minutes in a division lobby can solve the questions problem; you don’t need to write to everybody.

**Mike Penning:** All I can say to you is that, especially the new intake, which is very large, they regularly ask for briefings on things that perhaps an experienced Chairman or some of your Committee, Mr Chairman, would just do off the cuff; you’d know about it and it’s easily done. There is no training school here for these guys and they need help.

**Q251 Charlie Elphicke:** Can I just pick up on an issue?

**Chair:** After you, after you.

**Charlie Elphicke:** You raised it earlier about the decisions you get.

**Q252 Chair:** Before we leave PPSs, can I just say you are sitting here without any PPSs sitting behind you. Is it necessary for PPSs to sit in Select Committees behind their Ministers?

**Mike Penning:** That’s a decision for individual Ministers. If I was a PPS today, no I wouldn’t. In Westminster Hall, and places like that, I do find it...
useful. Of course, we’re not meant to take notes
directly from the civil servants in Westminster Hall—
it comes through the PPS—and in Committees as well.

Q253 Robert Halfon: Why can’t it be done by the Commons clerks? Why does it need to be done by
the PPS?
Mike Penning: It’s not a role for the Commons clerks.
It’s a political role.

Q254 Robert Halfon: But all it is is passing notes; it’s not anything else.
Mike Penning: It’s more than that. It’s not just
passing notes. There is an argument both ways, but all
I would say is that, if you didn’t have PPSs, there
would be people doing it anyhow, and we all know
that takes place.

Q255 Chair: The point is that there wouldn’t be so
much patronage in the House of Commons over MPs.
Mike Penning: If the Committee is worried about
that, that’s a separate thing. The thing that Norman
and I are here about is actually, “Do they help us do
our job?” And the answer to that is “yes”.
Chair: Do you want to do your hierarchy question?

Q256 Charlie Elphicke: Maybe we should have a
further investigation into what PPSs do, Chairman.
Just turning back to your instant jobs, you talked
earlier Mr Penning about the decisions you take; could
you give us an idea of how many decisions you make
and how your work rate compares with your predecessors’?
Mike Penning: We don’t know what our work rate is
compared with our predecessors’; the only thing you
could look at there is how quickly you respond to
correspondence and how quickly we do PQs and
things like that. We’re making decisions now—
literally today—on things like future training in the
maritime industry and SAR-H, the future of the
coastguard helicopters. Those decisions are being made now and they are hugely important to the
country. Then there are really small decisions, really
quite small decisions, that have an impact for instance
on road safety or a decision as to how we fund road
safety partnerships, which will have a huge impact
around the country. Some people agree with what
we’re doing, and some people don’t. We believe in
localism, so we want local people to make decisions.
However, there are other smaller decisions.
The biggest question and the hardest thing for civil
servants to adapt to is Ministers coming in and saying,
“Why? No, I’m not going to sign that off. Why are
we doing that? Why are we doing that?” Whereas
certainly in the latter part of the previous administration, it was not as questionable as we are now.

Charlie Elphicke: They were all house trained.
Chair: We must move on.
Charlie Elphicke: I know.
Chair: Just very quickly.

Q257 Charlie Elphicke: Two very short points
Chairman, if I may. Chris Mullin, in his diary, writes
about a Departmental agenda, civil servants doing
their own kind of thing. Do you ever find some kind
of review or project is going on that suddenly surfaces
and that no one knew anything about, or is that just
hocus-pocus?
Mike Penning: No, it does. I found one literally in
the last few weeks, where a review was started before
the general election, which I knew absolutely nothing
about, and has carried on under the Coalition under
the same guidance, the same remit, without any input
from the new Coalition Government at all. That’s
Norman’s and my brief as well. I’ve hauled that in,
suspended it, but that sort of thing does go on. Of
course it does. It happens in any company and any
organisation; the job of the Ministers with their
Private Office, which is the really important part, is to
give the Department the steering to say you don’t do
that sort of thing, you bring it to the Minister.

Charlie Elphicke: Finally, very briefly.
Chair: No, sorry, I’m moving on.
Charlie Elphicke: Very briefly.
Chair: I’m being very patient.

Q258 Charlie Elphicke: Do you think the truth is
that Chris Mullin was actually just a rubbish Minister,
not up to the job, and should never have left the
backbenches? It actually depends on the character of
the person.
Norman Baker: I don’t think we’re qualified to
comment on that, are we really?
Mike Penning: The only thing I would say is that
there is a bit of sour grapes out there. I think that it is
really obvious for everybody to see.
Chair: Mr Halfon on hierarchy.
Robert Halfon: Can I just ask something slightly
different?
Chair: Alright.

Q259 Robert Halfon: How prone are you to what
Gerald Kaufman describes as departmentalitis?
Norman Baker: You mean “going native”?
Q260 Robert Halfon: Going native, and just
focusing on your Department and not the wider bit of
the Government.
Norman Baker: Of course, you end up speaking to
your colleagues and senior civil servants more than
other Departments, but we always keep our eye, or I
hope we do, on the bigger picture, which is delivering
the Government’s overall agenda. If you take the
environmental policy that Mr Flynn was referring to
earlier on, then quite clearly the Department for
Transport has got a major role, but we can’t do it
alone. So we do have meetings with other
Departments. I’ve met Anne Milton, the Health
Minister, to talk about cycling; I’ve met Ministers from
DEFRA to talk about air pollution, so we do
interact like that. There are Cabinet Sub-Committees;
I’ve been on the Public Health Sub-Committee and
one or two other ones as well. In that way, you keep
contacts across Departments, which is important; if
you didn’t do that, then you actually would not be
able to deliver the Government’s policy sensibly.
Q261 Robert Halfon: Would you regard it as a victory if you stopped significant cuts to your Department, yet it might hit the Government’s wider economic plans?
Norman Baker: It depends what those cuts were. There are some cuts that I’m very happy we should make because we had evidence of a waste of money. On the other hand, some money is well targeted and it would be very unfortunate if that were to be cut. From my own perspective, there are one or two grotesquely expensive road schemes that were—steady on Mike—lost in the spending review, when the Department thought they were too expensive for what was required. It’s right to look at those schemes. We’re not going to just say that we want to maximise spending; that would be ludicrous and an irresponsible way of going about business.

Q262 Robert Halfon: So do you have the same view?
Mike Penning: I agree. One of the things that the spending review did was to make Departments look very carefully at what they were spending on in a minutiae way that has never really been done before. For instance, if you look at the road programme that Norman has alluded to there, in the negotiations every single road programme had to be fought for through the Treasury. My budget is what I have now, which has been agreed coming down from the Secretary of State and agreed by the Treasury. We had to literally fight the corner and sometimes not fight the corner, because, as Norman said, there were some huge wastes going on, and actually to end up with a budget that you can honestly say is right. Of course, there is a squeeze on in different parts of my Department that is making things very, very tight.

Q263 Robert Halfon: Thank you. Moving on, what is the difference between a Minister of State and a Parliamentary Under-Secretary, in your view?
Mike Penning: I’ll be the honest one: absolutely none. The Minister of State stands in for the Secretary of State, so I don’t see a single difference whatsoever. Norman Baker: I agree with that.

Q264 Robert Halfon: So what’s the point of having a Parliamentary Under-Secretary? Why not have a deputy?
Norman Baker: I’m not sure there is a function. Like I said, for avoidance of doubt, that is absolutely no reflection on Theresa Villiers, who I think is a very good Minister. But I don’t actually see a difference in role. She has her portfolio, which deals with rail and aviation and so on, we have our own portfolios, and we answer to the Secretary of State, so I don’t see what the difference is.

Q265 Robert Halfon: You wouldn’t answer to the Minister of State?
Mike Penning: No.
Norman Baker: No.
Mike Penning: Just to clarify this, if the Secretary of State isn’t available or he can’t be in two places at once, the deputy, if you wish, is the Minister of State, and I know that Theresa was at the Council of Ministers only the other day deputising for the Secretary of State. There has to be someone who does that.

Q266 Robert Halfon: Why not just scrap Parliamentary Under-Secretaries and just have Ministers of State?
Norman Baker: Well, of course we could do.
Mike Penning: I think that is a very good idea.

Q267 Robert Halfon: But reducing the numbers as well?
Mike Penning: No, you can’t reduce. We come back to this again. I hope the Committee is open-minded, rather than has made a decision before. The actual physical workload, whether you’re a Minister of State or a Parliamentary Under-Secretary of State in your portfolio, is relatively the same. If you took one of us away, and gave for instance my shipping and maritime responsibilities to Norman and the whole of the roads programme to Theresa, I have no idea how they would do that.

Q268 Robert Halfon: What about if a lot of your Parliamentary activities were done by a Whip, like Westminster Hall debates?
Norman Baker: I think that would be quite wrong. We’re not standing there reading out a speech; we’re not some sort of robot. We’re there to interact with Members, listen to what they have to say, be able to respond to questions, make sensible points by way of response. I think it would be insulting to Members, frankly.

Q269 Robert Halfon: In a debate last week Andrew Rosindell did a debate on overseas territories and James Duddridge read out a speech because there was no Minister available. No one seemed to think that the earth had fallen in because of that.
Mike Penning: I would be enormously unhappy as a Minister if one of my colleagues did that. We’ve done it—we have stood in for each other in debates more than one occasion. The reason for it is, as Parliamentarians, if we’re going to listen to an argument put by a colleague and respond to it, that does not mean reading a pre-prepared speech. That is no criticism of James; if James was asked to do that, so be it. But for me, and those of you who know how I respond to speeches, I don’t use a pre-prepared speech; I will respond to the debate and I think that is very, very important in a parliamentary democracy.

Q270 Robert Halfon: Can I just ask one more thing? It is actually slightly contrary to what you were saying earlier. You were saying that some of these organisations just want senior civil servants to come to them, but I tend to take your view that people want Ministers to come to the annual Bus Awards or whatever it may be because of the status you convey. Is there not more of a role for Ministers literally as travelling salesmen—to be out there selling the Government to these kinds of organisations all day,
and having other people do the grind of briefings and commentaries?  

**Mike Penning:** Then you remove accountability.  

**Norman Baker:** You have to be able to do both because you can’t go and sell it unless you’ve created it or helped create it and you know it intimately. You have to do both sides of the job. But I agree that going out there and selling is important. We all do that all the time. When we had the announcement about the electrification, we were sent—the four of us—to all the time. When we had the announcement about the

Q271 Robert Halfon: Surely, the problem is that it was not working because you’re doing paperwork at one o’clock in the morning. How can you do paperwork at that time and remain in top-notch condition?  

**Mike Penning:** I would argue that it is working. We ain’t complaining. Who is complaining?  

Q272 Robert Halfon: Yes, but it isn’t an efficient system.  

**Mike Penning:** Who says it’s not efficient? It works. We all have different ways of running our offices. Norman and I don’t take paperwork home. I know Iain very, very well; Iain took more paperwork home when he was Leader of the Opposition than anybody I’ve ever met in my entire life, and Betsy would go up the wall with him about it. Different Ministers do different things. I can imagine what other Ministers do, because the Chairman and I have known them over the years. The way it works for me, as Norman was saying, is to get as much of my departmental work done in the early part of the week to free up the most time for me. For me, because I travel home every night and it’s an hour’s journey, that is basically a box, roughly, unless there is a big submission in there. The bigger submissions you can read on your way back in in the morning. My handwriting is appalling anyway, so I tend not to sign in the car, because it just becomes a complete scribble rather than minor scrawl.  

The interesting thing is that selling is really important; I’ll just touch on this. I was lucky enough to go to St Petersburg last month to an International Road Safety Conference because we have some of the safest roads in the world and they wanted us there. There were huge meetings with businesses and the St Petersburg government and the Russian Government. That is our role: to be advocates of UK plc.  

Q273 David Heyes: There are some who advocate training and development for MPs before they take on the ministerial office; in fact, some of our expert witnesses have been advocating that to us in earlier sessions. Mike, you said it was a huge culture shock becoming a Minister?  

**Mike Penning:** Yes.  

Q274 David Heyes: Have you had any formal training or preparation for the office, either before you took it on or since you’ve taken it on?  

**Norman Baker:** You get preparation in my case by being the Shadow Spokesman, as a matter of fact, and the same with Theresa Villiers, who shadowed Transport beforehand. That is actually quite useful because it gives you a lot of preparation in terms of the issues and how they interrelate. In terms of when we got there, then we’re given a Ministers Handbook, which I have here, from National School of Government, which we were handed. I also had a meeting with the Permanent Secretary who talked you through some of the issues. There was a lot of advice from civil servants. There was a legal briefing, which you were given by the Department’s top legal officer. Obviously, we get advice as we go along, but I think it’s difficult to write down an exact job description because, just as every MP approaches his or her job in a different way, I think it’s difficult to say that every Minister should approach a job in a different way. You end up working it out for yourself. To some extent, it has to be that way.  

**Mike Penning:** I would really worry if you had to do a course and pass a course to be a Minister, because we’re not clones, we’re individuals. Each individual does it differently. I’d have failed the course; whatever course you put me on I’d probably fail it, because I’d have my own way I’d like to do it. In the democracy we have, it’s for the Prime Minister to decide; he decides how long I will be a Minister. The average life expectancy of a Minister in my portfolio is eight months.  

**Norman Baker:** You’re almost there, Mike.  

**Mike Penning:** I’m almost there, but it will be the Prime Minister who decides. I just don’t want clones. It’s a bit like Parliamentarians. We want people from different backgrounds with different attributes, doing things different ways. At the end of the day, it has worked for an awful long time, hasn’t it?  

Q275 David Heyes: What you’ve described is a very thorough briefing and preparation in that sense and not training, which most people regard as helping you to improve your skills and the way you go about doing your job. There has been nothing of that sort offered.  

**Mike Penning:** If it were offered, I would turn it down. Would you?  

**Norman Baker:** Well, it depends what it was. I can’t think what would be useful. Part of the skills of being a politician, in so far as you have them, you learn them before you get to office; how to communicate with people, I hope; how to prioritise your time; and how to absorb information quite quickly. Those are the skills that a Member of Parliament has to have, so in that sense a Minister just has the same skills.  

**Mike Penning:** Don’t get me wrong. I went and gave evidence—I think I was the second Minister ever to give evidence to the Scottish Parliament—and because it was new there were loads of briefings offered to me on how you do it. Frankly, after about the first five minutes I realised that I was more than likely to do it the way I wanted to do it, not the way that some civil servant decided. He was very skilled, but for presentation skills, I’d be my own man, and going up and talking the way I wanted to.
Q276 Chair: You’re a WYSIWYG Minister.
Mike Penning: Sorry?
Chair: You’re a WYSIWYG Minister.
Mr Walker: What you see is what you get.

Q277 Robert Halfon: The same expert witnesses that we’ve had, who advocated training for Ministers, have also been advocating a system of appraisal for Ministers. Now, Mike, you said, if I have the quote right, “It works. Who’s complaining?” That’s your opinion. Have you reflected that with anyone? Has anyone appraised what you do, given you any feedback on your performance?
Mike Penning: Anybody who knows our Whips system knows that we get appraised on a daily basis, whether you’re a Minister or a backbencher. I just find it very difficult. This is not a UK plc Company; this is UK plc Government. There have been Ministers appointed, who, when the next reshuffle comes, will go to the backbenches and spend the rest of their career on the backbenches, probably because that is what they might want or the Prime Minister wants or whatever, and it all comes to everybody at some time. For me, the more individuals who are Ministers, the better this job is being done, because there isn’t one way to do it; whatever advice, whatever specialist comes in and gives evidence to the Committee, I will argue that quite a few of them have their own axe to grind, but the more individuals, the more characters, the more personalities we have that are not trained out of them—like they did when I joined the Guards—the better this place will be.
Mr Walker: Hear, hear.
Robert Halfon: Hear, hear.
Norman Baker: That’s the general point of view. Civil servants tend to be naturally risk averse. If you don’t have Ministers there you end up with a flat blancmange. You need to have Ministers there to say, “Why am I doing it this way?” and to think out of the box, because we will do that more than civil servants will.
Chair: Are you finished?
David Heyes: Yes, I think so.
Chair: Thank you very much, Mr Heyes. Mr Walker has joined us late because he has had other parliamentary duties.

Q278 Mr Walker: Everybody is busy, and everybody works hard. I went to my local jobcentre and they have people earning £17,000 or £18,000 a year. They get sworn at and they get physically threatened, but they work really hard, and they’re going to lose their jobs. There are senior civil servants within our county council that are going to lose their jobs. There are senior civil servants within Departments that are going to lose their jobs. The only group of people who think they should be insulated from losing their jobs is the ministerial corps. I was just wondering whether two of you could shed some light on that. Why does the ministerial corps feel that it should be immune from reductions?
Norman Baker: To be honest with you, we’ve dealt with that, may I say, earlier on. Essentially, the point is that, if you want accountability and good decision making in Government, then you have to not work on the basis that you automatically reduce the numbers of Ministers, because all that will happen then is that you either get civil servants taking decisions that should be taken by Ministers, which would be worse decisions, if I may say so, or you will end up overloading the Secretary of State, who ought to be thinking strategically and will end up taking decisions on minor matters that ought to be taken by other Ministers, which would be a bad use of his time.

Q279 Mr Walker: Sorry if it has been covered before, but it’s a pretty tough sell to all those people who are going to lose their jobs—the hundreds of thousands who are going to lose their jobs.
Mike Penning: In my own constituency, I have similar conversations. It is very hard. A moment ago we were arguing it was to do with the payroll vote. The key is not how many Ministers there are; it’s whether the amount of Ministers you have can do the job. If someone could prove to me that you could do the job with fewer Ministers in the Department, then I would advocate that. I just cannot see, with the workload that’s there, and the accountability that we all want to see as parliamentarians, how you could do that. In our Department, there are four Ministers; it’s a huge Department.

Q280 Mr Walker: In some Departments—perhaps not in others—you could use the Whip for some of the adjournment debates. You could use departmental spokesmen perhaps more openly, like they do at No. 10, instead of Ministers having to do all the press. Every conference you’re invited to is not necessarily one the Ministers has to attend.
Mike Penning: Let’s just touch on that. When I was head of media for the Conservative Party in opposition, I used to scream blue murder that there was a No. 10 spokesperson, rather than a named individual that we could pursue. I just think that it’s wrong. Where is the accountability in that? I know we’ve covered this, but a Whip reading out a pre-prepared speech for them is not, I think, Parliament working properly. How do you respond to an adjournment debate? I have done a lot of adjournments with some colleagues in this room in a way that I would’ve liked if I had been that person that got that adjournment debate.

Q281 Chair: Too often, the Minister at the dispatch box might as well have been a cipher.
Norman Baker: That’s up to them, isn’t it? They’ll be judged accordingly. That’s not how Mike is, and I hope that is not how I am. Tomorrow, for example, Theresa Villiers has asked me to cover a speech on rail for her, because she’s not available to do it. I hope the Member who is calling the debate would rather have a Minister than a Whip there to respond to that particular debate. Perhaps, if you’re looking to save money, you might look at the number of Whips. That might be an interesting idea.

Q282 Mr Walker: I hear what you’re saying, that nobody has demonstrated that the job could be done with fewer Ministers, but nobody has demonstrated to my jobcentre in Waltham Cross that their job could be
done with less people either; they're just expected to get on with it. They're going to lose a lot of people at a very difficult time in a difficult part of my constituency in a difficult part of Hertfordshire. Nobody has demonstrated to them that it is possible to meet the demands of their user group with fewer people. They're just being told to do it.

**Norman Baker:** The Department for Transport is making significant savings, so we are playing our part. We're making savings in terms of the number of people we have. We're making savings in terms of the amount of money we're wasting on frivolities. I answered a question the other day, because I deal with corporate matters as well in terms of PQs, on how much we spent on teas, buns and hospitality, or whatever it happens to be. It was £23 since May or some ludicrously small figure like that.

**Mike Penning:** The question costs four times that.

**Norman Baker:** That's also true. We have made economies. I have my ministerial bike to cycle between here and the Department, rather a ministerial car, because that is what I choose to do. We are taking the issue seriously, and right across the Government the Government is trying seriously to eliminate waste and I think successfully doing so.

**Mike Penning:** There is one way, and I want colleagues to be able to lay questions and I want them to be able to write, but there are a great number of questions at the moment where the information is in the public domain. This is costing a fortune for us to answer when actually it's available to any Member that wants it. How is that getting through the Table Office? It never used to happen when I first came to the House only in 2005. How that is getting through is simply because of the number of questions that are being laid, and that needs to be looked at. It is costing a small fortune answering questions that you can go on Google and get the answer instantly.

**Q283 Robert Halfon:** Why does it cost a small fortune?

**Mike Penning:** Because the Civil Service has a process that it has to go through.

**Q284 Robert Halfon:** If you're saying that Members can look it up on Google, why can’t the Civil Service look it up on Google in the same way?

**Mike Penning:** Because the civil servant has to be paid. The rule is, as I understand it, that you cannot lay a question to a Department when the information is in the public domain. That rule is not being enforced.

**Q285 Paul Flynn:** Up until eight months ago, a lot of those questions were asked by Norman Baker.

**Norman Baker:** I was keeping rather quiet on that point.

**Mike Penning:** To be fair, I used to get rebuffed on a regular basis from the Table Office when I put in, and you get carded, and they come back, and you say, "Why’s that?" and they say, "Because it's in the public domain."

**Q286 Paul Flynn:** But you're happy as poachers and gamekeepers?

**Mike Penning:** Of course, all poachers are.

**Q287 Chair:** Is the purpose of transparency that everything is going to be in the public domain, so Ministers don’t need to answer any questions?

**Mike Penning:** Not any, but clearly, if it’s in the public domain, why is a huge amount of taxpayers' money being spent answering the question?

**Q288 Robert Halfon:** I still don’t understand why it costs so much to answer a question.

**Mike Penning:** We’ll write to the Committee and tell them how much it is.

**Paul Flynn:** But that will cost a lot of money.

**Robert Halfon:** I understand it’s expensive, but I want to know why it is expensive. It may cost x amount, but why does it cost the Civil Service so much money to look on Google to find the answers?

**Chair:** Mr Penning has agreed to write to us on this subject. Thank you both very much indeed.

**Mike Penning:** It has been a pleasure.

**Chair:** It has been a pleasure for us as well. It will certainly add authority to our report. We’re very grateful to you.

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**Examination of Witnesses**

**Witnesses:** William Rickett CB, Company Director and Consultant, and Dan Corry, Economic Consultant, gave evidence.

**Q289 Chair:** I wonder if you could identify yourselves for the record please.

**Dan Corry:** I'm Dan Corry.

**Q290 Chair:** And what is your function now?

**Dan Corry:** I'm an Economic Consultant starting that job in January and I have been a Special Adviser in many Departments since 1997 up to 2010.

**Q291 Chair:** In particular, I remember, in the New Local Government Network.

**Dan Corry:** I had three years running the New Local Government Network, where we used to meet a bit. I was also a civil servant in the 1980s. So, I have seen things from a Civil Service point of view as well as the Special Adviser point of view.

**Q292 Chair:** A champion of localism

**Dan Corry:** I am. I'm a rare breed, perhaps, you might think, in the previous Government.

**Q293 Chair:** Mr Rickett?
William Rickett: I’m William Rickett. I was a Director General in the Cabinet Office, the Department of Trade and Industry and the Department of Energy and Climate Change. I am now a company director and a consultant.

Chair: Thank you for being with us today.

Q294 Greg Mulholland: Good morning, gentlemen. I do apologise: I have to leave shortly after asking my questions; I have another engagement, but I hope you will forgive me. We just had a very interesting session with two junior Ministers, who resolutely made the case that we have exactly the right number of Ministers, which perhaps won’t surprise you to know. The reality is that the number of Ministers has been rising over the last 100 years. Do you think that the current level of Ministers that we have—I say that obviously in the context of the current Coalition Government, but equally in the context of the last single-party Government—is the right number of Ministers and, if not, how many do you think we should have?

Dan Corry: My viewpoint on all this comes from sitting alongside the Secretary of State in quite a lot of Departments, and then in Number 10. So, it is looking down on it, rather than up from the junior ministers, so it might colour my perspective. I don’t think on the whole that it is right to say that there are too many. The quality varies enormously. You sometimes have junior Ministers who, for one reason or another, the Secretary of State doesn’t particularly trust or whatever, they don’t give them much work to do, and it’s all slightly pointless. You have some excellent junior Ministers who take a particular policy and run with it in a way that the Secretary of State never could. There is an amazing amount of parliamentary and party business that a junior Minister has to do. I find it hard to generalise. There have been Departments where it has felt like they’ve had junior Ministers sloshing about and they didn’t have much to do; there are others where it seemed there were a lot of junior ministers, yet they were still very stretched. I don’t know if it is still true, but it comes to my mind that BIS, when it got very big—all of higher education, industry policy and employment, and all the rest of it—had an enormous amount of Ministers. I suspect it still does, but it was hard to say that they weren’t all doing something useful.

William Rickett: As your previous witnesses said, you’d be quite hard pressed to find a Minister who wasn’t very busy. Certainly, there are certain aspects of their workload that has been growing over the years: EU work, international work, much more attention to the media—those sorts of things—what they awfully call “stakeholder management” has grown too. There are a lot of Ministers that are very busy. The question is whether they need to be that busy and whether they are achieving anything. There are some aspects of the way Government has developed that, I would say, probably reflect some inefficiencies. There is now a tendency to insist on a constant flow of events and what are called “announceables”; to publish ever-longer documents, at ever-shorter intervals; to legislate ever more frequently; to move Ministers around more frequently; and change the structures of Departments more often. Those all add to the activity and workload of Government in a not very effective way. They are part of wider cultural issue, which I can talk about if you like. What I am saying is there are lots of busy Ministers; you need to look at whether they are doing things that they need not do. The argument that we’re going to cut 25% to 30% out of the running costs of Departments suggests that one ought to look at what Ministers are doing because they should be taking a lead in reducing the running costs of their Departments. To cut 25% out of your Department’s running costs implies that you are going to be doing less.

Dan Corry: I agree with a lot of that. My only concern is, as I say, having seen it as civil servant and then as a political adviser, that in a sense, if you cut down, the Civil Service would then be in charge of everything else. I’m sure the Department for Transport could probably get by with two, if you like: a Secretary of State and one Minister. Do you want that? Is that the right sort of thing to do? Or do you want two Ministers? Or do you want the Secretary of State to have at least two Ministers give a lead in all the areas? It comes back, a bit, to what the Ministers were saying about accountability earlier. I do agree with the point. Where you’re going to cut a lot of civil servants in Departments, not to cut the senior team is a bit strange. It’s not what’s happening in the quangos that are being cut, or local government that is being cut, or all the rest of it. They cut the senior level directors and the absolute senior directors in the Department are the Ministers, so it’s a bit strange not to cut any of them. But you have to be careful and look at the consequences if you do cut them.

William Rickett: It’s dangerous to think that, if the Minister is not in charge of the subject, then the civil servants are. Ministers need to exercise strategic and political control over their Departments, not to do everything. They are always going to be delegating some functions to civil servants. They have to strike the right balance. I think in some cases, the balance goes the wrong way. I would just say, I’m not sure you’re going to make very large savings in the numbers of Ministers, even if you cut out the inefficiencies and the ineffectiveness. The first thing in improving the effectiveness of Minister would be to have them in post for more than six months at a time.

Q295 Greg Mulholland: Can I ask you a question specifically Mr Rickett, if I may? Clearly, I’m sure, all civil servants have a view privately about Ministers that they work with and whether there is the right number of Ministers in a Department, but does the Civil Service ever offer advice within Departments—obviously confidentially—as to how many Ministers would be appropriate for that Department?

William Rickett: Yes. When there is a reshuffle going on, I’m sure Permanent Secretaries are regularly asked how many Ministers they think are needed. At the time of the creation of DECC, I was certainly asked how many Ministers I thought would be needed, but you offer advice, it gets fed into No. 10 and the answer comes out.

Good morning, gentlemen.
Q296 Greg Mulholland: You give advice. Does it get listened to?
William Rickett: Yes, I think so.

Q297 Chair: Do Departments tend to bid for more Ministers?
William Rickett: Not necessarily, because having too many Ministers can create problems—Ministers feeling that they haven’t enough to do or that they must create some role for themselves; getting unhappy that they’re not making an impact or having an influence. There are some dangers in having too many Ministers. I know Andrew Turnbull had a rule of thumb that you needed a Cabinet Minister, a Lords spokesman and a Commons spokesman, but that is a model for a small Department. I don’t think it works for the large Departments you sometimes find yourself in.

Q298 Chair: In the present Administration, you’re rather thin in Lords Ministers, to the extent that Whips are answering for whole Departments, and unpaid Ministers of State are standing in in the House of Lords because we’ve put so many Ministers in the House of Commons. Do you have a thought about that?
William Rickett: I’m aware that one of the themes of your inquiry is whether you should be using the Whips more to deal with parliamentary business. From a Civil Service point of view, it is much harder work briefing a Whip than briefing a Minister, simply because you have to put more effort into it, understandably. Also, it does seem to me to be watering down Parliamentary accountability.

Q299 Robert Halfon: How would you divide up the ambassador role of the Minister, the salesman role, the parliamentary work and the decision making that they have to do?
William Rickett: It will vary from post to post. If you’re the Minister responsible for European and international energy issues, you’ll be spending an awful lot of time either in Brussels or in Cancun or wherever dealing with international business. You may find yourself hard pressed to make enough time for Parliamentary constituency and the strategic leadership you need to give the Department. It is quite difficult to generalise about what proportion you need to give to the various components of a role because they will vary from post to post.

Q300 Mr Walker: Reducing the number of Ministers is not all about savings. We mustn’t bring it down purely to monetary terms. It’s about the relationship between the Executive and Parliament. As you may have heard in the last evidence session, we now have in the region of 145 to 150 people who have ministerial or payroll responsibilities out of 350-odd. There are two different hares running here: on the one side, it’s very expensive; it’s about £500,000 to keep a Minister in position, even the most junior Minister. On the other side we also have this balance within Parliament. For example, it’s not necessarily the case that we would reduce the number of Ministers in the Department for Transport because that’s pretty important, but the Department for Culture, Media and Sport has four Ministers. It’s impossible to imagine what they all do. Do you not think that there are some Departments that may be over-Ministered?
Dan Cory: I wouldn’t deny that there may be. It does depend on what is happening at the time and so on. In that Department, for instance, if I look back on some of the days in the previous Government, you did need someone who was focusing all the time on sport. Depending on who the Secretary of State was, to be honest, sometimes they were interested in one aspect of the job, and sometimes not. There was all that kind of tourism stuff. You have to have someone in the House of Lords in your team. It can be a slight problem because the Commons are not getting at them in the same way. I’m sure there will be times—and this may be a time—when you could take DCMS down to three. As William said, it’s not going to transform the world or anything like that. I don’t think it would transform the sort of balance that you’re talking about and having such a big payroll vote. Of course, you should always look at these things. Picking up the question before, certainly whenever we were looking at potential machinery of Government issues there was always a good look at how many Ministers would be required if you did that. Could you save some? Could you not? People were always looking at that sort of thing. Obviously, politics comes into it as well and sometimes Prime Ministers want to put an extra Minister in for political reasons, or party political reasons, and I’m sure that’s happening today.
William Rickett: Of course you can reduce the number of Ministers, but to some extent it depends on taking a view about the workload too. There used to be a Department of Energy in 1991; it was abolished in 1992; we got rid of three of the four Ministers and ended up with a Minister of State in the Department of Trade and Industry. That was because of a view about the shrinking workload of the Department—we’d privatised a lot of the industries; we’d deliberately taken the view that energy was just another sector of the economy. That was a view taken then. Now, things have changed. Energy is now at the top of everybody’s agenda. It requires a lot more political attention; it requires a lot of intervention in the market; it requires more Ministers. Whether it requires as many as it has, whether it needs to publish a White Paper every six months and have a Bill a year, whether every Minister has to appear at every media event or conference—those sorts of things are about, in a sense, the culture of the Government. At the moment, certainly when I was working in Government over the last ten years, the culture was very interventionist and very active. Lots of activity and lots of intervention; it’s not surprising that the number of Ministers tended to rise.
Dan Cory: Can I just say something? In a sense, you get what from William is saying—and he’s a terrific civil servant and there are lots of good civil servants who would say similar things—that they would rather the Ministers did not publish any White Papers; did not do any media.
William Rickett: No, that is not what I said. Dan Cory: I’m exaggerating, but you know what I mean. They think they do far too much. They don’t
really understand how much political work Ministers need to do. They need to be with their colleagues in the House. They need to be out in constituencies. They’re not only on the road doing the road trip; they are also talking to local parties—all of that kind of stuff. It is always frustrating for civil servants that they are doing all this. In a world where, as you say, there are sometimes crazy White Papers, of course there are and so forth, but the rhythm of the way politics is today—maybe this Government will be different, but it isn’t so far—means that that stuff will happen and the question is, “How do you manage it?” If you could have a different world, where there wasn’t 24/7 media, people didn’t say they have no momentum, we could say, “We’re not going to publish a White Paper for two years in Education because we’ve set the policy. We’re going home.” That would be great, but who is going to have the nerve to do that?

Q301 Mr Walker: I have been on this Committee longer than—no, not longer than Paul. I have just begun to realise that the establishment is fantastic at looking after itself. Here we are, in the midst of the most swingeing cuts, and Ministers are going to sail along merrily, and there is no threat to their job from a reduction in Ministers, although they might be reshuffled out. Senior civil servants miraculously leave their positions and either end up being paid a fortune to sit in judgment on Members of Parliament or end up with these sorts of quasi-public sector jobs paying significant sums of money. Is it a legitimate concern that actually the establishment, senior civil servants and Ministers, is really in collusion to ensure that they’re insulated from the cuts and the economic hardships that lie ahead? This is how it is beginning to look to me and I think it’s beginning to look like that to a number of my colleagues on this Committee. William Rickett: Go back to the 1990s, when the Government was reducing the size of Government; we cut 30% out of the senior structure of the Department of the Environment when I was the finance director there. I don’t know that we cut the number of Ministers; I suspect we probably did. It’s a question of public service ethos. If Ministers are determined to reduce the size of the Civil Service, they’re perfectly capable of doing so.

Q302 Mr Walker: It does seem staggering that almost every Permanent Secretary that leaves a department ends up in another quasi-public sector job paying significant sums of money: Sir Ian Kennedy on IPSA; we saw David Normington, who has now taken over the Public Appointments Commission. It just does seem that you have a remarkable afterlife; you’re a bit like nuclear toxic waste; you just go on, and on, and on. That’s not a personal attack against you, Mr Rickett. William Rickett: All my posts are in the private sector, and that was a deliberate decision.

Q303 Mr Walker: You are to be applauded for that. William Rickett: It’s a bit of an exaggeration to say that every public sector post has been filled by a retired civil servant.

Q304 Mr Walker: No, but it does feel that many of them are filled by former Permanent Secretaries. William Rickett: Well, they’re clearly all filled on merit then.

Q305 Chair: Permanent Secretaries seem to have a role in their selection. Dan Corry: Can I just raise one point? Willy went back to the 1990s, and there was a theory then that we’d have, it was all called Next Steps Agencies then, quangos, if you like; the idea that you pull a lot of stuff out of Departments and stick that in independent bodies. With that should have come less work for Ministers and so on. If that’s true, we’re now going the opposite way; the quangos being abolished and the stuff is all being brought back in-house, so that may have implications for the number of Ministers that you need.

Q306 Paul Flynn: About this idea that there is frenetic activity that goes on to give an impression of progress but achieves very little, could you tell me, either or both of you, the three greatest achievements by junior Ministers that you can remember? Dan Corry: One I certainly remember in the early days of DTI was really seeing through the minimum wage. Labour had come to office with a commitment to a minimum wage, but the details were a massive issue. Ian McCartney was a terrific junior Minister who drove that through. So the Secretary of State, who had to worry about energy policy and trade policy, lord knows what else, had a junior Minister who got fantastic agreement to the extent that the minimum wage is now a consensus across all the parties—fantastic.

Q307 Paul Flynn: It was a political decision; it was part of the party programme, getting into office with a huge majority, so it was going to become law anyway, but it was done in a brilliant way. Dan Corry: If you look at what it was in 1997, it just said that there would be a minimum wage and it would be agreed somehow between the partners. That was more or less all. Exactly what the rate was going to be; whether there was going to be a youth rate; a regional rate; what were you going to do about tips; what were you going to do about benefits in kind, there was an enormous amount of stuff and you had a terrific Minister of State driving that through.

Q308 Mr Walker: Who was that? McCartney? Dan Corry: Ian McCartney.

Q309 Paul Flynn: That’s interesting. Can you think of great achievements by junior Ministers? William Rickett: I spent a lot of time in the Department of Energy, which was a small Department in which the Secretary of State tended to take most of the decisions. That is to some extent still the case. I worked with Lord McDonald on the 10-year plan for transport, which he led and delivered and which I thought was an important step in producing a long-term framework for transport investment. I worked with Dick Caborn on one of the many reviews of the planning system that we’ve had, but which laid the
groundwork for many of the subsequent reviews actually. Malcolm Wicks played quite an important role in the energy review of 2006.

Q310 Paul Flynn: You’re provoking me with that final one. I did a bit on that one; I think Malcolm Wicks was brilliant in social security; I think he was completely lost on energy. That’s your decision and probably civil servant-led. The impression we had this morning from two new Ministers who were highly active backbenchers was that their time was entirely filled—they would say they are very, very busy people—and now they have an additional job and they’re still very, very busy people. How much of it was work that was being made to fill their time, rather than work that is essential?

William Rickett: There is a risk that junior Ministers become essentially parliamentary spokesmen, representatives at conferences, speakers at annual lunches, fodder for European Council meetings, representatives on UK trade missions and so on. This is not to belittle some of these functions. Some of those things are important and some of them are important in terms of the accountability of Government too. There is a sense, sometimes, in which the Secretary of State tends to take all the key decisions and tends to feel the need to be on top of all the issues because of the constant media exposure.

Q311 Paul Flynn: You mentioned the word, “announceables” in your evidence, a word I haven’t heard before, and a lot of these are “re-announceables” or “re-re-announceables”. Is part of the activity that’s going on very much to do with public relations and Government presenting themselves in a way by artificially making announcements of no significance whatsoever?

William Rickett: Dan will say that they’re an important part of promoting the political agenda and he will say that if I say something is a “pointless activity” I am speaking as a bureaucrat. To give you an example, every three or four months you receive a letter from Number 10; the last one, I remember, was headed “Summer Activity”; it said, “Can all private activities that are features of our political system now that are important in terms of making announcements of no significance whatsoever. It’s a competitive culture in which Departments don’t join up because they’re all vying for attention. We now have this churn of Ministers and churn of Departments, and that leads to churn of policy and it means that not much attention is given to delivery. We also have a blame culture about this, so there is not enough learning that goes on. These seem to me to be aspects of the inefficiencies of the current political system. I’m not saying that it’s the Ministers’ faults or the Opposition’s fault. It’s just that, having watched it for 35 years, these seem to be some of the worst features of it.

Q312 Paul Flynn: This is part of Government that all Governments feel that they need this drip feed of adulation from the popular press and the insatiable beast of the 24-hour news?

Dan Corry: There is a bit of that, but for instance we’re coming up to Christmas and I must say the Conservative party was always terrific at planning Christmas. They would have announcements just about every day. We were always useless in Government. Around this time, we would be saying, “We’re either going to let the Opposition have a free hit in the press over Christmas or have we some things we can say?” You could sit back, same as over the summer, and just say, “We’ll leave it to the Opposition.” I would be very interested to see if the Coalition is not doing exactly the same. I agree the danger is that it leads you into little announcements that you weren’t going to make anyway; if it’s something that you were going to announce anyway and it’s a reasonable announcement and you decide to bring it into the summer rather than leave it till October, which is very busy with all the party conferences, there is nothing wrong with that.

William Rickett: It’s destructive of good policymaking.

Dan Corry: There is an ideal of policymaking, which, I probably would agree with Willy, would be lovely. It wouldn’t have the society and culture that we have. Maybe we can get back to that at some point, but I don’t think it’s about to happen soon. I don’t think you should make decisions about junior Ministers on the basis of a perfect world.

William Rickett: My argument is that the political system does have this feature. We have a very adversarial system in which there is a premium on knowing everything, so senior Ministers don’t delegate anything. There is a premium on being seen to be active; the Government must do something, so you have lots of initiatives and announcements. It is a competitive culture in which Departments don’t join up because they’re all vying for attention. We now have this churn of Ministers and churn of Departments, and that leads to churn of policy and it means that not much attention is given to delivery. We also have a blame culture about this, so there is not enough learning that goes on. These seem to me to be aspects of the inefficiencies of the current political system. I’m not saying that it’s the Ministers’ faults or the Opposition’s fault. It’s just that, having watched it for 35 years, these seem to be some of the worst features of it.

Q313 Chair: Isn’t our system in fact better than most systems in other countries?

William Rickett: It’s an exaggeration for effect. Good Ministers can ignore all these features. They can concentrate on the strategic issues and on getting things done and improving things, rather than on activity rather than achievement. Sorry, that was a bit of a rant.

Q314 Paul Flynn: Isn’t true that some of the major changes carried out by any Government were between 1945 and 1951, when we had a Prime Minister who never read the papers except to get the cricket scores. We had the suggestion this morning that Chris Mullin was a rubbish Minister. Wasn’t it the fact that Chris Mullin was probably too intelligent to be satisfied with the ministerial dross that was been handed to him systems in other countries?

William Rickett: I am exaggerating for effect. Good Ministers can ignore all these features. They can concentrate on the strategic issues and on getting things done and improving things, rather than on activity rather than achievement. Sorry, that was a bit of a rant.
else wants to do. There will be a certain amount of that. I don’t think that’s to do with politics or the number of Ministers. If you only had three, the bottom person is going to get a lot of the rubbish that no one else wants to do. I heard the Ministers before saying that they thought there was no difference between a PUS and a Minister of State. I don’t agree. Certainly, the way Secretaries of State see them, they see Ministers of State as very important to them and they want them to be driving an area of policy. Sometimes, the feed down to the PUSs is less good. Usually, they will have a bit of policy, where they can get their teeth into it, see if there is something they can do with it, and drive it. But they will be the ones having to do the dinners that no-one else wants to do. This is how it tends to work.

William Rickett: It varies.

Dan Corry: Most junior Ministers are not just doing garbage.

Q315 Chair: Not just doing garbage.

Dan Corry: Remember as well, there is some stuff that the parliamentary system churns out. Remember as well, it’s your first step on the ministerial ladder. A lot of them want to be seen to have done a decent job and to shine a little bit, and particularly to make sure that Number 10 is noticing that they’re doing a jolly good job. That’s very important to them. It’s what a lot of politicians are in it for: to climb up the greasy pole.

Chair: We all remember David Mellor on the West Bank.

Mr Walker: PPSs is the first step.

Q316 Robert Halfon: Going back to what you said about summer initiatives, I was a special adviser for an opposition member between 2001 and 2005. Of course we always did these Christmas and summer initiatives, and the reason is because you knew that if you didn’t do it the other side would: a case of prisoner’s dilemma, which is the nature of the political system that we live in. If you don’t do, everybody says, “Oh, the Conservatives are doing nothing because they’re all sunning themselves on the ski slopes,” or whatever, and vice versa. I think the point is that your Ministers are part of the problem and the media forces these pointless initiatives as everybody has to be seen to be doing something, when in reality they’re doing very little. On the issue of the number of Ministers, isn’t the real key point, actually, to get rid of Departments? We talked about the Department for Culture, Media and Sport—that was created by John Major not so long ago. The Department for International Development and Department for Business, Innovation and Skills—why can’t these Departments be merged? In that way, you wouldn’t have the numbers of Ministers. Are there any Departments that you feel could be got rid of tomorrow that wouldn’t make a blind bit of difference?

Dan Corry: I would go with your instinct. But certainly the history of the Labour Government is not great on these mergers. We started off with DETR, with environment and transport and everything together. I then worked in its successor, when environment went, and it was DTLR. It only survived a year before it split up. Working in the DTLR area, transport never really wanted to be part of the rest of the Department, and they never did integrate, and they were very, very happy when they were on their own again. Those things didn’t always work. You see the biggest problem in a Department like BIS, where the Secretary of State at the minute presumably is spending an awful lot of his time on the issue of tuition fees and probably can’t be giving much attention to anything else that that Department does. People always used to play around with tourism; you could put tourism from DCMS back into DTI; you could probably put sport somewhere else. You can do things; you can break up DEFRA, you can put agriculture into BIS. You would lose a bit of focus, but I’m sure there is more room for some of that.

William Rickett: I think this is wrong. The functions will remain there even if you move them around. So the Department for Culture, Media and Sport used to be the Department of National Heritage and a bit of DOE and a bit of something else. So you just move them around.

Q317 Robert Halfon: Yes, but hang on, what was before of the Department of National Heritage?

William Rickett: Well, the Ministry of Museums and Arts and Libraries or something. It was the Office of Arts and Libraries and then it grew into the Department of National Heritage by taking a chunk out of DOE.

Q318 Robert Halfon: It has got bigger?

William Rickett: No, it was just shuffling the deckchairs around in a different way to create different types of jobs and sometimes justifiably in response to changing political priorities.

Q319 Chair: At vast expense.

William Rickett: My problem with this is that it is extremely disruptive, it’s very expensive and it tends to mean you get a completely new set of Ministers who then have to learn the job all over again. I was Director General of Energy for just under four years. I was probably in four different Departments by name, though I stayed in exactly the same place. I had four different Secretaries of State. I had probably three different Ministers of State. Energy is a complex subject. I wouldn’t expect a civil servant to get on top of the subject in anything less than six months; it’s unfair to ask a Minister to do that. If you then move him on after nine months, you’ve only three effective months as a Minister and then you have to start all over again, and each new Minister wants a new policy.

Q320 Chair: Are you in fact saying that if Prime Ministers didn’t move their Ministers around nearly so much, then you probably wouldn’t need as many Ministers?

William Rickett: I am saying that that is one of the efficiencies you could seek in the ministerial cadre: not changing the structure of Departments too much.

Q321 Robert Halfon: But before you had a Department for International Development it was all
done in the Foreign Office, and Lynda Chalker was the Minister for Overseas Aid.
William Rickett: My point entirely.

Q322 Robert Halfon: Exactly; the world didn’t come to an end. You can cut the number of Ministers by cutting these Departments and still do the same job.
William Rickett: You don’t need to cut the Department. As long as you have Ministers who are on top of their jobs and are concentrating on achievement rather than activity, you ought to be able to cut the number of Ministers.

Q323 Chair: I think that’s a very good phrase, “achievement rather than activity”.
William Rickett: And I take your point; the political culture is about lots of activity and it’s quite difficult to break out of that, but I happen to think that in the end Ministers who are only activity and no substance tend to get found out.

Q324 Robert Halfon: Can you name any?
William Rickett: No. I probably could, but I’m not going to.

Q325 Robert Halfon: Do you think the devolution by the Government of some power, like elected police commissioners, the Big Society stuff, will take away some of the responsibilities that Ministers currently have and therefore mean it’s easier to cut the number?
William Rickett: I’m not sure that devolution or localism does reduce the burdens on Ministers. To give you an example, the devolution to Scotland and Wales created all sorts of interfaces that became quite complicated to manage. So where we decided we wanted to have decommissioning plans for nuclear reactors, the financial aspect of the plan was a reserved matter, because it was to do with finance; the environmental aspect of the plan, in other words the plan itself, was a devolved matter because it was an environmental issue. You get complicated policy issues that then need to be managed across boundaries and take up quite a lot of Ministerial time.

Q326 Robert Halfon: If you could take the Department of Health, they announced last week that they’re going to have these public health local boards. So surely when an MP gets up in Parliament and he says, “I’d like to ask the Minister why such and such is suffering from obesity,” the Minister can legitimately reply, “Well, that’s nothing to do with me.”
William Rickett: If the Minister is prepared to delegate authority completely, and to say, “It’s nothing to do with me,” then it ought to reduce the burdens on Ministers.

Q327 Robert Halfon: But isn’t that the whole idea of the NHS Board and the public health boards and so on, so therefore you can cut the number of Ministers in the Department of Health?
William Rickett: In theory; I am just concerned that our political system will put so much pressure on Ministers to answer these things that they will find it difficult to do that, but yes. Yes.

Q328 Robert Halfon: If you go back to when Iain Duncan Smith was leader and he asked Tony Blair about the Rose Addis case in the Royal Free Hospital, I always thought—however much I enjoyed the politics of it at the time—that it was an absurd thing that the Prime Minister should know and be responsible for a tragedy in a hospital in North London.
William Rickett: Exactly.

Q329 Chair: Before you go on Mr Halfon, can I just point out that we used to have a Scotland Office with a Secretary of State, a Ministry of State and two Parliamentary Under-Secretaries of State. We still have a Scotland Office with Secretary of State and, I think, a Minister of State. Is there a Parliamentary Under-Secretary of State as well? I can’t remember. But that’s in addition to the 18 Ministers, the ten Cabinet Ministers and the eight junior Ministers in the Scottish Executive. They can’t all be doing absolutely essential jobs, or does the creation of an extra layer of legislative authority just create another 18 jobs for Ministers?
William Rickett: I think there’s certainly scope for savings in the Wales, Scotland and Northern Ireland offices; other witnesses have said this. You could have a Minister in the Cabinet Office with a constitution secretariat responsible for coordinating those sorts of issues. My point was slightly different, which is that devolution creates new political issues for UK Ministers.
Chair: It certainly does.
William Rickett: And sometimes they’re very complicated and quite tricky to manage

Q330 Chair: And politically very difficult.
William Rickett: And politically very difficult. But you could certainly find savings in the Scotland, Wales and Northern Ireland Offices. I can see politically why people have found that quite difficult to do.

Q331 Robert Halfon: Going back to the Rose Addis point, surely the Minister should not be responsible for such statements and the fact that the Minister’s time is spent in dealing with individual cases is completely absurd. If you took all that away, would it reduce the burden on Ministers and then subsequently the number of Ministers?
William Rickett: Yes, well, that’s what I was trying to get at. The best way to approach this is to see how to reduce the burdens on Ministers and to reduce the pointless activity that I’ve caricatured it as, and you ought to be able to reduce the number of Ministers.

Q332 Chair: But that’s the point about devolution, isn’t it? You can no longer table a question about housing in Scotland, because it’s a devolved matter and it’s not a departmental responsibility in the UK Government and therefore it’s not a question you can get an answer to? Shouldn’t that also apply in local Government? If we believe in localism, Mr Corry,
shouldn’t it be possible for the standing orders of the House to be changed so that Ministers are actually no longer responsible for answering questions about the detail of how many cones are there on a particular local road or whether schools are being operated properly by a local authority? Because an individual school is a matter for local authority, not a Government Minister.

**Dan Corry:** Except if the school policy is heading towards every one being an academy and essentially bypassing the local authority and being funded directly from the centre, then the Minister does have responsibility. So I think it depends how localism works out, and you’re right: eventually, particularly if local authorities were raising their own money, so they were making their own decisions and they were allocating money, then it’s a matter for them to answer for what’s going on in their area.

**Q337 Mr Walker:** So it’s about money?

**Dan Corry:** Well, it’s about how much you genuinely have empowered local decision makers and therefore it’s for them to answer for the decisions they’ve made, or so I would think. But they were restricted because they had to make some decisions because they couldn’t decide to raise more money or whatever. So that’s the funding issue. But it’s also the politics; you make a very good point about Prime Ministers answering for particular incidents in a locality, and when we get to the place where the Prime Minister, when asked this—if they’re allowed to ask the question—says, “It really is nothing to do with me,” will the public say, “Absolutely”? Will the press say “Absolutely”? The Prime Minister will be wondering that as well. When we’ve got to the moment they can do that, and everyone says, “Of course it’s nothing to do with him, absolutely right,” then we will be able to remove some of the Ministers and so forth. I don’t know how long it will take us to get there. We’re a country that has always seen the world through a rather sort of national prism.

**William Rickett:** Probably better to say that is the responsibility of the local health board, rather than that it’s nothing to do with me, but still.

**Dan Corry:** People want someone they can vote out. The health board isn’t elected. It may be different with councils, mayors and elected police commissioners, but you can’t vote the public health board out if you don’t like it.

**Q338 Mr Walker:** Just quickly, we have Wales, Scotland, Northern Ireland—there’s six Ministers there. Why can’t we have a Secretary of State for Devolution and three Ministers of State for each of the countries? That’s two savings straight away. I just cannot fathom why that isn’t the case. But isn’t it also the reality that we say, or some people argue, that Ministers are enormously important and do a fabulous job, but really outside the most senior appointments, the Prime Minister had no interest in it whatsoever. He will be guided and advised by the Chief Whip who is trying to balance factions within parties. It’s upwards; it’s up or out and really the Prime Minister just doesn’t care, which does to me suggest that the role of Ministers or the role of the full 95 Ministers we currently have is actually not that important. David Cameron probably would be hard pressed to name 50% of the people.

**Chair:** I think he would. I don’t agree with that. He would name every one of them.

**Mr Walker:** Well, okay, he might know them, but he wouldn’t have much to say about most of them I expect.

**Dan Corry:** I think it’s certainly hard for a Prime Minister to know exactly what everyone’s doing. In my experience they do care about who these people are, not least because if there’s someone young from the backbenches and they hope they’re going to be someone they can put in their Cabinet in a few years, they want to make sure they’re in the right place doing a good job. If there’s something they particularly care about—let’s say they want to drive free schools or something—they want to make sure they have a Junior Minister, not only a Secretary of State, who they trust, who has the right views, and who’s good presentationally. I think they do care about that. I agree with you on the devolution issue, because it’s always been thought about in the past. You have to be very delicate when you remove a Northern Ireland Secretary of State and so on. It has to fit with what’s happening on devolution. You have a lot of sensitivities in Scotland and Wales on these things, but at some point that clearly should happen. You could probably get it down to even less than you’ve just said.

**Q335 Mr Walker:** But how can we argue that Prime Ministers care about the majority of their Ministers, given that earlier in your evidence session we talked about how the average life expectancy of a Cabinet Minister in the Cabinet Office under the last Government was less than a year. Clearly Prime Ministers don’t really care about their ministerial corps because if they did we wouldn’t get these enormous levels of turnover.

**Dan Corry:** The turnover doesn’t happen because they don’t care. Turnover happens because somebody resigns on you. They do. Maybe this Coalition will be different.

**Q336 Mr Walker:** That is part of it.

**Dan Corry:** Well, it does happen. I’m sure it will happen in this Government. Or somebody has to resign because of a scandal, and then do you just put someone up; do you move some people across? Are you trying to keep a balance? I suspect this Government has quite a careful balance of Coalition partners in each Department they have to keep more or less okay. So it’s not because you don’t care, I think.

**William Rickett:** I’m not quite sure what the Prime Minister’s care or lack of care about a Minister has to do with whether their job is worthwhile or not.

**Q337 Mr Walker:** Because he’s not really interested. At the end of the day he’s not really interested. He’s not really interested in whether someone is doing a good job or not. The primary motivation of a Prime Minister is to balance out the factions within the party. That is why, as Paul Flynn—who is no longer here—said, he had very good Ministers moved.
William Rickett: He will certainly care about it if it becomes an important political subject; the Minister concerned is in the public eye or whatever. It’s like any large organisation: the Chief Executive needs to take an interest in who he appoints to do a job, but will care more about those who are in the front line of any particular hot issue than he will about the others, I would have thought. But I’m not quite sure what that’s got to do with the workload on Ministers.


Chair: Do you want to talk about Ministers of State and Parliamentary Under-Secretaries?

Robert Halfon: Okay. Can I just ask this?

Chair: Yes, certainly.

Q338 Robert Halfon: In your experience how many ministerial appointments are down to patronage as opposed to merit?

Dan Corry: I don’t think it’s so much patronage, but there’s an attempt to balance, and there certainly was in the Labour Government. The balance would be partly broad church within the party; partly be a North-South regional thing: it would partly be a gender thing. So you’d get quite a lot of that. So sometimes there’d be someone you’d think, “What on earth are they doing in that Department? They’re not that great or they don’t know anything about the topic.”

Q339 Robert Halfon: But would you say the majority has patronage?

Dan Corry: No, most of the people are done because they’re good, and the trouble when you’ve been in Government for a long time is that you have a lot of people who have come up through the system who have gone for one reason or another, and it starts getting a bit thin.

Q340 Chair: We heard two very hard-working, extremely strong character Ministers earlier this morning, who clearly feel that if there were fewer Ministers in their Department they would be very hard pressed. Do you understand their situation?

Dan Corry: I do. I agree with Willy that some of what was making them hard pressed is stuff that he thinks they shouldn’t be doing. But I remember at DTI we always used to think, “Should anyone go the Chemical Industries Association Annual dinner?” and first of all “Should it be the Secretary of State? And if so why? And if not, should it be a Junior Minister and how Junior? And why are we going at all?” In the end, you usually decided that they would be deeply unhappy if nobody went. They felt the connection with Government, which was quite important if you went, would help communications over the next year.

Q341 Chair: So it’s a PR exercise.

Dan Corry: The civil servants always pushed for the Ministers to go to these things because that helped them over the next year; our chemicals division or whatever it was could have a much better relationship with that sector because they’d got the Ministers to the dinners and so forth. I agree with Willy in a sense; some of those things are completely pointless.

William Rickett: Depending on the Minister, to be perfectly frank.

Dan Corry: They’re pointless in a policy sort of way, which is what he’s talking about, and therefore if the Junior Ministers that you spoke to before didn’t have to do those they’d have a lot more time.

Q342 Chair: As a politician who sometimes goes to those sorts of things, you tend to learn a lot of things from people who speak to you informally that you wouldn’t get by sitting in your Department and being briefed by the Civil Service. So it cuts both ways, doesn’t it? So you need Ministers to be able to do those things. Do you agree with that Mr Rickett?

William Rickett: Yes, I do. I don’t think civil servants recommend these things because it helps them. Well, it depends.

Q343 Chair: Well, it gets them out of the house.

William Rickett: Sometimes it didn’t help. But let’s put it that way.

Q344 Chair: I met one Minister of State who became a Transport Minister—actually Michael Portillo—and the first thing he did is clear the diary, because his predecessor did nothing but go on train journeys and look at motorways, and Mr Portillo decided he wanted to sit in the Department and actually do some policy and make some decisions.

William Rickett: I do think it is very important for Ministers to manage their diaries properly because there is otherwise a tendency for the civil servants to say, “Well, we can’t think of any reason why you shouldn’t accept this appointment.” My concern was that the Civil Service wasn’t very good at saying, “No, this is a complete waste of time.”

Q345 Chair: So the final question is: what will be the consequence if the House of Commons said, “Sorry Government, you are going to have decide how to cut the cloth with 10% fewer Ministers in the House of Commons.” That doesn’t prevent them from appointing more Ministers in the other place; it doesn’t prevent them from perhaps saying, “Well, we need to have more special advisers”; it doesn’t prevent them saying all sort of other alternatives, but it reduces their patronage in the House of Commons. What would be the consequences?

William Rickett: I think if the House is prepared to put up with Whips, as you were talking earlier with the Ministers, doing some of the adjournment debates and so forth, then there’s a sort of deal to be done, but are they?

Q346 Robert Halfon: Can you get rid of Parliamentary Under-Secretaries and just have Ministers of State? Do you need Parliamentary Under-Secretaries?

William Rickett: I think that junior Ministers are junior Ministers. In a big Department you may find a distinction between a Minister of State dealing with a big area that the Secretary of State has actually effectively delegated, whereas in a small Department they’re all much of a muchness. In Transport,
Ministers of State and Parliamentary Under-Secretary seemed to me to be much the same.

Q347 Robert Halfon: Yes, they said it was exactly the same.
William Rickett: But in the Department of Trade and Industry, when the Secretary of State was focusing all his time on energy, he would leave someone else to do employment law or competition law or regions or whatever, so they did have more of a real role and a delegated role. Parliamentary private secretaries seem to have grown in numbers. I’m not quite sure why. You could make more use of Whips. I think if you did just cut arbitrarily Ministers would just have to look at it Department by Department.

Q348 Chair: But wouldn’t it actually be better if Whips were more involved in policy decisions in their Department? Obviously, they’re meant to listen to backbenchers and feed in what backbenchers are feeling, and if they were more involved and answerable for policy in the Department, that would improve accountability.
Dan Corry: In my experience they often were involved in key decisions.

Q349 Chair: Most Whips are perfectly capable of answering an adjournment debate, not just reading a speech. That’s up to them, isn’t it?

Q350 Robert Halfon: Sorry, conversely to this argument of getting rid of Ministers, if you increased the numbers of Ministers, the workload presumably wouldn’t decrease. As I said earlier, it would be just like a motorway, where you increase the lane and the traffic carries on in the same way as before. Would you say that’s correct?
William Rickett: Well, actually, just like a motorway it might induce some extra traffic, because, when wondering who to send to the Chemical Industries Association dinner you might say, “Well, Bloggs can go because they have nothing much else to do.”

Chair: So we can’t have a predict and provide policy for Ministers.

Q351 Robert Halfon: If we had five Ministers in transport, they would all sit here saying the same thing: that they’re working day and night. It wouldn’t actually cut the workload, because the amount of Ministers, does not necessarily decrease the amount of work.
William Rickett: Well, there’s always a slight tendency for organisations to create work the more people you put into them, so I think it probably would create more work to create more Ministers.

Q352 Mr Walker: Just going back to this painting by numbers on ministerial appointments, I can think of two perfectly nice women: Joan Ryan and Sally Keeble. The Labour party had real talent languishing on its backbenches, and Joan Ryan and Sally Keeble, by common consent, did not cut the mustard as Ministers, and yet someone like Dr Tony Wright, who would have been a most effective cabinet Minister, never even got a sniff of Ministerial office, so to pretend that this is anything really to do with talent is a bit disingenuous, isn’t it?
Dan Corry: Well, without going into individuals and all the rest of it, of course it’s not totally that people are ranked on talent and the best ones get in. You guys are working in politics; you’re not working in some sort of neutral place. But in general, I would say on the whole the cream does come to the top.

Q353 Mr Walker: You haven’t sat in the House of Commons for the last five years.
Dan Corry: I didn’t say in the House of Commons.
Chair: Anything else to add? Gentlemen thank you very much. It has been a very interesting discussion for us and the quality of the discussion extremely high. Thank you very much indeed.
Written evidence from Peter Riddell, Senior Fellow, Institute for Government, and chair of the Hansard Society

1. The Institute for Government is currently undertaking a major research project into ministerial effectiveness. This focuses on the following questions: what are the characteristics of an effective minister? What are the main influences on effectiveness? Why aren’t there more effective ones? And what can be done? We are nearing the end of our research phase, but have not yet reached firm conclusions.

2. Ministers have to set out policy goals on behalf of the Government; to drive through reform programmes; to explain and justify their decisions; and to be accountable for the performance of their departments, specifically to Parliament, but also, more generally, to the public and the media.

3. Possible conclusions we are considering include:
   (1) Improving the management of ministerial careers—greater stability in office; a more formal appraisal system.
   (2) Improving ministerial development via systematic mentoring, coaching and advice at various stages of a ministerial career.
   (3) Involving outsiders in government but being much clearer on their distinctive role, being a super-adviser and being accountable to, and handling, the Lords.

4. My response to the committee’s specific questions are in my personal capacity (also reflecting my observations from nearly 30 years as a political journalist), and do not reflect the Institute’s views:

1. What do ministers do and is their work best done by ministers who are drawn from Parliament?

Ministers have a variety of roles: in leading their departments; in articulating the Government’s wider agenda within their departments; in fighting the departments’ corner in the rest of the Whitehall, Westminster, Brussels and interested parties; and in handling the media. Most Secretaries of State and other ministers should still be drawn from the Commons, but there is scope, as above in paragraph 3, for more outsiders to be brought in to provide expertise in more technocratic roles, but, if they are ministers, rather than advisers, they have to have political skills.

2. Are there too many ministers, not enough, or is the level about right?

Recent Prime Ministers have abused the system by exceeding the statutory limit on the number of ministers by making appointments in both Houses who do not receive an additional salary, as well as of envoys and representatives, in addition to the proliferation of parliamentary private secretaries. This has had the effect of boosting the “payroll” vote. In addition, devolution has not led to a reduction in the number of ministers, rather the reverse as a fewer ministers for Scotland, Wales and Northern Ireland has been more than offset by increases elsewhere.

3. If proposals to reduce the numbers of MPs are implemented, should the number of ministers also be reduced?
   (a) Proportionately with the reduction in the number of MPs
   (b) By altering the statutory ceiling when the number of MPs is reduced

On a) and b) there is no optimal number (see remarks below on the implications of creating the coalition), but the current statutory limits should be enforced rigorously. No one can be called a minister who does not fall within that limit.

4. What implications does coalition government have for the role of ministers and how they operate, both collectively and at the level of individual departments?

The existence of the coalition alters the context considerably, as discussed in the recent Institute for Government report, “United We Stand”. To ensure that both coalition parties have the chance to put forward their views in partnership, the two parties have to be represented as widely as possible. At present, five departments have no Lib Dem minister. This makes it harder for a Lib Dem voice to be heard and, in many other departments, the Lib Dem minister is often a junior one. This requires a change in attitude by both ministers and civil servants to take account of both parties’ views.

5. How is the role and function of ministers likely to change if plans to decentralise power from central government to local and community level are introduced?

In theory, there should be scope to reduce the number of ministers, but, as noted above, this did not happen after devolution.
6. What do developments such as coalition government and the decentralisation of power away from central government mean in particular for:
(a) The role and number of junior ministers?
(b) Our understanding of ministerial accountability?

As noted above, there are contrasting pressures. Coalition government tends to require more junior ministers, and decentralisation fewer. But it is not just the number of ministers. Equally important is the number of departments. There is a strong case for merging several departments, which would reduce the number of ministers.

On accountability, the key issue is not whether all ministers are elected but whether they can be questioned about their policies and performance. Lords ministers already appear before select committees, there should also be some mechanism for questioning by MPs generally in, say, Westminster Hall, as has been proposed by Speaker Bercow.

7. How significant are cost and affordability issues to decisions about the number of ministerial appointments, especially given the extent of spending cuts required from government departments in the foreseeable future?

There would obviously be savings if the number of ministers is reduced, and, as the ‘Too Many Ministers?’ report by the committee noted, this applies to unpaid as well as to paid ministers since the unpaid still have private offices and associated costs. A reduction in the number of ministers—rather like the 5% cut in ministerial salaries—would be largely symbolic (an important factor politically at a time of widespread cuts) since the financial savings are pretty small.

8. Under what circumstances is it appropriate to appoint ministers from outside Parliament. Do those circumstances apply at present?

It is appropriate to bring in ministers from outside the Commons, mainly at middle ranking and junior levels, to broaden the range of experience available to a government and to fulfil specific tasks, provided they accept that being a Lords minister involves extensive political responsibilities in the Lords. There needs to be much clearer thought about the distinction between ministers and advisers.

9. Does the balance between the numbers of ministers in the Commons and in the Lords need redressing?

The question is less about numbers than ministerial roles. Probably about the current number of ministers is needed in the Lords to make statements, answer questions and take through legislation. The excess is in the Commons.

September 2010

Written evidence from Professor the Lord Norton of Louth, Professor of Government, University of Hull

This submission addresses what ministers do, the problems associated with their number and activities, and what may be done to create a more efficient government and concomitantly rebalance the relationship between the House of Commons and that part of which forms the Government.

MINISTERIAL FUNCTIONS

1. Ministers fulfil a range of functions. The senior ministers heading departments have to:
   (1) manage their departments (the doctrine of individual ministerial responsibility is of most importance in this context, establishing a minister’s line control of the department);
   (2) determine the policies of the department;
   (3) answer to Parliament for their actions;
   (4) persuade Parliament to give assent to legislation;
   (5) be the public face of their departments; and
   (6) join together in Cabinet to agree the principal policies of the Government and the programme to be laid before Parliament.

2. The question of whether there are too many ministers cannot be detached wholly from the question of what they do. There are two distinct issues relating to size, one constitutional and one functional.

Constitutional

3. Ministers by convention are drawn from and remain within Parliament. By convention, most are drawn from the House of Commons. There was an attempt through the Act of Settlement to remove placemen
(ministers) from Parliament, but this was never implemented: the legislation was to take effect upon the demise of Queen Anne but was repealed before the end of her reign.¹

4. By remaining within Parliament, ministers are able to answer for the actions of their departments and for the legislation they introduce. By being parliamentarians, they are already socialised in the parliamentary process and may therefore be seen to be sensitive to the needs of other members. This dimension may be seen to be the benefit of Parliament.

5. Ministers are bound by the convention of collective ministerial responsibility. This convention became established in the nineteenth century. Initially it did not wholly encompass junior ministers but they were soon brought within its scope.² More recently, Parliamentary Private Secretaries have been deemed to form part of the “payroll vote”, even though they remain private Members. Their inclusion has been part of a creeping process, their inclusion now implicit as a result of the wording of the Ministerial Code.

6. The “payroll vote” gives the Government a guaranteed vote in any division. As the Committee has already noted in its report Too Many Ministers? the size of the payroll vote has increased over time, principally as a result of an increase in the number of junior ministers and of PPSs.³ In 1950, the payroll vote (ministers + PPSs) in the House of Commons constituted 15% of the House. It now constitutes 21%. (That proportion will increase slightly as a result of the proposed reduction in the number of seats to 600 under the Parliamentary Voting System and Constituencies Bill.) Expressed as a proportion of the number of MPs in the coalition, it is 38%.

7. From a constitutional perspective, it can be argued that the ministry is entitled to have ministers in Parliament in order to manage the Government’s business and to explain and persuade in getting its business. However, ministers are members of a body that is expected to subject the ministry to critical scrutiny and which has the responsibility of determining whether to give assent to the legislation placed before it. The growth of the “payroll vote” has extended the number of votes at the disposal of the whips. The greater the numbers on the payroll vote, the fewer MPs there are to challenge government and if necessary to vote against it and defeat it in the event of unacceptable legislation, or other provisions, being laid before the House.

8. There therefore has to be some balance between the needs of government in terms of the number of ministers required to fulfil the essential tasks of government and the freedom of the House of Commons to challenge and ultimately, if necessary, to say no to government. There has never been, as far as I am aware, any convention as to where the balance lies, either in absolute terms (the number of ministers) or in relative terms (ministers as a proportion of the number of members), and relatively little discussion of the topic, other than through the occasional report, such as that of the Herbert Committee,⁴ and the occasional Private Member’s Bill designed to reduce the number of ministers.⁵

9. The foregoing discussion relates to the House of Commons in that the Government rests on the confidence of the House. The number of ministers drawn from the House of Lords is smaller than the number in the Commons (and has been since the 19th century) and expressed as a proportion of the membership, ministers constitute less than 3%.

Functional

10. Ministers fulfil a range of functions.⁶ Senior ministers fulfil those adumbrated in paragraph 1 and junior ministers carry out those allocated by the minister heading the department.⁷ However, in fulfilling the functions, there are two problems.

11. First, there is a premium on parliamentary skills. Members who are good at the Dispatch Box and in committee are more likely to be promoted than those who may have strong managerial skills but who are poor parliamentary performers. Some ministers survive because of their performances in the House even though they may not be good a taking decisions and managing their departments.

12. Second, in the running of government departments, ministers are generally amateurs. They may have or develop parliamentary and managerial skills, but historically they have lacked any training in the running of a department. Senior ministers have usually been appointed to office with little guidance from the Prime Minister as to what is expected of them and have been left to determine for themselves how they should manage their departments, including their junior ministers.⁸ By the time they feel they have a good grasp of the issues and how to run the department, they get appointed to another post or are removed from government. New minister

¹ Instead, ministers upon appointment had to fight by-elections. This provision was finally repealed in 1926.
⁴ Select Committee on Offices or Places of Profit under the Crown, Report from the Select Committee on Offices or Places of Profit under the Crown, Session 1940–41, HC 120.
⁵ See House of Commons Library, Limitations on the number of Ministers and the size of the Payroll vote, Standard Note SN/PC03378, pp. 6–7.
13. Some training is now made available to ministers, but the utilisation of such training has been limited. In October, I asked how many ministers had received training offered by the National School of Government. The answer was that, since the general election:

"...the number of Ministers who have attended induction events organised by the national school, or who have commissioned expert briefings or other forms of leadership development, are as follows: induction workshops: 31 Ministers; induction briefings to individual Ministers or to specific teams of Ministers: 32 Ministers; expert parliamentary briefings: nine Ministers; expert finance and governance briefings: three Ministers; and individual work on leadership development: nine Ministers."

14. The provision of some training is welcome but it remains somewhat sporadic rather than a comprehensive and sustained feature of government. There remains an emphasis on parliamentary skills and on the amateur minister. Historically, this has created an amateur government, in that ministers are not trained in running a department and they deal with senior officials who are generalists rather than specialists.

15. The relationship of this point to numbers is that government has tended to be inefficient, relying on quantity rather than quality in the provision of ministers. Senior ministers are not trained in managing a department and do not necessarily know how to get the best out of their junior ministers. They may well be able to do more with less.

**Political Imperatives**

16. Over time, the size of the ministry has grown. Though it can be argued that the increase can be attributable to the increase in the range of government responsibilities, there has been no study that bears out this claim, and it is notable that when some responsibilities of government have been reduced or transferred elsewhere (as with devolution) the decrease (if any) in the number of ministers has not been commensurate with the scale of the transfer.

17. The rise in the number of ministers may to a larger degree be the response to the Prime Minister’s desire to extend the scope of patronage. As Jonathan Powell, the former Chief of Staff to Tony Blair, has written in *The New Machiavelli*:

"If prime ministers had their way, they would appoint all the MPs on their benches to ministerial office. The payroll vote is an essential parliamentary tool, and the bigger it is the better."

18. The patronage explanation as opposed to the responsibilities of government explanation has found support in the evidence of former ministers and officials. I chaired the Conservative Party’s Commission to Strengthen Parliament, which reported in 2000. Various witnesses made clear that in their view there were too many ministers. This has been reinforced by the evidence given to this Committee in its earlier report. Those believing there are too many ministers include former Prime Minister Sir John Major and former Foreign Secretary Lord Hurd of Westwell. As former Cabinet Secretary Lord Turnbull said in evidence to the Committee, some functions could be carried out by officials. There is also the argument that some tasks do not need to be carried out, including—as Chris Mullin has observed—of speaking at conferences and other gatherings where ministerial attendance fulfils no significant benefit for government.

19. The impression may be given that the needs of government require the current number of ministers, with ministers appearing fully occupied. However, as a former minister, Frank Field, observed in evidence to the Commission to Strengthen Parliament, the amount of work increases to occupy the time made available by ministerial office may serve to make attractive the alternative careers in the House of Commons. We believe that these benefits should not be negated by extending patronage through other routes.

20. We agreed with Lord Hurd and the other witnesses. We concluded:

"The case for reducing the number of ministers is compelling on its merits. It also has a number of beneficial consequences. Limiting the number of ministers increases the number of MPs who are not committed to government by the doctrine of collective ministerial responsibility. Narrowing the route to ministerial office may serve to make attractive the alternative careers in the House of Commons. We believe that these benefits should not be negated by extending patronage through other routes."

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9. *HL Deb. 27 October 2010, col. 291W.*
21. We recommended that the number of ministers in Cabinet should be capped at 20 and the number of other ministers capped at 50. We also took the view that there should only be one PPS per department and answerable to the Cabinet minister.

RECOMMENDATIONS

22. There is a case for fewer but better trained ministers. The present system is inefficient and gives the Government an unnecessary advantage within the House of Commons in the form of the payroll vote.

23. The number of paid ministers should be reduced. This can be achieved through amending the House of Commons Disqualification Act 1975. A cap on the overall number of ministers can also be achieved through amending the Ministerial and Other Salaries Act 1975. If the size of the House of Commons is reduced to 600, this further reinforces the need for a reduction.

24. The Herbert Committee recommended that the number of ministers in the House of Commons should be no more than 60. This Committee recommended that the total payroll vote (ministers + PPSs + MPs holding posts such as special envoys) should be limited to 15% of the House—in effect, reverting to the percentage as existed in 1950.

25. I would separate consideration of the formal payroll vote—those in receipt of a ministerial salary—from those who are informal members. There is an important constitutional distinction. Ministers are members of Her Majesty's Government and Parliamentary Private Secretaries are not. However, the Government have attempted to have it both ways in the treatment of PPSs, classing them as in effect falling within the ranks of government when it suits their purposes and not as falling within its ranks when it equally suits their purpose. This inconsistency—what some may see as a cynical misuse of the position of PPSs—is enshrined in the Ministerial Code.

26. On the one hand, the Code now draws PPSs within the ranks of government when it comes to voting in the House: “Parliamentary Private Secretaries are expected to support the Government in important divisions in the House. No Parliamentary Private Secretary who votes against the Government can retain his or her position”. (This moves the PPS from a position where voting against the Government did not necessarily result in being dismissed.) On the other hand, PPSs are deemed to be private Members for the purpose of serving on Select Committees.

27. This treatment is wholly inappropriate. The Ministerial Code should be precisely that—a Ministerial Code. PPSs are private Members and insofar as they have a vicarious responsibility in relation to government it relates solely to the departments in which they assist their ministers. They should be expected not to speak or vote against the Government in respect of the department in which they serve as PPSs, but otherwise should have discretion to vote against the Government.

28. I would therefore recommend reducing the number of paid ministerial posts, capping it at 70; reducing the number of PPSs, with only one being appointed per department; and amending the ministerial code so that PPSs are not treated on a par with ministers. The first of these requires an amendment to section 2(1) of the House of Commons Disqualification Act. The remaining two are dependent on persuading the Prime Minister to take the action recommended, though it is within the gift of the House to resolve that no PPS may be appointed to serve on a select committee.

29. Reducing the number of ministers would not undermine the efficiency of government—rather the reverse—if accompanied by comprehensive provision of training for ministers and with whips taking on some of the responsibilities for answering for departments in the House. Whips in the House of Lords combine the normal tasks of whipping with acting as spokespersons for departments. It is not unknown for a Whip to be responsible for taking a major Bill through the House. At the moment, for example, the Public Bodies Bill—a highly contentious measure—is being taken through the Lords by a whip, Lord Taylor of Holbeach.

30. Given that the increase in the number of ministers in the Commons has extended to the whips, there is scope for such a change in roles. It would also have the benefit for government of extending the capacity to test whether whips are suitable for promotion within government. The Whips’ Office has tended to be used, especially by Conservative governments, as a training ground for up-and-coming MPs who are seen as ministerial material. It is a somewhat limited training ground in that the occupants of the office remain silent in the House. The virtues of a Trappist monk are not necessarily those required to be an effective departmental minister.


21. This figure derives from the existing material, as indicated, and could be adapted following a thorough review of each ministerial post and the needs of Departments.
31. If necessary, some of the tasks—those not amenable to deletion—could be taken on by additional ministers in the House of Lords. The number of ministers in the Lords is not excessive, either in absolute terms or relative to the size of the House. As already noted, the number of ministers constitutes less than 3 per cent of the membership. There is no tradition and little scope for appointing PPSs in the Lords. The position in the House of Lords is presently the reverse of that of the House of Commons: the membership of the House is increasing while the number of ministers has decreased slightly.

32. A redistribution of essential tasks, and a jettisoning of non-essential tasks, in the manner recommended obviates the need for ministers to be appointed outside the House. Appointing ministers who do not serve in either House is unnecessary and undesirable. By being drawn from and remaining within Parliament ensures that ministers are aware of the role of Parliament, and of members, and proximity is important also not only for being answerable in formal terms but also in being accessible to members less formally (for example, being button-holed during divisions). The existence of ministers in the Lords maintains the appreciation of Parliament without the need to fulfil constituency responsibilities.

33. In short, there needs to be a more efficient ministry, delivered through fewer ministers and PPSs, but with ministers trained in the tasks expected of them (especially in relation to management and policy making) and making greater use of whips and, if necessary, ministers in the Lords. A leaner, more accountable Government is good for the health of the political system. The most difficult task may be persuading government of that fact.

November 2010

Supplementary written evidence from Constitution Unit, University College London

Comparative table showing size of the Ministry compared with size of the Legislature.

### COUNTRIES WITH PARLIAMENTS OF LESS THAN 100 MEMBERS

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<th>Size of Junior Ministry</th>
<th>Total size of Ministry</th>
<th>Size of legislature</th>
<th>Ratio of Ministry to legislature</th>
<th>Population</th>
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<td>Ratio of Ministry to legislature</td>
<td>Population</td>
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<td>Ireland</td>
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<td>166 (Seanad Éireann)</td>
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<td>150 (Senate)</td>
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<td>(Parliamentary Secretaries)</td>
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### COUNTRIES WITH PARLIAMENTS OF BETWEEN 200 AND 500 MEMBERS

<table>
<thead>
<tr>
<th>Country</th>
<th>Size of Cabinet (current)</th>
<th>Size of Junior Ministry</th>
<th>Total size of Ministry</th>
<th>Size of legislature</th>
<th>Ratio of Ministry to legislature</th>
<th>Population</th>
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<tr>
<td>Sweden</td>
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<td>9,074,055</td>
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<td>Canada</td>
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<td>308—House of Commons</td>
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<td>105—Senate</td>
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<td>(Parliamentary Secretaries)</td>
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### COUNTRIES WITH PARLIAMENTS OF OVER 500 MEMBERS

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<th>Country</th>
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<th>Size of Junior Ministry</th>
<th>Total size of Ministry</th>
<th>Size of legislature</th>
<th>Ratio of Ministry to legislature</th>
<th>Population</th>
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<td>Spain</td>
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<td>350 (Congress of Deputies)</td>
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<td>259 (Senate)</td>
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<td>(Secretaries of State)</td>
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<td>France</td>
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<td>343 (Senate)</td>
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<td>650</td>
<td>1:8</td>
<td>62,348,447</td>
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<td>630 (Chamber of Deputies)</td>
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<td>315 (Senate of the Republic)</td>
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<td>UK (Ministers from House of Commons only)</td>
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<td>32</td>
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<td>1,388</td>
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<td>62,348,447</td>
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<td>650 (House of Commons)</td>
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<td>738 (House of Lords)</td>
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<td>62,348,447</td>
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<td>650 (House of Commons)</td>
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November 2010