



House of Commons
Public Administration Select
Committee

**Our work in the
2010–2015 Parliament**

Seventh Report of Session 2014–15

*Report, together with formal minutes relating
to the report*

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The Public Administration Select Committee

The Public Administration Select Committee (PASC) 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.

Current membership

[Mr Bernard Jenkin MP](#) (*Conservative, Harwich and North Essex*) (Chair)

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[Mr Andrew Turner MP](#) (*Conservative, Isle of Wight*)

Powers

The Committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in S.O. No. 146. These are available on the internet via www.parliament.uk/.

Publication

Committee reports are published on the Committee's website at www.parliament.uk/pasc and by The Stationery Office by Order of the House.

Evidence relating to this report is published on the Committee's website at www.parliament.uk/pasc.

Committee staff

The current staff of the Committee are Sian Woodward (Clerk), Philip Aylett (Committee Specialist), Sarah Taylor (Committee Specialist), Luanne Middleton (Committee Specialist), Clare Genis (Senior Committee Assistant), Ian Blair (Committee Assistant) and Jessica Bridges-Palmer (Media Officer)

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Summary

As the end of this Parliament approaches, we have taken the opportunity to look back on our work, the impact it has had, and to set out areas that we hope will be of interest to our successor Committee. As one of a small number of cross-government select committees, we gain a perspective on the state of Whitehall and its agencies which is not available to departmental select committees.

Throughout the past five years, the recurring theme of our findings and recommendations reflects the importance of effective leadership in creating effective organisations. Our work has shown that it is the positive or negative attitudes and behaviour in the people and the culture of an organisation which determines success or failure. Structures, processes and systems are important too, but preoccupation with these so often becomes a distraction from the real problems, which are about why people do not share information for the common good, collaborate effectively and trust one another. We are encouraged by the thinking and conversations prompted by our work, but realistic that the same issues will keep arising until there is a comprehensive determination to address the attitudes and behaviour of all the most senior Ministers and officials. Many of the other controversies which continue to arise, such as Special Advisers repeatedly getting into trouble, or doubts about Civil Service impartiality, the failure of cross departmental working, the lack of long-term strategic underpinning of ministerial decisions, stem from a lack of understanding of this imperative. The leadership of independent bodies like the Parliamentary and Health Service Ombudsman and of the Charity Commission are confronting the same challenges. The UK enjoys one of the best systems of government in the world, but we have much to learn from the very best systems in other governments and from parts of the private sector.

During this period, PASC has also been at the forefront of innovation for Select Committees. We took control of the process of selection of the Parliamentary and Health Service Ombudsman (PHSO) away from the Government altogether, so that for the first time Parliament has appointed its Ombudsman. We have also held many pre-appointment hearings for the Chairs of public bodies. We were the first Select Committee to refuse to accept a government nomination for the chair of a public body. The Government was forced to re-run the selection for the post of Chair of the UK Statistics Authority under a new selection panel, and to propose a different candidate. We were pleased then to support the appointment of Sir Andrew Dilnot as the new Chair of the Authority. We also now hold hearings on PHSO's thematic reports, to interrogate and hold to account those who must respond to its recommendations, in the same way that the Public Accounts Committee has historically held hearings on National Audit Office reports. We also take a closer interest in feedback from those who have complained through PHSO.

PASC has worked together effectively as a team despite our political differences and the often controversial issues we have tackled. Not all of our reports have been agreed unanimously, but we never divided on party lines. This can be attributed to the commitment of Members to approaching our work in a professional, positive and serious way.

Chair's Foreword

Anyone who takes on the job of Chair of a Select Committee will testify how absorbing the work can be. It can take the attention of every waking hour. I have learned much from our inquiries and from Committee colleagues which has broadened my knowledge and understanding of life in politics and Whitehall, and beyond, as well as about how the House of Commons works, and could work better.



Our main effort has been to try to understand why Whitehall and the Civil Service seem to be a frustrating place. This is the case for both many Ministers, and for many civil servants and others who work in, or for, government departments.

PASC now has more understanding of the very exacting demands made on the political and administrative leadership and the fact that many arrive in senior leadership roles unprepared for them.

PASC's work has led me on something of a personal journey. Now that I look back on my own career in large organisations (I started with Ford Motor Company in the early 1980s, and also worked in the venture capital industry for 3i plc, and then with Legal & General), I understand much better how and why those organisations functioned as they did, and what "change" in a large organisation must mean to be effective. The corporate culture is by far the most significant determining factor in the effectiveness of any organisation. This 'culture' is about how people behave and what attitudes their behaviour demonstrates. How open, honest and trusting is it? What does it value in its employees? What incentives, non-financial and financial, does it create? How are you judged on the manner in which you interact with others as you fulfil your role, responsibilities and tasks?

Everything PASC has learned points to an overriding truth: that the tone and culture of an organisation is set by those at the top. The people below will tend to take their lead and adopt the same attitudes and behave in the same way as their leaders, because that tends to be the way to secure their own success and promotion. This is why dysfunctional organisations can be so very difficult to mend: because the leadership tend to blame structures, processes or other people or other factors for what goes wrong, rather than to question the behaviour and attitude of themselves or their peer group. Then others will tend to follow their example and echo what they communicate. This is entirely natural and understandable, since confronting negative attitudes or destructive behaviour in individuals is deeply personal. Adverse events will tend to reinforce their mutual dependence and make questioning of fundamental attitudes even more difficult.

Confronting this problem requires a high degree of self-knowledge and personal assurance—qualities which we expect leaders to have already, but which many learn from sometimes bitter experience and too late in their careers. Leadership training is about

instilling these personal capabilities, self-awareness and understandings of self and others. It cannot all be learned from experience. Hard skills and capability are also vital in any organisation, but are all for nought without leaders who have a deep understanding of themselves and of how their leadership affects those upon whom they depend.

Few people are born leaders. The finest concert pianist may be born with talent, but will only be successful with endless lessons and practice. Most capable people can become better leaders through learning and experience, and above all through having the opportunity to talk about these. We cannot all be virtuosos, but most in politics and public life could learn, and be helped to learn, to be better leaders.

Understanding these issues has led PASC to approach our own work differently from some Select Committees. Accountability should not be about blame. Holding government witnesses to account does not depend upon exposing witnesses' weaknesses, but upon seeking their understanding of the issues involved. I don't apologise for our less confrontational approach to witnesses, because we gain and learn much from their trust that we give them a fair hearing.

I would like to thank everyone who has made PASC's work so interesting, enjoyable and worthwhile. This includes our witnesses, those who have contributed in writing or in other ways to our inquiries, and those who have been formally appointed advisers. I would particularly like to thank our two permanent advisers, Dr Gillian Stamp, who has advised PASC for much of this Parliament in respect of our work on the Civil Service, and Simon Briscoe, who has provided so much invaluable advice to support our work in respect of government statistics. I also acknowledge and thank so many who have given time and energy to give me and PASC informal advice and guidance.

PASC has been extremely fortunate to have enjoyed the devoted work of a succession of Clerks, Second Clerks and Specialists. It is a privilege to work with people of the very highest calibre. We could always do with more such support, and if Select Committees are to become more effective, they need more resources and support, but this is not to undervalue what we have had. Indeed, the hard work and extra hours exemplify the highest standards of public administration, something which PASC knows how to evaluate. I extend the same thanks and appreciation to PASC's administrative staff, to the senior clerks of the House, to the whole of the House Service, and to the staff in my own office.

Finally, I thank my colleagues who served under my chairmanship. Some have come and gone, but some have served throughout this Parliament. Every one of them brings a unique perspective and experience from across the UK and every one of them has not only appreciated the importance of our work, but has contributed to it.

Bernard Jenkin MP
House of Commons
24 March 2015

1 Introduction

1. The Public Administration Select Committee (PASC) is made up of 11 MPs from the three largest parties represented in the House of Commons. We have two main roles: to examine the reports of the Parliamentary and Health Service Ombudsman¹; 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. In this, we differ from departmental Select Committees because we look at the work of the Civil Service as a whole, rather than at particular departments. We also scrutinise the work of the Cabinet Office and its agencies and public bodies, and other public bodies, including:

- the Charities Commission;
- the UK Statistics Authority;
- the House of Lords Appointments Commission;
- the Commissioner for Public Appointments; and
- the Committee on Standards in Public Life.

2. During the 2010–2015 Parliament, we conducted 60 inquiries on a range of issues, from the accountability of quangos and public bodies, to complaints and clinical failure in the health service and the impartiality of the civil service during referendums. We have conducted ‘big picture’ inquiries into the strategic challenges facing the Civil Service such as *Strategic thinking in Government*, as well as holding pre-appointment hearings and one-off evidence sessions.² We have also scrutinised Government policies in other areas under the jurisdiction of the Cabinet Office; such as the ‘Big Society’, the honours system, Government procurement (and in particular the procurement of IT equipment and software), and charity law.

3. We have received written and oral evidence from a wide range of people and organisations and we are grateful for the time and effort they have taken to contribute to our work, which would not have been possible without their generosity. Analysis has shown that our witnesses were not as gender balanced as for some other Select Committees, and we hope that our successor Committee will address this in the next Parliament.

4. Before 2010, our predecessor Committees also covered the subject matter which has been, for the last five years, under the remit of the Political and Constitutional Reform Committee. The Political and Constitutional Reform Committee was established under a temporary House of Commons Standing Order in order to scrutinise the responsibilities of the Deputy Prime Minister. This included such topics as the referendum on electoral reform and House of Lords reform, which were put on the agenda by the coalition

1 Technically, the Parliamentary Commissioner for Administration and the Health Service Commissioner for England. [House of Commons Standing Orders](#), December 2013, S.O. No. 146

2 Public Administration Select Committee, Twenty-Fourth Report of Session 2010-12, [Strategic thinking in Government: without National Strategy, can viable Government strategy emerge?](#), HC 1625, April 2012

agreement. By implication the Deputy Prime Minister’s responsibilities were removed from PASC’s remit.

5. We conclude that the establishment of the Select Committee on Political and Constitutional Reform has enabled PASC to concentrate its effort on a narrower remit, albeit with more limited resources. The disadvantage has been the dislocation of our work where our respective remits overlap, on such subjects as the Cabinet Manual, the effects of the Fixed Term Parliaments Act, devolution and decentralisation, and other changes in the UK constitution which affect the nature of government.

6. As the Political and Constitutional Reform Committee will cease to exist we therefore recommend that its remit be returned to PASC in the new Parliament, so long as PASC is given sufficient resources to support the full burden of its restored remit.

7. The table below sets out some headline figures regarding our work:

	Session 2010-12	Session 2012-13	Session 2013-14	Session 2014-15	Total
Meetings	82	44	41	31	198
Reports	24	9	15	7	55
Special Reports	2	5	8	6	21
Witnesses	173	111	140	109	533
Number of evidence sessions	62	41	33	25	161

8. In addition to our formal publications and correspondence, the Committee has an active Twitter account (@CommonsPASC) with more than 2,000 followers. Our work regularly generates interest among members of the public, including civil servants, complainants and others, as well as in the media. We are one of the most watched parliamentary Committees, with more than 225,000 online views of our evidence sessions from 2010 to the end of 2015.

9. Key developments since 2010 which have affected our work include:

- the Government’s extensive Civil Service reform programme, arguably the broadest such reform programme since 1968, which has been pursued in a context of severe financial challenge and shrinking headcounts, leading to decreased funding for the bodies we scrutinise;³
- public bodies reforms, which have been significant, leading to a decline in aggregate in the number of public bodies and their staff numbers and funding, but

3 National Audit Office, [Memorandum on the 2012 Civil Service Reform Plan](#), HC 915, January 2013

which have not been co-ordinated with wider Civil Service reforms and health reforms;⁴

- changes in the role and remit of the Cabinet Secretary, who is now again also Head of the Civil Service;
- the appointment of non-executive directors in Government departments;
- the Constitutional Reform and Governance Act 2010 recognised the Civil Service Code and established the Civil Service Commission on a statutory basis; and
- the continuing failure of the Cabinet Office-funded Iraq Inquiry to publish a report on its work.

4 Public Administration Select Committee, First Report of Session 2014-15, [Who's accountable? Relationships between Government and arm's-length bodies](#), HC 110, November 2015

2 Scrutiny of the work of the Parliamentary and Health Service Ombudsman

10. The Parliamentary and Health Service Ombudsman (PHSO) is responsible for considering complaints by the public that UK Government departments, public bodies and the NHS in England have not acted properly or fairly or have provided a poor service. The Ombudsman is independent of both the Government and the Civil Service and is the final adjudicator of NHS complaints in England.⁵ Under House of Commons Standing Orders we have the power to “examine the reports” of the Ombudsman.⁶ The current Ombudsman is Dame Julie Mellor who has held the post since January 2012.⁷

11. As part of our scrutiny of the work of the PHSO, we published a report in April 2014 calling for a people’s ombudsman service.⁸ This report highlighted the outdated nature of the framework in which the PHSO operates and made a number of recommendations on how to improve it. These included: allowing citizens to directly access the PHSO about public services, without having to take their complaint through their MP; enabling complaints to be made by telephone and online; giving the Ombudsman “own-initiative” powers to investigate areas of concern in government departments, agencies and the NHS without the need to first receive a complaint; and strengthening the accountability of the Ombudsman. In conducting the inquiry, we heard directly from members of the public, holding an informal meeting with people who had submitted information to us about their experience of complaining to PHSO. We also hosted a forum discussion on the MoneySavingExpert website to help shape our evidence session with the PHSO. This experience has led us to change the way we respond to direct approaches from those who have complained through PHSO and who have expressed dissatisfaction. We now take a closer interest in feedback from those who have complained through PHSO, though we continue to respect the independence of PHSO’s adjudications. PASC is not and cannot become a mechanism for appealing against PHSO’s decisions. We can however learn much from understanding the issues which people raise with us in respect of PHSO, and improve our scrutiny and support for what needs to change at PHSO.⁹

12. In a parallel inquiry to our inquiry *Time for a People’s Ombudsman Service*, we looked at the efficacy of systems across Government for handling complaints. Our Report, *More complaints please!* concluded that the Government must ensure that leaders in public

5 [Health Service Commissioners Act 1993](#)

6 [House of Commons Standing Orders](#), December 2013, S.O. No. 146

7 Public Administration Select Committee, Ninth Report of Session 2010-12, [Pre-appointment hearing for the post of Parliamentary and Health Service Ombudsman](#), HC 1220-I, July 2011

8 Public Administration Select Committee, Fourteenth Report of Session 2013-14, [Time for a People’s Ombudsman Service](#), HC 655, April 2014

9 Public Administration Select Committee, Sixth Report of Session 2014-15, [Investigating clinical incidents in the NHS](#), HC 886, March 2015

services value complaints as being critical to improving, and learning about, their service.¹⁰ Our recommendations have been taken up by the Cabinet Office, which is reviewing how complaints handling in government could be better co-ordinated and thus improved.¹¹

13. This work also prompted us, as a Committee, to change the way we scrutinise the reports of the Ombudsman. We now hold hearings on PHSO's thematic reports, to interrogate and hold to account those who must respond to its recommendations, in the same way as the Public Accounts Committee has historically held hearings on National Audit Office reports. The first of these sessions, looking at two of the Ombudsman's reports—on severe sepsis and on midwifery supervision and regulation—was held in September 2014.¹² On a previous occasion in 2011 we had similarly examined an Ombudsman report on Equitable Life.¹³

14. More recently, we have looked at how clinical incidents are investigated in the NHS, in the hope of achieving quicker and more effective resolution of incidents of clinical failure locally, leading to a substantial reduction in the number of people whose cases reach as far as the Ombudsman.¹⁴ We concluded that the current system is not fit for purpose. We therefore recommended that local investigative capacity should be strengthened across the NHS. These local systems should be supported by a new, single, independent and accountable investigative body to provide national leadership. Since our inquiry concluded taking evidence, the Government has accepted the principle of this proposal. This should serve as a resource of skills and expertise for the conduct of patient safety incident investigations, and to act as a catalyst to promote a just and open culture across the whole health system.

10 Public Administration Select Committee, Twelfth Report of 2013-14, [More complaints please!](#), HC 229, April 2014

11 Public Administration Select Committee, Third Special Report of Session 2014-15, [More Complaints Please! and Time for a People's Ombudsman Service: Government Responses to the Committee's Twelfth and Fourteenth Reports of Session 2013-14](#), HC 618, September 2014

12 Oral evidence taken on 10 September 2014, (2014-15), HC 616, Q 1-99, and oral evidence taken on 10 September 2014, (2014-15), HC 623, Q 1-49

13 Public Administration Select Committee, Third Report of Session 2010-11, [Equitable Life](#), HC 485, October 2010

14 Public Administration Select Committee, Sixth Report of Session 2014-15, [Investigating clinical incidents in the NHS](#), HC 886, March 2015

3 Scrutiny of the quality and standards of administration in the public sector

Strategy and leadership in Whitehall

15. Strategy and leadership have been a key focus of our scrutiny of the Civil Service this Parliament, from our very first Report.¹⁵ We have identified effective leadership as one of the most important factors in creating effective organisations, and we have made various recommendations intended to strengthen leadership in the Civil Service.

16. Our September 2011 Report, *Change in Government: the agenda for leadership*, concluded that unless the Government could rapidly develop and implement a comprehensive plan for cross-departmental reform in Whitehall, its wider ambitions for public service reform, the Big Society, localism and decentralisation would fail.¹⁶

17. The Report highlighted the lack of specialist expertise and other key skills, institutional inertia and complacency which we said justified the Prime Minister’s complaint about “the enemies of enterprise” within Whitehall.¹⁷ Above all, we recommended that the Government must formulate a coherent programme for change across Whitehall, and that the Cabinet Office should take on a much stronger co-ordinating role and should provide much more vigorous leadership to ensure that every department was leading and implementing change effectively. We set out six principles of good governance and change management against which we would scrutinise both the performance of Whitehall and the work of the Cabinet Office in leading Civil Service reform. These are: leadership; performance; accountability; transparency; coherence; and engagement.

18. The Government response to our recommendations on Civil Service reform was largely positive. We welcomed the Government’s commitment to constructive change in the culture in the Civil Service, particularly the commitment to produce an outline programme setting out priority areas for cross-Civil Service reform by the spring of 2012.¹⁸ We also produced two ‘End of Term’ reports which examined the reform and corporate change programmes of individual Government departments; and considered to what extent departments were building capability in support of both their strategic aims, and the Government’s overall strategic aims.¹⁹

15 Public Administration Select Committee, First Report of Session 2010-12, [Who does UK National Strategy?](#), HC 435, October 2010

16 Public Administration Select Committee, Thirteenth Report of Session 2010-12, [Change in Government: the agenda for leadership](#), HC 714, September 2011

17 As above

18 Published as HM Government, [The Civil Service Reform Plan](#), June 2012

19 Public Administration Select Committee, Eleventh Report of Session 2010-12, [Good Governance and Civil Service Reform: ‘End of Term’ report on Whitehall plans for structural reform](#), HC 901, July 2011, and Public Administration Select Committee, Fifth Report of Session 2012-13, [End of term report: 2011–12](#), HC 316, September 2012

19. Our April 2012 Report, *Strategic thinking in Government: without National Strategy, can viable Government strategy emerge?* highlighted the need for strategic leadership to tackle the complex, diverse and unpredictable domestic and global challenges facing the UK.²⁰ We outlined how a virtuous circle can be established when there is strategic leadership, with effective policies and positive outcomes reinforcing the public's values and aspirations. This in turn can inspire leadership. We also detailed how weak leadership will result in a vicious circle in which bad policy and failure in outcomes undermine the values and aspirations of the public and faith in their leaders.

20. We were pleased that the Government agreed with the key point that it is critical that Ministers are fully equipped with as much information as possible about the long-term implications of their decisions, and about possible changes outside the Government's control which might affect strategy in the longer term, and that a review of horizon scanning in Whitehall should be undertaken.²¹ However, we were disappointed that the Government did not take up our recommendation to publish an annual Statement of National Strategy reflecting the interests of all parts of the UK and the devolved policy agendas. We still feel that this approach would provide a useful snapshot of how National Strategy has developed and an opportunity to reassess and debate how tax and spending decisions support the Government's national strategic aims.

21. In our key September 2013 report, *Truth to power: how Civil Service reform can succeed*, we highlighted tensions between Ministers and civil servants, with many Ministers feeling that their decisions were being deliberately blocked or frustrated.²² We identified a lack of openness and trust in Whitehall interactions, a failure to learn from mistakes and a tendency to look for individuals to blame. We found that the Government had not developed the analysis, policies and leadership to address these problems, and that both Ministers and senior civil servants were still somewhat in denial about their respective accountabilities. We concluded that fundamental change was required and that the independent evidence in favour of a comprehensive strategic review of the nature, role and purpose of the Civil Service was overwhelming.

22. The Report made only one recommendation: the establishment of a Parliamentary Commission into the Civil Service, in the form of a joint committee of both Houses. This recommendation received the unanimous support of the House of Commons Liaison Committee, but was not taken up by the Government, which did not accept the need for such a review.²³

20 Public Administration Select Committee, Twenty-Fourth Report of Session 2010-12, [Strategic thinking in Government: without National Strategy, can viable Government strategy emerge?](#), HC 1625, April 2012

21 Public Administration Select Committee, Third Special Report of Session 2012-13, [Strategic thinking in Government: without National Strategy, can viable Government strategy emerge? Government Response to the Committee's Twenty Fourth Report of Session 2010-12](#), HC 573, September 2012

22 Public Administration Select Committee, Eighth Report of Session 2013-14, [Truth to power: how Civil Service reform can succeed](#), HC 74 [incorporating HC 664-i-x, Session 2012-13], September 2013

23 Public Administration Select Committee, Fifth Report of Session 2013-14, [Truth to Power: How Civil Service reform can succeed: Government Response to the Committee's Eighth Report of Session 2013-14](#), HC 955, January 2014

23. We have followed the role of Head of the Civil Service as it has changed over the course of the Parliament. Back in May 2010 Gus O’Donnell was Cabinet Secretary and also held the role of Head of the Civil Service. This combined role had existed since 1983. We scrutinised the Government’s decision to split the combined role following the announcement in November 2011 of Lord O’Donnell’s retirement from the Civil Service. We expressed serious concerns about the proposal, and in particular, the belief that the role of the Head of the Civil Service could be delivered on a part-time basis by a permanent secretary of a major department of state.²⁴ We called for a full-time Head of the Civil Service, combining the roles of Head of the Civil Service and Permanent Secretary of the Cabinet Office, which would be more effective in driving forward the necessary and substantial reforms required across Whitehall.²⁵ The Government came to the same conclusion in July 2014, when it decided to create such a role, now termed Chief Executive of the Civil Service and held by John Manzoni. We held an oral evidence session with Mr Manzoni in January 2015 to hear more about the new arrangements, which should be kept under review by our successor Committee.²⁶

24. One of our final Reports in this Parliament looked ahead to the future. Entitled *Leadership for the long term: Whitehall's capacity to address future challenges*, it focused on the Government’s capacity to plan for and adapt to future challenges and crises.²⁷ We found that capacity was needed to generate and implement cross-government financial plans, as opposed to merely collating departmental actions and calling them a plan. We recommended that the Government sets out how leadership of this work will be shared by the Chief Executive of the Civil Service and the Treasury, so that their work is integrated.

Structures for investigating alleged breaches of the Ministerial Code

25. The content and status of the Ministerial Code, and the structures for investigating alleged breaches of the Code, have been a recurring concern for us. In our March 2012 Report, *The Prime Minister’s Adviser on Ministers’ interests: independent or not?*, we considered the role of the independent adviser on Ministers’ interests, Sir Alex Allan.²⁸ We concluded that the independent adviser, who is responsible for investigating alleged breaches of the Code, at the request of the Prime Minister, lacks independence, as he is appointed personally by the Prime Minister, is supported from within the Cabinet Office, and cannot instigate his own investigations. We therefore recommended that the Prime Minister’s adviser should be empowered to instigate his own investigations into alleged

24 Public Administration Select Committee, Nineteenth Report of Session 2010-12, [Leadership of change: new arrangements for the roles of the Head of the Civil Service and the Cabinet Secretary](#), HC 1582, January 2012, para 104

25 Public Administration Select Committee, Nineteenth Report of Session 2010-12, [Leadership of change: new arrangements for the roles of the Head of the Civil Service and the Cabinet Secretary](#), HC 1582, January 2012, para 105

26 Oral evidence taken on 14 January 2015, [The Work of the Chief Executive of the Civil Service](#), HC 922

27 Public Administration Select Committee, Third Report of Session 2014-15, [Leadership for the long term: Whitehall's capacity to address future challenges](#), HC 669, March 2015

28 Public Administration Select Committee, Twenty-Second Report of Session 2010-12, [The Prime Minister's adviser on Ministers' interests: independent or not?](#), HC 1761, March 2012

breaches of the Code, and this conclusion was agreed by the House in a resolution of 17 July 2012 following a Backbench Business debate.²⁹ However, this recommendation has not been implemented by the Government.

26. On revisiting this issue in our 2013 Report, *The Role of the Cabinet Secretary and the Resignation of the Chief Whip*, we were disappointed to find that the structures for investigating alleged breaches of the Code were still not working effectively.³⁰ In particular, we found it regrettable that no aspect of the events preceding Andrew Mitchell MP's resignation was investigated by the Prime Minister's Adviser.

The Civil Service Commission

27. The Civil Service Commission is an executive non-departmental public body of the Cabinet Office established in statute by the Constitutional Reform and Governance Act 2010 which aims to provide assurance that civil servants are selected on merit on the basis of fair and open competition, and to help safeguard an impartial Civil Service. We believe the Commission performs an essential role and does a good job, and that its guardianship role has increased in importance. Indeed we believe the Commission should take on additional functions for oversight of civil service capabilities, upholding standards, performance management and leadership and stewardship, matched with appropriate resources. We believe it should be able to accept complaints from non civil servants who believe the Civil Service Code has been breached, as it already does in respect of civil service recruitment complaints. Sir Gerry Grimstone's Triennial Review of the Commission, published in February 2015, to which we contributed, recommended the Commission be given new powers but remain as an independent regulator of some of the most important aspects of the Civil Service.³¹

Ministers' involvement in the appointment of permanent secretaries

28. In the 2013-14 Session, we were pleased to feed into a Civil Service Commission consultation on the extent to which Ministers and the Prime Minister should be involved in the appointments of heads of departments, known as permanent secretaries.³² The Government had argued that Ministers, and particularly the Prime Minister, should have more choice in the final decisions about appointments to the most senior civil service roles. They had proposed setting up extended ministerial offices with more political appointees and civil servants appointed personally by Ministers. However, the Commission was

29 The resolution read: That this House calls on the Government to implement the recommendation made by the Public Administration Select Committee in paragraph 44 of its Twenty-second Report of Session 2010-12, [The Prime Minister's Adviser on Ministers' Interests: independent or not?](#), that the Independent Adviser on Ministers' Interests 'should be empowered to instigate his own investigations'; and notes that this motion has been agreed by the Public Administration Select Committee. Hansard (2012) 17 July 2012 : col 876

30 Public Administration Select Committee, Eighth Report of Session 2012-13, [The Role of the Cabinet Secretary and the Resignation of the Chief Whip](#), HC 864-I, January 2013

31 Cabinet Office, [Civil Service Commission: triennial review - a better civil service](#), February 2015

32 Civil Service Commission, [Annual Report 2013-14](#), June 2014

concerned that such an approach would pose a risk to the requirement for appointment on merit.

29. The Commission put forward two options for consultation: continuing the existing practice, in which the relevant Secretary of State had a role in the recruitment process, or allowing the Prime Minister to make the choice where more than one candidate was judged by a panel to be of similar merit. We outlined our views on this issue in our February 2014 Report, *Latest proposals for ministerial involvement in permanent secretary appointments*.³³ We felt strongly that a decision to give the Prime Minister the power to choose between permanent secretary candidates should not be introduced before a full and independent assessment of the future of the Civil Service, and the relationship between officials and Ministers, as recommended in our *Truth to Power* Report.³⁴

30. We were pleased that the Civil Service Commission took particular note of our advice and supported our recommendation for a review of the Civil Service.³⁵ It decided not to increase ministerial choice in external competitions for permanent secretary appointments “until there is a wider settlement about the future of the Civil Service.”³⁶ However, it later reversed this decision, announcing in October 2014 that the Prime Minister or the First Minister will in future be given a choice of Permanent Secretary candidates assessed as appointable by an independent panel chaired by the First Civil Service Commissioner.³⁷

33 Public Administration Select Committee, Ninth Report of Session 2013-14, [Latest proposals for ministerial involvement in permanent secretary appointments: PASC's recommendations](#), HC 1041, February 2014

34 Public Administration Select Committee, Eighth Report of Session 2013-14, [Truth to power: how Civil Service reform can succeed](#), HC 74 [incorporating HC 664-i-x, Session 2012–13], September 2013

35 Civil Service Commission, [Annual Report 2013-14](#), June 2014

36 As above

37 Civil Service Commission, [Prime Minister to be given choice of appointable candidates in Head of Department competitions](#), October 2014

4 Public bodies reform

31. The Coalition’s Programme for Government stated that it would “reduce the number and cost of quangos”.³⁸ Our 2011 Report *Smaller Government: Shrinking the Quango State* found that the ‘bonfire of the quangos’ was poorly managed, and we expressed doubt as to whether accountability would be improved by moving functions in-house.³⁹ By 2014 we found that significant reforms of public bodies had been implemented, but had not been coordinated with Civil Service reforms and health reforms.⁴⁰ We were unconvinced that the reforms had in fact increased accountability, their main aim, as accountability does not depend on organisational form. We concluded that the next phase of public bodies reform must address both formal and informal relationships, or it would achieve far less than the Government hoped. We called for a more professional and transparent approach to the management of the state beyond departmental borders.⁴¹

32. We were disappointed that the Government response merely recognised “that there are issues with the current classifications process”, as we had called for the establishment of a clear taxonomy of types of public bodies, so that it is clear how each is governed and sponsored.⁴² Our successor Committee will have to follow this up once the Cabinet Office publishes the results of its current review of the classification system.

33. In 2011 we found that Departments were not clear about how they should interact with the bodies they sponsor; they were failing to strike the right balance between oversight and independence.⁴³ We returned to the quality of sponsorship in 2014, saying the Cabinet Office could promote good practice and highlight examples of success, as sponsorship of arm’s-length bodies was, we concluded, a vital skill set.⁴⁴ The Government response was encouraging on this point, agreeing strongly with us on the importance of sponsorship skills, and setting out plans for improvement, including new training.⁴⁵

38 HM Government, [The Coalition: our programme for government](#), March 2010

39 Public Administration Select Committee, Fifth Report of Session 2010-11, [Smaller Government: Shrinking the Quango State](#), HC 537, January 2011

40 Public Administration Select Committee, First Report of Session 2014-15, [Who’s accountable? Relationships between Government and arm’s-length bodies](#), HC 110, November 2014

41 As above

42 Public Administration Select Committee, Sixth Special Report of Session 2014-15, [Who’s accountable? Relationships between Government and arm’s-length bodies: Government Response to the Committee’s First Report of Session 2014-15](#), HC 1129, March 2015

43 Public Administration Select Committee, Fifth Report of Session 2010-11, [Smaller Government: Shrinking the Quango State](#), HC 537, January 2011

44 Public Administration Select Committee, First Report of Session 2014-15, [Who’s accountable? Relationships between Government and arm’s-length bodies](#), HC 110, November 2014

45 Public Administration Select Committee, Sixth Special Report of Session 2014-15, [Who’s accountable? Relationships between Government and arm’s-length bodies: Government Response to the Committee’s First Report of Session 2014-15](#), HC 1129, March 2015

5 Special Advisers

34. Throughout this Parliament we have found that Special Advisers perform an essential but often controversial role. In our October 2012 report on Special Advisers, we said that Ministers must recognise their responsibility, not just accountability, for the conduct of their Special Advisers so that Special Advisers, Ministers and civil servants work effectively together.⁴⁶ We said that Ministers must actively ensure that they are fully aware of what their advisers are doing in their name. In particular, we raised our concerns that responsibility for Special Advisers has “proved to be more theoretical than actual”—and that we could not recall any Minister ever resigning over the conduct of a Special Adviser, despite some astonishing cases.

35. We also said that the Special Adviser role protects the impartiality of the Civil Service, by performing tasks it would be inappropriate for permanent, impartial officials to perform, helping to ensure that the Government’s policy objectives are delivered. However, Ministers must be able to justify that the tasks Special Advisers undertake are in the public interest. We recommended that Ministers should notify the relevant departmental Select Committee when they appoint a new adviser, setting out that individual’s responsibilities and their qualifications for the role. While Select Committees should not hold pre-appointment hearings, they should reserve the right to call Special Advisers to give evidence on their role and qualifications for the job in exceptional circumstances.

36. The Government agreed that trust and mutual respect between Ministers, officials and Special Advisers are vital for the effective functioning of Government and where mistrust is attributable to the actions of Special Advisers, it is for Ministers to address.⁴⁷

37. Since our 2012 Report and the Government’s response to it in 2013, we have kept the issue of Special Advisers under review, and there have been further controversies involving Special Advisers. We considered one of these cases in our Report *Lessons for Civil Service impartiality from the Scottish independence referendum*.⁴⁸ Early in January 2015 it became clear that Special Advisers reporting to Conservative Ministers had been told to take part in telephone canvassing on behalf of their party in the November 2014 Rochester and Strood by-election campaign. However, as we found, canvassing is not compatible with the Code of Conduct and the Model Contract of employment for Special Advisers currently in force. Our advice from Speaker’s Counsel was that telephone canvassing by a Special Adviser represented “the crossing of the Rubicon”. In an oral evidence session we pressed Sir Jeremy to consult the Government’s Law Officers, and he undertook to “take legal advice”.⁴⁹ We recommended that Special Advisers should never again be confronted with directions or informal pressure that puts them in breach of the Code and of their contracts of employment. Our successor Committee will have to keep this under review.

46 Public Administration Select Committee, Sixth Report of Session 2012-13, [Special advisers in the thick of it](#), HC 134, October 2012

47 Public Administration Select Committee, Second Special Report of Session 2013-14, [Special advisers in the thick of it: Government Response to the Committee’s Sixth Report of Session 2012–13](#), HC 515, July 2013

48 Public Administration Select Committee, Fifth Report of Session 2014-15, [Lessons for Civil Service impartiality from the Scottish independence referendum](#), HC 111, March 2015

49 Oral evidence taken on 27 January 2015, (2014-15), HC 669, Q 446

6 Statistics and their use in government

38. We recently completed a comprehensive programme of work to scrutinise statistics and their use in government, which was launched in June 2012. We assumed responsibility for scrutiny of government statistics after responsibility for statistics was transferred from HM Treasury to the Cabinet Office in 2008. In this programme, we have inquired into 10 topics—some through traditional inquiries and others through written evidence and correspondence with relevant parties. Reports published as part of this series include those on statistics and open data, crime statistics and the census.⁵⁰

39. This work has enabled us to maintain pressure on both the UK Statistics Authority (UKSA) and the Government to improve the quality of a broad range of statistics and to hold them to account on issues of significant national importance. We are particularly pleased about the impact of our inquiry into Crime Statistics, which led to the removal of the gold-standard kitemark of “national statistics” from police-recorded crime, and a significant programme of work in government and by the Office for National Statistics and UKSA to improve the quality of these important statistics.⁵¹

40. We have held debates in Westminster Hall on our inquiries into Crime Statistics and Migration Statistics, holding Ministers to account and enabling Members from across the House to debate the issues raised in our reports.

41. One of the key recommendations to come out of this programme of work on statistics was the recommendation that there should be a clear separation between the officials who regulate the quality of national statistics and those who produce the data.⁵² Progress on this has been disappointingly slow. The lack of separation means that UKSA tends to challenge only the misuse of statistics rather than the more difficult part of regulation, namely challenging Government departments that are not managing their statistical work sufficiently in the public interest. This should be a key focus for the future.

42. Several of the Committee’s reports dealt with individual statistical themes, such as migration, crime and the economy, and the scale of the work required to boost the quality of output in these areas was clear. For example, as a result of our final inquiry in the series, on statistics for the economy and public finances, we recently outlined to the UKSA the need to improve the quality of all the key economic statistics, including GDP, inflation and earnings, and their coherence.⁵³ We do not underestimate the scale of the task ahead and it will need robust leadership from UKSA to deliver the necessary gains. Good and equal

50 Public Administration Select Committee, Tenth Report of Session 2013-14, [Statistics and Open Data: Harvesting unused knowledge, empowering citizens and improving public services](#), HC 564, March 2014; Public Administration Select Committee, Thirteenth Report of Session 2013-14, [Caught red-handed: Why we can't count on Police Recorded Crime statistics](#), HC 760, April 2014; Public Administration Select Committee, Fifteenth Report of Session 2013-14, [Too soon to scrap the Census](#), HC 1090, April 2014

51 Public Administration Select Committee, Thirteenth Report of Session 2013-14, [Caught red-handed: Why we can't count on Police Recorded Crime statistics](#), HC 760, April 2014

52 Public Administration Select Committee, Ninth Report of Session 2012-13, [Public trust in Government: statistics A review of the operation of the Statistics and Registration Service Act 2007](#), HC 406, February 2013

53 Letter from the Public Administration Select Committee to the National Statistician, 18 March 2015

access to data is fundamental. To this end we highlighted the need to make further improvements to the heavily-criticised Office for National Statistics (ONS) website, so that users can find data more easily, and consider a revamp of the publications.⁵⁴ It is also most important that ministerial pre-release access to data is stopped.

43. In a similar vein, we hope that UKSA will take action to increase transparency and openness both in terms of its basic organisational information—for example, by improving annual reports—and its statistical work, as it is currently difficult to establish what changes are occurring to statistics and what innovations are being prioritised and delivered. As more and more administrative data are being collected, and are likely to form the core of the next population census, it is especially vital to keep users up to date. We hope that ONS and UKSA will take our suggestions on board, and we highlight the need for continued monitoring in future.

44. Good quality statistics are essential to the scrutiny of the Government’s work and performance, and so it is essential that our successor Committee continues to focus on this very important area.

54 Public Administration Select Committee, First Report of Session 2013-14, [Communicating statistics: Not just true but also fair](#), HC 190 [incorporating HC 662-i, Session 2012-13] May 2013

7 Pre-appointment hearings

45. We have held a number of pre-appointment hearings during this Parliament, and since Select Committees are now elected, and have an independently elected Chair on a cross-party basis, this is a role which PASC has taken very seriously. Over the course of the Parliament we have held pre-appointment sessions for public appointments in the Charity Commission, Committee on Standards in Public Life, UK Statistics Authority, Parliamentary and Health Service Ombudsman, and Advisory Committee on Business Appointments. In particular, we took control of the process of selection of the Parliamentary and Health Service Ombudsman (PHSO) away from the government altogether, so that for the first time Parliament has appointed its Ombudsman.

46. In respect of the UK Statistics Authority, we successfully negotiated with the Government that this post should be subject to a resolution of both Houses of Parliament, a precedent which we now regard as irreversible. This gave PASC crucial leverage when we considered the appointment of the Government's proposed nominee for the post. We were the first Select Committee successfully to refuse to accept a government nomination for the chair of a public body. The Government was forced to re-run the selection for the post of the Chair of the UK Statistics Authority under a new selection panel, and to propose a different candidate. We were pleased then to support the appointment of Sir Andrew Dilnot as the new Chair of the Authority.⁵⁵ We approved the Government's first-choice preferred candidate in reports following all the other pre-appointment hearings we held.

55 Public Administration Select Committee, Sixteenth Report of Session 2010-12, [Appointment of the Chair of the UK Statistics Authority](#), HC 910-I, December 2011

8 Public appointments

47. We have looked at the overall system of public appointments. In our 2011 Report *Public appointments: regulation, recruitment and pay* we endorsed Sir David Normington's general approach to reform of the system for public appointments, and agreed with his overall aim to ensure appointment of the best candidates from a strong and diverse field.⁵⁶ We urged the Government to retain the expertise built up by the Appointments Commission, which was abolished as part of the Government's health reforms. We particularly welcomed Sir David's commitment to broadening diversity in public appointments, and his ambition to measure the progress made in facilitating appointments on merit of talented individuals from as wide a range of backgrounds as possible. We followed up on this in November 2014 in *Who's accountable? Relationships between Government and arm's-length bodies*.⁵⁷ In this Report we concluded that public appointment procedures, including reappointment procedures, remain obscure in many cases. We called on the Government to list the unregulated public appointments not overseen by Sir David, and to set out why some appointments are regulated and the rest are not. We called for greater transparency, recommending that the Government should clarify who is involved in a public appointment, at what stage, and whether they advise or decide. We were disappointed by the Government response, which said the Government was satisfied there was clarity over regulated public appointments, and did not agree to publish a list.⁵⁸ We said the Cabinet Office should do more to increase diversity among public appointees, holding arm's-length bodies to the same ambitious standards and firm steer as in the Civil Service Talent Action Plan, but the Government response did not undertake to carry out any new work to improve diversity. Our successor Committee will need to maintain pressure on the Government in this area.

56 Public Administration Select Committee, Fourteenth Report of Session 2010–12, [Public appointments: regulation, recruitment and pay](#), HC 1389, October 2011

57 Public Administration Select Committee, First Report of Session 2014–15, [Who's accountable? Relationships between Government and arm's-length bodies](#), HC 110, November 2014

58 Public Administration Select Committee, Sixth Special Report of Session 2014–15, [Who's accountable? Relationships between Government and arm's-length bodies: Government Response to the Committee's First Report of Session 2014–15](#), HC 1129, March 2015

9 Business appointment rules

48. Business appointment rules govern the take-up of jobs by former Ministers and Crown servants. In 2012, we conducted an inquiry into whether the business appointment rules system was working effectively. This built on the work of our predecessor Committees.⁵⁹ In our Report, we recommended that the Advisory Committee on Business Appointments (ACOPA) should be abolished.⁶⁰ In its place we recommended that the Government should legislate to establish statutory ethics regulation with a code of conduct and enforceable statutory penalties, overseen by an independent ethics commissioner. Enforceable statutory penalties should be introduced for failing to comply with the Commissioner's recommendations.

49. We were extremely disappointed by the lateness of the Cabinet Office's response to the Report. We published this Report in July 2012 but did not receive a response from the Government until July 2014, two years later.⁶¹ We expect that we will receive Government Responses in the new Parliament within two months of a report publication, in line with the Cabinet Office's own guidance to Government departments.⁶² Our most recent Government responses have been received after three and four months.⁶³

50. In the Government response, the Cabinet Office said it had undertaken a comprehensive review of the business appointment rules in consultation with departments, and has agreed a number of revisions to the current rules for Crown servants, some of which reflect recommendations set out in the Committee's Report.⁶⁴

51. In December 2014, we held a pre-appointment hearing with Baroness Browning, the Prime Minister's preferred candidate for the post of Chair of ACOPA.⁶⁵ We reiterated the need for reform and renewal of ACOPA but were satisfied that Baroness Browning had the professional competence and personal independence required for the post.

59 See, for example, Public Administration Select Committee, First Report of Session 2008-09, [Lobbying: Access and Influence in Whitehall](#), HC 36-I, January 2009

60 Public Administration Select Committee, Third Report of Session 2012-13, [Business Appointment Rules](#), HC 404 [incorporating HC 1762-i-v, Session 2010-12], July 2012

61 Public Administration Select Committee, Eleventh Report of Session 2013-14, [The failure of the Cabinet Office to respond to our Report on the Business Appointment Rules, published July 2012](#), HC 1156, March 2014

62 Cabinet Office, [Departmental evidence and response to select committees: guidance](#), October 2014

63 Public Administration Select Committee, Sixth Special Report of Session 2014-15, [Who's accountable? Relationships between Government and arm's-length bodies: Government Response to the Committee's First Report of Session 2014-15](#), HC 1129, March 2015, and Public Administration Select Committee, Fifth Special Report of Session 2013-14, [Statistics and Open Data: Government Response to the Committee's Tenth Report of Session 2013-14](#), HC 620, September 2014

64 Public Administration Select Committee, First Special Report of Session 2014-15, [Business Appointment Rules: Government Response to the Committee's Third Report of Session 2012-13](#), HC 563, July 2014

65 Public Administration Select Committee, Second Report of Session 2014-15, [Appointment of the Chair of the Advisory Committee on Business Appointments](#), HC 759, December 2014

10 Post-legislative scrutiny of the Charities Act 2006

52. Charities play a vital role in our society. We follow the work of charities and of the Charity Commission as the Cabinet Office has a watching brief over the Charity Commission, which is a non-ministerial department. In the 2012-13 Session we carried out post-legislative scrutiny into the Charities Act 2006. This was a major piece of charity legislation, intended to reduce bureaucracy, particularly for smaller charities; to modernise the definition of “charitable purposes”; to modernise and increase the accountability of the Charity Commission; and to maintain public trust in charities.⁶⁶

53. Our inquiry followed a number of important developments in charity law and policy, including long-running legal battles on the issue of public benefit for religious organisations and independent schools; media reports of significant public concern caused by face-to-face fundraisers, or “chuggers”; and the reduction in the Charity Commission’s budget by 33% in real terms between 2010/11 and 2014/15.

54. Our inquiry was thorough and comprehensive; we received almost 200 pieces of written evidence, and held six oral evidence sessions. We also commissioned a review of charity legislation by the National Audit Office to inform our inquiry.

55. The Government accepted many of our recommendations.⁶⁷ The self-regulation of fundraising has been put “on-notice” as we recommended; with a commitment from the Government to report back to Parliament in 2017.⁶⁸ The Government also accepted in principle the recommendation that charities should publish their spending on campaigning and political activity. The Charity Commission will also take forward our recommendations for a proportionate and flexible system of fines for late returns to the Commission; and for certain charities to declare how much of their income was received from public or government sources and how much was received from private donations.⁶⁹

56. We warned that the proposed introduction of charges for the registration of new charities or the submission of annual returns would be, quite simply, a tax on charities and charitable work. The proposed charges would have acted as a block on the creation of new charities and the dynamism and charitable spirit of the volunteers working hard in their communities, and we welcome the Government’s decision to accept our view.⁷⁰

66 Public Administration Select Committee, Third Report of the Session 2013-14, [The role of the Charity Commission and “public benefit”: Post-legislative scrutiny of the Charities Act 2006](#), HC 927, December 2013

67 HM Government, [Government Responses to: 1\) The Public Administration Select Committee’s Third Report of 2013-14: The role of the Charity Commission and “public benefit”: Post-legislative scrutiny of the Charities Act 2006 2\) Lord Hodgson’s statutory review of the Charities Act 2006: Trusted and Independent, Giving charity back to charities](#), Cm8700, September 2013

68 As above

69 Public Administration Select Committee, Fourth Special Report of Session 2013-14, [The role of the Charity Commission and “public benefit”: Post-legislative scrutiny of the Charities Act 2006: Charity Commission Response to the Committee’s Third Report of Session 2013-14](#), HC 927, December 2013

70 HM Government, [Government Responses to: 1\) The Public Administration Select Committee’s Third Report of 2013-14: The role of the Charity Commission and “public benefit”: Post-legislative scrutiny of the Charities Act 2006 2\)](#)

57. The Government accepted our “compelling” argument against an increase in the threshold for compulsory registration with the Charity Commission, which the Committee argued could reduce public trust in charities. The Government also agreed with the Committee that giving charities an automatic right to pay trustees could undermine the voluntary ethos at the heart of the sector.⁷¹

58. We were disappointed that the Government failed to accept the need for Parliament to legislate to clarify the legislation on the question of charities and public benefit. We welcomed, however, the Government’s view that the public benefit test should not be such a significant focus of the Charity Commission’s resources when compared to its other core regulatory objectives.⁷² We note that the unaddressed issue of public benefit may face our successor Committee.

59. Our scrutiny of the Government’s approach to the charitable sector during this Parliament also included our inquiry into the ‘Big Society’, which the Prime Minister placed at the centre of his political agenda, and which occupied a central place in the Coalition Agreement. We warned that the public had little clear understanding of the Big Society project, and there was confusion over the Government’s proposals to reform public services. We noted the uncertainty about how many charities in general, and small and local community groups in particular, were willing and able to deliver public services.⁷³

[*Lord Hodgson’s statutory review of the Charities Act 2006: Trusted and Independent, Giving charity back to charities*](#), Cm8700, September 2013

71 HM Government, [*Government Responses to: 1\) The Public Administration Select Committee’s Third Report of 2013-14: The role of the Charity Commission and “public benefit”: Post-legislative scrutiny of the Charities Act 2006 2\) Lord Hodgson’s statutory review of the Charities Act 2006: Trusted and Independent, Giving charity back to charities*](#), Cm8700, September 2013

72 HM Government, [*Government Responses to: 1\) The Public Administration Select Committee’s Third Report of 2013-14: The role of the Charity Commission and “public benefit”: Post-legislative scrutiny of the Charities Act 2006 2\) Lord Hodgson’s statutory review of the Charities Act 2006: Trusted and Independent, Giving charity back to charities*](#), Cm8700, September 2013

73 Public Administration Select Committee, Seventeenth Report of Session 2010-12, [*The Big Society*](#), HC 902-I, December 2011

11 Public inquiries

60. Public inquiries have been a topic of interest to this Committee for many years. During the 2010-2015 Parliament we have followed the slow progress of the Cabinet Office-funded Iraq Inquiry chaired by Sir John Chilcot with interest. We have raised with Ministers and officials our disappointment at the continued failure to publish Sir John’s report.⁷⁴ We also raised our concerns in writing, asking the Minister for the Cabinet Office, the Rt Hon Francis Maude MP in May 2014, to outline the reasons for the delay and to tell us what steps he was taking to overcome barriers to publication.⁷⁵ Later in May, Sir John announced that agreement had been reached on the principles that will underpin disclosure of material from Cabinet-level discussions and communications between the Prime Minister and the President of the United States.⁷⁶ Francis Maude told us the letter was “helpful in bringing to a head the issues that need to be resolved.”⁷⁷

74 Oral evidence: [Civil Service impartiality and referendums](#), HC 111, June 2014, and oral evidence: [The Work of the Cabinet Secretary and the Head of the Civil Service](#), HC 181, September 2014

75 Letter from Bernard Jenkin MP to Rt Hon Francis Maude MP, Minister for the Cabinet Office, 8 May 2014

76 The Iraq Inquiry, [Letter from Sir John Chilcot to Sir Jeremy Heywood](#), 28 May 2014

77 Oral evidence: [Civil Service impartiality and referendums](#), HC 111, 11 June 2014, Q 488

12 Innovation and good practice

61. This Committee, a group of Members of Parliament supported by a small team of staff, has demonstrated some examples of good practice and pioneered new ways of working, which we leave to our successor Committee to take forward. Innovations have included:

- Electronic circulation of papers, which has proved an effective way of working; and
- Training we received on questioning techniques on an awayday, which has made us determined to make our questioning more effective.

62. We have been very pleased to be one of the first Select Committees to benefit from two part-time members of staff discharging the role of Clerk as a jobshare. This arrangement has worked very well and we encourage the House Service to continue to develop flexible working arrangements in order to retain and develop talented staff.

63. Given our wide-ranging remit we have found it useful to work with and build upon the work of other Select Committees. For example, our report *Leadership for the long term* referenced the work of the Transport Select Committee, Defence Select Committee, Science and Technology Select Committee, Political and Constitutional Reform Select Committee, and the work of the Parliamentary Office of Science and Technology.⁷⁸ In future, this cross-fertilisation may be made easier by the co-location of Select Committee staff teams with House of Commons Library staff.

78 Public Administration Select Committee, Third Report of Session 2014-15, [Leadership for the long term: Whitehall's capacity to address future challenges](#), HC 669, March 2015

13 Conclusion

64. PASC's cross-government remit affords us a perspective from which we can review the performance of the administration of government as a whole. The issues raised by Civil Service reform, public bodies reform, charity law, statistics, and complaints handling have been at the centre of our work. We have also been ready to respond to events, and to hold Ministers and officials to account accordingly. Many of our recommendations have been or are being implemented.

65. We are also encouraged that through examining these topics, we have provoked more conversation and thought about what kind of political and civil service leadership needs to be developed to optimise decision making in Whitehall and the delivery of public services. This includes not just issues of hard skills and competence, but questions about how to inculcate positive behaviour and attitudes which engage and motivate people who work in the public service.

66. Unusually, the same person, the Rt Hon Francis Maude MP, has served as Minister for the Cabinet Office throughout this Parliament. We hope our successor Committee will build on what we have learned to support and scrutinise all who work for the public good in Whitehall and beyond.

Conclusions and recommendations

1. We conclude that the establishment of the Select Committee on Political and Constitutional Reform has enabled PASC to concentrate its effort on a narrower remit, albeit with more limited resources. The disadvantage has been the dislocation of our work where our respective remits overlap, on such subjects as the Cabinet Manual, the effects of the Fixed Term Parliaments Act, devolution and decentralisation, and other changes in the UK constitution which affect the nature of government. (Paragraph 5)
2. *As the Political and Constitutional Reform Committee will cease to exist we therefore recommend that its remit be returned to PASC in the new Parliament, so long as PASC is given sufficient resources to support the full burden of its restored remit.* (Paragraph 6)

Formal Minutes

Tuesday 24 March 2015

Members present:

Mr Bernard Jenkin, in the Chair

Paul Flynn
Mrs Cheryl Gillan
Sheila Gilmore

Kelvin Hopkins
Greg Mulholland

Draft Report (*Our work in the 2010-2015 Parliament*), proposed by the Chair, brought up and read.

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

Paragraphs 1 to 66 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.

[The Committee adjourned.]

List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the Committee's website at www.parliament.uk/pasc.

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

Session 2014–15

First Report	Who's accountable? Relationships between Government and arm's-length bodies	HC 110 (HC 1129)
Second Report	Appointment of the Chair of the Advisory Committee on Business Appointments	HC 759
Third Report	Leadership for the long term: Whitehall's capacity to address future challenges	HC 669
Fourth Report	Developing Civil Service Skills: a unified approach	HC 112
Fifth Report	Lessons for Civil Service impartiality from the Scottish independence referendum	HC 111
Sixth Report	Investigating clinical incidents in the NHS	HC 886
First Special Report	Business Appointment Rules: Government Response to the Committee's Third Report of Session 2012-13	HC 563
Second Special Report	Too soon to scrap the Census: Government and UK Statistics Authority Responses to the Committee's Fifteenth Report of Session 2013–14	HC 601
Third Special Report	More Complaints Please! and Time for a People's Ombudsman Service: Government Responses to the Committee's Twelfth and Fourteenth Reports of Session 2013-14	HC 618
Fourth Special Report	Caught red-handed: Why we can't count on Police Recorded Crime statistics: UK Statistics Authority Response to the Committee's Thirteenth Report of Session 2013-14	HC 645
Fifth Special Report	Statistics and Open Data: Government Response to the Committee's Tenth Report of Session 2013-14	HC 620
Sixth Special Report	Who's accountable? Relationships between Government and arm's-length bodies: Government Response to the Committee's First Report of Session 2014–15	HC 1129

Session 2013–14

First Report	Communicating statistics: not just true but also fair	HC 190 (HC 573)
Second Report	Public engagement in policy-making	HC 75 (HC 986)
Third Report	The role of the Charity Commission and “public benefit”: Post-Legislative scrutiny of the Charities Act 2006	HC 76 (HC 927)
Fourth Report	Engaging the public in National Strategy	HC 435
Fifth Report	Appointment of the Chair of the Committee on Standards in Public Life	HC 516
Sixth Report	Government Procurement	HC 123 (HC 105)
Seventh Report	Migration Statistics	HC 523
Eighth Report	Truth to Power: how Civil Service reform can succeed	HC 74 (HC 955)
Ninth Report	Latest proposals for ministerial involvement in permanent secretary appointments: PASC’s recommendations	HC 1041
Tenth Report	Statistics and Open Data: Harvesting unused knowledge, empowering citizens and improving public services	HC 564
Eleventh Report	The failure of the Cabinet Office to respond to our Report on the Business Appointment Rules	HC 1156
Twelfth Report	More complaints please!	HC 229
Thirteenth Report	Caught red-handed: Why we can’t count on Police Recorded Crime statistics	HC 760 (Cm 8910)
Fourteenth Report	Time for a People’s Ombudsman Service	HC 655
Fifteenth Report	Too soon to scrap the census	HC 1090
First Special Report	Public Trust in Government Statistics: A review of the operation of the Statistics and Registration Service Act 2007: Government and UK Statistics Authority Responses to the Committee’s Ninth Report of Session 2012–13	HC 77
Second Special Report	Special advisers in the thick of it: Government Response to the Committee’s Sixth Report of Session 2012–13	HC 515

Session 2012–13

First Report	The Big Society: Further Report with the Government Response to the Committee's Seventeenth Report of Session 2010–12	HC 98
Second Report	The Honours System	HC 19
Third Report	Business Appointment Rules	HC 404
Fourth Report	Appointment of the Chair of the Charity Commission	HC 315-I
Fifth Report	End of term report: 2011–12	HC 316
Sixth Report	Special advisers in the thick of it	HC 134
Seventh Report	The Honours System: Further Report with the Government Response to the Committee's Second Report of Session 2012–13	HC 728
Eighth Report	The Role of the Cabinet Secretary and the Resignation of the Chief Whip	HC 864 (HC 968)
Ninth Report	Public Trust in Government Statistics, A review of the operation of the Statistics and Registration Service Act 2007	HC 406 (HC 77)
First Special Report	Public Appointments: regulation, recruitment and pay: Government Response to the Committee's Fourteenth Report of Session 2010–12	HC 18
Second Special Report	Leadership of change: new arrangements for the roles of the Head of the Civil Service and the Cabinet Secretary: Further Report: Government Response to the Committee's Twenty Third Report of Session 2010–12	HC 313
Third Special Report	Strategic thinking in Government: without National Strategy, can viable Government strategy emerge? Government Response to the Committee's Twenty Fourth Report of Session 2010–12	HC 573
Fifth Special Report	The Prime Minister's Adviser on Ministers' Interests: independent or not? Government Response to the Committee's Twenty Second Report of Session 2010–12	HC 976

Session 2010–12

First Report	Who does UK National Strategy?	HC 435 (HC 713)
Second Report	Government Responses to the Committee's Eighth and Ninth Reports of Session 2009–10: Goats and Tsars: Ministerial and other appointments from outside Parliament and Too Many Ministers?	HC 150
Third Report	Equitable Life	HC 485 (Cm 7960)
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