

The Universal Credit fiasco shows that we need a new model of Ministerial accountability

By Democratic Audit

*The Government's Universal Credit scheme looks to be unravelling, with the Public Accounts Committee recently levelling a series of withering criticisms at the Department for Work and Pensions. **Dave Richards** and **Martin Smith** argue that the Secretary of State's decision to pin the blame for these failures on his departmental officials marks the culmination of a long term blurring of established lines of accountability. The authors argue that Britain need a new version of the "Haldane Principle", fit for the 21st Century, to clarify who takes the blame when things go wrong.*

The current imbroglio surrounding the

Universal Credit scheme appears to be another example of what [Crewe and King](#) have recently identified as a long line of policy blunders in the UK. The accusations being levelled at Iain Duncan Smith and his department are serious. They illustrate both problems of implementation and reoccurring questions surrounding accountability. As the Public Accounts Committee's report (November 2013) into the rolling-out of the scheme bluntly states:

Management of the Universal Credit programme has been extraordinarily poor. Oversight has been characterised by a failure to understand properly the nature and enormity of the task, a failure to monitor and challenge progress regularly, and a failure to intervene promptly when problems arose. Senior managers only became aware of problems through ad hoc reviews, mostly conducted by external reviewers, as inadequate management information and reporting arrangements had not alerted them that things were amiss.

What is particularly concerning about this affair is that it can be seen as another illustration of a deepening institutional malaise in the British political system and adds to the growing distrust felt by citizens towards the political elite. It also highlights what appears to be an increasingly antagonistic relationship between ministers and senior Whitehall officials, in which both are willing to publicly indulge in some pretty unsavoury finger-pointing. The scale of the issue has accelerated throughout the period of the Coalition government. Various spats attest to the growing distrust between ministers and officials (for details see the 2013 Public Administration Select Committee's report "[Truth to Power](#)"). It is a far cry from the original tenets underpinning the minister-civil servant relationship established by the [1918 Haldane Report](#) which affirmed a principle already prescribed by Northcote-Trevelyan that the relationship between ministers and officials should be intrinsically linked:

The Government of the country [cannot] be carried out without the aid of an efficient body of permanent officers, occupying a position duly subordinate to that of the ministers who are directly responsible to the Crown and to Parliament, yet possessing sufficient independence, character, ability and experience to be able to advise, assist, and to some extent, influence those who are from time to time set over them.

On this basis, the British system of government is seen to embody a system not of formally codified rules but instead advice - determined by the constitutional principle that [Prime] Ministers act as advisers to the sovereign, having in turn been advised by civil servants. This was based on the convention that officials are in a position to advise a minister on a subject (free from the threat of fear or favour) and as such, there is no requirement for the separation of power between the political and administrative class. This is the antithesis of the US 'Wilsonian model' or many other European models of government that are premised on more pluralistic sentiments and a separation of powers.

Constitutionally then, the Haldane convention does not recognise any division in the personality of ministers and their officials. This principle of both indivisibility and mutual dependence within the UK system is seen as providing both a practical and constitutional constraint to protect against the arbitrary (ab)use of power. This convention became a bedrock of the Westminster model. It established the *modus operandi* that officials and ministers should operate in a symbiotic relationship whereby ministers decide after consultation with their officials whose wisdom, institutional memory and knowledge of the processes of governing helps to guide the minister. The official is loyal to the minister who takes the rap when things go wrong. Whatever the problems with this approach, democratic or otherwise, it at least outlined clear lines of responsibility and accountability.

Ministers were the ones held to account even if they often evaded the responsibility. Of course, scratch below the surface and the constitutional niceties of the minister-civil servant relationship have of course proved at times fractious. The Wilson Government's suspicion and criticism of Whitehall moved it to establish [Fulton](#), although infamously of course the Haldane principle was left strictly off-limits. Heath's re-organisations in the early 1970s was an asserted attempt at ministerial muscle flexing, but Whitehall was not shy in kicking-back. The Benn side-show during the 1970's Labour Government offered some entertaining spats when first in Industry, then in Energy, he challenged the standard operating procedures within Whitehall, so boo-hooing Haldane. But beyond these skirmishes, it is really only since the 1980s, that the Haldane model has been gradually, and largely implicitly, undermined.

This has coincided with the rise, and further rise, of the cult of managerialism which has seen ministers over the last thirty years constantly challenge civil servants about their managerial and policy skills, led them to seek to diversify their sources of policy advice and shift officials from a policy role to a more managerial role. In so doing, Haldane's somewhat mythical depiction of minister-civil servant symbiosis has crumbled, as ministers have sort to use outsiders both in relation to making and delivering policy.

In terms of current plans for civil service reform, the Coalition is continuing this trend, seeking out ways to move towards greater open policy-making, so further eroding Whitehall's monopoly on policy advice. But while these changes are being acted out, mainly in a piecemeal and ad hoc way, there is no attempt to rethink how this affects accountability. Officials have increasingly been placed in a managerial role, while policy advice has been ever more politicised. This creates a major tension in government.

Officials have less responsibility in designing policy but take more blame when things go wrong because it is increasingly seen as their responsibility to manage the delivery of policies. And of course, the problem for officials is that where failure occurs – be it with Universal Credit, or before it the Child Support Agency, the Individual Learning Account scheme, the Assets Recovery Agency, the Immigration Directorate [and so on] – each case starts with what appears to be a rational and technocratic policy change which becomes politicised and hence entraps the officials in highly political decision making.

Yet when PASC, in the aforementioned report above, made but one recommendation that: 'Parliament should establish a Joint Committee of both Houses to sit as a Commission on the future of the Civil Service', it received short-shrift from the Government. And so here, stasis over this vexed issue has taken hold in the shape of official resistance to openly debate and clarify the changing role and position of the civil service. The problem is that reform is happening without full transparency. Politicians have a dual discourse in relation to the civil service: on one hand, Whitehall is an organisation of often outstanding and committed public servants; on the other, it can be a conservative and at times, poorly-trained body unprepared for the modern requirements of project management and with little experience of the real world.

The Coalition, rhetorically at least, is committed to what it sees as 'open policy making', where decisions are open to scrutiny and a whole range of groups and individuals have access to the policy process. Yet the reality is that politicians want advice that confirms rather than challenges their world view and so are reluctant to truly embrace a transparent, open and pluralistic policy-making environment. Instead, what occurs are a whole range of different and often incoherent reforms to the policy process without any explicit discussion of the over-arching nature of the minister-civil service relationship, including for example:

- What is the modern day role and relationship of ministers and officials?
- How do other groups and individuals access the policy process?
- What is the nature of that access and most importantly who is accountable for policy decisions?
- Is policy advice becoming increasingly politicised?

What seems to have occurred with the Universal Credit debacle is that responsibility is laid at the feet of those involved in implementing the policy and not those who designed and approved the policy. This is because there is on-going obfuscation over where responsibility and accountability lies. Underlying all of these issues are some fundamental questions about the British constitution. At bottom is the persistence of a nineteenth century model of governing, created when Britain was a world power with little internal capability. Nothcote-Trevelyan established the principles of the civil service in 1854, Haldane clarified them at the start of the twentieth-century and these same principles still ostensibly determine the formal role of officials today.

However, the reality of almost thirty years of public sector reform is that the civil service and with it the wider policy-making arena are today very different from the nineteenth century model. But there is reluctance by the governing class to seek to clarify the changing nature of the role and relationship of ministers and officials. Ministers cling on to the Westminster model because it legitimises their power as decision makers, even as they undermine its practice. Britain's uncodified constitution is meant to be flexible but it is only flexible to those who have power. For those outside, it continues to mystify the process of change and means that we can undergo reforms in the process of governing without any real transparency.

PASC is right to demand that we effectively need a new Haldane to fit the material reality of twenty first century governing. The problem is who is going to lead on this?

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