

# Working with Ministers

## A practical handbook on advising, briefing & drafting

A new edition of the handbook written by Christopher Jary  
now revised by the original author  
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## 4 WORKING WITH MINISTERS

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In these matters, as in everything else, we're all standing on each other's shoulders. Many colleagues, knowingly or not, have contributed to this handbook. Many of the ideas that follow have been stolen shamelessly over the years from friends and colleagues of all kinds: civil servants, ministers, MPs and political scientists or observers.

These include, in no sort of order at all:

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When *Working with Ministers* first appeared in 2004 the United Kingdom had not experienced coalition government since July 1945, e-mail was far from universal, Facebook was unheard of and tweets concerned only sparrows. This new edition required revision to encapsulate the changes of the last decade.

It owes a great deal to the interest and involvement of Richard Banks, Chris Wormald, Oliver Letwin, Charlotte McKeown, Jacob Soper, Gabriel Milland, Stephen Muers, Alex Knight and Philippa Stroud. Laura Bryant-Smith played a star part in producing this sixth edition – which is why her name appears on its cover.

## Introduction to this guide

Serving ministers can be exhilarating and rewarding.

Advising the Government of the day to help improve the lives of British citizens is an important and demanding job. It can also be bewildering and frustrating when roles, relationships and ministers' requirements are unclear.

This handbook offers practical guidance for those advising ministers. It includes:

- briefing orally and in writing (including writing submissions);
- drafting replies to ministerial correspondence (Ministers' Cases and Treat Officially Cases);
- drafting replies to written and oral Parliamentary Questions; and
- drafting ministerial speeches.

We hope it will be a useful supplement to formal training and your department's written guidance.

The effective performance of any of these tasks depends upon our having a clear understanding of our role as civil servants, ministers' roles, the role of special advisers and the correct relationship between us all. It also requires a practical grasp of what ministers need, based on a sympathetic appreciation of the pressures and demands they face. The first chapter therefore examines roles, relationships and the pressures on ministers while the second describes the hub of these activities: private office.

The principles governing the working relationships around ministers are described in the Civil Service Code, the Ministerial Code and the Code of Conduct for Special Advisers, which appear as appendices to this guide. These codes highlight the importance Parliament attaches to an orderly and transparent process of government, to accountability at all levels of responsibility and to a politically impartial Civil Service.

Successive governments have been committed to improving the quality of public services while maintaining the traditional principles and relationships on which the Civil Service was founded. The final chapter therefore tries to interpret, from an individual civil servant's perspective, what those principles mean in practice in our daily lives serving ministers.

A personal recommendation from me is that it may be helpful, before embarking on any of the tasks described in Chapters III to VI, to have read Chapters I, II and VII, which provide the background to how and why we do things as we do.

Christopher Jary

# Chapter 1: Ministers and civil servants: Characteristics, roles and relationships

The government environment is inhabited by two quite different species, ministers and civil servants, who enjoy a symbiotic relationship. Good government depends on the differences between them: on the characteristics of one balancing those of the other. Ministers bring to Whitehall democratic legitimacy and accountability, political direction and a common-sense approach to government. Civil servants bring expertise, specialist knowledge, objective advice and continuity.

The differences between the two species can, however, lead to misunderstandings, confusion and frustration. It's up to civil servants to bridge any gap. While it is helpful if ministers understand the needs of their civil servants, it's essential that civil servants understand the needs of ministers.

Unless we can make that imaginative leap to see the world from a minister's perspective, we cannot help them discharge the exacting duties upon which successful government depends. Although every individual is unique, and generalisations are dangerous, this chapter tries to identify some of the more common characteristics of ministers and civil servants, to examine their roles in government and to explore the relationship between them.

*“While it is helpful if ministers understand the needs of their civil servants, it's essential that civil servants understand the needs of ministers.”*

## Ministers

Because a department is headed by a political chief – a Secretary of State – and an official – the Permanent Secretary – who manages the department, responsibility for leadership is less clearly allocated than it is in most organisations.

Instead, it is shared between them in a relationship that is unique to government.

There are many things ministers can do, but there are three

things they must do:

- set their departments' strategic direction;
- make policy decisions; and
- present and account for policy publicly and in Parliament.

While ministers' priorities vary, from a 'typical' secretary of state's perspective the world may look roughly like this:



### Family and friends

Ministers are human. Most have husbands, wives, partners and children, and the demands of their ministerial, parliamentary, party and constituency lives don't allow them to spend as much time with them as most would wish.

Although this is a side of their lives we barely glimpse, it helps if civil servants understand the sacrifices ministers and their families are often making.

### The Prime Minister

Ministers are appointed and dismissed by the Prime Minister, who maintains a keen interest in how they perform the duties they have been given. Without the Prime Minister's continued trust and support, a minister cannot function. In some circumstances – especially but not exclusively when there is a coalition government – the Deputy Prime Minister may also play an influential role in deciding what particular departments can and cannot do.

Ministers will also be acutely aware of the Chancellor of the Exchequer's control of the purse strings: money often dictates what can and cannot be done.

### The party

First and foremost, ministers are politicians. They became politicians because they believe in the broad set of political principles espoused by a particular party. If they are Members of the House of Commons, it is because that party originally adopted them as candidate for a constituency. Now, as senior members of their party, they will be expected to continue to play a prominent part in party meetings, committees and engagements.

They must also attend parliamentary votes and pay attention to the party whips (the business managers for each party in Parliament).

### Constituents

Ministers must combine their ministerial duties with those of an ordinary constituency MP. Many Fridays and most weekends will be spent in their constituencies, meeting constituents at ‘surgeries’ and dealing with a range of everyday problems, from housing to immigration. They neglect their constituencies at their peril: like any other MP – as recent elections have demonstrated – ministers can lose their seats. But even those with the safest seats generally take constituency work very seriously. The day-to-day reality of their constituents’ lives provides a sounding board for policies dreamed up in Whitehall; ministers can therefore often have a better grasp than their policy officials do of the likely public reaction to a new proposal, programme or policy.

### Special Advisers

Ministers need political advice as well as advice from their civil servants. Special advisers help provide this.

Sometimes known as *Spads*, they attend some meetings with ministers and officials and receive copies of most important documents sent to their minister. They may comment on these documents, including submissions, but their Code of Conduct forbids them to *...suppress or supplant the advice being prepared for ministers by permanent civil servants*.

A minister’s relationship with a special adviser is often a close one. Special advisers are often used as sounding boards for ideas. They are often well-informed and their opinions can help policy civil servants as well as ministers. They have a valuable role in helping ministers present the political aspects of policy and often work closely with speechwriters and press officers.

Secretaries of State usually have two special advisers. Some Ministers of State have them, but most ministers below Cabinet rank do not.

## Parliament

As Members of Parliament, ministers are expected to attend frequently, to be available to their fellow MPs and to support their colleagues. The demands of Parliament often considerably lengthen their already demanding working hours.

Ministers are constantly being watched and judged by other MPs, who judge them on what they see: their performance at the despatch box and in front of Select Committees, their responses to their Parliamentary Questions and their answers to letters, often on behalf of other MPs' constituents.

A fluent, persuasive and effective performance on the floor of the House increases a minister's standing; a lacklustre, uncertain or hesitant one – however competent the minister may be within a department – can damage a political career. Similarly, because ministers sign departmental replies to letters from fellow MPs, their reputations in Parliament will be improved or damaged by the quality of those

replies. MPs will be impressed by prompt, sympathetic, literate and helpful responses to their constituents' letters; they will be annoyed by late, unhelpful, unsympathetic letters containing jargon or grammatical errors. Their approval or disapproval will be directed towards the minister who signed them.

In no circumstances must a minister mislead Parliament. Special care must therefore be taken over *any* statements to Parliament. If we discover a mistake of this kind, it is essential to ensure that it is corrected at once. Honest errors are regrettable but inevitable; cover-ups are unforgiveable.

## The media

In a democracy, public opinion is paramount. Ministers therefore take very seriously the job of communicating their policies to the public. This is done largely through the media, which used to mean newspapers, radio and television, but a major change in recent years has been the growth of social media.

News cycles used to be measured in discreet 24-hour increments. But social media sources have compressed this to the point where it is perhaps more accurate to speak of a news *stream* instead. This stream can be turned on in an instant, at any time of the day or night, by people outside the traditional media: a celebrity, a well-known blogger or even unknown members of the public sitting in their bedrooms. Responding to this is different and more difficult because the traditional tools of rebuttal and argument are harder to deploy than against a distributed network. This can be complicated by ministers often having their own social media presence which they may spend time creating and maintaining.

Ministers still care greatly about the traditional media. It is worth remembering that, while an article in the *Financial Times* may be read by just a few thousand people, a three-minute interview on Radio 4's *Today* programme may reach 4 million and a five-second clip on BBC's *10 O'Clock News* will be

seen by 6.6 million. On broadcast media, the soundbite is a powerful weapon in any minister's armoury and ministers know the value of a point made with precision and punch. Verbosity and jargon of any kind are the enemies of effective communication.

All governments feel under constant pressure to respond quickly and effectively to breaking news at any time of day or night. The handling of government announcements has therefore become almost as important as their content. Ministers have a leading role in handling and controlling communications with the media. Special advisers often play a part in this, while departmental press officers and information divisions must maintain close contacts with journalists and answer their enquiries.

Officials not in a press office should avoid talking directly to journalists, whose enquiries should be directed to the press office. If a media briefing is needed, a press officer will usually

accompany and advise the official concerned. Policy officials dealing with subjects that become a matter of public or media concern should consult and work closely with their colleagues in the press office.

“Ministers know the value of a point made with precision and punch.”

### Cabinet

Cabinet meets only once a week (when Parliament is sitting) for about an hour. Most decisions are therefore taken either in Cabinet Committee, by groups of ministers or by individual ministers within departments. To resolve any cross-party policy concerns within government, the Coalition Government of 2010 also introduced a new body at the top of government: the Quad includes the Prime Minister, Deputy Prime Minister, Chancellor of the Exchequer and Chief Secretary to the Treasury.

The *Ministerial Code* (see Appendix 2) describes the principle of collective responsibility which ministers must uphold. All decisions must be considered and authoritative so that the Government as a whole can properly accept responsibility for them. Decisions reached by Cabinet and Ministerial Committee are explicitly binding on all members of the Government, and the formal convention is that they are not allowed to disagree in public on Government decisions.

It is expected of ministers – especially Cabinet ministers – that they should be able to speak authoritatively not only about the work of their own department, but also about the broad range of Government policy. Thus, a Secretary of State for Transport interviewed on BBC Radio 4’s *Today* programme may be asked about the M25 but, depending upon other recent news items, the interview may then turn to VAT rates, foreign affairs, education or the National Health Service. Any minister will be expected to speak

knowledgeably about these and countless other subjects. Ministers' memories are therefore full of facts and opinions unrelated to the departments they head.

### The department

Although some appointments, like Chancellor of the Exchequer, have special titles, there are essentially three ranks of ministers:

- **Secretary of state**  
the senior minister in a department who usually sits in Cabinet.
- **Minister of state**  
a middle-ranking minister who is not usually in Cabinet.
- **Parliamentary under secretary of state** (sometimes called parliamentary secretary) a junior minister who is not in Cabinet.

The number and distribution of ministers of state and parliamentary under secretaries of state vary between departments, depending on the size of the department and the distribution of responsibilities within it.

Every secretary of state and some ministers of state also have a **parliamentary private secretary (PPS)** who, although unpaid beyond their pay as MPs, are in some ways treated as members of the Government. Their role is to protect their ministers' interests in Parliament and to keep them in touch with Government backbenchers.

In this country, unlike others, ministers are seldom appointed to a particular department because they have an expertise or even a long-standing interest in its work. The Rt Hon. Eric Pickles MP was unusual, as an ex-leader of a city council, in being Secretary of State at the Department for Communities and Local Government. The majority of ministers are not experts in the portfolios to which they are appointed. They are not meant to be. Just as the magistrate is appointed to bring a common-sense, layman's approach to administering justice, the legal expertise being provided by the clerk of the court, so the minister is appointed to bring a

common-sense, layman's and political approach to government with expert advice provided by civil servants. Ministers are, of course, free to call in advice from other sources, and regularly do so. These sources include not only special advisers but also political colleagues, think-tanks, interest groups and journalists.

Because ministers can be moved or removed with no notice there is inevitably a temptation to pursue policies which will bear fruit before they move on. The pressures in any democratic system can militate against long-term planning. Many ministers resist such temptations and pressures, but some are criticised for 'short-termism'.

“Ministers rely on civil servants to provide the detailed information necessary for them to make informed decisions.”

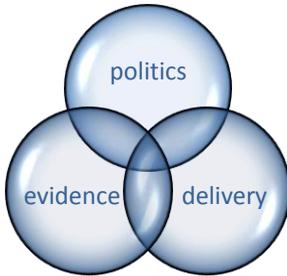
Ministers' work requires them in the course of a single day to jump from a constituency matter to a party meeting to a departmental speaking engagement to a Parliamentary appearance, each interspersed with a range of meetings and briefings covering the spectrum of their department's responsibilities. Life is varied, demanding and usually conducted at a hectic pace in which major decisions may have to be taken very quickly. Because of these many and varied demands, and because they are usually not experts in the work of their departments, their approach to their duties tends to be broad-brush.

They rely on civil servants to provide the detailed information necessary for them to make informed decisions. To survive, however, ministers must be able to pick up knowledge very rapidly and some are capable of assimilating and retaining astonishing amounts of detail. Many ministers become steeped in the work of their departments in remarkably short order.

The following model divides the policy environment into three parts. Successful ministers must operate effectively in all three. Although civil servants may feel more at home in the middle part, we too need to be able to operate in the other two parts. We need to understand and help to explain the big picture of which our policy is a part, and we need to understand the effect of our policy on members of the public.

When describing a policy – in publicity leaflets, speeches, PQ replies, letters or briefings to ministers – we need to explain its purpose, describe its effect on people and explain how it works. A working knowledge of the practical level equips policy civil servants with a solid grasp of how the policy they understand theoretically is working in the real world.





The Policy Skills and Knowledge Framework is a widely recognised guide describing the role and responsibilities of a policy official. It explains the importance of bringing together politics, evidence and delivery into advice to ministers. The skill of bringing these together is perhaps the most crucial aspect for policy officials; it distinguishes their work from delivery or evidence specialists, whose advice they must present as part of the bigger picture upon which ministers rely.

Ministers often work under considerable pressure. Much of their paperwork is done very early in the morning or very late at night, when they are working against the clock and are very tired.

A minister's red box (containing the night's or weekend's homework) may include: submissions and briefings on a wide range of subjects; letters to check and sign; draft speeches and replies to Parliamentary Questions to approve; and Cabinet and Cabinet Committee papers and minutes. (See the list on page 35.) Their civil servants can ease the pressure by providing information which includes everything the minister needs to know to make sound decisions and which is accurate, brief and clear.

**In summary, ministers:**

- are guided by a particular set of political beliefs;
- tend to take a broad-brush approach to the work of their department but often need to master detail to make decisions;
- are required to give fair consideration and due weight to objective advice from politically impartial civil servants as well as to

other considerations and advice, but should themselves make all significant policy decisions;

- have a loyalty to the Prime Minister, to the government and to their party, in which, as ministers, they are senior figures;
- are accountable to Parliament and take especial care about their appearances in the House and the quality and speed of their replies to MPs' letters;
- have a duty to continue to represent their own constituents as MPs;
- are very sensitive to the media and are keen to be seen and heard often;
- usually try to express their views briefly, memorably and orally, often arguing a case rather than presenting a more detached or written exposition;
- often work long hours, balancing different demands under great pressure; and
- rely on their policy officials to provide honest, robust advice based on well-grounded, up-to-date, accurate information, to know their stuff and to help them to achieve their aims.

#### In contrast, civil servants:

- are politically impartial, serving any duly elected government;
- provide the expertise and objective advice to enable ministers to make decisions based on the facts;
- owe their first loyalty to their ministers and must obey their legitimate instructions;
- are accountable to ministers and, through them, to Parliament; (except for expenditure – see page 123)
- provide the permanent element in government and must command the trust of the Opposition and other parties;

- tend to take an objective, unpolitical view of policy;
- tend to be skilled written, rather than oral, communicators; and
- tend to shrink from personal publicity.

“Whichever function they are fulfilling, civil servants are expected to be politically impartial, objective, honest and loyal to their minister.”

There are about 440,000 civil servants, carrying out three broad functions:

- helping ministers to decide and present policy;
- providing services to the public; and
- providing the corporate support (finance, human resources, IT etc) that enables the Service to function.

It’s important to remember that the majority of civil servants (in the tax offices, benefit offices and other executive agencies delivering public services) are engaged mainly in the second of these functions. This handbook concentrates on the work of the first group: civil servants who advise or draft for ministers.

Whatever their role, civil servants are expected to be politically impartial, objective, honest and loyal to their ministers. They may have their own political views but these should not influence the professional advice they give to ministers; nor should their own views be publicly known. Civil servants’ authority to act in the public good is drawn through ministers from Parliament. They must also retain the confidence of the Opposition, who must be sure that the Civil Service would serve them in government as assiduously as it is serving the present Government.

Academic training and Service culture encourage many of us to pursue excellence in all we do. Often this is a considerable advantage: any policy and its implications must be thoroughly thought through before it is implemented. Sometimes, however, this tendency works against us. Quality must be balanced against deadlines; exhaustiveness precludes brevity. Saying or writing something brief while capturing all the crucial points is very difficult. Often we have to be ruthless in cutting back on the detail, but there is no alternative. It's no use producing a perfectly crafted speech two days after the event, or a comprehensive brief in which the minister can't find the vital points.

On these occasions the 'good enough' brief or the 'good enough' speech can enable us to include the essential points, to express them clearly and simply in a form the minister can use, and still to meet the deadline. The 'good enough' concept is not

an excuse for reducing standards; it's a practical approach to achieving the best we can in the time we've got. In the fast-changing world of ministers, 24-hour news and live debate in social media, this is often required.

Civil servants managing colleagues who draft for ministers have a crucial role to train their staff by explaining any corrections they make, using them to show how any draft can be improved. Track changes and the correcting pen are not simply short-term editor's tools; they are essential, long-term teaching aids. Used constructively and with sensitivity, they can help less experienced colleagues to follow in our footsteps by understanding what ministers need and learning how to provide it.

### [Helping ministers to decide policy](#)

If decisions are often taken by ministers who are not experts on the subject, and have little time

to dwell on any particular issue, it is essential that they are based on a firm foundation of fact. It is the task of civil servants, therefore, to supply the expertise and to:

- acquaint ministers as objectively as possible with the facts they need;
- provide them with a range of options;
- give, and explain, a single, clear recommendation;
- warn of any dangers inherent in any course of action; and
- loyally implement the minister's decision.

While civil servants must provide:

'...advice to ministers on the basis of the evidence, and accurately present the options and facts...'<sup>1</sup> '...ministers have a duty to give fair consideration and due weight to informed and impartial advice from civil servants.'<sup>2</sup>

By nature, training and Service culture, most civil servants are more at ease with written than oral communication. Whether the information is conveyed on paper or orally, however, the civil servant's aim is to ensure that the minister has the best advice possible, presented objectively and based squarely on the facts. Producing such advice – in a form that also meets the minister's need for brevity and clarity – requires judgement grounded in a thorough understanding of the subject. What must be included? What can be left out of the briefing?

The tension between the need for full information and the need for brevity can be resolved only by the application of judgement and inevitably, in some circumstances, subsequent events will prove that judgement to have been wrong.

The most we can hope for is to be right most of the time and lucky with the consequences when we're wrong! (See Chapter 3 for advice on this point.)

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<sup>1</sup> Civil Service Code (see Appendix 1)

<sup>2</sup> Ministerial Code (see Appendix 2)

Once a minister has been briefed, a decision will be made if one is required, although there will often be considerations of timing and handling about when a decision is actually taken or announced. As part of an elected government, ministers have the democratic authority to make such decisions; civil servants do not.

Ministers are accountable to Parliament while civil servants,

who have no such democratic legitimacy, cannot set their will – however expert – against that of their minister. Civil servants must therefore implement ministers' decisions whether they agree with them or not. This can cause particular difficulties for specialist civil servants, who may believe their professional judgement is being overridden.

**The two faces of the civil servant**

<p><b>Private</b></p> <p><i>To support ministers by:</i></p> <ul style="list-style-type: none"><li>• developing ideas</li><li>• reviewing options</li><li>• making recommendations</li><li>• giving objective advice</li><li>• warning</li><li>• implementing decisions</li></ul>		<p><b>Public</b></p> <p><i>To help ministers:</i></p> <p>present Government policy in the best possible light while sticking to the facts</p>
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The Civil Service Code highlights the duty of departments and agencies to consider the concern of any civil servant who feels he/she is being required to act in a way which conflicts with the Code. It recommends reporting such concerns to line managers or to the nominated officer (the departmental official nominated to deal with such matters).

Ultimately, matters of conscience can be taken to the Civil Service Commissioners who are the final arbiter and who report to Parliament on all cases. (See Chapter 7 and Appendices 1 to 3 for more information on professional ethics.)

### Helping ministers to present policy

Many of ministers' public statements and most of their letters are initially drafted by civil servants. These include:

- speeches at departmental engagements and in Parliament;

- press releases and public announcements;
- replies to Parliamentary Questions; and
- departmental letters.

Because these are statements for a minister to make or sign, they must reflect the minister's own style and point of view. They may therefore:

- be political (insofar as they are based on the policies of the Government);
- present the Government's policies and achievements in the best possible light; and
- include assertions as well as facts.

A civil servant's role is to help ministers argue their case as convincingly as possible while sticking to the facts. Although assertions (for example, "Our policy has been a tremendous success.") often feature in ministers' speeches, any piece of information included in a draft for a minister to say must be based on firm evidence.

This is of paramount importance in any statement made to Parliament. Facts will often be presented as part of a political argument and will be used to advance the government's case.

Because they reflect the policy of a particular party (the party in power), drafts of this kind are clearly not in themselves politically impartial; as civil servants, our impartiality derives from our capacity to serve the Opposition in exactly the same way, should they be elected to government.

“A civil servant’s role is to help ministers argue their case as convincingly as possible while sticking to the facts.”

In some circumstances ministers may wish to criticise the Opposition. While this is clearly a legitimate thing for them (or for their political advisers) to do, it is not legitimate material for civil

servants to draft. If civil servants are known to have been preparing attacks on them, the Opposition may lose confidence in our capacity to serve them when it is their turn to govern.

While it is clear that civil servants should help ministers in their role as departmental ministers, and should play no part in their roles as senior figures in the party or as constituency MPs, other lines are less clearly drawn. An example of work which lies on this difficult boundary is when ministers in government, wishing to respond to a manifesto or similar policy document published by an opposition party, instruct officials to cost the policies it contains. This work is carried out on the basis that it is legitimate to use Civil Service expertise, although the public use of costings supplied by officials may be overtly party political.

Another difficult border surrounds matters of presentation. Where exactly is the line drawn between helping the Government to present its policies and helping the government party to win the next election? At what precise point does presenting the Government's view in the best possible light end and distorting the facts begin? No set of rules, however long, could ever hope to cover every circumstance. It therefore falls to us as civil servants to apply our judgement carefully and to seek advice when in doubt. One of the great advantages of being part of a long-established service is that there is usually someone to offer advice, often based on previous, similar experience. (See Chapter 7 and Appendices 1 to 3.)

### Special advisers

A special adviser is a temporary civil servant, appointed personally by a minister in accordance with the Civil Service Order in Council. Such advisers are bound by the Code of

Conduct for Special Advisers (see Appendix 3) and, although they have more political freedom than permanent civil servants, they must satisfy the same requirements of integrity, accountability and confidentiality.

Special advisers have an important role to play in the policy process by providing ministers with political advice. A major part of this job which distinguishes them from permanent civil servants is that they can provide advice from a more politically committed standpoint than is possible for an ordinary civil servant offering policy advice. Because they are paid from public funds, however, they have to take care not to attract political controversy but, as with many issues where clear distinctions cannot always easily be drawn, questions are bound to arise from time to time about their role and activities.

Special advisers do not manage civil servants; they work alongside us, and the

relationship can be of real mutual benefit. As in any working relationship, this one is most effective where there is co-operation based on mutual respect, good will and common sense. Experienced and effective special advisers can be helpful sounding boards about some policy issues and, because of their proximity to their minister, can sometimes provide a view of how the minister may think about a particular issue.

Policy civil servants and special advisers are wise to cultivate effective professional relationships with each other. Both are members of the magic circle around ministers which make any policy a success.

That circle, which depends upon mutual trust, respect and an appreciation of each other's roles, includes: the minister, the private office, special advisers, the policy team and the press office. Between them, they discuss, formulate, decide, implement and explain the policy. When the relationships

within the circle are sound, they create an efficient and exhilarating environment in which real progress can be made. Poor relationships can destroy this.

Ministers need political advice from special advisers as well as advice from civil servants, and these twin channels of advice should function effectively and complementarily alongside each other. Indeed, one of any Permanent Secretary's most important duties is to ensure that both channels remain free and open.

Recent years have seen an increasing number of a different type of special adviser, now sometimes known as the specialist adviser. Appointed as civil servants and usually on fixed-term contracts, they are often effectively tied as advisers to a particular minister.

*"The relationships on which success hinges involve real people with real feelings."*

## Conclusion

Around ministers, the relationships on which success hinges involve real people with real feelings. Good working relationships make the process work effectively. For civil servants, managing these relationships is therefore crucial to success. A good relationship with a minister, special adviser or other officials is based primarily on trust, rather than necessarily on personal liking, and effort must be devoted to winning and maintaining that trust.

This is particularly true for officials in a private office who must juggle conflicting priorities not simply to produce efficient processes and sound decisions, but to maintain a satisfied minister.

Whether we are trying to deliver a good oral briefing or to persuade a meeting towards a particular conclusion, there are always questions of handling and timing to consider.

The principal things ministers want from civil servants are:

- clear briefing, letters and speeches which ministers can personalise and that are “good enough” in tight timescales;
- objective advice, based on the best available evidence, that helps them achieve their aims;
- a thorough understanding of how the policy can best be turned into a practical reality; and
- efficient and loyal implementation of their decisions.

In return, civil servants want from their ministers:

- accessibility and a readiness to listen;
- clear direction, including positive and negative feedback on our efforts;
- decisiveness and consistency; and
- fluent and persuasive public explanations of the department’s work.

## Chapter 2: The Private Office

### What is a private office?

A private office is a small team of civil servants who together organise the departmental life of a very senior boss. This is usually a minister, but permanent secretaries, agency chief executives and some other senior officials also have private offices, which perform a similar function for them. This chapter will assume that the private office we are examining belongs to a minister.

“The private office is the bridge between the minister and the department.”

Private offices exist to optimise the amount of work that can be extracted from a minister by assuming (or allocating to others) every possible task

except that of making and presenting decisions. The minister can therefore concentrate on meeting people, reading documents, weighing facts and advice, and making policy decisions.

Private offices have a vital role in helping ministers get the best possible service from their departments while ensuring that ministers efficiently despatch the work the department generates for them.

They are the bridge between their minister and the department. They ensure that traffic flows smoothly across the bridge and that those on each side can communicate effectively and amicably. Private office staff therefore require organisational skills, great diplomacy and, because most ministers work long hours, considerable stamina.

Physically, the private office is usually a larger outer office, through which everyone gains access to the minister's office.

Private offices vary in size and organisation, according to the seniority (see page 16) and busyness of their minister. A secretary of state, for example, will usually have a large private office, headed by a principal private secretary (usually a member of the Senior Civil Service). It will include up to four or five private secretaries and a diary secretary. There will be a senior personal secretary and a number of administrative staff to provide secretarial and clerical support. Other ministers' private offices, on the other hand, will be managed by a private secretary and may include one or two assistant private secretaries and a diary secretary. Administrative staff are sometimes included in each office, sometimes shared between the ministers' offices.

### Working with private office

Private office staff spend most of their time co-ordinating the work of others to ensure that the minister gets what is required. They will work with, among others:

- policy officials (including the most senior officials in the department);
- the staff in other private offices (including those in Number 10);
- special advisers;
- the minister's constituency and parliamentary staff; and
- the press office.

Sometimes they will be interpreting or predicting the minister's views on some issue or document. Often they will be asking people to change arrangements or rewrite a paper at short notice. To develop and maintain the sorts of relationship that make these things happen, they need to acquire a personal reputation for helpfulness and efficiency. They also need to

appreciate what others do to make their work possible.

Officials can use the private office as a source of advice about the minister:

- What are the minister's interests in this?
- How does the minister like this set out?
- How much does the minister know about this?
- Have you any feeling for the minister's view on this?
- What's top of the minister's agenda today?
- Can you send me a copy of one the minister *did* like that I can use as a model?

Sometimes it's worth checking whether Private Office (who may not know much in detail about the subject) have asked us the right question or about what lies behind the urgency of a deadline. Comments on work submitted are invaluable to prevent officials making the same mistakes again and again.

"It is usually worth telephoning a private secretary to ask how that briefing, speech or PQ reply was received, and learning any lesson for next time."

Good private secretaries understand that a couple of minutes spent giving constructive feedback now can prevent hours of frustrating redrafting late one night next week. Often, however, in the pressure of a private office, feedback is overlooked. In these circumstances, it is usually worth telephoning a private secretary to ask how that briefing, speech or PQ reply was received, and learning any lesson for next time.

Private offices often allocate some tasks to satellite offices. Ministerial correspondence and parliamentary business (Parliamentary Questions and debates), for example, are often handled by separate teams located close to the private

offices. This frees the private offices of the unremitting demands of MPs' letters and PQs, enabling them to concentrate on their principal job: organising the minister's departmental life.

Their most frequent visitors will include:

- the minister's special adviser/s, who will usually be based a few doors away;
- press officers; and
- the policy officials leading whichever are the policies currently under the spotlight.

Another visitor, who will be involved in some departmental meetings, will be the secretary of state's parliamentary private secretary. (See page 16.)

### Working in private office

As well as internal meetings, the minister faces an ever-rolling stream of external visitors, friendly and hostile. It falls to the private office – and especially to hard-pressed diary secretaries – to manage matters so that ministers meet all the people they need to meet and are still ready, with the correct papers, for Cabinet, a lunchtime conference, oral questions in the House or whatever the jam-packed diary demands.

In doing this, the diary secretary will liaise with people from other parts of the minister's life: party or constituency officials, the minister's secretary in the Commons and often members of the minister's immediate family. The job of controlling an ever-changing diary against equally changeable, often conflicting, demands is relentless.

Organising a minister's entire life to within an accuracy of ten minutes is an unremitting task, and good diary secretaries are worth their weight in gold!

“The tide of work in a private office never recedes.”

A private secretary will usually sit in with the minister on each meeting, taking notes. Any action points will be recorded and followed up later. This is particularly valuable for policy officials, who should ensure before any meeting that it is agreed who will be responsible for taking and distributing the notes.

A private secretary will also accompany the minister on most external engagements during the day, helping to smooth the minister’s path to each event but also maintaining contact with the department to ensure the minister is informed of any developments. Private secretaries must help ministers keep to schedule, finding tactful ways of hinting – to the minister and to the hosts – when it’s time to move on.

The tide of work in a private office – e-mails, letters, drafts, submissions, speeches, Parliamentary Questions, invitations, briefings – never recedes. It is the private office’s duty to keep track of every communication – paper, telephone or electronic – to ensure that it is properly directed and despatched.

In a busy secretary of state’s office, this alone is a Herculean task, requiring organisational skills, teamwork and attention to detail of a very high order. Such work is often completed, after the hurly-burly of the day, when the telephones at last are quieter and private office staff are free to concentrate. Inevitably, however, this simply lengthens what has already been a long and demanding day.

“Although private secretaries may know their ministers better than their policy colleagues do, their policy colleagues know their subjects much better than private secretaries do.”

Because of time pressures, and because private secretaries know better than anyone what their ministers want, there is sometimes a temptation for them to redraft work submitted by officials. If the changes they introduce are more than cosmetic, this can be dangerous.

Although they may know their ministers better than their policy colleagues do, their policy colleagues know their subjects much better than private secretaries do. There is a real risk, therefore, that, in adapting drafts to meet the minister's tastes, they may unwittingly change something of material importance. Changes of this kind are better left to the officials responsible for the policy – or should at least be cleared with them before going into the minister's box. In turn, policy officials should be aware that private secretaries routinely cover submissions with a note summarising the main points. They are more likely to do this effectively if the submission is

brief and its main points are made to stand out clearly.

Some ministers do their paperwork in the office; others prefer to take it home. For the latter group, at the end of their day in the office, red boxes are prepared, containing homework for that evening or weekend.

Deciding what should be put in tonight's box and in what order is a crucial task for the private office. Typically, a secretary of state's red box may include:

- 25 letters to sign
- 15 submissions
- 10 draft replies to PQs
- 5 invitations to consider
- 2 draft press releases
- 1 draft speech to approve
- 1 Q&A brief
- 1 Parliamentary statement to approve
- 110 press cuttings
- 20 briefings
- 15 letters from Cabinet colleagues
- 8 papers and attachments for tomorrow
- a folder of papers from Special Advisers

“The private secretary’s prioritising job gets harder and harder as he/she has to fend off ever more agitated requests for progress from officials.”

Private secretaries must determine the urgency and relative importance of every document before deciding either its place in tonight’s box or if it can be safely left for the weekend boxes.

In the morning the red box will reappear with the work done. It then falls to the private secretaries tactfully to interpret and transmit the minister’s comments to those who provided the work, to enable them to take the process a step further.

Such, however, are the pressures on ministers that life isn’t always quite like this. An experienced private secretary describes what can sometimes happen in reality:

*In a perfect world the minister arrives at 8.45 am and delivers a red box full of completed work with all decisions taken and signed off. In the real world, the first five letters have been signed, one speech and one submission have been read and agreed, one further submission has been lost behind the cooker, and the rest are untouched. The private secretary’s prioritising job gets harder and harder as he/she has to fend off ever more agitated requests for progress from officials.*

Although most of their work is fundamentally administrative and organisational and they are seldom involved in decisions themselves, private office staff sit very close to ministers and see most aspects of their lives. Often very young and fairly new to the Civil Service, they find themselves sitting close to the edge where government meets party political activities, handling sensitive and important matters of state. They therefore need access to advice from senior officials. The most immediate

source is their boss, the principal private secretary, who will usually be more experienced than anyone else in the private office. Ultimately, on important matters, they have access to the Permanent Secretary, whose responsibility it is to ensure effective, proper relationships throughout the department.

## Conclusion

In essence, private offices are:

- essential to managing the minister's working life, feeding work through in digestible quantities and keeping engagements to time;
- instrumental in maintaining good working relationships around the minister;
- exhilarating, tiring places to work, providing an unequalled high altitude view of the work of a government department; and
- valuable allies for any official working around ministers.

## Chapter 3: How to brief a minister

### What is briefing?

Briefing is the process of selecting and presenting information to enable someone else to understand a particular subject quickly without having to research it themselves.

Senior people are busy and deal with a broad range of issues and subjects; they do not have time to know or research any one of their responsibilities in detail. To deal effectively with the matters that arise in their work, they rely on others to sift and present information and advice in a form that helps them to:

- grasp the important points; and
- make a decision based on the facts, or
- be able to say the right things about it.

### Briefing can be done orally or in writing

The process of briefing is one all of us use in everyday conversation. Imagine a colleague asks you: 'What was your holiday like?' In a second or two your brain will have asked and answered two fundamental questions that will shape your reply:

- What sorts of things are they interested in?
  - Are they culture vultures?
  - Are they keen on food, wine or beer?
  - Do they like beach holidays?
  - Do they like funny disaster stories of what went wrong at the airport?

- Why do they want to know?
  - What's their particular interest?
  - Do they know that country?
  - Are they thinking of going on holiday to the same place, or is this just a casual enquiry?

These split-second thought processes will decide whether your reply should be a lengthy critique of the resort, a description of one particular aspect of the holiday or simply one sentence before you change the subject entirely.

Briefing is simply the systematic and more sophisticated application of these techniques to sort and present information according to:

- who the brief is for; and
- what they will be using it for.

“When briefing a minister it’s well worth asking the private office what their minister knows about a particular issue, and what his/her main concerns may be.”

### Who are we briefing?

The first task for briefers is to step into the shoes of the person they are briefing and ask themselves two questions.

If I were them...

- What would I know already?
- What would I want to know?

It’s relatively straightforward producing a brief for oneself – one can answer these questions at once – but asking them on behalf of someone else is much trickier and requires judgement. Research can help. For example, when briefing a minister it’s well worth asking the private office what their minister knows about a particular issue, and what his/her main concerns may be.

The higher people rise in any organisation, the broader their responsibilities become and the more remote they should be from detail. Senior officials will probably know most of their department's major policies and programmes, but will not necessarily know off-hand exactly how each works or how much it costs.

Ministers, concerned also with politics, their constituency, their party, parliamentary business and the range of their department's work, may know less still. A brief for a minister may therefore have to be quite different from one for a senior official.

“Briefings need to start from big-picture, contextualising questions if they are to equip the minister to grasp the strategy behind the policy. Often, however, it is essential to describe a single element in great detail to help the minister understand the point at issue.”

Most officials learn and retain a good deal of detail about their particular area of policy; they know a great deal about its trees, branches, twigs and leaves. Ministers, however, prefer woods. They will want big questions answered, such as *Why are we doing this?* Or *What's this for?*

Briefings need to start from these big-picture, contextualising questions if they are to equip the minister to grasp the strategy behind the policy, rather than just provide disembodied detail. Often, however, it is essential to describe a particular tree (or even a leaf on that tree) to equip the minister to understand the point at issue. To explain how a policy works, it is often helpful to describe its effect on an individual member of the public, whether real or imaginary (see the model on page 18). Sometimes a briefing needs to zoom in on minute detail. But the whole brief cannot be focused on that level of detail or it will be much too long.

“Every sentence in the brief should be included only because it contributes directly to the brief’s purpose.”

### What’s the brief for?

The purpose of the brief will determine both the angle from which you will approach the subject and the whole structure of the brief. Every sentence in the brief should be included only because it contributes directly to the brief’s purpose.

There are many types of brief, but they can be broken down into four main categories:

- **The information-giving brief**  
simply updating someone on a subject – because of the pressures on ministers, these are more usually written for senior officials.
- **The submission**  
making a recommendation and seeking a decision.
- **The meeting brief**  
equipping someone to meet others for some purpose.

- **The question and answer / line to take brief**  
giving someone things to say in particular circumstances.

This chapter and its three supplements cover each of these, as well as considering the additional characteristics and requirements of oral briefing.

### Preparing the brief

Any brief should have three qualities. It should be:

- **Accurate**  
the information given must be reliable, and the briefer should take care to distinguish fact from opinion.
- **Brief**  
senior people haven’t time to read or listen for long.
- **Clear**  
they should be able to take it in first time through. (Ministers often read material late at night with tired eyes and tired minds.)

“Our interpretation and opinions can be invaluable, but they should be clearly identified as such, and not be confused with the facts.”

Briefing is hard work, partly because it entails making sure that every fact is correct and that the presentation of the overall case is in no way misleading. A brief is not simply a summary: our interpretation and opinions can be invaluable, but they should be clearly identified as such and not be confused with the facts.

Briefs are called ‘briefs’ because they *should be* brief. There can be no hard-and-fast rule on length. Some briefs – for example, one produced for a newly appointed minister about the work of the whole department – cover a huge subject and may run to 50 pages. Most, however, do not and should not. Alarm bells should ring in the writer’s mind every

time a new page is started, prompting the question: *is all this directly relevant and essential?*

It is, however, a difficult matter of judgement, deciding how much to include and what may safely be left out. Here, a systematic approach to preparing the brief is essential.

There are three distinct stages to the process of writing anything (not just briefs):

- **Clarity of thought:** thinking the thing through thoroughly  
Who’s it for? What’s it for? What’s it really about?
- **Choice:** what to include and in what order? What can safely be left out? What’s important? What’s dangerous?
- **Clarity of expression:** presenting the material as clearly as possible, using language and structure to help the reader to grasp it quickly.

Only the last of these stages involves typing up your document. The first two require only uninterrupted thought and a note-pad on which one can jot down the main points and a structure.

### Choice: what to include – and what to leave out

The choice can be helped by categorising information into:

- **Musts:** the brief must include these items, without which the person being briefed cannot understand what it's about. (These are the few things you would tell them if you had only two minutes to make them understand.)
- **Shoulds:** they really ought to know these things if they need to understand the subject properly.
- **Coulds:** these are things that are nice to know but can be left out and, in a brief for a minister, they should always be left out.

Once we have chosen the points to include and listed them in order, we can concentrate our entire attention on expressing our chosen points as clearly and simply as possible.

### Clarity of expression

Structure is vital. Every brief, oral or written, should have a beginning, a middle and an end.

- The beginning should include an explanatory title, and should explain briefly what it's about and define its purpose.
- The middle may provide any background required and contain the main body of the brief.
- The end may cover any handling issues and the future (i.e. where we go from here).

Suggested structures for each type of brief are given in the three supplements to this chapter.

## Language

Language can help or hinder. We should never underestimate the effectiveness of a clearly expressed brief. We should use correct, spoken English and avoid technical language (unless we know that *everyone* reading the brief speaks it fluently), jargon, acronyms, abbreviations, abstractions and meaningless corporate-speak. (See Chapter 6, Supplement 2 for more advice on vocabulary.)

We should also avoid long or complex sentence structures and long, dense, forbidding paragraphs of text. Instead, we should choose clear, everyday words in simple sentence structures within short paragraphs. Because we want brevity, our aim should be to make every word count. Often one carefully chosen word can do the job of a phrase, or a phrase can replace a sentence. A good test, once the brief is written, is to check it through carefully, awarding yourself £10 for every word you can cut out.

Using this approach, it's astonishing how quickly you'll amass real wealth...

It's a virtuous circle. We communicate clearly because we think clearly, and we think clearly because we communicate clearly. Clear, precise language not only helps us to communicate, it also ensures that we've got our own thinking properly sorted out. Vague statements such as *issues around* hide muddled thinking and communicate an imprecise message. We must think matters through to make sure we're saying exactly what we mean. For example, how much more informative are phrases such as *will increase, will damage, will reduce, will complicate* than is the widely-used *will impact upon*?

A short, concrete example often helps make a point more effectively than trying to describe it in the abstract. One carefully chosen example both explains and persuades.

As we write our brief it's helpful to imagine a sceptical minister repeatedly asking us two simple questions: *Says who?* And *So what?* The first reminds us to present some convincing and punchy evidence to support our assertions. The second forces us to pursue the logic of what we're saying through to a precise and concrete conclusion, often revealing the solid, practical advantage of our recommendation.

### Presentation

The presentation of the brief will determine whether the reader wants to read it or not. If it looks approachable, the reader is more likely to read on. We should therefore:

- use lots of white space, avoiding dense paragraphs of text;
- use headings and sub-headings to guide the reader through the structure;
- number the paragraphs to help later reference to them; and
- use bullet points (but not *too many!*) where appropriate.

If you don't know the format the person prefers, some preliminary research (asking them or their private office or checking your department's guidance) before you start writing will save a lot of agonising guesswork and redrafting.

"It falls to officials to ensure that ministers' decisions are based on a firm foundation of fact."

### Briefing ministers

The pace of ministers' lives and the breadth of their responsibilities mean that they will not necessarily remember previous briefings. Many do, but we can't rely on that. They therefore expect a brief to provide the necessary facts and advice to equip them to understand, make a decision on, or speak about, any subject.

It falls to officials to ensure that ministers' decisions are based on a firm foundation of fact. We must therefore give them objective advice. This involves setting aside our own personal views and our ministers', and saying what, in our professional judgement, is the best course in these circumstances.

Sometimes ministers may be disappointed in our advice because they wanted to do or say something that we have advised against. We are not, however, doing ministers (or the quality of government) any favours by telling them what they want to hear, rather than what they need to know. We have a duty to warn ministers if we feel that their decisions will not work or will produce unwanted results. But this is not a battle: often it is possible to suggest a course that's consistent with our advice and meets the minister's requirements. (See page 124 for more on objectivity.)

### Oral briefing

Much of the preparation for an oral briefing is similar to that for a written brief. Only the form of presentation is different. In an oral briefing, we present our brief face-to-face with someone – often a minister – who is considerably senior to us.

Because an oral briefing is a face-to-face encounter, the normal rules of human behaviour apply. We will be judged by the person we are briefing not only on the content of our brief, but also on how we look and sound. It's therefore worth paying some attention to appearance, body language and our choice of words.

You must also be prepared to answer questions and to explain and defend the line you have taken and the recommendation you are making. This means practising your oral brief, perhaps with a colleague or perhaps into a mirror. Make sure you ask yourself the question you most dread being asked and

have an answer prepared. It's the question that is most certain to be raised!

One of the principal factors in any briefing is confidence, which is infectious. If the briefer seems confident and relaxed, the person being briefed will:

- catch that confidence
- have more confidence in the brief
- act on the brief more confidently.

We are less likely to have confidence in someone who, for example, reads from notes and avoids looking us in the eye, or who speaks stilted, formal or technical 'written' prose. We have confidence in people who seem relaxed, knowledgeable and, above all, themselves.

When briefing orally, therefore:

- Prepare carefully beforehand and dress appropriately, but comfortably.

- Arrive in plenty of time so you're not flustered or out of breath.
- Introduce yourself and the purpose of the brief clearly, sounding interested and human.
- Treat the briefing as a structured conversation and check that the person has understood what you've said.
- Respond to questions (and don't be afraid to admit what you don't know or to consult notes).
- Emphasise important points and summarise clearly.

*"Structure is as important in an oral brief as in a written one."*

The disparity in seniority can be daunting. It's worth remembering, however, that our role is to help the minister or senior official to fulfil their responsibilities effectively. It is therefore in their interest to

make the briefing a success by listening carefully and asking helpful questions. Oral briefings are usually far less formal and daunting than one expects. They are not promotion panels: we're not there to be tested or to impress, but to get information over in a structured, digestible form to help the minister do a difficult job.

Structure is as important in an oral brief as in a written one. The formats recommended for the various types of written brief provide logical, common-sense structures to follow in any oral briefing. It is unlikely, however, that you will be allowed to present it, uninterrupted, sticking to a fixed structure.

You will be asked questions, and your presentation will quickly become a conversation. This is both an advantage and a disadvantage.

It's an advantage because a conversation is less formal and is two-way. People being briefed spot the points they're

interested in and will pursue those to the level of detail they require. Remember, however, that it's you who knows the subject. Ensure that you tell them all the things you regard as important; their level of understanding may not be sufficient to enable them to recognise what's important without your guidance.

It's a disadvantage because your carefully worked-out structure for the brief will not survive more than a minute or two. You will need, therefore, to be flexible by having a short list of the points you **must** make, and ensuring that you've covered them all before leaving the room. But a short list means a **short** list: a post-it note bearing three or four words (perhaps on top of a file of reference papers that will probably remain unopened) will work better than a long, detailed checklist.

### Writing lines to take or question and answer briefs

While most briefing is about telling ministers, behind the scenes, what they need to know, this kind of briefing is designed to help ministers present policy effectively in public. (See the model on page 24.)

Although lines to take and question and answer briefs are often included as part of briefing, they actually have more in common with speech-writing. It's worth remembering that these briefs are designed to be spoken – usually by ministers – in public. They too should be:

- accurate;
- brief;
- clear; and, above all,
- sayable by someone who's in the public eye and under pressure.

They are designed to encapsulate a view – the minister's view – in a few words, which should sound natural and colloquial.

There are essentially two types of lines to take: the proactive and the defensive.

### Proactive lines

As their name suggests, these are used to present a particular policy or programme in a good light. Ministers can use them every time this subject is raised and they should encapsulate in a few words the main message Government wants to convey about it. This may be a description of the policy/programme or simply a message about its success.

Examples include:

*Student loans are about opening higher education to everyone.*

*This initiative has transformed the way Government helps unemployed people back into jobs.*

It's worth remembering that, long after officials have got bored with writing the line and ministers have tired of saying it, there will still be large numbers who haven't yet heard it.

### Defensive lines

These equip ministers to respond to specific criticisms. Sometimes they are presented in a question and answer format, sometimes simply as lines to take. They often appear in a series of three stages:

- Acknowledging the criticism.
- Describing what Government is doing to tackle it.
- Describing the success Government action is having or will have.

Thus, if, for example, a report is published criticising a policy, a minister's defensive lines to take will probably go something like this:

*This report has shown up some serious problems in...*

*It was to tackle problems of this sort that the Government introduced...*

*Of course, we can't expect change overnight, but we're already seeing some real improvements in... and in...*

*We're particularly pleased with the way our policy has... And here are some examples...*

Now the minister is on solid ground again, having acknowledged the criticism, described how it is being tackled and moved on to some good news. Listen to the BBC's *Today* programme and you'll hear this approach in frequent use.

Lines to take are not about misleading anyone: they must be true. They are, however, about presenting the Government's policy in a good light while sticking to the facts.

**SUPPLEMENT 1: A suggested format for an information-giving brief**

This format, which can be adapted as you and circumstances dictate, may be a helpful way to impose structure on a mass of facts. Like all the formats in these supplements, it is only a suggestion. Different situations require different briefings, which require different formats. It is therefore vitally important that you are clear about what this brief is for and what you want the reader to do having read it.

**Title**

Try to encapsulate the subject of the brief in a few words.

**Purpose**

Briefly state what the brief is for, why it is necessary and what should happen as a result of it.

**Background**

Being careful not to include too much detail, explain the background facts and how we reached the present situation where a brief is required.

**Problem**

If a particular problem has prompted this brief, describe it.

**Solution**

Describe what's being done to tackle that problem.

**Implications**

Describe the impact of this on your department, policy, the public etc., and especially any difficulty the minister should be warned about.

**Next steps**

Describe the way forward, including any action to be taken.

## SUPPLEMENT 2: A suggested format for a submission (decision-making brief)

A submission is the form in which most departments make recommendations to ministers and seek decisions from them. Different departments use different formats. The following specimen pinches and combines what I think are the best bits from various departmental examples.

### **Title**

Capturing the essence of the subject in the title helps the minister to prepare to receive information on that subject; it also saves the writer words later on.

### **Issue**

Define, precisely and very briefly, the point to be decided, or the problem to be solved. The Issue will often be something like *How to achieve X* or *Whether to do Y or Z*.

### **Recommendation**

Set out, also briefly, what you want the minister to agree to.

### **Timing**

Insert the date by which you want the decision. Classifications such as *Routine*, *Urgent* or *Immediate* are open to interpretation; dates aren't.

### **Background**

Describe, as briefly as possible, how we reached the situation where a decision is required and provide any supporting facts essential to making the decision.

**Argument** (or 'Discussion' or 'Detail') should include:

*Objective* – what we are trying to achieve with this recommendation. The minister should be able to use this as a

measure against which to gauge the effectiveness of your recommendation and the other options. This is therefore likely to refer to the overall aim of the policy under consideration. You may also include the most important criteria against which options should be weighed.

*Options* – The top three or four options open to us should be listed and their effectiveness should be compared in achieving our objective. Never ignore the ‘do nothing’ option! List the pros and cons of each, including the weaknesses of your preferred option and the strengths of rejected ones. While appreciating a clear recommendation and argument, ministers and senior officials need to know the full picture. You are not trying to ‘sell’ them your preferred option. Balance is ultimately more persuasive and defensible than bias.

### **Coalition Considerations**

Ministers in the current Coalition Government need advice on how this proposal squares with the detailed Coalition Agreement between the parties.

### **Implications**

If these points have not come out explicitly in the Argument section, warn the minister of any problems with your recommended option or tell them of the advantages of the options you are not recommending. For example:

*This will be popular with the motor trade, but will raise protests from environmental lobbyists.*

### **Presentation**

Briefly explain whether this is good or bad news and suggest how the decision may best be presented publicly.

### **Next steps**

Describe briefly where we go from here and/or any action required.

### SUPPLEMENT 3: A suggested format for a meeting brief

Briefs of this kind are often used for quick reference during a meeting. They therefore require particular attention to clarity of language and layout. Again, formats will vary enormously depending on the circumstances and purpose of the meeting, but this suggests the main topics to cover.

#### **Title**

Purpose, date, time and place of meeting

#### **Background**

How did this meeting come about?

#### **People attending**

Who are they, who do they represent and what are their interests/objectives?

#### **Our objective**

What do we want to achieve from the meeting? (This may include our ideal outcome and our realistic and fall-back positions, as well as points not to be conceded.)

#### **Issues**

List the issues likely to arise and any lines to take. (These may be covered or continued in a separate question and answer brief.)

#### **Dangers/Elephant traps**

There are two kinds of 'elephant trap'. Firstly, things likely to be raised at the meeting which you, or the minister, would prefer not to be raised. Since these are usually the things that inevitably will come up, it is particularly important that you provide a line to take,

or question and answer briefing, to deal with these issues (bearing a heading like 'Only if raised' or 'If pressed'). The other type of elephant trap is things to avoid saying. These need to be highlighted and presented quite differently from the rest of the text because, in the cut and thrust of a meeting, it's easy to read out something headed: 'On no account say...'

**Outcome and next steps**

Advise on how we think the meeting should end and any follow-up action that may need to be agreed.

## Chapter 4: How to draft ministers' letters

“Ministerial correspondence is democratic accountability in action.”

### Why is ministerial correspondence so important?

Democratically this correspondence is important because it is one of the few ways in which, between elections, members of the electorate can call their Government to account. Every Minister's Case, however obscure, infuriating, tiresome or unnecessary a few of them may seem, is in itself an important part of democratic accountability. It requires Government to account for its decisions and actions, through Parliament, to the people. Ministerial correspondence is democratic accountability in action.

For ministers, correspondence is a priority because:

- it provides an opportunity to explain Government policy;
- it is one important way in which, between elections, ministers can demonstrate their accountability to Parliament and to the electorate;
- how they answer letters from their fellow MPs on behalf of their constituents has a major influence on their reputations in Parliament; and
- it is one way in which they can show practically to the voters that they are humane, efficient and successful ministers.

For departments and agencies, correspondence is important because:

- it provides an opportunity to explain policy or procedures;
- it contributes (for good or ill) to their public image; and
- it is an important part of their duty to serve the public.

“Our aim for every reply should be to make its recipient feel better for having received it.”

Simple humanity also makes correspondence important. Behind each letter is someone who is upset, angry or worried or who simply does not understand. Our task is to draft a reply that, while not always providing exactly what the recipient wants, will, at the very least, explain why this is not possible while sounding respectful, human and sympathetic. Our aim for every reply should be to make its recipient feel better for having received it.

### The different types of correspondence

There are two basic types:

- Ministers’ Cases – sometimes known as PO (Private Office) or PSO (Private Secretary’s Office) Cases
- Treat Officially (TO) Cases.

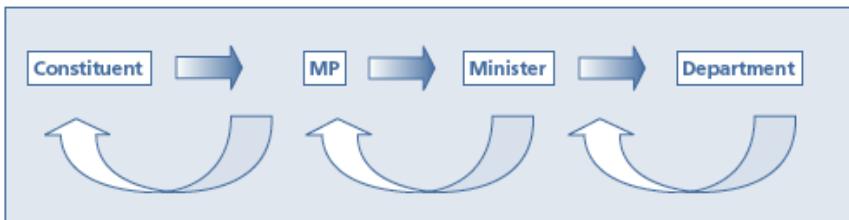
### Ministers’ Cases

Ministers’ Cases usually originate from a constituent, who writes to his or her MP, who then writes to the minister. The minister needs from us a draft reply to the MP which, with minimal extra work, the MP can then pass on to the constituent. In some departments other categories of letters may be dealt with similarly. (In Education, for example, ministers may ask that letters from head teachers should be given similar priority.)

There are many variants on Ministers' Cases. For example, letters are often passed by ministers to agency chief executives for reply. Usually the minister or his/her private secretary will have acknowledged the MP's letter, explaining that it *has been passed to Helena Charlton, Chief Executive of the ... Agency, for reply*. Agency staff will therefore often find themselves drafting the full reply for their Chief Executive's signature.

Some departments also operate an even faster track system than for Ministers' Cases. Usually these are e-mailed by private office to particular officials for a very rapid draft reply. The only difference in how these should be handled is that officials are usually working against a tighter deadline and should be aware that, for one reason or another, the minister regards such cases as especially urgent or important.

## Ministers' Cases

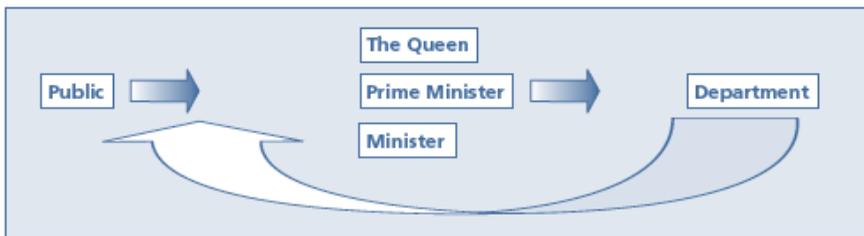


### Treat Officially Cases

Treat Officially Cases are where a member of the public has written straight to a minister, the Prime Minister or, sometimes, the Queen. These require a reply from an official on behalf of the person the correspondent has written to. They therefore often start: *Thank you for your letter of 12 June to the Prime Minister. I have been asked to reply.* (See Supplement 1.)

In general, official replies should be less trenchant in tone than a draft for a minister. Whereas a draft for a minister may say: *It would be quite wrong for me to... or I believe that...*, an official reply is more likely to say: *The Government believes that it would be wrong to... or The Government believes that...*

### Treat Officially Cases



### Who wants what from this exchange?

#### Ministers want:

- to provide a good service
- to sound authoritative, helpful and sympathetic
- to defend or promote Government policy
- to make a minimal commitment of time to each case.

#### Members of Parliament want:

- a quick and helpful response, which answers their constituent's question/s
- a reply which they can send on without committing extra effort
- sometimes, to have an answer for themselves – they may have a personal interest in the policy issue or the constituent
- to provide a good answer because it will go out with a covering letter from them.

#### Constituents want:

- a quick and helpful response they can understand
- an answer to the particular question they asked, not a generic policy statement
- to be treated with respect and sympathy.

If (as is often the case) they cannot have what they want, we must ensure, at the very least that they understand why.

Whenever possible, we should also suggest what they can have instead.

### Managing the process

Many of the commonest errors stem not from drafting but from avoidable mistakes in managing the process. It is therefore worth applying a few simple, common-sense, project management principles to make life easier. After all, each case meets the standard definition of a project in that it has a product (the reply) and a deadline, and we often have to involve colleagues

in producing the reply within that deadline.

Immediately you receive a case, read it, check the deadline and ask yourself:

- Is it for me?
- Can I reply within the deadline?
- Does it need a contribution from someone else?

If it is not for you, pass it on to where it should be and let private office (or your correspondence unit) know that you have done so. If it is for you but you know you cannot reply within the deadline, tell private office and provide a holding reply, explaining that the matter is being dealt with. (If you do this, you'll never miss a deadline.)

“The more you change the wording of people’s contributions, the more vital it becomes that you clear the final draft with them before sending it to private office.”

If you need a contribution from someone else, commission it now to allow your colleagues the maximum time to provide it. It’s worth, however, building in one day’s grace for something unexpected to go wrong – it often does!

When commissioning contributions:

- specify as precisely as possible what you want (subject, length and tone);
- set a realistic deadline, allowing a little leeway without missing yours; and
- keep a note of the deadline and chase each contribution before it’s too late.

To avoid getting too many different styles in what ought to be a draft in a single style, you may wish to ask for contributions in the form of bullet points which you can then transform into sentences in the required style. But be warned: the more you change the wording of other people’s contributions, the more vital it becomes that you clear

the final draft with them before sending it to private office. It's easy inadvertently to change the meaning of a colleague's draft contribution.

Plan now when you are going to draft the reply. You may like to group your writing tasks together so you can arrange a writing time when there will be fewest interruptions (early morning, late evening, lunchtime or at home, depending on your circumstances).

The difference between writing anything when you are interrupted and when you aren't isn't that it takes twice as long; it takes ten times longer – and you won't be a nice person to have about because you'll be frustrated, irritated and unhappy with your draft.

“Sometimes MPs will take the point raised by their constituent and ask a wider, policy question based on it.”

## Drafting

Lock yourself away quietly and read all the papers carefully. What does the correspondent want? What questions has he or she asked? What's the tone of the letter – angry? – upset? – mystified? (This will dictate the tone you should adopt.) Are there any especially sensitive issues? How well informed does the correspondent sound? Can you assume any or some knowledge on their part? (This will determine how detailed or technical your reply should be.) Jot down the main points the correspondent makes.

Don't forget to read the MP's letter to see if he or she has asked an additional question or expressed a personal interest of some kind. Sometimes MPs will take the personal point raised by their constituent and ask a wider, policy question based on it. While the constituent may, therefore, ask: *Why can't I...?* the MP may ask: *What's the Government's policy on this issue?*

Jot down any point the MP may have made. Our draft reply must answer it.

“Standard paragraphs and standard letters should, however, be used with real caution.”

What are the points that the minister will want to make in reply? Jot them down. What’s the best order to make them in? You may choose to answer them chronologically, in the same order in which they were raised in the original letter or in some other logical order. Often the order may be dictated by your wanting to start and end by making a positive or sympathetic point, putting less welcome information in the middle of the letter. (This is sometimes known as the Nice-Nasty-Nice sandwich.) Number your points – almost certainly these will be your paragraphs.

Occasionally, when, for example, a department has been flooded with letters generated by a particular campaign, standard replies may be the only practicable solution. Standard paragraphs and standard letters should, however, be used with real caution. Every draft reply will differ not only because the message will vary, but also because the reader will never be the same. Until we have standard members of the public, standard replies will be of limited use! We should use them as models to follow, but be ready to adapt them to ensure both that every reply directly answers the points raised and that it is appropriate – in tone, level of detail and vocabulary – to its recipient. A standard reply that doesn’t answer a writer’s specific question will damage a minister’s and a department’s reputation. Unless we have answered the writer’s questions in a way they can understand, we have failed.

A letter may very occasionally include party political points which are not for civil servants to handle. If ministers wish to respond to them, they will add a sentence or two of their own. If, however, either the constituent or the MP is directly critical of Government policy, we may well choose to add a paragraph to explain and defend it.

“Your draft should sound like one human being writing to another.”

Once in a while one must draft a reply to a member of the public who is clearly unhinged. Replies in such cases should be short, polite and sympathetic but should discourage further correspondence. If the correspondence persists, each reply should become progressively shorter until finally we may need to point out, politely but firmly: *we have nothing to add to previous letters*

*and can see no purpose in pursuing this correspondence,* after which we can cease to reply. It’s obviously a matter of careful judgement when we should take this last step and departments usually have a policy which can help us decide.

It’s worth remembering, however, that because someone has expressed himself unconventionally it does not mean that he hasn’t a valid problem that requires our help.

Whoever you are writing to, try to draft as sympathetic and positive a reply as possible – the kind of reply you would wish to receive from a public servant. Your draft should sound like one human being writing to another. Avoid technical language, bureaucratic phrases and the sort of language listed in Supplement 2 of Chapter 6.

“If you have time, put the draft away overnight and read it with a fresh eye in the morning.”

### After drafting

Read through your draft. Does it make the points in the clearest way? Does it answer the constituent's and MP's questions? Does it make the points the minister would want to make? Does it sound how the minister would want to sound? If possible, ask someone else who has not been involved in the case to read it and comment; a layman's eye often spots things that we have missed. In many departments, proof-reading of this kind is an automatic part of the process. If you have time, put the draft away overnight and read it with a fresh eye in the morning: often, after a night's sleep, one can see a better way.

Once the draft is typed, check carefully for unnecessary errors such as:

- incorrect names, titles, letters after names (MP, MBE etc.) and addresses. All of these can give a bad impression out of all proportion to the importance of the error;
- spelling or typing errors; and
- incorrect facts, which can be very embarrassing for a minister as well as misleading for the recipient.

Ministers cannot be expected to know the detail of every one of their department's policies or procedures. Will the minister understand the draft reply and why it has been drafted as it has? If the minister needs a background note to explain the reply or the background to the case, provide one that is short, simply expressed and easy to read.

Send the case off to private office in time to meet the deadline. When a copy of the final, signed reply is received, read it carefully and compare it with your draft. If it has not been changed, well done! If it has, why? Is it a matter of style or of substance? Either way, learn from it and bear it in mind when you draft the reply to your next case, which may be on its way to you even now...

## Conclusion

Although important, meeting the deadline is not enough. The quality of the reply matters even more. Maintaining this quality when departments have to write so many replies requires consistent care, effort and organisation.

Ministerial correspondence is too often treated as the poor relation among our work for ministers. Because submissions, speeches and Parliamentary Questions can be seen as more challenging and more important, letters are sometimes delegated until they cannot be delegated any further. For many junior officials ministerial correspondence provides a rare opportunity for them to provide a draft about their area of policy that will be approved by a minister. It is therefore an excellent opportunity for managers to train and develop junior staff.

To delegate this work to junior colleagues without providing the support, training or guidance required is unfair to them. It's also unfair to members of the public, for whom a letter to their Government is the principal way in which they can get their voices heard.

Correspondence is an important element of democratic government in scale as well as in principle: across Government, we receive thousands of letters each week. Getting our handling of this correspondence right or wrong can materially affect how Government and particular ministers, departments and agencies are seen by the public we are all here to serve.

### SUPPLEMENT 1: Some useful phrases and sentences

These are *not* standard phrases but simply a selection of forms of words that have proved useful to others and which can be adapted as you think best.

#### **Opening sentence: Treat Officially Case**

Thank you for your letter/e-mail of 1 March to the Queen/Prime Minister/Secretary of State. I have been asked to reply.

#### **Opening sentence: Treat Officially Case (where one wants to explain more gently why someone else is replying)**

Thank you for your letter/e-mail of 1 March to the Prime Minister. As you can imagine, the Prime Minister receives an enormous number of letters. He has therefore asked me to reply to yours.

#### **Opening sentence: Minister's Case**

Thank you for your letter/e-mail of 20 February, enclosing one from Mrs Helen Jones of 27 Letsby Avenue, Weymouth about student loans.

#### **Opening sentence: Minister's Case (explaining why another minister is replying)**

Thank you for your letter/e-mail of 20 February to Oliver Letwin, attaching one/correspondence/a letter from Ms Lois Lightfoot of 33 Kerdson Way, Marston Moor, West Yorkshire. I am replying as the Minister responsible for Civil Service reform.

#### **If the reply is late, you should add an apology**

I am sorry you have not had an earlier reply.

#### **If it is very late, you may wish to add**

I am sorry you have not had an earlier reply. This is because...

**Establishing sympathy or common ground**

I am sorry to hear that Mr Khan was delayed by Customs officials at Gatwick Airport. We are doing... to ensure that waiting times are kept to a minimum.

**Or**

I share Mr Khan's concern that Customs officers should maintain a professional tone in their dealings with everyone.

**Or**

I can understand Mr Khan's concern about the time spent waiting for interview.

**Disagreeing politely but robustly**

I cannot agree with Mr Murphy's point that the Government is unconcerned about climate change. (Then produce some counter-evidence.)

**Explaining the structure of the reply**

If I may take Mr Shaw's points in the order in which he raised them...

**Providing background information/explanation**

It may be helpful if I explain the regulations concerning VAT on children's toys...

**Introducing paragraphs**

Mr Grant raised a question about...

**Or**

On Mr Grant's point about...

**Or**

Turning to Mr Grant's point about...

**Or**

Mr Grant may be pleased/reassured to hear that...

**Closing sentences**

Please thank Mrs Mee for raising a matter of real/understandable concern and wish her every success with...

**Or**

Please thank Mrs Mee for making a thoughtful/interesting suggestion.

**Or**

I hope this enables you to explain the situation to Mrs Mee.

**Or**

I hope this explanation clarifies the position for Mrs Mee.

**Or**

I am sorry to have to send what I know is a disappointing reply.

**Or**

I hope that this answers the concerns that Mrs Mee raised.

**Or**

If Mrs Mee would like to, she may contact...

## Chapter 5: How to draft answers to Parliamentary Questions

### What are Parliamentary Questions?

Back Bench Members of Parliament and Peers can raise a matter of concern or call Government to account by asking a Parliamentary Question.

There are two main types of Parliamentary Question (PQ):

- the Question for Oral Answer, requiring an oral answer in the House during Question Time; and
- the Question for Written Answer, which is not taken in the House but the answer to which is printed in the Official Report (Hansard).

Oral questions allow the Member asking the question to ask a second one. This is known as a supplementary question. The Speaker can then call other members, each of whom wish to

ask a related supplementary question.

An oral question often therefore turns into a mini-debate in which, having answered the original question, a minister will be called to answer a number of unpredictable questions on a broadly similar topic.

Written questions are a simpler transaction, in which the minister sends the Member a written answer.

Most replies to Parliamentary Questions are drafted by civil servants. For each written question we usually supply a draft answer and a background note to brief the minister on the detail of the subject.

For an oral question, we usually provide a draft answer, some background briefing and some lines to take, which the minister

can use in preparing answers to supplementary questions. This involves our predicting likely supplementary questions not just from the Member who has asked the question but from across the spectrum of interests and views represented in the House. Answering an oral question – like briefing a minister for a debate – is therefore a much more demanding and complex task. It requires a strong understanding both of the political issues behind the subject and of the ethical restrictions which prevent civil servants becoming embroiled in the party political battle.

### Why do MPs ask Parliamentary Questions?

The starting point with any Parliamentary Question is to consider why it has been asked. MPs and Peers ask PQs for several different reasons, including:

- to obtain information, or to get information placed ‘on the record’;
- to demonstrate personal interest in a particular matter

or in an area of Government business, or to keep up to date in areas of specialist interest;

- to raise a matter of concern to an interest group or a pressure group;
- to raise a constituency matter (e.g. the proposed route for a new motorway);
- as part of a wider campaign, perhaps employing other devices such as speeches reported by the press, or personal letters to the minister, to draw attention to a particular cause or to press for action.

“Whatever may have prompted the question, the process requires ministers personally to account to Parliament for the work and conduct of their officials and for the exercise of their own powers and responsibilities.”

Many Members specialise in a small number of subjects or aspects of Government business

and individual departments therefore find that some Members ask frequent questions about their work. Some Members also have 'shadow' or Opposition-spokesperson responsibilities for a particular subject, while some simply ask more questions than others. When calling Members on the floor of the House, the Speaker tries to ensure that his or her constituency interests are taken into account.

A number of publications give information on Members' interests: Dod's *Parliamentary Companion* and Vacher's *Parliamentary Companion* are two examples. The Parliamentary website ([www.parliament.uk](http://www.parliament.uk)) is another useful source.

Within the limits of a question (and, in the case of an oral question, its supplementaries), a Member may raise anything for which a minister is ministerially responsible. Members sometimes use Question Time for drawing attention to individual constituency cases because they wish to seek publicity for the case

or because the principle at stake merits public debate. Although a Member is more likely to deal with an individual constituent's problem privately by writing to the minister concerned, individual cases are occasionally the subject of questions or adjournment debates or both, and a question will often follow if a Member thinks a department has been slow or inefficient in dealing with correspondence.

But, whatever may have prompted the question, the process requires ministers personally to account to Parliament for the work and conduct of their officials and for the exercise of their own powers and responsibilities. Like ministerial correspondence, PQs are democratic accountability in action.

### How to answer Parliamentary Questions

The Government's *Guidance to Officials on Drafting Answers to Parliamentary Questions* is reproduced as Supplement 1 to

this chapter. Supplements 2 and 3 offer more detailed information about how questions operate in the House of Commons and House of Lords respectively. Meanwhile, this chapter offers general advice on Parliamentary Questions and deals with the most frequently asked questions about them.

A good answer to a PQ, like a good brief, should be:

- Accurate
- Brief
- Clear

Answers must be honest and truthful and should answer the question being asked. The initial answer to an oral question, in particular, should be brief. Although it's dangerous to be prescriptive, three sentences should normally be enough. There's little benefit in giving long answers and most ministers want to 'keep their powder dry' for the supplementary questions. In any case, the Speaker is likely to halt a minister who appears to be making a speech rather than simply answering the question. It's

worth remembering that an oral answer has to be spoken aloud. It is therefore important that it sounds right and is easy to deliver. It is helpful to test this, as one would test a speech, by reading it aloud.

“Answers must be honest and truthful and should answer the question being asked.”

### Background notes

Background notes should be provided to help the minister understand our draft answers for oral and written questions. They often include:

- the Member's known political, specialist and constituency interests, taken from published sources and websites such as Dod's and TheyWorkForYou.com;
- recent developments or incidents which may have affected the Member's constituents; and/or

- any major changes in Government policy – whether announced, or possible in the future; and what the minister has previously said on the subject.

In compiling these notes, we should remember the requirements of the *Freedom of Information Act 2000*. (See page 127.)

### Written questions

The task of dealing with a written PQ is therefore relatively straightforward. We need to provide only:

- an accurate, brief and clear answer to the question; and
- a background note enabling the minister to grasp why the reply is in that form.

### Oral Questions

A Member who asks an oral question has the right to ask a supplementary question that is related to the original question. Other MPs will then compete to catch the Speaker's eye and to be

called to ask another supplementary question which, again, must be related to the original question. The number of other MPs' supplementary questions allowed per Parliamentary Question is a matter for the Speaker and cannot be predicted. Preparing ministers for supplementary questions is therefore the most difficult task for those handling PQs.

“Preparing ministers for supplementary questions is the most difficult task for those handling PQs.”

### Briefing for supplementary questions

Because supplementary questions vary from the factual to the highly political in content, in briefing for supplementaries we have to try to anticipate every ramification of the original question. While some questions are genuinely seeking action or information, others are designed to highlight the merits of

an alternative policy or the shortcomings of the minister's department. It is often the case that the Member can anticipate the answer that will be given before the question is put down. The task facing civil servants is to get behind the question and provide a range of brief subject headings and corresponding short lines to take (drafted in the first person) which the minister can easily pick up and use to answer the supplementaries in the House.

So we have to try to predict what type of question is really being asked, the use to which the answer may be put and the MP's likely reactions to the answer. We also have to consider which other Members the Speaker may call for supplementaries and the types of points they may raise. The parliamentary web-site ([www.parliament.uk](http://www.parliament.uk)) can often help us check what a Member has previously asked on similar matters.

Often we need to consult other officials, who may suggest additional subjects for possible

supplementary questions. A technique often used in drafting supplementaries is to brainstorm ideas that could form the basis of a supplementary. These subjects are then thought through and answers honed into shape to suit the style and personality of the minister replying. It's vital, however, to remember that we cannot include everything, and to avoid falling into the trap of including the obscure while overlooking the obvious and simple.

The problem posed for officials by oral Parliamentary Questions is therefore a briefing problem: choosing the likeliest or most difficult questions and excluding those less likely to be asked before presenting them in a form that can be used at the Despatch Box.

*“The task facing civil servants is to get behind the question and provide a range of brief subject headings and corresponding short lines to take.”*

There is a long tradition in some departments of providing ministers with extensive question and answer briefing, but many ministers find this cumbersome to handle. Questions and answers are often too narrow and, although they may include the subject being raised, they seldom answer the precise question being asked. Often a more effective approach is to provide lines to take presented thematically by subject, enabling a minister to turn quickly to the page on the subject raised.

For topical oral questions (see Supplement 2 to this chapter), because it's impossible to predict the contents of the supplementary questions that will follow, ministers will require briefing across the range of the department's responsibilities.

### Openness

Both the *Ministerial Code* and the *Civil Service Code* put the onus on those answering PQs not to mislead. The Government's own *Guidance to Officials on Drafting*

*Answers to Parliamentary Questions* (see Supplement 1) says that information sought should not be omitted 'merely because disclosure could lead to political embarrassment or administrative inconvenience'. Information may be withheld in an answer to a PQ only if the *Freedom of Information Act 2000* or a relevant statute allows it to be withheld. Where it is withheld, the Government has agreed that the answer should explain in terms similar to those used in the *Freedom of Information Act* why the information is being withheld.

### Agency chief executive letters

It is normal practice for a department receiving a PQ relating entirely to the day-to-day operations of an executive agency to reply: '*This is a matter for..., the Chief Executive of the... Agency, who will write to the hon. Member.*'

### Modes of address

Only a Privy Counsellor is referred to as 'Right Honourable', other Members simply as 'Honourable'. MPs of the Government party are 'Right Honourable Friend' or 'Honourable Friend'. Other MPs are 'Right Honourable Members' or 'Honourable Members'.

### Quotation of sources

Where an answer makes use of published material (e.g. statistics, economic data or quotations from reports) the source should be given either in the text of the answer or as a footnote.

### Replies to written questions seeking readily available information

When a Member seeks factual information which is published and readily available, a reply on the following lines may be given: *'The details requested by the hon. Member are published quarterly/annually etc. in (name of source and references) a copy of which is in the Library.'*

### Holding answers

If it is not possible to answer a written question in full on the specified date, an explanation of the delay must be prepared together with a suitable form of words for a holding answer. This can be simply: *'I shall reply to the hon. Member as soon as possible.'* but sometimes refers to the reasons for the delay. This holding reply is not usually printed in Hansard. The substantive answer is printed, when available, as a 'pursuant reply'. A 'pursuant reply' is also used where a full answer has already been given, but the minister has undertaken to announce further details/results of a survey etc. at a later date. This reply uses the formula: *'pursuant to his/her reply of (date) (Official Report.... Vol....,Col....) gave the following information...'* The full text of the answer follows.

### Reference back to earlier answers

Replies should not normally refer back to an answer given in a previous Session. Similarly, references back to answers given

many months before in the same Session should be avoided. Where it is appropriate to refer back to an earlier answer, the formula used is:

*'I refer the honourable Member to the reply given to the honourable Member for (constituency) on (date), Hansard paragraph xxx.'*

In such cases, the Hansard references (volume and column numbers) are given at the foot of the reply. Answers that refer to an answer given in the House of Lords should, whenever possible, be accompanied by a copy of that answer.

### Replies to urgent questions

Answers to urgent questions are generally drafted at some length, more in the style of a statement than an answer to an oral question. Like a reply to an oral question, however, the draft should be supported by a background note and notes for supplementaries.

### Disproportionate cost

A minister may refuse to answer a question on the grounds of unreasonable or disproportionate cost of researching the answer. The disproportionate cost threshold is now £850, but it is revised from time to time.

Where it is decided that the cost of answering a question would be unacceptably high, an explanation of why it is recommended that a full answer should not be given is submitted, together with a reply on the following lines:

*'Information in the form requested is not readily available and could be obtained (compiled) only at disproportionate cost.'*

The precise form of words chosen varies, according to the particular circumstances. If it is possible to answer some of the question without incurring disproportionate cost, do so.

## House of Lords

Most of the suggestions made in this chapter apply to questions in both Houses of Parliament. There are, however, one or two additional points to be watched when preparing answers to questions in the Lords. Answers given in the House of Lords normally start with 'My Lords'. Lords ministers' initial answers should not generally exceed 75 words. Where an answer contains material that is too lengthy or complicated to be given orally in the House, it may be published in Hansard.

The briefing for supplementaries and the background note have to be sufficiently informative to enable the minister to deal in a fair measure of detail with a wider range of supplementary questions than usually arises in the Commons. Briefing should also take account of the fact that a Lords minister may be less familiar with the subject matter. (Fuller notes on questions in the House of Lords are given in Supplement 3 of this chapter.)

### SUPPLEMENT 1: Guidance to Officials on Drafting Answers to Parliamentary Questions

1. Never forget Ministers' obligations to Parliament which are set out in the Ministerial Code:

'It is of paramount importance that Ministers give accurate and truthful information to Parliament, correcting any inadvertent error at the earliest opportunity. Ministers who knowingly mislead Parliament will be expected to offer their resignation to the Prime Minister. Ministers should be as open as possible with Parliament and the public, refusing to provide information only when disclosure would not be in the public interest.'

2. It is a civil servant's responsibility to Ministers to help them fulfil those obligations. It is the Minister's right and responsibility to decide how to do so. Ministers want to explain and present Government policy and actions in a positive light. Ministers will rightly expect a draft answer that does full justice to the Government's position.

3. Approach every question predisposed to give relevant information fully, as concisely as possible and in accordance with guidance on disproportionate cost. If there appears to be a conflict between the requirement to be as open as possible and the requirement to protect information whose disclosure would not be in the public interest, you should consult your FOI liaison officer if necessary.

4. Where information is being refused on the grounds of disproportionate cost, there should be a presumption that any of the requested information which is readily available should be provided. Find out more about web archiving at The National Archives.

5. Do not omit information sought merely because disclosure could lead to political embarrassment or administrative inconvenience.

6. Where there is a particularly fine balance between openness and non-disclosure, and when the draft answer takes the latter course, this should be explicitly drawn to the Minister's attention.

Similarly, if it is proposed to reveal information of a sort which is not normally disclosed, this should be explicitly drawn to Ministers' attention. The Minister should also be advised of any relevant FOI cases which are under consideration which could impact on the way the PQ should be answered.

7. If you conclude that material information must be withheld and the PQ cannot be fully answered as a result, draft an answer which makes this clear and explains the reasons, such as disproportionate cost or the information not being available, or explains in terms similar to those in the Freedom of Information Act (without resorting to explicit reference to the Act itself or to section numbers) the reason for the refusal. For example, 'The release of this information would prejudice commercial interests'. Take care to avoid draft answers which are literally true but likely to give rise to misleading inferences.

8. Where an MP/Peer tables a question and has also submitted a separate request to the department under FOI, it is reasonable to reply in terms that the issue is currently under consideration. Once a decision has been reached, the MP/Peer should be informed of the answer and a copy of the letter placed in the Libraries of the House. Consideration should also be given to a written ministerial statement in both Houses.

9. Where a decision on an FOI case results in a change of policy and that information which was previously withheld is now being released, consideration should be given to informing both Houses, for example, through written ministerial statement.

10. PQs should be answered within the normal deadlines. In the House of Commons, a Named Day question should receive a substantive response on the day named and an Ordinary Written question should receive a substantive response within a working week of it being tabled. In the House of Lords, questions for Written Answer are expected to be answered within 14 days. Consideration of a parallel FOI request is not a reason to delay an answer to a Parliamentary Question.

## SUPPLEMENT 2: Questions in the House of Commons

### Tabling questions

Written questions are handed in or sent to the Clerks in the Table Office of the House of Commons. Each Member is restricted to no more than two Questions for Oral Answer per day, and not more than one oral question to any individual Minister per day. There is no limit to the number of questions a Member may put down for ordinary written answer, but MPs are restricted to asking a maximum of five 'named day' PQs per day. The Parliamentary Intranet allows oral and written PQs to be submitted electronically. Since 2006 MPs have been able to table written questions during recess.

### Rules governing the form, content and minimum period of notice

Before a question can be placed on the Order Paper it must satisfy a set of rules governing its content and form. For example, a question:

- should either seek information or press for action; it should not offer or seek expressions of opinion
- must relate to a matter for which the minister to whom it is addressed is responsible *as a minister*. It may not, for example, touch on any activities in his or her capacity as a party leader or Member
- should not seek confirmation of or comment upon a report or rumour for which a minister can have no responsibility
- should be drafted as concisely as possible and conform to normal Parliamentary conventions about decorous language and respect for the Crown, judiciary and Members of both Houses
- may not touch any matter which is currently the subject of legal proceedings (the *sub judice* rule i.e. where a civil action is set down for a hearing, or a criminal case is between charges preferred and final determination of sentence or where any appeal has been lodged).

An additional rule governing oral questions precludes Members from putting down 'open' questions, i.e. ones that do not suggest the subject matter of the supplementary question. Only the Prime Minister accepts 'open' questions.

A question which has already been asked and fully answered cannot normally be asked again for three months. Additionally, there are subjects, such as the security services or matters of commercial confidence, on which Ministers have consistently refused to answer. The Table Office Clerks (who are servants of Parliament, not civil servants) ensure that questions comply with the rules of the House. They will advise a Member if a question appears to breach a rule and on how it can be amended and brought into order. With the exception of urgent questions (formerly known as Private Notice Questions – see page 92), the usual minimum lapse of time between handing in a question and having it answered is three days.

### Oral questions

MPs may table oral questions to a minister any time after the day when that minister last answered questions in the House. Although oral questions may therefore be **tabled** some weeks in advance of the actual Question Time, they will not be **published** until after 1230 pm, three sitting days before the Question Time. Many more questions are tabled than are published. A ‘shuffle’ of all the oral PQs tabled produces a random list, usually of 25 PQs. (If more than one department is answering questions on any particular day there will be up to 30 PQs on the Order Paper.) It is therefore a matter of chance both whether an MP’s question gets on the Order Paper at all and, if it does, how high up it appears in the order of questions.

Oral questions are answered every weekday except Friday. Each major department is allocated a particular day of the week for answering oral questions. The allocation is shown on the *Order of Questions* which is issued as soon as the dates of the next recess are known. The departments will normally have to answer oral questions once every five weeks during the Session, except oral

questions to the Prime Minister which take place weekly for 30 minutes at noon on Wednesdays. As well as specific oral questions, MPs can also ask topical questions of ministers. For departments that answer for the full hour of question time, the last fifteen minutes are reserved for topical questions. For those answering for less than an hour, the time allocated to topical questions will be proportionately shorter.

#### Questions for ordinary written answer

Ordinary written questions have a date for earliest answer; the convention is that Government departments should reply within a working week of that date.

#### Questions for answer on a named day

These questions have to receive an answer on the date specified even if only of a holding type.

#### Arranged questions

‘Arranged PQs’ (or ‘inspired’ PQs as they are sometimes known) are now rarely asked in either House. They have generally been replaced by written ministerial statements which are published in the daily Hansard. Major policy announcements will normally be made in oral statements in the House.

#### Question Time

Question time lasts for one hour, irrespective of how many questions on the Order Paper have been reached. Departmental ministers have to answer questions once every five weeks when Parliament is sitting. On most days, one department will be answering questions for the full hour but, on Wednesdays,

when the Prime Minister also answers questions, the time allotted to the particular department is from just after 11.30 to 12 noon. Smaller departments and other bodies who answer questions answer for shorter periods of time on some Thursdays.

### Question Time – procedure

The Speaker calls successively each Member in whose name a question appears on the Order Paper. The Member called rises and asks the question by stating its number on the Order Paper, for example: 'Number 8'. (The Member does not read out the text of the question since it is printed on the Order Paper and time is saved by calling the number only.). Members who are not present to call out the question number, or whose question is not reached, will receive a written reply.

If, however, a group of related questions is taken together, one oral reply is given to all the questions in that particular group as long as one of the Members is present when the question is called. After the minister has read out the prepared answer, the Speaker allows the Member who asked the question, and normally other Members from both sides of the House, to put supplementary (follow-up) questions to the minister. The scope of supplementaries is limited only by the rule that they have to arise from the original question. At some point in the proceedings the Speaker will normally call a front bench Opposition spokesperson to put a supplementary. The Speaker will not call a Member's PQ if he or she has already asked a supplementary.

Supplementary questions are answered impromptu by the minister on the basis of briefing provided by the department in notes for supplementaries. The number of supplementaries allowed is entirely at the discretion of the Speaker.

### Topical Oral Questions

For topical questions, the opening question is in the standard format of: *To ask the Secretary of State if he/she will make a statement on his/her departmental responsibilities.* The Secretary of State briefly answers the question, addressing the major issues of the day. Supplementary questions on any area of the Secretary of State's departmental responsibilities are then asked both by members successful in the ballot and by others who are called by the Speaker (rather like at Prime Minister's Questions).

### Questions taken together - grouping

Very similar or identical questions, particularly oral questions, are often put down by two or more Members. This happens because Members wish to ask a question about the same subject, or wish to try to ensure that a question on the subject comes out in the shuffle. When this happens the questions may be grouped together with the minister giving a single answer to all of them. This may save some time in the House and also provide the minister with an opportunity for tactical advantage during Question Time. It is the minister, often advised by officials, who decides which questions will be taken together, and from how far down the list he or she will select questions for grouping, subject to the agreement of the Speaker. Advancing PQs from too far down the list is not regarded as acceptable. For example, similar questions may appear, say, as Numbers 2, 7, 11 and 20. In deciding which to group, the minister will have in mind not only the number of questions the ministerial team will be able (or wish) to answer during a particular Question Time but also the Members putting the questions.

The usual formula for grouped oral questions is 'I shall, with permission, Mr Speaker, answer this question and question(s) Number(s)... together'. The minister then gives a single answer to all the questions in the group. Following the answer the Speaker usually calls first and successively for supplementaries those Members whose questions have been answered together.

When questions down for written answer are answered together, each question is typed in full, in the order tabled, followed by the reply. There is no introductory sentence stating that they are being answered together. It is not customary to group written answers for more than one Member, but this is done occasionally. It is contrary to current practice to group for answer a written question with an oral question. Oral questions to the Prime Minister are not grouped for answer.

### Prime Minister's Questions

The Prime Minister answers questions orally every Wednesday during the Session between 12 noon and 12.30 pm. Most questions ask him to list his engagements for the day (only the first of which is printed). These open questions are so drafted to avoid the question being transferred to another minister. The PM has overall responsibility for the whole range of Government, overlapping with the responsibilities of each and every other minister, but he or she has few specific responsibilities. The open question hides the real question and gives an element of surprise to supplementary questions. These supplementaries are usually on matters which are topical on the day the question is answered.

The Prime Minister doesn't actually answer the engagement question, except for the first time that it is asked. For question Number 2 onwards, the MP comes straight in with the supplementary. MPs who have tabled questions - whether open or specific - are allowed one supplementary question. The Leader of the Opposition is allowed to intervene six times.

#### Urgent questions (formerly known as Private Notice Questions and still known as PNQs in the Lords)

The minimum period of notice of a question may not be appropriate in the case of an emergency or important unexpected development. In such circumstances, any Member may apply to the Speaker for permission to ask an urgent question of the responsible minister. Thus an 'urgent question' is a question which has not appeared on the Order Paper but which, in the Speaker's opinion, raises an urgent matter of public importance. Urgent questions can be asked of any department on any sitting day.

The Speaker then holds a business meeting at which it is decided if any urgent questions should be allowed. The Speaker's decision, which is final, is immediately conveyed to the department. No reasons for the decision are given either to Members or to the department. In coming to a decision, the Speaker has to keep in mind the fact that any urgent questions allowed will be answered immediately after normal Question Time, or at 11.00 am on Fridays. They thus occupy a privileged position and also take time out of the main business for that day. In 2003-4, only 12 urgent questions were asked. Applications for urgent questions are confidential and no public reference should be made to any application which has been turned down.

The Member concerned asks the urgent question by reading out the text of the question. When the minister has read out the prepared answer, the Speaker allows supplementary questions, as with normal oral PQs. On average 10 to 15 minutes are allowed for an urgent question. If an urgent question is allowed, arrangements may be made to have the answer repeated in the House of Lords.

### SUPPLEMENT 3: Questions in the House of Lords

Procedures for dealing with Lords' Questions follow a similar pattern to those in the Commons, although there are differences in their form, and in the way in which they are answered. Overall there are fewer questions in the House of Lords than in the House of Commons. However, while the number of Questions for Oral Answer is fixed (currently at 18 a week), the number of Questions for Written Answer has risen dramatically in recent years.

#### Tabling questions

Questions are handed in or sent to the Clerks in the Minute Room of the House of Lords, who advise Members on wording and admissibility. The practice of the House is that questions, whether oral or written, should be short, and framed to elicit information. Statements of opinion are out of order, and statements of fact are included only so far as is necessary to elicit the desired information. Most questions tabled in the Lords are addressed to Her Majesty's Government and not to any particular minister or department.

Questions for Oral Answer, or ‘starred questions’, may be tabled not more than one calendar month, and not less than 24 hours, before the start of the sitting at which they are to be asked. This means that in theory a question could appear for the first time on the Lords Order Paper on the day for answer. However, because spaces on the Order Paper are allocated to Members on a first-come-first-served basis, in practice a reasonable period of notice is usually given. The exception is topical questions, one of which is asked on Mondays and Tuesdays, and two on Wednesdays, for which only two working days’ notice is given. No Member may have more than one oral question on the Order Paper at any one time, but topical questions, which are selected by ballot, do not count for this purpose. Each Member may ask up to four topical questions in any one Parliamentary Session.

### Oral questions

Oral questions are taken in the Lords on Mondays, Tuesdays, Wednesdays and Thursdays. 30 minutes are allowed for the four oral questions asked each day. Supplementary questions may be asked as they are in the Commons. They tend to be longer than in the Commons, although the Procedure Committee of the House has reminded Members that they should be short and confined to not more than two points. If they are too long, ministers – who are also encouraged to be succinct – may confine their answer to the two main points. Supplementary questions may also range more widely than is usual in the Commons, although again the Procedure Committee has reminded Peers that supplementaries should be relevant to the question on the Order Paper, and has urged ministers not to answer irrelevant questions.

### Question Time

At Question Time, each Member who has put down an oral question rises when called upon by the Clerk and begs leave of the House to ask the question standing in his or her name on the Order Paper. There is no equivalent in the Lords of the Commons' practice whereby an oral question receives a written reply if it is not reached or called. About eight minutes are allowed for each question, and when this time is up the Leader of the House will, if necessary, intervene to ensure that all questions are called within the 30 or 40 minutes.

### Private Notice Questions

Private Notice Questions (PNQs) give Members the opportunity to raise urgent matters on any sitting day. A PNQ should be submitted to the Leader of the House by 12 noon on the day on which it is proposed to ask it. (Different arrangements apply on days when the House sits in the morning.) The decision on whether the question is sufficiently urgent to require an immediate reply rests in the first place with the Leader, though it is open to any Member whose request has been turned down to challenge the Leader's preliminary decision on the floor of the House. The final decision rests with the general 'sense' of the House. PNQs are taken immediately after oral questions, and procedures follow the same rules. Supplementary questions may be asked, and should be short and confined to not more than two points. Proceedings on a PNQ are expected to take not more than 10 minutes in total. In certain circumstances it may be more appropriate for the Government to make a statement on the matter a PNQ is intended to raise.

### Written questions

Members may table up to six written questions on each sitting day. The questions, like oral questions, are handed in or sent to the Clerks in the Minute Room. The Clerks then allocate each question to a department. When the House rises the questions tabled on that day are e-mailed to Parliamentary Clerks in all departments. Where a department believes that a question has been wrongly allocated to it, it has until the end of the next working day to agree a transfer to another department and to inform the Office of the Leader of the House of Lords of this transfer.

Every effort must be made to ensure that a reply to a written question appears in Hansard within five working days of the date on which the question is tabled, although the formal time limit for answering questions is 14 days. Where the answer is very long, a copy may be placed in the Library of the House rather than printed in Hansard.

### Arranged questions

‘Arranged PQs’ (or ‘inspired’ PQs as they are sometimes known) are now rarely asked in either House. They have generally been replaced by written ministerial statements which are published in the daily Hansard. Major policy announcements will normally be made in oral statements in the House.

### Questions for Short Debate (currently called Unstarred questions)

A Question for Short Debate is, in effect, more like a Commons ‘adjournment debate’ than a Parliamentary Question. Like oral questions, they are put down for a specific date, but they are not prefixed on the Order Paper by an asterisk. They may be taken

during the 'dinner break', in which case they are time-limited to one hour, starting at around 7.30 pm, or the end of business, in which case the time-limit is one and a half hours, starting whenever other business has been concluded. 'Dinner break' questions are marked on the Order Paper with a double dagger. Members tabling these questions normally consult the Government Whips' Office in the Lords to agree a suitable date.

A Question for Short Debate entitles the Member asking the question to speak on the question at length; a debate then ensues, which can include speeches from the Opposition and Liberal Democrat front benches, and at the end the Government minister replies. The Member asking the question has no right of reply and there is no division, since there is no motion before the House. The questioner is allotted 10 minutes, the minister 12 minutes, and the remaining time is shared among the other speakers. The reply is written in the form of a draft speech or speaking notes which anticipate points the Member asking the question is expected to raise. Where other Members indicate they will also be speaking in the debate and the points that they intend to make are known, the answers to these are also included in the speech or speaking notes. Supplementary notes, in the form of short passages that can be incorporated into a speech, are often provided on other points which are less likely to come up and are not already covered.

## Chapter 6: How to write ministers' speeches

“The purpose of any speech is to persuade or even inspire, and, above all, to entertain.”

### Why make speeches?

For most of us – even those who speak frequently – giving a speech is an ordeal. Very few people enjoy making speeches, and those who do are often the last who should be invited to make them! Even fewer enjoy listening to speeches. Although there are many exceptions, as a rule speeches are usually too long and much too boring. The speechwriter should draw two lessons from these simple truths:

- Any draft should help the speaker through the ordeal.
- One must have mercy upon the poor audience:

20 minutes is the maximum recommended dose for average adult audiences.

The purpose of any speech is to persuade or even inspire, and, above all, to entertain. The last of these is the most important of all because, if a speech fails to hold its audience's attention, it can achieve neither of its other possible objectives. The one unforgivable crime is to bore one's audience.

Audiences will generally listen carefully to the first few sentences of any speech. In those few moments they will size up the speaker and decide whether the rest of the speech will be worth listening to, or not. If they decide not, they will tune out and it will be hard to regain their attention. Most speeches fail in the first sentence by beginning in a highly predictable way.

For example:

*I am delighted to be here at CSL, which is a key player in the Government's overarching strategic training framework, whose purpose is to develop a suite of training and development offerings which enhance its customers' skills base to bring value-added to the delivery of their key programmes and policies.*

Because this is exactly the sort of abstract nonsense most audiences have learnt to expect, having glanced at the speaker and decided that nothing memorable or interesting is likely to follow, they will tune out and think of more entertaining things until the speaker shows signs of winding down.

However interesting the subject and speaker, audience attention will be at its peak at the beginning and (providing the speaker signals that it is coming) the end of the speech. They are therefore more likely to

remember the first and last things the speaker says than anything in the middle. This provides some useful lessons for the speechwriter, who should:

- put any important announcement either at the beginning or end of the speech;
- pay most attention to the drafting of the beginning and the end than of the middle; and
- bury anything boring but essential somewhere in the middle.

No speech should deal with more than three subjects and ideally should stick to one. One-subject speeches are perfectly acceptable and often the most effective.

Any speech should have a clear objective. It should not, for example, simply be about foundation hospitals; it should be written specifically to persuade members of the British Medical Association that

foundation hospitals are a viable policy.

Speeches are very poor vehicles for informing – and especially for communicating complex, abstract or detailed information. Audiences will remember only the general point being made and will seldom retain facts, figures or detail. Speechwriters should therefore restrict the amount of information being given to a few points and never be too detailed or abstract in their descriptions.

A speech is a powerful medium to persuade or inspire an audience. Speeches appeal to the audience’s ears (like poetry, they must sound pleasing), hearts (again like poetry, they appeal to the emotions) and, finally, reason, as the logic of any argument follows the appeal of sound and emotion. Big inspirational speeches (like those of Winston Churchill, David Lloyd George or Martin Luther King) represent the zenith of the art, but opportunities for such an approach come rarely. To try to

be inspirational when it is inappropriate produces only comic effect. But most ministerial speeches aim to persuade an audience in one way or another, and speechwriters should polish their phrases carefully to ensure that they please the ear, appeal to the emotions and satisfy the reason of their audience.

“The speechwriter needs to gauge the style and range of the speaker.”

Time spent in research is seldom wasted

Speeches have to be tailor-made for the audience. Even if the middle bits are off the peg, the beginnings and ends will have to be written specially and the rest adapted to purpose. You cannot expect to give the same speech in Bradford as you gave in Basildon. If you’re in Bradford, you must make lots of

references to Bradford and ensure that your speech is of interest to a Bradford audience.

Few things look ruder than a speech which was clearly written, with no thought to the audience or venue, in a padded cell in some government office in London. But resist the temptation to tell a Bradford audience lots of things they already know about their own city. Try to personalise comments, either by talking about an experience the speaker once had in Bradford or by highlighting an interesting but little-known local person, place or event – especially if their story supports your speech’s theme or aim.

Speeches also have to be tailor-made for the speaker. Some speak quickly, some slowly; some ad lib, some stick to the prepared script; some are confident, some terrified; some are excellent speakers, most are not. The speechwriter needs to gauge the style and range of the speaker. These can largely be

learnt only by trial and error but, in the case of ministers, there are some clues that may help their speechwriters. Their private offices may be able to offer some hints on their styles and preferences, and may be able to provide examples of speeches their ministers have liked. If you can lay hands on a copy of a minister’s speech to his or her party conference, this is a useful indication of a minister’s personal style: they write these speeches themselves.

As far in advance as possible, a speechwriter should speak personally to someone senior who is organising the event. You should then spend time researching:

- the nature and formality of the event;
- the size and nature of the audience (and any VIPs);
- who will precede, introduce and follow the speaker and what they will say;
- what the audience want to hear;

- the background of the host organisation and venue;
- the style and preferences of the speaker;
- the points the speaker will want to make;
- where the subjects fit with broader Government policy; and
- anything unusual or memorable about the event.

These factors will dictate what sort of speech you will write. A 20-minute keynote speech for a major national conference must be different in tone from an informal five-minute speech to a small group of people in a village hall; an after dinner speech (when brevity and entertainment are paramount) will be different again.

Background information about the event, audience and host organisation may also provide useful material for your speech (which may link with the theme you later choose) and help to determine the tone you adopt.

## Planning

At this stage it is a good plan to agree with the speaker a one-page, draft outline of what the speech will include. This can save the writer wasting effort producing a speech on subjects which the speaker does not wish to cover.

For major ministerial speeches you may sometimes have to fight off serried ranks of colleagues who are anxious to include a passage about their own areas of interest. As the speechwriter, you must assume editorial control and decide what fits, and what does not fit, into the speech; otherwise you will end up with a speech that is too long, too detailed and disconnected, and which includes everything but the kitchen sink.

As early as possible you should also commission from colleagues any contributions needed for the speech. To avoid having to rewrite contributions that are too long, in lifeless Civil Service prose, too technical or in the

wrong style, you may wish to invite contributions in the form of bullet points. These can then be woven into the speech in sentences drafted by you and in the order you choose. If you do this, however, you should *always* clear the draft with contributors before it is finalised.

“For major ministerial speeches, you may sometimes have to fight off colleagues anxious to include a passage about their own areas of interest.”

To avoid last-minute chaos, it is helpful to block out time in your diary when you plan to write the speech. Any writing is best done in tranquillity; so choose a time and place when you are least likely to be interrupted and when you feel most able to concentrate on writing. Allow plenty of time: writing is a time-consuming process. A day devoted to writing a 20-minute speech is not excessive.

Between now and the time you have decided to draft the speech, mull it over and try to:

- identify a theme that connects the whole thing together;
- invent a beginning that catches the audience’s attention; and
- choose a memorable ending.

Time spent now pleasantly thinking can prevent hours of painful agonising later.

“Try to sound like one human being speaking fairly naturally to others.”

### Drafting

First lock yourself away. Writing – especially creative writing, which speechwriting most certainly is – requires peace and quiet. Open-plan offices may have many advantages but

tranquillity is not one of them. Get away, if you possibly can, from the bustle of your office.

Try to:

- think yourself into the shoes of the speaker and try to sound like them;
- picture the event itself and the audience; and
- write spoken, not written, English.

Grab the audience's attention with the first few sentences and don't be afraid of starting off the subject, providing you link credibly into the main subject within the first two minutes. Alternatively, you can pitch straight into the main subject with a controversial or persuasive point about it. This direct approach can often provide an arresting start to a speech.

Within the first minute or two you should make a pleasant reference to the audience, venue, event or host, but, unless it's funny or original in some

way, don't start with it: that's exactly what the audience is expecting and, when they hear it, they will switch off and think of lunch.

“Precisely placed commas, dashes and full stops guide the speaker through the sense of each sentence and enable them to place their emphasis on the right words and phrases.”

Your English should be correct, informal, spoken English – not necessarily in complete sentences as few of us speak in perfect sentences. Use clear, punchy language, avoiding Civil Servicese (e.g. *secure, seek to, maximise*) and clichés (e.g. *key players, framework, level playing field, customer*). (See Supplement 2.)

Make your sentences shorter than you would in written English: if your audience miss something, they cannot go back

and read the speech again. On the other hand, too many very short sentences make an audience feel they are being shot at. So vary the pace: when you use a long sentence, follow it with a short one.

Punctuation is important: not to you or the audience (who can't hear it), but to the speaker. Precisely placed commas, dashes and full stops guide the speaker through the sense of each sentence and enable them to place their emphasis on the right words and phrases. In speeches, we use punctuation slightly differently from how we use it in conventional written text. For example, semi-colons have no real value in a speech, while colons can usually be replaced with dashes. Commas, however, show pauses and therefore really help the speaker. The full stop and the capital letter that follows it highlight for the speaker where a new sentence starts.

Often we will break up a long sentence into three short ones which may, grammatically, not be sentences at all. But, if it's easier for the speaker to comprehend and say them if they are presented as three separate sentences, then that is how this passage should be punctuated.

In tone, try to sound like one human being speaking fairly naturally to others. Try to build bridges to the audience by using *we* and *us*, rather than *you*, which separates the speaker from the audience. Most important of all, aim to entertain your audience to gain and hold their attention.

*“Try to write the speech you yourself would enjoy hearing.”*

One way of doing this is by telling a joke. Jokes, however, are dangerous. They can offend, they can fail to make people

laugh and they can give the impression of a lack of seriousness. Their success depends on the wit of the writer and the skill of the teller. Few Civil Service speechwriters are professional comedy writers and few ministers or senior officials are skilled comics. Gentle humour and lightness of touch are important elements in most speeches but set-piece jokes are risky. There is no silence longer than the one following the set-piece joke that didn't come off...

Quotations can be effective providing they are directly relevant, short, not too well-known and not intellectually or socially exclusive. Our aim in using them is to illustrate or illuminate our message, not to show how clever we are.

Use the well-tried rhetorical techniques: repetition, alliteration, contrasts, puzzles and solutions, and three-part lists (see Supplement 1). These work well subliminally on most audiences – they please the ear – but they fail utterly if over-

used to an extent where the audience consciously spots the techniques and begins to listen out for them. You can, however, use them far more than you think you can before an audience starts to notice.

“If you are describing a policy, try to personalise it by describing, in the most concrete, practical way possible, what it will do for particular people.”

Avoid detailed explanations, endless statistics or complex or abstract concepts. The audience will not remember them in sufficient detail. So use few facts, put them simply and make them memorable.

Try to bring statistics to life by expressing them punchily. For example, *23.84% of the people of Luton...* is much too detailed and easily forgotten. *Nearly one in four...* is an obvious way of making the figure easier to visualise and to remember.

Other colourful ways of making numbers memorable include these sorts of devices:

*That's four Jumbo jets full of people every hour, every day, every year.*

*That's the whole of Wembley Stadium every day.*

*That's the entire population of Cardiff.*

Most audiences are less interested in figures than they are in human stories. If you are describing a policy, try to personalise it by describing, in the most concrete, practical way possible, what it will do for particular people. Real case studies, briefly and colourfully described, can bring abstract policies to life and make the speech effective, persuasive and sometimes moving. These can be contextualised to show how they fit into the Government's broader policy and philosophy. (See the policy model on page 18. Speeches work best in the 'why' part and the 'what, for whom' part.)

Try to end on a high note and, to regain the audience's attention for the high spot, signal to them in your draft that the end is coming, about a minute before it comes. Those you have lost will then – we hope – tune back in for the important bit at the end.

### After drafting

Read through the draft. If you cannot hear the words clearly in your head, read them aloud. It helps to do this anyway as it gives you a clear idea of whether all your phrases are sayable.

Put the speech away and do not look at it again until you have had a night's sleep. Then read it with a fresh eye and try also to read it aloud to a long-suffering colleague, who will offer constructive criticism.

It's worth spending time and concentration on editing the speech. You should ruthlessly cut out:

- any errors;
- any words or phrases that are not earning their keep;
- long-winded or complex constructions; and
- anything the audience won't understand.

Above all, try to write the speech you yourself would enjoy hearing. Try, too, to enjoy writing it. If you don't enjoy writing it, what hope have the poor audience of enjoying listening to it?

You should ensure that the speech:

- flows naturally from point to point;
- is as entertaining as possible; and
- is one minute shorter – certainly not a second longer – than was required.

Circulate copies to contributors, inviting any important amendments and then despatch the draft to the speaker. If possible, especially if you are likely to draft for this speaker again, try to attend the event to hear your speech delivered. Otherwise, ask for feedback on how it went and a copy of the final text. All of these will provide useful pointers for next time.

### SUPPLEMENT 1: Some examples of rhetorical devices

#### **Repetition**

In a speech, unlike in a submission, repetition is very effective for emphasis:

If Margaret Thatcher wins –

I warn you not to be ordinary.

I warn you not to be young.

I warn you not to fall ill.

I warn you not to get old.

#### The Rt Hon. Neil Kinnock MP, electioneering, 1983

I have never shied away from telling the British people about the difficult decisions we face. And just because things are getting better, I don't intend to do so today.

Yes, the deficit is down by a third. Now in the coming year it will be down by a half. But it is still one of the highest in the world – so today we take further action to bring it down.

Yes, investment and exports are up. But Britain's got twenty years of catching up to do – so today we back businesses who invest and export.

Yes, manufacturing is growing again, and jobs are being created across the country. So today we support manufacturers and back all regions of our country.

#### The Rt Hon George Osborne MP, House of Commons, 19 March 2014

**Variation**

Variation enables you to use repetition even more, without being dully repetitive:

I say to you today, my friends, that in spite of the difficulties and frustrations of the moment, I still have a dream. It is a dream deeply rooted in the American dream.

I have a dream that one day this nation will rise up and live out the true meaning of its creed: We hold these truths to be self-evident: that all men are created equal. I have a dream that one day on the red hills of Georgia the sons of former slaves and the sons of former slave-owners will be able to sit down together at a table of brotherhood. I have a dream that one day even the state of Mississippi, a desert state, sweltering with the heat of injustice and oppression, will be transformed into an oasis of freedom and justice. I have a dream that my four children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character. I have a dream today.

I have a dream that one day the state of Alabama, whose governor's lips are presently dripping with the words of interposition and nullification, will be transformed into a situation where little black boys and black girls will be able to join hands with little white boys and white girls and walk together as sisters and brothers. I have a dream today. I have a dream that one day every valley shall be exalted, every hill and mountain shall be made low, the rough places will be made plain, and the crooked places will be made straight, and the glory of the Lord shall be revealed, and all flesh shall see it together.

Martin Luther King, Washington, 28 August 1963

### **Contrasts**

A contrast can emphasise a point starkly:

If we cannot stay here alive, then let us stay here dead.

Field Marshal Viscount Montgomery of Alamein, Egypt, August 1942

And so, my fellow Americans, ask not what your country can do for you – ask what you can do for your country.

President John F Kennedy, Washington DC, 20 January 1961

On this day, we gather because we have chosen hope over fear, unity of purpose over conflict and discord.

President Barack Obama, Washington DC, 20 January 2009

In shaping that future it is vital that we look to the past. Here on the continent of Europe we saw not the war to end all wars, but the precursor to another desperate and violent conflict just two decades later.

The Rt Hon David Cameron MP, Military Cemetery, Mons, 4 August 2014

### **Alliteration**

While the French used rhyme, the English oral tradition used alliteration (words beginning with the same sound) to colour phrases and make them memorable:

The Continent will not suffer England to be the workshop of the world.

The Rt Hon. Benjamin Disraeli MP, House of Commons, March 1838

We shall not flag or fail. We shall fight in France, we shall fight on the seas and oceans...

The Rt Hon. Winston Churchill MP, House of Commons, June 1940

This generation of soldiers, sailors, airmen, Marines, and Coast Guardsmen have volunteered in the time of certain danger. They are part of the finest fighting force that the world has ever known. They have served tour after tour of duty in distant, different, and difficult places...

President Barack Obama, Fort Hood, 10 November 2009

### **Lists of 3**

Three seems to be a magic number for the human brain – perhaps because we can remember three things easily. Words, phrases or even sentences that fall into three distinct parts are often memorable:

This is not the end. It is not even the beginning of the end. But it is, perhaps, the end of the beginning.

The Rt Hon. Winston Churchill MP, Mansion House, 10 November 1940

Through talk, we tamed kings, restrained tyrants, averted revolution.

The Rt Hon Tony Benn MP, on Parliament, 1982

Education, education, education.

The Rt Hon. Tony Blair MP, listing his party's priorities in 1997

### **Sequences**

Sequences (yesterday, today, tomorrow; spring, summer, autumn, winter; last week, this week, next week; every hour of every day of every year) add rhythm, music and emphasis to a simple point. For example:

The Tories may be the party of today.

Labour is certainly the party of yesterday.

It falls to us to be the party of tomorrow.

[The Rt Hon. Paddy Ashdown MP, Liberal Democrat Party Conference](#)

I stand before you today the representative of a family in grief, in a country in mourning, before a world in shock.

[Earl Spencer, Westminster Abbey, 6 September 1997](#)

### **Puzzles and solutions**

Simply reversing the order in which one presents information can produce a puzzle for an audience. By giving them incomplete information (the puzzle), we arouse their curiosity and they listen especially carefully to hear the second part (the solution) that contains or leads to the message:

Let me tell you about the wall of my hospital room...

Because that was the first thing I saw after the accident and I stared at it for the next three months.

[Christopher Reeve, describing his accident and appealing for support to help others](#)

I was an angel once...

I was ten years old and it was in a school nativity play...

[The Rev Peter Wolfenden, Christmas Eve sermon, Gozo, 2003](#)

### **Imagery**

One approach to communicating abstract ideas is to draw a comparison, analogy, metaphor or simile that associates something new or unfamiliar with something established and familiar. In the first example imagery is being used both reassuringly (broad sunlit uplands) and frighteningly (new Dark Age, made more sinister).

Hitler knows that he will have to break us in this island or lose the war. If we can stand up to him, all Europe may be free and the life of the world may move forward into broad sunlit uplands. But if we fail, then the whole world, including the United States, including all that we have known and cared for, will sink into the abyss of a new Dark Age, made more sinister, and perhaps more protracted, by the lights of perverted science.

[The Rt Hon. Winston Churchill MP, House of Commons, June 1940](#)

From Stettin in the Baltic to Trieste in the Adriatic an iron curtain has descended across the Continent. Behind that line lie all the capitals of the ancient states of Central and Eastern Europe. Warsaw, Berlin, Prague, Vienna, Budapest, Belgrade, Bucharest and Sofia; all these famous cities and the populations around them lie in what I must call the Soviet sphere, and all are subject, in one form or another, not only to Soviet influence but to a very high and in some cases increasing measure of control from Moscow.

[The Rt Hon. Winston Churchill MP, Fulton, Missouri, 5 March 1946](#)

In a sense we have come to our nation's capital to cash a check. When the architects of our republic wrote the magnificent words of the Constitution and the Declaration of Independence, they were signing a promissory note to which every American was to fall heir. This note was a promise that all men would be guaranteed the inalienable rights of life, liberty, and the pursuit of happiness. It is obvious today that America has defaulted on this promissory note insofar as her citizens of color are concerned. Instead of honoring this sacred obligation, America has given the Negro people a bad check which has come back marked 'insufficient funds.' But we refuse to believe that the bank of justice is bankrupt. We refuse to believe that there are insufficient funds in the great vaults of opportunity of this nation. So we have come to cash this check – a check that will give us upon demand the riches of freedom and the security of justice.

[Martin Luther King, Washington, 28 August 1963](#)

The Civil Service is a bit like a rusty weathercock. It moves with opinion then it stays where it is until another wind moves it in a different direction.

[The Rt Hon Tony Benn MP, March 1995](#)

The House of Lords is the British Outer Mongolia for retired politicians.

[The Rt Hon Tony Benn MP, New York Times, 1962](#)

Six years ago we suffered an unprecedented cardiac arrest in our banks. This wasn't just a recession. It was a shattering collapse of the basic assumptions by which successive governments had run our economy since the Big Bang. This wasn't just a downturn. We were a nation plunged into uncertainty as the thumping heart of our economy ground to a halt.

The Rt Non Nick Clegg MP, Party Conference, 9 March 2014

### **Rhetorical questions**

Asking a question, then answering it, can make a logical point powerfully:

Is man an ape or an angel? Now I am on the side of the angels.

The Rt Hon. Benjamin Disraeli MP, Oxford, 1864

When you think of the number of men in the world who hate each other, why, when two men love each other, does the church split?

The Rt Hon Tony Benn MP, 1989

The question most often posed is not: why does it matter? But: why does it matter so much?...And if this House now demands, at this moment, faced with this threat from this regime, that British troops are pulled back, that we turn away at the point of reckoning – and this is what it means – what then? What will Saddam feel? Strengthened beyond measure. What will the other states who tyrannise their people, the terrorists who threaten our existence, what will they take from that? That the will confronting them is decaying and feeble. Who will celebrate and who will weep?

The Rt Hon. Tony Blair MP, House of Commons, 18 March 2003

### **Lightness of touch**

While structured, set-piece jokes are dangerous, gentle humour and lightness of touch work well, especially when accompanied by humorous self-deprecation:

I am trying to imagine what in the world I am doing here. I have never been to Blackpool before, I had never been to the McDonalds in Blackpool before. I like the city, I like the weather, and I understand I may have brought it; if so I will take credit for any good thing I can these days.

President Bill Clinton, Labour Party Conference, Blackpool,  
October 2002

Thank you, Mr Chairman, for introducing me so kindly. My father would have been proud to hear your description of me. My mother would have believed it.

Sir Brian Wolfson, Chairman National Training Task Force,  
(used often!)

## SUPPLEMENT 2: Some words and phrases to avoid in everything we write

This list cannot be comprehensive, nor is it an attempt to ban words! It simply highlights some commonly used words and phrases which – because they are ugly, imprecise or simply over-used and stale – should be avoided at every opportunity.

To access	Focussed	An offering
To address (this commits us to doing nothing)	Framework	To progress
Agenda (other than in a meeting)	Going forward	To put in place
Appropriate	To grow the business	Rain check
Back-burner	To impact	Relevant
Ball park	To impact negatively	To role model
Business (as an adjective)	To incentivise	To roll out (or rolling out pilots)
Committed to	Iconic	To secure
Customer	Input	To seek to
To deliver	In the business of	To set out in
Delivery	Interventions	Significant
Disseminating best practice	Issues around	Solutions (business)
To drive the business	Key (especially key players & key stakeholders)	Spearhead
	Logistic	Strategic (unless it really is)
	Mission statement	To task
	Narrative	To touch base

### Jargon

Many of these words might be classed as jargon, but, unless we define the word jargon (which originally meant birdsong), it isn't an especially helpful label.

There are at least four different types of jargon and using it is not always wrong. The first type, for example, is simply the vocabulary any group of specialists uses when communicating with each other. Whether they're accountants speaking to accountants, doctors to doctors or stamp-collectors to stamp-collectors, they all speak the same language and can therefore communicate in what is sometimes called the restricted code (as opposed to the universal code, which we should use in mixed company). There's nothing wrong with using the restricted code, providing that your audience speaks it fluently. Similarly, there's no harm in using abbreviations or acronyms providing you are sure that your entire audience understands them; most ministers will tell you, however, that unfamiliar acronyms come near the very top of their hate list. They should be used with great caution.

The second use of jargon is when pseudo-technical language is employed to complicate or dress up a simple idea, or even to hide the fact that we don't really understand what we're writing about. The third is where language is used exclusively, like a tie or badge, to show that *I speak it and am therefore part of this club; you don't and are therefore excluded*. Finally, jargon can be used to obscure, rather than to illuminate. This use ranges from several rather naff euphemisms to avoid using the word *lavatory*, to sometimes discreet, sometimes sinister attempts to hide what we're doing because we don't like it or are ashamed of it (*downsizing, letting you go or ethnic cleansing*).

### A horrible example

One reason why modern business speech is so readily satirised is its dependence upon a very restricted vocabulary of stock words – often vague abstract nouns such as *solution*, *intervention*, *passion* – and phrases that are used repeatedly to demonstrate a particular way of thinking. It actually has the opposite effect, making those who employ it sound unimaginative, inarticulate and identical to each other while preventing them from communicating simply, clearly and with precision. Sadly this robot vocabulary is also highly infectious: it has spread from business into many other sectors, including government. Clarity, precision and humanity are vital to ministers and civil servants when communicating with each other, with Parliament and, above all, with the public. This language, which obstructs those processes, should be avoided.

*We are committed to delivering, in strategic partnership with our key stakeholders, our vision, as set out in our mission statement, to grow the business while removing barriers that negatively impact on delivery of our targets, and to facilitate accessing of our enhanced customer offerings within the overarching strategic framework we have put in place to underpin relevant processes and procedures to disseminate appropriate best practice among all key players.*

A sentence of this kind – which is only a marginally exaggerated version of some real examples in widespread use – conveys one of three messages from its author. It may mean, very simply:

- *I have no real idea what I'm saying.*

It may mean, less attractively:

- *I think you'll fall for this nonsense.*

Or, at the very least, it means:

- *You work it out: I couldn't be bothered.*

Writing is hard work because it obliges us to draft according to the needs of the reader or listener. This sort of language, especially when densely packed into sentences, takes no account of the reader. It's therefore not only unattractive and imprecise; it's also lazy, insensitive and offensive to our readers.

This is not, however, an argument for allowing our language to stagnate. We shouldn't hesitate to coin new words or phrases. (As Sam Goldwyn once put it: *Let's have some new clichés.*) All the tired words and phrases on this list have been over-used or misused until any freshness, clarity or life has been squeezed out of them. Language is a living, evolving thing and, as with any living system, the principles of Darwinism apply. Those words and phrases that work, and provide what other words and phrases don't, will thrive and become a lasting part of the English language. Those that add nothing new will soon go the way of the dodo. If we want people to hear and remember what we say, we must find fresh ways of saying it.

Why restrict your vocabulary to a few stale, vague and ineffective words simply because they are widely used? The English language has a wealth of words. Use more of them. And, if your purpose – as it should be – is clarity, don't be shy of using the language you use at home. It may need just a touch of polish (or even cleaning up) but it's a good starting point because, unlike mindless corporate-speak, it is usually simple and effective.

## Chapter 7: Civil Service ethics in practice

*... as matters now stand, the Government of the country could not be carried on without the aid of an efficient body of permanent officers, occupying a position duly subordinate to that of the Ministers, who are duly 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.*

Northcote-Trevelyan Report,  
January 1854

The modern Civil Service is built upon six ethical principles, which have permeated all major documents about it since mid-Victorian times:

- integrity
- accountability
- objectivity
- political impartiality
- confidentiality
- recruitment (by open competition), promotion and dismissal independently of ministers.

*The Civil Service Code* of 1995 (revised in 2006 with minor changes in 2010) incorporated these broad principles into a professional doctrine but, given its brevity, cannot apply them to the day-to-day problems likely to confront serving civil servants. This chapter makes the link between our founding principles and what today's civil servants do, or don't do, because of them.

## Integrity

Although this principle is usually given prime position among the six, it is the one least considered and most taken for granted both by civil servants and by many of those we serve. For those of us in a service with a long tradition of honesty, it is hard to imagine the stultifying effect of widespread dishonesty among a nation's public servants. Imagine the disruption and unfairness caused if one could obtain a passport only by bribing the clerk at the Passport Office. Imagine, too, the effect of this on the public's perception of their public service, political leaders and government. Corruption militates against efficiency by distorting decision-making and the allocation of resources.

"We draw our authority from ministers, ministers draw their authority from Parliament, and Parliament draws its authority from the electorate."

But integrity extends beyond simple financial probity into wider moral values, including being honest, resisting improper influences, respecting confidences and all the attributes that make up an honourable person.

Gladstone maintained that the British constitution presumes on the good will of everyone in it. Despite recent trends towards published standards, watchdogs and codes of conduct, this remains true. These useful safety checks on public service ethics can complement, but cannot be substitutes for, the fundamental requirement for the highest standards of individual integrity. Integrity lies at the root of all other principles, colouring civil servants' dealings with ministers, with each other, with external interests and, above all, with Parliament and the public we serve.

Obedience to those in higher authority is not enough. Although part of a service which is protected by laws, codes and traditions, ultimately we are each responsible for what we do, and,

in such matters, integrity – professional and personal – remains our guiding star.

### Accountability

The work of the Civil Service is legitimised, democratically, by a chain connecting us, via three links, to the public we serve.

The first link is to ministers, who in turn are linked to the Parliament to which they belong. Parliament provides the final link to the electorate. We draw our authority from ministers, ministers draw their authority from Parliament, and Parliament draws its authority from the electorate. Whatever professional authority each of us may have, we draw from this chain.

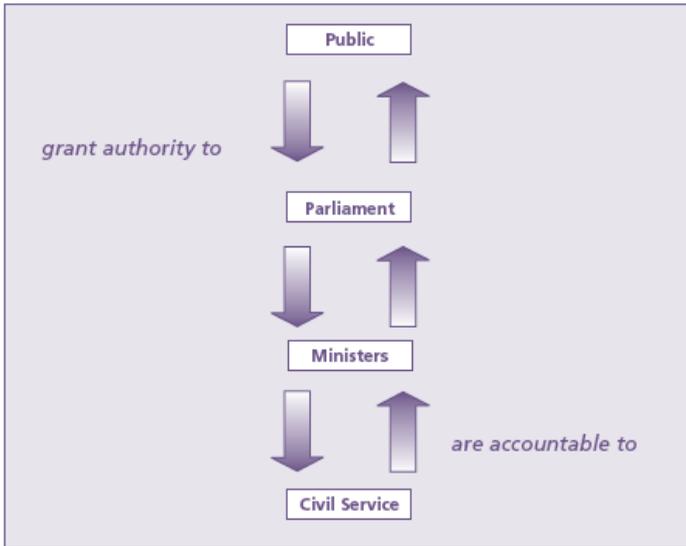
While the links in this chain hold firm, government is legitimate. If the chain is broken at any link, actions in government become illegitimate. It could be broken in many ways: perhaps by a civil servant misleading or lying to ministers, or by a minister misleading or lying to Parliament,

or even by a government deciding to suspend or abolish general elections.

If we believed a fellow civil servant were misleading ministers, or that a minister were misleading Parliament, it would be our duty not simply to keep our own hands clean by avoiding involvement, but to pursue the matter in accordance with the terms of the Civil Service Code.

In the still more hypothetical example of a government suspending or abolishing general elections, the Service, together with the armed services, would be absolved from our duty to obey that government. In such extreme circumstances, our loyalty would revert to the Crown in Parliament, which represents the non-political, permanent interests of the nation.

The chain legitimising government also provides the chain of accountability, down which civil servants, ministers and Members of Parliament can be called to account by the public.



Members of the public can raise an issue of individual or general concern with their MP, from whom they are entitled to a considered response. In turn, the MP is entitled to one from the appropriate minister, who is entitled to require one from his or her civil servants. This usually takes the form of an exchange of letters, but individual issues of this kind can prompt Parliamentary Questions and even escalate to become the subjects of debate.

Because of its scale and frequency, it is tempting to view ministerial correspondence as an administrative chore or an exercise in customer care. It is actually fundamental both to public service in a modern democracy and to one of the ancient roles of Parliament: the powerful accounting through Parliament to the people. It can be seen in practical operation in every department and agency of government hundreds of times each day.

Accountability lies at the very heart of democracy, and answering letters and questions raised, via MPs or directly, by the public we serve is accountability in action. Similarly, in Parliamentary Questions and debates and in exchanges with Select Committees, civil servants help ministers to account to Parliament for Government's actions. For policy and operations, civil servants' sole accountability to Parliament is via our ministers, and, even when appearing before a Select Committee, we can express no view other than one representing our ministers' view.

For expenditure, however, the chain of accountability to Parliament is direct. In each department or agency the senior official (whether permanent secretary or chief executive) is also accounting officer, whose task is to account personally to the Public Accounts Committee for how the organisation has managed and spent its budget. Before the Public Accounts Committee, accounting officers do not represent ministers, but speak

for themselves. Whether representing ministers or ourselves, however, the requirement imposed on us by the principle of accountability is quite clear: civil servants can have no part in misleading Parliament or the public.

Accountability is a fundamental concept not only in the traditional analysis of relationships between public and Parliament, Parliament and Government, and ministers and civil servants, but also in financial matters. The Public Accounts Committee will examine not simply the propriety of expenditure, but also whether value for money has been obtained. The principles of accountability can also be applied simply and practically at every level of management, helping to clarify objectives and incentives. When targets can be attributed specifically to a particular manager, there is a much greater chance of success than where no one has assumed responsibility for getting the task done.

“From time to time, we are asked to explain or implement a particular policy or decision with which we may not agree. Our private views must not intrude.”

### Objectivity

All of us as civil servants hold our own political views. We vote in elections and, like anyone else, cannot help but approve or disapprove of particular government policies. While it would be difficult for a vegan to work in meat policy in the Department of Environment, Food and Rural Affairs or for a strict pacifist to be part of the Ministry of Defence, either could be employed widely elsewhere in the Service. The Service is large enough to be able to accommodate most consciences.

We are, however, required to exclude such views from our work. From time to time, we are asked to explain or implement a particular policy or decision with

which we may not agree and, on these occasions as on others, our private opinions must not intrude. It is not professional, for example, for an official in a tax office to say: *“I think it’s wrong, but the Government says you must...”* We serve that Government and should not criticise it publicly.

In advising ministers, although civil servants’ political views should not be sought, our professional views will be. Ministers are constantly being asked to make decisions about subjects they may know little about. In these circumstances they rely on their officials to provide not only facts but advice. That advice is of value only if it is objective (i.e. honest, unbiased and based firmly on the facts). Sometimes it may not be what ministers would like to hear. Historically, advisers to people in supreme executive power have been allowed some licence to advise fearlessly, irrespective of what their chiefs may have wanted to hear: to speak truth unto power. Appointing William Cecil as her Principal Secretary in

1558, Queen Elizabeth I summed this up:

*This judgment I have of you: that you will be faithful to the state, that you will not be corrupted by any manner of gift and that, without respect of my private will, you will give me that counsel that you think best.*

Ministers understand this and expect, and usually welcome, advice – even if it is unpalatable. Effective ministers recognise that unpalatable advice now is preferable to discovering the pitfalls of a policy the hard way later on! Civil servants may see that the direct route to a minister’s policy objective may cross a minefield. It’s our duty to warn about such minefields and we’re doing ministers no favours by not warning them. Because this can sound negative or even obstructive, having issued our warning, we should wherever possible recommend an alternative route that attains their objective while avoiding the mines.

There need be no conflict between giving objective advice and the enthusiastic prosecution of a minister’s policy: they are simply two different stages in the policy process. Until the minister has been properly briefed about the pros and cons of various options, our task is to advise objectively; once the minister has been acquainted with the options and consequences, and a decision has been made, it is our job to implement it efficiently. A very experienced Cabinet Minister and Leader of the Opposition, The Rt Hon. Michael Howard QC MP, encompassed this distinction in four words, which form a robust and reassuring motto:

*Advise fearlessly.  
Implement loyally.*

### Political impartiality

Policy civil servants inhabit a profoundly political world. The ministers we serve are politicians, the policies we devise, design and implement are usually politically driven (often originating in a party manifesto), the environment in

which they are debated is the political forum of Parliament, and the media through which they are publicised are also deeply political. Speeches, replies to letters or Parliamentary Questions or lines to take, all usually drafted by civil servants, are intrinsically political, reflecting the political philosophy of the present Government. Engaged in what is often a political process, working for political masters in a political environment, we cannot function effectively without sensitive political antennae. To describe the Civil Service as a-political or non-political (common, shorthand descriptions) is therefore misleading.

The Civil Service's position is inherently partisan. It does not exist to serve political parties even-handedly; it serves only the duly elected government. This is understood by Government and Opposition, but the Opposition must also believe that, whatever the Civil Service is doing for the current Government, it will do for their party, when elected. This is the essence of impartiality: the

Civil Service's capacity to serve any duly elected government and our capacity to maintain the trust of the Opposition, 'the Government in waiting', that we remain unpoliticised.

The maintenance of this trust itself places constraints on what we can and cannot do for current ministers. For example, it would be harder to maintain that trust if the Service engaged in writing material openly critical of the Opposition and their policies.

*"Policy civil servants inhabit a profoundly political world."*

Here special advisers have a helpful role to play, drafting for ministers material that professional civil servants would regard as party political. However, neither temporary, quasi-political special advisers nor permanent civil servants have any role to play in drafting material designed to distort the truth or to mislead

either the public or Parliament. When drafting for ministers, civil servants should therefore take pains to avoid writing material that is either party political or in any way misleading. Questions on these issues should, where necessary, be taken to the highest level as outlined in the Civil Service Code. (See Appendix 1.)

Civil servants owe to ministers in a coalition government the same duty they owe to those in single-party governments. The working relationship is unchanged. When, however, the Coalition Government was formed in 2010, it was recognised that relationships within the Government would on occasion be affected by ministers' allegiances to different parties. To tackle this potential problem it was agreed that, if parties within the Coalition agreed to disagree on particular policies and suspended the requirement for collective agreement, any statements on each party's position would be drafted politically and not by civil servants. The Civil Service would

provide factual advice to ministers of both parties and, if asked to do so, should treat that advice as confidential.

### Confidentiality

Although the extent of government secrecy is always a contentious subject, in any system of government there will always be some areas that must remain confidential. *The Freedom of Information Act 2000* created two statutory rights: to be told that information is held and to have that information supplied. The Act specifies two types of exemptions: qualified exemptions and absolute exemptions. Qualified exemptions are based on a public interest test. When we are considering whether information may be released, we must weigh the public interest in disclosure against the public interest in applying the exemption. Absolute exemptions require no such public interest test. The Act lists the types of information found in each type of exemption. Under the Act ministers and officials may have to provide internal documents and

communications (including e-mails) for public examination. It is therefore more important than ever that everything we write, as well as what we say, is professional in content and tone.

Ministers must feel able to trust officials to respect their legitimate confidences. While individual civil servants may have their own views in particular circumstances about the public's right to know, and may choose privately to advise ministers accordingly, we have no authority to gainsay a minister who is acting legally, constitutionally and honestly. In these circumstances the matter is simply one of political judgement, in which ministers must always prevail because they are the electorate's democratic choice, which we are not. If we feel that ministers or officials are suppressing or distorting information illegally, unconstitutionally or unethically, we have a duty to raise the matter internally in accordance with the terms of the Civil Service Code. Whatever the circumstances, civil servants should not act

unilaterally as self-appointed judges of the public good by releasing information illicitly. Apart from being constitutionally indefensible and often illegal, it is also less effective than legitimate action.

An example of this dates from 1985, when a senior civil servant in the Ministry of Defence, believing that his minister intended to mislead Parliament in reply to a Parliamentary Question, sent secret information anonymously to the MP who had asked the question. Partly as a result of this incident, the Treasury and Civil Service Select Committee recommended the adoption of a Civil Service Code, establishing for civil servants an appeals procedure beyond the Service itself on matters of this kind. In this particular case, however, the existing procedure – referral to the Head of the Home Civil Service – was discounted in favour of leaking to an Opposition MP. Although subsequently the civil servant was acquitted of breaking the Official Secrets Act, this was undoubtedly a breach of

confidentiality. His choice to leak, rather than to pursue his concern more properly, led to an unproductive, political fracas and a highly publicised dismissal and criminal trial, rather than to a clear resolution of the fundamental question: whether or not Parliament was being misled.

### Transparency

During the last twenty years increasing emphasis has been placed upon the need for openness and transparency in government. This has thrown more light on the identity, role and activities of civil servants who previously would have remained unrecognised, supporting actors in the Whitehall drama. This includes the publication of factual information, including the payment of salaries and expenses, but the trend also encourages the media and political observers to speculate on the private opinions of civil servants. This can make civil servants' appearances before Select Committees (when they explain the Government's policy) an even more testing experience.

### Recruitment, promotion and dismissal independently of ministers

In the belief that the continuance of a professional, politically impartial Civil Service required a professional independence from ministers, and wishing to put an end to nepotism in appointments, the Civil Service Commission was established to oversee and manage recruitment. The principle of open competition by an independent body thus precluded ministerial interference in appointments, eliminating placemen while promoting merit. The independent Service's role in managing its promotion and dismissals procedures meanwhile helped to preserve the principles of objectivity and impartiality.

“Ministers and their private secretaries therefore often forge close working relationships, based on trust, efficiency and temperament, but seldom, if ever, on politics.”

The devolution of personnel policies to departments and agencies, the privatisation of Recruitment and Assessment Services and overt ministerial interest in some high-profile incidents of recruitment and dismissal each caused concern about the survival of these principles. The dismissal of the Chief Executive of the Prisons Service in 1995, the departure of many senior information officers from across government after 1997, and, in 2002, the departure of the Department of Transport, Local Government and the Regions' Director of Communications all caused anxiety.

In November 2010 concern arose following the appointment to the Civil Service of a photographer and a film-maker, both of whom had previously been employed by the Conservative Party. Both were rapidly withdrawn from their positions in government and returned to restricted political roles.

From time to time the press have made much of ministers, reshuffled from one department to another, taking their private secretaries with them, citing this as an example of politicisation and ministerial interference. Anyone who has worked in or around a minister's private office recognises this as nonsense. In a highly pressured job of that kind, effective teams form quickly and are invaluable. Ministers and their private secretaries therefore often forge close working relationships, based on trust, efficiency and temperament, but seldom, if ever, on politics. Most ministers will not know their private secretaries' political views, which are simply irrelevant to the role and relationship. In these circumstances it is understandable and hardly serious political interference if a minister asks to take a private secretary to the new department. It is, however, an appointment to be decided and approved by the departments concerned and not a ministerial gift.

Appointments in the Service remain a matter for an interview panel operating under the auspices of the Civil Service Commission whose task is to ensure that the process is conducted on merit on the basis of fair and open competition.

Traditionally, ministers played no part in appointments beyond perhaps privately expressing their views to the permanent secretary. Since April 2014, however, the recruitment principles established by the Commission have allowed ministers to play a part in particular appointments in which they have an interest.

The new rules surrounding such cases allow ministers:

- to agree the final job and person specification, the terms of the advertisement and the composition of the selection panel to ensure that there is sufficient challenge from outside the Service;
- to be kept in touch with the progress of the competition and to give the selection panel their views;
- to meet (accompanied by a representative of the Commission) each of the short-listed candidates and to inform the panel of any issues the minister would like to be tested at interview.

When the appointments panel has recommended a candidate for appointment, a minister may ask the panel to reconsider its decision. If, in the light of the minister's objection, the panel decides to revise its decision, the reason for this must be recorded and the change of decision must be approved by the Board of the Civil Service Commission. In the case of appointments as heads of departments (i.e. permanent secretaries), this same process is followed only if an objection is made by the Prime Minister.

Inevitably ministers will find some civil servants congenial, others less so. The relationship is, however, a professional one and should – and usually does – transcend matters of such limited importance. Where relationships

between ministers and civil servants go wrong, it is for the permanent secretary to investigate how and why this has happened. He or she will need to consider, for example, whether the civil servant has been incompetent or obstructive, whether either the civil servant or the minister has given avoidable offence, whether the minister has interpreted objective advice as obstruction, or whether it is a simple case of incompatible temperaments.

Any resulting action should be dictated neither by the desire to placate ministers nor by the wish to protect them from unpalatable advice, but should be directed at ensuring the fair treatment of all concerned, while maintaining the Civil Service's traditional independence in matters of appointment, promotion and dismissal.

## Conclusion

While reflecting on the longevity of these ethical principles, mainly established in the nineteenth century, it is worth considering one omission from the list. It seems extraordinary, given Victorian attitudes, that the word obedience was excluded and that the quality of independence was stressed. While it is the duty of civil servants to obey legitimate instructions from ministers, the Victorians recognised that, in advisers, a propensity to obey without question does not lead to good government. The path of unquestioning obedience leads instead to poor advice, ill-conceived policies and the disintegration of the principles on which the Civil Service was, and remains, founded.

“The Victorians recognised that, in advisers, a propensity to obey without question does not lead to good government.”

As civil servants, our duty is not simply to follow these principles, but to act as their custodians. On a day-to-day level, there is no one else to guard them. Parliament is a distant, interested observer of government whose role precludes involvement in the day-to-day operation of the principles that guide us. Ministers' lives are a complex web of demands and loyalties involving constituency, party, Cabinet, Parliament and the department. It is not their role to oversee the professional ethics of those who serve them.

Indeed, ministers – especially those new to government – should look to their senior civil servants for advice on how the machine operates and how they can use it to best effect: which levers to pull and which they should not pull. (See Appendix 2.) It falls, therefore, to those of us in the Service not only to observe and to demonstrate, but also to guard and to preserve, the principles that have guided generations of our colleagues since the nineteenth century.

# Appendix 1:

## The Civil Service Code

### Civil Service values

1. The statutory basis for the management of the Civil Service is set out in Part 1 of the Constitutional Reform and Governance Act 2010.
2. The Civil Service is an integral and key part of the government of the United Kingdom<sup>3</sup>. It supports the Government of the day in developing and implementing its policies, and in delivering public services.

Civil servants are accountable to Ministers<sup>4</sup>, who in turn are accountable to Parliament<sup>5</sup>.

3. As a civil servant, you are appointed on merit on the basis of fair and open competition and are expected to carry out your role with dedication and a commitment to the Civil Service and its core values: integrity, honesty, objectivity and impartiality.

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<sup>3</sup> Civil servants working for the Scottish Executive and the Welsh Assembly Government, and their Agencies, have their own versions of the Code. Similar Codes apply to the Northern Ireland Civil Service and the Diplomatic Service. Civil servants working in Non Ministerial Departments in England, Scotland and Wales are covered by this Code.

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<sup>4</sup> Some civil servants are accountable to the office holder in charge of their organisation. This is made clear in terms and conditions of employment.

<sup>5</sup> Civil servants advising Ministers should be aware of the constitutional significance of Parliament, and of the conventions governing the relationship between Parliament and the Government.

4. In this Code:
- ‘integrity’ is putting the obligations of public service above your own personal interests;
  - ‘honesty’ is being truthful and open;
  - ‘objectivity’ is basing your advice and decisions on rigorous analysis of the evidence; and
  - ‘impartiality’ is acting solely according to the merits of the case and serving equally well Governments of different political persuasions.
5. These core values support good government and ensure the achievement of the highest possible standards in all that the Civil Service does. This in turn helps the Civil Service to gain and retain the respect of Ministers, Parliament, the public and its customers.
6. This Code<sup>6</sup> sets out the standards of behaviour expected of you and other civil servants. These are based on the core values which are set out in legislation. Individual departments may also have their own separate mission and values statements based on the core values, including the standards of behaviour expected of you when you deal with your colleagues.

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<sup>6</sup> The respective responsibilities placed on ministers and special advisers in relation to the Civil Service are set out in their Codes of Conduct: [www.cabinetoffice.gov.uk/propriety\\_and\\_ethics](http://www.cabinetoffice.gov.uk/propriety_and_ethics).

Special advisers are also covered by this Civil Service Code except, in recognition of their specific role, the requirements for objectivity and impartiality (paras 11–16).

## Standards of behaviour

### Integrity

#### 7. You must:

- fulfil your duties and obligations responsibly;
- always act in a way that is professional<sup>7</sup> and that deserves and retains the confidence of all those with whom you have dealings<sup>8</sup>;
- carry out your fiduciary obligations responsibly (that is make sure public money and other resources are used properly and efficiently);
- deal with the public and their affairs fairly, efficiently, promptly, effectively and sensitively, to the best of your ability;

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<sup>7</sup> Including taking account of ethical standards governing particular professions.

<sup>8</sup> Including a particular recognition of the importance of cooperation and mutual respect between civil servants working for the UK Government and the devolved administrations and vice-versa.

- keep accurate official records and handle information as openly as possible within the legal framework; and
  - comply with the law and uphold the administration of justice.
- #### 8. You must not:
- misuse your official position, for example by using information acquired in the course of your official duties to further your private interests or those of others;
  - accept gifts or hospitality or receive other benefits from anyone which might reasonably be seen to compromise your personal judgement or integrity; or
  - disclose official information without authority. This duty continues to apply after you leave the Civil Service.

### Honesty

9. You must:

- set out the facts and relevant issues truthfully, and correct any errors as soon as possible; and
- use resources only for the authorised public purposes for which they are provided.

10. You must not:

- deceive or knowingly mislead Ministers, Parliament or others; or
- be influenced by improper pressures from others or the prospect of personal gain.

### Objectivity

11. You must:

- provide information and advice, including advice to Ministers, on the basis of the evidence, and accurately present the options and facts;
- take decisions on the merits of the case; and

- take due account of expert and professional advice.

12. You must not:

- ignore inconvenient facts or relevant considerations when providing advice or making decisions; or
- frustrate the implementation of policies once decisions are taken by declining to take, or abstaining from, action which flows from those decisions.

### Impartiality

13. You must:

- carry out your responsibilities in a way that is fair, just and equitable and reflects the Civil Service commitment to equality and diversity.

14. You must not:

- act in a way that unjustifiably favours or discriminates against particular individuals or interests.

### Political Impartiality

15. You must:

- serve the Government<sup>9</sup>, whatever its political persuasion, to the best of your ability in a way which maintains political impartiality and is in line with the requirements of this Code, no matter what your own political beliefs are;
- act in a way which deserves and retains the confidence of Ministers, while at the same time ensuring that you will be able to establish the same relationship with those whom you may be required to serve in some future Government; and
- comply with any restrictions that have been laid down on your political activities.

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<sup>9</sup> Some civil servants are accountable to the office holder in charge of their organisation. This is made clear in terms and conditions of employment.

16. You must not:

- act in a way that is determined by party political considerations, or use official resources for party political purposes; or
- allow your personal political views to determine any advice you give or your actions.

### Rights and responsibilities

17. Your department or agency has a duty to make you aware of this Code and its values. If you believe that you are being required to act in a way which conflicts with this Code, your department or agency must consider your concern, and make sure that you are not penalised for raising it.

18. If you have a concern, you should start by talking to your line manager or someone else in your line management chain. If for any reason you would find this difficult, you should raise the matter with your

department's nominated officers who have been appointed to advise staff on the Code.

19. If you become aware of actions by others which you believe conflict with this Code you should report this to your line manager or someone else in your line management chain; alternatively you may wish to seek advice from your nominated officer. You should report evidence of criminal or unlawful activity to the police or other appropriate regulatory authorities. This Code does not cover HR management issues.

20. If you have raised a matter covered in paragraphs 16 to 18, in accordance with the relevant procedures<sup>10</sup>, and

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<sup>10</sup> The whistleblowing legislation (the Public Interest Disclosure Act 1998) may also apply in some circumstances.

do not receive what you consider to be a reasonable response, you may report the matter to the Civil Service Commission<sup>11</sup>. The Commission will also consider taking a complaint direct. Its address is:

3rd Floor,  
35 Great Smith Street,  
London  
SW1P 3BQ  
Tel: 020 7276 2613

[info@civilservicecommission.org.uk](mailto:info@civilservicecommission.org.uk)

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The Directory of Civil Service Guidance and the Civil Service Management Code give more information:  
[www.cabinetoffice.gov.uk /conduct-ethics/civil-service.aspx](http://www.cabinetoffice.gov.uk/conduct-ethics/civil-service.aspx)

<sup>11</sup> The Civil Service Commission's Guide to Bringing a Complaint gives more information, available on the Commission's website:  
[www.civilservicecommission.org.uk](http://www.civilservicecommission.org.uk)

If the matter cannot be resolved using the procedures set out above, and you feel you cannot carry out the instructions you have been given, you will have to resign from the Civil Service.

21. This Code is part of the contractual relationship between you and your employer. It sets out the high standards of behaviour expected of you which follow from your position in public and national life as a civil servant. You can take pride in living up to these values.

November 2010

## Appendix 2: Extracts from the Ministerial Code

### Ministers of the Crown

1.1 Ministers of the Crown are expected to behave in a way that upholds the highest standards of propriety.

1.2 The Ministerial Code should be read alongside the Coalition agreement and the background of the overarching duty on Ministers to comply with the law including international law and treaty obligations and to uphold the administration of justice and to protect the integrity of public life. They are expected to observe the Seven Principles of Public Life, and the following principles of Ministerial conduct:

- a) The principle of collective responsibility, save where it is explicitly set aside, applies to all Government Ministers;
- b) Ministers have a duty to Parliament to account, and be held to account, for the policies, decisions and actions of their departments and agencies;
- c) It is of paramount importance that Ministers give accurate and truthful information to Parliament, correcting any inadvertent error at the earliest opportunity. Ministers who knowingly mislead Parliament will be expected to offer their resignation to the Prime Minister;
- d) Ministers should be as open as possible with Parliament and the public, refusing to provide information only when disclosure would not be in the public interest which should be decided in accordance with the relevant statutes and the Freedom of Information Act 2000;

- e) Ministers should similarly require civil servants who give evidence before Parliamentary Committees on their behalf and under their direction to be as helpful as possible in providing accurate, truthful and full information in accordance with the duties and responsibilities of civil servants as set out in the Civil Service Code;
- f) Ministers must ensure that no conflict arises, or appears to arise, between their public duties and their private interests;
- g) Ministers should not accept any gift or hospitality which might, or might reasonably appear to, compromise their judgement or place them under an improper obligation;
- h) Ministers in the House of Commons must keep separate their roles as Minister and constituency Member;
- i) Ministers must not use government resources for Party political purposes; and
- j) Ministers must uphold the political impartiality of the civil service and not ask civil servants to act in any way which would conflict with the Civil Service Code as set out in the Constitutional Reform and Governance Act 2010.

### Ministers and the Government

2.1 The principle of collective responsibility, save where it is explicitly set aside, requires that Ministers should be able to express their views frankly in the expectation that they can argue freely in private while maintaining a united front when decisions have been reached. This in turn requires that the privacy of opinions expressed in Cabinet and Ministerial Committees, including in correspondence, should be maintained.

## Ministers and appointments

3.1 Ministers have a duty to ensure that influence over civil service and public appointments is not abused for partisan purposes. Civil Service appointments must be made in accordance with the requirements of the Constitutional Reform and Governance Act 2010 and the Civil Service Commissioners' Recruitment Principles. Public appointments should be made in accordance with the requirements of the law and, where appropriate, the Code of Practice issued by the Commissioner for Public Appointments.

## Special Advisers

3.2 With the exception of the Prime Minister and the Deputy Prime Minister, Cabinet Ministers may each appoint up to two special advisers (paid or unpaid). The Prime Minister may also authorise the appointment of one special adviser by

Ministers who regularly attend Cabinet. Where a Minister has additional responsibility additional advisers may be allowed.

All appointments, including exceptions to this rule, require the prior written approval of the Prime Minister, and no commitments to make such appointments should be entered into in the absence of such approval. All special advisers will be appointed under terms and conditions set out in the Model Contract for Special Advisers and the Code of Conduct for Special Advisers.

3.3 All special advisers must uphold their responsibility to the Government as a whole, not just their appointing Minister. The responsibility for the management and conduct of special advisers, including discipline, rests with the Minister who made the appointment. Individual Ministers will be accountable to the Prime Minister, Parliament and the

public for their actions and decisions in respect of their special advisers. It is, of course, also open to the Prime Minister to terminate employment by withdrawing his consent to an individual appointment.

3.4 The Government will publish an annual statement to Parliament setting out the numbers, names and paybands of special advisers, the appointing Minister and the overall paybill.

### Ministers and their departments

4.1 The Prime Minister is responsible for the overall organisation of the executive and the allocation of functions between Ministers in charge of departments.

### Ministers outside the Cabinet

4.2 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. The Minister's authority may,

however, be delegated to a Minister of State, a Parliamentary Secretary, or to an official. It is desirable that Ministers in charge should devolve to their junior Ministers responsibility for a defined range of departmental work, particularly in connection with Parliament. A Minister's proposal for the assignment of duties to junior Ministers, together with any proposed "courtesy titles" descriptive of their duties should be agreed in writing with the Prime Minister, copied to the Cabinet Secretary.

4.3 Ministers of State and Parliamentary Secretaries will be authorised to supervise the day-to-day administration of a defined range of subjects. This arrangement does not relieve the Permanent Secretary of general responsibility for the organisation and discipline of the department or of the duty to advise on matters of policy. The Permanent Secretary is not subject to the directions of junior Ministers. Equally, junior Ministers are not subject to the

directions of the Permanent Secretary. Any conflict of view between the two can be resolved only by reference to the Minister in charge of the department.

### Ministers and civil servants

5.1 Ministers must uphold the political impartiality of the Civil Service, and not ask civil servants to act in any way which would conflict with the Civil Service Code and the requirements of the Constitutional Reform and Governance Act 2010.

5.2 Ministers have a duty to give fair consideration and due weight to informed and impartial advice from civil servants, as well as to other considerations and advice in reaching policy decisions, and should have regard to the Principles of Scientific Advice to Government.

### The role of the accounting officer

5.3 Heads of departments and the chief executives of

executive agencies are appointed as Accounting Officers. This is a personal responsibility for the propriety and regularity of the public finances for which he or she is responsible; for keeping proper accounts; for the avoidance of waste and extravagance; and for the efficient and effective use of resources. Accounting Officers answer personally to the Committee of Public Accounts on these matters, within the framework of Ministerial accountability to Parliament for the policies, actions and conduct of their departments.

5.4 Accounting Officers have a particular responsibility to see that appropriate advice is tendered to Ministers on all matters of financial propriety and regularity and more broadly as to all considerations of prudent and economical administration, efficiency and effectiveness and value for money. If a Minister in charge of a department is contemplating a course of action which would

involve a transaction which the Accounting Officer considers would breach the requirements of propriety or regularity, the Accounting Officer will set out in writing his or her objections to the proposal, the reasons for the objection and the duty to inform the Comptroller and Auditor General should the advice be overruled.

5.5 If the Minister decides nonetheless to proceed, the Accounting Officer will seek a written instruction to take the action in question. The Accounting Officer is obliged to comply with the instructions and send relevant papers to the Comptroller and Auditor General. A similar procedure applies where the Accounting Officer has concerns about whether a proposed course of action offers value for money. This notification process enables the Committee of Public Accounts to see that the Accounting Officer does not bear personal responsibility for the actions concerned.

### Ministers' constituency and party interests

6.1 Facilities provided to Ministers at Government expense to enable them to carry out their official duties should not be used for Party or constituency work.

### Ministers' private interests

7.1 Ministers must ensure that no conflict arises, or could reasonably be perceived to arise, between their public duties and their private interests, financial or otherwise.

7.2 It is the personal responsibility of each Minister to decide whether and what action is needed to avoid a conflict or the perception of a conflict, taking account of advice received from their Permanent Secretary and the independent adviser on Ministers' interests.

### Ministers and the presentation of policy

8.1 Official facilities paid for out of public funds can be used

for Government publicity and advertising but may not be used for the dissemination of material which is essentially party political. The conventions governing the work of the Government Communication Network are set out in the Government Communication Network's Propriety Guidance – Guidance on Government Communications.

#### Media interviews, speeches, etc.

8.2 In order to ensure the effective coordination of Cabinet business, the policy content and timing of all major announcements, speeches, press releases and new policy initiatives should, where possible, be cleared in draft with the No. 10 Press and Private Offices 24 hours in advance. All major interviews and media appearances, both print and broadcast, should also be agreed with the No. 10 Press Office.

8.3 In all cases [other than those described in paragraph 6.6

of the full document], the principle of collective responsibility applies (see also paragraph 2.1). Ministers should ensure that their statements are consistent with collective Government policy. Ministers should take special care in referring to subjects which are the responsibility of other Ministers.

8.4 Ministers must only use official machinery for distributing texts of speeches relating to Government business. Speeches made in a party political context must be distributed through the Party machinery.

8.5 Ministers invited to broadcast on radio, television and/or webcasts in a political or private capacity should consider if such a broadcast would have a bearing on another department's responsibilities, in which case they should clear the matter with the ministerial colleague concerned before agreeing to the invitation.

## Ministers and Parliament

9.1 When Parliament is in session, the most important announcements of Government policy should be made in the first instance, in Parliament.

### Timing and form of announcement

9.2 Even when Government announcements are not of major importance their timing may require careful consideration in order to avoid clashes with other Government publications, statements or announcements or with planned Parliamentary business. The Offices of the Leader of the Commons, the Chief Whip, the Deputy Prime Minister and the Prime Minister should be given as long an opportunity as possible to comment on all important announcements.

9.3 Every effort should be made to avoid leaving significant announcements to the last day before a recess.

## Select Committee Reports

9.4 Any Minister or Parliamentary Private Secretary who receives a copy of a Select Committee report in advance of publication excluding copies sent to departments at the Confidential Final Revise stage should make no use of them and should return them without delay to the Clerk of the relevant Committee. Civil servants, including special advisers, are also covered by this ruling.

## Travel by ministers

10.1 Ministers must ensure that they always make efficient and cost-effective travel arrangements. Official transport should not normally be used for travel arrangements arising from Party or private business, except where this is justified on security grounds.

## Appendix 3: Extracts from the Code of Conduct for Special Advisers

1. The employment of special advisers adds a political dimension to the advice and assistance available to Ministers while reinforcing the political impartiality of the permanent Civil Service by distinguishing the source of political advice and support.

2. Special advisers are employed to help Ministers on matters where the work of Government and the work of the Government Party overlap and where it would be inappropriate for permanent civil servants to become involved. They are appointed to serve the Government as a whole and not just their appointing Minister. They are an additional resource

for the Minister providing assistance from a standpoint that is more politically committed and politically aware than would be available to a Minister from the permanent Civil Service.

3. The sorts of work a special adviser may do if their Minister wants it are:

- i. reviewing papers going to the Minister, drawing attention to any aspect which they think has party political implications, and ensuring that sensitive political points are handled properly. They may give assistance on any aspect of departmental business, and give advice to their Minister when the latter is taking part in party political activities;
- ii. "devilling" for the Minister, and checking facts and research findings from a party political viewpoint;
- iii. preparing speculative policy papers which can generate long-term policy thinking

- within the Department, including policies which reflect the political viewpoint of the Minister's Party;
- iv. contributing to policy planning within the Department, including ideas which extend the existing range of options available to the Minister with a political viewpoint in mind;
  - v. liaising with the Party, to ensure that the Department's own policy reviews and analysis take full advantage of ideas from the Party, and encouraging presentational activities by the Party which contribute to the Government's and Department's objectives;
  - vi. helping to brief Party MPs and officials on issues of Government policy;
  - vii. liaising with outside interest groups including groups with a political allegiance to assist the Minister's access to their contribution;
  - viii. speechwriting and related research, including adding party political content to material prepared by permanent civil servants;
  - ix. representing the views of their Minister to the media including a Party viewpoint, where they have been authorised by the Minister to do so;
  - x. providing expert advice as a specialist in a particular field;
  - xi. attending Party functions (although they may not speak publicly at the Party Conference) and maintaining contact with Party members; and
  - xii. taking part in policy reviews organised by the Party, or officially in conjunction with it, for the purpose of ensuring that those undertaking the review are fully aware of the Government's views and their Minister's thinking and policy.

## Relations with the Permanent Civil Service

7. In order to provide effective assistance to Ministers, special advisers should work closely with the ministerial team and with permanent civil servants, and establish relationships of confidence and trust. Special advisers may, on behalf of their Ministers:

- i. convey to officials Ministers' views and work priorities, including on issues of presentation. In doing so, they must take account of civil servants' workloads and any priorities Ministers have set;
- ii. request officials to prepare and provide information and data, including internal analyses and papers;
- iii. hold meetings with officials to discuss the advice being put to Ministers.

But special advisers must not:

- iv. ask civil servants to do anything which is inconsistent with their obligations under the Civil Service Code;
- v. behave towards permanent civil servants in a way which would be inconsistent with the standards set by the employing department for conduct generally;
- vi. authorise the expenditure of public funds, have responsibility for budgets, or any involvement in the award of external contracts;
- vii. exercise any power in relation to the management of any part of the Civil Service (except in relation to another special adviser);
- viii. otherwise exercise any statutory or prerogative power;
- ix. suppress or supplant the advice being prepared for Ministers by permanent civil servants although they may comment on such advice.

8. Where any permanent Civil Servant has concerns about any request coming from a special adviser, they should discuss that concern with their line manager, the special adviser concerned, the Minister's Principal Private Secretary or their Permanent Secretary. If a civil servant feels for whatever reason that he or she is unable to do this then they may wish to raise the concern with departmental nominated officer(s) within the department or direct with the Cabinet Secretary or the Civil Service Commissioners.

9. In order to enable special advisers to work effectively, departments may allocate permanent civil servants to provide support of a non-political nature. Special advisers should not be involved in issues affecting a permanent civil servant's career such as recruitment, promotion, reward and discipline, though their views may be sought as an input to performance appraisals

provided these are written by permanent civil servants.

#### Contacts with the media

10. Special advisers are able to represent Ministers' views on Government policy to the media with a degree of political commitment that would not be possible for the permanent Civil Service. Briefing on purely party political matters must be handled by the Party machine.

11. All contacts with the news media should be authorised by the appointing Minister and be conducted in accordance with the Government Communication Network's 'Propriety Guidance – Guidance on Government Communications'.

12. Special advisers must not take public part in political controversy whether in speeches or letters to the Press, or in books, articles or leaflets; must observe discretion and express comment with moderation and would not normally speak in public for their Minister or the Department.

## Annex A: Ministerial Code: The Seven Principles of Public Life

### Selflessness

Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

### Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

### Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

### Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

### Openness

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

### Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

### Leadership

Holders of public office should promote and support these principles by leadership and example.



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This Working with Ministers guide is excellent.

The Rt Hon Hilary Benn MP

Secretary of State for Environment & Rural Affairs 2007-10

I read Working with Ministers with pleasure and enormous respect. It is a remarkable compendium of constitutional wisdom and useful practical hints. A consistent thread running through the practical advice, which I thoroughly endorse, is the need to put oneself into the shoes of one's collaborators, customers or audience.

Sir Peter Gregson GCB

Permanent Secretary, Department of Trade & Industry 1989-96

Working with Ministers is the best thing I've read on the subject.

Professor Dennis Kavanagh

Professor of Politics, University of Liverpool

This is an absolutely marvellous guide: it describes, in elegant prose, exactly what ministers most need from their officials.

The Rt Hon Oliver Letwin MP

Minister for Government Policy and Chancellor of the Duchy of Lancaster

Working with Ministers is just the thing. It should go to every budding private secretary or press officer. It seems to me extremely accurate and comprehensive, and very readable.

The Rt Hon Michael Meacher MP

Minister of State, Department for Environment & Rural Affairs 1997-2003

Working with Ministers is excellent, and quite the best thing I have read on the subject: clear, concise, packed full of good sense and expressed in terms that are easy to understand. Above all, it is practical. It stresses integrity at every turn, and it offers advice on where to turn if one is in a dilemma.

Sir Michael Partridge KCB

Permanent Secretary, Department of Social Security 1988-95