Welcome to this masterclass on the reality of policy making in central Government. My name is Roshnee Patel. This session was originally delivered virtually on 13 July and this slide deck and narration has been put together to ensure material can be accessed when convenient for you.

Throughout the session I will prompt you to reflect on questions and after you’ve watched this recording, if you have any questions, thoughts or reflections, I’d really welcome them so please do drop me an email.
A little bit more about me. This session isn’t based on theory but more from my experience and view of the policy making process including the surrounding factors which impact it and relevant themes. I have worked in a number of different professions which I would argue make me a more rounded policy thinker who is able to see things from different perspectives and apply more lenses. This includes international, operational, corporate (including governance/performance/risk), strategy, crisis management, Minister’s office and Permanent Secretary’s offices.

I am an Senior Civil Servant with experience of over 13yrs in central Government departments. In part that is why I decided to come on secondment to UCL – I wanted to ensure my thinking was kept fresh and I was exposed to diversity of thought. Being able to access experts in so many disciplines and experience a different sector has been incredibly valuable to make sure I haven’t become institutionalised in the way I approach policy making. I am now on secondment to UCL as a Policy Fellow, sponsored by Public Policy which is part of RIGE.

As we go through the material, I’d like you to keep in mind how what you hear about today will change the way you approach any engagement you might have with Government.
What role does a policy-maker play in Government?

Policy-making: the cycle, culture and profession

Problem diagnosis
Evidence gathering
Engagement
Options analysis
Evaluation
Advice
Implementation/delivery
‘The Centre’
Ministers

The small print

- I’d like to start by setting out some context to make sure we are all in the same place as we move through this masterclass. I’d like to touch on the policy making-cycle, culture and profession.
- Values:
  - ‘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
  - ‘impartiality’ is acting solely according to the merits of the case and serving equally well governments of different political persuasions
- The values are particularly important and are a key way of understanding how we in the civil service operate. In some ways, these will very much influence the culture and behaviour of those you might come into contact with in Government. However, worth remembering that whilst there may appear to be different styles or ways of working (i.e. the lone scholar in comparison to hordes of policy teams) there is a similar goal or underlying aim – how to make society a better place.
- Working in policy has now become a profession – previously a number of us were called generalists which I didn’t take personal offence to but I know a number of my colleagues did! However, with the implementation of functional leadership across the civil service, there are clear standards expected of you which bring together the skills and knowledge you must have in order to be assessed as competent. These are often used in recruitment and performance management of policy professionals as well as offers for learning and development.
- Policy making in Government can include a spectrum of activity which I have popped along the right hand side and my intention is to use the remainder of the time we have going through these in more detail. The list are my own set of phrases and definitions rather than any existing theory or standards.
- Final clarification before we move on is that it is worth highlighting that a policy professional is different to a policy analyst – they often work in different teams but will need to work together in order to deliver. The term policy-maker can include slightly different things in different sectors but this presentation will focus on the role of a policy maker in central Government departments. Academics tend to have more engagement with the analytical arm of departments rather than policy colleagues so one top tip is to check that the policy lead and analyst are on the same page on any engagement you have.
- In my view, the role of policy lead is to gather as much information as possible from multiple functions (including analysts), synthesis it, balance conflicts/arguments, be able to problem solve, understand evidence and develop deliverable interventions. A bit of a tall order?
Problem diagnosis and evidence gathering

This is where it all begins – there is normally an issue (or in some instances a crisis) that has been identified. It could be identified from the media, an academic, a constituent, a campaign, an operational problem or via monitoring of data/trends. The role of the policy lead will be to assess this situation and decide on next steps.
What is the problem and what is the evidence?

This diagnosis stage can be tricky if the team is not asking the right questions and looking for information in the ‘usual’ places. That is why who and how we engage with is so important in my view.

Timescales

Hypothesis vs exploratory testing

Evidence and information overload

Systems thinking – the new approach/framework to explore and apply

Digital colleagues and Analytical function

Engagement: diagnosis stage can be tricky if the team is not asking the right questions and looking for information in the ‘usual’ places. That is why who and how we engage with is so important (which we will come on to discuss in more detail next). The key skill I look for in my teams at diagnosis stage is being curious, asking ‘why’.

You may want to know how open/exploratory will this diagnosis stage be. And how long do we normally spend on this phase. The honest answer is that it can vary. In a situation where there is a crisis, we won’t have months to gather evidence before we assess various options. We often have to act and assess the impact as it is live/being delivered. However, there will equally be Ministers who come in with an idea on what needs to be implemented in order to address a problem. This may sound concerning and I have in the past struggled with that too however this can often be the mandate upon which they have been elected or asked to serve in Government so it is a careful balance. Our role as a civil servant becomes all the more important here. We may be asked to provide advice on a solution that we don’t necessarily see as the best option but if you are skilled at your role and have built a good relationship with that Minister (establish credibility is one of the biggest first step in any relationship) then you can build your case and present options/evidence to counter-balance any tunnel vision.

Evidence – the big buzz word. What it means to you will be quite different to what it means to me and perhaps what it means to any other colleague. When is it good enough and what do you do when you have no evidence? Ministers often ask for data in a particular way which may not exist – we often have to find proxy data or information to paint the picture of what is happening. There are a huge number of factors that need to be taken into account when assessing any given state of affairs and next steps. Academic research is one area we will look at – but often we want to hear what our operational partners (and their associated data) is telling us. In a world where we have information overload, the key skill in my team will be what importance to assign all the different information you receive and how to synthesis it.

Systems thinking plays an increasingly important role in how we approach problem diagnosis and solutions [https://www.gov.uk/government/publications/systems-thinking-for-civil-servants]. We often assume we have diagnosed the right problem and found evidence to support that problem and move onto solutions but what if we haven’t taken a systematic enough view of the problem to begin with? We end up perhaps fixing one part of the issue but causing problems in other areas. A bit like whack-a-mole for anyone who remembers that game.

Digital colleagues and analysts – best practice for gathering evidence in order to develop or discuss options involve colleagues in digital (who carry out a number of user research pieces for us) and analysts who have varied skillsets we might require including data scientists, economists or social researchers. In my opinion, no evidence gathering can be undertaken in isolation by policy – there needs to be others involved.
Engagement: who and how best to get involved.

One of my corporate responsibilities at the Ministry of Justice is to act as a Race Champion in the department. Increasingly, I have been reflecting on the fact that I don’t like using the traditional stakeholder matrix which suggests to prioritise those who have power and influence over and above others. This doesn’t feel like a very inclusive or evidence-based way of looking at those we engage with in Government. So an open question to you is how do you ensure inclusive engagement when doing your research or speaking to stakeholders? If there is any best practice or ideas, I would quite like to hear about them so please do feel free to contact me directly.
Engagement: who do we engage and how best to engage

Operational delivery partners
Parliamentarians
Other Government Departments
Experts including academics
Third sector/Private sector
Public (indirectly or directly)
Business or interest group representatives including Unions
Local Authorities

Your considerations:
What does success look like for you?
What role do you want to play:
Influence vs inform
Framing and telling the story
Relationship maintenance

There will be a range of people we engage with in Government (some examples on the left) and often a policy lead will need to think carefully about who and when they engage with and on what element of the policy they are working on. There will also be different ways you can be engaged – one off, ongoing, group setting (roundtable or advisory group) or a collaboration project or co-production. Good engagement in my opinion is where there is clarity and expectations on both sides and honesty of what is or is not within scope to engage on. The one bit of advice I give to my teams when they are engaging with such a varied group is be informed, and patient – above all LISTEN and answer the question asked – don’t evade!

Top tips (prompts in the right column):
- Be clear what success looks like with this engagement (be realistic about it though!)
- Know your offer/worth/value in the relationship and don’t be afraid to let that be known.
- On the spectrum of whether your role is to influence or inform – know which one you want to play and do that consciously. Do you just pass on your research, do you get involved in developing options, do you lobby or are you an ‘honest broker’?
- Practice telling your story – make it engaging and of interest.
- Maintain relationships – just like any relationship there needs to be effort on both parts to be healthy. But in the majority of cases, this effort is worth the perseverance.

What challenges do you face in Government and how might you adapt your approach now?
When I had my induction to the civil service, I undertook an introduction to policy making where I learnt about the ROAMEF cycle. The ROAMEF cycle is outlined in great detail in the HMT Green Book [https://www.gov.uk/government/publications/the-green-book-appraisal-and-evaluation-in-central-government] which was updated and published earlier this year. It outlines expectations in relation to appraisal and evaluation of policy and delivery.
In my view, options are available at every stage of your policy journey (note the use of the word journey and NOT cycle) and evaluation happens at many stages of the policy journey. Some policies get stuck in one part of the journey for all kinds of reasons and potentially stay there or have to start over from the beginning.

Let’s bring this to life by taking an example that I worked on whilst in Government.

Rationale for action: Due to COVID, we anticipated an increase in social welfare issues and therefore legal need.

Objectives: We needed to ensure that people with employment, debt, housing, family, immigration troubles during lockdown were able to access information and legal support in the right way in order to protect their access to justice.

Appraisal: We developed a list of options and tested these with members of The Legal Support Advisory Group for advice. This included a list of options and tested these with several members of The Legal Support Advisory Group for advice. This included bidding for an emergency grant made available by HMT for third sector organisations and longer term work to develop an online interactive portal where those who were more digitally capable and competent were able to self serve so face to face support was reserved for those who really needed it.

Monitoring: Due to the urgency involved, we spoke to some of our operational partners to understand the situation on the ground which included third sector delivery partners who we had worked with previously and had distributed grants to. We had also used proxy data to make the case for increased legal need, i.e. increased web traffic on certain pages for help.

Evaluation: We had to report back to HMT on what the funding was doing and how much difference it was making, including publishing interim reports to explain how the increased funding had resulted in addressing legal need and promoting access to justice.

Feedback: We implemented our emergency grant and have been continuously discussing with delivery partners what trend they are seeing in terms of demand. One interesting thing we heard over the first year of the emergency the grant was put in place, was increase in demand when lock down measures were lifted. Suggesting that legal need was there and people were waiting until they could turn up at places face to face. This actually helped us build the case for continued funding the following year in 2021.

Timeline for delivering the first emergency grant was 2-3 months from start of lockdown [https://www.gov.uk/government/news/5-4-million-to-support-legal-advice-sector-during-the-covid-19-pandemic]. Timeline for delivering the website – still ongoing.

Did we run the order of policy development according to the cycle – no. Was there hard data to say legal need had increased – no (the survey was published every 4 years which would be too late to action). Did the Minister agree with our original suggested course of action – no. But I’d like to think that we delivered things that made a difference to help people.

Agile Delivery is a great way of showing how you can deliver and refine as you go. Here you develop a prototype of your delivery solution and test it, gathering evidence quickly and adjust on the way. We didn’t have time to do this for the emergency grant but we have done this whilst testing the longer term option of some kind of online portal providing legal advice with user groups.

The HMT Test: GREEN BOOK LINK

Strategic: What is the case for change, including the rationale for intervention? What is the current situation? What is to be done? What outcomes are expected? How do these fit with wider government policies and objectives?

Economic dimension: What is the net value to society (the social value) of the intervention compared to continuing with Business As Usual? What are the risks and their costs, and how are they best managed? Which option reflects the optimal net value to society?

Commercial dimension: Can a realistic and credible commercial deal be struck? Who will manage which risks?

Financial dimension: What is the impact of the proposal on the public sector budget in terms of the total cost of both capital and revenue?

Management dimension: Are there realistic and robust delivery plans? How can the proposal be delivered?
A decision maker in this context is the Permanent Secretary or Minister/Secretary of State in any Government department. Perm Sec – role to be the Principal Accounting Officer (CFO) and principal advisor to the Secretary of State. The process for getting advice to decision-makers can be quite complex and varied.

Methods of conveying advice: written and oral briefing. An oral briefing will be dependent on style of Minister (some can be more discursive than others, some may just have questions) but all advice needs to be captured in writing to ensure accountability, clarity and that well informed decisions are being made.

A Submission is the most common form of written advice sent to Ministers/Permanent Secretary and tends to be a summary of what a policy-team want to communicate to a decision maker. They can be stand alone or broken down into a series of decisions/information. Not all decisions go to a Secretary of State – some will be for junior Ministers to take.

Academics expectations—when we have worked with academics in order to draft advice, they have often wanted to know how their view had been accounted in what we told Ministers. Hopefully this next slide helps to explain the various factors that we need to balance.
A ‘submission’ is the most common way of how civil servants put formal written advice to Ministers or Permanent Secretaries to obtain decisions/steers or pass on pertinent information/updates. Obviously decision makers, will also have life experiences, constituents and other ways of getting information which may shape or form their view of an issue. The role of a civil servant is to provide objective and well evidenced information.

The process: When you send formal advice varies – to a certain extent it depends on the issue, level of risk and speed at which you need decisions but generally speaking these will be high level decisions which require authority to execute.

Template for advice exists: there will be some common areas that feature in most of the templates for formal advice and some which may be department-specific, for example in MoJ we had a section which noted which team had contributed to the advice to ensure we were taking a multi-disciplinary approach. Sections of the template include those listed here and include:

- Issue/background: why are you writing to the decision maker? Can you explain the background in plain English with no jargon or technical language.
- Parliamentary Handling: does this include a debate, a hot topic of the House, particular peer/MP of interest, legislation, Select Committee report etc?
- Finance: is there a budget, does this create a cost implication, are you asking to increase funding, how does this meet value for money criteria?
- Commercial: is there a supplier, a contract, tender, grant or other arrangement which is relevant? Are there risks to these arrangements?
- Analysis: what pertinent data/information/evidence is relevant here to highlight?
- Recommendation: being clear about what you need from the decision maker, to note an update or take a decision or agree to something.
- Legal Implications: is there a pending Judicial Review or does this present a low risk of legal challenge but high chance of success?
- Timing: when do you need your decision – is it routine or urgent? Specifying why.
- Options: have you completed an options analysis – if so summarise key points.

Methods of conveying your advice needs careful consideration. Again it is not just about what you are trying to communicate, it is also about how you are communicating it. It could be written or oral briefing but I think carefully about what three points do I want to amplify in this advice (and why). How do I to tell our story and pitch the argument in the most compelling, simple and clear way. Obviously a lot of style/format is down to personal preferences of decision-makers and how they best absorb information that can be quite complex and technical at times so understanding this will dictate how you distil your information, in what format etc. Some don’t like lots of annexes, some only want a 2 page submission with lots of detail in the background. These are constraints that we have to work around when delivering out advice.

Question: how much weight do you attribute to research evidence in light of all these other factors?
It’s all about delivery. There is also increased pace between problem diagnosis and the delivery stage which makes this even more crucial to get right fast. Delivery is one of three elements identified in the policy profession as core to what we do. So how do you maximise your chances of successful delivery?
Define success

Operational partners

Programme and project management

Minimum viable product

Call it early/solutions focussed mind.

Reminder: implementation is just as important as policy solution

Define success: What does success mean and when are you hoping to achieve it by? Timescales will drive a significant amount of what is possible and by when. Is everyone on the same page with what the success criteria is?

Operational partners: Working with operational partners has never been more important due to their experience on the front line with delivering policy. So gaining their insights and buy in is fundamental otherwise delivery is bound to fail in some way. We see examples of this all the time.

Profession: Growing appetite to use more project and programme management approaches embedded in policy teams to ensure delivering change (which is essentially what we are doing in the policy world) is done with applying the right rigour and best practice.

Minimum Viable Product: realising that perfection in delivery will get in the way of progress and so there is more appetite to develop minimum viable products and release these into the public domain to test and continue to refine policy implementation in the background. Agile delivery is still seen as good practice.

Call it early: I’ve been in a situation where I continued to flog a dead horse – lesson learned here was to call it earlier on. Equally I have been in situations where it took me too long to accept a Minister’s steer (because I didn’t agree with it) and I should have learnt that the energy spent on saying ‘no’ could have been better spent on making the deliverable the best possible version to mitigate the risks involved.

Reminder: All policy is implemented and so this is a key opportunity for influencing with research too. Delivery is just as important as the policy solution itself. In theory you could have the best policy solution in the world, but it isn’t implementable – it goes nowhere. Question: when undertaking research, how much do you factor into account deliverability?
The Centre – who are they and what do they do?

We often refer to the term ‘the centre’ in Government. So who are they and what do they do?
The Centre include departments which aim to support the role of managing cross-Government business and include Cabinet Office (which incorporates No.10) and to a lesser extent Treasury.

10 Downing Street [https://www.gov.uk/government/organisations/prime-ministers-office-10-downing-street] is the official residence and the office of the Prime Minister. The office helps the Prime Minister to establish and deliver the government’s overall strategy and policy priorities, and to communicate the government’s policies to Parliament, the public and international audiences. It is staffed by both civil servants along with a significant number of political appointments. It plays an important role of mediator and negotiator between departments where policies can often be an conflict.

Decisions taken in Government are binding and subject to collective agreement (if they are of significance to Cabinet or Cabinet Committee business).

The governance for managing decisions that are taken of strategic, financial or operational importance include setting up Cabinet Committees. You can find these published online and they generally include one for: domestic and economic issues, security, international/foreign affairs, defence, parliamentary/legislation and health. Other committees are often topical, i.e. COVID-19, EU Exit.

The process of gaining collective agreement on business which is subject to Cabinet Committee approval happens via the ‘write round’ process which is supported by a Secretariat function in CO. The write round process is where the responsible Minister writes to members of the Committee to seek approval to press ahead with a certain action, for example publishing a consultation or a Bill.

What happens when there is a disagreement? Hopefully the write round process won’t be the first time you are aware of it! The first clarification is determining whether it is political or a policy issue. If political, generally speaking civil servants will not be involved and it is often special advisors and ministers that discuss it privately. If there is a policy disagreement between two different departments, the first stage is official level discussions which can be escalated to more senior colleagues, after that it will be Ministerial offices that discuss with each other and then Special Advisors before involving your Minister to discuss with an opposite number. If there still isn’t agreement it will be for Cabinet Office or No.10 to mediate and set conditions and compromises. An example may be changing legal aid. HMT may be reluctant due to lack of hard evidence and cost, MoJ will want to push for change and build a case to do so and CO may not want to do any small legislative change as it will be subject to scope creep making passage of a wider bill and associated clauses more difficult.

SpAds are there to give political advice to their principal. They either work directly to their principal or no.10 to help unblock issues. There are different nuances to the role a SpAd can play which I have grouped into three buckets. Their primary role is to give political advice, they engage with policy teams to interrogate and comment on live issues or formal advice (but this shouldn’t be with a view to changing objective advice) – they can be deployed as an advocate for departmental policy positions and negotiate with other government departments and lastly they have direct discussions and relationship with members of the press and media.
Ministers have responsibilities in three areas: to their political party, to their constituents and to departments as a Minister.

Time is spent on all these things whilst they are appointed as Ministers. Fridays generally tend to be spent in constituencies doing local business. Monday – Thursday is when Parliament sits and therefore Ministers will be in Whitehall/Parliament conducting a mixture of parliamentary and departmental business.
An example of a typical day is shown here – this is fictitious and pretty mean (!) but based on my time spent in a busy joint Ministry of Justice and Home Office Minister’s Office. There will also be days where the Minister might be doing media or on a visit and this will need to be factored in too.

None of this information accounts for personal preferences and personal lives. One of the most important relationships a Ministerial office will have is with the constituency office and Whips Office [https://www.parliament.uk/about/mps-and-lords/principal/whips/] who will naturally always want the Minister to take on more local/political engagement/work so it is a constant discussion. Everyone will want time with the Minister including officials in the department.

This volume of work and engagements is possible due to the team that directly support the Minister in making this happen – logistically but also making sure things are appropriately prioritised and the Minister is briefed and has an opportunity to make clear how he wants to spend his time. They will have their own priorities too. Some Ministerial portfolios will be smaller and are often a negotiation or discussion between No.10 and Department. Some Ministers lobby to be appointed in certain roles if an area of interest.

Think back to the submission template we discussed earlier – each of those will be read by a Private Secretary working in the Minister’s office who will put a note on top of the submission summarising (even further!) the submission and any wider context for the Minister to read and put on comments. Where SpAds are involved in the process, they will often put comments onto the note to convey any further messages they want the principal to be aware of.

So busy day, lots of information and a long to do list for Ministers so worth thinking about this if you are asking for the Minister’s time or when seeing them.
This final chapter captures are some of my other reflections which may be worth understanding in order to navigate the policy making world a bit more confidently and competently.
Risk appetite

The role of a civil servant is evolving

Governance (accountability and scrutiny)

Inclusion

Leadership test: resilience and innovation.

Conflict of interest

Change/ambiguity

- Risk appetite: most civil servants I know operate with a low tolerance of risk – in my experience this is due to three main factors – failure is often not a palatable option, tax payers money is at stake and time to experiment is often not afforded to you.
- Evolution: the role of the civil service has been subject to change over the last decade or so. The most recent Declaration on Government Reform [https://www.gov.uk/government/publications/declaration-on-government-reform] also extended this change to Ministers as well as civil servants which was an interesting element. It was published by the Cabinet Secretary and Prime Minister in September 2021 and intends to focus change on: people (ensuring the right people are in the right roles), performance (clarity of priorities and how we use data/innovate) and partnerships (Ministers/civil servants to work together and working more closely with those outside of Government). There has also been a big push to reduce the number of civil servants by 2025 which will need careful consideration and management so it doesn’t become a distraction from delivery and policy development.
- Governance: accountability and scrutiny are fundamentally important in Government. Government has a number of forums where decisions are made, but there are a number of approval processes when it comes to spending of departmental budget, many of which are subject to HMT Ministerial approval. This can add significant time to the approval process on any area, particularly if seen as ‘novel or contentious’. Parliament also plays a key role in scrutinising Government hence a significant time spent there by Ministers.
- Inclusion: In my role as Race Champion, I am a big believer in needing to have more representative staff to ensure that they are reflective of the public we serve. This means by extension we get better collective intelligence from different life experiences and as a result develop better policy.
- Leadership test: In my view, over recent years the biggest tests to my leadership has been resilience (knowing when I needed some time out to re-set and re-fresh) and carving out space to be innovative (particularly in an environment of fast paced delivery). What in your view are the most important leadership qualities you need in your role?
- Conflict of interest: policy that touches on our values or beliefs like euthanasia or can be really tough to work on and take a toll. The more senior you get, the more likely this will be the case. The reason being when you are in a team, there are ways of sharing or dividing the portfolio into more manageable chunks but this luxury doesn’t exist when you are the accountable senior civil servant. There are still ways of managing this but ultimately a choice for the individual to step away from working on something which they cannot manage against their personal values/views.
- Change/ambiguity is a constant. It would be remiss to not mention the current political situation and how that impacts what we do. There won’t be any new big policy changes whilst we await a new Conservative leader and PM. When they arrive, they will appoint a new Cabinet, new junior ministers will be appointed, portfolios will be decided upon and only then will policy decisions (that are not urgent) be considered. Previous projects could be easily scrapped, new projects undoubtedly will be born and change will be afresh. But I always say to my teams – with any new change, comes new opportunities and we should seize that.

So that brings us to the end of our session. I’ll loop back to my first request at the start of the session: Now that you’ve heard this – how will change your approach in engaging with policy makers in central Government?

If you’d like to get in touch to discuss anything further please do email me – Roshnee.Patel@ucl.ac.uk or Roshnee.Patel@justice.gov.uk.