

# The civil service: the real government? essay

[Business](#)



**ASSIGN  
BUSTER**

Evaluate the claim that the Civil Service is the 'real government' in this country.

The Civil Service is a hierarchical, unelected organization that plays an integral part in decision-making within the British political system. Operating discreetly as a highly functioning component of the core executive, the civil service is a permanent bureaucracy whose role is to serve and assist the incumbent government. Operating within Whitehall, historically it's been the work of the civil service to carry out the legwork of government departments and act as secretariat for the ministers at the head of these departments, with duties ranging from organising meetings and taking minutes to advising on and implementing policy. However, for some time their role in the formation and execution of policy has been observed as undemocratic; it has been said that the civil service holds the real monopoly of executive control in contemporary Britain, and with the estimated 120 government ministers overshadowed by about half a million civil servants in 2013, the numbers alone lend weight to the argument (class handout). The work of the government is divided between departments, with each managing a particular field; the Treasury handles public expenditure, welfare and taxation; the Department of Health runs the NHS; the Home Office handles the police and immigration, and so it continues. At the head of these departments are government ministers (although the Treasury is headed by the Chancellor of the Exchequer) who are also cabinet ministers; known as Secretaries of State, they are formally responsible for the administration of their department and for the formulation and operation of the policies arising within it. However, despite ministerial authority, the bulk of the work

orchestrated by each department is largely credible to the myriad of civil servants assigned to it, and not to the ministers themselves. With new policy and draft legislation frequently originating within government departments before reaching parliament, and with a legislative process mechanized so as to favor the government majority once a bill has reached the Houses for approval, the influential role of the civil service in the design and enforcement of policy has often been a source of controversy (R.

Bentley, 2005, up. 16). Secretaries of state are appointed by the newly Incumbent Prime Minister, usually hours after he or she has been elected, and are often assisted by junior ministers, political advisers and a host of civil servants (whose numbers frequently exceed the thousands) to assist in the coordination of the department's work. There is a ministerial hierarchy within departments, with three ranks of Junior minister assisting the Secretary of State; ministers of state, parliamentary under-secretaries and parliamentary secretaries, were appointed by the prime Minister. However, the civil service are employees of the Crown and, unlike the ministers they serve, are not representative members of government; they are appointed by the Civil Service Commission, often after completing training courses at the Civil Service College, through fair and open competition.

Further lending doubt to their function in agenda setting, the background of many civil servants tends to be rather narrow and stratified, with the careers of many top call servants (known as Permanent) little-to-no relevant, pragmatic, real-world experience : superconductivity's. Independent. Gov. UK) (B. Jones, 2004, up. 495-498). One of the main areas of concern surrounding the civil service is that of accountability; unlike the respective <https://assignbuster.com/the-civil-service-the-real-government-essay/>

ministers and ranking Junior ministers of any one department, civil servants are unelected officials who play a large role in the regulation and development of legislation, and who therefore are not chosen by the people, are not held accountable to parliament or even the Junior ministers working for their department, but are answerable only to the Secretary of State or Permanent Secretary for that department.

The issue occurs alongside one of the constitutional reminiscences held by the civil service, Permanency; the 'Security of Tenure' endowed to all civil servants means that they remain within their department, regardless of any governmental reshuffles, and many remain within the same department for their entire career - gaining elite skills, expertise and contacts, unmatched by ministers. On the other hand, ministers tend to frequent their departments for one to two years, and since the Fixed Term Parliament Act (2011), have the limited possibility of keeping their position for five at the most (legislation. Ova.

UK). The 'Security of Tenure' also guarantees that civil servants may not be dismissed based on any advice they give; as it's the Secretary of State's authority to have the final say on any decision, it's also their duty to take responsibility for any action taken. Should a minister be advised to take a successful route, he (infrequently she) will take the credit, likewise, should they act upon a failing piece of advice, they will take the blame; bearing the brunt of public furors and potential demotion in future government, whilst any responsible servants remain - unscathed by scrutiny - in Whitehall. This public accountability is known as 'Individual Ministerial Responsibility,' and

has in the past served to further another of the civil service's principles; Anonymity.

Partly due to the Official Secrets Act (1989) by which all the civil service is bound, the exact work of the civil service has always been unclear. Although civil servants may reveal their rank and the department they work for to the public, they cannot; orally or textually relate their experiences to the media without permission; reveal in detail the nature of their advice and work on policy design; and have traditionally been expected to keep a low profile.

However, despite Individual Ministerial Responsibility traditionally serving as an enabling structure for anonymity, in the 1990s the 'Howard Principle' became accepted. Stating that although ministers are responsible for any final policy, civil servants are to be held directly responsible for how policy is implemented and any subsequent errors. Furthermore, senior civil servants appear more frequently in the public eye and are more often held to scrutiny regularly by parliamentary select committees (historiographers. O.

UK). Alongside the conditional term to the Security of Tenure, establishing that civil servants may be dismissed for personal misconduct, the third constitutional principle adhered to by the civil service is also put in place as a safeguard for potential corruption. The rule of Neutrality states that all advice given by the service must adhere to conventional policy, and must be politically neutral. Although not forbidden to vote in general elections, civil servants are expressly prohibited from becoming engaged in any political activity, and especially party activity. Similarly binding the nature of advice given by the servants, a fourth Ethos' means that the civil service has agreed to only give advice with the best interests of the public in mind.

<https://assignbuster.com/the-civil-service-the-real-government-essay/>

Sharing a similarity to the ethics of parliament, whose job it is to scrutinize government policy and consider the potential costs and benefits to the public, advice must be based on national, not biased, interests. However, temporary civil servants are more frequently being used as political advisers, originating from 'executive agencies' which were first established in 1988, to whom the principle of neutrality is not applied and which has eroded the doctrine of Individual Ministerial Responsibility (P. Walsh-Atkins, 2005, up. 183) (R. Bentley, 2005, up. 323). The civil service decrees that all members abide by a code of practice as well as adhere to the three constitutional and one non-constitutional set of principles. The civil service code is composed of four key values; Integrity, which dictates that servants must prioritize the obligations of the public over their own; Honesty, which means being truthful and open in their advice, whether it will please their Secretary of State or not; Objectivity, which requires an analytical, unbiased approach, based on evidence, when implementing or advising on policy; and Impartiality, which insists that all servants serve governments of all parties equally well, and that should impartiality be questioned or should a servant choose to be politically aligned, that this is grounds for dismissal or resignation. The Constitutional Reform and Governance Act (2010) placed the set of values on statutory grounds, cementing the code as law, which was published with the legislation under the Civil Service provisions section on 11. 11.

10 (civilities. Gov. UK). It's been argued that with ministers being fundamentally temporary, permanency for the civil service is required for the upkeep of government departments, as without their long-term contracts departments would be staffed by knowledgeable, unskilled advisers and <https://assignbuster.com/the-civil-service-the-real-government-essay/>

operators, and run by similarly naive ministers. However, some think this has led to the civil service gaining an upper hand; one minister was quoted as saying “ if you change ministers every two years you hand vast power to civil servants [they] have certain contempt for ministerial office because they are moved so often and not necessarily on merit and ability’ (anon. Minister, article by J. Jowett, 05. 02.

13, the Guardian). The collective strength of civil service powers, including their education and training (permanence, knowledge and experience; sheer accrued numerical force, with the comparative 1, 000 senior civil servants versus under 100 ministers involved in direct policy formation; anonymity and expertise; and connections with other long-withstanding members or departments in Whitehall) has lent strength to the argument that the civil service is the ‘ real’ government in this country (R. Bentley, 2005, up. 337). Ministers also have a fair amount of power; their ultimate political authority to have the final say on decisions is itself a sizeable advantage. Similarly, their experience with other political duties and often broad backgrounds give ministers a grasp on contemporary goings-on not shared by sheltered Whitehall inhabitants. Unlike the civil service, ministers may also communicate openly with the media and share the political support of the Prime Minister, other Cabinet members and their party members.

They are also elected, representative members of parliament, which means they can use the support of public opinion to further their cause over unpopular proposed policy. Secretaries of State also have the advantage ministers, executive agencies and assigned civil servants. Alongside these resources, ministers more frequently use independent advice from pressure

<https://assignbuster.com/the-civil-service-the-real-government-essay/>

groups, MSP, Special Advisers, elite professionals and so on. They also have the upper hand on diversity when it comes to professional careers and education; with 11 of the 22 coalition cabinet members holding an Sobering education, and only two having not attended university. Their time spent in parliament and rising through the ranks offers political training and skills, unique to MSP. Furthermore, despite their short employment in any one department, many ministers spend long years (sometimes decades) in parliament, engaged with their constituency in the political process, and in development of policy on a 'real-world' level, vastly different than that of the privatized, rigid civil service (telegraph. Co. UK) (R.

Bentley, 2005, up. 37). Following the debate over who holds real executive power, four theories have emerged speculating on the potential origin and domination of executive control.

Chiefly, there are two main overviews. The traditional view follows an historical opinion of the role of the civil service; that the power belongs to the ministers, and that civil servants simply serve, performing their key functions on an open, one-dimensional level. Opposing this, the non-traditional view believes that top civil servants are in control and hold influential positions in policy making. Similarly, there are fears that through their seemingly benign function as secretariat and through tasks such as the arranging of liaisons with media and other departments and openly directive exercises such as routing business itineraries or speeches, civil servants are able to micro-manage ministers. However, over the years, these two overviews have been further defined not four models, which, although they all bear similarities, differentiate on particular details (class handout). The Formal Constitutional <https://assignbuster.com/the-civil-service-the-real-government-essay/>



Model', or the Orthodox Approach' follows the traditional framework; stating that the civil service is a non-political, non-partisan and neutral organization, who are loyal to government of the day, no matter how they are aligned.

It states that the civil service respects the constitutional position of themselves and ministers, abiding as faithful servants by the final sections and opinions of their Secretary of State. It sees them as answerable to their ministers, and therefore accountable to parliament and the British public.

Unsurprisingly, this is the position many civil servants generally express, and has traditionally been popular among Labor and Conservative politicians; former Conservative PM Edward Heath once said "there is nothing [civil servants] dislike more than to have a minister... Who wants to leave it all to them" (quoted in Barber's 1996, up. 83) and former Labor minister Gerald Kaufman expressed a similar opinion, "only bad ministers let themselves be dominated by the civil service" (Kaufman AAA, p.

13) (R. Bentley, 2005, up. 335). The Adversarial Model' argues from a left-wing point of view, and sees the civil service as a willful institution, founded on subverted, conservative principles, which has subsequently lead to an inherent mistrust of Labor governments. With some noted hostility in regard to proposed policy, some left-wingers believe that Laborer's historical failure record on implementing distinctly socialist policies can be accounted to the interference of the evil service during their development. They believe that the experience, expertise, Nathalie networks, accrued numerical power and Security of Tenure enjoyed by the down policy to this extent. Furthermore, they believe the secrecy – constitutionally adhered to by the service – is at odds with Britain's claim as a democratic society, and that their often narrow

<https://assignbuster.com/the-civil-service-the-real-government-essay/>

socio-economic backgrounds are distinctly unrepresentative of the nation they claim to serve. Marcia Williams, the Political Secretary to the former Labor PM Harold Wilson was quoted as saying " Their background is so conservative in origin that their inclinations must be more to the Right than the Left," (Williams, 1972, up.

53) (R. Bentley, 2005, up. 335). ' The public Choice Model,' or the New Right's new,' was developed from the 1980s onward, and led to the reforms seen in the Thatcher/Major governments of 1979-1997 following concerns that the civil service was largely a self-serving bureaucracy whose ethos was not to serve the public, but to maximize the budgets and programmes of their departments. Believing that the service holds an inherent self-interest in expansion of ranks and power, the New Right feels the resistance of the institution to radical reform over the past century can be accounted to the rigidity of the civil service in preserving the status quo, and to their interest in furthering their powers and influence over their departments. Also critical of the institution's supposed conservatism and the lack of evidence that the civil service has the capacity for change or innovative problem-solving, they believe the service is both the cause and consequence of expansion.

Although the New Right blames the intervention of successive (post-war) governments in more and more in-depth areas of socio-economic life for the resulting ballooning institution, the reforms included minimizing civil service ranks; in 1979 the numbers had grown to over 700, 000, which Thatcher decried as wasteful of resources and excessive. They also included the first proper attempt to streamline the service with the introduction of the

<https://assignbuster.com/the-civil-service-the-real-government-essay/>

Management Information System for Ministers into the Department for Environment in 1980, which led to the Financial Management Initiative in 1982. Introducing new managing methods and hoping to evoke a new efficiency and attitude, these policies meant that civil servants were to be held, in a proper business-like fashion, properly responsible for particular policy direction within their department, alongside being given clearer objectives and encouragement for innovative thinking (R.

Bentley, 2005, up. 336). 'The Village Life in the Whitehall Community or the Power as Relational and Variable' model follows a vaguely pluralist tenor. Beholding to the idea that relationships of power are fluid, dynamic and highly reliant on which minister is assigned to which department, the theory believes that the power rests with whoever shows more dominance. Life within Whitehall is complex, and divisions exist within the bureaucracy itself, as some civil servants have more elevated opinion of their function and power than others. Similarly, some departments form alliances or rivalries with others (e. G. The Departments for Housing and Education often compete for funding, whilst those staffing the Treasury, which provides budgeting for all departments, may enjoy a slight superiority complex) and this also contributes to the success factor for individual ministers, as some servants may call for a decision-bolstering claim from another department when faced with a reluctant minister.

Despite the sensation of ministers and civil servants being constantly locked in a power-struggle, there is an element of mutual dependency between Whitehall inhabitants and their political masters; both ministers and civil servants required to keep the political system running succinctly, or at all. Former civil  
<https://assignbuster.com/the-civil-service-the-real-government-essay/>

servant Clive Pointing expresses that the relationship of power “ depends on so many things...

Land] all these factors mean that the boundaries of power are fluctuating continuously’ (Pointing, 1986, up. 14) (R. Bentley, 2005, up. 336).

However much like the antiquated and more recent reforms giving shape to the civil service of today, the Cameron Ministry coalition government of 2010-2015 is suggesting more reformation, Inch Francis Maude (the cabinet member in charge of the civil service) believes doesn’t require legislation to put into effect. Aiming to clear up the muddled opinions over accountability and relations of power, as well as proving that the worries over influence and undemocratic process are given due consideration at an executive level, the reforms will grant ministers new powers to appoint civil servants. Aiming to create larger ministerial offices, staffed by advisers and independent experts on fixed-length contracts, the change will see civil servants accountable exclusively to ministers, and not permanent secretaries, and Maude hopes that this change will see customized, inner-department offices staffed by servants committed to the objectives of their minister.