

House of Commons
Public Administration Select
Committee

**THE WORK OF THE
COMMITTEE IN 2002**

Second Report of Session 2002–03

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Report and Proceedings of the Committee

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PUBLIC ADMINISTRATION SELECT COMMITTEE

The Public Administration Select Committee is appointed by the House of Commons to examine the reports of the Parliamentary Commissioner for Administration, of the Health Service Commissioners for England, Scotland and Wales and of the Parliamentary Ombudsman for Northern Ireland, which are laid before this House, and matters in connection therewith and to consider matters relating to the quality and standards of administration provided by civil service departments, and other matters relating to the civil service; and the committee shall consist of eleven Members.

Current Membership

Tony Wright (*Labour, Cannock Chase*) (Chairman)
 Mr Kevin Brennan (*Labour, Cardiff West*)
 Annette Brooke (*Liberal Democrat, Mid Dorset and Poole North*)
 Sir Sydney Chapman (*Conservative, Chipping Barnet*)
 Mr Kelvin Hopkins (*Labour, Luton North*)
 Mr David Heyes (*Labour, Ashton under Lyne*)
 Mr Ian Liddell-Grainger (*Conservative, Bridgewater*)
 Mr John Lyons (*Labour, Strathkelvin and Bearsden*)
 Mr Gordon Prentice (*Labour, Pendle*)
 Hon Michael Trend, CBE (*Conservative, Windsor*)
 Mr Brian White (*Labour, Milton Keynes North East*)

Powers

The Committee's powers are set out in House of Commons Standing Orders, principally in SO No. 146. These are available on the Internet via www.parliament.uk.

Publications

The Reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices) are on the Internet at www.parliament.uk/commons/selcom/pubahome.htm. A list of Reports of the Committee since 1997 is at the back of this volume.

Contacts

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Footnotes

In the footnotes of this Report, references to oral evidence are indicated by 'Q' followed by the question number. References to written evidence are indicated by the page number as in 'Ev 12'.

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SECOND REPORT

The Public Administration Select Committee has agreed to the following Report:

THE WORK OF THE COMMITTEE IN 2002

1. This is the first report published by this Committee in accordance with guidance set out by the Liaison Committee, to establish common objectives and tasks for all Committees (attached in Annex). The Public Administration Select Committee is not a departmental Committee, and therefore does not directly have a Government Department to scrutinise, but it takes a broad policy perspective on the quality of administration.

2. Since the Public Administration Select Committee last reported to the Liaison Committee, in January 2002, it has had an extremely productive year. The two central themes which currently underpin our work are constitutional developments and reform in public services. Following the publication of the Government's White Paper *'The House of Lords: Completing the Reform'*¹ early last year, the Committee decided to conduct an inquiry into reform of the Second Chamber. The Committee held three oral evidence sessions on this inquiry, which included witnesses from Members of both the House of Commons and House of Lords. They included the Lord Chancellor, The Rt. Hon. Lord Irvine of Lairg, and the Leader of the House, The Rt Hon. Robin Cook, MP. Our subsequent report on the Second Chamber has been widely recognised in the House as both authoritative and providing a way forward for the reform process. We were however disappointed to receive only an interim response to this report². In December last year, the Joint Committee on House of Lords Reform (whose terms of reference made specific reference to this Committee's report) published a report on the options for the future composition of the Chamber. Members of both Houses have recently voted on these options.

3. The Committee is conducting an inquiry into Public Service Reform, which will last for the whole Parliament. The first strand of this inquiry examined the 'Public Service Ethos' on which we held a total of seven oral evidence sessions. Our report outlined a proposed framework of values for the public service. We recommended that the Government should require all public service contracts to include a public service code which would enshrine and promote values of ethical propriety, democratic accountability and fairness as well as excellence in service quality. We published this report³ before the Summer Recess last year and we recently received the Government's response, which has been published as our First Special Report of this Session.⁴

4. The second strand of this inquiry is focussing on public service targets and league tables. We have so far held eight evidence sessions. For this inquiry (and also as part of the Committee's inquiry into Public Appointments and Patronage), we visited Bristol to gather evidence on league tables for hospitals, schools and police, taking oral evidence from those who work in the area's public services, and also senior figures in local government, the NHS and education. We expect to report on this inquiry in the spring.

5. The Committee published the latest report in its series on Ministerial Accountability and Parliamentary Questions⁵ which highlights the democratic importance of questions, and called for departments to stop providing inadequate answers. It raised the issue of the variable quality of replies, citing cases where responses were tardy, irrelevant, inaccurate or misleading. The importance of this issue has been recognised by the Speaker

¹ Cm 5291.

² Sixth Report: *'The Second Chamber: Continuing the Reform: The Government Response to the Committee's Fifth Report'*, Session 2001-02 HC 794.

³ Seventh Report: *'The Public Service Ethos'* Session 2001-02 HC 263-I.

⁴ HC 61.

⁵ Ninth Report: *'Ministerial Accountability and Parliamentary Questions'* Session 2001-02 HC 1086.

who, in a number of statements to the House, emphasised the role of this Committee in relation to ministerial responses. The Government's reply was published as an Appendix to the First Report from the Committee in the current session.⁶ Government agreed that Ministers should no longer be able to claim vague excuses when seeking exemption from answering written questions on the grounds that the information is confidential. Ministers will have to provide proper explanations, with specific reference to the 'open government code' on each occasion. The Committee has recommended this on several occasions and warmly welcomed the Government's move as a victory for Parliament. The Committee will continue to report on Ministerial Accountability and Parliamentary Questions on a regular basis. The Committee has recently written to all Members offering its further help in pursuing unsatisfactory ministerial answers, and a number of Members have already responded to the invitation.

6. The Committee's Third Report '*Special Advisers Boon or Bane: The Government Response to the Committee's Fourth Report of Session 2000-01*', included, as an Appendix, the Government Response to the report of last session. The report reiterated our concerns on the issue of special advisers which we felt were not fully addressed in the Government's response.

7. The issue of special advisers came up again when the Committee held an inquiry on Government Information and Communication. This looked at the relationships between ministers, civil service press officers and special advisers following the well publicised events at the former Department for Transport Local Government and the Regions (DTLR). The Committee took evidence on three separate occasions from: the Head of the Government Information and Communication Service, Mr Mike Grannatt; Sir Richard Wilson, Cabinet Secretary and Head of the Home Civil Service; Sir Richard Mottram, Permanent Secretary, DTLR; and also Mr Jonathan Baume, General Secretary of the FDA, which represents senior civil servants. The Committee reported on this inquiry in July last year.⁷ Our findings indicated that there was an urgent need for greater clarity about the work of special advisers and we called for a radical review of communications across government. We recommended that the Government should clarify the system of managing special advisers; and that the roles of the Permanent Secretary, Minister and the Prime Minister should be made clearer, particularly in relation to disciplinary matters. The Government's response, just published, accepted these recommendations.⁸

8. We have not had the opportunity to scrutinise any draft bills. But we are preparing to draft our own Civil Service Bill. This draft is expected to be ready early this year. We hope our draft would enshrine the core values of public service such as fairness and impartiality: it would set out how Parliament would protect those values and would give greater clarity to the constitutional position of civil servants.

9. A major focus for the Committee is the quality of administration provided by the Civil Service. We have held a number of sessions in pursuit of this goal. Evidence was taken from Sir Andrew Turnbull, just before he took up the position of Secretary to the Cabinet and Head of the Home Civil Service, in the summer of last year. The Committee also took evidence in its inquiry on the New Centre from three senior officials responsible for important units recently established at the centre of government: Professor Michael Barber, Prime Minister's Chief Adviser on Delivery, (Delivery Unit); Dr Wendy Thomson, Prime Minister's Chief Adviser on Public Services Reform, (Office of Public Services Reform); and Mr Geoff Mulgan, Director, (Strategy Unit). Other witnesses before the Committee have also included: The Deputy Prime Minister, The Rt Hon. John Prescott

⁶ First Report: '*Ministerial Accountability and Parliamentary Questions: The Government Response to the Committee's Ninth Report of Session 2001-02*' HC 136.

⁷ Eighth Report: '*These Unfortunate Events: Lessons of recent Events at the former DTLR*', HC 303 Session 2001-02.

⁸ Cm 5756.

MP; Minister for the Cabinet Office and Chancellor of the Duchy of Lancaster, The Rt Hon. Lord Macdonald of Tradeston; and the Minister of State, Cabinet Office, Mr Douglas Alexander MP. The Committee is expected to report on this inquiry in the next couple of months.

10. Another aspect of our work on the quality of administration is to scrutinise the work of the Ombudsman. We held four oral evidence sessions on 'Ombudsman Issues'. These have involved evidence from the Parliamentary Commissioner for Administration and the Health Service, Sir Michael Buckley, before he retired in November last year. We took evidence from the Cabinet Office Minister, Mr Christopher Leslie MP, on why the Government had failed to implement the changes to the Ombudsman system, as recommended by both this Committee and the Ombudsman. We also took evidence from the Cabinet Secretary and the Permanent Secretary at the Home Office in light of critical reports from the Ombudsman. In addition, we invited back a number of organisations who had given evidence in the previous session, to see if they had improved the quality of their administration.

11. Although as a non-departmental Committee we are not required to do so, we have responded to the spirit of the core tasks for Committees issued by the Liaison Committee in March 2002. We will be discussing the Cabinet Office departmental annual report with Sir Andrew Turnbull in March. Although the Cabinet Office is not a major spending department, we will be looking at its expenditure plans asking whether it has met its Public Service Agreement targets.

12. We are currently undertaking a major inquiry into Public Appointments and Patronage. A central theme of the inquiry is an examination of how well and how fairly the appointments system is working, and whether there is a need for improvement. The inquiry has also focussed on the need for wider participation in public life. We took oral evidence from Dame Rennie Fritchie, Commissioner for Public Appointments. In addition, we have taken evidence on a number of other occasions from a range of witnesses, including: the campaigner and musician, Mr Billy Bragg; Baroness Prashar, the First Civil Service Commissioner; former Member of Parliament, The Rt Hon Tony Benn; Mr Mark Thomas, the comedian and activist; and Mr Douglas Alexander MP, Minister of State, Cabinet Office. We expect to report on this inquiry early in the Spring.

13. At the end of the last Session, the Committee took oral evidence from Ms Elizabeth France, the Information Commissioner, during a single session concerning Freedom of Information issues. The topics discussed at this session consisted mainly of: the Information Commissioner's Annual Report; data protection; access to information; the Freedom of Information Bill; e-mail in government communications; and entitlement/ID cards. There are no plans to report on this inquiry at present.

14. In Session 2001-02, two of the Committee's reports were debated in Westminster Hall. The Sixth Report of Session 2000-01 *Public Participation: Issues and Innovations*, was debated during a Government Motion for the Adjournment in November 2001. The Second Report, again of Session 2000-01 on *Ministerial Accountability and Parliamentary Questions*, was also debated during a Government Motion for the Adjournment, in October 2002. The Fifth Report of Session 2001-02 on *The Second Chamber: Continuing the Reform*, was tagged on the Order Paper, in June 2002.

ANNEX**OBJECTIVE A: TO EXAMINE AND COMMENT ON THE
POLICY OF THE DEPARTMENT**

Task 1: To examine policy proposals from the UK Government and the European Commission in Green Papers, White Papers, draft Guidance etc, and to inquire further where the Committee considers it appropriate.

Task 2: To identify and examine areas of emerging policy, or where existing policy is deficient, and make proposals.

Task 3: To conduct scrutiny of any published draft bill within the Committee's responsibilities .

Task 4: To examine specific output from the department expressed in documents or other decisions.

**OBJECTIVE B: TO EXAMINE THE EXPENDITURE
OF THE DEPARTMENT**

Task 5: To examine the expenditure plans and out-turn of the department, its agencies and principal NDPBs.

**OBJECTIVE C: TO EXAMINE THE ADMINISTRATION
OF THE DEPARTMENT**

Task 6: To examine the department's Public Service Agreements, the associated targets and the statistical measurements employed, and report if appropriate.

Task 7: To monitor the work of the department's Executive Agencies, NDPBs, regulators and other associated public bodies.

Task 8: To scrutinise major appointments made by the department.

Task 9: To examine the implementation of legislation and major policy initiatives.

**OBJECTIVE D: TO ASSIST THE HOUSE IN DEBATE
AND DECISION**

Task 10: To produce Reports which are suitable for debate in the house, including Westminster Hall, or debating committees.

PROCEEDINGS OF THE COMMITTEE RELATING TO THE REPORT

Thursday 13 February 2003

Members present:

Tony Wright, in the Chair

Kevin Brennan
Annette Brooke
Sir Sydney Chapman
Mr Kelvin Hopkins

Mr Ian Liddell-Grainger
Mr Gordon Prentice
Mr Brian White

The Committee deliberated.

Draft Report [The Work of the Committee in 2002], proposed by the Chairman, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.—(*The Chairman.*)

Paragraphs 1 to 7 read and agreed to.

Paragraph 8 read.

Amendment proposed, in line 17, at the beginning, to insert after “fairness”, the words “, impartiality, competence and accountability” and leave out “and impartiality”.

Question put, That the Amendment be made.

The Committee divided

Ayes, 1

Mr Brian White

Noes, 3

Annette Brooke
Sir Sydney Chapman
Mr Gordon Prentice

Paragraph agreed to.

Paragraphs 9 to 14 read and agreed to.

Annex agreed to.

Resolved, That the Report, as amended, be the Second Report of the Committee to the House.—(*The Chairman.*)

Ordered, That the Chairman do make the Report to the House.

Ordered, That the provisions of Standing Order No. 134 (Select committee (reports)) be applied to the Report.

[Adjourned till Thursday 27 February at Ten o'clock.]

PUBLIC ADMINISTRATION SELECT COMMITTEE REPORTS: PARLIAMENT 1997–2001

Session 1997–98

First Report: Public Appointments (HC 327)

Government Response: Third Special Report, Session 1997–98 (HC 723)

Second Report: Annual Report of the Health Service Ombudsman for 1996–97 (HC 352)

Government Response: Fifth Special Report, Session 1997–98 (HC 1055)

Third Report: Your Right to Know: The Government's Proposals for a Freedom of Information Act (HC 398)

Government Response: Fourth Special Report, Session 1997–98 (HC 1020)

Fourth Report: Ministerial Accountability and Parliamentary Questions (HC 820)

Fifth Report: Report of the Northern Ireland Ombudsman for 1997 (HC 630)

Government Response: First Special Report, Session 1998–99 (HC 53)

Sixth Report: The Government Information and Communication Service (HC 770)

Government Response: Second Special Report, Session 1998–99 (HC 162)

Session 1998–99

First Report: Report of the Parliamentary Ombudsman for 1997–98 (HC 136)

Government Response: Fourth Special Report, Session 1998–99 (HC 817)

Second Report: Annual Report of the Health Service Ombudsman for 1997–98 (HC 54)

Government Response: Third Special Report, Session 1998–99 (HC 816)

Third Report: Freedom of Information Draft Bill (HC 570)

Government Response: Fifth Special Report, Session 1998–99 (HC 831)

Fourth Report: Ministerial Accountability and Parliamentary Questions (HC 821)

Fifth Report: Freedom of Information Draft Bill: The Committee's Response to the Home Office Reply (HC 925)

Sixth Report: Quangos (HC 209)

Government Response: First Special Report, Session 1999–2000 (HC 78)

Session 1999–2000

First Report: The Freedom of Information Bill (HC 78)

Second Report: Work of the Commissioner for Public Appointments: Appointments to NHS Trusts and Health Authorities (HC 410)

Government Response: Cm 5037

Third Report: Review of Public Sector Ombudsmen in England (HC 612)

Fourth Report: Annual Report of the Parliamentary Ombudsman (HC 106)

Fifth Report: Administrative Failure: Inherited SERPS (HC 433)

Government Response: First Special Report, Session 2000–01 (HC 264)

Session 2000–01

First Report: The Annual Report of the Health Service Ombudsman for 1998–99 (HC 60)

Government Response: Second Special Report, Session 2000–01 (HC 374)

Second Report: Ministerial Accountability and Parliamentary Questions (HC 61)

Government Response: Fourth Report, Session 2001–02 (HC 464)

Third Report: The Ministerial Code: Improving the Rule Book (HC 235)

Government Response: Second Report, Session 2001–02 (HC 439)

Fourth Report: Special Advisers: Boon or Bane? (HC 293)

Government Response: Third Report, Session 2001–02 (HC 463)

Fifth Report: Mapping the Quango State (HC 367)

Sixth Report: Public Participation: Issues and Innovations (HC 373)

Government Response: First Report, Session 2001–02 (HC 334)

Seventh Report: Making Government Work: The Emerging Issues (HC 94)

REPORTS: CURRENT PARLIAMENT

Session 2001–02

First Report: Public Participation: Issues and Innovations: The Government Response to the Committee's Sixth Report of Session 2000–01 (HC 334)

Second Report: The Ministerial Code: Improving the Rule Book: The Government Response to the Committee's Third Report of Session 2000–01 (HC 439)

Third Report: Special Advisers: Boon or Bane: The Government Response to the Committee's Fourth Report of Session 2000–01 (HC 463)

Fourth Report: Ministerial Accountability and Parliamentary Questions: The Government Response to the Committee's Second Report of Session 2000–01 (HC 464)

Fifth Report: The Second Chamber: Continuing the Reform (HC 494)

Government Response: Sixth Report, Session 2001–02 (HC 794)

Sixth Report: The Second Chamber: Continuing the Reform: The Government Response to the Committee's Fifth Report (HC 794)

Seventh Report: The Public Service Ethos (HC 263)

Government Response: First Special Report, Session 2002–03 (HC 61)

Eighth Report: "These Unfortunate Events": Lessons of Recent Events at the Former DTLR (HC 303)

Government Response: Cm 5756

Ninth Report: Ministerial Accountability and Parliamentary Questions (HC 1086)

Government Response: First Report, Session 2002–02 (HC 136)

Session 2002–03

First Special Report: The Public Service Ethos: Government's Response to the Committee's Seventh Report of Session 2001–02 (HC 61)

First Report: Ministerial Accountability and Parliamentary Questions: The Government Response to the Ninth Report from the Committee (Session 2001–02) (HC 136)

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