



House of Commons  
Public Administration Select  
Committee

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**Public engagement in  
policy-making**

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**Second Report of Session 2013–14**

*Report, together with formal minutes, oral and  
written evidence*

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## The Public Administration Select Committee (PASC)

The Public Administration Select Committee is appointed by the House of Commons to examine the reports of the Parliamentary Commissioner for Administration and the Health Service Commissioner for England, 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.

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## Summary

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In its plan for Civil Service reform, published in June 2012, the Government introduced “open policy-making”. This means engaging the public and experts from beyond the “Westminster village” in debates about policy and in the policy-making process itself, and establishing a new relationship with the citizen who becomes a valued partner to identify problems, discover new thinking and to propose solutions. It is a departure from more traditional approaches to public engagement, which have usually only occurred after the Government has already determined a course of action.

To govern is to choose. Open policy-making should take debate outside Whitehall and into the community as a whole, but ultimate responsibility and accountability for leadership must remain with Ministers and senior civil servants. Once again, we emphasise the importance of leadership in Government; of effective strategic thinking, which involves choosing between different arguments, reconciling conflicting opinions and arbitrating between different groups and interests; and of effective governance of departments and their agencies. A process of engagement, which can reach beyond the “Westminster village” and the “usual suspects”, will itself be an act of leadership, but there can be no abdication of that leadership.

There is great potential for open and contested policy-making to deliver genuine public engagement. There is also a risk of disappointment and scepticism amongst the public about the impact of their participation, and that Government listens only to the media, lobbying and “the usual suspects”. Ministers must commit sufficient time for public engagement to reach beyond Westminster. Digital technology and new media have a huge role to play. In time, the Government should be able to demonstrate that the citizen is able to contribute opinion, ideas and suggestions on an ongoing basis, if it is to be seen as moving away from old processes and embracing a new relationship with the citizen.



# 1 Introduction

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1. In its plan for Civil Service reform, published in June 2012, the Government sets out to improve the ways in which the public could be involved in the process of policy-making. This is both to improve government policy and to provide the public with the opportunity to participate and to influence policy. It wants the Civil Service to be more open to external influence and advice, stating, “open policy-making will become the default. Whitehall does not have a monopoly on policy-making expertise”.<sup>1</sup> This would require a different approach to working with the public and a new role for civil servants; the Civil Service would no longer be the sole source of policy advice.

2. PASC is an advocate of greater public engagement. In *Strategic Thinking in Government: without National Strategy, can viable Government strategy emerge?* (April 2012) we recommended that both the Government and Parliament engage with the public continuously to develop a deeper understanding both of how the public perceives our national interests, and of what sort of country the public aspires for the UK to be.<sup>2</sup> Our predecessor Committee also recommended in its report, *Governing the Future* (March 2007), that there was a need to use outsiders to debate issues and to build consensus, and that the ability to think strategically depended, in part, on a willingness to listen to challenges and contrary viewpoints.<sup>3</sup>

3. Following the new approach outlined in the Civil Service Reform Plan, we announced an inquiry into open policy-making, looking at how effective and genuine engagement with the public could be best achieved in order to support policy development, and what consequences this may have for the Civil Service. We have examined the Government’s proposed approach to policy-making and public engagement, in particular the concept of “open policy-making” and the use of digital platforms to promote direct participation. Our findings in relation to digital engagement will be considered in our forthcoming inquiry into the citizen and public services.

4. Over the course of the inquiry we received 14 memoranda and subsequently held three oral evidence sessions. Witnesses included Stephan Shakespeare, CEO of YouGov; Roger Hampson, Chief Executive of the London Borough of Redbridge; Catarina Tully of consultancy FromOverHere (and an adviser to PASC on strategic thinking in government);<sup>4</sup> and Professor Beth Noveck, author and former US Deputy Chief Technology Officer. Both written and oral evidence covered a range of issues, including:

- How current models of engagement promote or discourage people from being involved;
- The best tools and methods for public engagement in policy-making;

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1 Cabinet Office, *The Civil Service Reform Plan*, June 2012, page 14

2 Public Administration Select Committee, Twenty-fourth Report of Session 2010–12, *Strategic Thinking in Government: without National Strategy, can viable Government strategy emerge?*, HC1625

3 Public Administration Select Committee, Second Report of the Session 2006-07, *Governing the Future*, HC1231

4 Catarina Tully was an adviser to PASC in support of its Twenty Fourth Report of Session 2010-12, *Strategic thinking in Government: without National Strategy, can viable Government strategy emerge?*, April 2012, HC1625

## 6 Public engagement in policy-making

- The changes to be made by those carrying out public engagement activities; and
- The ways in which success or failure can be measured.

## 2 Why involve the citizen in policy-making?

5. This Government has set out to reform the relationship between the state and the citizen through ideas such as the Big Society, which the Coalition Agreement stated “offers the potential to completely recast the relationship between people and the state: citizens empowered; individual opportunity extended; communities coming together to make lives better”;<sup>5</sup> and through opening up public services and handing individuals and communities increased power where appropriate.<sup>6</sup> The changing nature of the relationship with the citizen was highlighted to us by Professor Beth Noveck, former US Deputy Chief Technology officer and author of *Wiki-Government: How Technology Can Make Government Better, Democracy Stronger, and Citizens More Powerful*:

the future of Government looks like a hybrid between strong government institutions [...] and networks of people—groups and individuals—participating in helping to make those institutions work better.<sup>7</sup>

6. The National Coordinating Centre for Public Engagement (NCCPE) suggested that citizen engagement in the policy-making process “helps institutions to keep abreast of public concerns and expectations and supports real-world problem solving” as well as demonstrating accountability and leading to socially-grounded decision making.<sup>8</sup> Sciencewise, a national centre for public dialogue in policy-making involving science and technology issues, similarly said that the likelihood of future unforeseen conflict could be reduced through engagement, and that final decisions were easier to implement because they were based on the best possible knowledge from a range of sources.<sup>9</sup> Involve, an organisation that supports organisations in engaging citizens, suggested that:

When done well, public engagement can have a number of advantages for policy-making, including strengthening the democratic legitimacy of policy, by ensuring that citizens are able to take and influence the decisions that affect their lives; increasing the accountability of government, by ensuring that citizens are aware and can respond to the decisions that government takes; and improving the quality of policy, by ensuring as broad a range of knowledge, views and values as possible are present in the process and ensuring that policy goes with the grain of public values.<sup>10</sup>

### The current approach to policy-making

7. The Government’s Civil Service Reform Plan states that “at its best policy-making in the Civil Service can be highly innovative and effective, but the quality of policy advice is not

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5 HM Government, *The Coalition: Our Programme for Government*, May 2010, page 8

6 About Open Public Services, [www.openpublicservices.cabinetoffice.gov.uk/about/](http://www.openpublicservices.cabinetoffice.gov.uk/about/)

7 Q 75

8 Ev 53

9 Ev 49

10 Ev 59

always consistent or designed with implementation in mind”, and goes on to identify a number of criticisms with the Government’s current approach to policy-making:

- Policy is drawn up on the basis of a range of inputs that is too narrow;
- Policy is not subject to sufficient external challenge before it is announced;
- The policy development process, and the evidence and data underlying it, is insufficiently transparent;
- Policy insufficiently reflects the reality experienced by citizens; and
- Policy is often developed with insufficient input from those who will have to implement it.<sup>11</sup>

8. These criticisms were common in the evidence we received. Professor Kathy Sykes of Bristol University, for example, said that “many people see policy-making as happening behind closed doors and as something they can’t influence”.<sup>12</sup> Catarina Tully, a Strategic Consultant and Director of consultancy FromOverHere, wrote that “there is insufficient challenge in policy-making. Policy-making can be too often lacking in transparency, not engaging the right citizens and consulting too narrowly”.<sup>13</sup>

9. Involve suggested in their evidence why this might be the case:

Government policy-making processes typically treat public engagement as a nuisance at worst and an optional extra or nice-to-have at best. This does not mean that there has not been significant activity, quite the opposite in fact, but that it has not been sufficiently valued or integrated in policy-making processes[...]. Current models of policy making are based on and reinforce a culture and structure within government that was designed for a bygone era in which the role and expectations of government were different.<sup>14</sup>

Involve went on to suggest that the public is only engaged when “assessing the acceptability of a policy idea during formation (e.g. through focus groups) or after a policy has been developed (e.g. through formal consultations)”.<sup>15</sup> Public engagement is, of course, far broader than simple consultation or the testing of ideas. The breadth of the term, including the difference between engagement and consultation, was something explained to us by a number of our witnesses.

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11 Cabinet Office, *The Civil Service Reform Plan*, June 2012, page 14

12 Ev 63

13 Ev 79

14 Ev 59

15 Ev 59

### **Defining public engagement: Comments from witnesses**

Simon Burall, Director of Involve

I think it means[...]citizens interacting with and receiving information from government all the way through to citizens having a collaborative approach with government and actually developing services with them. Consultation sits somewhere in the middle. Consultation for me has a very specific meaning: it means that government has developed policy to a point where it knows what it wants to do, and what it wants to do is engage on the details.<sup>16</sup>

Catarina Tully, Director of consultancy 'FromOverHere'

There are different types of public engagement, and it is very helpful to distinguish between the categories. You have expertise, deliberation on complex issues like GM, representation, then consultation, which is around legitimacy. We do these different forms of engagement at different times in the process and for different reasons.<sup>17</sup>

Stephan Shakespeare, Chief Executive Officer of YouGov

Engagement is people being involved, and consultation suggests some kind of formal process. [...]For me, the important thing for us to do is to distinguish between a consultation that is done because you feel it ought to be done, and a consultation that you do because you want it. They are very different things, but they are both valuable. You have a right to be heard perhaps, and therefore you create processes by which people can be counted and make their views felt. But if you actually want people's opinions because you think that they have different experiences that will contribute to making better policy, then you have to think about the process very differently.<sup>18</sup>

Mike Bracken, Executive Director, Government Digital Service

Consultation has a degree of formality to it, whereas engagement is an ongoing conversation.<sup>19</sup>

10. A common view in the evidence we received was that the public were cynical about public engagements undertaken by the Government, and that some believed engagement, particularly consultation, was used as “a fig-leaf of legitimacy for bad policy”.<sup>20</sup> The Centre for Economic and Social Aspects of Genomics (Cesagen) at Cardiff University said that “public engagement continues to be blighted by a perception that it is a reactive or post-hoc exercise, where public participation is at a stage of decision-making where its impact is purposely limited and negligible”.<sup>21</sup> Sciencewise drew a similar conclusion:

[...] public engagement in national decision-making has sometimes tended to be a reactive process, often commissioned by Government as a result of public dissatisfaction or the failure of a national policy. Engagement commissioned in this

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16 Q 101

17 Q 79

18 Q 16

19 Q 101

20 Ev 59

21 Ev 44

way usually occurs late in the policy cycle and is primarily seen as a way of rebuilding trust in a discredited decision-making process.<sup>22</sup>

**11. Through ideas such as “the Big Society” and “Open Public Services”, the Government is aiming to redefine the relationship between the citizen and the state, enabling and encouraging individuals to take a more active role in society. The process of policy-making is one where the public can play an active and meaningful role, and it is right that the citizen and people with knowledge and expertise from outside Government should have the opportunity to influence the decisions of Government.**

## 3 Involving the citizen and experts from outside Government in policy-making

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12. The Civil Service Reform Plan sets out to address the current criticisms of policy-making with proposals to offer the public the opportunity to become more involved in the overall policy process. It states that “open policy-making will become the default. Whitehall does not have a monopoly on policy-making expertise”.<sup>23</sup> The plan pledges two separate actions: “open” policy-making and “contestable” policy-making. This is a departure from more traditional approaches to public engagement, namely public consultation, which has usually only occurred after the Government has already determined a course of action.

13. A “clear model of open policy-making” is explained in the Civil Service Reform Plan as one that exploits technology and social media to engage the public in debates about policy and in the policy-making process itself. In an open policy-making model, it is understood that involvement of the public is sought before proposals have been formulated. As well as referring to “web-based tools, platforms and new media”, the plan mentions “crowd sourcing” to help to define particular problems, instead of only consulting on solutions, and using “policy labs” to test policies with a range of people and organisations before implementation.<sup>24</sup>

14. The second proposed action, “contestable policy-making”, is one in which external sources are given the opportunity, through competition, to develop policy. The Civil Service Reform Plan states that this approach has “the additional benefit of bringing in expertise on specific subject matter when it does not exist in the Civil Service”. This approach has been described as “outsourcing” of policy-making. To achieve this, the Government has established a central match-fund, known as the Contestable Policy Fund, which is worth up to £1 million per year, allowing departments “to bid for an allocation of £500k funding (and provide £500k match funding themselves) to open up specific pieces of policy development to competition”.<sup>25</sup>

### Ministers and the Civil Service

15. This change in approach raises questions about the role for Ministers and their relationship with civil servants as the principle source of policy advice. Roger Hampson, Chief Executive of the London Borough of Redbridge, summarised the challenge in implementing open policy-making for those responsible for policy development:

[...] if you are not careful, overwhelming public opinion will push in some direction that makes no sense and takes people off the cliff. The role of politicians, political actors and bureaucrats is to try to match what people think or what people are influenced to think with reality in very short timescales. That is going to be

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23 Cabinet Office, *Civil Service Reform Plan*, June 2012, page 14

24 As above

25 Cabinet Office, *Civil Service Reform Plan*, June 2012, page 15

enormously difficult. The Civil Service needs to be thinking, “How the hell do we deal with that?”<sup>26</sup>

16. The Civil Service Reform Plan recognised this challenge and stated “We will continue to need excellent policy managers within Departments, including to support Ministers in securing collective agreement and in translating all policy ideas into delivery”.<sup>27</sup> The majority of the evidence supported this approach and witnesses stressed that leadership was important. Sciencewise suggested for example that “Government must take final responsibility for making fair and balanced policy decisions that are informed by a range of evidence, including from the public”.<sup>28</sup>

17. The National Co-ordinating Centre for Public Engagement stated that “there are significant cultural and professional challenges which will need to be addressed if the Civil Service is to embrace public engagement with the kind of strategic purpose it deserves”.<sup>29</sup> Tom Steinberg, Director of MySociety, made similar comments, suggesting that “the primary failing that we have had is lots of experiments that are skin deep[...] behind the scenes the processes remain largely unchanged, which is very common”.<sup>30</sup>

18. Evidence suggested that those civil servants involved in policy development will need to change the overall approach to their role, which Catarina Tully predicted would evolve to become one of “a custodian or guardian of the process, at the heart of decision-making”.<sup>31</sup> Stephan Shakespeare of YouGov argued that the future role of civil servants may be in “vouching for the fairness, inclusivity and the representativeness of the process”.<sup>32</sup> Sciencewise referred to the support required to make this happen; “not enough thought has been given to including public engagement in training for policy-making and that it should be an integral part of what it means to be a policy-maker”.<sup>33</sup>

19. The culture shift that this new approach requires is not only applicable to civil servants but to Ministers, who will need to understand the need for engagement to become an integral part of day-to-day work. Catarina Tully suggested that “Ministers and senior officials are rarely prepared to devolve or give decision-making power to other actors, engage with unpopular voices, respond to ideas that are not Whitehall mainstream options, or try uncomfortable or unknown policy approaches”.<sup>34</sup> She also told us:

If you want to understand what is causing barriers to civil servants doing this, I would propose it is two other things. It is not about capacity or stubbornness. It is about having the time to do this effectively and being rewarded for it; and also having the political space. This area is not addressed in the Civil Service Reform Plan, which

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26 Q 81

27 Cabinet Office, *Civil Service Reform Plan*, June 2012, page 16

28 Ev 49

29 Ev 49

30 Q 2

31 Q 83

32 Q 56

33 Ev 49

34 Ev 85

is really problematic; it is not in the interests of politicians to open up to the risk of having a lot of this decided by constituencies. Until you address that, it will be very difficult to get civil servants to be open and do open policymaking as much as we want them to.<sup>35</sup>

## Implementing new techniques in policy-making

20. In September 2012 it was announced that the first contract under the new Contestable Policy Fund had been awarded to the Institute for Public Policy Research, who were asked to “carry out a review into how other civil services work, with a particular focus on accountability systems” in order to inform future Civil Service reform.<sup>36</sup> A number of leading think tanks, including Reform and the Institute for Government, declined to bid for the contract, citing ongoing similar work, a need for independence and the timescales proposed in the contract as their reasons.<sup>37</sup>

21. There are international examples of open policy-making. In the New Zealand Parliament, for example, bills are directed to the relevant Select Committee after first reading, which then calls for the public to make submissions on the bill, hears evidence and recommends amendments to the House. The Committee reprints a copy of the bill alongside a report explaining the reasons for any recommended amendments based on the evidence gathered.<sup>38</sup> In the UK, formative efforts are being made to implement open policy-making, examples of which are summarised below. These, in our view, are good examples of how the Government has captured the wisdom and experience of those subject to, or affected by, regulation which so rarely occurs by means of traditional “consultation”.

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35 Q 82

36 Cabinet Office press notice, *Government's first use of the Contestable Policy Fund*, 18 September 2012,

37 Institute for Government, *Improving accountability – an urgent search without easy solutions*, 17 September 2012; The Guardian, *Thinktanks fear lack of independence in Cabinet Office tender*, 3 September 2012

38 New Zealand Parliament, *Parliament Brief: Select committees*, How Parliament works fact sheets, [www.parliament.nz](http://www.parliament.nz)

## Open policy-making in Government

### The Red Tape Challenge

In 2011, the Government launched the Red Tape Challenge which was designed to “crowd-source” views from business, organisations and the public on which regulations should be improved, kept “as is” or scrapped. A number of different areas of regulation were highlighted, and the public could submit views during a five week window for each, supported by “sector champions”, who acted as a link between the sector and Government. These comments influenced the decisions to scrap or overhaul over 1,100 regulations (of the 2,300 examined by November 2012).

### Care and Support White Paper and Draft Bill

In the summer of 2012 the Department of Health created two “dedicated engagement spaces to invite public comments on the draft Bill and explain the White Paper policies”. People were able to comment publicly on individual clauses or answer questions by topic, or respond to other people’s comments and generate discussion. A dedicated Twitter feed was also created, @caresupportbill, which summarised each clause in a tweet and influenced debate in social media (including triggering discussion in independent podcasts). The department aimed to “close the circle” by explaining how people’s comments were influencing changes to the Bill.<sup>39</sup>

22. The “Inside Government” area of GOV.UK currently gives individuals access to departmental information, policy, publications and consultations. The Government Digital Service website states:

This “get involved” layer will start small, with a simple explanation of what consultations and e-petitions are, and a way to see all the formal consultation papers from all the organisations who have moved to GOV.UK in a single list [...] we expect to be highlighting not only formal consultations but all the other ways citizens can participate with government, including opportunities for less formal digital engagement and the kinds of civic participation profiled by Number 10.<sup>40</sup>

We heard from Mike Bracken, Executive Director of the Government Digital Service, that the development of the GOV.UK website itself had been subject to significant open engagement and involvement. The first iteration of the website was developed with a small number of people, then tested with thousands, and improved on the basis of their feedback.<sup>41</sup>

23. Overall the evidence we received was broadly supportive of the move to increase the scope of public engagement in policy-making. Stephan Shakespeare, CEO of YouGov said to us that:

39 Cabinet Office, *Government Digital Strategy*, 6 November 2012

40 Government Digital Service, *What you won't see (yet) on Inside Government*, 14 November 2012

41 Q 91

I think the words and the intention of Government are clearly in the right direction here. The acknowledgement about open policy-making is to be welcomed; you know that the people behind this believe and care about it.<sup>42</sup>

**24. The proposals for both “open” and “contestable” policy-making demonstrate that Government recognises the value of public opinion in helping to identify problems and develop solutions. Open policy-making builds on the more traditional models of engagement and aims to put in place new ways of working with the citizen, who will become a valued partner in the policy-making process. We have, in previous Reports, supported and recommended greater public engagement and dialogue and we are pleased to see the Government is interested in this approach to policy development.**

**25. To govern is to choose. Open policy-making should take debate outside Whitehall and into the community as a whole, but ultimate responsibility and accountability for leadership must remain with Ministers and senior civil servants. It will always be for Ministers to determine the overall strategy and key objectives of Government, such as for the limits of public spending or for the need to spend on less popular programmes, and civil servants will still be required to support Ministers in the tasks and thinking associated with that. This is important not only for ministerial accountability but supports the principle of representative democracy. We agree with the assertion in the Civil Service Reform Plan that Ministers should have the final say on whether to accept policy advice generated in this new way. There can be no substitute for Ministers’ responsibility for Government policy and its outcomes.**

**26. While it will always be for Ministers to determine the overall strategy and key objectives of Government, we believe that there is great potential for open and contested policy-making to deliver genuine public engagement. If the Government wants to maximise the benefits of this new approach to policy, it will mean far more than simply being an encyclopaedia of information, policy and guidance. We believe it will mean adopting an open source, or “wiki”, approach to policy; that is one in which public opinion, ideas and contributions are sought and welcome at any and all stages of the policy cycle, continually to inform the strategy and policy of Government. In time, the Government should be able to demonstrate that it has adopted this approach if it is to be seen as moving away from old processes and embracing a new relationship with the citizen. Once again, we emphasise the importance of leadership in Government; of effective strategic thinking, which involves choosing between different arguments, reconciling conflicting opinions and arbitrating between different groups and interests; and of effective governance of departments and their agencies. A process of engagement, which can reach beyond the “Westminster village” and the “usual suspects”, will itself be an act of leadership, but there can be no abdication of that leadership.**

***27. If open policy-making is to succeed civil servants will need to integrate ongoing public engagement into “the day job”. The Civil Service does not have a monopoly on policy-making but civil servants are well placed to act as the guardians of the policy process, ensuring representation, analysing, moderating and support must be given to help civil***

*servants with the transition to this new way of working. Training on public engagement should be routinely included in wider policy development training and leadership programmes. This should include, for example, information on the benefits of engagement, tools and techniques, as well as analysis of evidence.*

28. Open policy-making requires Ministers to commit the time for public engagement and dialogue with groups and experts outside Whitehall. This is different from responding to media pressures and lobbying, which rarely enables Ministers to reach beyond the “Westminster village”. *Ministers will need to drive forward the necessary understanding within their departments to help this to happen. To support them in this, public engagement in open policy-making should be addressed in the induction programme for Ministers.*

## 4 Addressing the risks

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29. Catarina Tully suggested in evidence that good public engagement means being open to risk.<sup>43</sup> We asked the Minister for the Cabinet Office what risks there were in outsourcing policy-making in the way proposed. He responded “I do not think there are any risks. What risks would there be?”<sup>44</sup> The evidence we received, however, suggested that there are a number of risks in changing and opening up policy-making processes to the public that need to be addressed, but these are not about Government being hijacked by bad ideas, they are about such risks as the failure to protect the process from dominance by vested interests, the failure of the process to meet public expectation and the failure to generate sufficient public interest.

**30. All policy-making carries risks and the risks in open policy-making need to be accepted and addressed if it is to succeed. A failure to do so would exacerbate problems such as a lack of appetite for participation, disappointment arising from unrealistic expectations and the dominance of vested interests. They require appropriate measures to be put in place to mitigate them. The Government should undertake a risk analysis of open and contestable policy-making proposals in every case. This should set out the steps that will be taken to address the key risks identified.**

### Inclusion, representation and vested interests

31. Professor Kathy Sykes suggested there was a danger open policy-making activity could become dominated by a single group or groups and that “there are risks if engagement is not inclusive or if it is seen as representing only sections of society”. She went on to argue that:

Care is needed in any engagement approach to get beyond the people with vested interests, and beyond the people who are most articulate and most aware of policy ‘opportunities’. [...] Marginalised groups can often feel less of a sense of ‘agency’ and less able to bring about change, so they will need extra effort to include.<sup>45</sup>

32. Cesagen raised the same concern:

Public engagement exercises in policy-making may ultimately comprise a somewhat homogenous and unrepresentative group of the ‘likely candidates’ and/or those with vested and or equivalent interest, tending to dominant or monopolise dialogue, control the ebb and flow of dialogue themes and orientations.<sup>46</sup>

33. Arguments such as these have been made in opposition to contestable policy-making. In a survey of the Guardian Public Leaders network, consisting of people who are involved in public services, 81.6% of the 500 respondents were against the move to contestable policy-making, citing “undue influence over policy-making from private companies with

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43 Ev 85

44 Q 231

45 Ev 63

46 Ev 44

vested interests or thinktanks with their own political views” as their concerns.<sup>47</sup> To resolve this, Involve suggested that “the size of policy-making contracts will need to be large enough to support a rigorous process and public engagement must become an integral part of how proposals are assessed”.<sup>48</sup> This was echoed by Professor Kathy Sykes who suggested that contestable policy-making could provide opportunities for engagement of the public if it made a requirement to do so. The Cabinet Office said that “The degree and type of public engagement that may be possible and desirable in pieces of policy development that are procured under the contestable policy-making fund will depend on the nature of the individual projects”.<sup>49</sup>

***34. Care must be taken to ensure that open policy-making processes are not dominated by those with vested interests, powerful lobbyists or “the usual suspects” who are aware of policy “opportunities”. This is particularly true for contestable policy-making, in which one group or organisation will be tasked with providing recommendations to Government on a particular problem. As a minimum, contracts awarded through the contestable policy-making fund must require organisations to undertake appropriate public engagement and demonstrate this influenced its conclusions.***

## Managing expectation about public engagement

35. A further risk is that the expectations of those who choose to be involved are not managed, resulting in disappointment and a loss of enthusiasm if the process or outcome of engagement is not what was expected. Professor Kathy Sykes stressed the need to manage public expectations of the level of influence they would have on the final decision: “if the public’s expectations are not managed, and the public don’t feel listened to, they can feel frustrated and think that the exercise has been hollow”.<sup>50</sup>

36. To address this Involve recommended that Government should:

[...]clearly define any boundaries for discussion (and its reasons) at the outset of a process and openly and transparently state why it is rejecting any recommendations from a public engagement process” in order to manage this.<sup>51</sup>

37. In addition Dr Penny Fidler, CEO of the UK Association for Science and Discovery Centres, suggested that being able to demonstrate at the end of the process how evidence gathered has been used is important:

We know from a wide range of face-to-face Government consultations that science centres and museums have been involved over the years, that the public is happy to give their time, ideas and views, provided they are sure their input will be part of the

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47 The Guardian, *Senior public servants oppose move to outsource policy-making*, 5 November 2012.

48 Ev 59

49 Ev 69

50 Ev 63

51 Ev 65

evidence used to make the decision. To engage and collect evidence, and then not use it, breaks trust which is hard to regain.<sup>52</sup>

**38. Where citizens are engaged in policy-making, the Government must manage their expectations about public engagement. Open policy-making should empower citizens and make them feel their time and contribution has been worthwhile. This means being clear about the purpose of engagement and the limits of what the process is intended to achieve, as well as providing feedback on the findings of engagement activity and the reasons for decisions taken as a result. Departments should ensure that a mechanism for feedback to the public is built into all engagement activity, including reasons why choices and decisions have been taken, based on the evidence available.**

## Public appetite

39. In its memorandum to our inquiry, the Government cited research by Ipsos-MORI which suggested that “almost six in ten of the public want to be actively involved in decisions shaping public services”.<sup>53</sup> However the same research, based on Ipsos-MORI polling, goes on to show that there is a difference between “supporting the idea of involvement and the reality of getting involved with available structures for involvement”.<sup>54</sup> Indeed, when we asked for evidence to suggest that there was a demand for more public engagement in policy-making, the Minister for the Cabinet Office responded:

I do not know that there is a huge amount of evidence for it. There is a belief, which I share, that a process of policy-making that is closed and exclusive sometimes leads to a narrower and more conventional approach than perhaps is possible or desirable.<sup>55</sup>

40. Roughly a third of adults in England engage in some sort of “civic participation” (for example, contacting an elected representative, taking part in a public demonstration or protest, or signing a petition). Far fewer—only one in ten—are involved either in direct decision-making about local services or issues, or in the active provision of these services by taking on a role such as a local councillor, school governor or magistrate.<sup>56</sup> The Hansard Society’s *Audit of Political Engagement 9* summarised citizens’ approach to civic and political activity based on their research:

One issue unites the public regardless of levels of interest, knowledge, and satisfaction with the system, and of differences in age, gender and social class: the degree to which people feel that getting involved in the political system is effective. In short, most members of the public simply do not think that if they, or people like themselves, were to get involved in politics they could have any impact on the way the country is run.<sup>57</sup>

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52 Ev 48

53 Ev 69

54 Ipsos MORI, *What do people want, need and expect from public services?*, March 2010, page 34

55 Q 158

56 Office for National Statistics, *Measuring National Well-being – Governance 2012*, October 2012, page 8

57 Hansard Society, *Audit of Political Engagement 9. The 2012 Report: Part One*, page 21

41. Evidence also suggested that people tend to engage only in issues which are of personal importance to them. Redbridge Borough Council suggested in its written evidence that:

[...] the public is motivated to take part because they believe they have something to lose or gain, not because they want to help the democratic process. Therefore there has to be a compelling call to action, preferably with a ‘burning platform’ issue—the loss of an amenity or service.<sup>58</sup>

42. This was echoed in evidence provided by Stephan Shakespeare, Chief Executive of YouGov, who said “If you are looking at changing the parking regulations in your street, people can get very engaged”.<sup>59</sup> In addition he went on to explain that some citizens may choose to defer their involvement to others:

[...] when there is a community group and there is change, people are usually happy but do not all attend the meetings. They really care about it because it really matters to them, but they are quite happy to leave it to a minority of their fellow citizens they trust to do it. People make those decisions. Having low turnouts does not mean they do not care. If they thought it mattered or they could have an effect on something, they would get involved.<sup>60</sup>

**43. Citizens will be most likely to engage with Government if they believe they can make a real difference or where the issue affects them. We believe the Government has the difficult task of ensuring adequate public participation in open policy-making. Without this, the process will be of little value. *The Government must take steps to build confidence in the open policy-making process and to ensure that participation is sufficient to make the exercise meaningful and worthwhile.***

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58 Ev 65

59 Q 22

60 Q 22

## 5 The role of digital technology

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44. The Government’s Digital Strategy outlines the intention for Government to become “Digital by Default”, which it explains as “digital services that are so straightforward and convenient that all those who can use them will choose to do so whilst those who can’t are not excluded”.<sup>61</sup> The Civil Service Reform Plan refers specifically to the role of technology and social media in delivering open policy-making, and the Digital Strategy itself states that:

Transactional services and information are the primary focus of our digital by default approach, but digital also provides ways to improve the broader policy making process, through better engagement and consultation. It has the potential to transform democratic participation in the policy process, and improve the design of policy itself. The Civil Service Reform Plan states “Open policy making will become the default” and we will use digital to achieve that outcome.<sup>62</sup>

According to the Government’s Digital Strategy departments will also “incorporate plans in their departmental digital strategies to listen to and understand conversations in social media, use the insight gained to inform the policy-making process and to collaborate more effectively with partners”.<sup>63</sup>

45. The evidence we received highlighted the benefits of harnessing digital technology for the purposes of policy development. Sciencewise stated, for example, that technological developments provided “the opportunity of greater levels of dialogue and involvement of more members of the public and other stakeholders”. Catarina Tully suggested that “web-based forms of engagement create great opportunities: facilitating input into decision-making, enhancing oversight, and making community ownership of public assets possible”.<sup>64</sup>

### Making the most of digital technology

46. We were particularly impressed by two examples of digital engagement, which are summarised below. The benefits of the form of engagement undertaken by the London Borough of Redbridge, who consulted the public on their budget, is that the public has to engage with the consequences of their preferences, as well as confronting political leaders with their aspirations. The Peer-to-Patent model also provides an interesting and innovate approach to engagement. In our view, this success rests on the fact that the process is contained and the objectives and limitations are well defined and understood by those of the public who are participating.

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61 Cabinet Office, *Government Digital Strategy*, 6 November 2012, page 5

62 As above, page 37

63 As above, page 37

64 Ev 49 and Ev 79

### Examples of digital engagement with decision makers

#### **YouChoose (London Borough of Redbridge)**

Used as an alternative to paper based consultation, the London Borough of Redbridge developed a web based tool in conjunction with YouGov and the Local Government Association which presented users, principally Redbridge residents, with a simplified version of the Council's budget areas and a series of graphical "sliders". Users could adjust the budget with the sliders, but had to always achieve a balanced budget. The information produced was analysed and presented to elected Councillors, who retained the responsibility for making final decisions. In its written submission, the Council explained that "the consultation results and the final budget decisions about savings were broadly similar" but, had they not been, "politicians would have had to change their policy or explain why an unpopular decision was the right one".<sup>65</sup>

#### **Open policy-making: Peer to Patent (US Patent Office)**

Professor Beth Noveck, former US Deputy Chief Technology officer and author of *Wiki-Government*, was responsible for the creation of Peer-to-Patent, a pilot project with the US Patent Office that enabled interested members of the public to expand the resources of the Patent Office in finding examples of "prior art" (public information that might be used to decide a patent's claims of originality). To tackle the backlog of certain types of patent, those applying for patents were incentivised to take part by the possibility of faster consideration of their own application, but they had to bear the risk that it might be seen by competitors. Small groups of users worked on each patent application, and members of the group could indicate or vote on each other's contributions according to whether they found them useful and constructive. This enabled the Patent Examiner, who retained responsibility for making the final decision, to sift the highest quality contributions from the rest, and to keep the amount of information supplied manageable. It also enabled the group to police itself and, for example, identify any attempts by the applicant's competitors posing as reviewers to undermine the application. Splitting the jobs of researching, commenting and comparing prior art also kept the workload for any one individual manageable, and reduced the risk of one person or group acting together to "capture" the process.<sup>66</sup>

47. When asked whether the use of digital technology within Government was delivering better and genuine engagement, Mike Bracken, Executive Director of the Government Digital Service, suggested that developments such as the GOV.UK website meant that "for the first time, users do not have to know the inner workings of Government to engage with government. You do not have to know all the details about how Government is structured to petition Government or to find government information". He also suggested, however, that more needed to be done in the use of the internet to change policy and public perception, saying that he hoped "to see a much higher level of ambition statement in the

65 Ev 65

66 Beth Noveck, *Wiki-Government: How Technology Can Make Government Better, Democracy Stronger, and Citizens More Powerful* (2009)

departmental digital strategies, so we should see a higher level of radical ambition, I hope, for our core services by the end of the year”.<sup>67</sup>

48. In evidence, witnesses discussed the value of Government using existing social media platforms, such as Facebook and Twitter, in engaging with the public. Mike Bracken told us that government services were beginning to use social media to have conversations and senior civil servants were beginning to use these types of digital platforms.<sup>68</sup> Both Catarina Tully and Professor Noveck endorsed the use of social media for certain purposes, but felt that its use for deliberation, which Sciencewise defined as responding to each other’s views exchange learning and interpret responses, was limited.<sup>69</sup> Catarina Tully advised civil servants to “go to where the conversations are being held” to hear what people thought, rather than setting up new structures.<sup>70</sup> Professor Noveck agreed:

[...]the cost of using things like Facebook and Twitter, and building that into the daily work of press operations and whatnot, is relatively low. They are excellent ways of broadcasting out and reaching people in the same way we use television, radio, newspaper or other traditional media. For other kinds of collective action, or organising other kinds of processes, we do need some purpose-built tools.<sup>71</sup>

49. However, evidence suggested that whilst digital technology represents an opportunity for successfully implementing greater levels of public engagement in policy-making, civil servants lack the skills to use it well. In considering the skills required to push forward innovation, Professor Nigel Shadbolt, of the University of Southampton, said that “The level of public technology skills across Government is simply not fit for purpose”.<sup>72</sup> Mike Bracken agreed, saying that “some departments and some big agencies have outsourced so much of their capacity over the last decade that they have no one to define their own technology architecture and also their digital skills”.<sup>73</sup> In considering digital skills and their link with policy, Simon Burall, Director of Involve, summarised the main problem:

One of the issues and one of the big skills gaps is the people who understand how to engage the public do not necessarily really get digital, and the digital people do not necessarily get public engagement. There is a real need to begin to find ways to get teams to work together and to begin to train across those teams in different ways.<sup>74</sup>

**50. We share the view that digital technology has a significant role to play in opening up policy-making. It has the potential to allow those citizens who are digitally enabled to interact with the Government in new ways, as well as to allow the Government to expand its reach in a cost effective way. The Government is making progress in its approach to using digital technology, but we believe that digital engagement for the**

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67 Q 116

68 Q 141

69 Ev 49

70 Ev 79

71 Q 79

72 Q 111

73 Q 109

74 Q 111

purposes of policy-making could go further and embrace radical and innovative approaches which support the genuine and continuing involvement of citizens in policy. The Peer-to-Patent project, in which experts collaborated on patent applications for the US patent office, is an excellent example of innovation which not only allowed citizens to contribute their knowledge, but also reduced the backlog of applications within the department. The lesson of this success appears to arise from the fact that the objectives and limitations of the process of engagement were clear and understood. *We recommend that departments pilot a similar approach in order to test its effectiveness across different areas of policy and with different sections of the public.*

51. *In order to use digital technology effectively in open policy-making, digital experts within the Civil Service and outside should work more closely with policy teams to explore opportunities for digital engagement and to provide support in carrying out digital engagement activity. For example, the Department of Energy and Climate Change could trial the use of eBay, Amazon and supermarket websites to open up the Green Deal and allow residents to access this offer through established retail channels. The same approach could be tried using the Right To Buy, and the Help To Buy programmes.*

52. A number of digital infrastructures, such as Twitter, are already well established and well used by citizens. In most circumstances, there may be no need to recreate systems such as these in order to carry out open policy-making activity. *Wherever possible, the Government should use existing digital platforms to engage with citizens and to avoid “reinventing the wheel” or running costly parallel systems.*

### The limitations of digital: other forms of engagement

53. Our evidence suggested that digital engagement tools should not be used to the detriment of other forms of engagement. Instead it was suggested that the place of digital technology should be considered within a particular engagement exercise. Simon Burall suggested that the focus in the first instance should be on the problem in question and how digital could in turn support a solution:

What problem are you trying to solve? What is it the public have that will help you solve that problem, and then is the internet the way to do it? Is it the internet plus offline engagement? If you ask the question, “What can the internet do for us?” you risk getting it very badly wrong.<sup>75</sup>

He went on to say:

If you want deep engagement on quite a complex issue, say drugs policy, doing it by the internet would be a really bad way of doing it. What you would want to do is go offline. It comes back to my point that, if you think the internet is the tool that is going to solve your problems with public engagement, you are going to run into exactly the problems you are running into, because you are not thinking about what this tool allows you to do and what it does not allow you to do.<sup>76</sup>

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75 Q 116

76 Q 118

54. Those that were supportive of digital technology also warned against the dangers of relying too heavily on digital platforms to improve engagement. The National Coordinating Centre for Public Engagement (NCCPE) stated in written evidence that “While digital platforms can help to achieve a greater volume of responses with fewer resources, many topics require longer-term engagement and the kind of deliberation that can be achieved through a well-managed public dialogue”.<sup>77</sup> The UK Association for Science and Discovery Centres in their written submission agreed, stating that “social media is only part of the answer as it appeals to only a subset of people, with a subset of interests”.<sup>78</sup> Involve suggested that:

While digital engagement has a number of benefits and should certainly play an integral role in public engagement in future, it also has a number of comparative weaknesses (e.g. deliberation, conflict and ownership) and should therefore not be used to the exclusion of other methods where they are more appropriate.<sup>79</sup>

55. Evidence also suggested that some citizens might be excluded from engaging in the policy-making process if too much focus is given to digital means of engagement. According to figures published in the Government Digital Strategy, the percentage of UK adults who access government information or use government services online has been stable for the last five years at just over 50%. It also notes that:

Those in higher socio-economic groups (ABCs) are more likely to be online, with 92% regularly or occasionally accessing the internet. 28% of disabled people are not online (rarely access/have never used the internet), and older people are more likely to be offline than other age groups (however 59% of people aged over 65 are online). Geography doesn’t appear to have too great an influence on whether people access the internet or not, as people are offline in urban, suburban and rural areas.<sup>80</sup>

56. Professor Kathy Sykes suggested that “if digital platforms are the only way people can participate, some people will be left out. At times, some of those very people, whether the elderly, or disabled, will be some of the most important, valuable voices to hear”.<sup>81</sup> In our evidence, the importance of face-to-face engagement was highlighted. Sciencewise wrote that “the choice between digital and face-to-face engagement needs to be made in each case based on the particular policy context. In some cases face-to-face engagement provides an irreplaceable function”.<sup>82</sup> Research Councils UK (RCUK) promoted “policy which integrates digital technology and face-to-face dialogue to promote direct public participation”.<sup>83</sup>

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77 Ev 53

78 Ev 48

79 Ev 59

80 Cabinet Office, *Government Digital Strategy*, 6 November 2012, page 12

81 Ev 63

82 Ev 49

83 Ev 49 and Ev 57

**57. We support the use of digital technology in open policy-making, but it should not be used to the detriment of other forms of engagement. The proposals within the Civil Service Reform Plan do not appear to give equal weight to other forms of engagement in open policy-making. We are concerned that given the proportion of some groups that do not use the internet, such as the disabled and elderly, the Government risks excluding many people from policy-making process. There are ways of compensating for this imbalance, but it is essential to use other forms of engagement as well. *The Government should be able to demonstrate that digital methods used in engagement exercises are suited to the needs of those they are trying to engage. Concrete goals should be set, relative to the importance of digital platforms in peoples' lives. For example, if 50% of Britons have a Facebook account, Whitehall interactivity via Facebook should reflect this. Clear guidance should be set for the wider public sector.***

## 6 Measuring success

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58. The importance of understanding and measuring the success of engaging the public in policy-making was summarised by Cesagen:

Evaluation [...] is required not just for public engagement activity but the means and process thereafter where the outputs of public engagement translate into outcomes for policy. This requires substantial investment in tracking and mapping the travel of public engagement outputs and their impact in policy contexts. A cartography [map] of public engagement policy impacts would endlessly improve the value attributed to public engagement among public cohorts and also provide a manual for publics in maximising their influence.<sup>84</sup>

59. Professor Kathy Sykes suggested that:

Policy-makers need to reflect and record how any piece of public engagement has: helped, or hindered them; what they would have done differently, the costs and time involved; and what might have happened without the activity. These need to be compared systematically.<sup>85</sup>

60. The Cabinet Office referred to a number of factors that could be used to judge the success of a public engagement exercise, including the number of responses received, perceptions of the Government's responsiveness, and the avoidance of dominance by a single-interest group. It stated:

Insofar as public engagement contributes to a healthy democracy, success will mean more active and meaningful engagement with citizens on the policy in question. Insofar as public engagement makes better policy, success will mean that there are links between engagement activities and better policy outcomes. However, given the many forms that public engagement in policy making can take, it is natural that success or failure can be measured in a number of ways. [...] Particular success measures will depend on the tools and techniques adopted to address a particular policy question, and the context in which they are used.<sup>86</sup>

61. We received little evidence from the Cabinet Office specifying what management data the Government intends to collect in practice to assess the implementation and effectiveness of different approaches to public engagement in policy-making. Indeed when asked whether there should be some baseline data against which to measure the success of open policy-making, the Minister for the Cabinet Office replied "I do not know how you would measure it". When pressed on this issue, particularly as to how success could be determined, the Minister responded "I am not aware of any means of measuring it".<sup>87</sup>

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84 Ev 44

85 Ev 63

86 Ev 69

87 Q 170

62. The difficulties of determining measures for success were recognised by our witnesses and in written evidence. Sciencewise argued that:

the assessment of the success or failure of public engagement must be based on the purpose of the exercise. An engagement process which primarily aims to make better informed decisions will have to be judged differently to one which primarily aims to simply provide information[...]The success or failure of engagement goes beyond the choice of method and often depends on the principles that underlie the process.<sup>88</sup>

63. A number of submissions did provide some suggestion as to how success and impact can be measured. In oral evidence, David Babbs of 38 Degrees added that it was “worth looking at numeric statistics in terms of the number of people who are engaging in different ways. It is also worth being able to point to examples of where public engagement has improved and transformed government policy”.<sup>89</sup> In contrast, Tom Steinberg of MySociety suggested that success should be measured through “data recorded around things like the proportion of people who report that they believe they can have some impact on the world around them and that they have any say whatsoever in the country they live in”.<sup>90</sup> Stephan Shakespeare of YouGov argued that, ultimately, the success of a public engagement process should be judged by the officials on the “demand side”:

The person doing the engagement, who wants to consult and improve their legislation, needs to feel they have actually benefited from a wide range of experience. That is ultimately the purpose.<sup>91</sup>

**64. There are different ways in which the success and impact of public engagement in policy-making can be measured, from the perspectives of both those who have taken part in and those who have conducted the engagement exercise. We are concerned that the Government has not given more thought to measuring the impact of open policy-making, and that it will not be able to demonstrate value for money and improved outcomes in this new approach. Being able to do so is essential, particularly in a time of austerity where spending is rigorously examined and activities judged on the difference they make for citizens. *While we recognise that it is not an easy task, some form of measurement or assessment needs to take place. The Government should come forward with details of how the success of engagement efforts across departments will be measured. These indicators or measurements, and the progress against them, should be shared between departments and made available in the Cabinet Office annual business plan.***

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88 Ev 49

89 Q 58

90 Q 58

91 Q 58

# Conclusions and recommendations

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## The current approach to policy-making

1. Through ideas such as “the Big Society” and “Open Public Services”, the Government is aiming to redefine the relationship between the citizen and the state, enabling and encouraging individuals to take a more active role in society. The process of policy-making is one where the public can play an active and meaningful role, and it is right that the citizen and people with knowledge and expertise from outside government should have the opportunity to influence the decisions of Government. (Paragraph 11)

## Implementing new techniques in policy-making

2. The proposals for both “open” and “contestable” policy-making demonstrate that Government recognises the value of public opinion in helping to identify problems and develop solutions. Open policy-making builds on the more traditional models of engagement and aims to put in place new ways of working with the citizen, who will become a valued partner in the policy-making process. We have, in previous Reports, supported and recommended greater public engagement and dialogue and we are pleased to see the Government is interested in this approach to policy development. (Paragraph 24)
3. To govern is to choose. Open policy-making should take debate outside Whitehall and into the community as a whole, but ultimate responsibility and accountability for leadership must remain with Ministers and senior civil servants. It will always be for Ministers to determine the overall strategy and key objectives of Government, such as for the limits of public spending or for the need to spend on less popular programmes, and civil servants will still be required to support Ministers in the tasks and thinking associated with that. This is important not only for ministerial accountability but supports the principle of representative democracy. We agree with the assertion in the Civil Service Reform Plan that Ministers should have the final say on whether to accept policy advice generated in this new way. There can be no substitute for Ministers’ responsibility for Government policy and its outcomes. (Paragraph 25)
4. While it will always be for Ministers to determine the overall strategy and key objectives of Government, we believe that there is great potential for open and contested policy-making to deliver genuine public engagement. If the Government wants to maximise the benefits of this new approach to policy, it will mean far more than simply being an encyclopaedia of information, policy and guidance. We believe it will mean adopting an open source, or “wiki”, approach to policy; that is one in which public opinion, ideas and contributions are sought and welcome at any and all stages of the policy cycle, continually to inform the strategy and policy of Government. In time, the Government should be able to demonstrate that it has adopted this approach if it is to be seen as moving away from old processes and embracing a new relationship with the citizen. Once again, we emphasise the

importance of leadership in Government; of effective strategic thinking, which involves choosing between different arguments, reconciling conflicting opinions and arbitrating between different groups and interests; and of effective governance of departments and their agencies. A process of engagement, which can reach beyond the “Westminster village” and the “usual suspects”, will itself be an act of leadership, but there can be no abdication of that leadership. (Paragraph 26)

5. If open policy-making is to succeed civil servants will need to integrate ongoing public engagement into “the day job”. The Civil Service does not have a monopoly on policy-making but civil servants are well placed to act as the guardians of the policy process, ensuring representation, analysing, moderating and support must be given to help civil servants with the transition to this new way of working. Training on public engagement should be routinely included in wider policy development training and leadership programmes. This should include, for example, information on the benefits of engagement, tools and techniques, as well as analysis of evidence. (Paragraph 27)
6. Open policy-making requires Ministers to commit the time for public engagement and dialogue with groups and experts outside Whitehall. This is different from responding to media pressures and lobbying, which rarely enables Ministers to reach beyond the “Westminster village”. Ministers will need to drive forward the necessary understanding within their departments to help this to happen. To support them in this, public engagement in open policy-making should be addressed in the induction programme for Ministers. (Paragraph 28)

### Addressing the risks

7. All policy-making carries risks and the risks in open policy-making need to be accepted and addressed if it is to succeed. A failure to do so would exacerbate problems such as a lack of appetite for participation, disappointment arising from unrealistic expectations and the dominance of vested interests. They require appropriate measures to be put in place to mitigate them. The Government should undertake a risk analysis of open and contestable policy-making proposals in every case. This should set out the steps that will be taken to address the key risks identified. (Paragraph 30)

### Inclusion, representation and vested interests

8. Care must be taken to ensure that open policy-making processes are not dominated by those with vested interests, powerful lobbyists or “the usual suspects” who are aware of policy “opportunities”. This is particularly true for contestable policy-making, in which one group or organisation will be tasked with providing recommendations to Government on a particular problem. As a minimum, contracts awarded through the contestable policy-making fund must require organisations to undertake appropriate public engagement and demonstrate this influenced its conclusions. (Paragraph 34)

## Managing expectation about public engagement

9. Where citizens are engaged in policy-making, the Government must manage their expectations about public engagement. Open policy-making should empower citizens and make them feel their time and contribution has been worthwhile. This means being clear about the purpose of engagement and the limits of what the process is intended to achieve, as well as providing feedback on the findings of engagement activity and the reasons for decisions taken as a result. Departments should ensure that a mechanism for feedback to the public is built into all engagement activity, including reasons why choices and decisions have been taken, based on the evidence available. (Paragraph 38)

## Public appetite

10. Citizens will be most likely to engage with Government if they believe they can make a real difference or where the issue affects them. We believe the Government has the difficult task of ensuring adequate public participation in open policy-making. Without this, the process will be of little value. The Government must take steps to build confidence in the open policy-making process and to ensure that participation is sufficient to make the exercise meaningful and worthwhile. (Paragraph 43)

## Making the most of digital technology

11. We share the view that digital technology has a significant role to play in opening up policy-making. It has the potential to allow those citizens who are digitally enabled to interact with the Government in new ways, as well as to allow the Government to expand its reach in a cost effective way. The Government is making progress in its approach to using digital technology, but we believe that digital engagement for the purposes of policy-making could go further and embrace radical and innovative approaches which support the genuine and continuing involvement of citizens in policy. The Peer-to-Patent project, in which experts collaborated on patent applications for the US patent office, is an excellent example of innovation which not only allowed citizens to contribute their knowledge, but also reduced the backlog of applications within the department. The lesson of this success appears to arise from the fact that the objectives and limitations of the process of engagement were clear and understood. We recommend that departments pilot a similar approach in order to test its effectiveness across different areas of policy and with different sections of the public. (Paragraph 50)
12. In order to use digital technology effectively in open policy-making, digital experts within the Civil Service and outside should work more closely with policy teams to explore opportunities for digital engagement and to provide support in carrying out digital engagement activity. For example, the Department of Energy and Climate Change could trial the use of eBay, Amazon and supermarket websites to open up the Green Deal and allow residents to access this offer through established retail channels. The same approach could be tried using the Right To Buy, and the Help To Buy programmes. (Paragraph 51)

13. A number of digital infrastructures, such as Twitter, are already well established and well used by citizens. In most circumstances, there may be no need to recreate systems such as these in order to carry out open policy-making activity. Wherever possible, the Government should use existing digital platforms to engage with citizens and to avoid “reinventing the wheel” or running costly parallel systems. (Paragraph 52)

### **The limitations of digital: other forms of engagement**

14. We support the use of digital technology in open policy-making, but it should not be used to the detriment of other forms of engagement. The proposals within the Civil Service Reform Plan do not appear to give equal weight to other forms of engagement in open policy-making. We are concerned that given the proportion of some groups that do not use the internet, such as the disabled and elderly, the Government risks excluding many people from policy-making process. There are ways of compensating for this imbalance, but it is essential to use other forms of engagement as well. The Government should be able to demonstrate that digital methods used in engagement exercises are suited to the needs of those they are trying to engage. Concrete goals should be set, relative to the importance of digital platforms in peoples’ lives. For example, if 50% of Britons have a Facebook account, Whitehall interactivity via Facebook should reflect this. Clear guidance should be set for the wider public sector. (Paragraph 57)

### **Measuring success**

15. There are different ways in which the success and impact of public engagement in policy-making can be measured, from the perspectives of both those who have taken part in and those who have conducted the engagement exercise. We are concerned that the Government has not given more thought to measuring the impact of open policy-making, and that it will not be able to demonstrate value for money and improved outcomes in this new approach. Being able to do so is essential, particularly in a time of austerity where spending is rigorously examined and activities judged on the difference they make for citizens. While we recognise that it is not an easy task, some form of measurement or assessment needs to take place. The Government should come forward with details of how the success of engagement efforts across departments will be measured. These indicators or measurements, and the progress against them, should be shared between departments and made available in the Cabinet Office annual business plan. (Paragraph 64)

# Formal Minutes

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**Tuesday 21 May 2013**

Members present:

Mr Bernard Jenkin, in the Chair

Paul Flynn  
Robert Halfon  
Kelvin Hopkins

Greg Mulholland  
Mr Steve Reed  
Lindsay Roy

Draft Report (*Public engagement in policy-making*), proposed by the Chair, brought up and read.

*Ordered*, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 33 read and agreed to.

Paragraph 34 read.

Amendment proposed, in line 24, after the word “opportunities’.”, to insert “Recent experience has confirmed the view that lobbyists determine Government action. There has been no bill or white paper on lobbying reform as promised by the Prime Minister in March 2010. The expected bills on minimum alcohol prices and plain tobacco labelling were absent from the Queens Speech, after intensive lobby by vested interests.” — (*Mr Paul Flynn*)

Question put, That the Amendment be made.

The Committee divided.

Ayes, 2

Paul Flynn  
Kelvin Hopkins

Noes, 4

Robert Halfon  
Greg Mulholland  
Steve Reed  
Lindsay Roy

Question accordingly negatived.

Paragraphs 35 to 64 read and agreed to.

Summary agreed to.

Question put, That the Report be the Second Report of the Committee to the House.

The Committee divided.

Ayes, 5

Robert Halfon  
Kelvin Hopkins  
Greg Mulholland  
Steve Reed  
Lindsay Roy

Noes, 1

Paul Flynn

Question accordingly agreed to.

*Ordered*, That the Chair make the Report to the House.

*Ordered*, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

Written evidence, ordered to be reported for publishing on 30 October, 13, 20, and 28 November, 18 December 2012 and 29 January, was ordered to be reported to the House for printing with the Report.

[Adjourned till Tuesday 4 June at 9.15 am

## Witnesses

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### Tuesday 13 November 2012

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**David Babbs**, Executive Director, 38 Degrees, **Stephan Shakespeare**, Founder and Chief Executive Officer, YouGov, and **Tom Steinberg**, Founder and Director, mySociety

Ev1

**Roger Hampson**, Chief Executive, London Borough of Redbridge, **Catarina Tully**, Director, FromOverHere, and **Professor Beth Noveck**, Former US Deputy Chief Technology Officer and author of Wiki Government

Ev 12

### Tuesday 20 November 2012

**Mike Bracken**, Executive Director, Government Digital Service, **Professor Nigel Shadbolt**, Southampton University, and **Simon Burall**, Director, Involve

Ev 21

### Wednesday 28 November 2012

**Rt Hon Francis Maude MP**, Minister for the Cabinet Office and Paymaster General

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First Special Report	Public Appointments: regulation, recruitment and pay: Government Response to the Committee's Fourteenth Report of Session 2010-12	HC 18
Second Special Report	Leadership of change: new arrangements for the roles of the Head of the Civil Service and the Cabinet Secretary: Further Report: Government Response to the Committee's Twenty Third Report of Session 2010-12	HC 313
Third Special Report	Strategic thinking in Government: without National Strategy, can viable Government strategy emerge? Government Response to the Committee's Twenty Fourth Report of Session 2010-12	HC 573
Fourth Special Report	The Role of the Cabinet Secretary and the Resignation of the Chief Whip: Government Response to the Committee's Eighth Report of Session 2012-13	HC 968
Fifth Special Report	The Prime Minister's Adviser on Ministers' Interests: independent or not? Government Response to the Committee's Twenty Second Report of Session 2010-12	HC 976
First Report	The Big Society: Further Report with the Government Response to the Committee's Seventeenth Report of Session 2010-12	HC 98
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Fifth Report	End of term report: 2011-12	HC 316
Sixth Report	Special advisers in the thick of it	HC 134
Seventh Report	The Honours System: Further Report with the Government Response to the Committee's Second Report of Session 2012-13	HC 728
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Twenty Second Report	The Prime Minister’s adviser on Ministers’ interests: independent or not?	HC 1761
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# Oral evidence

## Taken before the Public Administration Committee on Tuesday 13 November 2012

Members present:

Mr Bernard Jenkin (Chair)

Alun Cairns  
Paul Flynn  
Robert Halfon  
David Heyes

Kelvin Hopkins  
Greg Mulholland  
Lindsay Roy

### Examination of Witnesses

*Witnesses:* **David Babbs**, Executive Director, 38 Degrees, **Stephan Shakespeare**, Founder and Global Chief Executive Officer, YouGov, and **Tom Steinberg**, Founder and Director, mySociety, gave evidence.

**Q1 Chair:** Good morning and welcome to this first evidence session on open source policy-making. Could I welcome our witnesses, and ask each of you to identify yourselves for the record?

**Tom Steinberg:** Tom Steinberg, the director of mySociety.

**David Babbs:** David Babbs, director of 38 Degrees.

**Stephan Shakespeare:** Stephan Shakespeare, CEO of YouGov.

**Q2 Robert Halfon:** In essence, the kernel of this inquiry is to see how the Government's digital engagement can move from being a very good encyclopaedia of information to being a Wikipedia, where people have genuine engagement. How do you think the Government has progressed so far?

**Tom Steinberg:** I have been watching the field of both this Government and many others as they have tried to use new technologies to listen to and engage with the public for more than a decade. The scorecard is pretty poor, but not really just here; it is essentially largely everywhere. The primary failing that we have had is lots of experiments that are skin deep, by which I mean: "We will set up a website here to ask people about X," but behind the scenes the processes remain largely unchanged, which is very common.

It is very unusual to see even the very modest step that happened here in Parliament: agreeing to have debates when a certain number of people sign something. That counts as a relatively big achievement in terms of form or process change that frankly would not have happened without someone building an internet tool that was participative in nature.

**David Babbs:** I asked 38 Degrees members what I should say before coming here and how positive they felt about efforts to improve engagement online and more generally. I think they would agree with a verdict of patchy, probably leaning towards poor. There is a sense from 38 Degrees members that both technologically and culturally there is a very long way to go before the Government gets anywhere near getting the most out of public engagement, either in terms of legitimacy or the quality of the resulting public policy.

**Stephan Shakespeare:** I think the words and the intention of Government are clearly in the right direction here. The acknowledgement about open policy-making is to be welcomed; you know that the people behind this believe and care about it. But a while ago, although still within this Government, there was a Cabinet Office consultation on public service reform. They wanted to change everything, and said, "Here is a place you can input," and it was a box. In one sense it is incredibly open to say, "Look, anybody can come to this box and say what they think," but it has no understanding of practical ways to get people involved. So I would echo what the other two have said. There is an intention and it is clearly positive, but it has not happened in any real sense.

**Q3 Robert Halfon:** Where should the Government begin to introduce new open models of policy-making? Are there areas of policy that are easier to do than others?

**David Babbs:** My sense is there is a prior challenge before you talk about specific models, which is around a culture of flexibility in terms of being able to consider public engagement and be innovative in what you do. To give you an example, I was delighted to be invited to speak at this Committee, and I think our members felt very positive about that. I saw that immediately because the culture of 38 Degrees is an opportunity to find out more about what our members would like us to say. However, because of the way Select Committees are set up at present, it was hard to determine exactly what the questions were. Your clerks were very clear that it was not within their gift to give me a clear sense of exactly what lines of questioning you were going to pursue, although they gave me useful general guidance. The timing of it meant that it was hard to do as much with our membership as I would have liked.

It is an example of good will, but within a very old fashioned way of doing things, which meant that the scope for actually trying to do it in a different way was very limited. Before you can get on to individual mechanisms, you have to think about what the culture underlying it is: why people want to engage and whether there is flexibility to improvise a bit. If you are going to get a really good quality public

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engagement, it does need an element of flexibility and improvisation, because it is a conversation with people and that is how conversations work. Does that make sense?

**Q4 Chair:** Yes. How much time would you have needed?

**David Babbs:** Probably about a week more, and a little more detail as to exactly what you wanted to know from them.

**Q5 Chair:** The questions in our Issues and Questions paper tend to be how and what and why questions rather than the kind of binary questions one would use in large-scale surveys. Is that an unfair point to make?

**David Babbs:** Slightly, yes, in that it is possible to ask open questions as well. Indeed I did, and have got word clouds, text mining, analysis and example comments that reflect what people said. Is it possible to engage with large numbers of people in a more qualitative way and get data from that, but it does take a little longer to do properly. I have not had time to read every individual comment, for example, but I have had time to read representative samples and run it through software to get stuff out.

**Q6 Chair:** So is your message that, if we are going to do this open source policy-making, it is all going to take longer?

**David Babbs:** I am not sure that overall it is about length of time. It is more about an overall approach, and at what stage in it you are thinking. You could have met on the same day, but you would have just needed to give me slightly different information and lead-in. I am not sure that is the same as slowing down the overall process. Obviously I would then be sitting here able to give you higher quality insight, which would probably be a good thing.

**Q7 David Heyes:** I should maybe have declared an interest, Chair. I am a member of 38 Degrees, or at least on the mailing list, which is all that is needed to become a member; I think it is as simple as that.

**David Babbs:** That is correct.

**Q8 David Heyes:** You referred to your membership to kind of legitimise the questions, the role and responses you might give to this Committee today in the same way that politicians refer to their electorate to legitimise their position on things. I do not recall being asked by you for any views. I would surely have noticed if you were asking me as a member for comments on your appearance before the Public Administration Committee. I do not remember you asking me.

**David Babbs:** No, we did a random sample on this occasion.

**Q9 David Heyes:** A random sample?

**David Babbs:** Yes, we asked quarter of a million out of 1.2 million people, simply because we did another survey just a couple of weeks ago, which you probably may recall getting because it was sent to all our members. It was about us being interviewed by the *Sunday Times Magazine*. We asked them to do

that, and felt we were bombarding people with surveys.

**Q10 Chair:** What was the response rate?

**David Babbs:** To this survey?

**Chair:** Yes.

**David Babbs:** About 25,000 people responded.

**Q11 Chair:** Is that enough?

**David Babbs:** It is the lower end of what we had hoped for, which reflects the fact that we had just sent a survey the week before, which had over 100,000 responses.

**Q12 Alun Cairns:** Can I come back to your comment in relation to bombarding people with surveys? Let us assume that every Government Department changed its process; would that not result in you bombarding people with surveys day in, day out?

**David Babbs:** I guess the point is that it is opt in. Those that wished to had an opportunity to do it. As to whether we should have sent that email to everyone rather than a random sample, I guess this comes back to the culture of experimentation in the organisation. We are still learning how best to engage our membership in decision making, and we are unfettered by all the traditions and processes that you have. The point is, though, we are still feeling our way, and the technology is changing very quickly. That is the underlying point that I am getting at: you need to have an environment in which you can think about it in that way.

**Q13 Alun Cairns:** Eventually, though, would we not end up in the same place? You are using a new and innovative approach to the consultations that currently take place, but if demands are being placed on you or groups like you time and time again, the same people will have the fatigue in terms of responding to those sorts of surveys, and we will end up in the same place as we are now, where maybe the response to consultations is not that great.

**David Babbs:** Overall we find that among 38 Degrees members, who obviously are not the whole population, but are 1.2 million pretty mainstream people, there is definitely appetite for more engagement and more ways of being involved than is currently the case. When we asked that question, 95% of our members felt that Government would make better policy if more people were involved in decision making. They have taken the trouble to list a number of ways in which that could take place. The underlying assumption behind 38 Degrees when we launched was that there are a lot of people who would be described as apathetic very often, but if you create institutions that work and allow them to get involved, they will. The number of people who have participated indicates that that narrative of apathy is probably exaggerated.

**Q14 Chair:** We must keep our answers relatively short, and I would like the other witnesses to contribute as well.

**David Babbs:** Sorry.

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**Chair:** That is perfectly all right.

**Q15 Lindsay Roy:** You use the terms “engagement” and “consultation” as if they are synonymous. Is there a difference? It has been put to me that “inform and engage” is to tell people what is happening; “consultation” is to seek their views.

**Stephan Shakespeare:** Engagement is people being involved, and consultation suggests some kind of formal process. I think there is some difference there.

**Q16 Lindsay Roy:** So being involved in a passive way in terms of engagement?

**Stephan Shakespeare:** I can be engaged in something if I am reading a newspaper and get angry about it. I am consulted if you ask me for my opinions. I find the word “engagement” is so widely used and bandied about that it does not have much meaning. Everybody talks about engagement and it is not very helpful. For me, the important thing for us to do is to distinguish between a consultation that is done because you feel it ought to be done, and a consultation that you do because you want it. They are very different things, but they are both valuable. You have a right to be heard perhaps, and therefore you create processes by which people can be counted and make their views felt. But if you actually want people’s opinions because you think that they have different experiences that will contribute to making better policy, then you have to think about the process very differently. When we look at processes for consultation, we first have to look at what the demand side is. Is it in fact a process that says, “We do this because it is democratic,” or is it because we want to find something out? The moment you really want to find something out, the processes become different and start to suggest themselves.

**Lindsay Roy:** I will come back to you later on that. I am interested in gesture politics.

**Q17 Paul Flynn:** When the Prime Minister was giving his speech on Hillsborough, there was a group of civil servants recording every tweet made during the course of the speech. If he found that things were unfavourable, he could have changed the end of the speech. Having made a speech last week in Westminster Hall, there were 20 tweets before I reached the end of the speech, which was about 40 minutes long. This is a situation we have never had before. There could be a danger that this will give politicians what they crave in the main, which is the drug of perpetual adulation from the public, but it will lead to awful decisions. The best Government we had was the Attlee Government, which created institutions like the health service and the welfare state, which have endured for half a century. Are we not in danger of appealing to the lowest common denominator of tabloid-informed public opinion and creating policies that will endure not for half a century but for half a day? We are going into this state of ephemeral instant-appeal politics that actually degrades the political process.

**David Babbs:** I feel that I should answer that one. I think 38 Degrees members would fundamentally disagree with you.

**Q18 Paul Flynn:** I am one.

**David Babbs:** Sure, okay. It is a broad church, but overall I think a value that brings most 38 Degrees members together, and I meet with and chat to them about it, is a sense that politics is too important to just be left to professional politicians and, overall, decision making is improved by more people being involved. In our short life as an organisation, we could point to several examples of that happening. Take for example the proposals to sell off England’s forests. Even DEFRA would now acknowledge they were seriously flawed. Without the public speaking out and engaging in that process, the “for sale” signs would be up now. Even though 38 Degrees members still have grave concerns about the Health and Social Care Act, we would point to ways in which that Act was improved by the process of the public speaking up, which prompted a listening exercise that pushed for amendments to that legislation.

**Q19 Paul Flynn:** Isn’t politics too important to be left to *Daily Mail* readers?

**David Babbs:** I would be happy to arrange this, but if you met a selection of 38 Degrees members—maybe some have come to see you in your constituency—I am not sure you would characterise them as knee-jerk or representing the views of a particular newspaper.

**Q20 Paul Flynn:** I am afraid 38 Degrees will have diminishing returns because they managed to terrify Conservative MPs into cowardly giving up on what they believe beforehand because of the volume of complaints. When they get used to the fact that a group can be built up on almost any issue, they will not surrender quite so easily if 100,000 emails are sent to MPs. While I appreciate the point you are making, we cannot go on appealing to large groups of people to respond instantly. I mean someone twittering is far more powerful than someone voting in many cases.

**Q21 Chair:** Are MPs all meant to become walking opinion polls? Mr Shakespeare? Can I also just declare a tangential interest? My wife is a shareholder in YouGov.

**Stephan Shakespeare:** I think there is a mistake here in getting involved in the outward forms of some things technology allows us to do. Technology simply makes concrete and reach further what was being done before. People talk to and influence each other the whole time. You make your decisions as an MP, I would think, at least in part by what you think your electorate wants, and your electorate contains all the people that you suggest might be amongst the despicable groups that should not be listened to. How you distinguish those is entirely up to you at any time. Nobody requires you to look at the twitter stream. I think you would be crazy if you did look at what the tweets were saying in the middle of a speech and change your mind. I do not think there is any suggestion whatsoever by any sane person that the fact you have technology that allows communication to be much faster, much more complete and inclusive means that therefore you should stop thinking, filtering and making judgments. I cannot imagine

where such a notion would come from. It certainly does not come from any advocate of democracy.

**Tom Steinberg:** There is a useful little piece of historical context here. In the very early days of the web, by which I mean the early 1990s, the very, very first people to comment on the potential political impact were by and large Californian libertarians. So a very, very small group, possibly four or five people, set a tone that said, "If one is interested in the interrelation between the political system and the internet, one therefore must believe wholly in direct democracy," and we must race as fast as possible towards evening television shows where we vote on who to execute. That was a tone set by half a dozen people. I am not saying everyone one is a staunch Burkean, but in my organisation what my colleagues would seek from politicians and their relationship with the rest of the country is that you have the tools and the information you need to do your jobs brilliantly. We are not really seeking profound constitutional change, but there are uses of technology that might help you to improve. We have a couple of very different examples of how that might be here, but the connection between direct democracy and the internet was a one-off that I do not believe has much currency today.

**Robert Halfon:** It used to be asked why millions of people voted for *X Factor* but never voted in elections. The recent stats show that actually *X Factor* is on the decline. Fewer and fewer people are voting in *X Factor* and the celebrity jungle thing and all those kinds of programmes.

**Paul Flynn:** There's a good reason for that.

**Kelvin Hopkins:** Don't tell Nadine.

**Chair:** Order.

**Q22 Robert Halfon:** I will specifically address this to Stephan. Given that roughly a third of the population currently take part in civic participation, how do you encourage them to do so? Do you think that the majority of the British population want to get involved in political engagement, or do they just want a Government that gets on with the job?

**Stephan Shakespeare:** I think it depends on the issue. If you are looking at changing the parking regulations in your street, people can get very engaged. Even there, though, where I live, when there is a community group and there is change, people are usually happy but do not all attend the meetings. They really care about it because it really matters to them, but they are quite happy to leave it to a minority of their fellow citizens they trust to do it. People make those decisions. Having low turnouts does not mean they do not care. If they thought it mattered or they could have an effect on something, they would get involved. I am not worried about the fact that you have low turnouts for some things and high turnouts for others. It just reflects the different levels of their feeling that they know something and have something to contribute.

**Q23 Robert Halfon:** Are the people who get actively engaged online always the same kind of people? For example, if I have a public meeting as an MP, I know that a lot of the same people there will go to every public meeting. Is that the same online? Are the

people who get engaged online always the specific kind of people who always get engaged online? How many new people come in and how many of them get burnt out?

**Chair:** The 38 Degrees members in my constituency are becoming quite familiar.

**David Babbs:** Some probably are, but overall when we ask our members if they have previously participated in a campaigning activity or written to their MP or those kinds of things, about two-thirds tell us that they have not and it is a new experience for them. I think that does indicate that a combination of online technology and a different organisational approach can involve new people in the process, and in ways they find empowering, enriching, and that make them wish to do more.

**Q24 Robert Halfon:** Is there a danger of quantity not quality? For example, I may get 200 emails on beak trimming of hens, and it is all the same email because it is done and you just put your name and postcode on a computer. Then when you speak to the individuals—if I meet them in the high street—they cannot even remember sending me the email. So they have filled out the form without necessarily taking it seriously. Just because they have sent an email that takes them 10 seconds to fill in, is that really digital engagement? How do you make that kind of thing a reality?

**David Babbs:** With respect, most of our members find that assumption by MPs—that they do not really understand the issue and have just done something because they were asked to—increases their levels of grumpiness and dissatisfaction with the political process. It is quite good for 38 Degrees as an organisation, because it motivates them to get more involved. That is an example of the need for cultural change underpinning everything else. My sense is that you should not need to earn the right to contact your representative by writing original prose and making it difficult for yourself by writing longhand. It is fundamentally a good thing that more people can get in touch. It is legitimate, though, to ask if that is the limit of what people do.

The work that 38 Degrees has done on the NHS over the last year, which I am sure lots of you have received lots of correspondence about, is a good example of that. Hundreds of thousands of people got involved in a legislative process for the first time through that campaign. Over the last few weeks, 38 Degrees members up and down England have been organising get-togethers in their local area to make plans to engage with their local clinical commissioning group and take an interest in the formulation of their constitution. So we have seen people going on that full journey from not knowing about something, to signing a petition online, to contacting their MP for the first time—in many cases discovering the name of their MP for the first time—right through to a growing number of them meeting up in their local community and engaging with the clinical commissioning group process.

**Q25 Robert Halfon:** I am not saying I disagree; I just want to tease this issue out. The fact is that all

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they have to do is spend 10 seconds filling out their postcode and a letter gets automatically sent. Then the MP gets 500 of exactly the same thing that you have drafted for them. Is that really digital engagement?

**Tom Steinberg:** This is an extremely familiar question to me sitting in this room, because many, many years ago we were commissioned by Number 10 to build a petition site. I was asked by one of your colleagues, “What kind of engagement do you call that—signing your name and ticking?” My answer was, “I call it very low engagement. It is the lowest and easiest kind of engagement that has ever been invented within our democracy, and if I can make it easier, I will.” Why is that? The internet allows for something that was never possible in the era of television, newspapers and other things, which is to take a fractional, micro, tiny engagement and build on it. So you sign a petition once. The Government can write back to you, at which point a second thing has happened in your life. You report a broken street light; the local government can tell you whether or not it is fixed.

In the era that I grew up in, with television, I have very early memories of the miners’ strike. That was the beginning of my political education. I was too young to really know about the issues, but that fractional involvement is how you all became involved in politics. None of you woke up one morning and said, “I am going to read Rawls’ *A Theory of Justice*,” or whatever. The way you went to the second step probably required your families or your education system to follow up what you read in the newspaper or saw on TV, or what you overheard over the dinner table, which required that there be people in your environment to do that: your parents talking about these things, or your school talking about them. Someone from a completely apolitical household who signs one of David’s letters and sends a letter that may not seem fundamentally, profoundly meaningful to you may well be making their first action, and he suggested that was the case in very large numbers. If he stopped there, then I think your condemnation would have some value. But what makes working in this field worthwhile for me is the possibility that the internet provides to follow people up and to push them up what I call a ladder of engagement. The lowest levels are fantastically valuable, but only because you can create this pathway. Stephan does this as well.

**Robert Halfon:** I am not condemning it. In fact, as David knows, I agree very much with the concepts. I am just trying to ask about and understand the issue.

**Q26 Paul Flynn:** We read something that you wrote, Tom, in the year 2000, about the MPs and their communications on websites in particular. Are we better? Has there been improvement? I know the best way of communicating with my constituents and the rest of the country is to get expelled from the House of Commons. It was the most successful thing I have ever done. I know if I resigned my seat, I would come back in with 80% of the vote. Is this a better thing to do than slaving away on websites?

**Tom Steinberg:** A document from the year 2000? I am afraid I was a child, and I do not entirely remember the content of that. Certainly, with all of

you, it is not so much that you have become good or bad at living with the internet; you do live with the internet. You have no choice; it is now as much the oxygen of Westminster as voting in green leather seats. Has the entire political class therefore become, generally speaking, better? Yes, I think the gentleman to your right tapping away there is a great example. That would have been unimaginable a decade ago. I hope that answers your question.

**Q27 Chair:** Can I just move on? There are surely a lot of people more willing to engage in this sort of thing than others. If you are designing a universal credit, for example, the people you need to engage are the people who are likely to be receiving the benefits, but most people who talk about benefit reform are people who do not receive benefits. Am I misunderstanding something here or betraying an ignorant prejudice? How do you engage with people at the customer interface, so to speak, about how people are going to behave when you reform the benefit system?

**Stephan Shakespeare:** I would say this, wouldn’t I? High-quality opinion research is really helpful there, and has an important role. If you are relying entirely on people coming forward, you will of course be inundated with people who have a particular angle. That may be very valuable, and I think they should be listened to as well, but they would not necessarily be representative. For consultation to be credible as well as effective, you need to know whom you have listened to and how they relate to the people you have not listened to. So you can use opinion research to reach people who are answering because they have been paid to answer or because you have knocked on their door and it has become very easy for them. That is the way that you talk to people that you did not think to talk to, and get everybody’s opinion.

**Q28 Chair:** If we are talking about people who choose themselves, the burning platform metaphor is being used. Motivating people to protect something that they feel is under attack is your speciality, isn’t it, at 38 Degrees?

**David Babbs:** Not exclusively. One thing that is maybe worth emphasising here is I know that you as MPs will experience disproportionately a very specific part of what 38 Degrees members do, which is contacting their Member of Parliament about an issue of legislation. To give you a couple of other examples, 38 Degrees has been working with academics at the University of East Anglia on this AshTag app. A couple of years ago, 38 Degrees members stopped the forests being sold off. We are not particularly happy to hear now that all the ash trees are dying, so we are looking at practical ways we can help the efforts to track and measure the spread of that disease. Another example would be 38 Degrees members clubbing together to negotiate with energy companies to drive a better bargain, so there are other forms of action. The way that our members hopefully see 38 Degrees is as a vehicle to aggregate their views, to come together and have a say in issues that affect them. That can be a defensive campaign about stopping something being cut or sold off, sometimes it can be

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about the positive action of citizens, and sometimes it is about campaigning in favour of things. It really is a mixture, and the underlying ethos is that people can get involved and change things positively.

**Q29 Chair:** When inviting all these opinions, is it important that everybody is aware of the conflicts of interest that might exist? For example, I do not think 38 Degrees was motivating people to engage in the health reforms if they were supporters of the reforms, or if they were supporters of selling off the forests. 38 Degrees seemed to have an opinion of its own that it was determined to get others to promote. Was that not your objective?

**David Babbs:** In both those cases, the campaigns were initiated by our members suggesting them to people in the office team.

**Q30 Chair:** But you have to agree with them personally.

**David Babbs:** To be honest, in terms of the forest issue, it was not something I was aware of.

**Q31 Chair:** I appreciate that was not very difficult, but that was your view, wasn't it?

**David Babbs:** The role of the 38 Degrees office is to serve our membership. Our campaign on the forests was launched after I checked our Facebook page one Sunday morning. There had been an article in the *Sunday Telegraph* that day, and a lot of people had posted about it. There was an unusual number of people; I am used to engaging that way, and I realised there was a lot of energy around it. So I re-posted it and asked people what they thought. I got a huge number of replies all in one direction: saying this was a bad idea. On the Monday we polled our membership and asked if they wanted to campaign against this, and the response was both unusual in its volume and energy, and overwhelmingly hostile. That is why we launched the campaign. I became a very passionate supporter of that campaign largely because I spent an awful lot of time travelling round the country meeting local 38 Degrees members.

**Q32 Chair:** Okay, can I just cut to chase with something else? You also supported the campaign to change our voting system, but that obviously did not engage your members as intensively as the forests, for example. Nevertheless, that was the campaign you decided to support.

**David Babbs:** That is not quite true. After the general election, we polled our members the following day and asked them what they would like to do. At that point they voted to campaign for proportional representation, so that was what we did. Later on we polled them on whether or not they wanted to take part in the AV campaign in either direction, and they said no. So at that point, much to the frustration of some of the people we had been working alongside at the point when our members had prioritised it, we did not campaign for a yes vote in the AV referendum. We did something we always do, which was to remind people on the day that there was a vote happening and suggest that they might want to get down to a polling station. We also provided information on how to

register to vote earlier than that. Correct me if I am wrong, but I am pretty sure we did not issue anything saying, "Vote yes to AV." We did not do that because our members did not want us to. I personally did support Yes to AV, but it is not up to me.

**Q33 Chair:** Can I ask the other two witnesses what they think the message of this part of the conversation is for Government on open source policy-making?

**Tom Steinberg:** The question you posed that led to this was the benefits example: "We need to know from groups," which is quite different from this because it is the difference between the public wanting you to know something versus the Government needing to learn something off the public. I wanted to talk about this in answer to the question before about which are the relatively easy ways to go and what are the relatively low-hanging fruit?

There are now far, far more opportunities to put the existing engagement opportunities that the Government already does in front of the public than there were before. Whilst there is a freeze on advertising and you cannot buy adverts on the side of bus shelters, as the Government goes online more and more in terms of its services, all those services become opportunities to ask people about something. Five minutes ago I talked about the internet being unusually good at taking people from one thing to another thing. If you buy a book on Amazon, at the end of the process it goes, "Hey, maybe you also want to buy this." They do that because they know how incredibly effective web pages can be at getting you to go from here, where you started, to over there, where you did not intend to go.

As of today, I do not believe you can register for benefits online, but you can, for example, buy your car tax online. I mention that because it is one of the biggest—if not the biggest—transactional services in the entire country. There are all kinds of motoring policies that the Government wants people's views on at any point in time. I do not know what it is today, but it is probably something to do with tax. It used to be 12 million people a year; it is probably far more than that now, and when they get to the end of the online process of having bought their car tax, at the moment they are basically just told, "Bye." That is pretty much the situation. If you had a world view much more like Amazon, or like mySociety's, you would say, "Well, we know these people drive cars, where they live, what kinds of cars they have, and it could be the most fantastically, unbelievably valuable opportunity to ask them something in relation to cars, motoring and transport." It is not just one opportunity, but so many millions that, if you bought it in the open market, it would bankrupt the Government.

**Q34 Chair:** For example, "Would you prefer to pay 10% of this amount for your tax disc and pay road charges instead?"

**Tom Steinberg:** Whatever the question of the day might be. You get into the separation between Government and democracy and Government and Parliament. What is the question? Are we going to have questions that skew the democratic process and so on and so forth? Those are all really legitimate

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worries, but at the same time, on your benefits point, benefits are going to be online soon. If we want to know what the public thinks about them, we should do quality, demographically balanced opinion surveys. I endorse that and I do not own any shares in YouGov. But at the same time, remember there will be a gigantic number of people turning up at Government web pages to interact. As things are today, you will not be asking those people anything about the policy, and the Government should be.

**Q35 Robert Halfon:** Last year I brought in a Private Member's Bill to Parliament, which was called Democratising the BBC Licence Fee. The idea was that anyone who paid the licence fee would be able to vote for the Chairman, Director-General, and the Board of the BBC, and the Annual Report. This got laughed at by an enormous amount of people.

**Paul Flynn:** I was leading the laughter.

**Chair:** You are not laughing now.

**Robert Halfon:** Could I just ask the panel if they think that is a realistic form of digital engagement, and would they welcome something like that for the BBC, particularly given recent events?

**David Babbs:** I have not asked our members.

**Q36 Robert Halfon:** But do you have a view?

**David Babbs:** Yes, it sounds like a really interesting idea. I think you would need to poke at the details.

**Q37 Chair:** Would you run the engagement?

**David Babbs:** It would not be healthy for 38 Degrees to have a monopoly on running the engagement, but I am sure if such a process was happening, 38 Degrees members would wish to engage, and engage in numbers.

**Stephan Shakespeare:** I am slightly curious about this word. I feel a slightly hostile atmosphere towards engagement. Half the time politicians are out there saying, "We must get the public to engage; you must come and vote, and vote for me." Then you say there are certain newspaper readers at certain times that must not engage, and then they must engage at others. If your assumption is that the institution is working really well—you do not just take a piece of legislation that was particularly good but you say, "Legislation that is coming out of here is really, really good"—and that is your view and the view of your electorate, then of course there is no question about consultation; you do not need it. On the other hand, if your view is that the legislation that comes out of this House is imperfect and can be improved, then presumably the purpose of a session like this is to find ways of improving it.

**Q38 Robert Halfon:** The BBC question is clearly an example of digital engagement: democratising the licence—we are letting people who pay the licence fee vote online on the Director-General and Board of the BBC and the Annual Report.

**Tom Steinberg:** I don't know how the BBC should be governed, and so I don't know if that is a good idea.

**Chair:** We are not asking you. We are asking whether we should ask lots of people.

**Q39 Robert Halfon:** You say you believe in online engagement. I gave you an example, and you said you don't know because you don't understand the governance of the BBC. You must have a more thoughtful answer than that surely.

**Tom Steinberg:** What I was just saying, like the story I told about the early 90s, was that there is not a necessary connection between the direct control by the public over institutions and the internet. So the reason I say I don't know about the governance of the BBC, and that is my answer here, is because I could definitely build you a website to do that and it would be really good and millions of people would come along. I can absolutely guarantee that. Would that be the right policy decision for the health of this country? I don't know, because I have not put much thought into whether or not that is the right way of electing those senior people. Do you see how those are, in my view, quite separate issues?

**Q40 Robert Halfon:** Either you trust the people or you don't, surely? Your whole argument up until now has been you trust the people, so therefore they should get more involved with digital engagement.

**Tom Steinberg:** No. I just said that we were more of the Burkean tradition.

**Robert Halfon:** Then when I give a concrete example, you go back to the traditional view: "I do not know about the governance of the BBC, so it might not quite work. It might not be right to trust the people on this one."

**Chair:** That leads on to the next question.

**Q41 Paul Flynn:** Mr Chairman, you have raised a deeper issue and you have not given us a chance to enter it. You raised the AV referendum. During that referendum I passed Vauxhall Cross every day, where there was a very large bill post that said, "If we have the alternative vote, there will be fewer flak jackets for our soldiers and less special equipment for babies in hospitals," so those voting for alternative vote believed in killing soldiers and babies. That was the propaganda message at Vauxhall Cross. We have this propaganda. The reason I object to certain newspapers is because they insult their readers and they publish propaganda, which the BBC does not. In spite of the criticism at the moment, the organ that is trusted for news is the BBC and the other broadcasters. It is quite right that we should not bow down before ill-informed propaganda like what happened during the AV referendum, which was wickedly untrue and damaging.

**Chair:** Very briefly, anybody? Mr Shakespeare?

**Stephan Shakespeare:** Why is the discussion about consultation on legislation mixed up with poor-quality propaganda?

**Q42 Paul Flynn:** We are very bad at legislating. 75 Bills went through the House in the last Government that were never implemented.

**Chair:** You have made your point, Mr Flynn.

**David Babbs:** An observation I would offer about an experience that 38 Degrees members have when they go to see or they contact online members of this House of all parties is that it seems like everyone has

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a fear and an assumption of the group that will be disproportionately able to get their way. For Paul it is the *Daily Mail* readers. Probably for some people of different parties, it is the liberal lefties with time on their hands. I think the reality is that there are all kinds of people of all kinds of persuasions who wish to get involved and to have more of a say. There is a variety of ways they can do that. 38 Degrees should not have a monopoly on that, but fundamentally do you think you have a monopoly on wisdom here, or do you think that can improve things?

**Q43 Greg Mulholland:** It has been a very interesting discussion, but it has been rather theoretical. Ultimately the challenge for the Government in delivering more open source policy-making is to try to change both structures and cultures to enable that to happen. Being blunt, do you think that is realistic considering the structure and culture of the Civil Service? Do you think it is possible to work within that, or are we looking at something more radical?

**Tom Steinberg:** I am glad that you asked that, because that lets me say the main thing that I wanted to say here. In the last 20 years, there has not been major engagement on democratic interventions because no one has been particularly interested in the power shifts or the reallocations of power that those would mean. This is because all big bureaucracies and political processes do not give up power unless something really, really important happens to make them do it. As of today there are no people standing outside here with placards saying, "Let us have profoundly different forms of democratic engagement that are innately digital."

To go back to the low-hanging fruit question of where we can begin, my recommendation, when you are thinking of initiatives that, for example, Parliament could undertake, is those that allow the public to get involved in a way that fundamentally makes the day in, day out working lives of the governing classes easier, which is a strange thing to say for someone running a democracy charity. There is a lot to be said for tools that align with the grain of how you like to work and do your jobs anyway. In the absence of a big loud protest movement saying, "Give us this new kind of franchise," I think the way of creating change is to ask what these institutions can do or create that will mean that when you walk into work as an MP every morning and turn on your iPad, you have some new kind of tool that gives you the knowledge and the intelligence that is not inside this building in a way that you would not otherwise have. That will make your job better. You will be better at your job; it will be make you enjoy your job—and the same for civil servants as well.

I would encourage investment in those areas, because then you get institutions embracing and inviting in what can potentially be quite difficult and dissonant change in the long term, but without it looking as scary as saying, "I am now signing a piece of paper that means I am giving up some power that I used to have." Twitter is an example of that signing up. Signing up to TheyWorkForYou email alerts is an example, to know what you said in Parliament yesterday. These are services for people out in the

public realm, but they turn out to be really good for Members of Parliament and civil servants as well. As a consequence, Parliament and Government have embraced both of those technologies quite a lot. That is where I would start: more services of that kind until a political caucus grows that will make the case for actual power shifts.

**Q44 Greg Mulholland:** Mr Babbs, have you got any further points?

**Chair:** Very briefly if you can, because we are running out of time.

**David Babbs:** Constitutional change in Britain tends to be a slow and slightly chaotic process, and it is evolutionary, isn't it? That is how we would expect this to happen as well. We are at a place now where you cannot stop the internet, and the internet means that people's expectations of, and appetite for, engagement with institutions that affect them have shifted in fundamental ways. I think that poses technological challenges for you: do you as MPs or as a civil servant have the equipment to engage with that? One of the things I am starting to realise is just how basic the equipment is that individual MPs have with which to engage with their constituents.

But there are also cultural changes. My sense is if the Civil Service is going to change, that requires leadership, which is probably going to come from politicians. That has to start with a mindset shift—a cultural shift. I do have some understanding of where you are coming from in terms of some of the experiences you have had of public engagements thus far, but I think as long as politicians are as sceptical and, in many cases, hostile to the public getting more involved, I cannot see how the Civil Service will follow. Why should they?

**Q45 Chair:** In terms of the relationship with Government, shouldn't politicians, particularly those that are not in Government, feel that public engagement is empowering rather than disempowering?

**Tom Steinberg:** Yes. Can I give you a much more practical example of how this could be that I hope will appeal to your self-interest? You all have to look at legislation all the time. I am sure you know the sinking feeling of sitting down and opening up a pile of amendments or a Bill and wondering where to begin: "What is the context?" Imagine it is five years from now. You are tasked with looking at some clause. You open it up and find the clause as it stands, and next to it are all the amendments being tabled by the parties, a range of criticism and commentary from outside Parliament, and amendments to this clause that are made both by MPs, who have a statutory ability to do that, and by other people, who do not. Can you imagine how much more pleasant it would be to find that all this information had been collated in front of you so that you could then just sit there and sift through the different opinions and decide what you really feel about the clause, without having to make a million phone calls?

**Chair:** I can see why the Whips Office would not like that.

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**Q46 Greg Mulholland:** I think that sounds fantastic. That is Parliament; I would love that. As the Chair has said, the Whips would not. But going back to the Civil Service, because that is clearly the area that is being focused on, the Civil Service Reform Plan clearly says open policy-making will become the default and Whitehall does not have a monopoly on policy-making expertise. But there is a lot of disagreement about that and how that happens. What do you think about what Jeremy Heywood said back in March—that actually that means outsourcing policy-making, which clearly ruffled a few feathers? Do you think that is what has to happen?

**Stephan Shakespeare:** It is very important that you raise this and there is more discussion of the practical aspects and the usefulness of this topic rather than the political side of it. I am conducting an independent review of the Government's Open Data White Paper, and as such I have a team of five civil servants, who have been fabulous in helping with that process. There is no way that I could write that review based on my knowledge or the knowledge of the civil servants or indeed the knowledge of the whole of Whitehall. It needs all the people that work in the public sector. This was a review of all public sector information; it requires doctors to take part, teachers and what they write in their reports, and how that is stored and all of these things. There is no way this can be a good piece of work or the final legislation will be any good unless you involve all the people that make up the world of data and information. That is a huge task, and I think the role of the Civil Service here should not be to be in control of that but to ensure that there is a fair, decent and effective process. I think they can do that. I am very impressed with how my team are working on that. I have not found any resistance at all to the idea of crowd sourcing information for that. That is the real opportunity: to improve the way that you govern by getting better information and using it in a better way.

**Chair:** We need to move on.

**Q47 Greg Mulholland:** I will very briefly put them on the spot, because I think that is such an important issue, Chair, if I may. Do you think that means outsourcing? Was Jeremy Heywood right?

**Stephan Shakespeare:** I absolutely think it should include outsourcing, yes.

**Chair:** Can I jump to Mr Cairns now? He has to leave, unfortunately, but he has a question.

**Q48 Alun Cairns:** You talk about managing public expectation, and the engagement that takes place. Take, for example, the petitions page on the Number 10 website, where initially there was a lot of enthusiasm behind it, but then, because of the lack of engagement and the lack of difference that would make, expectations waned. I hinted at this in the question earlier to you at 38 Degrees: will that wane eventually because of the lack of difference it is making? When the Government does move to a new system, or when it does seek to make tentative steps in a different direction, how can it manage expectation without losing the enthusiasm?

**David Babbs:** I think you can draw too strong a comparison between the fashions in TV shows, for example your *X Factor* analogy, and the public's abiding interest in having a say in decisions that affect them. The mechanisms will change, which is why I think it is worth starting with the culture. We are talking about Facebook and Twitter now. Who is to say what the platforms will be in five or 10 years' time? Who is to say 38 Degrees will still have the same role? Will the public still want to engage and will the internet still facilitate that? Yes, I think it will.

**Q49 Alun Cairns:** In the machinery of government, no matter how we speed it up, there will still need to be the legislative process and scrutiny that takes place in both Houses leading to royal assent, and that takes time. Therefore, regarding public expectation from an action they take in responding to whatever digital empowerment process we devise, it still takes time and that will lead to frustration. In the interim the technology may well have changed and they could have engaged in a different way before the legislation has taken effect.

**David Babbs:** To take the example of the Health and Social Care Bill, I think you probably experienced our members engaging throughout a legislative process, including in the House of Lords. Where our members had quarrels with it, it was not to do with the process. I am sure they could identify ways in which it could be improved, but the idea that legislation takes time I do not think is something that the public finds hard to understand. They are quite keen on the idea that things are properly debated and scrutinised.

**Q50 Robert Halfon:** How do you ensure that digital engagement does not reach the iPad generation, i.e. those people who can afford computers and smartphones? Have you done a socioeconomic analysis to look at how many of your members are on lower than average earnings—let's say £15,000 to £20,000?

**David Babbs:** Yes, I think that is a very important question. Part of the answer is you should never rely on one medium. 38 Degrees does not believe that we should have a monopoly on this, nor do we believe that online engagement should be the only channel in. That said, a really quite broad section of the population do now have access to these technologies. We have taken quite a lot of care to look at our own membership and profile it, and it is fair to say that we have a broad geographical spread and broad age range. A very significant number of our members are retired, and a group that we are popular with are actually the housebound elderly.

**Q51 Robert Halfon:** What is the proportion on seriously lower socioeconomic—

**David Babbs:** We do have income stats.

**Q52 Robert Halfon:** You do?

**David Babbs:** I cannot recall them, but the £10,000 to £20,000 category is quite a significant chunk of our membership. It might be the second biggest band.

**Q53 Robert Halfon:** Can you send us that?

**David Babbs:** Yes, sure; I can email you that.

**Q54 Kelvin Hopkins:** First of all, a very strong point made by Tom Steinberg early on was that even a trivial non-thought-out engagement in politics, such as signing a petition or sending in a card, is the beginning of a process of engaging people. I may say that when I get postcard campaigns to me, every person that writes to me gets a letter back, with a reasoned argument either for or against what they are saying. It might be on abortion, AV or any subject. Then I write to the Minister, and then they get another reasoned letter back. Often my letter will criticise what the Minister has said. Whether they want it or not, they are going to get politics from me, and I think from that moment on they have been changed by that process. They have become engaged, I think you are right about that.

My question is: who should take the lead in providing opportunities and tools for the public to contribute to policy development? Should it be the Government, or do the best ideas come from campaigners, innovators and the public themselves?

**David Babbs:** I am sorry if this sounds like a fudge, but I think it is a mix. I think pluralism is important in this area, but I do think MPs have a particular role to play. Can I read out one paragraph of a letter that one of our members shared as an example of what I think is unhelpful here? It is a letter from an MP: "May I suggest, therefore, that rather than rely on the self-obsessed, self-indulgent and utterly deluded left-wing propaganda website 38 Degrees to do your thinking for you, you might like to actually think for yourself and articulate your own views in your own words. That way I may perhaps be more inclined to read your personal thoughts and comments rather than those propounded in the standard socialist-inspired 38 Degrees emails that you are clearly so reliant on, and that, at much expense to the hard-pressed taxpayer, I have already laboriously replied to tens and sometimes hundreds of times before. I trust this clarifies the situation. Yours sincerely, Karl McCartney MP."

That is something that we got sent as somebody's response to my request for evidence on this. Not every MP replies in that manner, but that is by no means unique. I suspect a fair number of other MPs, even when they do not reply like that, kind of feel like doing that, and our members can sense that. A very enthusiastic and fired up 38 Degrees member got this letter. That is an example of MPs taking a lead in a very negative way and one that is very bad for democracy. You are basically suggesting to someone that their opinion is not their own, they cannot think for themselves and you are not going to value it. That is very dangerous.

**Chair:** I have got the message.

**Q55 Kelvin Hopkins:** Speaking as a socialist, I would probably regard your organisation as fluffy marshmallow centrist.

**David Babbs:** Nobody likes us.

**Q56 Kelvin Hopkins:** No, but there is a range of views. The one kind of organisation that is missed out

of all of these is political parties. In the past we used to have political parties that put forward coherent alternatives. Over recent decades, in my view—I do not know if you would agree—they have become part of the centre, and you get an experience like in the European Union. I have been to meetings in the European Union. We have a statement from the Commission and the Chair of the Committee in the European Parliament—they all say the same thing, and everybody sits there like rabbits in headlights, except for the British, who come out and say, "This is nonsense." People are frightened even to say those sorts of things.

But in Britain we have had the same situation. Simon Jenkins' book *Thatcher and Sons* has a picture of the last four Prime Ministers from Thatcher right down to Brown, and we could actually have five now with Cameron. The centre is there.

**Chair:** What is your question?

**Kelvin Hopkins:** Should political parties with different coherent views not be revived as an effective part of the political process, rather than seen as being a waste of space, which a lot of people do see them as because they are so similar?

**Stephan Shakespeare:** It is certainly a declining reason for belonging to political party these days, because the membership of political parties is no longer helping to make the policy, absolutely. My view is the Civil Service has the important role in ensuring the process. That should involve them outsourcing some of it and finding different pathways in, but I think it is an excellent role for the Civil Service to engage in: vouching for the fairness, inclusivity and the representativeness of the process.

**Kelvin Hopkins:** For a period under Blair, I think even the Civil Service was marginalised. Downing Street was the centre.

**Chair:** We have to move on.

**Q57 Lindsay Roy:** What criteria should the Government use to gauge success in their engagement process?

**Stephan Shakespeare:** What technology?

**Q58 Lindsay Roy:** What criteria should they use to gauge success in their engagement process? How would we know it is working?

**Chair:** Briefly, each of you, a final word?

**Tom Steinberg:** I would say, probably very much like the metrics that drive our organisations, there should be data recorded around things like the proportion of people who report that they believe they can have some impact on the world around them and that they have any say whatsoever in the country they live in. That is probably the highest level fact I would look for. You can break that down in lots of different ways, but that would be the top line I would go for.

**David Babbs:** Those things. In addition it is worth looking at numeric statistics in terms of the number of people who are engaging in different ways. It is also worth being able to point to examples of where public engagement has improved and transformed Government policy.

**Stephan Shakespeare:** I will give a qualitative one, which goes back to a theme I have had. The person

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doing the engagement, who wants to consult and improve their legislation, needs to feel they have actually benefited from a wide range of experience. That is ultimately the purpose. The demand side of this needs to be looked at. Why do people want consultation and how do they use it?

**Q59 Lindsay Roy:** Do you have any evidence that Government consultation or engagement is token?

**Stephan Shakespeare:** That is what I mean. I think the vast majority of it is constructed to do what they feel they ought to do by a defined process.

**Q60 Chair:** Box ticking.

**Stephan Shakespeare:** Box ticking, yes. This will work only if the person who is ultimately the client of the consultation wants to know what people think, wants their contribution and wants to be influenced.

**Q61 Lindsay Roy:** So that goes back to cultural change.

**Stephan Shakespeare:** Absolutely—it is absolutely cultural change.

**David Babbs:** “Lip service” was one of the most commonly occurring phrases in people’s responses.

**Q62 Lindsay Roy:** Gesture politics?

**David Babbs:** Yes.

**Q63 Chair:** Before we call our second panel of witnesses, does each of you think that this Committee has got the point of this? Is there one point you would like to leave us with?

**Tom Steinberg:** I certainly have one. There is a very helpful lens to look at this world through of the two different kinds of innovation in this field. One is improving the ways in which people find and get access to the channels that are already there. So how hard is it to know who your local councillor is? When I go and buy my tax disc, is there a thing that just sticks in front of me and says, “Hey, you might care about this. Why don’t you give us 30 seconds?” That is not really about politics in a kind of capital P sense, but that is where the big opportunities lie. Profoundly new forms of participation involving shifts of power will be driven by the internet over 20 to 30 years. For today the really useful actions could be to ask if we are doing everything we can to make all those many channels, from planning consultations to discussions about parking, accessible? Have we really invested in making sure that whenever someone might benefit from being involved in one of those that it is presented to them in a lovely, easy to consume way at a time and a place of their choosing?

**Q64 Chair:** It sounds like a lot of work to do.

**Tom Steinberg:** Yes, but I am saying it is not constitutional yet.

**David Babbs:** I perceive from the questioning around the table a really ingrained scepticism of people’s

motives for getting involved and the authenticity of the public’s appetite to get involved.

**Q65 Chair:** Wait till you read our report.

**David Babbs:** Whether that is the *Daily Mail* pulling the strings or your questions about whether I or our members decide what campaigns we run, I think at its heart that is a really big obstacle to you engaging with the public in an authentic way, because you are so worried about who is manipulating it and assuming that there are sinister puppet masters behind the strings. 38 Degrees is an example of that really not being the case. I am sure there are others, and if you can make that leap of faith, you might find you get quite a lot of good quality stuff coming in.

**Stephan Shakespeare:** I will just reiterate the need to focus on the practical steps of improving the quality of input and critique and the effect that has on legislation. There has been a lot about the politics of it, but I think the practical quality control of how it is done is important.

**Q66 Robert Halfon:** You run the TheyWorkForYou website, which I find incredibly useful, and I send the details to my constituents and put it on my website. Often the subjects that are chosen—for example whether an MP has voted for Trident or whatever it might be—are very self-selective. What engagement does the public have in choosing those subjects that you choose to highlight on “MPs are voting on”? Even though it gives you incredibly useful information, what plans do you have to update the website to really engage the public in it?

**Tom Steinberg:** There are two issues there; the speed of update and how we select things. The speed of update is slow simply because we do not have very much money for that project, which is a great shame and maybe you can do something about. On how we pick those issues, that is obviously something that has a great potential for corruption. Because of that we choose the most dumb and unpolitical thing, which is we choose them by the number of MPs that turn up at the votes. Within a Parliament we start with what were the massive votes, and essentially what was the crux of those massive votes? Then we go down to smaller and smaller votes. Although no political editor would ever do that, we do that so that I can sit here right now and tell you about a process where we have tied ourselves to a mast so that we have a process that is rather inhuman and relatively neutral, because we do not ever want anyone to think that as a group we have an agenda. The agenda of TheyWorkForYou is to make it possible for members of the public to find out what goes on.

**Chair:** Thank you to our panel—a most interesting session. We will move on to our next panel of witnesses. I am most grateful to you. Thank you very much. You all had a lot to say.

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### Examination of Witnesses

*Witnesses:* **Roger Hampson**, Chief Executive, London Borough of Redbridge, **Catarina Tully**, Director, FromOverHere, and **Professor Beth Noveck**, former US Deputy Chief Technology Officer and author of *Wiki Government*, gave evidence.

**Q67 Chair:** Welcome to our second panel of witnesses in this inquiry about public engagement. Could you each identify yourselves for the record?

**Roger Hampson:** My name is Roger Hampson. I am the Chief Executive of the London Borough of Redbridge.

**Professor Noveck:** My name is Beth Simone Noveck. I am a professor at the NYU Wagner School of Public Service in New York, and also at the MIT Media Lab in Cambridge, Massachusetts.

**Catarina Tully:** Cat Tully; I am a Strategy Consultant in International Affairs, formerly working for the Cabinet Office and the Foreign Office, and now teaching civil servants internationally and in the UK.

**Q68 Chair:** And also an adviser to this Committee on strategic thinking.

**Catarina Tully:** Correct. Also it is probably good to say now a trustee to Involve, the public participation think tank, and also the Foundation for Democracy and Sustainable Development, but I am speaking in my personal capacity.

**Q69 Chair:** From each of your perspectives, which are from the perspective of Government in its different forms, why is it so important to engage the public more than we do at present in policy-making?

**Professor Noveck:** When identifying myself, I should have mentioned I did serve of course for two years as the creator and founder of the White House Open Government Initiative and Deputy Chief Technology Officer in the Obama Administration in the Obama White House, so I did have the privilege of creating the first national-level online agenda around citizen engagement for the US Government.

It is extraordinarily important, and I will echo some of the things that Tom Steinberg just said. At this moment in time, as an institution—as a business, if you will—Government is operating in ways that are largely antiquated in terms of our ability to make good decisions on the basis of the best information. We have this great opportunity now to engage citizens to the end not simply of creating more participation and more democracy from a philosophical perspective, but of enabling us to do our jobs better: to create smarter, more effective Government, where we can frankly do a better job of tackling the enormously complex problems that we are facing. I would second his emphasis on saying that the goal of citizen engagement now is smarter Government above all: the ability to do our jobs in Government better on the basis of better information and new and more innovative ideas for how to tackle problems. There has been this constant rhetoric in the last few years that Government does not have the best information it needs or all the answers to all the questions, whether in Whitehall or Washington. We need to tap the best ideas that we can get—not only the best thinking but the best doing, acting and creating of new innovations that allow us to tackle challenges.

**Catarina Tully:** The previous speakers have said that public engagement is very important because of legitimacy, accountability and accessing new insights. I would also like to put this in a context of what is going to change over the next 10 years. Public engagement levels, if you look at the Hansard results, show interest in traditional politics has dropped below 50%. We need to re-engage the public, and that is really through non-traditional political forms. Also we are becoming increasingly aware that non-Government actors are really important to address our wellbeing—UK security and UK prosperity—so we need to engage on things like cyber, obesity and climate change with a lot of the actors, and have them as participatory members.

The world is becoming more globalised, interconnected, uncertain and complex. One of the key ways of responding to that is building social cohesion and resilience within communities, and the process of public engagement, discussion and dialogue is absolutely critical to that. The technical drive obviously opens up the possibility of mass participation in democracy, both representative and participatory democracy, in a new way. First of all you have more decision-making and oversight power, but there are downsides to that. There is the echo chamber effect. It can be superficial; the agenda setting can be quite random, responsive and reactive. So I think there are downsides that we need to explore. In summary, in order to have better public engagement, we need to have much stronger Government. It needs to be more strategic, smaller, but much stronger. That is the key tension that I would like to bring out.

**Roger Hampson:** I think the answer to your question is: because we believe in an open society. We believe in a society in which people participate in the decisions that matter to them. In Redbridge for the past six years we have tried to take a rather different perception, which is these new technological tools are changing every aspect of our lives. They are changing industry, commerce, what it means to be in the voluntary sector and what it means to like music. It is inconceivable that those tools will not affect and change Government. We have simply been trying to explore what those tools actually mean. Those changes will happen, so the point is to understand those changes and take part in them. A danger for local government in particular is that tools such as mySociety and other organisations will change what engagement and participation means, and local authority members will be nowhere in it. Our members particularly want to be part of that change.

**Q70 Kelvin Hopkins:** This is to Roger Hampson, regarding what you do in Redbridge. You have taken these additional steps to facilitate participation in your You Choose budget consultations by people without internet access or computer skills. How much did the extra time and effort involved cost in comparison to the normal paper approach to policy-making?

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**Roger Hampson:** It depends on how you are accounting for it. The whole exercise cost us in cash terms perhaps £25,000. As it happens, we then entered a partnership with the YouGov organisation that Stephan Shakespeare runs, and persuaded the LGA to buy the tools for local government generally. They paid 50 grand, and YouGov split it with us, so in cash terms we came out about even. But obviously the actual cost is a huge amount of officer and member time and thinking about it. Having said that, because our aim is to get eyeballs to our website because web transactions cost us so much less, as well as being what people prefer, we have driven more traffic to our website.

**Chair:** Could you please speak up a little?

**Roger Hampson:** Sorry. We have driven the traffic to our website up from about 20,000 to about 60,000 or 70,000 visits a week. That enables us to make a whole load of other savings in the authority, which enormously outweighs the cost of all of these exercises.

**Q71 Kelvin Hopkins:** It sounds admirable, but given the current state of local government finances, is it not illusory that there is a choice when we are really saying what would you least like to see cut, rather than what would you want us to spend money on?

**Roger Hampson:** With respect, that is not quite what we do. Traditional surveys basically ask people what variety of motherhood or apple pie they like best. What we have attempted to say to people is, "Remove the fiscal illusion; you pay for what you get."

**Robert Halfon:** Could you speak a bit louder?

**Roger Hampson:** Sorry, I am probably leaning away from the microphone. What our tool says is, "If cuts are going to be made, which ones would you like it to be? Pound for pound, service for service, service mix for service mix, set out your preferences." Our evidence is that that very complex question, which is actually the question legislators and local government are answering every day, is the question that people want to be involved in.

**Q72 Kelvin Hopkins:** Do you do that for minor things like, "What would you charge for football pitches?" and that kind of thing, or do you have big issues like, "Would you like to see Redbridge build more local authority housing, or should the land be sold off for private development?"

**Roger Hampson:** We have done all of those. The first mass collaboration we did in 2008 was around capital expenditure, and we simply listed for people the broad areas in which local government does spend capital money, and the broad areas in which we could raise money. We asked them what they wanted to have, and how they would find the money. But because of the wonders of the internet, if you clicked on one of those broad categories, it would tell you as much information as you liked about all of those things. So in terms of land sales, we asked if they wanted to sell land, but you could click through that and come to all the different options for the viable bits of land we had to sell. In order to have full information, I spent some time persuading our valuers to put our valuation of each piece of land against that so a reasoned decision could be made about how much would be raised.

**Q73 Kelvin Hopkins:** My concern, having been involved in politics for some time, is that the people who speak loudest are the most articulate; they are the ones who are well resourced; they are computer literate and will have computers. The people least likely to respond are the poor, the disadvantaged, the less educated—those without access to computers—who might actually be in greater need of local authority services.

**Roger Hampson:** I think that is absolutely true. First of all, it happens that Redbridge has got a very high level of internet penetration. My colleague's main aim in Sunderland, where things are very different, is to get people to have this tool, not merely for participation in local government but participation in life. Secondly, in terms of regarding this as a way to find out what people think, because we have such a high level of participation it was reasonably easy in our partnership with YouGov to manipulate the figures to match exactly who lives in the borough. So we were able to find out what people in the borough thought by correcting for the effects you are talking about.

If you were talking about it as engagement, you are absolutely right. If people have not got these tools, they cannot engage in that aspect of life. But I would say at one of our Cabinet meetings, on a very controversial subject, we get perhaps 50 people to attend once every six weeks. On the internet we had nearly 5,000 people participating in discussing and thinking about the budget. The numbers are just so astronomically bigger objectively with the internet.

**Chair:** Moving on. Sorry, we must move on.

**Q74 Kelvin Hopkins:** Do you still get battles between the parties when it comes to decisions in council?

**Roger Hampson:** No, but we get much better informed battles.

**Q75 Robert Halfon:** First of all, just to get it on the record, it is a huge pleasure to have the Professor as a witness. I read your book and I was inspired by it, which is one of the reasons why I was delighted the Committee did this inquiry, and it is great that you are able to be at the session. Before I ask my specific question, can you just sum up your book for the benefit of the Committee? Do not just go through the peer to patent thing, which we have got notes on, but how you think that can be translated into genuine digital engagement.

**Professor Noveck:** You could probably give a better book report than I could. I promptly forgot everything once I wrote it, and I am trying to think about the next one now, which is to think about how to apply these lessons. You know the crux of the experiment that we engaged in, and it is ongoing in fact in the UK as well, which was getting volunteer scientists and technologists to collaborate with several national patent offices to help in providing the information that would allow Government officials to make better decisions. So it gets back to the earlier point that I made, which I think is the core lesson that after my experience in Government still stands for me, which is that the future of Government looks like a hybrid

between strong Government institutions, as you were mentioning, and networks of people—groups and individuals—participating in helping to make those institutions work better.

The notions that somehow engagement is in fact a purely direct democratic push-button process of outsourcing the job of Government to the crowd—or the mob, as some people would think about it—or to markets, businesses and companies are I think visions that are undesirable and false. It is not where we are seeing technology take us and where we would like it to take us in this next generation, which is making the work that we do smarter. So the patent example was one in particular where the idea was not to abdicate decision making on extremely important economic, controversial decisions about patents to the crowd, but to reserve that decision-making authority of the Government official and have it informed with far greater, more nimble, agile, quick input from people in the field who know. One lesson is that it is the combination always between the network and the institution.

The second lesson that holds true is that design is extremely important. We worked very hard in thinking about how to craft a process that would enable that work to be done in a manageable amount of time, understanding that the civil servant who has to make that decision does not get paid to stay longer and does not have time to read through thousands of postcard comments. In fact postcard comments are highly undesirable when you are trying to make a more informed decision. So instead we thought about how to take what was then the best of green technologies to allow us to craft a process that would work for both sides of the equation. So to the question that was asked earlier about assessment, it was very important for us, and something we did in the process, not only to ask the people who were participating about their experience and what value they could contribute but to ask the people who were doing the asking how it benefitted them. So we surveyed the patent officials and the civil servants, and asked, “Was this a process that worked for you to help you do your job better, and how can we improve on that process?”

The one thing I can report just as an update relates to the national patent office in the US. Something that I helped to work on was to suggest they use a new platform that is currently available for free in the marketplace—not to use the software that I have designed and built for them, but to take a platform that is now readily and freely available—to do full-scale engagement for every patent in the whole system. So instead of doing a pilot, which is what we did, just about a month ago we moved towards full-scale engagement for every single patent in the system using a free platform. So the technology is not the impediment anymore; it is designing the right implementation, and that requires thinking about both the technology and the policy context in which it is implemented to create a process that is actually manageable and relevant for the people participating and the people who are making the decisions. I could go on and on, as I am a Professor, but I will stop there.

**Chair:** We cannot have the whole book, I’m afraid.

**Q76 Robert Halfon:** I do not know how much you have been able to observe of what the British Government are doing, but do you think they have made progress? What would you suggest they could do to go further?

**Professor Noveck:** Some of you may know I had hoped last year to come and spend an extended time working here, and for medical reasons I did not end up assuming that post. But I have a cordial and ongoing relationship of chatting now and again with folks here and comparing notes across the pond. In fact I am in town to organise a meeting on the research side of participatory engagement, to try to set up an international research collaborative, which we hosted at Nigel Shadbolt’s Institution, ODI, and at Number 10. I have been able to observe that this Government, as in the US, has made great strides on opening up its data in unprecedented ways and has really set the stage for the rest of the world for greater transparency. But transparency alone is not enough. Transparency by itself does not produce accountability, and it also does not produce smarter Government by itself. In fact the work that you are thinking about on ways of pushing, whether it is the Government in the UK or in the US—and we have as much of a struggle with this—is taking it to the next level of asking how to encourage people to engage with that data to build innovations that make Governments smarter, that develop better solutions for citizens and help us to do our work better.

I will give you a specific, concrete example here. There was an initiative rolled out last year called the Red Tape Challenge, which went halfway in the right direction of asking people to engage with the process of thinking about rules and regulations. But that initial process, which has been replicated recently in Texas—the Texas Red Tape Challenge—fundamentally focussed on asking people the reactive question of: “Which regulation should we get rid of?” That does not go far enough to take advantage of people’s skills and abilities, and instead to ask them the hard question of saying, “This rule was designed to do X, but in an earlier time. Can we think of more innovative ways that would achieve the same purpose—protect the public, increase entrepreneurship, benefit the economy, or whatever the goal is—but do it in ways that are not just more nimble or lightweight for entrepreneurs and innovators, but maybe even more effective for consumers, using new technology? Are there ways in which I could use requirements to disclose data, the development of a new kind of app, or something that might be a technique to effect better compliance, rather than the way we have traditionally written the rules?”

It is not atypical, for this and every Government, to take that first step of being more open and starting to ask the questions. It is about how we craft the questions that we ask to get the most relevant and helpful expertise. In this case, it is asking not simply, “What do you feel about something?” but “How can you actually help us to craft a better solution, or participate in building better alternatives?”

**Roger Hampson:** I will make a couple of points following on from that. I agree with all of that. I am a director of the Open Data Institute. One of the things

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we have done at Redbridge is to build a tool that enables us to put all of our data out on the internet; we have somewhere around 200 data sets, of which about 120 are on the web already. Our experience so far is that we get quite a low rate of people wanting to download or look at the data; it is building up, but clearly it will build up much more when other people start using those kinds of tools. However, relying on agencies out there to pick up on and interpret data will take a long, long time. Part of the game here is to use your own data, present it in ways that are interesting and drag people in to the issues.

To follow up on a point about direct democracy, we built a version of our You Choose tool, went to Number 10 and tried to persuade them to get the Treasury to use it in 2010, when the nation was having to make really quite difficult budgetary choices. Stephan and I were unable to persuade the Treasury that they would like people engaging in the national budget, for quite interesting reasons. So, we ran it out to a structured sample of 2,500 people ourselves, just to see what we got. Actually, what we got was a broad range of decisions that were very similar to what the Government was doing, unsurprisingly. Indeed, if the tool had said that people wanted something utterly different, you would think that the tool was wrong.

Within that, when you cut down to the details, just to take one example, people nationally did not want to maintain overseas development aid; foreign aid is enormously unpopular. We think we can stand that up completely. You ask yourself then, if George Osborne had used this tool, with the equivalent number involved nationally—let's say a million people—and a million people said, "We broadly agree with you but we don't agree with you on foreign aid," do you imagine the Government would have simply fallen over on overseas aid? Or do you imagine that people actually believing in it would have stood up in Parliament and said, "Broadly speaking we are doing what you want, but on these few issues we happen to disagree with you. You elected us, and that's what we're going to do." Because I am a believer in representative democracy, I think that is what people would do: they would stand up and say that. All the polling evidence shows that politicians who have credibility because they are able to stand up against what appears to be public opinion get a lot more standing from that. So I do not think you have to move to direct democracy because you have much better information about what people think.

**Q77 Chair:** I have a question on You Choose. I have looked at the national model online that you can play with, and, yes, it is quite fun to cut this, cut that, and see what the model says you have cut, but that is not necessarily what you would cut. For example, if there was another cut in defence, I would not cut Trident; I would cut other things, but that is the first thing on the list that gets cut.

**Roger Hampson:** I should say straight away that the process by which we produced our local You Choose devices involved a huge amount of discussion with elected members about what they thought the realistic options were.

**Q78 Chair:** So the national model we are looking at is more of a stab in the dark.

**Roger Hampson:** We mocked up the national model in a short period of time. If you were actually running a national model, you would spend a lot of time designing the model much better than we did. You are quite right.

**Q79 Robert Halfon:** I want to ask about social media. For the last election, my party developed a social media website for Conservatives called MyConservatives.com. It was meant to be a kind of Conservative version of Facebook, where members could interact with each other, and let each other know about mutual aid and donations. It was not really a great success. As far as I am aware, the site has folded, although they spent a lot of money in making it. When you are digitally engaging, should you use what is out there already, such as Twitter and Facebook, and is it possible to do so? Do you have to develop completely new models? Or is it a bit of both?

**Professor Noveck:** Yes and yes. First of all, the cost of using things like Facebook and Twitter, and building that into the daily work of press operations and whatnot, is relatively low. They are excellent ways of broadcasting out and reaching people in the same way we use television, radio, newspaper or other traditional media. For other kinds of collective action, or organising other kinds of processes, we do need some purpose-built tools. The great part is that the cost is so low that we have the ability to do more of them in more innovative ways.

It is not always about tools; it comes back to how we ask the question. I will give you an example. In the US Government, we built a site called Challenge.gov, which makes it possible for any agency in the US Government—I think they have now opened it up at the state level too—to pose challenges for the public to help solve. When I say challenges, I am not talking about a policy question like, "What is your view on this particular consultation?" It is, "We are trying to develop the next generation combat vehicle and are looking for the best prototypes that meet the following criteria," or "We are looking for the best recipes for school children, or to create the best video game, to help decrease childhood obesity." The challenges often have prizes or glory at the back of them; they do not have to be financial prizes—the prize can be to come and shake the hand of the Minister, or a free t-shirt, or to have done a public service. We are engaging people in offering their services and abilities in new ways. We tend to think of engagement as text or conversation/dialogue based; or maybe now we think of it as liking something on Facebook. But this was a relatively cheap way to set up a better facility essentially for tapping people's expertise and asking questions of them.

In order to minimise the cost, and because it was something needed across all agencies, the decision was made to build that platform centrally. By the same token, another thing we did was to execute blanket purchase agreements with vendors like Facebook and YouTube and other crowdsourcing platforms to make a variety of different tools available so any Ministry could choose whatever tool it wanted to use: one

wants to use Facebook; another wants to use IdeaScale; another one wants to use a third. There was a need to grease the skids of procurement, particularly on acquiring, free, cheap and open-source tools, as it turned out we were just not very good at knowing how to acquire things that did not cost anything. If it was a defence system, we knew what to do, but if you wanted to use Facebook, it initially turned out to be very difficult. The short answer is you have to do all of the above. However, I would caution against expensive, purpose-built projects that are over-designed, because they never work the way you think they will. That is why we need to be willing to embrace some degree of experimentation and innovation, to see what works.

**Catarina Tully:** Instead of talking about tools and mechanisms, I will perhaps talk about the purpose of public engagement. There are different types of public engagement, and it is very helpful to distinguish between the categories. You have expertise, deliberation on complex issues like GM, representation, then consultation, which is around legitimacy. We do these different forms of engagement at different times in the process and for different reasons. Depending on what that purpose is, we should use different tools. My problem with some of this discussion around public engagement as reflected in the Civil Service Reform Plan is that it puts the whole public engagement piece under three issues: it is about contestability, digital and civil servants. It is actually not. It is about the role of Government in society, and the relationship between citizens and Governments. It is about democracy; it is about how technological changes basically mean we can hold each other to account differently.

**Q80 Chair:** Instead of treating it as an add-on, it is in fact an existential question.

**Catarina Tully:** It is being treated as a tool or add-on; you get gimmicks and wasted money. Again, we need a stronger, clearer idea of what the role of Government is within a system, not at the top of a pyramid, and as a platform. It needs the skills—and certainly civil servants need more skills to do that role, but so, by the way, do the political entities within that constellation or political landscape. We really need to look at it more systemically.

Specifically on your social media point, I would like to say two things. First of all, apart from investing more in training, the one message I would like to give to civil servants is: go to where the conversations are being held. Hansard indicates these political conversations are being held, just not in traditional venues, so go to where they are being held. Don't set up new structures; go to Mumsnet in order to understand what mums think about politics. I would like to underline, perhaps against the general optimistic thrust of the three people you heard this morning, that there are real problems with digital engagement around quality of deliberation, which I think is an issue your colleague Paul Flynn brought out. It does need to be meaningful and sometimes not one to one. Digital interaction is one to one. When you are talking about policy-making, it is about being in a community. There are different trade-offs and

public externalities about how you commonly come to public goods. Face-to-face engagement is absolutely necessary and needs to be re-inserted into this debate.

**Q81 Robert Halfon:** How do you stop public engagement being manipulated by groups that have loads more resources and are better financed than others? We had 38 Degrees here. They have a huge budget and huge staffing—good luck to them—and they do fascinating work, in my view. But how do you stop an organisation like that crowding out other organisations, which do not necessarily have access to those resources, in the digital sphere?

**Roger Hampson:** To begin with, what do you think is the starting position? It is that all those organisations completely crowd out the non-digital discussion, and that the lobbying, political advertising, etc. completely dominate the space. Criticising moving in the right direction because it has not got to the goal yet is rather missing the point.

You just have to recognise that new technology is changing and will utterly change what it is to be a citizen. It is not just whether somebody will ask you about a policy or a budget. In local government, we own everything that people can see out of their windows: the roads, lampposts, grass, paths and schools. Up until now, it simply has not been possible to have an engaged discussion about that at all. We have simply set up our website so that people can log in with a password; they use their postcode, and when they go in, the website tells them what is happening to the schools, roads and lampposts outside their house. That was not possible 10 years ago, not because the technology did not exist but because everybody now has it on their kitchen table. That very profound change has happened, and it is the job of us in this room to live with that change and work out what it means. Of course, for every one you succeed, your 10th will always be wrong and two will fall over, or whatever, but that change has happened.

In parallel with that—and the Civil Service is having real difficulty recognising this—what it means to be a bureaucrat in the 21st century will be utterly different. It will not be about vast amounts of paperwork in order to deliver the stuff that somebody thinks is a good idea. All that is going. It is about harnessing this technology to understand what policies make sense in the real world that people live in. You are absolutely right; if you are not careful, overwhelming public opinion will push in some direction that makes no sense and takes people off the cliff. The role of politicians, political actors and bureaucrats is to try to match what people think or what people are influenced to think with reality in very short timescales. That is going to be enormously difficult. The Civil Service needs to be thinking, "How the hell do we deal with that?"

**Chair:** That is a very good answer.

**Professor Noveck:** As a quick response, I agree with all of these comments. This gets back to the systemic look at how we do engagement. I agree strongly that the game is already skewed; people will game whatever system we have or already have. We have far worse problems with inclusion in an offline era than in an online era. But how you try to minimise

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the risk also has to do with how and when you ask in the process. For example, when we craft policies, whether legislations, regulations or just policy statements, we tend to do so after we have finished, essentially, the work internal to Government. We have a nicely polished draft that we put out and ask for comments. Then you get, of course, different competing groups, whether they be sending in postcard comments or long legal briefs, which end up being rather unhelpful, skewing the debate and causing all these problems they suffer from in terms of the conversational deficits that were mentioned.

We started to look at how we can ask questions earlier in the process to get better information and facts to craft those policies in the first place. This was informed somewhat by the experience with this patent project of knowing that, even in a highly controversial, economically important area like a decision on who gets the patent, if you asked a very fact-based, granular, small question, it is much harder to game the answer. In other words, if I am looking for information about who has expertise in citizen engagement or in doing pilot projects around X, or for a fact or statistic about how many people from underserved communities actually participate in the consultation—those kinds of hard questions you are asking us—it is much harder to game. Although everybody may not agree on the answer, and it does not have to have a single answer, the more granular the question, the more difficult it is to game. When you start to move up in the process of when you ask people and what you ask them, you create more opportunities for engagement.

This is why the tool that the Patent and Trademark Office has now adopted in the US is a system that was originally, and continues to be, used by millions of programmers, which is called a Q&A platform. The CEO of that company—I love his formulation—says, “Our tool is a get-through-the-afternoon tool.” We are not asking questions you take three months to answer. We are a platform that enables people to say, “I can’t do my job today unless I know this statistic, fact or piece of evidence. I have to ask 100 questions to get through the afternoon.” That platform is optimised around that sort of design, and in fact questions are answered in a matter of seconds or minutes because they have a scale of people participating. Thinking about those opportunities, if I sit in a bank in the City and I am about to make investment, I have tools that allow me to say, “Tell me the eight greatest experts on solar power in China before I make an investment, because I have 10 questions for them.” That is the kind of thing we are lacking. It is a very different flavour of consultation, though, from the more heavily values-laden conversation that we still do not know how to do well, and that is often easily gamed.

**Catarina Tully:** To briefly answer your question, that is actually one of the core roles of Government, as a system steward, in the future to decide on. If we are going to pare back and think again, as Roger was saying, about what role the bureaucrat has in the 21st century, one of the key functions has to be to decide on the nature of the debate in the particular policy area you are looking at, and how to support effective deliberation. We all know the subject areas, like

climate change, where there is a lot of tension, and a lot of capture by groups both online and offline. It is about asking whether we need to deepen some of the wider discussions, or deepen expertise engagement to influence this issue. These difficult issues mean that it is not an easy solution; we are going to have to debate sustainable development, old age and pensions, and all these issues with intergenerational equity effects. Those are the issues that politicians at the national level will have to debate and get more people in wider society discussing.

**Roger Hampson:** What we are running in Redbridge is, in effect, a membership version of citizenship. We have 50,000 citizens in the borough who have logins and passwords to our website. They also have accounts with us that contain their council tax payments and other issues they are interested in. It beggars belief that a lobbying company will fake 10,000 people living in Redbridge and pay council tax for them in order to get a vote there; that is not going to happen. So, we are pretty clear about the validity of the base we are using.

Nationally, I would like to be a member of the United Kingdom. I have a personal relationship with the Amazon bookshop, who know vast amounts about me, but I do not have that relationship with the people who make the decisions here. The notion of active citizenship, in which you are registered with the country you wish to be an active citizen of, is very easy to do: simple statistics validates who is taking part, who is not, and you do the multiplication to make sure that you get proper results. If you encourage enough people to do what they do with their bookshop or their suppliers of many goods—their grocery stores—and that is your model of citizenship, most of these issues you can get around: the simple ones about fraud; the issues about how you discuss enormously complicated issues with people, which is very difficult.

When we tried to persuade the Treasury to use a version of our You Choose device, they had two objections. One was timescale: the length of time it would take to build a proper model, which is a fair objection. The other was that they absolutely, plainly thought that people could not possibly understand the construction of the United Kingdom budget, because that is what they did, and frankly that’s bollocks.

**Q82 Greg Mulholland:** I return to the issue of the Civil Service, and whether it can be a part of this change or is a potential barrier to it. In the Civil Service Reform Plan, the Government contrasts a model where the Civil Service filters or blocks external policy advice with one where people have “unmediated direct routes to Ministers”. That being the case, does that mean cutting the Civil Service out of the loop in some, or indeed many, situations?

**Catarina Tully:** We should commend the Civil Service Reform Plan for being so positive about open policymaking, and for having more or less the right assessment: that policymaking currently is too closed, untransparent, not open enough to challenge. That is all right. It also has some interesting innovations. The cross-departmental teams are good. More investment for outside policy ideas I would agree with. But it

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does not look at the systemic issue. The reason why civil servants do not do this more effectively is not because they do not want or are not able to, although of course a bit more training and idea of what good practice is would be good. I have trained a lot of civil servants in policymaking, and this is an integral part of what we train, and has been for the past four or five years; it is not really new. If you want to understand what is causing barriers to civil servants doing this, I would propose it is two other things. It is not about capacity or stubbornness. It is about having the time to do this effectively and being rewarded for it; and also having the political space. This area is not addressed in the Civil Service Reform Plan, which is really problematic; it is not in the interests of politicians to open up to the risk of having a lot of this decided by constituencies. Until you address that, it will be very difficult to get civil servants to be open and do open policymaking as much as we want them to.

**Q83 Greg Mulholland:** Briefly, because I am conscious of time, I mentioned earlier Sir Jeremy Heywood's comments. Do you think it requires outsourcing of policymaking in the way he suggested?  
**Catarina Tully:** If I look at my diagnosis of what the barriers are to open policymaking, I do not think that outsourcing is going to address the issue of not having enough time or the political space/risk issue—that people are quite conservative. In fact, you potentially add more risks. I do not think we acknowledged the fact that civil servants have amazing assets of authority, legitimacy and their convening power, which actually has a real pound value to it. If you are a private organisation asking for the expert input that the Cabinet Office often comes to us to ask for—and our time is free—there is a lot of value to that. It is recognised internationally. A lot of international civil servants who I train come to the UK and say, “The way you civil servants do it, and your professionalism, is right.” So my concern is that you throw the baby out with bathwater.

I need to caveat all of this with the fact that there is very little detail in the plan of how it will act in practice, but I think it would probably be a bit better to have a very clearly defined role—picking up Beth and Stephan's points earlier—of the civil servant as a custodian or guardian of the process, at the heart of decision-making. It needs more money, certainly, and more openness to other people feeding in to it. I am absolutely against outsourcing the decision-making. I am totally for including a lot more input and reducing the role of civil servants to a guardian of the process.

**Roger Hampson:** First of all, we should recognise that we have a pretty open policymaking process at present. The British process is very open to academic life and to people in industry who have strong views getting those views accepted. Certainly, as a former director of social services and an academic in social care, virtually all the changes in social care that have taken place in the past 30 years have originated in academic discussions that have been picked up by civil servants and then led to very profound changes, which were often, for financial reasons, just absolutely necessary. I would not say we live in a closed society

to begin with. I would say that the pace of change and the ability to source academic and non-academic opinion, and the opinion of people in industry, is much greater than it was. The speed is much greater than it was. Civil servants need to be open to that.

The absolute central policymaking process will never be outsourced as such, because somebody inside will have to be saying yes or no to policies. That will need a very different, quick, adaptable style, though possibly not substance, of policymaking inside Government. It will need to be much more open, smaller, and all of that. However, I think those changes are profound only in the sense that it is about speed and size. I do not think you should start throwing out the openness of the existing policymaking process.

There is a very interesting book that David Edgerton wrote, called *Britain's War Machine*, which is about the economy of the country during the Second World War, and the myth that a completely unprepared Government had no connections or knowledge of what was going on. In fact, it was enormously data-driven from before the War. The British Empire was enormously economically powerful, with a vast range of resources, and drew in every academic and industrialist who had anything to say. It was a very successful machine 60 or 70 years ago. There is no difficulty in doing that; we just have better tools to do it with.

**Chair:** The story of Bletchley Park is exactly that.

**Roger Hampson:** Absolutely.

**Professor Noveck:** If there is time, I want to second that. We had beautifully designed systems 50 years ago. Between the US and the UK, we have evolved. Bureaucracy, administration and the Civil Service are great inventions of the 20th century that were designed to create truly expert Government that could operate independently. That has been at the admiration of the world. We are talking about how to evolve these institutions for the 21st century.

I had a lovely dinner last night with a British entrepreneur, who is running a company around digital science, and trying to build tools for scientists. He essentially has a storehouse of innovators whom he incubates and shepherds, recognising that if he tried to build a central organisation with all the best ideas for how to support scientific research, he could not do it quickly by himself. At the same time, he could not just invest in a bunch of companies like a venture capitalist and let them go off and do their thing; these people are extremely smart about a specific area of science, but have no experience of how to run a company or solve a problem at scale. So his company has a blended model, and I was struck by this in thinking about the session today as instructive, at least, for how we think about the role of the Civil Service and the steward of the conversation. It is about opening up ways of getting at new kinds of solutions to problems, but without abdicating the role of the civil servant or the Government. I cannot be overemphasised that the role of the institution and the hierarchy is extraordinarily important for preserving the public function of and public interest in government. It cannot be replaced by the market; it cannot be replaced by a sort of

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outsourcing—whatever word you want to use. Strong government has an extraordinary important role to play, but as a nimble steward of the conversation and embracing entrepreneurs and innovators.

If I may, I will give another quick example from government, which is the adoption by the US Department of Education, when the Obama administration began, of a technique of saying, “We’re going to give out funds,” which is what they do. “If you have an idea with a small amount of evidence, we will give you a small amount of money. If you have a large amount of evidence that something works at scale, we will give you a large amount of money.” It was a setting of some basic standards, but a relaxing of the way they adopted innovation. Instead of saying, “We’re going to promulgate all the innovations out of Washington,” they said, “We will look for innovations wherever they come from, give money at different ranges, and become much more nimble in how we support innovation.” It is the government corollary to the example I gave from business. In response to your question, I think that is an interesting model. It is not abdication or outsourcing; it is an evolution.

**Chair:** You have been giving us some extremely comprehensive answers. Looking at our brief, the questions we have to ask have all been very comprehensively covered. Mr Halfon has a final question—very briefly, if you can.

**Q84 Robert Halfon:** Mr Hampson, what is it that made your council take the decision in the first place to go down this path? What was the genesis or catalyst that led you to what you are doing?

**Roger Hampson:** In 2006, we simply decided we wanted to use all these new tools to explore what they meant for government, because of the basic, obvious, simple proposition that they are going to change local government. We did that because I thought it would be a good idea.

**Q85 Robert Halfon:** Was there pressure from the councillors as well, or was it just from the officers?

**Roger Hampson:** It is all about getting three political parties to slowly move towards changing.

**Q86 Robert Halfon:** Has it been supported by all the political parties?

**Roger Hampson:** Yes, absolutely. The competition amongst political parties now is to say who is using these things most and why they are not doing more of it. Our next step will be that we will permanently consult on all our major decisions; we have built a consultation engine that will do that. The competition will be around who is or isn’t using that best.

**Q87 Robert Halfon:** Could you recommend to the Committee any individual who has been putting this digital engagement into practice that we should either see or receive written evidence from?

**Chair:** You could write to us.

**Professor Noveck:** I may have a long list rather than a short one. I will leave you with two quick points. We have to start thinking about training not simply the civil servant of today but the civil servant of tomorrow. That means education and training,

focusing on that as part of remit and thinking not only about the person studying political science or public policy but the person studying computer science and engineering, and getting them engaged with issues of public interest and import and functions. It is extraordinarily important, because we have to start this process now.

You gave the world the innovation of the jury in the 12th century. You need to do that again for the world, but we need not simply one institution or way of engaging but ten, a dozen, a hundred new ways, because we do not fully understand how to do this well. The technology is evolving, and we must figure out how to evolve. The technology moves at lightning pace and the institutions move at a snail’s pace. Getting these two things to work together effectively is going to be an evolutionary process. Now is that difficult birthing stage. We need to simply try lots of things, measure what works and then do more of it.

**Roger Hampson:** To follow up, I was actually astonished in 2006, when we first started thinking about this, about how little the organs of democracy were using this new technology. Actually, I am still astonished by how little of it we do. There has been lots and lots of really good progress: on opening up data; on discussing using these tools. I am still astonished about how little they are used.

Look at the extraordinary budget position in the United States at present, in which incompatible views will have to be made compatible because the numbers will have to add up at the end of the day. There is a whole range of tools you could design and use to involve the nation in that and, politically, to get the enormous gain on this very difficult thing you have to do, through the compromise and consultation you have to do. Very, very little of that is going on. Ultimately, it is portrayed as a debate between the Speaker on the Hill and the President. That is such an absurd way, in the 21st century, to be making complex decisions.

**Q88 Chair:** Cat Tully will have the last word. The point is that public engagement is not about abdicating leadership.

**Roger Hampson:** It is the exact opposite. We all believe in a bunch of simple things. We believe in an open society, open science, plain language, clarity about what decisions are and what decision making is. Actually, the world is enormously complicated. It used to be the case that if you were going to make a decision, you either had to get the maximum number of people in a room—so 20-something for a cabinet, 600 and something for a parliament—and that was it; or you could ask a question, which was “yes” or “no”, on which of the candidates people wanted to pick. The You Choose tool gives you more options than the entire population of the planet could use between now and the end of the planet. We have sliders with 200 points on, and there are 20 sliders. It is perfectly possible with the technology to take and produce from it a simple statement of what people want. Those tools are enormously powerful in taking complexity and making it simple. What leaders need to do is take the simple things and use the complexity to make the

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decision. It is difficult, but the tools are there, and I am astonished that people are not using them.

**Catarina Tully:** I would like to finish on one point: this is about democracy and citizenship, not about the tools. If you look at the Civil Service Reform Plan, the word “citizen” is there only three times; the first time is on page 8. So, I think the whole framing of this debate needs to be much more sophisticated. Yes, it is absolutely about having strong leadership of government, because all that we know, including the participation through pathways research by Involve, indicates that what gets people engaged—whether they are experts; whether it is deliberation; whether it is social media—is around expectations: whether they feel as if they have been listened to, and whether the parameters for engagement have been clearly set out.

Government has to manage those joins between what is up for grabs at the national level and at the local level, and the division between the two. This is why it is really important that the Government develops a clearer view of what its national strategy is, and has an emergent strategy where it listens very deeply to people all the way through the process, using different tools and for different purposes.

**Chair:** Thank you very much. We have had six extremely enthusiastic witnesses today. We have certainly enjoyed this session; it has been very interesting. How interesting it is also that it ties in to the work we are doing on Civil Service reform, and the work we have done on strategic thinking and leadership in government. It has been fascinating. Thank you very much indeed.

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**Tuesday 20 November 2012**

Members present:

Mr Bernard Jenkin (Chair)

Alun Cairns  
Paul Flynn  
Robert Halfon

Kelvin Hopkins  
Priti Patel  
Lindsay Roy

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**Examination of Witnesses**

*Witnesses:* **Mike Bracken**, Executive Director, Government Digital Service, **Professor Nigel Shadbolt**, School of Electronics and Computer Science, University of Southampton, and **Simon Burall**, Director, Involve, gave evidence.

**Q89 Chair:** Can I welcome our three witnesses this morning to this evidence session on open policy-making and public engagement? Could I first of all ask each of you to identify yourselves for the record?

**Simon Burall:** I am Simon Burall. I am Director of Involve, but I am also wearing another hat, which is Head of Public Dialogue for Sciencewise, which is a BIS programme.

**Mike Bracken:** I am Mike Bracken. I am Executive Director for Digital for the Government Digital Service, which is part of the Cabinet Office.

**Professor Shadbolt:** I am Nigel Shadbolt. I am a Professor at the University of Southampton, but also Chairman and Founder of the Open Data Institute.

**Q90 Chair:** Thank you for being with us this morning. In our session last week, one of our witnesses, who is also an adviser to this Committee, Cat Tully, talked about the importance of civil servants having the time to do this effectively, being rewarded for it, and having the political space in which to do it. She also said politicians do not feel it is in their interests to open up policy-making in this way. What do you think are the cultural barriers to open policy development?

**Mike Bracken:** I shall take that on as the civil servant here.

**Q91 Chair:** Mr Bracken, how are you finding it?

**Mike Bracken:** I am finding it very well, thank you. It is fascinating; it is a wonderful time to be in government and reforming parts of government digitally. My first observation on the cultural challenge is that this is something that is happening to us, as much as something that we are doing, in terms of open policy-making. As an example to colour that, we recently launched GOV.UK, which is a platform for Government services. It replaces Directgov and Business Link. The process of launching GOV.UK was highly instructive. We launched it with an alpha service, which we created in 12 weeks with 12 people. We put it out there and requested comments, and we got a great deal of feedback. The cost of that was quite minimal. We did not go and develop long policy papers; we learned from that experience and fed that back into the policy-making system and process. That subsequently led to a beta, which involved more people and a slightly longer time—that was over three

or four months. That process allowed us to learn a lot more. The beta led to a full version, which launched earlier this month. Through the alpha and beta processes, we engaged with 100,000 users. 3% of those gave us feedback and 1,000 of those users gave us very detailed feedback. That process—the ability to listen to that feedback, to learn from it and feed that into the actual product that is created—is, I would contend, a new form of open policy-making. That is an example of the challenge facing us right now.

Put simply, the challenge is that the elongated process of policy-making, which currently then hands over to an elongated process of delivery, does not really work too well for digital products and services, which are often developed and created daily, based on user feedback. Many of the services that we all use in our personal lives outside of government are created in this way, such as buying books, aeroplane tickets and all the rest of it. They are based on a process we call iterative feedback: you launch a product and service; you watch how people are using it; and you learn from that and feed that back in.

That is a good example of the challenge we face, because that is a cultural challenge to the timecycle of our policy development, which then meets the long-term delivery problems. By the time we have come out of the delivery cycle, the user demands have often changed fundamentally from the point at which we started.

**Q92 Chair:** I think we are hearing about practical difficulties rather than cultural barriers. Can I ask our other two witnesses?

**Professor Shadbolt:** The area in which I have been most engaged has been in opening up government data—the non-personal public data that government collects huge amounts of. Of course, as we make more of that available, it is about evidence very often, whether it is infection rates in our hospitals, educational attainment in our schools or the state of the roads in terms of transport. The cultural question is how serious we are about evidence-based policy, because we live in a world now in which we have the ability to instrument the environment, people and processes to acquire and gain insight about what that evidence might look like. That can sometimes be quite inconvenient to politically held priorities and beliefs. The challenge is not just the cultural one; it is about the fact that the world has changed to provide very substantial amounts of information. That information

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bears on practical and policy questions, and the challenge is as much then about developing processes, as the last verbal session recorded, that can take advantage of that and engage people in appropriate ways. It is not all about mass engagement on every single topic. In some cases, it will be about highly local issues. It will be about formulating tools and methods that allow you to argue in a very structured way about some issues. In other cases, it is much more general surveying. We have a range of methods that have come to the fore that each present rather different cultural challenges. I do not think there is one cultural fix here.

**Simon Burall:** I am hearing your question specifically through the lens of public engagement and whether the culture allows government to do public engagement properly, as opposed to the delivery of services and so on. There is a significant cultural problem. A major problem is that civil servants and politicians go through the policy cycle and, at the last minute—too late in that policy process—think about engaging the public. The challenge is a whole set of issues as to why that happens. Government is used to facing inwards, not outwards. It struggles to face outwards. It struggles to deal with what it hears in a measured way. The sorts of incentives that civil servants have are to face upwards in the hierarchy, as opposed to listen outwards. How do you recognise people who are engaging on Facebook, on Twitter, on blog posts?

**Q93 Paul Flynn:** What does facing upwards mean? Is it facing towards God or what?

**Simon Burall:** Maybe GOD, using the acronym, is the place they are facing towards in the civil service hierarchy, absolutely. They are writing reports upwards.

**Q94 Paul Flynn:** GOD has gone. Gus O'Donnell has gone. He has been replaced by a Trinity, so would they still look up to the Trinity now?

**Simon Burall:** Yes.

**Q95 Paul Flynn:** I am beginning to understand what you are talking about. I am trying to break through the jargon, but with some difficulty. Carry on, please.

**Simon Burall:** I will try to keep it as jargon-free as possible. That is another cultural problem for government, which is that we, both those operating outside government and inside government, use too much jargon. We use too many acronyms, and the public do not understand that. The public, when they engage with government, do so when they use a service, whether it is going to the doctor, whether it is delivering a child to school or whether it is using a road, and yet when we want to engage them, government and those around government, we have a very particular policy we want to engage them in that looks nothing like how the public understand what is happening. Government finds it very difficult to frame these issues in a way that makes sense to the public. They can draw on their experience to feed something back that is useful, so thank you for holding me up on jargon.

**Q96 Priti Patel:** I will start with Mr Bracken. What has been the response so far from ministers and senior civil servants across Whitehall to the Government's Digital Strategy? In light of some of the comments that have already been made, are both parties committed, engaged and focussed enough in terms of the delivery? Is there a broad understanding of the public benefits to policy-making in particular through the focus of the Digital Strategy?

**Mike Bracken:** The reaction to our Digital Strategy, which was only published weeks ago, has been wholly positive and I have not heard any negative feedback from any Departments. Clearly there are inherent challenges in those Departments, because it is a hard, actionable strategy. Later in the year, each Department will publish its departmental digital strategy. It is at that point, in the period really starting now through to the end of the year, that we are expecting to get the first degree of really detailed feedback from Departments about what they feel. The answer to the first point is it is a little premature yet, but the early signs are that it has been overwhelmingly positive. In terms of cross-party engagement, could I ask you to repeat the last two of your questions?

**Q97 Priti Patel:** I meant the engagement particularly from ministers and senior civil servants, in terms of commitment to the Digital Strategy, but also the broader understanding in terms of what it will bring in terms of public benefit to the whole engagement process as well.

**Mike Bracken:** In terms of engagement inside the system, they have been highly engaged. I attended the Wednesday morning meetings a few times to brief all permanent secretaries. Late last year, the Cabinet Office wrote to all permanent secretaries to ask them to invite us to discuss the Digital Strategy with them, and my team or I have attended most departmental boards. We asked each Department to nominate a digital leader, and that is a board member, a DG or commercial-director-level person in the Department, who can take the digital initiative for their Department. Most Departments have done that, sometimes with a great degree of success. To be fair, we have landed the digital agenda with Departments very well, and we have got a good degree of buy-in considering the nature of the Departments and particularly the split between the transaction-heavy Departments and the policy-led Departments.

**Q98 Chair:** If you ask a permanent secretary, "Who does the digital strategy in your Department?" does the permanent secretary say, "I do"?

**Mike Bracken:** I would think they would usually say that they have a board member who is responsible for that.

**Q99 Lindsay Roy:** Can I just clarify? Did you say initially that things were happening to the civil service rather than with the civil service? If so, did that bring some resistance in terms of cultural change?

**Mike Bracken:** In the general trend of how users are using digital services, I was referring to that constituting a challenge from our users of public services, because they are more readily giving us, and

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able to give us, feedback on their experience. That is a challenge to how we set policy within the civil service.

**Q100 Lindsay Roy:** So we have a long way to go.

**Mike Bracken:** Absolutely, yes.

**Q101 Lindsay Roy:** Can you just clarify what the difference is between engagement and consultation?

**Mike Bracken:** Consultation has a degree of formality to it, whereas engagement is an ongoing conversation.

**Professor Shadbolt:** They can be engaged on a whole variety of levels. We think of it often in terms of policy or ideas around the kind of thing that might be framing thoughts before you go to consultation. But often the engagement is very direct and material. It is the way in which a citizen is getting information about their welfare entitlements. That may be more about provisioning the service, but that is how many citizens are going to encounter government and it will colour their view hugely about utility and the ability to get things done. Can I get my health records? Can I get my education transcript? Can I get my tax records? The answer resoundingly to all of those is, “No, not particularly well at the moment.” That has to change.

**Simon Burall:** This is my bread and butter, as it were. The word “engagement” is a very broad word and I think it means, as Nigel was saying, citizens interacting with and receiving information from government all the way through to citizens having a collaborative approach with government and actually developing services with them. Consultation sits somewhere in the middle. Consultation for me has a very specific meaning: it means that government has developed policy to a point where it knows what it wants to do, and what it wants to do is engage on the details, from something as simple as exactly where the access road should go for a wind farm, through to whether we should set the marginal rate of fees at this rate or that rate.

There are different types of engagement beyond consultation. You can move into the sorts of things that the Sciencewise programme does, which is dialogue. That is where citizens are engaged by government much earlier in the policy cycle, where government is not really sure even what it thinks about the issue, be that geo-engineering, synthetic biology or a number of other issues. Citizens hear from experts about the policy and the science; they deliberate among themselves, and then they provide a view about what they have heard, which government can then take away. That is very different from consultation, because it happens at a different point in the policy cycle. There are a number of ways you can engage.

**Q102 Lindsay Roy:** Would it be fair to say that cultural change with regard to engagement is patchy across Departments at the present time?

**Simon Burall:** I think that would be fair. You should not just focus on Whitehall; you should also think about local government, which is where the majority of citizens engage with government.

**Chair:** And about 300 agencies.

**Simon Burall:** Exactly.

**Q103 Lindsay Roy:** Do you have examples of very good practice already that you can highlight? If so, what are they?

**Professor Shadbolt:** You had testimony from Roger Hampson from Redbridge last week, and they have some of the more really impressive areas. Of course, locality means that the issues people care most about are literally outside their door, so they are motivated, if you can find the method, to really engage. It is interesting to see how they have simply opened up a whole range of data, information and decision-making for public scrutiny.

**Q104 Paul Flynn:** This is all wonderfully utopian, but governments make a decision on pressure and prejudice, and usually evidence-free policy. To give you just one example, yesterday in the House of Commons it was pointed out to the Government that banning mephedrone last year doubled the use of mephedrone. This is from Operation Tarian—a serious result. Imposing the severe-risk drug prohibition in Europe in 1971 increased the number of addicts we have in this country from 1,000 to 320,000, but this Government and all Governments will do what the *Daily Mail* tells them. It is evidence-free, regardless of what the actual evidence says to them. There is no evidence base in the Government. You really are banging your heads against a brick wall if you think that governments are going to behave in a rational way.

**Simon Burall:** You have picked a very controversial example, but I think.

**Q105 Paul Flynn:** Answer it. Why should we ban drugs when it increases the use of drugs, on every occasion?

**Simon Burall:** Your colleague Lindsay Roy asked for examples of where government is doing this in a positive way. One of the things about culture that the Research Councils are demonstrating is that they are learning and they have processes of evaluation to understand where public engagement is working for them and where it is not. For example, they engaged the public on the controversial topic of geo-engineering. As a result, using what they heard not just from the public but from other sources as well, they have looked at their programme to invest money in and support the development of geo-engineering, and they have adapted it.

**Q106 Paul Flynn:** What do you make of the wonderful and unique example of disengagement we saw last week, when 85% of the population refused to vote? Even more remarkably, 120,000 went to vote and spoiled their ballot papers with insulting comments in the main about government and government policy. Is this not a wonderful example of public engagement that we should be taking notice of? There was a word, which I did not realise could be spelt in so many ways, that occurred again and again on the ballot papers. This is the public putting up two fingers to government.

**Chair:** A brief comment.

**Simon Burall:** From my perspective, people are saying the public are disengaging from the process.

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**Paul Flynn:** Just 85%.

**Simon Burall:** I wonder whether actually the public were not clear what the problem was that police commissioners were trying to solve. If the Government had engaged in a very different way, much further upstream in the policy, you may well have ended up with a different answer to the problem and perhaps something that the public were much more engaged in. The public felt very disengaged.

**Q107 Chair:** Do other of our witnesses want to comment on that last question from Mr Flynn?

**Professor Shadbolt:** I think if we give up entirely on the notion of evidence informing our policy, that would be sad. I recognise that political realities will sometimes intrude, but we can see plenty of examples where the evidence, in many contexts, has been the thing to make the difference, such as wearing seatbelts.

**Chair:** Were I allowed, by the rules of this Committee, to refer to who is sitting in the public gallery, it would be a great pleasure to welcome the National Assembly of Nigeria's Committee on Public Service Matters, but I cannot see them

**Q108 Priti Patel:** I think all three of you have already briefly touched on the fact that each Government Department will effectively be coming up with its own digital strategy, which is very laudable and obviously will take time. I am interested in a couple of things. Firstly, what resources does the Government Digital Service have in place in terms of delivery? What timeframes are involved? What is the ambition? What would success look like? Secondly, I am interested in particular, in terms of speaking about resources, in what kind of training is provided, not just to the civil servants but in particular to ministers. Of course, ministers are pretty busy people and they change, so how can you therefore have consistency in terms of delivery with ministers, in light of the fact that they change, their roles change, etc? What kinds of resources do you have to invest in ministers?

**Mike Bracken:** I will start with the Government Digital Service. Today, we are part of the Cabinet Office transformation cluster, which I run with my colleague Ed Welsh. We are about 220 people today. That consists of the core development team and the product and design team that run GOV.UK and various platforms. I also run the identity service, the IDA programme, which is about 20-strong. That is separately funded, but part of the team and co-located. Also, we are in the process of integrating the IT reform group, because so many of the issues that we face are consistent with requiring some degree of structural IT change within Departments. That will bring us up to about 250 to 260, and that is probably as big as it will go. That is certainly as big as is budgeted for. The types of skills we have are, I would contend, a lot of new skills that are not present in many Government Departments—a lot of open-source technologists, a lot of enterprise architects. They are effectively a web generation of technologists, which we do not really possess much in government, which makes them stand out quite a great deal.

**Q109 Priti Patel:** On that point, is this new recruitment that is coming in with specialist skills?

**Mike Bracken:** Over the last year or so, we have explicitly brought those skills in. That was part of the mandate for the Digital Service: to bring that generation of technology and digital skills to the heart of Government, which is why we are located in the centre.

**Chair:** Sorry, you will have to speak up a little bit.

**Mike Bracken:** Sorry; I beg your pardon. Over the last year, we have brought those skills in, as explicit in our mandate to bring those people in, to the heart of Government. You are quite right, though, that now the strategy is being published and the departmental strategies are close to being published, and now we have a platform in terms of GOV.UK, we have to get those skills much more widely distributed around Government. I am working with the digital leaders in Departments to establish the skills and capabilities capacity in many of those Departments. Literally, some Departments and some big agencies have outsourced so much of their capacity over the last decade that they have no one to define their own technology architecture and also their digital skills. That is where a very small number of people, even renting them across from other organisations or sharing them across government, can make a profound difference, because then we are not reliant on some of the large companies that have been selling this.

**Q110 Priti Patel:** This is bringing the skills in-house, effectively, based in the Cabinet Office, and then sharing that across Government Departments.

**Mike Bracken:** In some cases, yes. In some cases, it is helping Departments build their capability. In the Ministry of Justice, right now we are helping the digital leader create a digital centre at the heart of that Department.

**Q111 Chair:** Is this seed corn for the civil service also growing its own indigenous capacity?

**Mike Bracken:** Absolutely. That is absolutely crucial because that is the legacy we have to leave. We are starting with fast-streamers. We have brought several of the fast-streamers into the GDS. Actually, one of our more successful groups just went back to the Ministry of Justice to start to grow that there. It is a start, and I must say that we start with a very low base. The numbers of people of this generation in Government is astonishingly low. That has been my finding over the last year.

**Professor Shadbolt:** That is the key block here. The level of public technology skills across Government is simply not fit for purpose. Unless we, through initiatives like Mike is describing here, really do something significant about that, and it would be in Departments—and what is true for Departments is also true in local government—then how do we bring, as Beth Noveck mentioned, computer scientists into the Civil Service at an appropriate level to inform this and not just rely on the standard PPE background from Oxford?

**Mike Bracken:** There are many things mitigating against success in this area, not least the decade of outsourcing that we have had prior to this. One thing

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that we should recognise is that this generation of people, these younger people who have these digital skills, generally have, in my experience—and I have worked with them for 20 years—a high degree of social interest and a high degree of willingness to serve the public good. They are, to my mind, a good example of the next generation of civil servants, because they generally want to make public services better. Many of the people I have brought in have been on fixed-term or set contracts, because this generation does not see themselves as having long-term career plans. Nevertheless, many of them have accepted substantial salary cuts to come and do this, because they feel it is in the public good and public interest. That is something that we should recognise.

**Simon Burall:** It is just a very brief comment. I cannot comment broadly on GDS, but I wanted to talk about public engagement and digital. One of the issues and one of the big skills gaps is the people who understand how to engage the public do not necessarily really get digital, and the digital people do not necessarily get public engagement. There is a real need to begin to find ways to get teams to work together and to begin to train across those teams in different ways.

**Q112 Priti Patel:** Can I come back to the point about ministers, in particular? What is the investment and what is the resource going to look like for ministers?

**Mike Bracken:** I do not have a specific programme of work for the education of ministers. That usually comes through departments. To be frank, it is hit and miss. We have had some degree of engagement with ministers; several of them have expressed interest in using some of the tools and the services that we have created. Examples of those are things like the public consultation reading stage service, and the e-petition service is probably the most high-profile of those digital services. I would say we have had a good degree of ministerial interest, but I cannot in any way say there is a training programme behind that.

**Q113 Priti Patel:** Presumably it will be down to the permanent secretary for each Department to factor that into departmental strategy.

**Mike Bracken:** Yes, and GDS will help and support them drive that capability, whether it is the minister or officials in that Department.

**Chair:** I think we have reached question 4, but we have to finish by 10.30, so we have a number of questions to get through. If you can give us crisper answers, we would be very grateful.

**Q114 Robert Halfon:** Looking at the things that you are doing at the moment, whilst welcome, they do not seem to be that dramatic. Allowing people to comment on a Bill is what blogs were doing five years ago. I am not saying it is not good; it is great that you made this, but I cannot see anything really radical. You talk about crowd sourcing and all this sort of thing, but I cannot see any genuine moves to really involve people inside policy-making, apart from just allowing them to see information and allowing them to comment on the odd clause here and there. Could you all comment on that, please?

**Simon Burall:** One of the significant problems is all the way back to this cultural change, which is for that change—engaging the public in policy-making—government, both Parliament and Government itself, has to absolutely mean it. The trouble is that the public, all too often, get asked a question that government then just ignores. The radical change is not about mass engagement; it is about the much more challenging business of changing the way government does policy, involving the public much earlier in the policy process, and thinking much more clearly about why you are engaging the public. Is it because you think the public have ideas or information that you don't have? Is it because you need legitimacy for a decision? There are all sorts of reasons why you might do it, but government is not often honest with itself about why it wants to do it. It does not know or think about what skills it needs. Actually, the radical change needs to happen inside government, not in terms of the tech to do it.

**Q115 Robert Halfon:** It seems that digital engagement is merely, as you say, creating a sort of similar thing to consumer, so that they can access their tax online and all this sort of thing, and giving them lots of information, which is good, and allowing the odd comment. It is going back to where the public were five years ago, in terms of internet usage. It does not really change anything dramatically. We had a lady last week, Beth Noveck of *Wiki Government*, with her peer-to-patent type of thing. There is nothing like that at all, where people have a genuine involvement in government, outside Parliament.

**Professor Shadbolt:** I think that is the challenge. Can you assemble expertise in a very agile fashion to dig down into particular issues? The thing about Beth Noveck's work is that she highlights how, giving specific requirements and tasks, rather than the very broadest brush, will often get you the most specific results back and the most help. Again, we have not redesigned the work process, if you will, within the business of asking for insights, help and advice. We appoint our chief scientific advisers; we have events like this; but to actually focus on particular issues at large, with the tools we now have to do that, has not really made it through.

**Q116 Robert Halfon:** Even the e-petition system is pretty backward when you think about—allowing people to sign an e-petition, whoop-dee-doo. It is a good thing, but it does not really dramatically change things. They are not even guaranteed a vote, although people perceive that they are. We still have appeals or a backbench committee in order to have the vote. I cannot see a genuine belief from the Government that we want to be radical here and really use the internet to change policy and public perception, and really engage people to move away from 2.0 to 4.0.

**Mike Bracken:** Firstly, I am hoping to see a much higher level of ambition statement in the departmental digital strategies, so we should see a higher level of radical ambition, I hope, for our core services by the end of the year. To be fair, the jury is out at this point on that one. At the heart of services like e-petitions and others—GOV.UK is an example—there are two

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things worth commenting on. The first is that this is not a massive radical change, but an ongoing constant set of small changes dependent on user feedback. In the first 10 days after we launched GOV.UK, we made over 100 changes to it based on user feedback. We are able to do that because there is a dialogue and an engagement with those active users, and some of those changes can be quite specific because the feedback is coming from specialist areas.

The second point to make about services like e-petitions and indeed about GOV.UK is that there is an inherent radical departure at the heart of it, which is to recognise that, for the first time, users do not have to know the inner workings of government to engage with government. You do not have to know all the details about how government is structured to petition government or to find government information. We all know, I think, that large Departments have a clear remit but, with all the agencies we have, it is often very difficult to navigate around government, especially around esoteric policy areas.

**Simon Burall:** I have two points. One: that is a really radical change. Our own research shows that the public will really only engage when they meet government services. What GDS is doing there is really very radical. Secondly, you were asking about where the big thing in the internet is. I think that is asking the question the wrong way round. What problem are you trying to solve? What is it the public have that will help you solve that problem, and then is the internet the way to do it? Is it the internet plus offline engagement? If you ask the question, “What can the internet do for us?” you risk getting it very badly wrong.

**Q117 Chair:** If I look at the Inside Government website at the moment and the two Departments that have signed up, I would be really delighted if I was the Secretary of State for those Departments, because it puts in really accessible forms everything I have said, everything I have done and everything my Department is doing, all in the Government’s language that is supportive of what the Government is doing. If I was in opposition, I would be quite cross, because this is obviously a brilliant communication tool for people in power. How is it going to be empowering of citizens? At the moment, the Inside Government portal does not seem to do that.

**Robert Halfon:** At the moment, it is just: “Tractor production in the Soviet Union is up by 5% this year.” In essence, that is what the internet offering seems to be. The public cannot really change it. You talk about the e-petition; anyone can set up an e-petition. There are millions of different websites. They do not need a government website to set up a petition on anything, and they can then present that to government.

**Chair:** Where is the challenge in this process?

**Robert Halfon:** There is nothing particularly amazing about the government e-petition system, because it is no different from being able to set up any petition as a private citizen.

**Mike Bracken:** In a sense, it is different, because it allows you to navigate and find the right area of government to petition. You are absolutely right: there

are internet tools that allow you to create your own petition. It is right that there should be a broad church for that service. Clearly, by looking at the evidence of its users, the outcomes that it has had and the value for money also, it is a good tool that people want to use in a high volume. If you do not consider that radical, that is fine, but we are trying to make these services accessible for people, so they can use them more easily. It is the same with the policy pages; it is a simple place where people can find a clear statement of the Government’s policy.

**Professor Shadbolt:** It is also about getting the information. People will engage if they have information that is material to their concerns. Often the best examples, as I say, are in local government. Planning: if there is one area where you could actually get significant engagement routinely and continuously, it is in planning applications. There the problems are all around various institutions that will not release the underlying data that will allow an effective citizen who is following the Planning Act to engage against another entity. There are really great opportunities, from just one example there, for disruptive re-engagement.

**Q118 Robert Halfon:** A final question: if you did become more radical, moved it on and did involve the public properly on the internet, how do you then stop it from being hijacked by well resourced pressure groups?

**Simon Burall:** You do that by not just using the internet and by using the internet cleverly. Again, it comes back to why you are engaging. If you want to use the internet, what you can get is mass engagement. You can find ideas that are distributed amongst the population or information that is distributed amongst the population. Where is benefit not being paid out properly or where are roads broken? FixMyStreet would be a prime example. If you want deep engagement on quite a complex issue, say drugs policy, doing it by the internet would be a really bad way of doing it. What you would want to do is go offline. It comes back to my point that, if you think the internet is the tool that is going to solve your problems with public engagement, you are going to run into exactly the problems you are running into, because you are not thinking about what this tool allows you to do and what it does not allow you to do.

**Q119 Chair:** Inside Government is a bit of a misnomer, because you are not really seeing inside government; you are only seeing what the Government wants you to see.

**Professor Shadbolt:** The challenge there is this issue of worrying about how representative the voices you get are—the echo chamber effect. One of the most successfully collectively crowd-sourced products is of course Wikipedia, which has a very stringent and well organised editorial process and control. You get to be a high-level moderator in that space by virtue of your expertise in informed contributions in the past.

**Q120 Robert Halfon:** That is why I am saying that the government service should be Wikipedia and not

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encyclopaedia. At the moment it is really encyclopaedia.

**Mike Bracken:** That is a good point. The first thing we have to do is sort out how people can navigate and find government information. That was the aim of GOV.UK. We have done that reasonably well by bringing policy information from over 400 websites, which are often hard to find, to one place.

**Q121 Paul Flynn:** Could you give us the most impressive example you have of the 100 changes that were made as a result of public responses? What was the most important, significant or earth-shattering? You have mentioned 100, so give us a wonderful example that will amaze us.

**Mike Bracken:** I will give you a small example, because it is not the change itself; it is how it was made. We published some information on GitHub, which is an open-source repository, to allow other people to take that information and use it. Someone made a change in that repository and pointed out that we had made a factual error in one of the bank holiday services. I cannot remember which country it was, but one of the future bank holidays in one of the countries—Wales, Northern Ireland or Scotland—had been misallocated. A developer went on and made that change for us.

**Chair:** What about the Government's Digital Strategy?

**Q122 Paul Flynn:** That is not the most astounding example I have ever heard. At Hillsborough, the fact is people had to wait 22 years. It is possibly the one example we have—I cannot think of any others—of public engagement and an e-petition resulting in something happening. Could you tell me how the man or woman in the street gets through to government in the same way as a rich company, which can hire a lobbyist to pay £250,000 to the Conservative Party in order to have dinner with the Prime Minister? Where is the equality in that? Who do you think is the most influential of those two: someone who gets on Twitter and makes a point, or someone who has a meal with the Prime Minister?

**Mike Bracken:** I do not think those are directly comparable.

**Q123 Paul Flynn:** The much maligned Bureau of Investigative Journalism also exposed that someone said they wanted something raised at an international conference by the Prime Minister and the head of state, and it was then raised. In the real world, all this digital stuff that is going on—people signing petitions—does not amount to a hill of beans compared with where the real power is. The real power is money being used in order to persuade government to change their views.

**Simon Burall:** The challenge for democracy is always to find ways to engage citizens rather than where power lies. There are some interesting international examples. Geraldton 2029 is a mining town in Australia, and they have been running a long engagement process. It involves some of the stuff that Robert Halfon is talking about around petitions and so on, but they have done that in a way that integrates it

with offline as well. They have heard from a multitude of voices, some of which will be the mining companies, which have a massive stake in development. There is power and money in mining, as I am sure you know. They have allowed a multitude of voices. You cannot get rid of power.

**Q124 Paul Flynn:** Some members of this Committee believe in the wisdom of crowds, but there is also the stupidity of crowds and the prejudice of crowds as well. Getting thousands of people to come up with the same idea does not make it a good idea; it makes it a bigger bad idea.

**Simon Burall:** There are ways you frame the question to the public. You need to understand which public you are trying to get to. The publics are not equal. The Spending Challenge is a prime example. The Government was trying to identify areas where money could be saved. Asking civil servants, to my mind, made lots of sense. Civil servants understand services and could understand where money could be saved. Going out to the public and framing the question in a very broad way—"How do we save money?"—meant that what you got was the rule of the mob. I would suggest that, if you had done that in a very different way, primarily focussed on civil servants, you would have been able to do a lot more.

**Q125 Paul Flynn:** If a huge number of people signed an e-petition to say they wanted capital punishment to be restored, what do you think this or the previous Government would do about it?

**Simon Burall:** I don't feel capable of speaking for the Government. I am not a politician.

**Q126 Paul Flynn:** They would not do it. They would ignore it. They would not bring back capital punishment.

**Professor Shadbolt:** We have an elective democracy, and that is where we allocate those decisions to stand against the crowd.

**Q127 Paul Flynn:** If you decide that you are going with the majority of opinion, you may be in office but you are not in power. There is some role for Parliament to take decisions, ideally very rarely, above the popular prejudice and based on evidence, but it rarely happens.

**Simon Burall:** That comes down to one of the myths about public engagement.

**Q128 Paul Flynn:** If you surrender to the majority that signs a petition, there are people who want to leave Europe next week—a majority of 56%. What would Government do?

**Chair:** Please let him answer, Mr Flynn.

**Paul Flynn:** The question is more interesting than the answers, I find.

**Chair:** In your opinion, though.

**Paul Flynn:** Indeed, yes.

**Simon Burall:** Shall I carry on?

**Chair:** Please, Mr Burall.

**Simon Burall:** That comes down to one of the myths about public engagement—that it is about handing over responsibility and leadership to the public. That

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appears to be what you are saying. One of the things that the public tell us, in Sciencewise and the work that Involve has done as well, is that they want their voices to be heard around nuclear waste and geo-engineering—lots of really very complex topics. They do; when you engage them in a deliberative fashion—I am happy to send the evidence and the evaluation of Sciencewise’s work, if you would like to see it—they tell us, “We do not want to take the decision, because the experts need to listen to what we think, but we want them to take the decision because, actually, they are able to weigh up lots of different interests.” Engaging the public is not about abdicating leadership. In fact, the leadership that is needed when you engage the public is not the from-50-years-ago macho leading from the front. It is actually creating political space and holding political space open in the face of special interests and media campaigns. That is where leadership is needed.

**Q129 Paul Flynn:** A practical issue: in a place not 100 miles from Newport, they are looking to site a Gypsy encampment and they are going out to public consultation. How many people do you think in the public would say, “We want an encampment in our area”? I can give you the precise number if you like. Somebody has to decide. If you go on that, you would have no Gypsy encampment. The point of having government is someone has to take the tough decisions.

**Simon Burall:** Indeed they do, yes. You can ask the public in different ways. IPPR did work on migration and immigration, and they engaged in a deliberative forum. They got people coming in saying, “We want no more immigrants,” and by the end of the process that group of people—self-selecting, open access—reached something that was very close to the Government’s position on immigration. If you ask the public, “Do you want this? Yes or no?” you will get a knee-jerk reaction. If you ask them a very different question in a different way and hold the space open differently, you will get a much more thoughtful response.

**Q130 Paul Flynn:** Example?

**Simon Burall:** IPPR’s work on migration.

**Q131 Alun Cairns:** One of your colleagues talked about identity and how to protect identity. It was the subject of PICTFOR, an all-party group based on IT, just some weeks ago at Portcullis House. One of your colleagues suggested that to conceal their identity, they put false information in. How does that square with the Government’s plans for representation and whether identities should be shared accurately or not?

**Mike Bracken:** I am going to have to ask you to expand on the meeting, because I was not privy to that. Could you just give me a bit of context to that?

**Q132 Alun Cairns:** It was quite widely reported at the time. The BBC certainly picked up on it. PICTFOR is an all-party IT group. They had a one-day conference. A senior official was present. They were talking about guarding identities. That became a subject. The suggestion was, whether it was

tongue in cheek or flippant, that people should put in false information in terms of their identity when they are engaging. How does that square with the Government’s policy for better engagement and should they be accurate with their personal details or not?

**Mike Bracken:** Yes, I believe we should. I can remember that incident. I believe you should; I do not believe that is appropriate advice to give to anybody about how they identify themselves to government. We are building an identity service, and how we are doing that is very much in the public domain. We have some pilots working at the moment, and the heart of those pilots is to build a culture of trust, where we build trust between users, businesses and the state. I do not believe this is the place to give the detailed technical view about what we are doing, but at the heart of that is trust. What we are trying to create is trust in users to identify themselves in a way that they believe is appropriate to deal with government. Many of the users of digital services in the UK already have a high level of trust with intermediaries, whether they are a bank, post office or a third party. We are looking to leverage that degree of trust back into government services.

**Professor Shadbolt:** I would echo that. I think the trick here is not to revert back. Part of the challenge is to get beyond 20th-century IT solutions, where the view is you are aggregating services. We trust, relatively speaking, the log-on credentials when we go on to a bank site, utility sites or telephone mobile sites. Use of those together with the services you want to get from government is very different. If you can use those credentials, you have a very powerful set of distributed identities. It is very hard then for any individual to subvert them.

**Q133 Robert Halfon:** When you were setting up the new internet infrastructure, the petitions and the new information systems and so on, did you involve the public or was it just designed from Whitehall?

**Mike Bracken:** There are various products that stand alone, while the Government Digital Service and the Strategy that we have published are cross-government. We involve the public with the underlying platforms, with GOV.UK, and we have an ongoing dialogue with the public on that basis. As I mentioned before, we have an awful lot of user testing programmes and thousands of people giving us feedback on an ongoing basis. It is more than a set consultation; it is an ongoing conversation.

**Q134 Robert Halfon:** When you set up the e-petition system, for example, you involved the public and got them to design the e-petition system with you. Is that what you are saying?

**Mike Bracken:** As we do with most products, we start at what we call an alpha version, which is a quick and dirty version. We publish that and then we invite feedback. We listen to that feedback and we make changes based on that feedback.

**Q135 Robert Halfon:** How much feedback did you have on the e-petition system, for example?

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**Mike Bracken:** I do not have those numbers to hand, but it will be substantial because of the nature of the product. I will happily provide those.

**Q136 Chair:** Is the Government's Digital Strategy on open-source policy-making an exemplar of what it is trying to promote?

**Robert Halfon:** Can I just come in on that? Is the Government just saying we should have open policy-making or is it genuinely open source? Is it an old IBM mainframe or is it Linux, in essence, or the equivalent?

**Mike Bracken:** If I can take the technical terminology bits of this, open policy-making should be seen separately from open-source technology. We use open-source technology for GOV.UK as a platform, because we believe that is the most appropriate platform and set of tools for that job, and we think that there are more opportunities around the government estate for open-source technology, but we do not have a set position on that. We will take each task in hand and deal with that in the way that we think is most technically appropriate. In terms of open policy-making, I do not believe that that is, at heart, a technology decision. It is a more of a culture and policy provision decision.

**Simon Burall:** Would you allow me to pick up on two things? Firstly, I think that GDS is an example of where government is really trying to reach out and do things in a different way. Its blog is remarkably honest and open. I am not really well sighted as to whether it could do more, but they are an example I often use when talking to other bits of government.

The petition question is a very interesting one, because I do not think it is a technical question. I do not think it is about the tech of a particular petition site. It is about how the petition is connected into Government and Parliament. That is a question not for GDS but for the politicians who have to listen to the petition site, and I do not think the politicians either asked or engaged with the public about what they would like. If one of my petitions got 100,000 signatures, what would I, member of the public, expect Parliament to do on that basis? That is where the engagement did not happen. I do not think it is fair to blame GDS on that one.

**Professor Shadbolt:** Keeping very separate the notion of open engagement and the underlying open-source software, something very interesting about open-source products is that they have resulted very often from the collective wisdom of programmers, with a very organised process of submitting, commenting and revising. I submit that many of the principles there are ones that could apply very effectively in deliberative consultations. The reason they are successful is that they have had so many sets of eyeballs and talents on them to pick and probe and make them better.

**Mike Bracken:** One of the tenets of open-source software is that you add something back. Once you use it, you change it and add something back for the common good. That has to be entirely consistent with creating products and services for the public with public money.

**Q137 Kelvin Hopkins:** I have to say that my view is that this consultation with the public, wonderful though it is, is a bit of a con trick. The reality is that governments today want control at the centre. They want to make the decisions. They will have a massive public consultation, but they will take the decisions. The object is to restrict choice as much as possible. If, for example, tomorrow there was the decision to have a referendum on membership of the European Union, we know that all three major party leaders would gather together on the stay-in-the-European-Union side, with control at the centre. They would want to avoid that question if they possibly could.

Something that has been missed out in all of this is political parties and political activists. When I go to the meetings and say, "What would you like?" people look blank. If I say, "Would you prefer our railways to be nationalised or to continue with privatisation?" they come up with a view, and especially if I give them a view. They respond. You have to engage in a real political debate with real politicians, not just, "What would you like?" The ultimate examples were the fatuous focus groups launched by New Labour. I am a member of the Labour Party who has never associated with New Labour. Again, it was just a con trick to pretend that they were consulting people, when the real decision was being made by Mr Blair on his sofa in the quiet of Downing Street. Is that not the reality?

**Simon Burall:** The big political decisions to which you are referring are right, but a lot of my work is around science and technology, and developments in science and technology and how they are going to influence policy and impact on citizens. Those are issues where there is no right or wrong answer around what we should be doing with GM, synthetic biology or other areas. There is a whole set of trade-offs that you are making as you try to develop that set of technology. Politicians know almost as much as the public, which is very little, because most of us are not trained in what synthetic biology means, and yet it will have profound impacts on my children and my grandchildren.

The sorts of work you can do there to engage the public to influence policy and affect the trajectory of the technology can be really quite significant. For the Government, the spectre of GM and BSE hangs right over all that whole agenda for growth and innovation. The Government knows that, if it does not engage properly on some of these really important technologies, the risk is a backlash, because they can go in ways that the public support and ways the public do not. Getting the policy right very early on is really important. That is the sort of work that Sciencewise is doing in engaging in the Civil Service—training and embedding public engagement within the Civil Service—so that government can engage properly on some of these technologies.

**Q138 Kelvin Hopkins:** People come alive when political parties represent different philosophies and give people real choices. You know if you are voting for one party, you are going to have full employment, redistributed taxation and public ownership. With the

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other one, you are going to have markets, privatisation, PFI and all the other nonsense that we have had in the last 20 years. If you are given those choices, then you will say, "I know who I am going to vote for. I am going to vote for that lot, because that is what I believe."

**Simon Burall:** I think that is right, but the manifestos do not have anything in them about some of these technologies I am talking about or some of the decisions that come up later on because of events. Those are the areas where the political philosophy does not give you a way forward, because nobody knows what the impact of these things is. Engaging the public can help you steer policy.

**Q139 Kelvin Hopkins:** If it is explained and you put it down as a genuine coherent alternative that would work because it works elsewhere—for example, in Scandinavia perhaps—and you say, "It does work because it is shown to work in other countries. We could do that here," what do you say? That is real political debate.

**Professor Shadbolt:** That would be the case. Coming back to the issue around evidence, we have some quite dramatic examples. One that is quite well known is what happened in the UK when death rates among consultant cardiologists were revealed. There was of course a bit of an outcry at the time, but what Sir Bruce Keogh and others have shown is that we now have some of the best performing cardiology survival rates in Europe. The argument is that that gets everybody to pay attention to best practice and to share best practice. Presumably, in any political dialogue or discourse, people will be wanting to look for evidence-based improvements that you would not stand against.

**Q140 Kelvin Hopkins:** I am in favour of evidence-based policy, but I spoke to a fairly senior civil servant three or four years ago, and he said, "Yes, we all talk about that but, in reality, in my Department"—I will not say which Department it was—"I put forward evidence which leads to a particular policy. They don't like the policy, so they get rid of the evidence." This is a civil servant saying what politicians do.

**Professor Shadbolt:** This is where the entire direction of web and information systems we are encountering now will be so disruptive. The scarcity of information that led to those positions being available is less and less tenable. We have information abundance, where you can actually find out some of these facts of the matter in ways that the state does not control.

**Q141 Robert Halfon:** Can I ask you how much you think you can use existing social media to do government digital engagement—the Facebooks, the Twitters, Google+ and so on? Is that practical or not?

**Mike Bracken:** Yes, in many Government services we already do. We have very active conversations and feedback via social media, often via Twitter and other places. We have made a reasonable start in getting some senior civil servants and politicians using those channels of engagement as well. Whilst we do have some ground to cover, the early evidence includes

people running the Civil Service. We have a blog for Sir Bob Kerslake, Jeremy Heywood and others, which shows that civil servants are using these channels and valuing them.

**Q142 Robert Halfon:** Are they using it as information or to directly engage?

**Mike Bracken:** I think a combination. They will use it to engage, to broadcast, to publish and also to have conversations.

**Simon Burall:** They are great relationship tools. One of the things that is in not great abundance for government is trust. They can be one way of building trust. If what government does is say, "This is the only way we are going to engage"—to be a broken record—that is where you run into problems. You need a mix of methods for different things. Twitter, Facebook and other things are brilliant for some things but not for others. If you just use them to engage, you then run the risk of getting rule by mob.

**Q143 Chair:** Can I just press you a little bit further? People are very cynical about government consultations that the Government has already decided. Obviously this process is about getting the public involved before the policy is decided supposedly, but there is this other question: that somehow this is sort of sanitising politics, and political parties, and their prejudices and gut reactions, are going to be sidelined by this supposedly much more objective process of consultation and involvement. It is almost done on a scientific basis. Those leading questions that are always evident in opinion polls are going to be just as evident in the shape of the Government's consultation to lead people to a particular conclusion. Mr Burall, you yourself said that if you engage people in the right form of conversation, you can change people's views, for example about immigration.

**Simon Burall:** No, you do not change them. I am sorry if I said that. What you do is allow them to deliberate on what they hear in the round and then, collectively, they come to a different opinion.

**Q144 Chair:** Indeed, this is why we believe in the wisdom of crowds. A lot of these questions are decided by who you feel you are, what your identity is and what sort of country you feel you want to live in. This will lead you to very different conclusions about whether or not we should have nuclear weapons, for example, or whether we should be more closely associated with the United States or with the European Union, for example. How do you consult the public on these very top-line issues, before getting into the nitty-gritty as to whether the citizens of Nigeria should be required to have visas in order to come to this country or whatever?

**Simon Burall:** You have to be really clear that you want to listen, you are willing to listen to what the public say and you are willing to not necessarily do what the public want you to do, but you are willing to say, "I have heard what you say, but the other evidence I have had says I am going to go in this direction anyway." That is where the leadership comes

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in. The public have to believe that you are going to listen first of all.

**Q145 Chair:** Is it about being clear about where you are leading?

**Simon Burall:** Yes, it is. It is about being very clear about the questions you are asking. That is why I think the Spending Challenge got it very wrong. It was not clear about the question from the public's perspective of what it was asking. The public heard one thing. It was wrong in micro-language, in terms of asking the public to rank rather than rate. It was wrong; the public heard a different question. You have to be very clear about where the public will have an influence and where they will not. If the public will not have an influence on the relationship with America from that politician's perspective, then you should not be asking the question.

**Q146 Lindsay Roy:** Can I just conclude by asking you what the key performance indicators would be to determine success or failure of public engagement programmes? It is the "so what?" factor. You are doing all this; what is the outcome?

**Simon Burall:** My answer to you is that it depends why you are engaging, because you can engage for a multitude of reasons. You can engage because the public have new ideas that you do not have and all the other reasons I gave before. Your success or failure in part is whether you achieve the purpose that you set out to engage with. I realise it is a slightly weaselly answer, but it is the best answer I have. However, some other indicators of success would be: has there been cultural change inside the organisation that has done the engagement? Has the organisation learned and changed its structures, the decisions it makes and the way it makes them? There will also be: have you reduced conflict? For example in the environmental field, you can see where conflict leads to a significant cost to the public purse. If you were to engage in a different way, can you reduce those costs to the public purse through legal challenge and so on? There are a number of different measures you might use, but you have to start from why you are engaging.

**Mike Bracken:** I would agree with that, and I would just add another indicator, which is whether the debate is happening in places where users already are; so it may not be directly with government, but the question is whether existing conversations and debates in this area are now being representative of that policy debate.

**Professor Shadbolt:** We have voices coming into the conversations that we simply did not have before. CP Snow wrote eloquently about this many decades ago around the two cultures. We have to try to bring into this discussion people who have the skills and talents to provide new solutions, which is why it is cool to be a geek in politics now. This is a very different environment we have.

**Q147 Lindsay Roy:** What baseline data should the Government be collecting to measure success? Another question I have is around leadership style. Is there something there that needs to be explored further?

**Mike Bracken:** In terms of data, it depends on the service, but one of the key sets of data that we should be looking at is cost per transaction and successfully completed transactions. The biggest single way we engage with users is via transactions. Central government has 672 transactions, and the data set we should be looking at is how many people, when they started a digital transaction, were able to fully complete that transaction? Only then will we get an idea of how successful our public services are. In terms of leadership, we would all like to see leadership in government that took that data in and then looked at the existing transactions, and made ongoing and systemic reform of those transactions based on that data, rather than publishing a transaction once and then just leaving it there for the life of the contract.

**Q148 Lindsay Roy:** Does that demand a different style of leadership and, if so, what?

**Mike Bracken:** It involves an engaged and involved style of leadership. It involves a style of leadership that is focussed on user needs and is aware of user needs. It also requires a style of leadership in Departments and agencies where key transactions have people and individuals with digital skills—we call them service managers—who are actually living and breathing that product, rather than seeing it as an IT contract that can be let. That is a radical change of leadership that is required in many of our agencies. We do not have many of those people.

**Q149 Lindsay Roy:** And an openness and transparency that might not have been there before?

**Simon Burall:** And a willingness to focus strategically as well and to take risks.

**Professor Shadbolt:** Trust people with their own data. Trust the citizen with the information that government holds about them in these key services. That will be a very dramatic shift of the dial.

**Q150 Paul Flynn:** Very briefly, I would like to give Mr Bracken a chance to convince me, being an open-minded person. The example you gave of the 100 changes that came out was a matter of monumental insignificance. Could you think of a better example of one of these 100 changes?

**Mike Bracken:** No, I cannot, because they are all quite small changes.

**Q151 Paul Flynn:** They are all even less significant, are they, than the one you gave?

**Mike Bracken:** In aggregate, they are significant. What is significant is how quickly they were made and how cheaply.

**Q152 Paul Flynn:** They were crossing 't's and dotting 'i's, were they?

**Mike Bracken:** Many of them were, but we do a bewilderingly large range of services in government, and the fact that we can change those based on user need, very cheaply and very quickly, is in itself a radical departure.

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**Q153 Paul Flynn:** There were 100 amendments that were of great insignificance, one could say.

**Mike Bracken:** You could take that view.

**Paul Flynn:** You can prove me wrong.

**Q154 Robert Halfon:** With consultations as they currently are, most people are quite cynical about consultations and they believe that they are mostly pre-determined, even if they feed stuff through. How would you use digital engagement to change that?

**Mike Bracken:** There are many ways, many tactics and techniques, one of which would be to publish and show sentiment analysis. It is not just to make a binary decision around a policy to say, "We have decided this or that," but to show the range and depth of sentiment. Using digital tools and services, whether Twitter or any other of the mechanisms that we have at our disposal, you can measure both the strength and the volume of feeling and actually publish that back so that, when a decision is made, it is published in the context of the wider information collected.

**Simon Burall:** We did a two-and-a-half-year research project called Pathways through Participation taking life histories from citizens, both those who were not engaging at all through to those who engage quite a lot, and not one of them had a good example of consultation, so I think that is absolutely right. It made them disengage more. The conclusion that I draw from that is the work that the Digital Service is doing is brilliant at engaging the public with where they are at. The problem that government suffers from is it thinks of the policy cycle in silos; "We have done this policy and now we are moving on." If the public are engaging, we need to start seeing that much more strategically. If the public are willing to leave in a negative comment on a government website, that should be a step in a process of engaging in the long term. We need to see this move from individual policies to something much more long term for citizens.

**Q155 Robert Halfon:** Let us say, for example, the Government says it is going to have a consultation on increasing the price of cheap alcohol in supermarkets, and then many, many people write in and get involved on the internet, whether through e-petitions or

whatever it may be, saying that they disagree with this. How then would they see that the Government has reacted to their concerns?

**Professor Shadbolt:** The problem is that, by the time you frame that question, you have missed the opportunity to have a discussion about what the underlying issues are that that question gives rise to. The conversation you can then have at scale, which is to your point earlier, is much more around using the crowd to surface some of the unanticipated consequences of this bright idea as it is, or probably not so bright idea, or flush out all of the underlying issues that ought to be in the consultation, and which would mean we would have a much more constructive engagement.

**Q156 Robert Halfon:** Other than just seeing their words on the internet, which is what you seem to be saying—you are saying to publish a lot of what is said—how do you really show the public that you are listening to the consultation?

**Simon Burall:** You would be clear about what you thought the problem was and what you thought the solution would lead to. It may be fewer alcohol deaths or whatever the reason is that you are implementing the policy. Even if you go against the public, you are showing them the data that shows what the impact of the policy is and allowing them to actually use that data and engage with you beyond that consultation itself. If the policy was not working and you were responsive to their concerns and the data, that would then begin to show that you were listening to their concerns. The problem is that government implements policy and just moves on, and then the engagement stops at that point.

**Chair:** If there is nothing really urgent further that we need to ask, I am afraid we must draw it to a close. May I thank you very much for your evidence? It has been a very interesting session and I am sure we have learned a very great deal from it. May I just advertise that we are launching our own open-source consultation on Twitter, #AskMaude? We have the Minister for the Cabinet Office in front of us very shortly and we are inviting the public to submit questions to us, which we will consider asking on their behalf. We would be interested to see what suggestions we get.

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**Wednesday 28 November 2012**

Members present:

Mr Bernard Jenkin (Chair)

Alun Cairns  
Paul Flynn  
Robert Halfon

Kelvin Hopkins  
Greg Mulholland

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**Examination of Witness**

*Witness:* **Rt Hon Francis Maude MP**, Minister for the Cabinet Office and Paymaster General, gave evidence.

**Q157 Chair:** Minister, may I welcome you to this session on open-source policy-making? We will also be asking some questions about Civil Service reform, but this will by no means be the only session that we might be asking about that. We also have launched #AskMaude on Twitter. At the end of this session, we will be asking you some quick-fire questions that have been submitted by members of the public, though very often members of the public seem to be people that we know. First of all, can I ask you to identify yourself for the record, please?

**Mr Maude:** Yes. I am Francis Maude. I am Minister for the Cabinet Office.

**Q158 Chair:** What evidence is there that there is some vast unmet demand for much greater public involvement in policy-making?

**Mr Maude:** I do not know that there is a huge amount of evidence for it. There is a belief, which I share, that a process of policy-making that is closed and exclusive sometimes leads to a narrower and more conventional approach than perhaps is possible or desirable.

**Q159 Chair:** In the Civil Service Reform White Paper—sorry, the Civil Service Reform Plan—it is not a White Paper, is it?

**Mr Maude:** It is definitely not a White Paper.

**Chair:** Because you said you were not going to have one.

**Mr Maude:** Exactly.

**Q160 Chair:** You say, “Policy advice is not always consistent or designed with implementation in mind”. If there is going to be even more separation of policy from implementation, how are we going to make sure that implementation is borne in mind?

**Mr Maude:** Who says we are going to separate policy more from implementation? We say exactly the reverse in the paper.

**Q161 Chair:** Policy used to be concentrated in the same Departments that were delivering the implementation, and therefore there was quite a closed feedback loop between the implementation of the policy and problems with implementation with feedback into the policy-making process.

**Mr Maude:** Yes, but actually that did not always work as well as it should have done. There was insufficient pushback or there was often seen to be insufficient ability for those who were going to be charged with implementing a policy to be able to push back on the

policy. Hence train crashes like the introduction of tax credits, where there was plenty of advice from those who would be charged with implementing the tax credit policy that it was going to be very much at risk of error and fraud, which turned out to be correct, but Ministers chose to plough on regardless of that advice about implementation with, as all MPs know, terrible consequences for our hard-working low-paid constituents, who found themselves suddenly receiving letters from the Revenue demanding repayment of overpaid tax credits.

**Q162 Chair:** In fact, open-source policy-making is as much about bringing implementation concerns into the policy-making process as anything else.

**Mr Maude:** No, it is not. These are slightly separate issues, because actually policy development is not a neat, linear process. It used to be slightly thought of that way: that you look at options; you publish a Green Paper, which you consult on; you publish a White Paper, which sets out your policy; you legislate and then the results are handed to officials, who implement it. I do not think that model is necessarily the right way to approach it, though it is in some circumstances. It is a much more flexible and more agile process that we would seek now, where you would want, at the early stage particularly, to open up to a wider range of possibilities, suggestions and input. This is really what open policy-making is about but, at the end of it, the ultimate decisions on policy need to rest with Ministers, either individually or collectively, who will have received advice, largely but not exclusively from their policy advisers in the Civil Service, but not just in the Civil Service. That advice should be informed by the concerns that there may be about implementation.

**Q163 Chair:** If I was to ask about what the current level of public satisfaction is with engagement in policy-making and whether you are hoping to improve that, I am really asking the wrong question, because actually the only thing the public are interested in is outputs and whether they are engaged sufficiently in order to ensure that they get the right output.

**Mr Maude:** Yes, that is broadly true, but that does not mean all of us as MPs are not subject to plenty of input from members of the public about what they think policy should be. I do not know about you, but from experience of my surgeries and my post bag, I tend to have plenty of people who have suggestions—some good, some not so good—about how Government policy should be changed. I would not

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draw any conclusion from that about the level of public satisfaction with the level of engagement. Some people will want to engage; others will not.

**Q164 Chair:** Are you going to be measuring it? Is it a measurement of your success?

**Mr Maude:** Ultimately, the measure of success about the amount of engagement, is that what you are asking?

**Chair:** People's satisfaction with it.

**Mr Maude:** Are you talking about satisfaction with policy, because the test of that is a general election, or the level of engagement?

**Chair:** I think you are not going to measure it.

**Mr Maude:** I do not know how you would measure it.

**Chair:** I think that is probably correct.

**Q165 Kelvin Hopkins:** Just very briefly, Mr Blair in his time was very keen on focus groups and policy forums. It was very obvious that the people he wanted to avoid above all were active people in his party, senior politicians, senior MPs and the Civil Service. He wanted to cut right past that essentially to get control at the centre, under the guise of consulting people. Is the present Government motivated by the same desire for central control, and to marginalise the Civil Service and activists in their own party?

**Mr Maude:** No, not a bit. Political parties draw their ideas and stimulus from all sorts of places, to some extent from their activists and members, clearly. Political parties, at the end of it, have to put a policy platform to the public at an election. In terms of where you take advice, parties in opposition will open themselves out very widely to input. You have policy groups with experts from different areas involved. The concern I would have is that, whereas in opposition you operate in a very open way, you should not suddenly, when you come into government, close off all those external inputs. This is very much a view that Jeremy Heywood has expressed publicly. You should not just assume that there is a kind of closed order of policy advisers who are called "civil servants" and they are the only people you should listen to, excellent though they may be and good though the advice may be. You actually want to hear discordant voices. The most useful meetings I have are ones where people argue in front of you, because that is what throws light on the issues, from unexpected angles.

**Q166 Kelvin Hopkins:** I know it sounds admirable, but does the present Government not have a tightly knit group of special advisers who really decide things?

**Mr Maude:** No.

**Q167 Alun Cairns:** Minister, in view of the will within Government to change to a much more open policy-making process, do you not think that you should at least have some baseline data in which to measure the success of the change in the policy-making process?

**Mr Maude:** I do not know how you would measure it. What would be your measure—how many people have input, how many people respond to

consultations? What we are talking about is trying to get a degree of engagement that is a bit different from consultations, which sometimes tend to be seen to be somewhat formulaic.

**Q168 Alun Cairns:** Can I not suggest then that the Government Digital Strategy quotes figures that people are more satisfied with policy if they feel they have had some chance to input? There is a way of measuring it for the Government Digital Strategy; are you not saying that there is a way of measuring it for the open policy process? Are they one and the same?

**Mr Maude:** The Digital Strategy is mostly not about policy-making. Our policy of digital by default is primarily about moving transactions online, like most organisations seek to do, so that the way that citizens can interact with the Government is in a format that is both cheap for the taxpayer and convenient for the citizen.

**Q169 Alun Cairns:** That quotes figures that people are satisfied with the policy process, if they feel they have had an input into it.

**Mr Maude:** That is an assertion and I think it is broadly true. If people feel that they have genuinely had the ability to contribute to an outcome, there is some ownership. It is an emotional thing.

**Q170 Alun Cairns:** How will we measure then, after the process has changed to much more open techniques, whether it has been successful or not?

**Mr Maude:** I do not think you can. I am not aware of any means of measuring it.

**Q171 Kelvin Hopkins:** In a speech to the Institute for Government in October, you said that officials have deliberately obstructed or failed to implement ministerial orders. Can you give us some examples of the evidence you have to support this claim?

**Mr Maude:** No, I am not going to give evidence. It is invidious to do that, but it has not been contested that that has happened—deliberate obstruction. I am not saying it is a routine daily event, but the discovery that on particular occasions officials had blocked clear ministerial decisions, failed to implement them or instructed that, in some cases, what Ministers had decided should not be implemented, has not been subject to any contest. No one has contested it.

**Q172 Kelvin Hopkins:** Publicly, one would not expect civil servants to do that. But with such an open attack on civil servants, surely there must have been some private words with your Permanent Secretary, the Cabinet Secretary or whoever about this and possibly even some disagreement with your view.

**Mr Maude:** No, no disagreement with my view.

**Q173 Paul Flynn:** On the same thing, it has been suggested to us as a Committee that all Governments behave the same. For the first few years, they blame the last lot, the previous Government, but after two and a half years, they decide that the civil servants are ineffective. That was not the word used by the person who suggested this. Are you not following a pattern when you find that what you are doing does not work,

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you are pulling on rubber levers and nothing happens when you pull on the levers; this is just a process that occurs in all Governments, which has happened to you in an entirely predictable way? Now it is your turn to put the boot into the Civil Service.

*Mr Maude:* No, that is not what I am saying.

**Q174 Paul Flynn:** What do you think? What is your view of the Civil Service? Are you still stunned with admiration, as you were recently when we talked about civil servants doing gardening leave and you went into a hymn of praise to the principle of Civil Service and their work? Are you still uncritically approving of the Civil Service?

*Mr Maude:* I have never been uncritically approving of the Civil Service.

**Q175 Paul Flynn:** Can you share your thoughts with us?

*Mr Maude:* Yes. My summary view is that we have some exceptionally good civil servants. The Civil Service needs reform.

**Q176 Paul Flynn:** Are they “blocking”? It is this word “blocking”.

*Mr Maude:* Some have been, yes. Because I drew attention to that publicly and there have been some conversations about that internally, I believe that that will be less so in the future.

**Q177 Paul Flynn:** It has always been the case that civil servants, who have great expertise and a memory of what has gone on in the past—sometimes going back as far as 20–30 years—act as a brake on some of the extravagant ideas of extreme Governments, like the present.

*Mr Maude:* It is a very proper function of civil servants to provide challenging advice to Ministers. Nothing that I have said is, in any way, a complaint about having challenging advice; actually the reverse. What my complaint has been—and I stress that this is not routine; it is exceptional, but it has happened in ways that matter—is when civil servants do not provide the challenging advice and do not challenge what it is that Ministers have decided to do. That is fundamentally wrong. Jeremy Heywood and Bob Kerslake have both publicly said that that is utterly unacceptable.

**Q178 Paul Flynn:** What are the examples of this?

*Mr Maude:* I have said that I am not going to give examples. It is invidious to do that. No one has contested that these examples exist.

**Paul Flynn:** In the interest of transparency, open government and communication, it would help if you—

**Q179 Chair:** Can I make a suggestion? I do not think he is going to answer. May I make an observation that the Department for Education is regarded as having carried through one of the most radical programmes under this Government, where other Departments seem to have perhaps been less able to carry through Government reform. At the same time, I think it is fair to say that there is a perception that

Michael Gove’s team have had less regard to the norms and rules of Whitehall and have thought more outside the box about how to persuade their Department to go ahead. Do you think there are some lessons in that?

*Mr Maude:* Ministers should not have to persuade their Departments to implement their policy. The Civil Service exists to serve the Government of the day.

**Q180 Chair:** In order to be effective, I would submit that Michael Gove and his team have, some would say, broken the normal rules of Whitehall in order to get things done. Do you think there are some lessons in that?

*Mr Maude:* I am not aware of any rules even being stretched. Michael Gove and his team have a very clear view of what they want to see happen, and they have rightly insisted that, after taking proper advice and listening to the advice—and it is absolutely in the Ministerial Code that Ministers should seek and listen to advice from their civil servants—

**Q181 Chair:** The lesson from you is that clear and forthright leadership delivers the results. That is the lesson.

*Mr Maude:* The lesson is: when you make a decision and you are clear about what the decision is, you expect it to be implemented. I would not have had a complaint if the decisions that I had made had been carried out. Ministers operate with a tiny staff, mostly themselves of civil servants. If you are a Cabinet Minister, you have two special advisers; junior Ministers have none. They cannot personally be expected to be following up on every single decision. Ministers make tens of decisions every day; you cannot possibly personally be following up on every single one of those decisions to check that it has been implemented, nor should you have to. When a Minister makes a decision, a proper lawful decision, there should be no question about whether it is implemented. If there are doubts about it, concerns about it, then of course officials should come back to Ministers to raise those with Ministers. What is unacceptable, and Jeremy Heywood and Bob Kerslake have been absolutely adamant about this, is that lawful decisions made by Ministers should, without telling the Ministers, simply not be implemented. That is unacceptable.

**Q182 Paul Flynn:** One of the results of Mr Gove’s actions is that there has been an overspend of £1 billion on academies in England. Would it not be better if there was a block by civil servants in that Department in order to save the country from the eccentricities of Mr Gove?

*Mr Maude:* What you put forward is the argument of autocrats through the ages that democratically elected politicians can legitimately be frustrated by those who claim to know better. I would have thought that, as a long-standing Member of Parliament, you would be quite wedded to the principle of the democratic mandate.

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**Q183 Paul Flynn:** With limits. I am not wedded to the infallibility of Governments; far from it. The longer I stay in Parliament, the less faith I have.

**Mr Maude:** Who else would you like to be able to frustrate the Government of the day?

**Paul Flynn:** You frustrate extreme views and people coming in with ideas and dogma, which have to be taken apart by the following Government.

**Mr Maude:** I am afraid we are on a different page.

**Q184 Chair:** It is true to say that the Civil Service provides continuity for most of the functions of government that Ministers are not thinking about, because actually Ministers generally only try to change quite small aspects of government. Most of government carries on, through 380,000 civil servants, on autopilot and we depend upon that continuity and stability.

**Mr Maude:** Absolutely.

**Q185 Kelvin Hopkins:** All this suggests that disparaging the Civil Service in public, which is rather new, and indeed in private by Ministers, is a factor in the breakdown in trust between Ministers and officials. Is this not rather different? We have had radical Governments before, the 1945 to 1951 Labour Government, but there was not a breakdown in trust between Civil Service and Ministers, as far as I recall from that time, but there seems to be now.

**Mr Maude:** There is not.

**Q186 Kelvin Hopkins:** Clearly civil servants will surely not like being attacked publicly.

**Mr Maude:** Ministers do not like being obstructed.

**Q187 Kelvin Hopkins:** Is that not a matter for private discussions? In the past, I know that civil servants frustrated, say, Tony Benn over energy policy. Those civil servants went to the Cabinet Secretary, who spoke to the Prime Minister, who took the civil servants' side against Tony Benn.

**Mr Maude:** That is completely fine. I would not have a problem with that, because at the end of it that is a decision made by the Prime Minister and the Ministers the Prime Minister appoints. That is completely legitimate if there are concerns about the appropriateness of decisions made by Ministers, which there may well be. Ministers are not necessarily right. If a Permanent Secretary, as an accounting officer, has a concern about the appropriateness from a value-for-money point of view of a ministerial decision, then the Permanent Secretary is completely at liberty to ask for a written direction, which sometimes gets turned into a sort of nuclear thing that could not possibly ever be used, but I think we should be more relaxed about that. If a Permanent Secretary has a real concern, then to ask for a written direction is a perfectly legitimate thing to do. Ministers who are confident about what they are doing, who have taken advice and considered it, should be willing to justify what they are doing.

**Q188 Kelvin Hopkins:** I agree with that, but it is the differences. It is an attack in public rather than private, which is the beginning of regarding the Civil Service

as a political force, rather than the source of impartial private advice to Ministers. It is the public attack that is different.

**Mr Maude:** To some extent, this inevitably becomes a bit public, because we are embarked on a process of Civil Service reform. There are issues about the accountability of the Civil Service. The House of Lords Constitution Committee under Baroness Jay's Chairmanship has recently produced a report on the accountability of the Civil Service. We talk about accountability in the Civil Service Reform Plan. These are issues about accountability, where Ministers, perfectly properly—and I do not seek to change this—are accountable for what the Department does. If that is to be the case, which no one is seriously contesting, then there has to be very clear accountability of the Civil Service to the Minister, otherwise the system will break down.

**Q189 Chair:** I think you are saying something very important which is, in summary, you do not mind challenge; you do not mind open debate.

**Mr Maude:** I absolutely want that.

**Q190 Chair:** But what you do not want is obstruction. Is there not something dysfunctional about an organisation that does not know how to challenge, openly or in private, and does not know how to debate? As we heard in our seminar on Civil Service reform last week, the reason why dysfunctional organisations fail is not because people in them do not know that the organisation is failing. In fact, we heard how the majority of Enron executives knew that Enron was going bust three years before it went bust. The problem is they did not know how to talk about it. Is your objective actually to improve trust, so that people do feel that they can talk about the things they think are going wrong, so that there can be open discussion about them within the organisation to put them right and resolve their concerns?

**Mr Maude:** That puts it very, very well, if I may respectfully say so. You absolutely put your finger on it.

**Q191 Chair:** I understand why Ministers might have outbursts in public that undermine public confidence in the Civil Service, but is that actually going to improve that atmosphere of trust that you need, in order that people will speak more openly to you in private?

**Mr Maude:** Yes, I think it has actually, because it has enabled me to make the point. Some people have lazily assumed that what I was concerned about was open challenge and candid advice about policy. That is not remotely what my concern was, and so I have been able to make absolutely clear that all good Ministers welcome, and are obliged under Ministerial Code, as I have said, to seek and listen to, advice from officials, and good Ministers will want to hear very candid advice. Absolutely—and I say this again, but it cannot be stressed too highly—what Ministers want is not to stop or discourage challenging advice; they want that. What they do then want is, when they have

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made decisions, to be confident that those decisions are going to be implemented swiftly and effectively.

**Q192 Chair:** The conversation has to move on from anger and frustration to sharing and understanding.

**Mr Maude:** Yes, I think it is actually. We are in a much better place.

**Q193 Chair:** Can we perhaps look forward to a new chapter of the Civil Service Reform Plan that is about this? Perhaps this should be embedded in the values of the Civil Service.

**Mr Maude:** I made the point the other day, when I spoke at the meeting of the top 200 civil servants. The stated values of the Civil Service are very good values: honesty, objectivity, impartiality and integrity. I do not quarrel with any of those, but they are all both static values and quite cold values.

**Q194 Chair:** If I can just pick you up, I think I know what you are going to say, but the point is there is not much integrity in going to a meeting, not voicing your concerns and then going away from that meeting and deciding not to implement what has been decided by the meeting.

**Mr Maude:** I agree, which is why that behaviour is improper. The point I was going on to make is that Gus O'Donnell, when he was Head of the Civil Service, had four Ps that he used to talk about, which were: passion, pace, pride and professionalism. Actually those are all good values and they are warm and dynamic values. The point he was making is that the impartiality that we talk about in the Civil Service can, in some people's minds, translate into being utterly dispassionate about it, so it is somehow improper to betray any enthusiasm for a policy. The point Gus was making was a very powerful and good point, which is that the best civil servants, while being true to the value of impartiality, inject passion, enthusiasm and commitment into both the advice that they give and the implementation of decisions.

**Q195 Chair:** The Reform Plan was published in June. What progress do you think you are making? In particular, what progress are you making in helping it to be good for people's careers in the Civil Service to be open and honest about what they think about Ministers' proposals? Historically, it has been rather bad for Civil Service careers to be a bit too open and honest about what they think about Ministers' proposals. People do not like people coming along and saying, "This is all going horribly wrong." The bearers of bad news get shot.

**Mr Maude:** You are raising two completely different issues.

**Chair:** They are the same issue.

**Mr Maude:** No, they are not, with respect. I will talk a little bit about progress in implementing the Civil Service Reform Plan but, on your second point—what is being done to encourage people to be frank with Ministers—all you can do is encourage them to. At the end of it, it is not Ministers who decide on the future careers of civil servants. One of the things that we have committed to, actually after publishing the Civil Service Reform Plan, is that Ministers must have

the ability formally to feed into the appraisals of civil servants whose work they see. In most places that would happen routinely, but it does not happen routinely and it now will happen routinely. I do not think anyone would find that remotely controversial. But at the end of it, it is not Ministers who decide what the ranking is of civil servants or what their future career is, except at the very highest level, where the Prime Minister appoints Permanent Secretaries.

Your point about shooting the messenger is that, actually, if a civil servant is regarded as having, properly and in accordance with the Civil Service code, told unwelcome truths to Ministers—

**Chair:** Or indeed other senior civil servants.

**Mr Maude:** I cannot comment about that, because that is not in my gift to do anything about.

**Q196 Chair:** That is where the dysfunctionality of the organisation lies as much as anywhere, does it not?

**Mr Maude:** You talk about this as if it is all or nothing. The Civil Service is huge; some would contest whether it is an organisation at all or a collection of organisations. One of the things we have said, and Bob Kerslake has been very forceful and committed on this, is that it needs to be a more unified organisation than it has been. It is very disparate and very, very dispersed, but it is a collection of different organisations. You talk about it as if the Civil Service is either dysfunctional or it is completely functional, and the answer is parts of it are absolutely terrific. I have some brilliant people who work with me who absolutely fulfil the Civil Service values, but are nonetheless loyal, committed and passionate about what they do, and do a brilliant job. There are other parts of the Civil Service that operate much less well. In fact, the point we make in the Civil Service Reform Plan is not that it is all terrible and it all needs to be turned upside-down; it is that we need to get much more consistency, so that much more of the Civil Service operates to the standard of the best.

You asked about progress in implementing the Civil Service Reform Plan and I will give you a quick thumbnail sketch. I would say it is mixed. It has taken longer than any of us would have wanted to assemble a team around the implementation of the Reform Plan, and that is now just about in place, not complete but getting there. We will slip on implementing some of the actions. Some have been implemented. We have moved ahead on making the first contestable open policy-making fund. We have a project underway on that; that has been launched. We have got slightly ahead of ourselves: we said we were going to publish an interim digital strategy; we have done better than that, so we are ahead of ourselves on that. Other things have not gone so well. We committed to producing a five-year capabilities plan, which is a hugely important document. It has never been done before for the whole Civil Service. We said we would do that in the autumn; it will not be published in the autumn. It is not ready; not enough work has been done on that, but it is hugely important, so I would not agree to publishing something that was not a good enough document.

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**Q197 Chair:** Does it need to be published in one block? Does it need to be published as one document?

**Mr Maude:** Not necessarily. We need to have something that looks at the entirety, but we have identified four areas where the Civil Service is in deficit in terms of the skills it needs. One is in commercial skills. In a world where more services are going to be commissioned from outside organisations, whether public service mutuals spinning out or from conventional outside organisations, whether commercial or voluntary, charitable or social enterprises, more civil servants need to have commercial skills to negotiate, commission and then manage contracts. We are short of digital skills. In fact, our Digital Strategy has quite a big chunk on the development of digital capability. We are short of project management skills. We have started to fill the gap, particularly in project leadership, with establishing the—

**Chair:** Minister, I am really sorry to rush you.

**Mr Maude:** Well, I will just touch on the fourth one, which is something that constantly comes up in the Civil Service People Survey, the staff survey, which is that the Civil Service is poor at leading and managing change. Those capabilities need to be developed. Those four areas are the first areas we are looking to address, and we need to do that urgently.

**Q198 Chair:** We will certainly have Stephen Kelly in front of this Committee shortly, I hope.

**Mr Maude:** Good. He has only been in his job as the Government's Chief Operating Officer for a short time, but has made an enormous difference.

**Q199 Chair:** Finally, the shared services review is meant to be published about now.

**Mr Maude:** Again, we have made less good progress on this until very recently, but we are now much closer. We are in a much better place in terms of delivering the savings and the better performance that come with real shared services. This has been talked about; Peter Gershon first proposed this eight years ago.

**Q200 Chair:** When will it come?

**Mr Maude:** We may get the strategy out this side of Christmas. If not, I hope early in the new year. It has been unbelievably slow to get agreement on what needs to be done, but we have now, really in the last few weeks, achieved some breakthroughs there, so I would be much more optimistic.

**Q201 Robert Halfon:** Before I go on to my question, I would like to ask some other questions. Can I just go back to the digital engagement part of the debate? Can you just explain to me what you think we mean by digital engagement, in practice?

**Mr Maude:** I will give you one example of something we did back at the beginning of the Comprehensive Spending Review, where we created the public spending challenge. This was not for the public more widely, but it was for the entirety of the public sector, so 6 million or so people, where we invited, through a website, public sector employees to put forward their ideas for how money could be saved in ways that

would not damage services. Keep the quality but cut the cost. Rather to our surprise, there were a lot of responses, over 60,000. They were all reviewed and a lot of them were sensible and actionable ideas that did get actioned. I am remembering the number as about £500 million of savings that accrued from implementing those proposals. That was digital engagement. It was not people sending in postcards.

**Q202 Robert Halfon:** How do you move on from that being very important, but it just being an ideas bank and a place where people deposit information, to genuine engagement? Can you foresee that actually people would then be able to vote on various Government measures—I am not talking about specific legislation, but ideas—what they think of certain consultations and so on, by using the internet?

**Mr Maude:** I do not think you would ever get to a position where the public decides policy in that way. The public elects Members of Parliament to pass laws; Parliament puts in place a Government, which makes decisions. At the end of it, I do not think you can delegate that. What you can have is a rich and realistic process, whereby members of the public, those who want to, can influence policy.

**Q203 Robert Halfon:** If you take the example of a consultation, most people believe that most consultations are decided in advance and that any Government goes through the motions, because of legislation. If you then allow people to digitally engage on that consultation and a significant number of people suggest one course of action, and then the Government takes a different course from that consultation, how is that described as genuine digital engagement?

**Mr Maude:** At the end of it, Governments have to make decisions and justify their decisions. I think you are right that it is often seen that consultations are a kind of lip service, and they tend to be conducted after the Government has basically taken a policy stance. The consultation may throw up things that the Government has simply not thought about, in which case you need to change direction, adapt and evolve. That is fine too.

**Chair:** I must ask you to press on, Minister, because we only have you until 10.45 and I do not want to delay you, but we will have to if we take too long.

**Mr Maude:** Fine. I think I have said all I can usefully say on that.

**Q204 Robert Halfon:** On the Civil Service side of things, do you think there is a high turnover of senior staff in the Civil Service?

**Mr Maude:** Not particularly.

**Robert Halfon:** In the sense of not necessarily leaving the Civil Service, but moving from Department to Department.

**Mr Maude:** Not all that much between Departments. Actually, I would like to see there being more movement between Departments. One of the problems is that the Civil Service is very siloed. I would like to see more interchange between Departments. The approach we are taking with the Fast Stream graduate entry will be much more like that.

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**Q205 Robert Halfon:** Do you not think that, if people are in the same position for a good period of time, it means that the Department has a lot of experience, wisdom and knowledge whereas, if they turn over all the time, that means you lose when a new person has to come along and start all over again?

**Mr Maude:** Yes, but that is about the speed with which they change. It is a settled view, among both Ministers and the leadership of the Civil Service, that there is too much rotation of civil servants. Civil servants do not spend long enough in jobs. It used to be the case with Ministers as well, but is happily less so now.

**Q206 Robert Halfon:** Given that there still is a high turnover of Ministers, do you think that it would possibly be a good idea to have chief executives in Departments for long periods of time, who are then responsible for those Departments? They would then build up the wisdom and knowledge that was needed.

**Mr Maude:** The point you make about the need for there to be an institutional memory is a very good one. I do not think we are as good at that as we ought to be. Part of that is that there is excessive rotation. I do not think it is about the chief executive or Permanent Secretary moving too frequently.

**Q207 Robert Halfon:** I was told by one special adviser very recently that, on his floor where he works, there are a fair number of civil servants. The only people who have been there since 2010 are him, the Minister and one other civil servant.

**Mr Maude:** Yes, which can be an advantage for the Minister.

**Q208 Chair:** That is a bit of an indictment of the system, is it not? Would you agree that there really has been a loss of expertise and institutional memory at the top of Departments? That is one of the things that inhibit good cross-departmental working, because the people at the top of Departments know less about their Departments when they are talking to other Departments, and therefore cross-departmental management does not work very well.

**Mr Maude:** I think that may be. It is absolutely the case that there is, in too many Departments, a loss of institutional memory. I do not think we are as good at that as we would have been. One of the reasons for that has been a change in approach over the last, I guess, 20 years or so, where it has been assumed that all posts must be openly advertised and it is kind of fine for civil servants to apply for any job and get any job. Actually, in the time when I was in Government previously, which was, I admit, a long time ago, there would have been much more proactive management of careers. I think there is a growing view in the leadership of the Civil Service, which I strongly share, that actually for the leadership cadre of civil servants right through the Civil Service, from Fast Stream graduate entry right the way through to the leadership roles, there should be much more active management of careers. The idea that it is fine just to move on when it suits you, those days are probably going. That is one of the reasons why the Public Accounts Committee has consistently criticised the high

turnover in senior responsible owners, the leaders of big projects. One huge project had got through a new SRO every six months, which is a shockingly bad way to operate.

**Chair:** We are going to come back to this topic, because we are very interested in it.

**Q209 Paul Flynn:** Just a very brief one. We have been informed as a Committee that, of the 20,000 applicants for the fast-track entry into the Civil Service last year, none of the successful ones were black. Is this a matter of concern to you?

**Mr Maude:** I did see some report in the newspapers of that. I would be very surprised if that turned out to be the case.

**Q210 Chair:** Could you drop us a line, Minister, about that?

**Mr Maude:** I will check that out.

**Chair:** It is a very pertinent question.

**Q211 Robert Halfon:** Do you think that the public sector requires a different model of corporate governance from that of the private sector or not?

**Mr Maude:** Yes, but there are useful comparisons and analogies, which we can draw on in the public sector.

**Q212 Robert Halfon:** What feedback have the non-executive directors given you on the strengths and weaknesses of corporate governance in the public sector, as compared to the private sector?

**Mr Maude:** It is very different. The Departmental Boards, which we strengthened when the coalition Government was formed, do not have a formal role. They are not statutory and they only have the ability to do things to the extent that Ministers let them. I effectively delegate some decision-taking to the Board; I give the Cabinet Office Board the ability to decide on big investments, for example. At the end of it, it is a decision for Ministers, but actually you want to engage the expertise and experience there is on these Boards in this way. The general feedback—and you will have seen Lord Browne's first annual report on the experience—is that the concerns they have expressed have been about the quality of management information, which is widely acknowledged to have been poor and inconsistent. It has improved considerably in some ways over the last two and a half years. When we started, we did not know how many civil servants there were. We relied on the Office for National Statistics to do a survey.

**Q213 Chair:** On the question of NXDs, do you think Departments properly understand what the role of their NXDs is?

**Mr Maude:** I would say it is mixed.

**Q214 Chair:** Do non-executive directors know what their role is?

**Mr Maude:** Again, I would say it is mixed and they will be different. There is not an absolutely standard model.

**Q215 Chair:** Is there a plan to deal with this?

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**Mr Maude:** I do not know about deal with it. Some of them work extremely well. The role of non-executives in a big operational Department will be different from the role in a smaller Department that is primarily doing policy. There is not a kind of absolutely standard cookie-cutter approach here. The non-executives would say that, in some places, Ministers and senior officials use them less than they are willing to be used. I am working with Lord Browne to encourage—

**Q216 Chair:** It would help if Ministers attended Board meetings, would it not?

**Mr Maude:** Most Ministers do. Not all Ministers will be on the Boards. If it is a Department with a large number of Ministers, they will not all be on the Board. Again, is it mixed? Yes, it is. Ministers in charge of Departments will typically chair the Board and should do. It is in the Ministerial Code that that is a requirement, but other Ministers should attend the Board.

**Q217 Chair:** Again, we are going to come back to this, because there is huge potential in the improved governance of Departments by making best use of non-executive directors. Were you not appalled when a lead non-executive recently resigned because the Permanent Secretary was appointed without even consulting him?

**Mr Maude:** Yes, and that was a wake-up call. As a result, we have put in place a protocol to ensure that, in future, the lead non-executive in a Department will have a prominent role in the selection of Permanent Secretaries.

**Q218 Chair:** We need to get on to the Twitter questions but, very briefly on consultations, a lot of people were quite alarmed that consultations are going to be curtailed. They cannot quite see how this is consistent with more public engagement in policy-making. Would you like to say something about that?

**Mr Maude:** Yes, absolutely. In the digital age, consultation can be much quicker and much more effective. Being able to contribute to consultations online means that you do not need all of the time that we used to have.

**Q219 Chair:** Very often consultations, if they are not properly conducted, then lead to judicial reviews. One thinks particularly the requirements of what they call the Aarhus Convention with regard to the environment. Is this not going to open the Government more to the paralysis of judicial review?

**Mr Maude:** I do not believe so, no. Actually the judicial review tends to arise because the Government has not followed its own guidelines. If we have guidelines that are very clear about how consultations are to be conducted, and which give a proper opportunity to those with legitimate interests to take part and to put their views forward, then I think it should be fine.

**Q220 Chair:** Consultations have tended to be the start of a process after a Government has already

decided what to do. Will public engagement in policy-making before the Government has decided what to do be a substitute for consultation?

**Mr Maude:** I think it can help. I do not think it is necessarily a substitute. We are probably into a world where this is much less neat and linear than the conventional model.

**Q221 Chair:** Turning to our Twitter questions, we are just simply going to read out some of the selected questions that are on our brief, within our remit, which have been submitted. The Fawcett Society tweeted, “The [Prime Minister] has said he wants to reduce the time spent consulting. How will the Government ensure robust consultation with women and others?” They also asked, “Local and central Government cuts mean the public must be consulted and able to challenge decisions. Do recent Government statements not undermine this?”

**Mr Maude:** I do not understand the logic of that at all.

**Chair:** Sorry, that was Mencap asking that one.

**Mr Maude:** The public must be able to be consulted; where there needs to be consultation, there must be consultation. I do not get the point about women. There seems to be some sort of implication that women need longer to submit their thoughts.

**Q222 Chair:** The Prime Minister said he is going to get rid of equality impact assessments, for example.

**Mr Maude:** Equality impact assessments can be a very burdensome and time-consuming process, but we should be able to do this in a way that is much less formal and bureaucratic than perhaps this has turned out to be. It is not that we are suddenly not interested in equality effects, but having a formal process where you tick the box is not perhaps the most substantively useful way of proceeding.

**Q223 Kelvin Hopkins:** There is a question here: “How can you expect people to engage in policy-making when you dismiss wide-scale opposition to public sector cuts?” My own supplementary to that is there is a public opinion poll, which is not absolutely vital, which suggests that people would prefer to see tax rises than public spending cuts.

**Mr Maude:** I think it was you who, earlier, was bemoaning the tendency of the Blair Government to formulate policy by reference to focus groups. Governments have to make their decisions and justify them. The coalition Government was formed, principally and immediately, to focus on deficit reduction and we agreed our approach to that. We put it out there. Some people will agree; some people will disagree with our approach. At the end of it, the test of that has to be when we submit ourselves to election.

**Q224 Greg Mulholland:** Two tweeted questions from the Fawcett Society and Mencap said, “The PM wants to ‘call time on equality impact assessments’”. #AskMaude how the Government will assess policy impacts on women, disabled people and other groups.” Then there were two more that were related. “Many people with a learning disability are excluded from policy-making because it’s not accessible. How

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can you change this?" A final one: "#AskMaude if [equality impact assessments] go, how will authorities meet their duties under the Public Sector Equality Duty?"

**Mr Maude:** The first and the third are broadly the same question. I think I kind of dealt with it in answer to the Chairman's question earlier. The fact that you do not go through a formal bureaucratic process of doing an incredibly structured equality impact assessment does not mean you do not care about the equality impacts. We should be doing this as part of policy development not, "Here is a process we need to go through at the end to tick a box." On the question about people with learning disabilities, I am not sure that we are changing anything that makes it more difficult for people with learning disabilities to have their views and concerns put forward.

**Q225 Greg Mulholland:** The Government, I am sure, would be committed to wanting to extend that. Are there plans to do that to make public policy-making more accessible to people with learning disabilities?

**Mr Maude:** I do not think there are any specific things, but I confess that I have not given very specific thought to that, and perhaps we can come back to you and Mencap with a response on that.

**Q226 Paul Flynn:** Could I remind you, first of all, before I ask these questions, of something you said this month last year? It was about the union leaders. You said, "If they actually call a strike based on a ballot where only just more than a quarter of those balloted actually bothered to vote at all then the pressure to change the law to set some kind of turnout threshold will really become very, very hard to resist." @MrMoonX, @LordSplodge and @Vinthedawg send similar questions to you. If union ballots without a large turnout have no mandate, how have the police commissioner elections got a mandate?

**Mr Maude:** The point about unions, the reason why for strikes there has for a long time been required to be a ballot, is that the union will be calling people out on strike and causing them to lose a day's or more days' pay.

**Q227 Paul Flynn:** I think we are aware of that. The other question is what is a sufficient percentage of vote, in your view, for a democratic mandate.

**Mr Maude:** Certainly you can make the case that the higher the turnout, the more the participation, the greater the legitimacy. Crime commissioners elected on a low turnout have much greater democratic legitimacy than a police authority that does not—

**Q228 Paul Flynn:** We know that. If we can break from these platitudinous answers, could you give us some idea? You said it is "very, very hard to resist" putting a threshold in. What threshold? Should it be 25%? Should it be 15%?

**Mr Maude:** No. I am really not sure what point it is you are making.

**Q229 Paul Flynn:** I am not making it. It is @LordSplodge and various others that are making this. They only want their questions answered.

**Mr Maude:** You are the one who is pressing it.

**Q230 Paul Flynn:** Quite rightly so. They have asked a question: what is the threshold in your mind? You have pontificated on this in the past, as I have just read. You said it is very difficult to resist setting a threshold. What is the threshold? Should it be 25% or should it be 15%? Most of the ballots last week for crime commissioners were less than that.

**Mr Maude:** The point I have said is that there is no threshold where it suddenly gets complete democratic legitimacy or below which it has no democratic legitimacy.

**Paul Flynn:** You are not going to answer the question, obviously.

**Mr Maude:** No, I am answering the question.

**Paul Flynn:** No, you are not.

**Chair:** Order.

**Mr Maude:** You are actually trying to stop me answering the question, which is quite boring. Let me answer the question very specifically. The point I make is that there is no point at which you suddenly have complete democratic legitimacy or below which you have no democratic legitimacy. You can make the case that there is a greater degree of legitimacy the higher the turnout. The point I would make is that union leaders who call strikes on the basis of very low turnouts, as they have done, damage their own legitimacy.

**Paul Flynn:** You have talked about the threshold yourself.

**Chair:** Order. We are moving on.

**Paul Flynn:** No, we are not moving on.

**Chair:** Mr Flynn, we have got to move on. Order.

**Paul Flynn:** These people deserve an answer. We have not had an answer.

**Chair:** Mr Flynn, order.

**Paul Flynn:** It makes a mockery to ask him the question—

**Chair:** You have asked that question very persistently.

**Mr Maude:** You have asked the question several times and you have then talked over the answer.

**Q231 Kelvin Hopkins:** There are a couple here from someone called @Puffles2010, who sounds like an insider to me because of the questions. "Have you done a risk analysis exercise on the outsourcing of policy? What were the top risks and how will you handle them?"

**Mr Maude:** I do not think there are any risks. What risks would there be?

**Q232 Kelvin Hopkins:** The questioner suggests there are some risks. The next question is—we touched on corporate memory before, but I wanted to ask it again—"How will you ensure corporate memory is maintained and policy-making functions are not hollowed out in the way IT has been?"

**Mr Maude:** The point is, as Sir Jeremy Heywood has said, Whitehall does not have the monopoly on policy wisdom. Where we outsource policy advice, which we are now piloting in a few areas, that does not mean

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the Civil Service is removed from the provision of advice. Where we do seek analysis and proposals from outside organisations in the way that we are doing currently with the IPPR, when they submit their report to Ministers, I would expect there to be vigorous analysis by Civil Service policy advisers. I would think it not a hollowing-out but actually an enrichment of the capacity of the Civil Service, because actually there is other analysis and propositions coming in from outside.

**Q233 Kelvin Hopkins:** A supplementary from me: the professional permanent Civil Service has been diluted by outsiders being brought in. I have been dubious about this myself but, in a previous Parliament, this Committee had a report that suggested that many of those outsiders proved to be very expensive and not very good at the job. Clearly they do not have the same ethos as the permanent professional Civil Service. Has that not been damaging?

**Mr Maude:** No, I do not think so, but it is horses for courses really. The idea that the Civil Service is a kind of closed order you join in late adolescence and remain in for the entirety of your life is long gone, if it has ever been the case. There have been some extraordinarily successful people brought in from outside, sometimes in very senior positions. The Chairman talked about Stephen Kelly, who has recently joined as the Government's Chief Operating Officer. We certainly have in the Efficiency and Reform Group a number of people who are a really good mix of mainstream long-term civil servants and people in from outside. The mix works very well. Each draws much from each other.

**Q234 Kelvin Hopkins:** I did put this question to Gus O'Donnell and he came from outside. The French operate in a different way. They have this cadre of senior civil servants, who go out into the private sector and then come back, but their core loyalty is to the state, l'état.

**Chair:** And they are paid more.

**Mr Maude:** Yes, true.

**Q235 Chair:** @Puffles2010 also tweeted, "#AskMaude how will you ensure transparency and propriety on outsourcing of policy-making functions?" How do you decide which think tank to throw money at?

**Mr Maude:** Whoever has the right capability to provide the advice, and so you look for a track record of—

**Q236 Chair:** Did you choose IPPR yourself?

**Mr Maude:** Yes, absolutely.

**Q237 Chair:** Do you not have to take advice on whether they are the appropriate think tank to use for that purpose?

**Mr Maude:** I looked at the propositions that had come in and decided that they were the one who best had the capability and an approach that was going to provide the right kind of insights.

**Q238 Chair:** How do you protect public money from being used to just fulfil your fancies? What checks are there?

**Mr Maude:** We do have a process of filtering the applications. I can give you chapter and verse on how the process works.

**Q239 Chair:** Perhaps you could drop us a line about that.

**Mr Maude:** This is not just done on a whim, but neither is it excessively bureaucratic.

**Q240 Chair:** That is the danger, is it not? It is public money.

**Mr Maude:** It is small amounts of public money. We made clear with the matched fund we have created that, while we do not limit it to academic institutions and think tanks, there can be other organisations that apply, but they must expect to be paid at academic and think tank rates.

**Q241 Chair:** If you could drop us a line about this, we will put it online.

**Mr Maude:** Yes, I will do.

**Q242 Greg Mulholland:** We were sent some #AskMaude tweet questions about the role of Ministers, civil servants and the Civil Service Reform Plan. The first from @lesteph tweeted, "#AskMaude what are the respective roles of Ministers, political parties and civil servants in more open-policy making?" That was re-tweeted by @demsoc and @Puffles2010.

**Mr Maude:** That is quite a broad issue really. The role of political parties is expressed through Ministers. Ministers do not have to but tend to belong to political parties. At the end of it, civil servants provide advice to Ministers; Ministers decide.

**Q243 Greg Mulholland:** We had two questions from PCS branches, the first one @PCS\_GONW\_Branch, which was, "#AskMaude is it fair for a modern employer to publicly criticise its employees' pay, pensions, and terms and conditions?" A second one was from @PCSWestCroydon, who said, "#AskMaude why is [he] pushing through pension cuts on Civil Service while [his] own taxpayer-funded pension has increased? #hypocrisy."

**Mr Maude:** On why we are reforming, Ministers and pensions are subject to the same reforms with the same principles as all public sector pension schemes, and operate on a very much higher contribution rate than Civil Service pensions do, even after the reforms. Why are we reforming Civil Service pensions? Well, this has been exhaustively discussed. It is to create sustainable, while maintaining good quality, pensions with defined benefits and a guaranteed level of pension, but to make them sustainable and affordable, with a fairer balance between what staff pay and what the taxpayer pays. I missed the point on the first question there.

**Q244 Greg Mulholland:** The other one from a PCS was, "Is it fair for a modern employer to publicly

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28 November 2012 Rt Hon Francis Maude MP

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criticise its employees' pay, pensions, and terms and conditions?"

**Mr Maude:** We have to ensure that the taxpayer gets a good deal. One of the things that the leadership of the Civil Service has said is that civil servants can become very demoralised when newspapers pick up on odd anachronistic terms and conditions, and lampoon them. They are often terms and conditions that civil servants themselves did not know about. Those terms and conditions, which are out of kilter with good modern practice, need to be addressed.

**Q245 Chair:** On open data, @GrahamGordon4 tweeted, "#AskMaude how will the UK Government use the #OGP," which means Open Government Partnership, "to develop new models of citizen engagement in policy-making?" That is a nice quick one for you.

**Mr Maude:** The Open Government Partnership, which has got a steering group meeting—we are now the lead co-Chair of the Open Government Partnership—is an organisation that has taken on quite a life of its own in the short year since it was launched. The partner members are all at different stages, in terms of their development. Some countries have joined at a relatively early stage in their democracy. Their concern is much more about the participation than about the transparency aspects of the Open Government Partnership principles. It is something where actually we all learn from each other.

**Q246 Chair:** Finally, two very quick one-liners: @HelenEva8 tweeted, "#AskMaude is asking

questions of a Government Minister via Twitter a good idea?"

**Mr Maude:** I think it is absolutely fine.

**Q247 Chair:** @KateDobinson tweeted, "#AskMaude why doesn't Francis Maude have his own Twitter?"

**Mr Maude:** I do have a Twitter account, but I use it to follow Twitter rather than to tweet myself. I am not going to repeat the Prime Minister's own remarks about tweeting. The Cabinet Office has a Twitter account. When we take the view that there is something that I particularly want to tweet, it goes out through that channel.

**Q248 Chair:** Is it a secret Twitter account or can we see who you are following?

**Mr Maude:** It is not particularly secret. People do occasionally pick up that I have followed them and follow me. They are no doubt devastated to find that I do not actually tweet.

**Q249 Chair:** Minister, thank you very much indeed. We will look forward to seeing you again shortly, I hope, as we proceed with our Civil Service inquiry, about which we hope to have plenty of dialogue with Ministers, senior civil servants and their representatives over the months ahead.

**Mr Maude:** That will be very good.

**Chair:** Thank you very much.

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# Written evidence

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## Written evidence submitted by ESRC Centre for Economic and Social Aspects of Genomics (Cesagen) Cardiff University (PE 01)

By *Dr Richard Watermeyer* (with input from *Professor Ruth Chadwick*)

The following statement constitutes a response to the Public Administration Select Committee's *Issue and Questions Paper* on the topic of public engagement in policy-making. Special attention is given to answering questions related to models of policy-making, which promote/discourage public groups; the advantages and disadvantages of greater public engagement in policy-making; tools and methods for enabling public engagement in policy-making; and outsourced "contestable" models of public engagement.

This response approaches the issue of public engagement in policy-making through the lens of science and technology and a science and society agenda. A rationale for increased forms of public engagement in matters of policy-making concerning emergent and/or controversial science innovation and research are premised on an ideal of democratic governance in policy systems or "civic epistemologies" and the democratization of scientific knowledge. Public engagement in science and technology (PEST) in the UK is a response to a notion of a British public dispossessed of the opportunity with which to be, not only included but involved in deliberative and decision-making processes, which influence and affect the orientation and outcome of policy, and the manner with which government regulates and legislates the production of scientific research and development. PEST is the embodiment of an upstream, non-deficit version of public groups as competent and enthused handlers, potential collaborators and co-authors of scientific innovation, involved in a process not of understanding science but being engaged and engaging in the production, regulation and distribution of science.

- This response focuses on issues in the implementation of PEST in policy-making scenarios such as:
- The inadequacy of existing engagement methodologies.
- The significance of evaluation for public engagement, yet a sense of the same lessons repeatedly stated yet unlearned or unheard.
- Issues of discontinuity and disconnect, respectively, between public engagement as
  - an event or series of events;
  - the contribution of public participants;
  - an on-going political discourse; and
  - a tangible impact on policy-making processes.
- Public engagement as a process of consensus building versus critical intervention.
- Public engagement as pseudo-engagement and process of public making.

This response is organised into three categories: advantages of public engagement in policy-making; potential drawbacks of public engagement in policy-making; and what is needed for public engagement in policy-making.

*Caveat:* The "drawbacks" reported herein are multiple and may appear, at least by numerical comparison, to dwarf the comparative "advantages" of public engagement in policy-making. However, "drawbacks", many of which are structural and rectifiable—and potentially transferable into a "what is needed" category—should not be seen to outweigh, diminish or negate the significance of "advantages", which though less numerous are nonetheless considerable.

### 1. ADVANTAGES OF PUBLIC ENGAGEMENT IN POLICY-MAKING

1.1 Public engagement is a socially inclusive process intended to engineer greater openness, visibility, transparency and accountability in knowledge and policy-making processes and a more meaningful and reciprocal interface between producers/regulators/legislators and the electorate. It is fundamental in delivering, if only the appearance of, democratic citizenship and the mobilization of public groups as a community in practice focused on the fulfilment of a democratically organized public sphere and public good.

1.2 Public engagement provides necessary steer to, and validation of, decision-making processes—depending on the stage of the policy-making process—where decisions are the culmination of consensus by the greatest number, especially where decision-making involves complex and intractable ethical or moral dilemmas.

1.3 Public engagement in this way offers a heuristic for ethical complexity and a catalyst of crowd-sourced problem-solving, co-constructed and equitable approaches to evidence-building and multi-dimensional intelligence-making/sharing.

### 2. DRAWBACKS OF PUBLIC ENGAGEMENT IN POLICY-MAKING

2.1 Opportunities for public engagement in policy matters may be too rigorously choreographed and stage-managed, too tightly fixed to a pre-set agenda and a tacit focus on the realisation of pre-ordained outcomes.

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2.2 There are significant structural and procedural issues attached to public engagement such as cost and capacity, and numerous obstacles to its success, such as in convincing publics in the validity of the exercise and the value of their contributions.

2.3 It is unclear quite how beyond formal invitation/recruitment into one-off “engagements” on specific issues, how publics might engage with government on a more regular and involved basis. For example, what scope is there for the implementation of informal and digital engagement streams in steering policy.

2.4 The documentation of public contributions in engagement exercises, such as by official rapporteurs, may be susceptible to a framing effect, inaccuracy and/or misinterpretation.

2.5 Public engagement is intended as a means of making visible and transparent, yet it is not always clear to participants what impact and effect public engagement exercises have on the policy-making process. Indeed, a disconnect between public engagement and policy is exacerbated by their organisation as discrete events.

2.6 Public engagement continues to be blighted by a perception that it is a reactive or post-hoc exercise, where public participation is at a stage of decision-making where its impact is purposely limited and negligible.

2.7 The deliberative value of public engagement in policy contexts is undermined by a paucity of understanding in the way with which expert and non-expert testimony is used, combined or counter-acted and evaluated. It is largely unclear quite the extent to which the testimony of a non-expert is treated and compared to the testimony of an expert and or the degree to which a non-expert public participant is able to challenge an expert and change opinion.

2.8 Processes of translation of knowledge generated in public engagement exercises into policy domains may not be sufficiently robust. Where most public engagement evaluations consider the quality of translation in terms of how information is shared with and disseminated to public groups, there is a dearth of knowledge revealing how public responses are translated back to policy cohorts in substantive and meaningful ways.

2.9 The defining characteristics of public engagement in its “upstream” form are experimentality and diversity. There is no one-size-fits-all method for an upstream engagement of public groups—different publics will have preferred means of communication and processes of retrieving and synthesising information. Upstream engagement may tend therefore to resemble a process of trial and error, which may cause to slow, stall, disrupt or derail policy-making processes, or prove otherwise deleterious where the chosen engagement mechanism/methodology proves to be inappropriate to needs.

2.10 As the RCUK Beacons for Public Engagement revealed, public engagement is an inexact science. It is difficult to predict outcomes and perhaps of greatest concern for policy makers, positive or neutralising outcomes. Engagement may ultimately foment increased uncertainty, anxiety or opposition among certain groups to specific political agendas—a positive development where the public is invoked as contributors of an extended peer-review process, yet less helpful where policy-making processes require rapid response and action. Policy-makers may fear that by inviting too broad a spread of opinions to debate, debate will become fractured, crippled by tangentials and potentially hijacked by other competing agendas.

2.11 Public engagement may not, despite its normative depiction, be an inherently good thing, appropriate or necessary. Indeed, there may be instances where public engagement in policy-making may be harmful to the interests and welfare of public groups or detrimental to national interests.

2.12 While there may be many sections of the public who would chose to engage and be engaged in policy debate, there are those who prefer to delegate the responsibility of developing and administering policy to government as the publics’ elected representative. These are frequently erroneously represented as latent or disinvested publics. Their invisibility in this context is however a consequence not of disinterest or disengagement with a policy agenda or scientific concern, but a lack of confidence and penetration in processes of engagement as catalysts of democratic governance.

2.13 Public engagement exercises in policy-making may ultimately comprise a somewhat homogenous and unrepresentative group of the “likely candidates” and/or those with vested and or equivalent interest, tending to dominate or monopolise dialogue, control the ebb and flow of dialogue themes and orientations, and concurrently instantiate a one-dimensional or partisan dialogic conclusion.

2.14 The most frequently used format for PEST in policy matters is dialogue, co-ordinated by Sciencewise-ERC. Whilst Sciencewise has enjoyed considerable success in engaging publics in policy discussions related to emergent and controversial technoscience, it is unclear quite the extent to which dialogue activities have ameliorated the nexus between publics and policy; the quality, longevity and purposefulness of these interactions; and the difference these interactions have made, in measurable ways, on the development and delivery of policy.

2.15 Dialogue activity too frequently resembles a process of event-making, which intimates the invitation of the publics into policy discussions—less inclusion. These events are also problematized by issues of brevity; isolation and discontinuity; instrumentalism; high cost; and containment. The last issue is especially troubling, if dialogue exercises are seen as an open and closed event; where issues raised are restricted to the event itself, or where participants are mobilized in such ways where significant concerns are neutralized.

2.16 Scientific controversy and public disquiet are necessary aspects of deliberative processes, without which policy occurs in a social vacuum. Conclusions may not therefore accurately reflect or respond to issues that court and perpetuate “radical uncertainty”. For instance, where dialogue is made anodyne, sanitised or limp, the prospect of purposeful and constructive argumentation desists as might publics’ level of participation as committed and concerned citizens.

2.17 Upstream engagement involves not only lengthy deliberation but the intervention of public groups at multiple interstices. This requires time and patience, conditions scarcely and/or rarely available in policy-making contexts.

2.18 While digital and social media are significant for enabling knowledge transfer and exchange and the emergence of networked, transnational and heterogeneous public communities (in-practice), they are not, as a technology of elicitation, immune to issues of risk. Digital information repositories are made analogous to leaky containers, where sensitive, privileged or protected information travels insecurely and indiscriminately, and may be exposed, albeit inadvertently, to individuals or groups who may use such information against the public good. The endlessness of the blogosphere is one example of how public engagement conducted via new media may cause to crowd, confuse and potentially corrupt policy debate.

2.19 The blogosphere as a space for publics’ discursive/dialogical participation in matters of governance is hugely significant, as are other forms of 2.0 digital and social media. These forms of new media are also significant for the manner in which they not only connect but substantiate networks, communities, critical mass and critical conscientiousness. They are increasingly promoted as a means with which “experts” are able to interact, engage and even collaborate with publics, in a way where their work is provided greater credence and legitimacy, yet not only through public dissemination or expertise translated in a way made accessible and understandable to larger numbers, but where their expertise and enterprise is knowingly subjected to public scrutiny. “Research blogging” is one way not only of broadening the base of scientific prospectors, interest-groups, enthusiasts but widening discussion. However, it is also unclear, what the impact of the blogosphere is on policy contexts. How influential are bloggers and how much can public engagement on policy be organised through such individuals as “authentic” public representatives?

2.20 Public engagement in policy contexts is a process aimed at facilitating the articulation of the “public good”. However the “public good” is an abstract and ambiguous concept. It is unclear for instance whether the good in question is an outcome in the interest of the public or outcome deemed to be positive by public groups. Furthermore, which public does this relate to?

2.21 Public engagement initiatives and proselytes are habitually guilty of a failure to systematically differentiate the publics. A process of segmentation and publics mapping is a precondition of aligning policy agendas to different interest groups and mobilizing public groups in the most efficient and useful ways, where their experience and knowledge may be used to best effect. It is naïve to imagine that every policy concern/item will have universal relevance. That said, there is arguably a duty in the context of public engagement to inform publics in such ways, whereby they are responsible for determinations as to the exact relevance of a policy agenda. This process is inherently underpinned by educational processes—both formal and informal.

2.22 Another danger inherent to the personalization of policy concerns, is an emphasis on the individual less collective or community in response to matters of governance. In other words, efforts to make explicit the personal relevance of a policy concern, may unnecessarily silo citizens and delimit their activity to specific self-invested concerns—anathema to the notion of shared and collective governance—instead the pursuit of self-aggrandising or selfish interests.

2.23 A key concern in public engagement where publics’ segmentation is necessary is how not to, unwittingly, precipitate social and cultural divisions.

2.24 Segmentation may also cause to reinforce the homogeneity of engagement participants by instigating a hierarchy of those, with for instance, the greatest dialogical and cultural capital.

2.25 Despite an insistence on the value of public engagement in policy contexts, there is little in the way of empirical or evidence-based findings, which conclusively correlate public engagement activity to social inclusion, social cohesion and democratic governance. In fact it may be the case that the promissory rhetoric of public engagement is not so well reflected in the context of its outcomes.

### 3. WHAT IS NEEDED FOR PUBLIC ENGAGEMENT IN POLICY-MAKING

3.1 There is a need to comprehensively disaggregate publics and recruit representatively—a need for a typology of publics in as much as typology of engagement methodology and policy needs.

3.2 There is an explicit danger that public engagement in policy is viewed pejoratively and suspiciously by publics who identify it as a redundant and self-fulfilling process or “symbolic fiction”. Work needs to be done in order to stabilise and improve publics’ perception of public engagement as a process of critical and meaningful intervention less publics co-opted for the purpose of consensus building.

3.3 Engagement process may be undermined by a weakness of a single approach and single time-frame—dialogue processes for instance should be more frequently complemented by other engagement technologies.

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3.4 There is currently too strict a delineation between formal and informal repertoires and models of public engagement—there ought to be a greater interface between these methods and constituencies.

3.5 A far greater investment is required in evaluation, dissemination and subsequent implementation of evaluative recommendations, particularly where these are consistently reported, into procedural guidelines.

3.6 There is a need to invest in continuous feedback mechanisms facilitating engagement as an on-going process less isolated event, which can feed into, enrich and extend political discourse.

3.7 There is a need to repatriate publics via explication/elicitation of policy-making processes—it is necessary for publics not only to gain awareness of the science at hand but the process by which its regulation/legislation occurs.

3.8 There appears a gap-of-knowledge or myopia surrounding the public's understanding of the policy-making processes and furthermore the significance and contribution of elite or recognised stakeholders—a need for far greater contextualization and clarification of purpose, aims and objectives.

3.9 Continued investment is required among more learned or expert cohorts in the value of public engagement to policy and in ways which circumvents the instrumentalization of public engagement, where public engagement is deployed as a performance indicator or in the articulation of a non-academic impact such as in the REF 2014.

3.10 Continued investment is required in a critical discourse for public engagement in policy-making such as through academic/practitioners/public/policy physical and digital fora, though with an accent on the former.

3.11 Typological differentiation of public engagement is recommended as a form of science/subject popularization; method of public communication/dissemination; paradigm of education/learning process; and conduit for democratic governance

3.12 Increased investment is recommended, in high visibility/high status public champions/ambassadors for public engagement in policy contexts across organisational/institutional/sectoral contexts and with a direct-line to the civil service and government, mobilizing a more efficient and proactive discourse and ecology of contestable policy-making.

3.13 For public engagement to move beyond response-mode consultation, significant investment is required in establishing infrastructure and capacities which will increase the numbers of public/citizen groups involved and the potential of their impact in influencing decision-making processes. Existing infrastructure is limited. This also however demands buy-in from public groups/institutions and culture change on the part of individuals.

3.14 Evaluation therefore is required not just for public engagement activity but the means and process thereafter where the outputs of public engagement translate into outcomes for policy. This requires substantial investment in tracking and mapping the travel of public engagement outputs and their impact in policy contexts. A cartography of public engagement policy impacts would endlessly improve the value attributed to public engagement among public cohorts and also provide a manual for publics in maximising their influence, with increased cognizance of intermediaries/gatekeepers and in elucidating more of a direct line between publics and those ultimately charged with the implementation of policy.

3.15 Public engagement requires explicit rationalization in educational terms, in so much as where learners in formal educational contexts, school, college, university and non-formal contexts, and at every life stage are invested in so that they are afforded the opportunity to engage as informed citizens. Again, engagement should not merely be read as a process of popularization, though this is important, but a process focused on enabling and maximising the existing and future capacities of learner-groups as formative/future citizens. Engagement begins not at an adult level, but at the earliest intervention, enabling children with the knowledge and skills necessary for the demands of active citizenship.

3.16 Public engagement is a long-term process, particularly in the context of open-sourcing less consultation. It consequently is ill-matched with decision-making as it occurs in a policy context, where political terms of office are short-term and transient and policy foci vacillate with the political ideology or prioritisation of ministerial cohorts. For public engagement to have a more useful and focused impact on policy, government and civil services processes will themselves have to change and become more co-operative and attuned.

3.17 A direct and largely unanswered question focuses on whether public engagement actually facilitates the production of better policy. Furthermore, how and in what ways if any, is upstream engagement, a more effective vehicle for policy-making—invested in representing and safeguarding public interests and the public good—than other and previous paradigms of government outreach such as through expert consultation.

### **Written evidence submitted by The UK Association for Science and Discovery Centres (PE 02)**

*By Dr Penny Fidler, CEO*

The UK Association for Science and Discovery Centres (ASDC) welcomes this inquiry and is delighted to see that there is a strong desire to engage the public better and more openly in all policy making. ASDC wholly endorses this approach and feels that more fully involving the public in these discussions and decisions gives policy, in particular science policy, a greater depth and resonance with the public. It is after all the public in their broadest sense who need to support and pay for these policies once created.

We would urge you at this point to use the enormous national infrastructure that already exists, and already engages more than 20 million members of the public every year to discuss and explore science and innovation. This network is the national network of Science and Discovery Centres and Science Museums.

The UK Association for Science and Discovery Centres (ASDC) brings together over 60 of the UK's major public-facing science engagement organisations, from National Museums to major Science Centres in the UK's regions. Together our members engage 20 million adults and children every year with the sciences, involving them with hands-on activities and discussions around the latest issues in science. They have on-the-ground expertise in running these engagement programmes, and between them cover every science content area.

This network makes up the UK's largest publically accessible network dedicated to both informal science learning and family science engagement. Collectively they enable 385,000 people every week (for 52 weeks of the year) to discuss, explore and delve into the world of science, technology, engineering and the environment. As organisations they are sustainable businesses, large employers and highly innovative social enterprises.

A huge opportunity exists here, because these centres are already embedded within their cities and regions. They already work closely with top researchers in universities, teachers and students in schools and the wider public in families. They capture a wide market, not just those with an interest in science. Indeed a recent study at Dundee Science Centre showed that 73% of visitors consider themselves "to have no involvement with science" (for example, have never worked in science or engineering and didn't study science at any point). The reach that is offered by the 60 centres and their 20 million participants is surpassed only by the BBC and web which come with their own caveats.

Further, all of the 60 major science centres and museums have established social media networks. As part of the core operations they tweet, blog and involve people on-line. If you want to engage wide audiences through social media, this infrastructure exists and has tens of millions of engaged followers. It could easily be used to engage people with certain areas to feed into policy making. Clearly social media is only part of the answer as it appeals to only a subset of people, with a subset of interests but nevertheless the reach is impressive. In addition direct email to the many hundreds of thousands of contacts and multipliers (eg teachers and community leaders) could have a vast effect if those emails come from a trusted and known source such as their region hub for science, and their views are being specifically sought.

ASDC would fully support the use of various methods to engage the public in the policy making process. One method is not sufficient. Using face to face dialogue, direct contacts, social media, broadcast and print media are all needed. Capturing the gaming community of young voting age adults is also an untapped market in this arena.

ASDC would urge that any public engagement happens early enough in the cycle to be useful. We know from a wide range of face-to-face Government consultations that science centres and museums have been involved over the years, that the public is happy to give their time, ideas and views, provided they are sure their input will be part of the evidence used to make the decision. To engage and collect evidence, and then not use it, breaks trust which is hard to regain.

On the issue of trust, there is clear evidence (eg from earlier BIS/MORI surveys into public perceptions of science) that the question of who is providing the information plays a key role, and that politicians and journalists are rated considerably lower as trusted sources than more community based and local actors. We suggest that as part of this inquiry you also strongly consider the evidence on this issue of who the public trust in relation to science and other subject areas, and this is key to your decision.

Finally, ASDC member centres range widely in geography and content specialism, from The National Space Centre in Leicester who discuss the latest in space science on a daily basis with their hundreds of thousands of visitors, to the Centre for Life in Newcastle specialising in the biosciences with a particular expertise in stem cells and new technologies in the life sciences. By using the national network of science centres and science museums that already exist and reliably attract 20 million people through their doors each year you can cover every area of science content, in every part of the UK in a cost effective manner.

If you would like to see the coverage of the UK, please visit [www.sciencecentres.org.uk](http://www.sciencecentres.org.uk) and look at the map.

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### Written evidence submitted by Karen Hudes (PE 3)

#### OUTSOURCE WITH GREAT CAUTION, BASED ON LESSONS LEARNED ABOUT UNDISCLOSED CONFLICTS

1. I am a lawyer and economist who worked for twenty years in the legal department of the World Bank. Before the civil service outsources government policy-making functions, lessons must be learned from previous efforts. The Commons Select Committee on International Development published my testimony on the Independent Commission for Aid Impact at: <http://www.publications.parliament.uk/pa/cm201213/cmselect/cmintdev/writev/402/contents.htm>

2. The UK government's fiduciary responsibility to UK taxpayers cannot be outsourced. Hidden conflicts in the private sector are not readily apparent in many instances. Jimmy Wales, co-founder of Wikipedia, is advising the Government in support of the agenda to open up policy-making. Yet Wikipedia erroneously reverted my edits to disclose the end of the Gentlemen's Agreement for the United States to appoint the President of the World Bank.

*October 2012*

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### Written evidence submitted by Sciencewise (PE 4)

#### 1. SUMMARY

1.1. Public engagement is a broad field of practice. It is important not to impose a "one size fits all" approach. Sciencewise-ERC believes that the public dialogue model could be used more widely in Government.

1.2. Public dialogue differs from many other forms of public engagement in policy-making because it:

- typically happens earlier in the decision making cycle;
- involves specially recruited, diverse groups of citizens;
- invites informed deliberation and the interaction between experts, citizens and policy-makers.

1.3. Good public dialogue can help policy-makers and Government to:

- make better, more robust decisions that reflect public values and societal implications;
- increase legitimacy for tough decisions;
- demonstrate accountability in public investment;
- overcome entrenched positions to enable policy to move forward;
- gain a richer understanding of public views.

1.4. Public dialogue does not:

- remove Government responsibility for decision-making;
- rely only on surveys or opinion polls to gather public views;
- seek endorsement of decisions that have already been made;
- replace other public information or consultation processes.

1.5. Much engagement still follows a "deficit model" where it is seen to be a one-way flow of information from experts to a largely passive public.

1.6. In some cases a more "upstream" approach is called for.

1.7. Public engagement in policy-making should not be seen as separate from stakeholder engagement. Digital engagement is an exciting new area and the choice between digital and face-to-face engagement needs to be made in each case based on the particular policy context. In some cases face-to-face engagement provides an irreplaceable function.

1.8. Organisational culture has a big impact on the ability of the public sector to engage effectively.

1.9. We do not believe that the number of participants in a public engagement exercise is necessarily a good measure of success or legitimacy. The depth and quality of the deliberation is also a vital consideration.

#### 2. INTRODUCTION

2.1. The Sciencewise Expert Resource Centre (Sciencewise—ERC) is the UK's national centre for public dialogue in policy making involving science and technology issues, funded by the Department for Business, Innovation and Skills (BIS). We welcome the opportunity to provide evidence to the Committee.

2.2. The main aim of Sciencewise—ERC is to improve policy making involving science and technology across Government by increasing the effectiveness with which public dialogue is used, and encouraging its wider use where appropriate. This will ensure that future policy involving science, technology and innovation is robustly developed, informed by public concerns and aspirations and based on all the available evidence.

### 3. ABOUT PUBLIC DIALOGUE

3.1. Sciencewise—ERC promotes and supports public dialogue. Public dialogue is a particular type of public engagement<sup>1</sup> which brings together members of the public, policy makers, scientists and other expert stakeholders to deliberate and come to conclusions on public policy issues, which can be at a national or local policy level.

3.2. Sciencewise—ERC public dialogues have differed from a lot of public engagement done elsewhere. This form of public engagement:

- typically happens earlier in the decision making cycle than much other public engagement;
- involves specially recruited, diverse groups of citizens;
- invites informed deliberation and the interaction between experts and citizens.

3.3. Sciencewise—ERC believes that these features of public dialogue (which are included in the Sciencewise-ERC Guiding Principles<sup>2</sup>) are valuable and could play a greater role in public engagement in policy making on other policy areas.

#### 4. *How do the models of policy-making currently used in Government promote or discourage members of the public from getting involved?*

4.1. For over a decade experts have warned of the ‘deficit model’ of engagement where it is seen to be a one-way flow of information from experts to a largely passive public, with little real voice for people in decision-making.<sup>3</sup> In response a number of organisations<sup>4</sup> have called for ‘upstream engagement’ ie engaging to explore people’s attitudes and aspirations well before major policy decisions are made.

4.2. Our research<sup>5</sup> has found that public engagement in national decision-making has sometimes tended to be a reactive process, often commissioned by Government as a result of public dissatisfaction or the failure of a national policy. Engagement commissioned in this way usually occurs late in the policy cycle and is primarily seen as a way of rebuilding trust in a discredited decision-making process. Sciencewise—ERC was established as part of the move towards ‘upstream’, or earlier engagement with citizens. Upstream engagement aims to shape better policy decisions and to prevent the loss of public trust, rather than trying to rebuild it after policy failure. Upstream engagement is not suitable to all policies but it can often yield good results.

4.3. While we believe that formal consultations are an important part of Government policy making, they are limited in that they tend to be responded to by stakeholders and/or those with very strong views. Dialogue of the type Sciencewise—ERC supports is designed to reach a cross-section of members of the public. Past research shows that many formal consultations have limited trust by the public.<sup>6</sup> It is also important to remember that public engagement must sit alongside wider stakeholder engagement to be truly effective.

4.4. A common problem which we have identified in some current engagement practice is a lack of feedback to the public on how public/stakeholder views have or have not been taken on board. We have found that effective feedback helps the public to understand the impact they have had on policy which in turn builds trust.<sup>7</sup>

4.5. Online and digital modes of engagement are and will continue to be important. New technological developments will transform what is possible offering the opportunity of greater levels of dialogue and involvement of more members of the public and other stakeholders. A number of online and digital initiatives have already made a significant impact on the development of policy.<sup>8</sup> However Sciencewise—ERC feels the need to reiterate the importance for face-to-face deliberation in many cases, especially on very contested or complex policy areas. Recent ESRC-funded research found that “Face-to-face techniques, more so than on-line, offer the potential for a richer and more complex platform for discussion and participation.”<sup>9</sup>

4.6. Sciencewise—ERC has also had success experimenting with ‘distributed dialogues’<sup>10</sup>—approaches in which public engagement activities have been outsourced to local actors on issues such as bioenergy, flood management and others<sup>11</sup>. These models will not work in all areas but are certainly worth considering where a policy has wide ranging local impacts.

<sup>1</sup> A good overview of different approaches can be found here: <http://scienceandsociety.bis.gov.uk/all/files/2010/10/PE-conversational-tool-Final-251010.pdf>

<sup>2</sup> <http://www.sciencewise-erc.org.uk/cms/assets/Uploads/Project-files/Sciencewise-ERC-Guiding-Principles.pdf>

<sup>3</sup> House of Lords Science and Technology Committee ‘Science and Society’ report 2000 <http://www.publications.parliament.uk/pa/ld199900/ldselect/ldstech/38/3801.htm>

<sup>4</sup> See for example: <http://www.demos.co.uk/publications/paddlingupstream>

<sup>5</sup> <http://www.sciencewise-erc.org.uk/cms/assets/Uploads/What-the-public-say-report-FINAL-v4.pdf>

<sup>6</sup> See for example: <http://pathwaysthroughparticipation.org.uk/>

<sup>7</sup> <http://www.sciencewise-erc.org.uk/cms/assets/Uploads/Publications/Sciencewise-Evaluation-Report-FINAL.pdf>

<sup>8</sup> See for example: <http://www.sciencewise-erc.org.uk/cms/assets/Uploads/Project-files/Evaluation-and-learning-from-the-2050-public-engagement-programme.pdf>

<sup>9</sup> [http://www.esrc.ac.uk/news-and-events/press-releases/23323/nudge-or-think-what-works-best-for-our-society.aspx?utm\\_source=feedburner&utm\\_medium=twitter&utm\\_campaign=Feed%3A+ESRCPressReleases+%28ESRC+press+releases+this+month%29](http://www.esrc.ac.uk/news-and-events/press-releases/23323/nudge-or-think-what-works-best-for-our-society.aspx?utm_source=feedburner&utm_medium=twitter&utm_campaign=Feed%3A+ESRCPressReleases+%28ESRC+press+releases+this+month%29)  
<http://www.civicbehaviour.org.uk/>

<sup>10</sup> <http://www.involve.org.uk/wp-content/uploads/2011/03/Involve2010TalkingforaChange2.pdf>

<sup>11</sup> Sciencehorizons <http://www.sciencewise-erc.org.uk/cms/sciencehorizons/>, Low Carbon Communities Challenge <http://www.sciencewise-erc.org.uk/cms/low-carbon-communities-challenge/>

4.7. There is also the need to consider that generally, although people want to know that the public is consulted on science issues, they do not necessarily want to get involved themselves. Research from the Public Attitudes to Science Survey 2011<sup>12</sup> indicated that 50% of respondents felt this way, and this is mirrored by existing research on involvement in public policy issues.

5. *What advantages and disadvantages would greater public engagement in policy-making bring?*

EXISTING EVIDENCE:

5.1. EVALUATIONS<sup>13</sup> OF SCIENCEWISE—ERC HAVE SHOWN THAT PUBLIC DIALOGUE HAS:

- Influenced public policy by providing policy-makers with evidence of the richness and strength of public views (eg influenced priorities for investment in nanotechnology research).
- Influenced practice by helping Government learn how dialogue can build legitimacy and accountability with the public and contribute to greater respect for science-based decision making.
- Enabled progress to be made on strategically significant, sometimes highly contentious topics by supporting policy makers to find ways forward that go with the grain of the public's views, and avoid the conflicts and entrenched positions that can result in the complete rejection of new technologies.
- Improved the quality of communications between Government, scientists and the public by providing a rich understanding of the public's potential concerns and aspirations on new science and technologies. Policy makers and scientists are then better prepared to discuss the implications with the media and the wider public.
- Increased public awareness and understanding of science and technology issues, both among immediate participants and their contacts.

Driven sustainable behaviour change by affecting the views and behaviour of participants, and resulting in the creation of public allies and ambassadors for implementing potentially controversial policies. One evaluation of a deliberative dialogue process found that on average, each participant spoke to 30 others.

5.2. For dialogue to be useful, experience has shown that it must have a clear and well-defined purpose, be tailored to the specific circumstances of the issue area and decision-making process, and be well designed and facilitated. Where these elements are present, evaluations have found dialogue can have a number of benefits to policy makers, other experts and the public?

Benefits to policy-makers and other experts

5.3. Policy-makers have reported the benefit of directly hearing and feeling the strength of public views on issues through a process that goes beyond people's "knee jerk reactions". Policy-makers who have participated in public dialogues have said that policy is better as a result of dialogue because:

- Policy is more socially informed, making it more robust and credible with less chance of negative social impacts. The Hybrid and Chimera Embryos for Research dialogue, for example, gave policy makers at the HFEA confidence in their final decision (on whether hybrid embryos should be allowed for research purposes).
- Policy is more publicly acceptable, because it is developed with an understanding of how and why the public is likely to react. The Nanodialogues, for example, led the Environment Agency to revise its approach to regulating nanoparticles in the environment as a result of listening to the recommendations of public participants.
- Policy is more cost effective in the long term, because the likelihood of future unforeseen conflict is reduced and final decisions are easier to implement as they are based on the best possible knowledge from a range of sources.

5.4. There is sometimes resistance towards public engagement in policy making because of a fear that members of the public will be unable to make the difficult trade-offs and will reject controversial policies out of hand. Our evaluations of dialogues on two dozen controversial topics however show that public participants are able to make complex trade-offs between the benefits and risks of science and technology developments. Providing the process is well designed and managed the public do not reject new policies out of hand, but form nuanced positions regarding how new developments should be regulated and governed.

5.5. Beyond the value to policy making, policy makers have cited a number of other benefits from public dialogue; among other things, they have:

- Developed better relationships with stakeholders.
- Developed better relationships with public participants.
- Enhanced profile and reputation.
- Improved their future communications.

<sup>12</sup> Public Attitudes to Science 2011 <http://www.ipsos-mori.com/researchpublications/researcharchive/2764/Public-attitudes-to-science-2011.aspx>

<sup>13</sup> <http://www.sciencewise-erc.org.uk/cms/assets/Uploads/Publications/Sciencewise-Evaluation-Report-FINAL.pdf>

## 6. What are the best tools and methods for enabling public engagement in policymaking?

6.1. Sciencewise—ERC specialises in public dialogue, which complement consultations and other methods of engagement. However, many complex decisions are not so readily amenable to public consultation, but rather require participants to become informed about an issue before they comment on it. Deliberative methods generally involve a smaller number of participants, who are given the time and resources to discuss pertinent issues before coming to conclusions. There is a significant body of evidence to say that deliberative processes provide very different qualitative results compared to other forms of engagement.<sup>14</sup>

6.2. Some may view public engagement with greater numbers of participants as more representative and legitimate. This is a fallacy. The ‘right’ number of participants depends on the purpose of a public dialogue and, more specifically, who or what (if anything) the participants are intended to represent. There can be a trade-off between the depth of a discussion and the number of people who can be involved in it.

6.3. In-depth deliberation, such as that carried out in Sciencewise—ERC dialogues, is an intense process requiring high-quality facilitation and the opportunity for participants to interact with one another and directly with experts in order to develop their views and delve beyond them to uncover the values, beliefs, experiences, interests and needs that underlie them (particularly important for complex policy areas). In these cases a smaller number of participants engaged in a more in depth deliberation will be far more valuable than a larger (but more superficial) engagement.

6.4. Purposive sampling (selecting people to represent the widest possible set of views, values and demographics) can be a powerful tool. The findings using this method still cannot be taken to be statistically representative of the general population, but can uncover a wide and sufficiently diverse range of participants’ views and values to provide a valuable picture of public concerns<sup>15</sup>.

6.5. Good public engagement often involves a mixed approach. The Sciencehorizons dialogue project, for example, included a deliberative panel (involving 31 participants), facilitated public events (involving 842 participants) and self-managed, small group discussions (involving around 2,400 participants).<sup>16</sup>

## 7. How should the Government measure the success or failure of different public engagement models?

7.1. The assessment of the success or failure of public engagement must be based on the purpose of the exercise. An engagement process which primarily aims to make better informed decisions will have to be judged differently to one which primarily aims to simply provide information. Sciencewise—ERC’s continuing emphasis on effective evaluation of all the public dialogue projects it co-funds has significantly helped to develop practice in this field<sup>17</sup>.

7.2. The success or failure of engagement goes beyond the choice of method and often depends on the principles that underlie the process. Sciencewise—ERC has developed a set of guiding principles for Government<sup>18</sup>. We believe that public dialogue in science and technology should aim to:

- Be clear in its purposes and objectives from the outset.
- Be well timed in relation to public and political concerns.
- Commence as early as possible in the policy/decision process.
- Feature commitment and buy-in from policy actors.
- Have sufficient resources in terms of time, skills and funding.
- Be governed in a way appropriate to the context and objectives.
- Be clear about the extent to which participants will be able to influence outcomes. Dialogue will be focused on informing, rather than determining policy and decisions.
- Involve a number and demographic of the population that is appropriate to the task to give robustness to the eventual outcomes’.

## 8. How should the Government ensure that its spending on increasing public engagement in policy-making delivers value for money?

8.1. Research shows that the scale of investment in engagement is very often dwarfed by the scale of the general investment in the policy fields that the engagement has influenced and that conflict (which engagement is generally seen to reduce the risk of) is very costly.<sup>19</sup>

<sup>14</sup> McIver S. “Healthy debate? An independent evaluation of citizen’s juries in health settings”. 1998, J Maxwell, S Rosell, PG Forest “Giving citizens a voice in healthcare policy in Canada” BMJ: British Medical Journal, 2003,

<sup>15</sup> See for example: <http://www.sciencewise-erc.org.uk/cms/forensic-use-of-dna-citizens-enquiry-background-and-key-impacts/>

<sup>16</sup> <http://www.sciencewise-erc.org.uk/cms/sciencehorizons/>

<sup>17</sup> <http://www.sciencewise-erc.org.uk/cms/assets/Uploads/Strategic-Research-documents/Evidence-CountsFull-report.pdf>

<sup>18</sup> (Sciencewise-ERC guiding principles) [i] Sciencewise-ERC (2007) The Government’s Approach to Public Dialogue on Science and Technology. Harwell: Sciencewise-ERC <http://www.sciencewise-erc.org.uk/cms/assets/Uploads/Project-files/Sciencewise-ERC-Guiding-Principles.pdf>

<sup>19</sup> <http://www.sciencewise-erc.org.uk/cms/assets/Uploads/Strategic-Research-documents/What-is-Sciencewise.pdf>

8.2. Overall, the evidence indicates that the costs of not doing public engagement can far outweigh the costs of the engagement. Public dialogue allows policy makers to find ways forward that avoid conflicts and entrenched positions that can result in the complete rejection of new technologies.<sup>20</sup>

8.3. As early as 1994 a World Bank Report identified participation as highly beneficial and cost effective<sup>21</sup>.

9. *What role should the permanent civil service play in policy-making in the modern world?*

9.1. Sciencewise—ERC research<sup>22</sup> has shown the important role that internal operating culture plays in facilitating successful engagement, with different Government Departments and Agencies having very different starting points for their work. Generally, we have found that where policy-makers attend engagement events and get involved directly, they find the process much more valuable.

9.2. Government must take final responsibility for making fair and balanced policy decisions that are informed by a range of evidence, including from the public. The public see decision-making as a complex process that requires a wide range of inputs, and do not want to have the final decision in complex technical areas of public policy.<sup>23</sup> Research from the Public Attitudes to Science 2011 also suggests that, while much of the public thinks the Government should take on board the views of ordinary people, many believe the Government should defer to experts and to scientific evidence above public opinion.<sup>24</sup>

9.3. At public engagement and dialogue events it is important that experts and policy-makers attend and take note of the process. The presence of significant numbers of scientists, policy-makers and other experts increases the likelihood of the process influencing policy. However, we believe that not enough thought has been given to including public engagement in training for policy-making and that it should be an integral part of what it means to be a policy-maker.

10. *Will “contestable” (out-sourced) models of policy-making provide greater opportunities for public engagement in the process?*

10.1. Outsourcing will not automatically lead to more opportunities for engagement. It will depend on the ability and skills of the organisation charged with running the engagement, and how the process relates to the policy making process. In particular we would highlight the risk that if the process of engaging the public and the process of making the policy decision are divorced entirely the policy team will be less likely to act on the engagement results as they feel less ownership.

- Whoever runs engagement must be neutral and seen to be neutral. Evidence has shown that unless this is maintained throughout the engagement, the validity of the outcomes are open to challenge<sup>25</sup>
- Government is generally in a relatively strong position to run engagement, except in certain policy areas where the public questions its neutrality. In these cases a neutral third party convenor makes sense.
- It would be difficult for industry groups to be seen to be neutral convenors in most cases.

10.2. As a final point it is also important that Government takes ownership of the process of public engagement and communicates the ways in which it engages with the public to as wide a range of people as possible.

October 2012

**Written evidence submitted by National Coordinating Centre for Public Engagement (NCCPE) (PE 5)**

1. The National Co-ordinating Centre for Public Engagement [NCCPE]<sup>26</sup> was established in 2008 as part of the Beacons for Public Engagement initiative, funded by RCUK, the UK Higher Education Funding Councils and the Wellcome Trust. The Beacons for Public Engagement initiative was designed to support public engagement across the higher education sector.

2. Six “beacon” projects were established as university-based collaborative centres to help support, recognise, reward and build capacity for public engagement work. The six Beacons were based in Newcastle and Durham, Manchester, Norwich (UEA), UCL, Cardiff and Edinburgh. The funding for these projects finished in December 2011. Recently RCUK funded a further eight “Catalyst” projects to take further the learning from the Beacons with the overarching aim of embedding a culture within higher education where public engagement with research is valued and recognised.

<sup>20</sup> <http://www.sciencewise-erc.org.uk/cms/assets/Uploads/Strategic-Research-documents/Evidence-CountsFull-report.pdf>

<sup>21</sup> World Bank (1994) *The World Bank and Participation*. World Bank Learning Group on Participatory Development, Operations Department, September 1994, Washington DC

<sup>22</sup> <http://www.sciencewise-erc.org.uk/cms/assets/Uploads/Strategic-Research-documents/Summary-DDI.pdf>

<sup>23</sup> <http://www.sciencewise-erc.org.uk/cms/assets/Uploads/What-the-public-say-report-FINAL-v4.pdf>

<sup>24</sup> Public Attitudes to Science 2011 <http://www.ipsos-mori.com/researchpublications/researcharchive/2764/Public-attitudes-to-science-2011.aspx>

<sup>25</sup> <http://www.sciencewise-erc.org.uk/cms/assets/Uploads/Talking-about-GM.pdf>

<sup>26</sup> <http://www.publicengagement.ac.uk/>

3. The NCCPE was set up to co-ordinate and share learning between the Beacons and across UK higher education institutions [HEIs] and research institutes, and was granted a two year extension at the start of 2012 to disseminate the learning from the Beacons project, and to provide coordination for the new Catalys centres.

4. Our submission is intended to pinpoint things we have learnt from our project which could be of value to the Committee's thinking about this topic. While our focus has been predominantly within universities, there are many points of connection with the challenges of embracing public engagement within policy making.

5. In particular, we want to focus on three themes:

- What we have learned about the role of “digital” engagement as part of a wider strategy for engagement with the public.
- What we have learned about the advantages/benefits of public engagement and public dialogue.
- What we have learned about the how to change the practices and professional cultures of universities so that their staff embrace a greater commitment to engagement with the public.

*What Have we Learned about the Role of “Digital” Engagement as Part of a Wider Strategy for Engagement With the Public?*

6. Several of the Beacon projects sought to develop good practice in engagement between researchers, policy makers and the public. This work was framed within RCUK's over-arching Public Engagement with Research strategy<sup>27</sup> which includes a commitment to identifying public attitudes and values to be considered through the lifecycle of research and fostering debate that will enable public aspirations and concerns to contribute to policies and research strategies. For instance, the Edinburgh Beltane<sup>28</sup> had a particular focus on bringing together researchers, policy makers and the public to build dialogue about emerging strategic themes within public policy.

7. The NCCPE has also worked closely with the BIS-funded “Sciencewise<sup>29</sup>” project to share learning about effective practice in this area.

8. We welcome this inquiry and its underpinning assumption that it is important to increase public participation in policy making. However, we believe that there are dangers in relying too exclusively on digital platforms for this engagement. While digital platforms can help to achieve a greater volume of responses with fewer resources, many topics require longer-term engagement and the kind of deliberation that can be achieved through a well-managed public dialogue. Examples of such can be found on the Sciencewise website. Such dialogues encourage all participants to hear and respond to each others' views, exchange learning and explore and interpret their responses in more depth. The NCCPE therefore would support a policy which integrates both approaches to promoting direct public participation.

*What Have we Learned about the Advantages/Benefits of Public Engagement and Public Dialogue?*

9. The NCCPE website provides a summary of the benefits that greater public engagement with research can bring<sup>30</sup>. Many of these advantages also apply to public engagement with policy making, in particular the concrete ways in which public engagement and public dialogue helps institutions to keep abreast of public concerns and expectations and supports real-world problem solving. We would argue that these advantages are most likely to be achieved if there is sustained and in depth interaction between member of the public and the policy making process.

10. Two key advantages are described below:

- Public engagement and dialogue helps institutions to demonstrate accountability in a climate of increasing scrutiny.
- Public dialogue can lead to more informed and “socially grounded” decision making.

11. *Public engagement and dialogue helps institutions to demonstrate accountability in a climate of increasing scrutiny.* The public are increasingly prepared to challenge policies and decision making processes. Through public engagement, policy makers can demonstrate openness, transparency and accountability and ensure that there is well-informed debate and dialogue about future policies.

12. The Public Attitudes to Science survey<sup>31</sup> in 2008 found that the public expect that research scientists and policy makers should be more open about their work, be accountable to the public for public money invested, and understand and respond to public priorities. For example:

- only 21% of the public agree that “the public is sufficiently involved in decisions about science and technology”;

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<sup>27</sup> Research Councils UK Public Engagement with Research Strategy <http://www.rcuk.ac.uk/documents/scisoc/RCUKPERStrategy.pdf>

<sup>28</sup> <http://www.publicengagement.ac.uk/support/stories/story-change-edinburgh-beltane>

<sup>29</sup> <http://www.sciencewise-erc.org.uk/>

<sup>30</sup> <http://www.publicengagement.ac.uk/why-does-it-matter/case-for-engagement/benefits>

<sup>31</sup> “Public Attitudes to Science 2008”, Research Councils UK / DIUS

- 78% of the public agreed that “we ought to hear about potential new areas of science and technology before they happen, not afterwards”;
- 79% of the public felt that the Government should act in accordance with public concerns about science and technology; and
- 74% felt that scientists should listen more to what ordinary people think.

13. Increased public engagement can begin to address some of these worrying statistics. An evaluation report<sup>32</sup> commissioned by Sciencewise summarised findings from a number of Sciencewise-ERC public engagement projects. It found compelling evidence of the following benefits to researchers and experts taking part. The benefits for wider society included:

- *Building trust* in Government and public institutions by increasing openness and transparency in decision-making processes, and helping public participants to understand and have confidence in public policy processes.
- *Strengthening democracy*, by providing new ways that citizens can engage in, and influence, political and policy decisions (eg the allocation of resources). Appropriate recruitment ensures the involvement of traditionally disenfranchised sectors of society.
- *Building skills and enthusiasm for active citizenship*. As people gain confidence in their opinions and that someone will listen to and take account of their views, their interest and willingness to take a greater part in society increases.
- *Building social cohesion and social capital* by bringing diverse types of people together in a safe environment in which they can exchange views and work together on a joint enterprise, and get to know and better trust people from sectors of society that they would not normally meet. Dialogue ensures everyone is tolerant of the views of others, even if they disagree’.

14. In summary, the report concluded that “public dialogue provides four types of benefits:

- “added value” benefits (dialogue adds to the value of the process);
- “unique” benefits (which can only be achieved with dialogue);
- “developmental” or “transformative” benefits (around learning and capacity building); and
- “instrumental” benefits (such as legitimacy of decisions or strengthened democracy)”.

15. *Public dialogue can lead to more informed and “socially grounded” decision making*

In March 2007, Research Councils UK’s Energy Programme launched a public dialogue to inform decisions about the funding of research areas for the next three years. The evaluation<sup>33</sup> of the project provides useful lessons. The aim of the dialogue was for these decision-makers to understand public views, alongside academic, industry and government views, to help them shape their thinking and decisions on future energy research priorities.

16. A formal evaluation was completed, and revealed significant benefits in terms of legitimacy and accountability. The dialogue demonstrated that Research Councils UK was willing to open up their decision-making processes to include feedback on public opinion, to complement their work with institutional and academic stakeholders. Comments from Advisory Group members included:

“It was important that we exposed ourselves and opened ourselves to scrutiny. We now know that the public does have views on this” (Advisory Group member interviewee).

“[The main value of public engagement is] Legitimacy. We’re spending public money so we need the public’s views on what we’re doing. There are some lessons about how we could spend our money. There’s also the question of communication: there is clearly the potential to do more” (Advisory Group member interviewee).

“It is helping us to think through our reasons for funding different kinds of research and to sharpen up the justification for what we’re doing ... We weren’t expecting definitive results [but] ... it has enriched the RCUK’s decision making” (Advisory Group member interviewee).

17. Bailey *et al.* 1999<sup>34</sup>, and Holder 2004<sup>35</sup> also note how public participation can result in improved quality and social legitimacy of decisions and outcomes, achieved through including a range of knowledge’s and values.

18. A recent RCUK review provides further evidence of how the outcomes of such public dialogue can include more open research governance and decision making, which is recognised to be a condition of wider public confidence in the research system. The RCUK review<sup>36</sup> looked at the lessons learned from their

<sup>32</sup> Evidence Counts. Understanding the value of public dialogue (Sciencewise-ERC/BIS 2010)

<sup>33</sup> Evaluation of the Research Councils UK public dialogue on UK energy research (2008). RCUK / Shared Practice

<sup>34</sup> Bailey, P., Yearly, S. and Forrester, J. (1999) “Involving the public in local air pollution assessment: a citizen participation case study”, *International Journal of Environment and Pollution*, 11(3), 290–303

<sup>35</sup> Holder, J. (2004) *Environmental Assessment: The Regulation of Decision-making*, Oxford University Press: UK

<sup>36</sup> Public Dialogue Review: Lessons from public dialogues commissioned by the RCUK <http://www.involve.org.uk/review-of-research-councils-uk-dialogues/>

commissioned public dialogues. The report found that Research Council public dialogues have led to important and productive impacts on Research Council work. It also highlighted international recognition for RCUK's commitment to public dialogue and innovation in upstream engagement. The review identified six main areas where public dialogues have provided value and made tangible positive impacts to the work of the Research Councils:

- Better understanding of public attitudes relating to an emerging area of research;
- Better understanding of publics as potential end-users or consumers of research;
- Researchers stimulated to reflect on the social implications of their research;
- Directly inform Research Council thinking, strategy and decision making;
- Promote stronger stakeholder engagement with NGOs and civil society; and
- Contribute to wider public debate about emerging research and technologies.

*What Have we Learned about the How to Change the Practices and Professional Cultures of Universities so that their Staff Embrace A Greater Commitment to Engagement With the Public?*

19. The NCCPE's work has been particularly focused on addressing the cultural factors which inhibit staff from embracing public engagement within their work. A useful starting point for understanding these factors as they affect research staff and scientists is the 2005 Royal Society report, "Science Communication: Factors Affecting Science Communication by Scientists and Engineers". There are important lessons here to help ensure that future investment in this area by government delivers value for money and brings about lasting, strategic change

20. By working closely with the Beacon projects, the NCCPE identified nine "triggers" which need to be addressed if institutions are to develop a culture where public engagement can thrive. These were codified into a self-assessment tool (the EDGE Tool<sup>37</sup>), which we have used successfully with many institutions to help them to review their strategic and operational support for engagement, and to develop appropriate activity to galvanise change. Such activity will typically include:

- Focussing on "purposes" for public engagement, and how these are expressed in mission, leadership and communications;
- Addressing key enabling "processes"—staff development, reward and recognition and effective coordination;
- Active stakeholder engagement.

21. These findings were reinforced in the recent RCUK review<sup>38</sup> of public dialogues. This identified five organisational factors that were critical to ensuring that dialogues play their part in ensuring that public aspirations and concerns contribute to Councils' policies and research strategies:

- Devote sufficient time to upfront planning of the dialogue, this includes clarifying the purpose, ensuring timing is appropriate for feeding into specific decision;
- Ensure the dialogue has visible and active high-level support from senior managers within the Research Councils and also relevant senior researchers;
- Value of being there—it is widely acknowledged that the most powerful impact from dialogues is on those individuals who participate in (or at least observe) the dialogues;
- Appropriate oversight—the role of advisers from within Research Councils and external stakeholders is critical to steering a successful dialogue, but also it is an important mechanism to link the dialogue into relevant Council processes and external agendas; and
- Ensure there is organisational capacity to learn from the dialogue—this could mean staff with knowledge and experience of dialogue, and as in the case of the BBSRC and EPSRC having societal issue advisory groups.

22. We would be delighted to share our resources, and the practical lessons we have learned. There are significant cultural and professional challenges which will need to be addressed if the Civil Service is to embrace public engagement with the kind of strategic purpose it deserves.

October 2012

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<sup>37</sup> <http://www.publicengagement.ac.uk/support/self-assess>

<sup>38</sup> Public Dialogue Review: Lessons from public dialogues commissioned by the RCUK <http://www.involve.org.uk/review-of-research-councils-uk-dialogues/>

### Written evidence submitted by Research Councils UK (RCUK) (PE 6)

1. Research Councils UK (RCUK) is a strategic partnership set up to champion research supported by the seven UK Research Councils. RCUK was established in 2002 to enable the Councils to work together more effectively to enhance the overall impact and effectiveness of their research, training and innovation activities, contributing to the delivery of the Government's objectives for science and innovation. Further details are available at [www.rcuk.ac.uk](http://www.rcuk.ac.uk)

2. This evidence is submitted by RCUK and represents its independent views. It does not include, or necessarily reflect the views of the Knowledge and Innovation Group in the Department for Business, Innovation and Skills (BIS). The submission is made on behalf of the following Councils:

- Arts and Humanities Research Council (AHRC)
- Biotechnology and Biological Sciences Research Council (BBSRC)
- Engineering and Physical Sciences Research Council (EPSRC)
- Economic and Social Research Council (ESRC)
- Medical Research Council (MRC)
- Natural Environment Research Council (NERC)
- Science and Technology Facilities Council (STFC)

3. The RCUK Public Engagement with Research strategy<sup>39</sup> includes a commitment to identifying public attitudes and values to be considered through the lifecycle of research and fostering debate that will enable public aspirations and concerns to contribute to Councils' policies and research strategies.

4. RCUK welcomes this inquiry into public engagement in policy making to promote direct public participation, but considers that both face-to-face public dialogue and the use of digital platforms are necessary and important. However the use of digital platforms is not a substitute for other forms of engagement and should be considered in this context. The use of digital platforms can be useful to achieve a greater volume of responses with fewer resources. There is scope to look at a whole range of digital platforms as a facet of wider engagement methodologies; indeed RCUK are funding research looking at digital technologies. However, face-to-face dialogue is extremely effective and tested in policy making and helping to design and influence research strategies. A well-managed public dialogue, and longer-term engagement and deliberation, can allow all participants to hear and respond to each others' views, exchange learning and explore and interpret discussion in more depth. RCUK therefore recommends a policy which integrates digital technology and face-to-face dialogue to promote direct public participation.

5. Successful public dialogue can play a key role in supporting more open research governance and decision making, which is recognised to be a condition of wider public confidence in the research system. RCUK have recently conducted a review<sup>40</sup> to look at the lessons learned from their commissioned public dialogues. The report found that Research Council public dialogues with research have been carried out to high standards and have led to important and productive impacts on Research Council work. It also highlighted international recognition for RCUK's commitment to public dialogue and innovation in upstream engagement. The review identified six main areas where public dialogues have provided value and made tangible positive impacts to the work of the Research Councils:

- Better understanding of public attitudes relating to an emerging area of research;
- Better understanding of publics as potential end-users or consumers of research;
- Researchers stimulated to reflect on the social implications of their research;
- Directly inform Research Council thinking, strategy and decision making;
- Promote stronger stakeholder engagement with NGOs and civil society; and
- Contribute to wider public debate about emerging research and technologies.

6. RCUK have carried out over 15 public dialogues since 2003. Public dialogue was part of the process used to develop a call for research proposals in nanotechnology for healthcare under the cross Council theme, Nanoscience through Engineering to Application. The findings of this public dialogue were used alongside advice from the research and user community in the development of the scope of the call. In 2007, RCUK conducted a major public dialogue exercise to understand the public's priorities for evaluating energy research to ensure that the public's voice was heard by the Research Councils as part of a major spending review to decide future energy research investment. The outputs from this public dialogue activity were fed into the Energy Programme directly. The criteria developed through public dialogue helped to sharpen the way issues were debated.

7. In addition to launching new research programmes, RCUK public dialogues have helped new science and technology areas move forward. For example, the 2008 stem cell dialogue. This consisted of stakeholder interviews and deliberative workshops across the UK, to identify peoples' views around stem cell research.

<sup>39</sup> Research Councils UK Public Engagement with Research Strategy <http://www.rcuk.ac.uk/documents/scisoc/RCUKPERStrategy.pdf>

<sup>40</sup> Public Dialogue Review: Lessons from public dialogues commissioned by the RCUK <http://www.involve.org.uk/review-of-research-councils-uk-dialogues/>

The report demonstrated strong public support for stem cell research, confidence in regulation, and trust in scientists, but that support is conditional on a number of issues around consent, commercialisation and the use of embryos. This dialogue took place alongside debates on the Human Tissue and Embryos Bill, which was passed in 2008. More recent dialogues include engaging the public in issues around open data and geo-engineering to help inform future policies in these areas. STFC have also recently embarked on a public dialogue on space weather involving a range of stakeholders to consider social and ethical issues, and potentially influence STFC's future strategy in this area.

8. RCUK fund research exploring the possibilities offered by digital technology for alternative forms of engaging the public in policy making. One of the AHRC's Knowledge Exchange Hubs, the Creative Exchange<sup>41</sup>, led by Professor Rachel Cooper at Lancaster is exploring digital innovation in public services and democratic processes. There is also work under the cross-Council Connected Communities programme<sup>42</sup> on community engagement with government, and the cross-Council Digital Economy (DE) programme.

9. The VoiceYourView (vYv) is a cross-disciplinary research project funded by the DE programme. It is a collaboration between five leading universities in the UK and aims to develop technology which allows people to express their perceptions of safety in public spaces wherever and whenever they want—that is, vYv will capture spontaneous comments from members of the public in real time. These comments can be used to improve the safety of public space designs. It differs from traditional public consultation because all users have opinions about the spaces in which they live and work. vYv aims at what traditional public consultations find it difficult to do, that is let people air their views when and where they want and present them to the best effect for decision makers to take action. It uses techniques from artificial intelligence (AI) such as automatic text analysis to filter, structure and classify the collection of tacit knowledge from various input devices (such as smart phones, e-mail or a voice phone call). Annex A includes a case study on the Derry District Policing Partnership.

10. The RCUK review of public dialogues found five organisational factors that were critical to ensuring that dialogues play their part in ensuring that public aspirations and concerns contribute to Councils' policies and research strategies. Other organisations may also be able draw on these findings and the internal resources<sup>43</sup> RCUK have produced to support their staff who are involved or interested in delivering public dialogues and how to approach this.

- Devote sufficient time to upfront planning of the dialogue, this includes clarifying the purpose, ensuring timing is appropriate for feeding into specific decision;
- Ensure the dialogue has visible and active high-level support from senior managers within the Research Councils and also relevant senior researchers;
- Value of being there—it is widely acknowledged that the most powerful impact from dialogues is on those individuals who participate in (or at least observe) the dialogues;
- Appropriate oversight—the role of advisers from within Research Councils and external stakeholders is critical to steering a successful dialogue, but also it is an important mechanism to link the dialogue into relevant Council processes and external agendas; and
- Ensure there is organisational capacity to learn from the dialogue—this could mean staff with knowledge and experience of dialogue, and as in the case of the BBSRC and EPSRC having societal issue advisory groups.

11. As outlined above RCUK welcomes this inquiry to encourage direct public participation in policy, but recommends a policy which integrates both face-to-face and digital platforms to achieve this. RCUK would also be happy to share research findings and best practice in this area.

October 2012

## Annex A

### DIGITAL ECONOMY CASE STUDY

One particularly good example of success in using digital platforms was work done with the Derry District Policing Partnership (DDPP; one of 26 district policing partnerships that were set up between district councillors and the local community to monitor local police performance, to represent community views on policing and to gain the public's cooperation in crime prevention) and Derry City Council (DCC). This looked at the public's confidence and satisfaction with the local police force. The outcome, through "Crime Perception Maps" was a better relationship between the police and the community (which had been rife with confrontation for many years and felt they had been ignored by the authorities). Simple ways of using technology to engage

<sup>41</sup> The Creative Exchange: [http://thecreativeexchange.org/cluster\\_topics](http://thecreativeexchange.org/cluster_topics)

<sup>42</sup> The Connected Communities cross-Council theme: <http://www.ahrc.ac.uk/Funding-Opportunities/Research-funding/Connected-Communities/Pages/Connected-Communities.aspx>

<sup>43</sup> Doing Public Dialogue: A support resource for research council staff <http://www.involve.org.uk/review-of-research-councils-uk-dialogues/> and Dialogue with the Public: Practical Guidelines <http://www.rcuk.ac.uk/Publications/archive/Pages/DialoguewithPublic.aspx>

with local government meant citizens felt greater empowerment and more integrated with their community. This has resulted in policy changes in Northern Ireland.

### Written evidence submitted by Involve (PE 7)

#### SUMMARY

1 We argue that public engagement is currently marginalised in the policy making process and, as a result, has led to citizens experiences being uninspiring and frustrating. There exists considerable cynicism with formal engagement processes.

2 We state that public engagement can have a range of advantages for policy making (including increased democratic legitimacy, greater accountability and better policy), but that there is a need to reconsider the concept of policy making because government alone cannot achieve the outcomes it desires. With this in mind, public engagement must be an integral part of policy making.

3 We outline the importance of selecting tools and methods for public engagement based on a combination of purpose, context and people.

4 We argue that if “contestable” models of policy making lead to the presence of greater public engagement expertise in policy-making processes, this will be positive both for policy making and public engagement. However, if it leads to policy being made on the cheap or to the manipulation of public engagement to legitimise and support particular policy positions, this will have a negative effect on policy making and public engagement.

5 We give two international examples of initiatives that have brought government, citizens and other stakeholders together to identify a shared purpose and take action together, and that support citizens to self organise themselves.

6 We set out that it is important for government not to seek to manipulate public engagement processes. Rather, it should clearly define any boundaries for discussion (and its reasons) at the outset of a process and openly and transparently state why it is rejecting any recommendations from a public engagement process.

#### 1. INTRODUCTION

1.1. This is Involve’s submission to the Public Administration Select Committee question paper on “Public engagement in policy making”.

1.2. Involve are experts in public participation. We believe passionately in a democracy where citizens are able to take and influence the decisions that affect their lives. Through both research and practice we seek to radically transform the relationship between citizens and their governments to better use the creativity, energy, knowledge, skills and resources of all.

1.3. Involve exists to support organisations, politicians and public officials to transform the way they engage with citizens. Since Involve was founded in 2004 we have worked closely with public organisations at a local, national and international level to transform how they engage with citizens. These include the Home Office, Ministry of Justice, the World Health Organisation, the European Commission, the OECD and numerous Local Authorities.

#### 2. *How do the models of policy making currently used in Government promote or discourage members of the public from getting involved?*

2.1. Government policy-making processes typically treat public engagement as a nuisance at worst and an optional extra or nice-to-have at best. This does not mean that there has not been significant activity, quite the opposite in fact, but that it has not been sufficiently valued or integrated in policy-making processes.

2.2. Current models of policy making are based on and reinforce a culture and structure within government that was designed for a bygone era in which the role and expectations of government were different. As Jocelyne Bourgon identifies: “in most countries the fundamentals of public administration today remain more or less the same as at the turn of the 20th century.”<sup>44</sup>

2.3. As a result, the predominant model of policy making continues to be to develop policy in a black box, where policy options are developed and decisions taken within a sole government department,<sup>45</sup> with public engagement restricted to assessing the acceptability of a policy idea during formation (eg through focus groups) or after a policy has been developed (eg through formal consultations).

2.4. Public engagement’s relatively marginalised position in policy making has meant that the range of methods used has been limited (ie written consultations, public meetings, satisfaction surveys and questionnaires) and it has often suffered from being:

<sup>44</sup> Bourgon, J. (2011) *A new synthesis of public administration: Serving in the 21st century*. Montreal/Kingston: McGill-Queen’s University Press

<sup>45</sup> Hallsworth, M. (2011) *System stewardship: The future of policy making?* London: Institute for Government

- late in the decision making cycle (ie a preferred policy has already been selected and key decisions have already been made);
- fixed in format and structure (ie it is not tailored to the specific circumstance and does not respond to changes);
- one size fits all (ie certain methods are used again and again with no thought for purpose, context and people; see section 5);
- limited in scope (ie it is siloed by organisation and/or on technical issues);
- on government's terms (ie government sets the terms of reference and determines how it wants citizens to engage).

2.5. As a result, public engagement has been uninspiring and frustrating in equal measure for citizens. It is therefore unsurprising that often the public does not see the point of engaging in formal engagement processes. Our research<sup>46</sup> into how and why citizens participate showed the importance of their participation having impact and found a significant level of cynicism with formal engagement opportunities. This is not to say that there are not good examples of public engagement, but the vast majority lie at the poor or mediocre end of the spectrum and their impact overwhelms the positive impact of good public engagement.

2.6. In order to encourage members of the public to get and stay involved, our research and experience has shown that public engagement needs to:

- start with the question: “what’s in it for them?”;
- be designed with long-term impact in mind;
- focus on developing an ongoing relationship;
- utilise and build the capacity of citizens to problem-solve themselves;
- engage citizens on the issues that matter to them;
- provide a range of opportunities for engagement that meet the needs of a wide variety of people and offer opportunities that are sociable and enjoyable;
- be linked to the possibility for real change or influence;
- engage people where they are and on their terms;
- be tailored to the needs of the least powerful;
- lead to action that’s reported back to participants;
- involve people throughout decision-making processes, from scoping and defining the problem to implementing the decision.

2.7. To support this type of engagement, policy making models need to change radically from the dominant black box model to one that’s significantly more open, transparent, collaborative, iterative, agile, future focused and accepting of risk.

### 3. *What advantages and disadvantages would greater public engagement in policy making bring?*

3.1. When done well, public engagement can have a number of advantages for policy making, including strengthening the democratic legitimacy of policy, by ensuring that citizens are able to take and influence the decisions that affect their lives; increasing the accountability of government, by ensuring that citizens are aware and can respond to the decisions that government takes; and improving the quality of policy, by ensuring as broad a range of knowledge, views and values as possible are present in the process and ensuring that policy goes with the grain of public values. Equally, if done badly, public engagement can have a number of disadvantages, including eroding trust in government, increasing power inequalities in society and providing a fig-leaf of legitimacy for bad policy.

3.2. However, to talk of public engagement in terms of advantages and disadvantages fails to highlight the integral part it must play in policy making in future. Nowadays politicians promise and the public expects government to achieve outcomes and we are beginning to appreciate the complex nature of the social, economic and environmental world around us. This requires a new understanding of policy making with public engagement at its core.

3.3. Government can no longer afford to think of citizens as the subject of public policy, but needs to recognise that they are also its architects and implementers through their everyday choices and actions. Understanding policy making this way takes public engagement from nice-to-have status to an integral part of policy making. If government is to successfully work towards achieving outcomes, it must:

- design its interventions with citizens, to benefit from their knowledge and creativity, ensure that policies fit and make sense to their lives and ensure policies are accepted and even owned by the public;
- find ways to identify and work towards shared objectives with citizens and stakeholders, exploring opportunities for co-production;

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<sup>46</sup> Brodie, E; Hughes, T; Jochum, V; Miller, S; Ockenden, N; & Warburton, D. (2011) Pathways through participation: What creates and sustains active citizenship. London: NCVO, IVR & Involve.

— support citizens and stakeholders to take their own initiative (ie generate active citizenship);

3.4. In section 7 we give two international examples of such an approach to public engagement.

#### 4. *What are the best tools and methods for enabling public engagement in policy making?*

4.1. We often see examples of government grasping for particular methods of public engagement with little thought for their comparative strengths and weaknesses and whether they are appropriate to achieve their intended outcome. Sometimes this is because the method is new and exciting, more often it's because its well-established and civil servants' engagement toolboxes are otherwise empty.

4.2. Different methods or combinations of methods are appropriate in different circumstances. The best tool or method for public engagement therefore depends upon a combination of purpose, context and people.

4.3. The single most important stage in any engagement process is agreeing and defining its purpose as this will determine who needs to be engaged and how. For example, different purposes could require an engagement process to find consensus or uncover conflict, gauge people's immediate reactions or get them to deliberate, make a decision or take action, explore values or generate creative ideas, as well as a host of other things. Different methods or tools are suited to achieving these different purposes.

4.4. A good participatory process must be embedded within its context. Appropriate public engagement methods will depend upon such things as the organisation involved (including its capacity, level of public trust, history of engagement, resources), the stage of the policy- or decision-making process, the policy area (including public understanding, the degree of disagreement or conflict), past engagement on the issue, the presence or otherwise of civil society groups and organisations and links to other policy areas or issues, among other things. These contextual factors should help to determine which tools and methods are adopted.

4.5. Public engagement must be built around the people government is trying to engage. Citizens have different motivations (based on their interests, values, personality and identity), levels of resources (including time, money, skills, knowledge and confidence) and types of social networks, which all help to determine whether and how they will engage. Different methods of engagement suit different types and groups of people, with different levels of motivation, and so must be chosen with this in mind.

4.6. The Spending Challenge is perhaps a good example of a method (ie crowdsourcing) being used for a combination of the wrong purpose and with the wrong people. While the public gave comments in their tens of thousands to the Spending Challenge, government departments took very few ideas from the public on board. This was arguably because the process did not support the purpose of engaging. While the government was asking a relatively technical question regarding public sector efficiency, the public was responding on points on principle about how public money should be allocated. Citizens can and should discuss difficult issues, but they need support and information to do so. The parallel process of asking public servants to identify waste made considerably more sense as they have a much more in-depth knowledge of the inner workings of public services.

4.7. There is currently considerable focus on the promise of digital engagement in general, particularly with the Government's support for the Digital by Default initiative. While digital engagement has a number of benefits and should certainly play an integral role in public engagement in future, it also has a number of comparative weaknesses (eg deliberation, conflict and ownership) and should therefore not be used to the exclusion of other methods where they are more appropriate.

4.8. There is need for much greater understanding within government of the array of different engagement methods, their strengths and weaknesses, and how they should be put into practice.<sup>47</sup>

#### 5. *Will "contestable" (out-sourced) models of policy making provide greater opportunities for public engagement in the process?*

5.1. If "contestable" models of policy making lead to the presence of greater public engagement expertise in policy-making processes this will be positive both for policy making and public engagement. If however it leads to policy being made on the cheap or to the manipulation of public engagement to legitimise and support particular policy positions, this will have a negative effect on policy making and public engagement.

#### *Danger of policy on the cheap*

5.2. Experience over the past decades has shown that not investing in policy making upfront is false economy as it leads to policy that cannot be implemented, is badly delivered and/or the public rejects.<sup>48</sup> There is therefore a strong case to be made that a relatively small amount of funding for public engagement upfront can prevent much larger costs in the long term. However, government has often failed to put in the time and resource required to make good policy and avoid such longer term costs, in part because modern politics and media often demands that decisions are taken quickly, but also because policy making has not been approached

<sup>47</sup> To this end, Involve will soon be launching a new website called the Participation Compass that will support those planning engagement processes to choose an appropriate method according to purpose, context and people.

<sup>48</sup> See for example, chapter 5; Hallsworth, M; Parker, S; & Rutter, J. (2011) Policy making in the real world. London: Institute for Government

holistically. That is to say, the cost—benefit calculation is often skewed towards short term savings, because the longer term costs of bad policy are not fully understood and are likely to accrue to other parts of government—whether delivery agencies or other departments.<sup>49</sup>

5.3. Outsourcing policy arguably has the potential to make things worse by detaching further the making of policy from its delivery and removing the incentive for upfront investment to avoid long term costs. In addition, there is a danger that policy making is underfunded and that the profit motive creates pressure to cut corners, meaning that public engagement remains as a nice-to-have, rather than an essential component of the policy-making process.

5.4. In order to ensure that “contestable” policy making does not lessen opportunities for public engagement, the size of policy-making contracts will need to be large enough to support a rigorous process and public engagement must become an integral part of how proposals are assessed. Contestable policy making must not become synonymous with making policy on the cheap.

#### Danger of manipulation

5.5. There is significant room for manipulation in public engagement, through for example, how questions are asked, how participants are primed, what information participants are given and how discussions are facilitated. In some circumstances, a degree of manipulation is legitimate in order to aid the process, perhaps to generate discussion or uncover participants values. Good facilitators are aware of how they are manipulating a process and seek to do so from a position of neutrality. That is to say, they must leave their own views and opinions at the door.

5.6. Public engagement processes must remain policy neutral in order to maintain the public’s trust. Experience has shown, for example in public dialogues on the social and ethical implications of science and technology innovations, that public support for a process very quickly disappears if participants feel that they are being pushed in a particular direction. There is already significant public cynicism regarding government consultations, with many (not unreasonably) believing that they are used to legitimise decisions that have already been taken.

5.7. There is therefore a distinct danger that public engagement is used by third-party organisations commissioned to make policy as a mechanism to legitimise and support their preexisting policy position. This would ultimately damage the policy-making process, the public’s trust in government and future public engagement processes.

#### 6. *What lessons can be learned from abroad, and how can they be applied within the UK?*

6.1. There are many good examples of good public engagement spread across the globe that could be applied within the UK. We give two examples here (following on from our response in section 4) of initiatives that have brought government, citizens and other stakeholders together to identify a shared purpose and take action together.

6.2. An initiative in Estonia called “My Estonia”, mobilised 50,000 volunteers (3% of the Estonian population) to clear 10,000 tonnes of illegally dumped rubbish. This was collective action involving citizens, NGOs, private companies and state officials, which also sought to change the idea that the state and its citizens are separate entities. The project achieved significant financial and time savings. It is estimated that the work done by the public in one day at a cost of £500,000 would have cost up the state to £20 million and taken three years.

6.3. Similarly, a process in Geraldton in Australia called “Geraldton: 2029 and Beyond” brought citizens, government, industry and the media together to resolve issues that matter, and to help enact their outcomes through more collaborative governance. Face-to-face and online deliberative processes during 2010–11 resulted in prioritised proposals (by citizens and the Greater Geraldton City Region Alliance Governance Group) being implemented. Based on the outcomes of the 2029 process to date, a Community Action Plan was developed and has now become a ‘Community Charter’. This documents the community’s aspirations together with a series of practical reforms, to be jointly ‘owned’ by the citizens, industry and the government departments involved.

#### 7. *How should Government ensure that policy shaped by public engagement reflects the chosen strategy of the Government; and national strategic imperatives?*

7.1. This question appears to reflect a common desire from government to try to confine and control public engagement. What it must not do is attempt to manipulate public engagement processes to reflect government policy or strategy as this will destroy public trust in government and engagement.

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<sup>49</sup> The Total Place initiative helped to uncover the gaps, waste and problems that poorly designed policy can create in a system. See, Hughes, T; & Richards, R. (2011) ‘Citizen centred public services: Designing for complex outcomes’ in J. Bourgon, *A new synthesis of public administration: Serving in the 21st century*. Montreal/Kingston: McGill-Queen’s University Press

7.2. It is however legitimate for government to not accept the recommendations of a public engagement process, but it should set out openly and transparently the reasons for rejecting recommendations in order that it might be held to account for that decision.

7.3. In addition, a well designed process will set some clear boundaries for discussion at the outset and their reasons.

October 2012

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### Written evidence submitted by Professor Kathy Sykes, University of Bristol (PE 8)

#### 1. SUMMARY

1.1 This inquiry is welcome, especially the emphasis on opening up policy-making *before* policy proposals have been formulated and asking the public to help define problems rather than respond to solutions.

1.2 Key questions are “how do the public *want* to be involved in policy-making, and which methods will encourage them and be inclusive as well as efficient? It would be wise to be asking the public these questions, in a range of different ways, rather than relying on just the current models of policy-making (which have been described as having insufficient external challenge).

1.3 If the Government decides to proceed down this route, this process itself is something which critically needs substantial public engagement to work out the processes collaboratively with the public, as this will be the basis for many future interactions. It’s crucial to get this part as “right” as it can be.

1.4 It would be ironic if this policy development took place having already narrowed down the suggested solutions (digital platforms) before engaging with the public, when the whole process is meant to be moving from asking about solutions to asking about problems.

1.5 There are many ways of engaging the public. Different issues at different times will benefit from using different approaches. To “open up” this new way of doing policy, using a range of different of models will be needed to be sure to reach a breadth of different kinds of people, including some face-to-face engagement.

1.6 Digital platforms can provide some ways of engaging with the public and could enable many people to participate.

1.7 However, if digital platforms are the only way people can participate, some people will be left out. At times, some of those very people, whether the elderly, marginalized or disabled, will be some of the most important, valuable voices to hear.

1.8. Care is needed in any engagement approach to get beyond the people with vested interests, and beyond the people who are most articulate and most aware of policy “opportunities”. Extra effort will be needed to be inclusive. Marginalized groups can often feel less of a sense of “agency” and less able to bring about change, so they will need extra effort to include.

1.9. Sciencewise is a resource to help policy-makers across all government departments and agencies to do public dialogue based on good practice, and has gained expertise in running different kinds of public dialogues, at different costs, on different issues over 7 years ([www.sciencewise-erc.org.uk](http://www.sciencewise-erc.org.uk)). Various government departments and funding bodies in the UK have used Sciencewise to help them run public dialogues well, including the Department of Energy and Climate Change on “Energy 2050 pathways”; the Department of Health on “animals containing human material” and several research councils on Geo-engineering, Synthetic Biology and Ageing.

1.10 The definition of “science” used by Government covers all areas of research, including social sciences and arts and humanities. So Sciencewise is able to address issues that are wider than straight science.

1.11 Sciencewise would be a valuable resource to help run some public dialogues and other face-to-face engagement processes when asking the public about the key issues around this Inquiry.

1.12. Sciencewise public dialogues already look at issues “upstream” in terms of policy-development: before policy proposals have been formulated. Public participants are selected and supported to engage over a period of time, to ensure a broad cross section of people are included who have the time to learn about the issues, reflect on them and discuss them with experts. Past public dialogues have consistently surprised policy-makers by the sophistication of public thinking. They have proved the value of harnessing public “thinking” and deeper reflection. This deeper thinking is harder to capture in many other forms of engagement.

1.13. Benefits of public dialogues, as evidenced by Sciencewise evaluations, and supported by evaluations of public dialogues in other countries include: making better, more robust decisions; helping to make the case for tough decisions and being accountable.

1.14. Public dialogues and other face-to-face interactions with groups who are selected because they don’t have vested interests and represent a broad range of backgrounds, can help policy-makers understand ordinary people’s thinking and ideas on topics which have become polarized in the media and public debates.

<http://www.sciencewise-erc.org.uk/cms/assets/Uploads/Publications/Sciencewise-Evaluation-Report-FINAL.pdf>

*2. Addressing question 1 : How do the models of policy-making currently used in Government promote or discourage members of the public from getting involved?*

2. 1 Many people see policy-making as happening behind closed doors and as something they can't influence. When people are asked to contribute to government thinking, they are often suspicious that their views won't be considered.

2. 2 *Formal Consultations and Select Committee Inquiries* allow people to respond to proposed policies or to particular issues. However, people need to be sufficiently aware and motivated to respond, and need to have the commitment and time. So these mechanisms are mostly appealing to stakeholders and people with strong views. While it is important to know what stakeholders think and understand the wide range of views people hold, in my experience these approaches rarely get large numbers of ordinary people involved.

2. 3 There are many instances when the Government asks another organization or group to report on an issue. For example, the Royal Society and Royal Academy of Engineering being asked to consider Nanotechnologies. In these cases often a broad range of people with different expertises come together to consider and deliberate on an issue, and occasionally some public engagement will also be run. The government responds officially to the final report. While seen by some as a way of "slightly" opening policy, it rarely allows public voices to be heard.

2. 4 *Public dialogues* usually only allow a particular group of people to be involved in the dialogue, as they are selected to represent a broad range of kinds of people. Numbers may vary from 15 to several hundred. This group is supported so that they stay involved and participants value the experience. There are also usually other components available so that a wider group can contribute, say an open meeting, written consultation or use of digital media.

*3. Addressing question 2: What advantages and disadvantages would greater public engagement in policy-making bring?*

3. 1. The costs of not engaging the public well can be enormous. Some have claimed that handling the GM issue badly has lost the UK billions of pounds. A key part of the "GM Nation" national conversation was not based on good practice. This is partly what prompted Lord Sainsbury to decide that something like Sciencewise was needed.

3. 2. Benefits of public dialogues, as evidenced by Sciencewise evaluations, and supported by evaluations of public dialogues in other countries include: making better, more robust decisions; helping to make the case for tough decisions and being accountable.

3.3. Public dialogues have also helped to prevent departments from spending money. For example, a Department of Health dialogue on "Ways to Wellbeing", stopped an expensive advertising campaign on wellbeing from being run.

3. 4. If policy-makers understand people's aspirations and concerns better, they can be helped to make hard decisions. John Hutton has said that doing a public dialogue helped his team to "think through the issues" and write the Pensions White Paper in 2006. He said it gave them the confidence to make "braver" decisions, including the recommendation to increase the age of retirement.

3.5 Another example the Human Fertilisation and Embryology Authority's decision-making about hybrid and chimera embryos for research. This included six deliberative public dialogues, a public meeting, an opinion poll and a written consultation. The results gave the HFEA the confidence to allow research into hybrid/chimera embryos in principle, but under strict guidelines informed by public thinking. An HFEA representative stated: "Well it definitely helped the Authority come to a robust decision as it gave in-depth knowledge of public opinion and the reasoning behind it. With questionnaires you don't get the rationale behind it".

3. 6. Opening up questions at an early stage and inviting ideas has been shown to bring more creativity to policy-making. Public dialogues are one of the approaches which can enable this.

3. 7 However, every kind of engagement has a cost. If the public's expectations are not managed, and the public don't feel listened to, they can feel frustrated and think that the exercise has been hollow. Good practice needs to be followed in any engagement approach, which includes giving feedback to participants about what has happened and why, especially explaining "why" when people have not been listened to.

3.8 There are also risks if engagement is not inclusive or if it is seen as representing only sections of society.

*4.0 Addressing question 3: What are the best tools and methods for enabling public engagement in policy-making?*

4. 1 Different policy areas at different times will need different approaches in public engagement.

5.0 *Addressing question 3a: How should the Government measure the success or failure of different public engagement models?*

5.1 The government should experiment with different public engagement models, and assess success, failure and cost. Sciencewise has already done some work to try assess this for deliberative public dialogues.

5.2 Policy-makers need to reflect and record how any piece of public engagement has: helped, or hindered them; what they would have done differently, the costs and time involved; and what might have happened without the activity. These need to be compared systematically.

6.0 *Addressing question 5: Will “contestable” (out-sourced) models of policy-making provide greater opportunities for public engagement in the process?*

6.1 Outsourced models of policy-making could provide opportunities for public engagement, if it is made a requirement. Organisations and networks which are neutral and competent and trusted by particular communities, could potentially be a good route to reaching people.

6.2. There is a risk when distancing policy-makers from the public. Where public dialogues have been most successful, policy-makers have been closely involved with the process. They have heard the public’s thinking, and the public have found the process more legitimate because a real policy-maker is there. At its best, the public and policy-makers and other experts co-create new approaches.

7.0 *Addressing question 6. What lessons can be learned from abroad, and how can they be applied within the UK?*

7.1 Governments in other countries including Denmark and the Netherlands, have been using public dialogue to help decision-making for many years. In the USA “America Speaks” is an organization that helps open up policy issues using dialogue approaches. The European Commission is also experimenting with public dialogue. Sciencewise has captured learning from other countries to create their guidance to best practice in public dialogue. More lessons could certainly be learned, especially in the use of social media and other digital platforms.

8.0 *Addressing question 7: How should Government ensure that policy shaped by public engagement reflects the chosen that policy shaped by public engagement reflects the chosen strategy of the Government; and national strategic imperatives?*

8.1 If Government is to ask the public to be involved in shaping policies, it needs to be open-minded and prepared to hear other ideas and thinking. However, ultimately Government needs to make final decisions about policies.

October 2012

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**Written evidence submitted by London Borough of Redbridge (PE 9)**

EXECUTIVE SUMMARY

1. Redbridge Council, in partnership with the YouGov online market research agency, and the Local Government Association, has developed a web-based budget consultation tool called YouChoose which has been used by around 50 other councils. YouChoose simplifies council budgets to enable most people to take part, while confronting people with the difficult choices and implications of budget decisions.

2. YouChoose is an example of mass collaboration, or crowdsourcing. It is a “forced choice” tool, with participants required to balance the budget before they can submit their responses.

3. Redbridge Council secured more than 4000 responses to its revenue budget consultation in 2010 before implementing a major savings programme—twice as many responses as a previous paper-based consultation. Around 19,000 people have taken part in YouChoose consultations across England.

4. Redbridge conducted a major outreach programme to ensure a wide range of views were represented, including sessions in community centres and day care centres. Around 10% of responses came from the outreach programme, which helped to overcome concerns about the “digital divide” excluding participants.

5. Independent analysis of the data by YouGov concluded that once the responses had been weighted, the 2010 consultation was representative of the population.

6. Respondents tend to prefer to make “back office” savings rather than cut frontline services, and accept that statutory services need to be prioritised against non-statutory services.

7. YouChoose was presented as a consultation to gather public opinion, not “direct democracy”. The findings were provided to elected members as part of the budget-setting process.

#### ABOUT YOU CHOOSE

8. YouChoose is a web-based budget collaboration tool developed by London Borough of Redbridge, as part of its continuing commitment to using its website (Redbridge i) to broaden and deepen its interactions with residents (information, transactions, consultations, online community forums).

9. Actual budget figures and savings options are loaded onto the tool and users can see the impact of different choices using simple on-screen controls (sliders, check boxes etc). Each change to a service budget reveals a “consequence” in a pop-up box eg reduced library opening hours, reduced level of care etc.

10. The tool was developed to provide residents with a real but simplified budget model, while enabling them to see the impact of difficult financial choices.

11. The results are based on mean averages of submissions which turn a range of response into a single figure representing the whole Borough’s view eg “Respondents chose, on average, to reduce council tax by nearly 2.5%”.

12. Redbridge Council has used YouChoose three times. The first, relatively simple version ran in 2008, for a consultation on capital spending and land sales (<http://conv2008.redbridge.gov.uk/conversation/>). The second more sophisticated version in 2010 in advance of making major savings in a three-year budget programme (<http://youchoose.yougov.com/redbridge>), and again in 2012 to update the original three-year budget plan (<http://youchoose.yougov.com/redbridge2012>).

#### KEY RESULTS

13. More than 4200 submissions to Redbridge’s 2010 consultation over three-year savings programme, with 950 written comments provided alongside the submission.

14. There was a strong preference for reducing “back office” functions, and reducing officer pay and the number of managers.

15. When confronted with difficult choices about services, residents were more likely to choose to cut non-statutory services such as leisure rather than social care (adults and children) or educational support (ring-fenced schools budgets were excluded from the consultations). This reflects the decisions that many councils including Redbridge have made.

#### “FORCED CHOICE” TOOL

16. Historically Council budget consultations have asked about their priorities; with significantly reduced budgets meaningful consultation must involve people in savings options and making real trade-offs.

17. YouChoose requires residents to confront the fact that increased spending in one area means decreased spending in another, and they are unable to submit their response until they have balanced the budget by identifying savings.

18. Residents must balance a budget with multiple variables and no easy options—just like real budget setting. This shifts the conversation with residents from: “what do you want” to “how should we do this”. This helps residents feel they have made a contribution and are part of the process, rather than raising expectations about service delivery which may not be met.

19. Budgets can be adjusted at the top level—overall categories such as community safety or social care—down to the level of individual services. This is crucial because it enables people to engage with the bigger picture or the detail, while still being part of the same overall consultation.

#### CONTEXT FOR CONSULTATION

20. The awareness campaign to encourage people to take part was called the Redbridge Conversation. The starting point for the conversation is always that the council has some unavoidable budget pressures that must be resolved.

21. YouChoose is a budget consultation tool, which enables residents to say how money should be spent. The results are therefore important, but so is the process. We believe that using YouChoose enables people to understand better the budget setting process, which creates a more informed climate of public opinion around budget-setting. The 2010 consultation had about 20,000 unique visitors to the consultation web pages.

#### RAISING AWARENESS OF CONSULTATION

22. We used a self-selecting sample, with a major marketing exercise to raise awareness of the consultation.

23. The advantage of this is it enables everyone “to have their say”, which we believe leads to greater legitimacy of the findings. This reduces the representativeness of the base sample, but with weighting this problem can be overcome. However it is crucial that a wide range of people take part to enable effective weighting.

24. The campaign focused on the unavoidability of meeting a savings target of £25 million, with residents asked to put themselves in the shoes of councillors making the final budget decisions.

#### REPRESENTATIVENESS OF RESPONSE

25. Concerns were expressed locally that an online-only consultation would disadvantage some sections of the community—and that difficulty taking part in the survey might correlate with residents more likely to be heavy service users.

26. To combat this, LBR ran a significant outreach programme with laptops taken to day centres and community spaces to encourage participation by those without internet access or computer skills. The outreach programme accounted for around 10% of the submissions.

27. As predicted, older people were under represented in the base sample. However the results were analysed by YouGov, who weighted the responses to ensure they reflected the Borough's population by age and gender. 13% of respondents declared they were disabled.

28. YouChoose was used as an alternative to a paper-based consultation. Previously budget surveys were distributed to 95,000 households with the Council's resident publications and for the last survey in 2009, around 2,100 responses were received—ie half the number of online responses.

#### HOW CONSULTATION RESULTS INFORMED THE BUDGET-SETTING PROCESS

29. Throughout the consultation we made it clear that it was a way of gathering public opinion, not an exercise in "voting" on the budget. The results should be understood as an alternative to opinion polling to inform members' decisions, not as direct democracy.

30. The results were provided to Cabinet before they put forward their initial budget proposals, and considered as part of a stakeholder consultation (ie voluntary groups, service users etc) on the proposals.

31. In setting the 2011–12, the consultation results and the final budget decisions about savings were broadly similar. This was partly members responding to the results, but also that different groups of people reached similar conclusions about the best way to tackle the savings challenge.

32. Had the consultation results and members' proposals differed dramatically, politicians would have to change their policy or explain why an unpopular decision was the right one.

#### SCALING UP THE CONSULTATION

33. Redbridge and YouGov promoted YouChoose nationally. The Local Government Association funded the initiative, which was therefore free at the point of use to other Councils. Around 50 of them have used YouChoose making a combined total of submissions of 19,000. This provides the opportunity for both national promotion of engagement in local budget setting, and some comparability of results.

34. An initial overview of the results of all YouChoose consultations shows the majority (41) resulted in submissions that included a decrease in Council Tax, with the remainder a freeze or small increase. Of those only one (Cambridgeshire) produced a result that would have a required a referendum for the size of increase proposed by the consultation respondents.

35. A version of YouChoose was also produced to show how a national government budget consultation could work. This was tested by YouGov on a sample of over 2,000 people. There was interest in this from No 10 both before and after the 2010 election, but the Treasury decided not to proceed. The demo version can be viewed here: <http://youchoose.yougov.com/centralgov>

#### RISKS

36. The self-selecting nature of the sample leaves open the risk that special interests will organise to skew the result. In the 2010 consultation there was some evidence that respondents were particularly focused on an issue of concern (reducing funding for the school music service). However this is no different to representative democracy where people are making voting decisions on a single issue. Furthermore "saving" the music service required alternative savings to be found, which provided valuable data about residents' preferences. Steps were taken to prevent people submitting multiple responses from the same computer.

37. Anecdotal feedback from individuals suggested there was some frustration at the rigid framework of the consultation—some people wanted to "change the rules". In part that rigidity reflects the reality of the budget-setting process—every change requires a counterbalance elsewhere, and unpalatable options have to be considered. We felt the free text comment section helped reduce the frustration, and the vast majority of responses were constructive (albeit unworkable, within the constraints of local government law and finances).

#### LESSONS LEARNED

38. Based on our experience of response rates to paper and online consultations, the accessibility of online tools increases take-up of submissions significantly. The larger base sample improves the ability to weight responses to provide a more representative result.

39. Consultation need not be either online or offline—online tools can be used in facilitated discussions to enable a wider range of people to take part.

40. Any affordable methodology is likely to exclude some people on grounds of accessibility or capability—the “digital divide” is reducing and should not be used as a reason not to focus on the enormous benefits of online consultation tools.

41. The public is motivated to take part because they believe they have something to lose or gain, not because they want to help the democratic process. Therefore there has to be a compelling call to action, preferably with a “burning platform” issue—the loss of amenity or service. The benefit of the YouChoose tool is that respondents are required to confront a range of difficult choices making it harder to provide response solely related to one issue.

42. Securing personal information about participants is vital to ensure representativeness, which is critical in budget decisions where different interests are competing. But asking for too much data is a barrier to people taking part so the minimum amount needed to ensure representativeness should be gathered.

#### LOOKING AHEAD

43. We believe that web-based tools make it easier for the public to engage with complex issues and in an accessible way, while enabling those who want to drill down more deeply to do so. Consultations can be big picture and detailed at the same time.

44. The ability to reach large numbers of people much more cheaply than is possible by conventionally polling methods means that many more decisions can be opened up to pre-decision scrutiny and consultations by public bodies.

45. The ability to see the impact of different budget decisions and for the tool to recalculate the budget requirement after every decision is only possible with a web-based tool—it is not possible on paper. This interactivity makes for a qualitatively different style of consultation, which links information on service priorities and the means to pay for them. The long-term structural change in public finances suggests this will become an increasingly important way to involve the public in budgetary decisions.

*November 2012*

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#### **Written evidence submitted by Bruce Whitehead (PE 10)**

EDMs, PQs and other token instruments of parliamentary legislation need to be reformed to give them a statutory right to be properly considered for inclusion in the government’s programme. If there is a sufficient percentage of crossbench support, regardless of numerical signatures, proposals should have a real opportunity for debate in the chamber.

Government needs to be more accountable; almost every news programme includes the phrase “...we asked for a government minister but no-one was available”. Downing Street’s censoring of coverage during a taxpayer-funded arms sales trip to the worst human rights offenders in the world this week breeds nothing but contempt from most voters.

The media needs to be far more curious, rigorous and better-resourced. That means putting strong pressure on newspaper groups like Gannet and Newsquest which distribute profits among directors and invest little in journalism.

Government needs to legislate to levy a fee from highly lucrative internet service providers (ISPs) which could be used to fund the vast content provided by newspapers, journalists, campaigners, artists for free. This is an essential measure which might counter dwindling newspaper circulation by bolstering a free press, so essential to our democratic freedoms.

Too much decision making is short-term and designed to buy votes with populist policies which damage the environment, culture and education in the long term. People see through this and that’s why turnout is so low.

MPs still don’t respect ordinary people in their conduct. Dennis McShane blames the BNP for exposing his theft of public money, when his Blairite contempt for accountability down the years insulated him from proper scrutiny. Jonathan Dimbleby spent most of Any Questions trying to defend his actions as those of an underpaid politician! The depth of arrogance is unfathomable.

Whips are iniquitous and shouldn’t be needed. Freedom to vote is what the Houses of Parliament are for; constituents elect these people to serve their interests first and foremost, not to support policies promoted by corporate lobbyists with school and family connections to those in power.

Finally and most importantly ministers must stop all contacts with the Royal family. If we are to tolerate the benefits-funded monarchy, then they need to understand, and politicians need to remind them, that they have no constitutional right to interfere in democracy. If they wish to do so, they can resign their titles and become ordinary citizens.

*November 2012*

### Written evidence submitted by the Cabinet Office (PE 11)

#### PUBLIC ENGAGEMENT IN POLICY MAKING

The Government welcomes the Public Administration Select Committee's inquiry into public engagement in policy making. The Civil Service Reform Plan set out our clear ambition to improve the quality and openness of policy making in Whitehall. That ambition reflects a broader desire in the Plan for a Civil Service which is flatter, faster, more digital, more unified, focussed on outcomes not process, more accountable for delivery, better managed, equipped with better capabilities, and ultimately more enjoyable to work for. If the actions in the Plan are implemented fully this will lead to real change for the Civil Service. In the spirit of open policy making we look forward to the dialogue fostered by this inquiry.

At its best policy making in the Civil Service is highly innovative and effective. However, the quality of policy making is inconsistent. We must focus on designing policies with implementation in mind, and we will draw on a wider range of views and expertise than those found solely within Whitehall. An open approach to policy making is fundamental to improving the Government's ability to deliver practical solutions to issues. We are already making progress on this agenda, for example:

- We are working to embed Open Policy Making across Whitehall, to support civil servants to develop policies and processes that draw on the broadest relevant range of inputs, are more transparent, and make the best use of innovative approaches.
- We are piloting contestable policy making with a centrally-held match fund which can be used directly by Ministers to commission external policy advice. The first contract, to carry out a review into how other civil services work, was awarded to the Institute for Public Policy Research on 18th September.
- Cabinet Office is leading work on how far some policy and analytical services could be provided to departments on a shared basis, building on successful models such as the Behavioural Insights Team.
- We will ensure that staff have the skills and expertise they need to develop and implement policy, using up to date tools and techniques, and have clear understanding of what works in practice. They will have access to at least five days a year of targeted continuing professional development.
- The Cabinet Office is reviewing the value of institutes that can test and trial approaches and assess what works in major social policy areas.

These commitments have clear relevance to the Committee's interest in public engagement in policy making. Although we are only at the beginning of the implementation of the Civil Service Reform programme, we hope the attached responses provide helpful initial contributions to an ongoing debate.

*Francis Maude*

#### INTRODUCTORY

We believe there are both principled and practical reasons for open policy making to become the default across Whitehall, and we are not alone in this view.

Public engagement with government is part of a healthy democracy.<sup>50</sup> Research has shown that almost six in ten of the public say they want to be actively involved in decisions shaping public services, and that satisfaction is higher when people feel they can influence decisions.<sup>51</sup>

Of course governments in democracies engage with the public at the ballot box when policy commitments in their manifestos are put to a vote. Devolving and decentralising power including through Police and Crime Commissioners will further this engagement. Yet although manifesto commitments have already been tested with the public, they still require translation into practical action or legislation—here there is space for the process to be opened. For the development of policy beyond manifesto commitments, an open process has even greater instrumental benefits.

<sup>50</sup> It has been suggested that “[o]pen and inclusive policy making is most often promoted as a means of improving democratic performance...as it enhances transparency and accountability, public participation and builds civic capacity”. Focus on Citizens: Public Engagement for Better Policy and Services, OECD, 2009, page 2.  
<http://www.oecd.org/gov/focusoncitizenspublicengagementforbetterpolicyandservices.htm>

<sup>51</sup> What do people want, need and expect from public services?, page 32. Ipsos MORI, March 2010.

The OECD have suggested that an open approach to policy making “offers a way for governments to improve their policy performance by working with citizens, civil society organisations..., businesses and other stakeholders to deliver concrete improvements in policy outcomes and the quality of public services.”<sup>52</sup> Studies by the Institute for Government<sup>53</sup> have also concluded that developing policy in an open way leads to better policy outcomes. Recent work at the Institute on successful policy projects concluded that “one of the hallmarks of all these policy successes is the extent to which the policy process has been opened out beyond the confines of Whitehall”.<sup>54</sup>

The Civil Service Reform Plan itself drew heavily on feedback from staff across the Civil Service, including through the Tell Us How consultation, and committed to a series of specific and practical actions which, when implemented, will lead to real change for the Civil Service.. In the Plan we set out a clear intention to improve policy making in the Civil Service by making open policy making the default across Whitehall, and by ensuring that staff have the skills and expertise they need to develop and implement policy.

Our understanding of open policy making is broader than the Committee’s definition. The Committee’s definition captures a very important element of open policy making: consulting outside Whitehall early in the development of proposals. However, we want policy makers in Whitehall to adopt new tools and techniques across the entire policy making process: problem identification, ideas generation, analysis, design, testing, and implementation. At each stage there is room for both traditional consultation techniques and new ways to seek input from the public, frontline staff and experts, especially those enabled by the adoption of new digital tools. This openness will keep policy makers abreast of new and innovative methods to solve problems. By being open and transparent about approaches used, and public sector information and data generated, policy makers also allow others to innovate to solve problems.

*1. How do the models of policy-making currently used in Government promote or discourage members of the public from getting involved?*

We want to improve capability in the Civil Service so that all policy makers are equipped to make the best use of more traditional methods, while also considering and adopting new technologies and innovative practices in the development and delivery of policy.

Traditionally, the policy process has been conceived as a linear process, for example from a consultation paper on to firm proposals and then legislation. This often works well to engage some stakeholders, and has led to many significant changes in Government policy. These processes, however, may be better suited to individuals and organisations that are already familiar with the workings of Government and Parliament, such as interest groups, think tanks, and charities. These groups are often organised and resourced to engage in traditional policy making processes in conventional ways. There is also a risk, as the Committee has identified, that public engagement can occur too late in the process of developing policy, reducing the effectiveness of engagement.

A number of Government initiatives already seek to address these issues. For example, the Government funded Sciencewise Expert Resource Centre for Public Dialogue on policy involving Science and Technology (Sciencewise-ERC) was established as part of the move towards “upstream”, or earlier engagement with citizens. Upstream engagement aims to shape better policy decisions and to prevent the loss of public trust, rather than trying to rebuild it after policy failure. The Sciencewise-ERC is funded by BIS and works with Public Bodies at national and local level to embed a particular type of public engagement called public dialogue within policy development. The programme has supported successful projects with many central Government Departments, Agencies and NDPBs.

In addition, the Government has been working over the summer to improve the way we consult. The new Consultation Principles, announced by the Minister for Government Policy on 17 July 2012,<sup>55</sup> mean we are adopting a more proportionate and targeted approach, so that the type and scale of engagement is proportional to the potential impacts of the proposal. The emphasis is on understanding the effects of a proposal, with the focus on engaging early with key groups rather than following a set process.

The Civil Service Reform Plan also made clear the Government’s view that the models used to develop policy need updating to reflect the new tools and techniques now available. The traditional tools of legislation, funding and regulation need to be used more sparingly, and new tools such as behavioural insights, transparency, and digital engagement should be considered more readily.

Many new tools and techniques that make possible new ways of engaging with the public at pace and on a larger scale have only recently become mainstream. For example, the Red Tape Challenge uses a website to promote open public discussion of how the aims of existing regulation can be fulfilled in the least burdensome way possible, with public contributions being used to form Government proposals on regulatory reform. Civil Servants in the future must be able to use these tools to improve the quality and consistency of policy making.

<sup>52</sup> Focus on Citizens: Public Engagement for Better Policy and Services, OECD, 2009, page 2.

<sup>53</sup> Making Policy Better: Improving Whitehall’s Core Business, April 2011; The “S” Factors: Lessons from IFG’s policy success reunions, January 2012.  
<http://www.instituteforgovernment.org.uk/publications/making-policy-better>

<sup>54</sup> The “S” Factors: Lessons from IFG’s policy success reunions, January 2012, page 20.

<sup>55</sup> <http://www.publications.parliament.uk/pa/cm201213/cmhansrd/cm120717/wmstext/120717m0001.htm#12071774000499>

Work is also underway to develop a set of web pages that explain government policy in a clear, consistent way which sets out what the government is seeking to achieve and what actions it is taking—all in one place. This is part of the exercise of moving departmental web content onto the GOV.UK platform and will provide the public with the information to support informed engagement.

### 2. *What advantages and disadvantages would greater public engagement in policy-making bring?*

As set out in our introductory comment, public engagement in policy making has intrinsic value in contributing to a healthy democracy, and it has instrumental value in making policy better. Public engagement techniques can also have other advantages.

For example, the government has committed itself to a process of releasing more public sector information as open data as one measure to improve transparency, helping people find the information they need, allowing them to use it and analyse it effectively, and to distribute it more freely. This process brings greater accountability, empowering those wishing to hold the public sector to account. It reduces asymmetry in the knowledge that exists when the public sector has privileged access to a more complete collection of information. The increase in accountability will in turn bring greater rigour to the process of policy development. It also works to improve public services, by providing searchable and discoverable information about outcomes that will support decision making of both consumers and commissioners of public services. It also promotes growth, by providing a new raw material for entrepreneurs and developers.

As open policy making becomes the default, it will be necessary to clarify where there are natural limits on the use of some kinds of public engagement. For example, national security issues must be handled differently to most other public policy questions; and Ministers will continue to need a safe space for robust, open, honest and constructive discussion with each other and with officials during policy formation. These are exceptions and the need to maintain a safe space for policy advice should not be used to prevent the maximum possible openness to new thinking or in the gathering of evidence and insight from external experts. Nevertheless, the Government must explain the parameters within which open policy making techniques are being used, so that reasonable caution does not generate mistrust or disillusionment.

### 3. *What are the best tools and methods for enabling public engagement in policy-making?*

The tools and methods for public engagement are constantly evolving. The Civil Service needs to be open to new approaches, to be searching continuously for new and better ways to make policy. Civil Servants should be searching for innovative means of public engagement, and making use of them to drive continuous improvement.

The Civil Service Reform Plan made a commitment to establish a clear model of open policy making. The Cabinet Office is developing usable guides for policy makers that explain the range of tools, and how they are appropriate in different circumstances.

The choice of best tools is also dependent upon the nature of the problem at hand and the context within which that problem is set. A variety of factors, including the audience type and the stage of the policymaking process, will determine what works best for any given type of engagement. Departments must determine the appropriate tools on a case by case basis.

We are taking action to support the dissemination and adoption of best practice amongst policy makers. Cabinet Office have recently initiated a joint project with DemSoc ([www.openpolicy.demsoc.org](http://www.openpolicy.demsoc.org)) that aims to embed best practice across the network of policymakers in government through discussion and by highlighting case-studies of successful engagement. The site is open to stakeholders from outside central government including practitioners, engagement platform vendors, local government colleagues, as well as members of the general public. The Government Digital Service is also building a tool that will enable policymakers to showcase and rate successful examples of public engagement, and identify methods of engagement that have worked for policy questions that have characteristics similar to the questions they face themselves.

#### (i) How should the Government measure the success or failure of different public engagement models?

Public engagement in policy making has both intrinsic and instrumental value. Insofar as public engagement contributes to a healthy democracy, success will mean more active and meaningful engagement with citizens on the policy in question. Insofar as public engagement makes better policy, success will mean that there are links between engagement activities and better policy outcomes.<sup>56</sup>

However, given the many forms that public engagement in policy making can take, it is natural that success or failure can be measured in a number of ways. A traditional consultation may be deemed a success if it attracts a large number of high quality responses, for example; or online discussion may be deemed a success

<sup>56</sup> It has been suggested before that the two strands of intrinsic and instrumental value are ultimately linked: in a healthy democracy the public will be sufficiently engaged in society to shape policy, but a lack of opportunities to affect public decision making is likely to lead to disillusionment: “[p]oor practice, shallow commitment and a lack of tangible results or feedback breeds public cynicism and undermines trust in government. Without a wider commitment to the intrinsic value of public engagement, it is hard for governments to reap the instrumental benefits they seek.” Mind the Gap: Fostering Open and Inclusive Policy Making. An Issues Paper, OECD, March 2008. [http://www.oecd.org/officialdocuments/displaydocument/?doclanguage=en&cote=GOV/PGC/OPEN\(2008\)1](http://www.oecd.org/officialdocuments/displaydocument/?doclanguage=en&cote=GOV/PGC/OPEN(2008)1)

if it reaches a certain number of posts from different users. Nevertheless, a consultation with a high response rate may still be a failure if the Government is perceived not to respond promptly and meaningfully, or if the questions the Government asked make useful responses unlikely, or if the consultation came at the wrong stage in the policy development process, or indeed if the bulk of responses came from a single interest group. Particular success measures will depend upon the tools and techniques adopted to address a particular policy question, and the context in which they are used.

(ii) How should the Government ensure that its spending on increasing public engagement in policy-making delivers value for money?

Better public engagement at an early stage in the development of policy can save time and money in the long run, by helping us understand the needs and attitudes of citizens better, and by enabling us to test whether a policy is fit for purpose before the process of implementation begins.

The Spending Challenge launched in June 2010 invited public service workers and the public to suggest money saving ideas. The Government consulted with experts and the public through roundtable discussions and regional events, and invited public sector workers and the public to submit money saving ideas through the Spending Challenge website. Over 100,000 suggestions were submitted. These proposals influenced Spending Review decisions, including suggestions to:

- Reform the Educational Maintenance Allowance grant and Child Benefit.
- Introduce a more preventative focus across public services.
- Build closer links across health and social care.
- Minimise tax fraud, evasion and avoidance.

Better public engagement can also lower costs and improve policy outcomes by galvanising people to take action in policy areas where success depends upon changes in individuals' behaviour.<sup>57</sup>

Policy makers have a variety of ways of engaging with the public, and new tools and techniques now available open up many more options, including a range of low-cost digital options. Policy makers will have to balance the benefits and the costs of using a particular approach on a case by case basis, bearing in mind the nature of the question and the context within which it must be answered.

(iii) How can you ensure transparency and prevent conflicts of interest when opening up policy making to outside sources?

In line with the Civil Service Reform Plan, we are piloting contestable policy making to enable Ministers to commission directly external policy development (for example, by academics and think tanks).

#### 4. *What role should the permanent civil service play in policy-making in the modern world?*

A permanent, politically impartial Civil Service exists to serve the Government of the day, while retaining the flexibility to serve future Governments. In doing this, the Civil Service carries out three main roles: operational delivery, implementing the programmes and projects of the Government, and advising on policy and supporting Ministers. We will continue to need excellent policy managers within the Civil Service, including to support Ministers in securing collective agreement and in translating all policy ideas into delivery.

However, the Civil Service must have a clearer focus on designing policies that can be implemented in practice, drawing on a wider range of views and expertise. The Civil Service Reform Plan made clear our view that "Implementing policy should never be separate from making it."<sup>58</sup> Successful outcomes depend on designing policy with clear objectives, creating realistic timetables and professional project planning. In order to achieve this, policy makers must have the skills and tools they need to do their jobs, and they should have a clear understanding of what works based on robust evidence. That is why, for example, the Civil Service Reform Plan committed to substantially improve delivery of major projects by requiring greater testing and scrutiny by departmental boards and the Major Projects Authority before they move to full implementation, and by requiring regular publication of project progress and the production of an annual report on progress, scrutinised by the Departmental Board.

Raising capability and expertise, and an ongoing commitment to open policy making will change the role of policy makers in the future. For example, earlier public engagement in the policy making process will mean key groups are able to feed in their views and influence policy more effectively than has been the case before. The use of more innovative public engagement models will enable departments to engage differently and in the most appropriate way for a particular policy, rather than having to follow a set process. Greater transparency will impose greater discipline on the policy-making process, requiring decisions to be made on the basis of clear evidence.

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<sup>57</sup> Focus on Citizens: Public Engagement for Better Policy and Services, OECD, 2009.

<sup>58</sup> Civil Service Reform Plan, June 2012, p.18. <http://www.civilservice.gov.uk/wp-content/uploads/2012/06/Civil-Service-Reform-Plan-acc-final.pdf>

5. Will “contestable” (out-sourced) models of policy-making provide greater opportunities for public engagement in the process?

Contestable policy making is one way to incentivise the development of high quality, creative policy by opening the policy development process to competition from external sources. It has the additional benefit of enabling the Government to bring in expertise on specific subject matter when it does not exist in the Civil Service. The default approach will be competitive tendering, meaning that the contracts will be open to bids from a wide variety of organisations.

The degree and type of public engagement that may be possible and desirable in pieces of policy development that are procured under the contestable policy-making fund will depend on the nature of the individual projects.

6. What lessons can be learned from abroad, and how can they be applied within the UK?

Cabinet Office is continuing to conduct research into open policy making tools and techniques from abroad as part of our work to deliver the Civil Service Reform Plan actions on improving policy making capability and policy implementation. We want our policy makers to know what world-class looks like in their field.

Our interest in learning from abroad is exemplified in the first contestable policy review commissioned by the Minister for the Cabinet Office. The Institute for Public Policy Research are analysing the operation of the Civil Service in various governments and multilateral organisations, such as Australia, New Zealand, Singapore, the United States, France, Sweden and the European Union. Suggestions resulting from this project will inform the Government’s ongoing programme of Civil Service reform.

More broadly the UK is committed to learning from approaches undertaken in other countries. We recently hosted the 2012 meeting of the OECD Network of Senior Officials from Centres of Government in London. The Network, which brings together heads of prime ministers’ offices, cabinet secretaries, secretaries-general of governments and other senior centre-of-government officials from OECD Member countries and Key Partner countries, aims to make the centre of government more effective through the exchange of experiences and innovations amongst peers. This year’s event, held on October 23–24th, was jointly chaired by Sir Jeremy Heywood and Sir Bob Kerslake and included participants from over 30 countries. The agenda focused on addressing the main challenges and opportunities currently facing the centres of governments; sharing recent innovative approaches to policy development and delivery; and discussing the impact of current economic, financial and other pressures on the structures, capacity and capability of the centre. A key part of the dialogue was an exploration of the new approaches countries are taking to connect with and engage their citizens. The UK will continue to use this network and other international fora to ensure it has access to the latest thinking, best practice and new ideas from across the world.

7. How should Government ensure that policy shaped by public engagement reflects the chosen strategy of the Government; and national strategic imperatives?

The alignment of policy with the chosen strategy of the Government and with national strategic imperatives will remain a matter for collective Government, accountable to Parliament, and through Parliament to the people.

November 2012

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**Written evidence submitted by Coalition for Access to Justice on the Environment (CAJE) (PE 12)**

EXECUTIVE SUMMARY

- This submission is made by the Coalition for Access to Justice on the Environment (CAJE) which includes WWF-UK, Friends of the Earth, Greenpeace, the Royal Society for the Protection of Birds, the Environmental Law Foundation and Capacity Global.
- At the invitation of the Select Committee, this submission focusses entirely on the effect of the introduction of the new Consultation Principles by the Government in July of this year.
- Both the Aarhus Convention (ratified by the UK) and the common law establish general legal principles that consultation should: (i) be early; (ii) be informed; (iii) include reasonable timeframes; and that (iv) due account is taken of the outcome of the consultation process.
- The new Consultation Principles are intended to add a degree of flexibility but doing so will, we believe, inevitably lead to increased legal challenges to consultations with the attendant problems of delays and uncertainties for all concerned.
- We are concerned that the focus on targeted “stakeholders” will see the Principles applied in a more limited way than the Aarhus Convention requires.

- The new Principles state that “The amount of time required...might typically vary between two and twelve weeks” and that “In some cases there will be no requirement for consultation at all”. This signals a significant change in government policy whereby 12 weeks has ceased to be a minimum and will now be perceived by many to be a maximum. This may have a number of serious consequences including a greater risk of legal challenge.
- The Principles are stated to be subject to “statutory or mandatory requirements” but whether this is intended to encompass the Aarhus Convention obligations or acknowledge common law requirements is not clear to us and requires clarification in the document.
- The focus on greater use of online tools to carry out consultation should not be allowed to undermine the discipline of ensuring that the views of stakeholders and the public are appropriately canvassed and of providing a narrative of record; one place where the background information, the precise options or proposals and official assessments of their impact can all be found together.

## INTRODUCTION

1. The Coalition for Access to Justice on the Environment (CAJE) welcomes the opportunity to submit evidence to the Public Administration Select Committee (PASC)’s Inquiry into public engagement in policy making.

2. The invitation suggested that we focus specifically on the issue of Government public consultation practices, particularly in light of the changes introduced by the new Consultation Principles which were unveiled in July this year and which came into effect this autumn.

3. CAJE was established in 2003 and includes WWF-UK, Friends of the Earth, Greenpeace, the royal Society for the Protection of Birds, the Environmental Law Foundation and Capacity Global. It seeks to ensure compliance with what is known as the third pillar of the **UNECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (the Aarhus Convention)**<sup>59</sup> that access to justice in environmental matters is fair, equitable and not prohibitively expensive; that it is genuinely accessible to all; and that the justice system, so far as possible, works to protect the environment in accordance with the law. While CAJE has focused its activities on this third pillar of the Aarhus Convention, members of the Coalition are routinely engaged in the other two pillars of the Convention, namely access to environmental information at the UK and EU levels and the effectiveness of public participation processes.

4. The Consultation Principles apply to consultations of all forms undertaken by public bodies however our experience, and therefore our comments, are limited to their application in the environmental sphere.

## BACKGROUND

### (i) *The effect of the Aarhus Convention*

5. The Aarhus Convention was signed on June 25, 1998 in the Danish city of Aarhus. It entered into force on 30 October 2001 and as of July 2009, it had been ratified by 40 (primarily European and Central Asian) countries and the European Union. The UK ratified the convention on 23 February 2005.

6. The Aarhus Convention grants the public rights regarding access to information, public participation, and access to justice in governmental decision-making processes on matters concerning the local, national and transboundary environment. It focuses, almost exclusively, on interactions between the public and public authorities.<sup>60</sup>

7. The text of the Convention is accompanied by detailed Guidance<sup>61</sup> and a Task Force on Public Participation is in the process of producing detailed “Recommendations on Public Participation in Decision-making in Environmental Matters”<sup>62</sup>

8. The three key provisions of the Aarhus Convention relating to public participation are Articles 6 (Public participation in decisions on specific activities), 7 (public participation concerning plans programmes and policies relating to the environment) and 8 (public participation during the preparation of executive regulations and/or generally applicable legally binding normative instruments).

9. In general terms, the Convention sets minimum standards for public participation when authorities make general plans or license specific projects that could affect the environment.

10. It is “the public concerned”<sup>63</sup> who must be informed of a proposed activity, early in the process while options are still open.

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<sup>59</sup> see <http://www.unece.org/fileadmin/DAM/env/pp/documents/cep43e.pdf>

<sup>60</sup> Note, for example, that the access to information provisions apply to private bodies exercising public functions and that Article 9(3) of the Convention applies to private persons and public authorities

<sup>61</sup> See Aarhus Implementation Guide pages 85–122 at <http://www.unece.org/fileadmin/DAM/env/pp/acig.pdf>

<sup>62</sup> See <http://www.unece.org/env/pp/ppdm.html>.

<sup>63</sup> Article 2 (5) of the Convention defines the “public concerned” as “the public affected or likely to be affected by, or having an interest in, the environmental decision-making; for the purpose of this definition, non-governmental organisations promoting environmental protection and meeting any requirements under national law shall be deemed to have an interest”.

11. The general principles which the Convention establishes are that consultation should: (i) be early<sup>64</sup>; (ii) be informed<sup>65</sup>; (iii) include reasonable timeframes<sup>66</sup>; and that (iv) due account is taken of the outcome of the consultation process.<sup>67</sup>

12. The public should have a possibility to provide input/comments and have due account taken of them, at an early stage of decision-making when all options are still open, including whether the proposed activity should go ahead at all (the so-called “zero option”).<sup>68</sup> Failing to do so has been found not to be compatible with the Convention’s requirement for the public to have an opportunity to participate when all options are open.

13. Authorities must consider the outcome of the public participation in their decision, which must be promptly and publicly accessible, in writing, with its reasoning.

14. In order to implement Articles 6, 7 and 9(2)—relating to access to justice—of the Aarhus Convention, the EU adopted EC Directive 2003/35/EC<sup>69</sup> in 2003 providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment (the “Public Participation Directive”, or “PPD”).

15. The PPD amended existing public participation rights under EC Directives on Environmental Impact Assessment (EIA) (85/337/EEC) and Integrated Pollution Prevention and Control (IPPC) (96/61/EC) ensuring that the public concerned will be given early and effective opportunities to participate in environmental decision making and also established rules for public participation in plans and programmes drawn up within other existing Directives.

16. In the UK, the obligations arising from Article 6(1)(a) of the Aarhus Convention are implemented not only through national regulations on Integrated Pollution Prevention and Control,<sup>70</sup> EIA<sup>71</sup> and Strategic Environmental Assessment<sup>72</sup> but also, *inter alia*, via the Planning Act 2008, and the Localism Act 2011.<sup>73</sup>

(ii) *Common Law on consultations*

17. The Principles constitute non-legally binding guidance and may be overridden by existing case-law establishing the legal principles with which public consultation must conform (which is referred to obliquely by way of footnote in the document).

18. While there is no general legal duty to consult, the common law has established that fairness requires that parties with an interest in the decision must be consulted, in particular where there is a legitimate expectation of consultation. Such an expectation may derive from: (i) a representation or promise that there will be consultation prior to a decision; or (ii) a past practice of consultation.

19. The most commonly cited requirements of the duty to consult are the so-called “Sedley requirements”,<sup>74</sup> which state that: (a) consultation is undertaken when the proposals are still in a formative stage; (b) adequate information is given to enable consultees properly to respond (this in turn may require that there is an actual proposal in existence upon which consultation takes place); (c) adequate time is provided in which to respond; and (d) the decision-maker gives conscientious consideration to the response to the consultation. While the Sedley requirements pre-date the Aarhus Convention by at least a decade, they clearly focus on common elements of effective consultation.

20. While the Sedley requirements are commonly cited as the leading statement of the content of the duty to consult, there is no general rule as to the kind or amount of consultation required.

21. But there are a number of factors relevant to the extent of consultation required, including the general and statutory context, the degree of urgency required<sup>75</sup> and whether views have already been expressed by interested parties in earlier discussions and/or earlier consultation opportunities.

22. As to timing, consultation must be at a time when proposals are still only at a formative stage, when the views of the decision-maker are only tentative or provisional upon the outcome of the consultation process and the decision-maker has not yet fixed upon a definite solution but is prepared to change course if persuaded to do so. A decision-maker may have a preferred option or provisional view, or a course it is “minded” to take subject to the outcome of the consultation, but it should not make a decision in principle and then consult if

<sup>64</sup> Aarhus Convention, Articles 6(2), 6(4), Article 7 and Article 8

<sup>65</sup> Aarhus Convention, Articles 6(2), 6(6), Article 7 and Article 8

<sup>66</sup> Aarhus Convention, Articles 6(2), 6(3), Article 7 and Article 8

<sup>67</sup> Aarhus Convention, Articles 6(8), Article 7 and Article 8

<sup>68</sup> See Article 6(4) of the Convention

<sup>69</sup> See <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2003:156:0017:0024:EN:PDF>

<sup>70</sup> [www.legislation.gov.uk/ukxi/2000/1973/contents/made](http://www.legislation.gov.uk/ukxi/2000/1973/contents/made) and Environmental Impact Assessment (EIA) Regulations 1999—[www.opsi.gov.uk/si/si1999/19990293.htm](http://www.opsi.gov.uk/si/si1999/19990293.htm)

<sup>71</sup> See <http://www.legislation.gov.uk/ukxi/1999/293/contents/made>

<sup>72</sup> EC Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment

<sup>73</sup> The UK has brought into force a raft of laws, regulations and administrative provisions to comply with the PPD.

<sup>74</sup> The submissions of Stephen Sedley QC were made in the case of *R v Brent London Borough Council, ex parte Gunning* (1986) 84 LGR 168 and set out by Hodgson J at 189.

<sup>75</sup> E.g. in *R v Lord Chancellor, ex parte Law Society* (1994) 6 Admin LR 833 the urgency required for a decision was an indication that there was no obligation to consult

this has the effect that the proposal has gone beyond the formative stage. If consultation takes place only after the proposal has gone beyond the formative stage, then the decision may also be liable to challenge on the ground of predetermination.<sup>76</sup>

23. The duty to consult requires more than just consideration of views submitted. It requires the taking of positive steps to make the opportunity to make representations known to those who have a right to be consulted; *“the essence of consultation is the communication of a genuine invitation to give advice”*<sup>77</sup>.

24. The decision-maker must give genuine and conscientious consideration to the representations received. The product of the consultation exercise must be taken into account in finalising any proposals. The decision-maker must embark on the consultation process prepared to change course if persuaded by that consultation process to do so. In the Association of Metropolitan Authorities case<sup>78</sup> it was noted that *“sufficient time must be available for such advice to be considered by the consulting party. Sufficient, in that context, does not mean ample, but at least enough to enable the relevant purpose to be fulfilled”*.

#### THE CONSULTATION PRINCIPLES

25. It is against the background of this legal context that government guidance on consultation must be considered.

26. In 2008, the government published a Code of Practice on Consultation<sup>79</sup> containing clear guidance on how consultation should be carried out. This document was consistent with the Aarhus Convention and indeed was cited by the UK in its National Implementation Report on the Aarhus Convention in preparation for the Fourth Meeting of the Parties to the Aarhus Convention in Moldova in 2011 in terms of compliance with Articles 3(4), 7 and 8 of the Convention.<sup>80</sup>

27. However, in July this year, the Government revised the Code of Practice substituting it with new “Consultation Principles”<sup>81</sup> which are stated to take effect in Autumn 2012. Like many other guidance rewrites under the current government the new Consultation Principles are much shorter than the document they replace. The Consultation Principles are three pages long; they replace a code of conduct which ran to thirteen pages.

28. The reason for the revision is ostensibly set out in a Ministerial statement by the Right Honourable Oliver Letwin MP on 17 July<sup>82</sup>:

*“The Civil Service Reform Plan commits the Government to improving policy making and implementation with a greater focus on robust evidence, transparency and engaging with key groups earlier in the process.*

*As a result the Government is improving the way it consults by adopting a more proportionate and targeted approach. The new approach to consultation is based on making the type and scale of engagement proportional to the potential impacts of the proposal. The emphasis is on understanding the effects of a proposal and ensuring real engagement rather than following the same bureaucratic process.”*

29. The new Principles are intended to add a degree of flexibility consistent with the Government’s general preference for light touch regulation.

30. But even if one accepts the rationale for such a change then, certainly in the area of environmental policy subject to the application of the Aarhus Convention, we believe the Principles contain serious flaws which we set out below:

31. **First**, the previous Code of Practice on Consultation was itself produced following a review of government consultation practices, a consultation that drew 100 responses, 20 meetings around the UK, an online discussion forum and market research. The result was a set of clear criteria that in our view represented accepted best practice for carrying out adequate consultation.

32. The absence of any meaningful consultation prior to their introduction is unfortunate to say the least and means they lack legitimacy. This also leaves flaws in the Principles to be tested in practice rather than considered in advance.

33. There is little doubt that the Principles are intended to signal a major change in the way policy-related consultations happen. The Prime Minister signalled as much in his widely reported speech to the CBI On 19 November in which he was critical of both excessive consultation and use of judicial reviews.<sup>83</sup>

<sup>76</sup> In *R (Partingdale Lane Residents’ Association) v Barnet London Borough Council* [2003] EWHC (Admin), para 66 the decision was quashed on grounds of inadequate consultation and predetermination, as the decision-maker had reached a decision before the consultation took place and had not gone back to revisit that decision in light of the responses

<sup>77</sup> *R v Secretary of State for Social Services, ex parte Association of Metropolitan Authorities* [1986] 1 WLR 1, 4f

<sup>78</sup> *R v Secretary of State for Social Services, ex parte Association of Metropolitan Authorities* [1986] 1 WLR 1, 4g

<sup>79</sup> See <http://webarchive.nationalarchives.gov.uk/+http://www.bis.gov.uk/policies/bre/consultation-guidance/code-of-practice>

<sup>80</sup> Available at: [http://www.unece.org/fileadmin/DAM/env/pp/reporting/NIRs%202011/UK\\_NIR\\_2011.pdf](http://www.unece.org/fileadmin/DAM/env/pp/reporting/NIRs%202011/UK_NIR_2011.pdf)

<sup>81</sup> See <http://www.cabinetoffice.gov.uk/resource-library/consultation-principles-guidance>

<sup>82</sup> See [http://www.parliament.uk/documents/commons-vote-office/July\\_2012/17-07-12/4-CabinetOffice-ConsultationPrinciples.pdf](http://www.parliament.uk/documents/commons-vote-office/July_2012/17-07-12/4-CabinetOffice-ConsultationPrinciples.pdf)

<sup>83</sup> See <http://www.politics.co.uk/comment-analysis/2012/11/19/cameron-s-cbi-2012-speech-in-full>

34. A more flexible approach will result in a greater variety of consultative practices, some of which we acknowledge might be better suited to the circumstances of a particular case. But relaxing procedural rules will create great uncertainty for members of the public if they can no longer be sure of the parameters being applied.

35. Barely acknowledging the legal obligations underpinning those rules—particularly in the environmental sphere—also leaves consultation procedures to the discretion of individual organisations who may or may not be well versed in these obligations.

36. This will we believe lead to increased legal challenges to consultations with the attendant problems of delays and uncertainties for all concerned.

37. Such a scenario is perfectly illustrated by the case of *R (on the application of Greenpeace Ltd) v Secretary of State for Trade and Industry*,<sup>84</sup> in which the High Court, giving prominent regard to the Aarhus Convention, held that a consultation process leading to the government's decision to support the building of new nuclear power stations was procedurally flawed on the basis that the purpose of the consultation document was unclear, there was no information of substance on the two critical issues of economics and nuclear waste and that the information on waste was seriously misleading.

38. **Secondly**, the Code of Practice encouraged a broad base of public engagement in consultations in the belief that public participation leads to better outcomes, a belief we share. But the Principles signal a move towards fewer consultations which are carried out “more quickly and in a more targeted way than before”. The Principles talk about “stakeholders” but do not refer to the public at any point. In that context, its exhortation to consultors “to think carefully about who needs to be consulted and ensure that consultation captures the full range of stakeholders affected” may be more restrictive than it appears. This directive will depend on how it is interpreted in practice. But there is a real risk that “stakeholders” will be defined more restrictively than the broader “public concerned” of the Aarhus Convention, limiting views to those with a vested interest and reducing the opportunity for broader input into key decision-making.

39. As the Consultation Institute notes<sup>85</sup>: “If Government departments and other public bodies implement the Principles as intended there may be significantly fewer consultations, and it may be less easy to predict whether and when in the policy development process, there will be the opportunity to contribute formally through a consultation.”

40. By way of example, on 8 October the Chancellor of the Exchequer, the Right Honourable George Osborne MP announced that “We are today consulting on a generous new tax regime for shale gas so that Britain is not left behind as gas prices tumble on the other side of the Atlantic.” The Treasury statement that followed makes it clear that only industry will be consulted on the structure of the regime.<sup>86</sup> We would argue that this subsidisation of the controversial shale gas sector merits wider consultation than simply with industry alone.

41. **Thirdly**, the previous Code contained clear guidance that consultations should normally last for at least 12 weeks, with consideration given to longer timescales where appropriate (for example during the summer and Christmas holidays). It also provided guidance on how to handle an unavoidably shorter consultation period.

42. Although criticised for prescribing a 12 week period in all cases, the Code of Practice did no such thing, merely establishing 12 weeks as the standard with the option for shorter consultations “where there are good reasons for it to last a shorter period”<sup>87</sup> In contrast, the new Principles state that “*The amount of time required...might typically vary between two and twelve weeks*” and that “*In some cases there will be no requirement for consultation at all*”. This signals a significant change in government policy whereby 12 weeks has ceased to be a minimum and is instead a maximum. No indication is given as to how a determination not to consult is to be made. These may have serious consequences.

43. As already noted, the common law has established legal principles by which public consultation must conform. One of these is that adequate time must be given for consideration and response to a consultation.<sup>88</sup> It is our view that, given the often extremely complex nature of policy-making in relation to the environment and the large numbers of individuals and groups with an interest in the area, the Government risks legal challenge if it introduces consultation periods that are not of a sufficient length to enable adequate consideration and response to policy proposals.

44. A strong argument for the 12 week minimum rule previously was that membership groups need time to consult with their local branches and members before submitting a formal response. Likewise, formal and loose coalitions of NGOs (like CAJE) often try to submit joint submissions. A shorter consultation period is likely to lead to more rushed, and less considered, responses.

<sup>84</sup> [2007] ECHC 311

<sup>85</sup> See “Putting Principles into Practice: understanding the new Cabinet Office Statement of Consultation Principles” <http://www.consultationinstitute.org/#!/briefing-papers/4562374204> at page 19

<sup>86</sup> Insert hyperlink to Treasury Statement

<sup>87</sup> Opcit at para 23

<sup>88</sup> (see for example, *R v Brent London Council ex p. Gunning* (1985) 84 LGR 168; *North and East Devon Health Authority ex p Coughlan*; *R v London Borough of Barnet ex p B*)

45. Implying that a 12 week consultation period is likely to be the exception rather than the rule may also encourage consultation at a much later stage in the formulation of policy proposals which would breach other established common law principles.

46. While it may be true that there are cases where a shorter consultation process is possible, a two week consultation period is likely to require substantial engagement in advance with stakeholders and the wider public so that they are forewarned as to when to expect the consultation.

47. A short consultation period may be necessary if there is an urgent need to take action. However a period of notice may legally be too short even where the need to take action is one of real urgency, or there could be a failure to seek consultation within an urgent timetable.<sup>89</sup>

48. Finally, in terms of compliance with the Aarhus Convention, the degree of flexibility promulgated by the Principles may be problematic. We note the decision of the Aarhus Compliance Committee in relation to a complaint against Belarus in which it found:

*“The Committee, however, does not consider appropriate a flexible approach, whereby only the maximum time frame for public participation procedures is set, as this is the case in Belarus in relation to the time frames for public consultations and submitting of comments. Such an approach, regardless of how long the maximum time frame is, runs the risk that in individual cases time frames might be set which are not reasonable. Thus, such an approach, whereby only maximum time frames for public participation are set, cannot be considered as meeting the requirement of setting reasonable time frames under article 6, paragraph 3, of the Convention.”<sup>90</sup>*

49. **Fourthly**, whether there is an actual breach of the Aarhus Convention will depend on the extent to which the Principles are deemed to operate outside its application. As already noted, the Principles do not have legal force. The Principles also provide that “they do not prevail over statutory or mandatory requirements”. A footnote to that statement adds:

*“Some laws impose requirements for the Government to consult certain groups on certain issues. This guidance is subject to any such legal requirement. Care must also be taken to comply with any other legal requirements which may affect a consultation exercise such as confidentiality or equality.”*

50. Whether these statements are intended to encompass the Aarhus Convention obligations or acknowledge common law requirements is not clear to us. If they don't, then this is clearly an oversight of some importance. If they do, then they not do so very clearly. This renders the guidance provided as, at best, not particularly helpful and, at worst, positively misleading for those using it.

51. As already noted, the previous Code of Practice was cited by the UK in its National Implementation Report on the Aarhus Convention in preparation for the Fourth Meeting of the Parties to the Aarhus Convention in Moldova in 2011. It will be interesting to see if the attention of Aarhus Parties is now drawn to the fact that that Code has been replaced by the much weaker Principles.

52. **Fifthly**, some attention has focussed on the notion that the Principles prescribe that consultation should be digital by default, although we note that this phrase only appears in the Ministerial Statement and not in the Principles themselves. However, the Government is clearly enthusiastic for online engagement.

53. There are concerns here about the extent to which this will mean that lower income and more vulnerable communities could be prevented from responding to consultations because they do not have internet access and are therefore not aware of them.

54. But there is a more general point to be made about the value of formal consultation documents. As the Consultation Institute notes:

*“The traditional document performs the function of providing the narrative of record; it is the one place where the background information, the precise options or proposals and official assessments of their impact can be found. In the absence of such a publication where is this to be found? The known weakness of much in the online world (and social media in particular) is that there is no easy way to distinguish true facts from falsehoods and lies. To create an informed debate requires investment in seeking an agreed basis of fact—what the Government in the Principles calls its ‘evidence-base’.*

*Rather than eliminate the role of the consultation document, public bodies need to reduce their reliance upon it as a method of requesting and securing consultee responses. By all means, other communications methods should be used, provided the messages are consistent with a ‘base document’ which the Institute advises be retained for clarity of messaging and as a defence against legal challenges.”*

55. **Finally**, the reference in the previous Code to the appointment of a consultation coordinator, monitoring the effectiveness of consultations and sharing learning, is entirely absent from the new Principles. This proposal

<sup>89</sup> E.g. *R (Amvac Chemicals UK Ltd) v Secretary of State for Environment, Food and Rural Affairs* [2002] ACD 219, paras 60 and 64

<sup>90</sup> See Belarus ACCC/C/2009/37, ECE/MP.PP/2011/11/Add.2, April 2011, para.90

was an important way of ensuring oversight of and accountability for consultations that took place and it is unfortunate that it has been removed.

#### SUMMARY

56. In summary, the rationale for the introduction of the new Consultation Principles is that they are intended to add a degree of flexibility consistent with the Government's general preference for light touch regulation.

57. But the Principles move too far away from providing meaningful guidance. In relaxing procedural rules and barely acknowledging the legal obligations underpinning them—particularly in the environmental sphere—leaving them to the discretion of individual public bodies who may or may not be well versed in those obligations, the Principles risk undermining the democracy of decision-making.

58. While it is obviously early days in the application of the Consultation Principles, we believe that in seeking to simplify this guidance the Government is running the risk that consultation exercises, certainly in the environmental field, will simply become more not less liable to challenge.

59. Consultation should be a meaningful and thoughtful collection of evidence and experience, both professional and lay. When carried out correctly it enhances good decision-making and when carried out incorrectly, it risks lengthy and costly challenges in the courts.

*November 2012*

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### Written evidence submitted by Catarina Tully (PE 13)

#### SUMMARY

1. Current public engagement in policy-making could be much better. Despite some past valiant attempts at public engagement, including digital, the assessment reflected in the PASC's Issues and Questions paper and in the Cabinet Office June 2012 Civil Service Reform plan is spot on. There is insufficient challenge in policy-making. Policy-making can be too often lacking in transparency, not engaging the right citizens and consulting too narrowly. Existing policy-making engagement attempts are marginalised and mediocre: conducted mostly too late in the process, they reflect a thin view of public engagement and are disempowering for those who are being "engaged with".

2. More public engagement is absolutely necessary. Changes now and over the next 10 years (including technology and globalisation, but also demography, values and expectations) will continue to change the relationship between the citizen and the state, and open up new opportunities and risks for representative and participatory democracy. Responding effectively to these opportunities and risks will require updating how we see the role of government in society—as a "system-steward" within a wider network, rather than a deliverer at the top of a pyramid. This has implications for the function of the civil service. It would be helpful to have a clearer definition of the civil service's role as a custodian or guardian of the public value of the policy-making process. This also requires a re-evaluation of the kind of skills, capabilities and leadership needed from both politicians and officials.

3. The discussion about public engagement therefore needs to be put within its wider systemic context. It cannot be discussed independently of the role of government in society or the role of citizenship. One of the key aspects of this discussion that is insufficiently drawn out is that we need a strong strategic state in order to engage the public effectively. In particular, policy-makers need to be clear about the four different forms of engagement and why/when they are used: expert input, representation, deliberation and consultation.

4. I commend the intentions of the June 2012 CSR plan and its commitment to opening up policy-making. This is a valuable signal from senior levels of the UK Government about the importance of this agenda. However, while the use of digital approaches and contestability may be two useful ways of opening up policy-making, they should not be seen as a short-cut. They have downsides as well as upsides. It is absolutely necessary to discuss and understand the purpose of public engagement rather than to focus on the method. There is little sign of this conversation taking place.

5. Better public engagement would look like this: clear about the purpose; designed to fit the question, using the appropriate tools, involving iterative and ongoing collaborative engagement; and appropriate to the context and people. In particular, it is important that policy-makers go to where citizens are already having conversations, rather than establishing new forms of engagement.

6. My main concern is that the recommendations in the CSR plan do not address the two key systemic reasons why civil servants do not engage the public effectively at the moment, despite them knowing (and being taught) that it is an integral part of the policy-making process. The first reason is lack of time. The second reason is the lack of political space provided by the political system. Public engagement requires Whitehall and local government giving up control and being open to risks. There is little appetite for that in the current set-up: Ministers and senior departmental officials are rarely prepared to do so.

7. In conclusion, more profound changes are needed simultaneously to the proposed changes to the civil service: government needs to be more confident and proactive about discussing what its role is and what the

parameters for different types of engagement are at different levels (as well as managing the joins between them, eg national and local, representation and consultation). Parliament could play a stronger role in promoting public engagement. What is required from government is an emergent strategy involving deep, legitimising public engagement at all levels of government policy-making, from the difficult intergenerational equity issues that need to be discussed among citizens (eg sustainable development, investment in human capital, immigration) at the national strategy level, to designing appropriate public services for users at a more community-level.

8. Biography: Cat Tully is a Director of FromOverHere, a consultancy providing strategy and foreign policy advice. Its mission is to support organisations—particularly governments—navigate a complex world. She was formerly Strategy Project Director at the Foreign and Commonwealth Office until August 2010. She has worked on strategy development, research, advice and training across the private, government and civil society sectors, including for HMG Prime Minister’s Strategy Unit, Procter & Gamble, Christian Aid, World Bank and the UN. Relevant experience on public engagement & policy-making include: training international civil servants in policy-making and strategic thinking/communications; researching Governance trends 2030, Democracy 2.0 and the role of social media for the US National Intelligence Council; and advising on emergent strategy approaches to governance. She is co-founder of the School of International Futures and trustee of Involve, a public participation thinktank, and the Foundation for Democracy and Sustainable Development.

#### CURRENT STATE OF PUBLIC ENGAGEMENT IN POLICY-MAKING

9. Current public engagement in policy-making could be much better. There are some positive signals: the UK is ranked 5th on BCG’s e-Intensity Index; there are some examples of innovation and thought leadership partly by UK Government (eg BIS’ Sciencewise Project), though mostly driven by activists/social entrepreneurs/charities/academics in this field; and the UK Government’s championing of the Open Government Partnership and various transparency initiatives. However the fundamental assessment contained in the PASC’s Issues and Questions paper and in the Cabinet Office June 2012 Civil Service Reform plan is correct in identifying key areas where it falls short. There *is* insufficient challenge in policy-making, policy-making can be too often lacking in transparency, it does not engage a sufficiently broad set of citizens and consults too narrowly. Existing engagement attempts are marginalised and mediocre:

- mostly conducted too late in the process, and for the purpose of testing acceptability of already developed policy proposals;
- reflect a thin view of public engagement: mainly used either as a deficit model (selling a difficult policy idea to people) or tick box/tokenistic exercise. The purpose is on the whole not thought through and the chosen method of engagement is not suitable. Examples include the Post Office consultations and the 2007 energy consultations (later challenged in the high court); and
- result in a disempowering and confusing experience for those who are being “engaged with”. Common themes in feedback include: that the scope is not clear; the purpose is not communicated to participants nor the conclusions fed-back to them; and various approaches from different parts of government are frustrating and time-consuming. For example, I have come across various local community organisations representing minority ethnic or diaspora groups—which often run on small budgets and volunteers’ time—that are the recipient of multiple, conflicting and duplicative requests for engagement from different government departments. Involve’s study “Pathways through Participation” included 100 interviews with activists who uniformly expressed frustration and cynicism about their experience of engagement with different parts of the UK government. They universally liked the concept but not the delivery.

10. This represents a lot of government revenue being used ineffectively on current engagement processes that erode rather than build public trust. More importantly, however, it is a wasted opportunity of epic proportions.

#### *Why is Public Engagement becoming more important?*

11. More public engagement is absolutely necessary. As discussed in the CSR plan, existing recognized benefits are increased legitimacy, accountability and better policy-making. However, engagement is also becoming more important because of four drivers, that will continue to grow in importance over the coming decade:

- Formal political engagement is going down and dissatisfaction up in politics (less than 50% of the population are interested in politics according to Hansard’s 2012 Audit of Political Engagement). Political activity is increasingly not mediated through traditional political actors, like political parties, but expressed through peer-to-peer communities of interest: in person or online.

- Growing recognition of the role of non-state actors in influencing the UK’s prosperity, wellbeing and security given the complicated nature of future problems we face: eg cyberthreats, climate change, investment in infrastructure, and insecurity overseas that spills over onto UK streets. These actors—whether diaspora groups, businesses, academic institutions, community groups—need to be involved from the beginning and will demand genuine engagement and influence in return for their involvement. Similarly, there is a growing recognition of the paucity of government levers to respond to public service challenges. The critical importance of the role that users/families/communities themselves play in co-developing effective solutions is increasingly being acknowledged: in accessing ideas, participation, co-productive resources.
- The increasing trend of globalisation and associated uncertainty is another driver. We are becoming increasingly aware of our global interconnectedness in the economic and environmental realm as well as the political. Social cohesion is particularly valuable as a response to uncertainty. It builds the necessary resilience as people work together, negotiate, collaborate, build a community and relationships that are more effective at responding to shocks and opportunities. And public engagement and cohesion around a mandate may be the only way in a democracy to mitigate the incentive of kicking difficult issues (often around intergenerational equity, eg pensions, airports, climate change) down the track beyond the next election.
- A fourth major driver is technology. This is of particular relevance to the question of public engagement. It opens up the possibility of mass participation in democracy. However, we have a lot further to go to understand its impact on society and politics and how to integrate it into democratic practice. Web-based forms of engagement create great opportunities: facilitating input into decision-making, enhancing oversight, and making community ownership of public assets possible. However, there are also major risks: it can promote superficial engagement (not helped by the fact that some UK government websites can make engagement sound like an xfactor game); the internet can act as an echo chamber; and agenda-setting power can become reactive and hysterical—and arguably currently better at “stop power” rather than at positive deliberation and agendas.<sup>91</sup>

12. I would like to underline two key challenges here. First, there are wider systemic political changes going on—that all democratic governments are struggling with. This is not a UK-specific challenge and we can learn from other countries’ innovations. Second, given the wider systemic context, we must seek public engagement that is legitimate and deliberation that is meaningful: this requires a stronger, more confident government as well as more public engagement.

#### GOVERNMENT AS A SYSTEM-STEWARD OR PLATFORM WITHIN WIDER SOCIETY

13. Changes now and over next 10 years (including technology and globalisation, but also demography, values and expectations) will change the relationship between the citizen and the state, and open up new opportunities and risks for representative and participatory democracy. Responding effectively to these opportunities and risks will require updating how we see the role of government in society—as a “system-steward” or “platform” within a wider network, rather than a deliverer at the top of a pyramid.

14. At the heart of the discussion about public engagement is therefore the question about how we can better implement democratic principles. We are faced with an opportunity to refresh and broaden representative democracy through the Westminster model and integrate new forms of participatory democracy. The trends discussed above—in particular the impact of disaggregated political activity via the web—are not revolutionary for democracy per se. They are, however, revolutionary for democracies in their capacity to reflect, aggregate and translate citizens’ choices into domestic and foreign decisions.

15. It is helpful to clarify further our understanding of the value of representation and participation within public engagement. We can do so by looking at four different types of public engagement and understand where they add legitimacy and value to decision-making processes around the public good. **Representation** (via elected officials and politicians) is a foundational aspect of our democratic system. **Expertise** is necessary to understand the complex systems in which we live. **Deliberation** is important for understanding and developing citizens’ responses to complex problems, many of which remain to be solved (eg around governing emergent technology). **Consultation** also has valuable legitimizing and accountability functions. Public engagement spans these four categories: but what are their respective roles and purpose and how do we link them together?

#### GOOD PRACTICE IN PUBLIC ENGAGEMENT

16. In practice, better public engagement would get three things right:

- A clear purpose: that is legitimate and transparent and clear. A recent UCL study on participation in decision-making in climate change infrastructure showed that there is a vast mismatch between people’s expectation when they engage and the scope that the law and central government gives them.

<sup>91</sup> Summary of arguments made in my paper for the US National Intelligence Council “Democracy 2.0 and the 2030 Global Future”

- Appropriate design: Being clear what the mode of engagement is and using the appropriate tools and method, whether digital or not. In every mode (whether representation, expert, consultation or deliberation) effective engagement will be iterative, open to risk, collaborative and future-focused. There are many valuable digital and non-digital tools and methodologies (eg public dialogue, distributed dialogue, formal consultations, purposive sampling, a good selection, including case-studies can be found in ParticipationCompass).
- Context and People: getting the right breadth of people involved in a way that is relevant to the way they are able to engage.

17. There are good recommendations in the CSR plan. These need to go further. First, more training in policy-making process for civil servants *is* necessary. It does need to be emphasised as an integral skill of the policy-maker—including guidance, case-studies and examples of what to do when there is tension with other objectives (eg quick results, budget cuts). Second, cross-departmental coordination is absolutely important—as is ensuring that HMT budgeting processes support this, and that there are strong incentives to maintain knowledge and relationships. Third, more investment is needed—both in training and attempting innovative approaches in digital and open-sourcing, but also in building expert committees and deep ongoing deliberative engagement where necessary.

18. Most important, however, is the need—for civil servants and politicians—to look at engagement from the citizen’s perspective. This has quite profound implications: it means going to where citizens have political conversations rather than establishing parallel systems. It also means holding the duty of care to citizens at the centre of engagement—providing sufficient time; open communication and acknowledging contributions; publishing ideas; sustaining genuine ongoing relationships; and committing to agreed processes and outcomes.

#### CIVIL SERVICE REFORM PLAN

19. I commend the intentions of the June 2012 CSR plan and its commitment to opening up policy-making. This is a valuable signal from senior levels of the UK Government about the importance of this agenda. Moreover, the language of seeing the relationship between citizens and government as a “partnership” is very helpful.

20. From systemic perspective, however, the CSR plan doesn’t really get to the heart of the issue. It focuses down too quickly on proposed activities and solutions for the civil service. It therefore misses two critical steps at the diagnosis stage by not developing a vision of the role of government in society. This needs to be elaborated in order to understand the wider political context in which the civil service will be operating and the purpose it therefore serves. There is a startling lack of analysis of trends and drivers of change or possible scenarios for the coming decade. I do not understand how recommendations for the shape and capability of a civil service—there to act as a bureaucracy to support Her Majesty’s Government—can be expounded without being put in the context of the wider political function it serves.

21. I argue that this requires an assessment of the likely changes in the political system over the next 10 years (as discussed in Paragraph 11), that are of a much wider scope than civil service reform. These discussions need to include:

- The relative roles within the political system—between representative democracy (ie Government, Parliament and Local Government) and independent fora for participatory democracy—in developing concepts of the common good.
- Why engagement happens, what kind of engagement is needed when, and what part of the political system convenes the engagement.
- The role of the citizen—and expectations of engagement: the CSR plan only mention “citizen” three times, the first time late on page eight. The word “user” is used ten times.
- The interface between engagement processes at different levels: national strategy, local plans, thematic strategies—ie what is up for scope.

22. Restricting what is a profound debate about the impact of technology and other drivers of change on modern democracy to three ingredients (civil service reform, digital engagement and contestable policy-making) is problematic and abrogates responsibility for much wider discussions.

#### DIGITAL ENGAGEMENT

23. From the point of view of government, social/digital media is revolutionary in enabling engagement at scale, two-way communication, and crowd-sourcing of ideas. But it is not without challenges for government, in particular two sets of challenges:

- Forms of online engagement are as variable as their offline forms in the potential for conflicting views and the possibility of capture by special interests. Digital engagement can be as badly designed as offline forms and result in superficial engagement—but the scale caused by low barriers to entry can result in much speedier and greater magnitude of effect. However, quantity does not mean quality.

- Whether digital engagement facilitates collective decision-making and deliberation on difficult issues. This depends on its impact on the process of deliberation: public engagement on difficult issues tends not to be a bilateral process. Some forms of interaction—namely personalising some public services—can be easily done online since it is between a “user” and “provider”. Policy-making is something more complex—about the business of working in a community (wherever the boundaries are drawn—family, region, city, country) to address common challenges. Public value is not an aggregation of the value to individuals—there are externalities and distributional and normative discussions to be had. Deeper collective engagement and deliberation is sometimes required—and face to face conversations remain a very important mode for this type of public engagement. For example, Involve’s Sciencewise project has engaged 16,000 citizens on over two dozen complex scientific governance issues, including DNA, stemcell, nanotechnology. This shows that citizens can very well understand the implications of even the most complex of issues and develop sophisticated understanding through ongoing deliberations including in person methods.

#### OPEN-POLICY MAKING

24. The open-policy making presumption is an exciting development and one with vast potential. The plan should be commended for:

- Emphasising the importance of these issues and embracing tools like crowd-sourcing (FOIA is the kind of policy you do want to crowd-source).
- Identifying the need for framing policy-making as a collaborative endeavour between government and citizens.
- Some helpful innovations: cross-departmental teams focused around problems rather than departmental structures.

25. But it is important to ensure that the proposals in the CSR plan address why it doesn’t happen at the moment. I am not convinced that the plan’s diagnosis of the problem or the proposals address the root cause. Good civil servants know that public engagement is important and they do it where they can. In most policy and strategy training courses (including the ones I teach) public engagement is embedded as good practice—this has been the case for a long time. The difficult issue is the following: **not engaging with the public is a logical response to the systemic incentives facing civil servants**. Apart from the capability issues (which I believe are themselves a symptom rather than a cause), the key barriers are:

- **Time**: civil servants rarely have enough time in the policy development process to engage the public effectively.
- **Political space**: there is a lack of political space provided by the political system. Public engagement requires Whitehall and local government giving up control and being open to risks. There is little appetite for that in the current set-up: Ministers and senior officials are rarely prepared to devolve or give decision-making power to other actors, engage with unpopular voices, respond to ideas that are not Whitehall mainstream options, or try uncomfortable or unknown policy approaches.

26. Out-sourcing policy is a recommendation in the CSR plan. With the caveat that I don’t know how such an interpretation of policy contestability will work in practice (and there is a lack of detail in the plan)—I don’t see how contestability addresses the two systemic issues identified above. The danger is that we remain with existing problems and add some new ones on top. The civil service has a lot of assets that other actors in society don’t have: legitimacy, convening power, authority, and most of all neutrality. The independence & professionalism of the UK Civil Service is world renowned.<sup>92</sup> I am particularly concerned that contestability could result in worse policymaking in two ways. First, policy development will become even further detached from delivery. Second, Government will not be able to legislate for engagement or quality control it. And given the few incentives for embarking such a messy, complicated, **expensive** and difficult process, corners will be rapidly cut.

27. In summary, I am entirely supportive of innovations to involve more public engagement in the policy-making process. It is fundamental that the Government insists on wider engagement of experts, consultation and deliberation with citizens and other actors in society. It is important that funds to source new ideas are provided. But input should be provided from non-civil servants in their role as policy collaborators, not process owners.

28. My recommendation is that the role of the civil service in policy-making should be clarified, refined and narrowed to being the **custodian** or **guardian** of a fair policy-making process. This role will set out the parameters for engagement and transparently clarify responses. It will manage the interface with other actors and networks of people that come up with ideas and inputs. It will identify how to facilitate and commission effective engagement. Although it is tempting for a Government facing a slow-to-respond civil service to

<sup>92</sup> It may be appropriate here to pause and recognise the UK Civil Service as an important and valuable asset that needs to be nurtured, as well as encouraged to significantly reform and adapt. My experience in teaching civil servants from many different countries is that there is a great respect for the UK civil service which acts as an important soft power tool. UK policy and political discussions need to recognise what is excellent and why—as well as what needs to change.

create change through an out-sourcing shock, this approach will not be effective since it does not provide for systemic change.

29. Instead, three parallel approaches are necessary to drive change. The first two are already partly identified in the Civil Service Reform plan, as described in para 17, but need to go much further. First, training civil servants in policy-making. (Incidentally, policy-making training has been heavily compromised over 2012 by the introduction of Civil Service Learning with the number of civil servants trained plummeting. As a driver of potential change, it currently leaves a lot to be desired.) Second, shaping the incentive structures of the civil service around problems and the community of actors around these problems—not around departments: ie requiring changes to spending review processes and budgets, performance evaluation, team structures, etc. Third, it also requires a re-evaluation of the leadership role needed from senior Government leaders as well as senior officials (as well as the value of trust between them). Moving to a governance approach where the public is engaged more systematically requires a sense of common purpose, commitment and understanding of the time it takes, the potential risks and the need for engagement to be genuine and respond to citizens' concerns.

#### MORE PROFOUND CHANGES NEEDED

30. The complexity and uncertainty facing countries in the Western democratic political system is resulting in unconfident & reactive governments. Across many countries, governments' perceived lack of traction and ability to direct change in society is resulting in tensions and mistrust between elected politicians and civil servants. As discussed in the earlier section **Government as a System-Steward or Platform within wider society** (paras 13–15), one fruitful response is to view government's role in society and its relationship with citizens as a system-steward—a platform to enable citizens shape the content in a much deeper way than at present. This involves refreshing current representative and participatory democratic processes. The goal is to seek public engagement that is legitimate, and deliberation that is meaningful: this requires a stronger, more confident government as well as more public engagement. A few observations can be made:

- “Open” policy-making and clear strategic leadership from Government are mutually reinforcing: the one needs the other. A strong strategic state is necessary in order to engage the public effectively. Government needs to be more confident and proactive about discussing what its role is and how the governance system works (as well the respective roles of citizens and other actors as discussed in paragraph 21).
- This is reflected in the need to manage the parameters of public engagement at different levels: international; regional; national strategy; policy areas; local/cities. Each form of public engagement is “nested” within a wider engagement process, but also a wider legislative and resource context. Effective engagement requires clarity on what's up for grabs and the purpose. A core challenge is in managing the joins between these levels—and this requires strong strategic direction from government on a strategic level.
- In the face of strong central government direction-setting, legitimacy becomes all the more important. It will come from transparency and from deep engagement with citizens. This legitimacy will also come partly from a clearly delineated, authentic role of the civil service as custodian of the process.
- Parliament could play a stronger role in promoting public engagement—Hansard's 2010 study on policy-making recommended Parliament have a stronger role in assessing whether the right consultation has occurred on legislation. Parliament is often seen as something Ministers are accountable to. Instead—as in other countries like Finland, Denmark, Israel, Holland (all using different approaches)—Parliament could play a role in promoting public engagement, discussing difficult long-term issues.
- There are difficult political issues that need to be discussed at a national level: immigration, governance of new technologies, GM food, intergenerational equity, sustainable democracy. The UK's national interest is at stake in many of these issues. Public dialogue on these issues is critically important: the country needs a National Strategic Narrative. Washington has identified this need: *A narrative is a story. A national strategic narrative must be a story that all [Americans] can understand and identify with in their own lives... We need a story with a beginning, middle, and projected happy ending that will transcend our political divisions, orient us as a nation, and give us both a common direction and the confidence and commitment to get to our destination... This Strategic Narrative is intended to frame our National policy decisions regarding investment, security, economic development, the environment, and engagement well into this century.*<sup>93</sup> Parliament could have a bigger role to play in promoting this discussion.

31. Final thought—we are playing for high stakes over the coming decades. There are strong drivers towards managing scarcity/uncertainty/complexity through greater central government control. However, there will be

<sup>93</sup> A National Strategic Narrative. Mr Y, Wilson Centre 2010

a governance premium to democracies that manage to embrace new forms of public engagement within their political systems to create better policy outcomes. The UK is on this difficult journey.

*November 2012*

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#### **Supplementary written evidence submitted by Cabinet Office (PE 14)**

At the oral evidence session on 28 November I said that I would respond in writing to several queries.

First, a question (Q209) was asked about the number of black applicants accepted onto the Civil Service Fast Stream. An article appeared in the Sunday Times of 19 August, misleadingly entitled “Civil service rejects black applicants”. It referred to published statistics of the 2010 intake into the Civil Service’s Fast Stream Development Programme.

In fact, four of the 2010 Fast Stream intake declared that they were black, but this is not apparent from the statistics because of the established convention that such numbers are suppressed in order to avoid the risk of identifying individuals. In the following year, seven black candidates were successful.

To put the figures quoted by the Sunday Times into perspective, in 2010 there were in excess of 21,000 applications to the Fast Stream. 465 were successful. The selection process is based solely on merit, and is designed to prevent possible bias for or against any particular groups. Of the 465 successful candidates, 57, or 12.3%, declared that they were from an ethnic minority.

The intake of black graduates into the Fast Stream has long been low, and last year we intensified efforts to attract black students in particular. We have for some years run a Summer Diversity Internship Programme which offers work placements of up to eight weeks in the Civil Service to students from ethnic minority backgrounds. This programme also offers the opportunity to compete for a place in a special coaching programme which helps participants prepare for the Fast Stream selection process.

There has been a steady upward trend in the proportion of declared BME recruits in each year’s intake from 3.4% in 1998 to 13% in 2011.

Second, questions were asked about making public policy-making accessible to persons with learning disabilities (QQ157–8).

The Government’s ambition is to enable all disabled people to fulfil their potential and to play a full role in society. Disabled people, including those with learning disabilities, should be involved in how policies are developed and how services are designed and delivered. For example, in developing Fulfilling Potential, our approach to our new disability strategy, we have taken care to listen to the ideas from all disabled people, including those who find it harder to have their voices heard. We funded over a hundred events hosted by organisations of disabled people, including organisations of and representing people with learning disabilities like Mencap and People First. This included funding things like graphic facilitation to help people with learning disabilities get actively involved and influence our thinking.

Third, questions were asked about the (QQ235–41) about the selection process underlying the Policy Contestability Match Fund.

As we set out in the Civil Service Reform Plan, the Policy Contestability Match Fund enables Ministers to commission policy advice from outside the Civil Service. The Contestable Policy Fund opens up policy making to potential suppliers from a range of fields—including think tanks and academia. By bringing in expertise on specific subject matters when it does not already exist in-house, it is one way of incentivising the development of high-quality, creative policy, as part of the wider open policy making agenda.

The Institute for Public Policy Research was recently awarded the contract to review Civil Service structures overseas through a procurement process conducted by the Government Procurement Service and overseen by me as the responsible Minister. The tender documentation can be found on Contracts Finder, the website which makes available details of all government procurements above £10,000 as part of our transparency commitment.

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