

BRIEFING

THE CIVIL SERVICE: WHAT IS ITS ROLE?

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recent years have seen significant tensions between ministers and civil servants, with allegations of bullying by ministers and leaking by civil servants, and a number of permanent secretaries forced out.

The civil service supports the government of the day in policy development and delivery. Its role is to give ministers unbiased and evidence-based advice, enabling them to take informed decisions.

expected to act as a constitutional guardian when needed warning ministers if a potential course of action might be unlawful or could violate constitutional norms.

Since the [nineteenth century](#), appointments to the civil service, and promotion within it, have been based on merit. This replaced an earlier system based heavily on personal patronage.

The values governing the UK civil service are laid out in the [Civil Service Code](#). Separate codes govern the [Scottish](#), [Welsh](#) and [Northern Ireland](#) civil services, and the [Diplomatic Service](#), but all contain the same core values of:

Integrity: civil servants should put public service above personal interest.

Honesty: they should be truthful, use public resources only for their intended purpose, and not be influenced by the prospect of personal gain.

Objectivity: civil servants should base their advice on evidence, including expert or professional advice. They should not disregard inconvenient facts or seek to frustrate policy decisions.

Impartiality: as indicated above, civil servants should serve governments of different political persuasions with equal commitment, and should preserve their ability to build relationships with future governments as well as serving current ministers.

These core values, and the existence of the Civil Service Code, are prescribed by the [Constitutional Reform and Governance Act 2010 \(CRAG\)](#). The independent [Civil Service Commission](#) oversees the code and considers complaints from civil servants who believe they are being asked to act in conflict with it, or who believe that a colleague is doing so.

The UK model of a permanent impartial civil service is not the only option. Some countries such as the US, France and Germany operate a more political model, in which some or many senior roles are appointed to by politicians.

Most members of the public appear to support the principle of an impartial civil service. A

[Constitution Unit survey](#)

selected senior officials who

advise government ministers should be people who are neutral and per neutnETC rni4p.000008871 94.708

CRAG grants ministers the power to manage the civil service – a power that they had previously exercised under the royal prerogative.

Some of the conventions and requirements governing this relationship are laid out in the [Cabinet Manual](#). In particular, ministers are prohibited from asking their officials to act in ways which would conflict with the Civil Service Code.

Though ministers are required to follow it, they are not required to follow it. They will frequently also need to weigh political considerations for example, needing to consider manifesto commitments, political positioning, or party management. Ministers may also seek policy advice from external experts or others.

Some have suggested that – given their reliance upon officials for delivery – ministers should be able to hire and fire their own senior civil servants. In reality, Director General and Permanent Secretary appointments (i.e. the two most senior civil service grades) are approved by the Prime Minister. This means ministers can express a preference to No. 10 about which of a shortlist of appointable candidates they would prefer when vacancies occur. As former ministers have [pointed out](#), they may seek to attract civil servants to their departments with

Nonetheless, the growth in scale and complexity of the state, and of government departments, since 1918 has made it increasingly difficult for a minister to oversee the totality of their [unresolved compromise](#) to questions about whether the balance of ministerial and civil service accountability is correct.

The civil service is a large and complex organisation, and reform is a perennially difficult topic. But two key problems are often identified which have constitutional bearing.

First, as indicated above, the ability of the civil service to act as a keeper of institutional memory is threatened by churn. Reducing churn, particularly by addressing the promotion and pay incentives that exacerbate it, has been a key recommendation of numerous [civil service reviews](#) and [select committee inquiries](#).

Second, proposals have been made to clarify ministerial and civil service accountability. In particular, the Institute for Government has [suggested](#) a new Civil Service Act, which would lay out

directed by ministers, and to maintain UK government capability to carry out such activities. It would also establish a new Civil Service Board to hold the organisation to account. A government [review of civil service accountability and governance](#), led by Lord (Francis) Maude, is underway.

Maude is among those who [have argued](#) for greater politicisation of the civil service, and particularly for allowing ministers greater say in appointments. But (as seen above) this has limited public support and would create new dangers.

Ministers, who work with the civil service day to day, have a particular responsibility to be careful with their rhetoric. Public attacks may lead civil servants to self-censor and avoid delivering unwelcome advice to ministers. That risks reducing the quality of advice that ministers receive ultimately leading to worse policy outcomes.

More broadly, all MPs have a duty to respect the role played by the civil service and to refrain from attacks on it.

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