

Finance and Public Administration Committee

Inquiry into effective Scottish Government decision-making

Summary note of discussions with former Minister – 16 March 2023

On 16 March some Committee members met with a former Minister to discuss their experiences of being in the Scottish Government and reflections since leaving office. The following summarises those discussions.

Ambitions of devolution

The ambitions for devolution for a new type of Government and Parliament were discussed:

- more attention on governance was and is needed with some early practices having improved but others having worsened;
- many previous practices of the Scottish Office endured into the early years of devolution. It had taken some time to develop new ways of working to reflect the fact that Ministers were now based in Scotland, rather than in London most of the week, and accountable directly and regularly to the Scottish Parliament;
- Oppositional and adversarial politics set in from the early days of the Parliament and had persisted. This wasn't the aspiration for devolution and a Scottish Parliament of parties working across 'the divide'.
- It was noted that many key areas of policy, when analysed across the life of the Parliament, had shown that the same ambitions, and approaches to address key issues, had been expressed by different governments and ministers but with little tangible progress or improvement in terms of outcomes;
- Manifestos should be seen as a statement of intent and direction of travel rather than a list of specific items for delivery and this would make for better decision-making. Another key issue was being realistic about what a Government can achieve during its time in office;

Culture

- The civil service culture had changed over time but both 'old and new' cultures had struggled to translate policy into practice. In the early years of devolution civil servants focussed more on developing policy and not enough on presentation and communication. Now there was too much focus on presentation and communication rather than on policy development and implementation. Whilst communication was important, it was more important that practical, pragmatic and deliverable solutions were identified;
- Working across silos and policy areas was critical and this was as much about culture and mindset as it was about structure. An example was given from the former Minister's experience of the adverse impact of a policy proposal on another policy priority having not been considered as the latter was 'someone else's responsibility'.
- The need for more open and constructive challenge was discussed. It was suggested that whilst there had been a move away from the 'yes minister' type culture, "There is a need for more challenge in the system, as well as

external expertise". It was suggested that public sector leaders might be unwilling to challenge while in office for fear of offending Ministers or jeopardising their prospects of Ministerial public appointments in the future.

Civil Servant job rotation

The practice of civil servants in some roles moving regularly to new posts was discussed:

- In relation to Bill teams, some continuity once the Bill passes was needed;
- As early as the 2004 Holyrood inquiry report (into the Scottish Parliament building) concerns had been highlighted regarding the generalist nature and rotation of some civil servants and the need for specialist skills;
- As to why this approach hasn't changed since then, it was suggested it had endured as it was deeply embedded culture and practice. The approach to civil servants moving jobs regularly led in some instances to a loss of corporate memory and expertise;
- An example was given whereby a policy approach agreed by the former Minister was, once the Minister left office, delivered (less successfully) to an entirely different set of parameters as a result of the change of Minister and key senior civil service staff.

Ministers

The evolving role of Ministers was discussed:

- Ministers should not be seen as being able to solve all the issues Scotland faces. "Ministers feel it's incumbent on them to sort out any issue" brought to their attention, however "Ministers are not omnipotent";
- It was suggested that over the years there had been a shift in how Ministers engaged with external groups or stakeholder meetings - from previously being more in 'listening mode' and seeking to work with groups to jointly explore solutions that might address long term issues - to now being more likely to try and provide answers, defend government policy approaches and try to avoid any suggestion they didn't know the solution. A recent example was given to illustrate this practice. This approach did not encourage an 'honest' debate about how to address long term issues which have no easy solution. It also led to the same issues being discussed repeatedly over time but with no meaningful progress, follow up action or change of approach.
- It was suggested that the persistence of this approach risked undermining the collaborative ambitions of devolution whereby Parliament, Government and stakeholders work together. The potential for the 'novelty' of consultation to wear off and for stakeholders to no longer engage was highlighted;
- It was necessary to challenge the assumption that it is for the Scottish Government or Parliament to address all problems in society when often greater positive impact could be achieved by other organisations and agencies being enabled and encouraged to take action at their own hand, individually or jointly, as might have been more likely in the early years of the Parliament, or prior to devolution.