HOUSE OF COMMONS

Public Administration and Constitutional Affairs Committee

Oral evidence: Devolution Capability in Whitehall, HC 1438

Tuesday 12 September 2023

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Watch the meeting

Members present: Mr William Wragg (Chair); Jo Gideon; Mr David Jones; Lloyd Russell-Moyle; John Stevenson.

Questions 1 - 49

Witnesses

I: Philip Rycroft, former head of UK Governance Group, Cabinet Office; and Richard Parry, Honorary Fellow, School of Social and Political Science, University of Edinburgh.

Written evidence from witnesses:

– Richard Parry

Examination of witnesses

Witnesses: Philip Rycroft and Richard Parry.

Q1 **Chair:** Good morning, and welcome to the Public Administration and Constitutional Affairs Committee. Today the Committee is holding the first evidence session in its Devolution Capability in Whitehall inquiry. Twenty-five years on from the enactment of the devolved settlements, this inquiry will look at how Whitehall policymakers take account of devolution and whether more can be done to improve knowledge and expertise about devolution across the civil service.

We are joined this morning by two witnesses, the first being Philip Rycroft and the second being Richard Parry, and I ask them to introduce themselves in that order for the record.

Philip Rycroft: Good morning, Chair, and members of the Committee. I am Philip Rycroft. I was 30 years a civil servant. I spent the first 20 years or so of my career working as part of the GB civil service in Scotland for the Scottish office, and then post devolution for the Scottish Executive and the Scottish Government.

I came south to work in Whitehall in 2009, so I spent the last 10 years of my career working in Whitehall. For the purposes of this Committee, I picked up constitution and devolution responsibilities when I took on the job of the head of the Deputy Prime Minister's Office in 2012. That transmuted, post the 2015 election, into something called the UK governance group, which I then ran until I left the civil service in March 2019. In other words, I kept those responsibilities even when I took up additional responsibilities, first as second permanent secretary and then as full permanent at the Department for Exiting the EU. Effectively, I was responsible for that bag of issues for about seven years.

Q2 **Chair:** Thank you. Richard?

Richard Parry: I am Richard Parry, from the University of Edinburgh. I am an honorary fellow at the university. I have been an academic there over the years. I have done research on devolution, particularly devolution in the civil service since it came on the scene in the late 1970s. That is an awfully long time ago, but I was researching then and I have been researching all the way through the 1999-2001 era. I have been observing the issue over the years.

Q3 **Chair:** Thank you very much indeed. Mr Rycroft, you have previously said that the civil service has long suffered from "a relative ignorance of, and considerable indifference towards, devolution". What made you reach that conclusion?

Philip Rycroft: I wrote that after I had left the civil service, I should say. It came out of my experience. As I explained to the Committee, I came down to work in Whitehall, having spent most of my career in, first, a territorial Department and then in a devolved Government. What I encountered at Whitehall, as I said, was that in many cases it did not really know what was going on in the devolved parts of the UK and, to a large extent, was indifferent to it. There are, of course, many honourable exceptions to that in individual civil servants and teams who were very committed to it.

The challenge that I faced was supporting the UK Government through the Scottish independence referendum campaign. That brought home to me, as well as to others around the system, just how off the pace Whitehall was in its understanding of what was going on in other parts of its territory, the capability and capacity to deal with that, knowledge of politics in Scotland and knowledge of the stakeholder community. If you would like, Chair, my reckoning of why that is the case may be of interest to you—relatively briefly.

Bluntly, the territorial management of the United Kingdom has never been a priority, particularly for the centre. That goes back a very long time. That habit of mind was consolidated through the years of administrative devolution and then we got political devolution as well. For Whitehall, there was a sense of "This is even further away from us now," so the whole trope of devolve and forget had quite a strong reality.

The blunt truth was that it was just not a priority for the majority of civil servants and, indeed, for the majority of Ministers. It was very hard to get it up the list of priorities when you had so many other competing priorities across Departments. That was the state of affairs that was exposed, first, to the shock of the Scottish independence referendum campaign, which nobody was expecting, and then to the challenge of both Brexit and covid. That was what, to my mind, revealed the inadequacy of the understanding and capability around devolution in Whitehall.

Q4 **Chair:** Thank you. Further to that, we are keen to know how responsibilities for ensuring that devolution settlements are properly understood in Whitehall are divided between individual line Departments, Law Officers and, indeed, the very centre of Government.

Philip Rycroft: It is interesting that you should have to ask that question. Of course, it should be crystal clear who has those responsibilities.

Chair: Quite.

Philip Rycroft: The formation of the UK governance group, which was put in place in May/June 2015 after the election, was an explicit recognition by the then Cabinet Secretary, Jeremy Heywood, as well as the Prime Minister that we needed to do something about the way that Whitehall was approaching these issues. We could not go through the same process and the same uncertainties that we had faced through the Scottish independence referendum campaign.

The UK governance group, in terms of both its politics and the civil service, was intended to create a powerful centre for advice to the Prime Minister on constitution and devolution issues, but also a centre of gravity for those interested in a career in constitution and devolution issues. It could cycle in and out of the UK constitution group, and it was meant to answer the question, "Who is responsible for this?" by making that absolutely crystal clear.

Of course, you will doubtless come on to the transfer of responsibilities to DLUHC, the Department run by Mr Gove, but to my mind it is not completely clear now what the division of responsibilities is between that Department, on the one hand, and the Cabinet Office on the other. I think with the Law Officers, certainly in my day, it was always relatively straightforward; where there were issues of dispute, perhaps with the devolved Governments or uncertainties on the legal context, of course, their advice was sought. As for Departments, again there was relatively clear delineation. Where they have responsibilities and interface with devolved responsibilities, or indeed reserved responsibilities that impact on the devolved parts of the UK, they should have a capability to manage those effectively. The bit that is missing—the centre of the jigsaw puzzle—is the centre of Government, its responsibilities, who holds them and how they transact them.

Q5 **Chair:** On the what is in the centre point, I wonder if you, Mr Parry, would care to take over. Of course, since 2019 the Prime Minister has also held the title of Minister for the Union. What do you think that means in practice?

Richard Parry: What it means, I suppose, is that it is an extra thing the Prime Minister has. The Prime Minister is the First Lord of the Treasury and also the Minister for the Civil Service, saying "I have a bit of insight into economic matters. It's not just the Chancellor who does this." And then for the civil service, "I'm in charge of the overall working of the civil service." For the Union, it is saying, "I'm personally interested in it. I'm personally responsible for it, and I have a team of people, my team, working for me on it," as opposed to civil servants in that sense outside the No. 10 operation. That was tried under the last Prime Minister but two, and it did not seem to work very well, for all kinds of reasons.

We are in a very interesting situation. You would think that the individual Ministers would organise themselves around the institutions, but actually it is so easy to change the institutions at the heart of Government, and they have often been changed over the years. Often, the institutions will change according to the individuals. That has been the case in recent years, with the position of Minister for Intergovernmental Relations, held by Mr Gove when he was at the Cabinet Office. Then he was not in government. Then he was in the Cabinet Office, still in government, but transferred over to the Department of levelling up. Then he went, with those responsibilities with him, with a civil servant, Sue Gray, one of the best-known civil servants in recent years. She went with him, as it were. Then he was out of government and then, once again, in government and it was with him.

We have various responsibilities held by Michael Gove, first of all as the English Minister for Levelling Up, Housing and Communities. It is a very English Department and, of course, the huge issue behind all devolution is that the Government of the UK is also the Government of England. There is no tradition of elected regional government in England. There is no consistent organisation of local government either.

Michael Gove is playing a dual role. It is a very strong role, personally, because in the 2022 outcome of the review of intergovernmental relations he became the key person. What would happen if he were not in his present job at any time is the interesting thing. The big way of doing this is to organise everything in one Department, which everyone perceives as a Department, under a permanent secretary and a Secretary of State. That is the key recommendation of Andrew Dunlop's review. He said there should be a Secretary of State for intergovernmental relations and the constitution, equal to the other three great offices of state. It is a big thing to do, of course, to have an extra office of state, when it has all been organised in a rather mixed-up way. Eventually, everything comes back to the organisation of government, which is very effectively under the control of the Prime Minister.

Chair: You are touching on Dunlop there, which I am sure will feature later in our deliberations.

Q6 **John Stevenson:** I think we started to touch on the questions I am about to ask. Can I start with Mr Rycroft? Over the years various Departments have had responsibility for devolution and its oversight. What impact do you think that has had on the knowledge, culture and institutions of the civil service in respect of the devolution settlement?

Philip Rycroft: It is a very good question. It is very symptomatic of Whitehall and the way that responsibilities are shifted around that very short-term decisions are taken. Often, as we saw in the latest move, it is to do with the politics of individuals and where they fit into the system. There was a decision taken that Michael Gove was going to move out of the Cabinet Office, but he was the Minister at the time best fitted to take these responsibilities, so they wander off to the Department for Levelling Up, Housing and Communities.

That break-up of continuity does two things. It breaks up the expertise. Forgive me if I mourn the loss of the group that I was instrumental in setting up, but, as I said earlier, it was about building capability at the centre and a cohort of people who had a good grip of the issues. It also sends a signal to Whitehall that this is not actually that big a priority, so if it goes walkabout, people look at it and think, "Well, if the Cabinet Secretary and the Prime Minister of the day don't think it is required to hold this in the centre, then it can't be that high up their list."

Let's not forget that Whitehall is an intensely hierarchical place. If you are a line Department, in the speak, you might reluctantly take instruction from the Cabinet Office, the Treasury or No. 10, but you will be very reluctant to do the bidding of another line Department. Putting responsibilities in a line Department signals to the rest of Whitehall that this set of issues is a lower order priority than the things that the centre wants to concentrate on. In my view, when this was last looked at in terms of the structures in Whitehall, that was a very retrograde step and I have no doubt that at some point it will be reversed, but in the interim you have lost a lot of momentum.

Q7 **John Stevenson:** Do you think it affects people's individual ambitions?

Philip Rycroft: Yes, it does. Again, it is not just a hierarchical place. It is also a place with lots of ambitious individuals. Ambitious individuals take their signalling from the politics and from what their colleagues are doing. If you were an aspirant senior civil servant wanting to move up the ladder at the moment, would you say, "It would do my career a whole load of good to do a couple of years thinking about devolution"? You probably would not. I clearly did, and I spent a lot of my career worrying about and involved in these issues, but I cannot say that even in my day it was seen as the sort of ladder to wider respect in Whitehall, and I don't think it is necessarily the case today.

Q8 **John Stevenson:** Thank you. Mr Parry, you touched on Michael Gove

and his moves around government over the years. As you know, and as you mentioned, since 2022 responsibility for devolution has gone to his Department. What are the implications of that? You touched a lot on it about the individual, but isn't it institutions that matter?

Richard Parry: All the Departments have their own devolution teams. In the Department for levelling up it is called the devolution capability team. When Mr Gove moved, in 2021 first of all, from the Cabinet Office into that Department he brought people with him. I am uncertain how it is working. Certainly, there will always have to be people in the Department looking after English things in that area. The whole levelling-up thing, of course, has been added to the agenda. That is meant to be everywhere; it is not only England. There is that responsibility.

After the departure from the civil service of Sue Gray, who was with Mr Gove as his second permanent secretary on these issues, I wonder how this is being worked out. I am rather uncertain, actually. I think there is a mixture of responsibilities between the Cabinet Office and the Department for levelling up, I suppose held together by Michael Gove personally and the fact that all the Whitehall Departments are part of the intergovernmental structure that has been, to a degree, reinvigorated since the beginning of last year after the review of intergovernmental relations. Everyone is meant to have their own team and work together.

It is a great improvement on what was the case from between about 2018 and 2022, when there wasn't really anything organised at all. In fact, they could not reach agreement with the devolved Administrations on any changes. It is very much around whether England, Scotland, Northern Ireland and Wales are equal. We have the whole nations, and they are all, in some sense, equal. It would not be in every sense equal; of course England is much bigger than all the others. I think we are still waiting to see whether things will work out. I think Michael Gove's own interest in this and the fact that he understands the issues quite well is a big factor in things at the moment. We will have to see if that will be sustainable if there is any change.

Q9 **John Stevenson:** If he were to depart, is there a danger that things would drift?

Richard Parry: I could not see that these responsibilities, which are at present held inside the Department for levelling up, would remain there automatically. It would have to be decided. In fact, he did not bring over everybody with him. There are still lots of civil servants, I believe, in the Union team inside the Cabinet Office. There is a strong argument that they are always going to be there, in fact, because it is an issue at the heart of Government, and they will always want their civil servants there.

Q10 **John Stevenson:** Lord Dunlop suggested that a Secretary of State should be appointed for the Union. Do you concur with that idea?

Richard Parry: I think the issue that needs to be looked at first is not the position with the Secretaries of State for Scotland and Wales but the

position of the Secretary of State for Northern Ireland. In the review Lord Dunlop said, "I have looked at this and it would make sense for all the civil servants to be in with all the other civil servants," so we would not have a permanent secretary for the Northern Ireland Office. We would not have a Northern Ireland Office, probably. We would still have a Secretary of State for Northern Ireland, as we would still have Secretaries of State for Scotland and Wales under his recommendations, but I am not absolutely sure whether it was intended that they would be of as high rank as they are at present. It seems to me that it could hold things up in a big way, if you wanted to bring in Northern Ireland.

Q11 **John Stevenson:** Do you think it would be beneficial?

Richard Parry: If it could be achieved, and if it was not seen as not paying due attention to the issues and present problems of Northern Ireland, I think it would be beneficial, but I cannot see it happening under the instability we have at present in Northern Ireland.

Q12 **John Stevenson:** Can I have your comments on that, Mr Rycroft?

Philip Rycroft: I thought it was one of the strongest of Lord Dunlop's recommendations—the creation of that great office of state and bringing all those teams together. I very much support that. I think it is the obvious answer.

I talked about the UK governance group. There was a big gap in that. It was not responsible for the Northern Ireland Office, so there was always a little bit of incoherence, even in that arrangement. What Lord Dunlop is essentially recommending is that you bring those teams together—the territorial Departments, the constitution group and the Cabinet Office. I would argue that you keep the three Secretaries of State because I think there are good political reasons for doing that from the perspective of the devolved parts of the UK.

I would personally argue that you might add a Secretary of State of England to the mix, but that probably takes you a little bit off the subject of this inquiry. Creating that, with the Secretary of State, probably the Deputy Prime Minister, running that Department, would be the clearest signalling possible, not just to Whitehall but to the wider world, this place and well beyond, that this is central to what the Government are about. If you think about the Union, there is nothing more important to the Prime Minister of the day than the territorial integrity of the country they lead, and that has come into question in recent years. The Scottish independence referendum took us a lot closer than people anticipated to the break-up of the Union. A Government who are concerned about preserving that Union, if that is what they wish to do, should be according it that sort of priority.

To my mind, it is extraordinary that, in spite of that shock, the powers that be have allowed this to drift and become more inchoate than it was. I certainly urge your inquiry to be pretty robust on the point. Without

that signalling, you will never get to a point where Whitehall sits up and says, "Do you know what? We need to pay attention to our personal, individual departmental capability around these issues." It will always be seen as a second-order set of issues.

Q13 **Lloyd Russell-Moyle:** You have already touched on this, but I want to ask about the territorial offices and whether they still play a significant role in Government and Whitehall Departments, particularly their role in working with the relevant units in each of the Departments. How does that relationship work?

Philip Rycroft: Again, it is a very central question. There have been more calls than I can remember for the abolition of the territorial Departments. Don't forget, I was responsible for the Wales Office and the Scotland Office for the time I was in Whitehall.

They are small Departments. I think they are under-resourced but staffed by very good people. Mr Jones might corroborate that, having been Secretary of State for Wales and worked with some of those people, some of whom are still there. They are very good people who do a very important job. They face two ways. One is representing the interests of Scotland, Wales and Northern Ireland within the Whitehall machine, and they bring a knowledge, capability and understanding of those issues that is unique in the Whitehall context. They also have the job of representing the United Kingdom Government in their respective parts of the United Kingdom. If you take them away, you will leave a gap on both of those fronts.

Q14 **Lloyd Russell-Moyle:** Both you and Dunlop say that there should be one Department that looks at all of that, but with numerous Secretaries of State within it, so you would bring them together. What is their relationship with the devolution teams in the other Departments? Do they have the ability to pull some of those levers, or is it that they are working in totally separate silos?

Philip Rycroft: The formation of the devolution teams, if I was not instrumental in helping to set them up, was certainly accelerated through the time of the Scottish independence referendum, because it was absolutely necessary that we had a point of interaction with each Department. They do indeed play a very important role of holding expertise for each particular Department.

Q15 **Lloyd Russell-Moyle:** What is their relationship with the territorial—

Philip Rycroft: Where it works well, as it should, it is a close relationship because you have that interaction. Let's say there is a Bill coming through in a particular Department and there may be issues about legislative consent, or whatever it may be. The Bill team ought to be talking to the departmental/devolution team, who, in turn, ought to be talking both to the team in DLUHC and to the relevant territorial office to help them understand the dynamic of what is going on and how they can handle those issues.

Q16 **Lloyd Russell-Moyle:** There is lots of "ought to be talking" there.

Philip Rycroft: Indeed.

Q17 **Lloyd Russell-Moyle:** In practice, do you think that works as one unit smoothly, or are there things that can be done to make it better?

Philip Rycroft: In practice, life is rarely perfect. Some of those teams are really good and you have very committed officials who understand what they are doing and go the extra mile to try to sort out the issues. They, within their Departments, also face the problems that you alluded to. They are told, "You are the experts on this; you relieve us of the responsibility of having to worry about these issues." Ultimately, if you think about capability like the lettering through a stick of rock, it has to be held in each individual particular senior civil service understanding of the role of being a civil servant. That is the thing that is the hardest and most elusive thing in the equation.

I would like to emphasise that both the territorial offices and the devolution teams in Departments were absolutely central to what I had to do through my time, which was in the independence referendum, then when we introduced the Scotland Act in 2016, the Wales Act in 2017, and then through Brexit. I left before covid, but without that support we would not have done half of what we did.

Q18 **Lloyd Russell-Moyle:** Mr Parry, is there anything you want to add?

Richard Parry: I was interested, when I read the review of intergovernmental relations—the one issued last year—that, as far as I can see, there is no mention of the Secretaries of State for Scotland, Wales or Northern Ireland at all. I have looked at it more than once and I believe that is the case. This is because the review was basically a functional way of looking at things rather than a territorial way of looking at things. Each of those has to be there. There has to be expertise in each area of government. There also has to be expertise in each nation. I absolutely agree that the offices of the Secretaries of State of Scotland and Wales play a big role. They are not big, but they understand what is going on in their respective nations. Often, they are civil servants who have worked in their respective devolved Administrations. A big advantage of having a single home civil service is that officials can easily move from the devolved Administrations into the offices of the Secretaries of State.

I wonder how it is working. There was always the feeling from 1999 onwards, "Do we really need to have the Secretaries of State?" Originally, we did, of course, from 1999 onwards—

Q19 **Lloyd Russell-Moyle:** Are there two discussions here? One is how you organise the Department and the civil servants. You could actually bring them together. The second is how you have the correct political level of representation, whether that is a Secretary of State or a Minister who attends Cabinet. To some extent, it might depend on the particular

politics of the different regions and nations. If we are talking about England, regions might come into play. London might be a very different body. That is a separate discussion about how you want to organise the Department.

Do you broadly agree with the Dunlop view that you should have one Department that covers all those areas with a number of different senior Secretaries of State or Ministers in it?

Richard Parry: I think that is right. If you have Ministers, they will have officials working with them. I think that will always be there. I am sure we would have, under any organised structure that you can think of, a group of officials expert in Scotland and Wales who would serve the Secretaries of State of those countries.

I want to mention one more thing. There are lots of other UK civil servants who are not in the Scotland Office or anything to do with it or the Secretaries of State working in Scotland and Wales. Big new office buildings have been opened in Edinburgh, Cardiff and Belfast, where all the civil servants in the UK—over half of them in Scotland—work for UK Departments. That will always be there. Again, the home civil service means that there is easy transfer into and out of those Departments.

Lloyd Russell-Moyle: The Committee visited the new Glasgow office. I am sure we will come on to some of those questions in a bit.

Q20 **Mr Jones:** Mr Rycroft, we have touched on this, but you were the inaugural permanent secretary at the UK governance group. Could you explain how it worked in practice?

Philip Rycroft: It was relatively straightforward. When I joined the Deputy Prime Minister's Office in May 2012, the various teams that eventually made up the UK governance group already reported to me but without anything other than an informal structure around that, so I was used to working with those folk. We came together as a team, as I say, with a very explicit remit to be the primary source of advice, ultimately to the Prime Minister, on constitution and devolution issues. The intention was not least to give in this case—it was only the Wales Office, the Scotland Office and the Office of the Advocate General for Scotland—the heft of the centre in their dealings with Whitehall, so that when they were talking to Departments they were not going just as a small territorial Department but as part of something larger which would give them the authority of the centre.

We did a lot. In the first couple of years, we had a pretty weighty legislative agenda that flowed from the Smith Commission. The Scotland Act 2016 was on a very accelerated timescale. You will recall the Wales Act 2017, which followed hard on the heels of that. We used our time well. We initiated, as we will come on to talk about, the Devolution and You campaign to try to improve devolution capability. We required all Departments to have devolution plans, to try to make them more

manifest and visible in the way that Departments went about their business.

We spent quite a lot of time going round departmental boards, talking to the senior team about what they did and how they went about it. One of the critical things was that, for the first time really, there was somebody round the table of permanent secretaries who had the explicit remit to worry about constitution and devolution issues in that forum. Previously, there had been the permanent secretary for the Northern Ireland Office but, of course, their remit was quite a narrow one. I had that far broader remit which allowed me to make a fuss when my colleagues were not paying sufficient attention to devolution issues in their programmes of work. Did we get everything right? Undoubtedly not. Did we succeed in everything we did? If we had, I don't think you would be holding your inquiry today. We were working against a difficult context. There was a lot of work to do, but I think we made a good start on that.

I come back to the point about the incentives and the power play in a Whitehall context. Having that group there with a permanent secretary heading it, the other permanent secretaries knew that I had the ear of the Cabinet Secretary and that if something was sufficiently serious, there was a route to redress it which I could trigger. I couldn't use it every day of the week, but the fact that it was there made a difference.

Q21 **Mr Jones:** You mentioned earlier that there was the phenomenon of devolve and forget. When I was at the Wales Office, I also encountered the phenomenon of Whitehall Departments frequently thinking of the devolved Administrations as just another department of state. You have the additional political element, of course, in that frequently the Administrations that you are dealing with are not only separate Administrations but are, and have been for some time, politically hostile. To what extent were you able to build that sort of awareness into devolution management at Whitehall?

Philip Rycroft: This was one of the sources of difficulty in getting people to engage in Wales, Scotland and Northern Ireland, not just civil servants, but Ministers as well. Frankly, they did not understand the politics and they were scared of the politics. They were scared of going to Scotland or to Wales, and indeed Northern Ireland; they were worried about putting their foot in it because they did not understand the nuances of local politics, and the civil servants did not have the depth of competence and capability to give them the advice that kept someone on the straight and narrow.

The fact that you have the different politics playing out did, of course, make it more difficult. The history of the first years of devolution was that you had Labour-led Administrations in both Cardiff and Edinburgh, and Labour-led in the south. It occluded some of these issues because a lot of the deals that were done at that time were done bilaterally. You will recall that the JMC machinery—the Joint Ministerial Committee machinery—for

intergovernmental relations more or less fell by the wayside through that time because it was not seen as necessary.

When times were good, as it were, in terms of those relationships, there was no effort made to build up an infrastructure of machinery that could then withstand the pressures that came unexpectedly in 2011 with the victory of the SNP in that election, which then triggered the whole chain of events that led to the referendum in 2014.

Q22 **Mr Jones:** Do you feel that the UKGG was sufficiently consulted by other Departments?

Philip Rycroft: We did our best to remind them that we needed to be consulted, not just the UKGG but within that the territorial Departments as well. I think we saw an improvement, but we did not win every fight on that front. We would find out about stuff late in the day; I cannot give you a lot of examples now as it is quite a long time ago. We would find out about issues sometimes from the devolved Governments themselves. You would get a call: "Are you aware that Department A, B or C has embarked on this course?" Sometimes we were intervening late in the day, and that was less than ideal.

It was all part of the journey that we were embarked on. Of course, some of the policies and legislation that were introduced might antagonise and might be difficult for the devolved Governments, but that is the choice made by Ministers at the Whitehall end of things. What should not have happened was people going into those fights not knowing what they were taking on. The understanding and the knowledge was critical in that regard. Too often, Whitehall was finding itself, and to some extent still does, in conflict that, in a way, is unnecessary.

Q23 **Mr Jones:** Mr Parry, one of Lord Dunlop's recommendations was that there should be one permanent secretary for UKGG, and that should include the Northern Ireland Office, it should be supported by shared services, and there should be a central policy function. Would you support that?

Richard Parry: Yes, on the whole I would. As I was saying to Mr Stevenson, I am not quite sure that in the present situation in Northern Ireland that would be easy to achieve. I think the question would be asked, certainly in Northern Ireland and perhaps in Scotland and Wales as well, "Are our interests going to be merged into a bigger entity?" Of course, with England being so much bigger than everybody else, that could be an issue.

What we need is institutional stability, which we have not had. We need an individual. At the moment, we have the Chancellor of the Duchy of Lancaster, who is also the Deputy Prime Minister and the Cabinet Office Minister. That person would have an interest in all of these issues as well, I suspect. We have had people like David Lidington and Damian Green. I don't think they were called Deputy Prime Minister, but they were doing

certain things on behalf of the Prime Minister and were seen as the person who would handle Union issues. It is really important; everyone needs to understand who the political leader of this is. If it was seen as a big Department that was not part of anything else, that would be the key thing. If that could be achieved, I think it would be useful, but it needs to be a stable way of organising that would not alter in the next reshuffle, and that kind of thing.

Q24 **Mr Jones:** You mention stability, but isn't one of the consequences of devolution a perpetual threat to stability?

Richard Parry: There are always issues, yes, and the issues can get very big at certain times. This year we have had two issues, on gender recognition reform and the deposit return scheme for single-use containers, in which it was pretty clear that it was within the ability of the Scottish Parliament to pass laws on them, and it did, but it was argued by the UK Government that it was undesirable to have different regimes in the two areas, in different parts of the UK. They used various things under the UK Internal Market Act 2020 after Brexit, which we have not talked about so much. That has changed things, of course. They also used a provision under section 35 of the Scotland Act 1998 to veto, in effect. That is an area we could get into.

The issues are going to be there. What we urgently need are institutions and processes that are independent of the issue, so that they work when there is no great traffic—big political controversy—happening and they work when there is big controversy happening. That is the real difference. The problem with devolution is that it is an intermittent issue. It is there when it is big, and it is not there when it is not big. That is always a problem.

If you have institutions and you have a meeting of the Prime Minister and Devolved heads of Government Council, which is the new system under the review of intergovernmental relations, it is meant to happen at least every year, and can happen more than once. If it were really happening every year regularly and it was built in that it was going to happen and would be hosted by the UK Prime Minister, that would be the system. It is not an intergovernmental body in the same way as the inter-ministerial standing committee that is part of the new architecture, which is genuinely interdepartmental and chaired by all the Ministers. The big one, the overarching one, the Prime Minister and Devolved heads of Government Council, is convened by the Prime Minister and run by the UK Government, so you always have an agenda which is that of the UK Government, in a sense. When it met for the first time last year, the agenda was how all the Administrations in the UK can help the UK economic recovery and that kind of thing. It was very much driven by the policy of the UK Government. It is hard to make this work, but if there are institutions that everybody has heard of and can relate to, it is a help.

Q25 **Jo Gideon:** Mr Rycroft, what guidance documents exist for Ministers and civil servants on devolution and intergovernmental working? How

effective are they?

Philip Rycroft: There is guidance; the devolution guidance notes of course, and there is reference to devolution in the Cabinet manual. There is a basic infrastructure of guidance, which is used particularly if there are questions about some of the jagged edges of the devolution settlement. It is particularly useful for lawyers and so on. They are not what you might call day-to-day guides as to how you do devolution. Indeed, no written guidance can substitute for the knowledge, understanding and practice of working in this context in a way that delivers an outcome that Ministers might want.

You will be aware that some of these guidance notes have not been reviewed for some time. There is probably a case for doing that job because the world has moved on a lot over recent years. That is always going to be background; it is never going to be at the forefront. Getting the guidance right is important, but it is certainly not the sole answer to the question of capability.

Q26 **Jo Gideon:** If the guidance is not going to be helpful on its own, would you recommend training? How will Ministers become—

Philip Rycroft: Training, certainly. We will probably come on to some of this in a moment. I would argue, for example, that this is particularly about the policy profession. We were talking about the civil service and those who advise Ministers on policy. We are talking to 30,000 or 40,000 folk, most of whom are located in Whitehall. Some are now dispersed, but most of them are located in Whitehall.

I would argue, and I think this is where your work dovetails with your wider thinking on the civil service itself, that you do not change devolution capability without changing broader civil service capability. We do not have the time today to go through all of that or what needs to happen with the broader civil service. I would argue in that context that, like any other profession, your gateway into the profession ought to be a course of professional learning at the equivalent of a master's level, be it what it may, which would include a big component on devolution.

I would also argue that, if you aspire to get into the senior civil service, you should be able to demonstrate having had deep experience outside Whitehall. That could be in a devolved Government, possibly, in local government, in the NHS, in business or in the voluntary sector. It would not just be a couple of weeks but two or three years of decent solid experience outside Whitehall in order to break the homogeneity of thinking that impacts on this issue as on so much else. Within all of that, I would encourage for some folk that they have what you might describe as a career anchor of constitution and devolution issues so that they do not just do this stuff throughout their career. For example, they might do time in the Wales Office and then go off and work in DEFRA, and maybe then go and work in the constitution group in the Cabinet Office. They are

a point of deep experience, who can take that experience on their journey through their career in Whitehall.

Those are some thoughts about how you change a culture that is not as switched on to this issue as it should be. Arguably, it is not switched on to a lot of other issues at the same time. I would fold it into the broader thinking on how you improve civil service capability across the piece.

Q27 **Jo Gideon:** Mr Parry, a new framework for intergovernmental relations was agreed in January 2022. We have heard evidence from both the UK and devolved Governments that there is variable performance in IGR machinery. To what extent is the functioning of the new machinery a capability or a political issue?

Richard Parry: It is a rejuvenation almost of systems that ought to have been there all the way through, and actually did not work. It all comes down to the fact that the home nations are not equal. That is the biggest problem. It is an intrusion on to the business of UK Government, which is often not very welcome.

What happens is that it begins to work and you have the first meeting and say, "We'll meet every few months and then once a year." How often is written down, particularly for the group called the Interministerial Standing Committee and its finance group as well, which is quite important because that is the Ministers of Finance of the two devolved at present—it would be three if Northern Ireland were back on board—plus the Chief Secretary to the Treasury. It is not the Chancellor. It makes it easier when it is always the same people, basically, and they meet every few months. Otherwise, you meet less often, and it is hard to organise. It kind of grinds and becomes less workable, and you have what is written down.

Philip mentioned the devolution guidance notes, which still exist. We have been told that there will be updated versions of them before the end of the current Parliament as part of the process of updating the Cabinet manual, which I think is also of interest to you. If you look at them, they are completely obsolete. A lot of them were written in 2005, 2006 and 2011. The only one that I would say is up to date and fit for purpose is DGN 18, which is about the last Wales Act, in 2017. It says that from 2018 this and that has changed, and you must think about that. I think that they should all be updated. It was a big surprise to me that it was not done at the time when there were big changes in intergovernmental structures.

It depends on the issue. I mentioned the Finance Ministers. There are joint working groups on welfare. A lot of welfare benefits have been devolved to Scotland in recent years. There is a working group of Ministers on that. If there is an issue worth meeting on, then it meets, but it is not a structure independent of issues as they develop and evolve month by month. This year has been a very awkward year for all sorts of reasons in intergovernmental relations in the UK. You could easily see,

three months down the line and six months down the line, these groups not meeting like they should. Everyone thinks, "Oh no, we don't really want to; it's an inconvenience." As Philip said, when you ask UK Ministers to venture into this area, they are not happy because they are outside a zone where they feel in control.

Q28 **Jo Gideon:** We have already heard about the risk of homogeneity in people working in the Department. What could be done to build knowledge and drive cultural change to embed the functioning of these structures in Whitehall to ensure that they are fully effective?

Richard Parry: I am interested in this because it all depends on the individuals. Do they bring to their position interest in the UK as a whole? The interest can be there. I mentioned Sue Gray, who for three years was the permanent secretary at the Department of Finance in Northern Ireland. She is the only example in recent years of a really senior civil servant who went into Northern Ireland and then returned to Whitehall. She had lived in Northern Ireland earlier in her life.

There are civil servants—Philip obviously—who have been there, as it were, and they have personal interest and personal expertise in this, and an interest in history even. There are others who are not really interested, and there is no reason why they ought to be. This is where training becomes important. I think it is a very good thing, but the present training regime instituted under Philip in his group—Devolution and You—rather indicates the problem. It is "and you". There are all sorts of things "and you" actually, if you are a civil servant in government. There are all sorts of issues that you need to be thinking about. Devolution is one of them. There should be more generalised training in the workings of the UK. The UK is a very unusual system. If we look at federal systems around the world, and multi-level systems around the world, the UK is incredibly unusual, and that is a hard thing to work out.

You asked about the meetings. I think an important part of it must be the intergovernmental secretariat which is meant to be hosted and based at the Cabinet Office but consists of officials from all the UK Administrations. I think it is part of your investigation. It will be very interesting for all of us to find out how that is working. They are meant to be there all the time. They are meant to say, "You ought to be meeting. Let's organise the next meeting." The only bit of the architecture reserved to the UK Government is at its highest level, and is the Prime Minister and Devolved heads of Government Council. Everything else should be truly intergovernmental.

Q29 **Jo Gideon:** Thank you. Mr Parry, you stated that the UK's "unusual configuration accounts for much of the tension behind the 'devolution capability' issue". Can you explain what you mean by that?

Richard Parry: Usually, if you have more than one level of government, it is a uniform organisation. In Germany, Australia and many countries, including the US, it is a uniform level. The idea behind devolution in the

first place, under the Labour Government after 1997, was that you would, first, deal with Scotland, Wales and Northern Ireland. Of course, each of them raised rather different issues. Then, once you had dealt with that, you would look at the English regions and you would be interested in having an elected regional government in England. That was tried in the north-east of England in 2004. There was a referendum on it. It was fairly obvious that the heart of the Labour Government and Labour Ministers was not really in it. The newly elected assembly was rather weak. It would not have had major responsibilities. Then people said, "It is rather weak; we shouldn't have it." Then they were told, "If you have it, you will have to lose one level of local government," and they didn't want that and didn't vote for it. They looked to a level of local government anyway as part of the enormous change. English local government is like the Holy Roman empire. It is absolutely extraordinary.

Although people say, "What can we learn from other multi-level systems?", I am not sure we can learn anything useful at all. For instance, the systems that have more than one level usually have an upper house of the Parliament, which is organised in a way that is not linked wholly to population but to the organisation. Of course, in Britain we do not have that at all. The upper House does not reflect any of that. There is interest in the Labour party in having an assembly of nations and regions. It was proposed by Gordon Brown, who was doing the exercise in the Labour party that reported at the end of last year. It is not quite clear in his report how it would work. I am not sure if it will ever happen in the way it is intended, but that is one obvious way of saying that we have more than one level of government. I think we need to start from the actual history and political circumstances of the UK rather than think that there is anywhere in the world from which we can easily learn on these issues.

Q30 **Jo Gideon:** Mr Rycroft, how do the devolved Administrations view devolution capability in Whitehall?

Philip Rycroft: Before I answer that question, may I come back on the interplay between capability and political will, which goes to the heart of it in many ways?

Jo Gideon: Of course.

Philip Rycroft: We are not talking about intergovernmental relations particularly, but in my view if you want intergovernmental relations to function properly, you need something like parity of esteem between the different Governments. That does not mean to say that you do not have disputes or arguments, or that ultimately in the UK context you do not have the UK Government potentially overruling the devolved Governments, but if civil servants do not see that level of respect, they will internalise that and accord it, and reflect it in the priorities that they give.

A system that is working well combines competence with political will. Just to bring it to life and give an example, if you are going to get a trade deal with a country that exports lots of lamb, for example, you would want the civil servants dealing with that to understand the importance of that product and the farming systems in the devolved parts of the UK. You would want them to be able to do the calculations about what the changes in tariff rates and so on would mean for the import of lamb from overseas and how it would impact the home market. You would want them to understand the politics of it and how it would play in Wales, Scotland and Northern Ireland. You would want all of that intelligence through the relevant Departments, working with the territorial offices, to inform the decisions that Ministers were then taking.

It happens quite often that you get that collection of intelligence delivered to Ministers in an appropriate way. In my experience, it is not always the case, as I alluded to earlier. Then you need the political response to that, "Okay, this is important, and we need to demonstrate that importance to the people of Wales, Scotland and Northern Ireland." If the ministerial response is, "Do you know what? We get all of that, but we don't really care," the signal that that sends to civil servants is, "Do you know what? This devolution? Why should I devote care and attention to worrying about devolution when I have far too many other demands on my time?" It is the combination of the political signalling with the competence that is so important. Unless we get that right, we will not address the capability issue in the long term.

You asked about the devolved Governments. Of course, it is also really important from the other side of the coin that they understand what is going on in Whitehall. I started my career essentially as a civil servant for the UK Government. It was pre-devolution. In those days, a lot of us were travelling down here from Cardiff, Edinburgh or Belfast because this is where legislation was done. Through the pressure of being on Bill teams and so on, people built up good relationships and a good understanding both of the dynamic of the different interests of what were then UK Government Departments in Scotland, Wales and Northern Ireland and of Whitehall processes and systems. People built relationships that endure to this day. It helped me enormously in the job that I had down here that I had built those relationships in Edinburgh, Cardiff and Northern Ireland.

Since devolution, of course, there has been the attenuation of those links. A bit like knowledge of Scotland, Wales and Northern Ireland has drained out of Whitehall, it has drained out of Cardiff, Edinburgh and, to an extent, Belfast as well. They have work to do to ensure that their civil servants understand how Whitehall functions in order for them to give good advice to their Ministers. Let's remember that devolution was conceived as a programme that would involve civil servants from the GB unified civil service working for the Scottish and Welsh Governments as well, and if I recall correctly, linking into the Northern Ireland civil

service. It was not conceived as a narrow Whitehall thing. Our view was that everybody would benefit from that mutual increase in understanding.

Q31 **Jo Gideon:** Are you aware of any steps being taken in the devolved Administrations to ensure that their Ministers and officials have the capability both to work within the confines of devolution settlements and effectively with Whitehall?

Philip Rycroft: Sorry. What was the question?

Q32 **Jo Gideon:** You were saying that it was about both Whitehall capability and the devolved Administrations' capability. Do you think that steps are being taken to make sure that they are growing that capability?

Philip Rycroft: It wasn't my direct responsibility. It was the responsibility of the permanent secretaries at the Scottish Government and the Government in Wales, but we saw a common interest and spent a lot of time working with these people, our colleagues, because it was necessary for the job that we had to do, not least in the intergovernmental relations context. We were all big and bold enough to recognise where we had a shared interest and to try to transact that learning in a way that would benefit them as well as us. We could not do it as a one-way street. We could not say, "Look, we want to come and do work shadowing with you guys, but you can't come and do that down in Whitehall." It was a collaborative exercise, and rightly so, in my view. Do they have more to do, a bit like Whitehall? My guess is yes, but it has been quite a long time since I was sat behind a desk in Victoria Quay in Edinburgh, so I cannot answer for the detail of that.

Q33 **Chair:** Mr Rycroft, as you have alluded to, over time, there have been various devolution or Union-focused Cabinet Committees. What evidence is there that they have helped to build knowledge or consideration of devolution in Whitehall?

Philip Rycroft: It is a good question. Cabinet Committees loom large in the consciousness of the "How is stuff done in Whitehall?", but on a day-to-day basis the reality may be slightly less glamorous than that. On occasions, of course, they can be very important. There was a Scotland committee through the independence referendum campaign, and that was really important as a co-ordinating point for Whitehall to bring those efforts together to ensure that there was that political steerage.

Q34 **Chair:** Does that link to Mr Parry's earlier point that, when devolution is to the fore, the committees are similarly so?

Philip Rycroft: Latterly, certainly in my time, the importance of the Cabinet Committees faded away. They existed to memory, but you need to think about the sequence. You had the independence referendum campaign, which I could go on about, but I won't. You will remember that pressure built up hugely towards the end of that. I was not then a permanent secretary, so I did not sit around the permanent secretaries' table on a regular basis, but from time to time I was invited to go. The

first moment when I thought that I had finally got their attention was after that *Sunday Times* poll about three or four weeks out. You could almost literally see the knuckles whitening around the table as they began to do the calculation on what would happen if Scotland voted yes. The permanent secretaries for the MOD and the Foreign Office and the folk from the security services realised that it might actually happen. You could see the emotional shock of that finally percolating through the system.

We had that. Big sigh of relief, and you could see it begin to slip away. Then we had quite an active programme of legislation, which kept the pot bubbling. Then we were hit by Brexit. For all the arguments about Brexit, undoubtedly it absorbed Whitehall attention, not least on this issue; it diverted all the attention on intergovernmental relations and funnelled it into the Brexit hopper. For the rest of my time in government, that was absolutely dominant. Through that time, it was difficult, frankly, to get a look-in on any deeper systemic issues to do with governance because we were all trying to hold our nose above the waterline to keep the Brexit programme, such as it was, on track.

Q35 **Chair:** Linked to that, in recent years the process for collective agreement has required the recording of devolved or UK-wide implications. Has that improved policymaking, or has it just been a tick-box exercise?

Philip Rycroft: I could not give you irrefutable evidence that it has improved policymaking. I hope it has. It gives you the ability at least to have a sort of spot check. The Secretary of State has to answer for that in the write-round. If there is a concern from a Secretary of State for Wales, Scotland or Northern Ireland that has not been addressed, there is a hook for them to raise the issue. Ideally, it is all raised and sorted out long before you get to that point.

Q36 **Chair:** That takes me on to a second point, which I will open to both of you, if I may, but please continue, Mr Rycroft. Should more be done to embed the consideration of devolution earlier in the policymaking process? If so, what? Can you see any international equivalents where that happens in relation to national and sub-national governmental arrangements?

Philip Rycroft: That is the holy grail on this, isn't it—that these issues are addressed systematically in good time. That goes to the heart of your inquiry, because how do you make that happen? You do not make it happen by having a rulebook that says that at certain points you have to do this. It supplements what ought to be happening of its own accord, and it happens because people understand the importance of doing it.

For example, you would not introduce a piece of legislation without any consideration of what sort of legislation it is, how you get it on to the legislative programme, what the politics of that are, and all the rest of it. You would not introduce a new policy without thinking about the money.

Do you have money to pay for it? If not, can you persuade the Treasury to part with some cash, be it what it may? It ought to be as natural as those things. If you are introducing something, how is it going to impact on, ultimately, the big question—the integrity of the United Kingdom?

It is not just about the interface with the devolved issues. It is also about reserved policies. If you are dealing with immigration issues, for example, it is thinking through how your policy will play out in Scotland, Wales and Northern Ireland before you get to the point of sending a letter to those Governments to say, "We're thinking of having this bit of legislation. You've got 24 hours to tell us what you think." Ideally, it is how you get to that point, but you only get to that point if it is deep enough into the culture of the system, both politically and on the official front, to be a natural course and does not require somebody from the outside prompting, pushing and reminding people that they ought to be doing it.

Q37 **Chair:** Mr Parry, from your academic work, is there any international comparator that springs to mind?

Richard Parry: There is always the issue of why issues on the agenda are issues on the agenda in the first place. How do politicians make decisions on the issues they ought to be looking at? They do it through all sorts of channels—through civil service channels and the advice that they receive, but also through their personal channels. They are MPs. They are also members of a political party. That is a key mechanism as well. Although all UK Governments will say, "We want to preserve and strengthen the Union," and all the Unionist parties sincerely think that, they will, of course, have regard to improving, protecting and strengthening the position of their political party in Scotland and Wales.

There was a big change in 2017, when, for the first time in a long time, the Conservatives won reasonable numbers of Members in both Scotland and Wales. They had had just one in Scotland until then. Then they become interested, in a sense, because there are MPs in those countries and they can win seats there, in a fairly big and important way. I am looking at Mr Jones. His area of Wales has become a very Conservative area, in a sense.

Once you become interested in that way, you hear issues that are important to the nations and you want to intervene. You almost want to say, in a way reminiscent of relations between central Government and local government, "We'll look after you. We are the senior level of Government. Even though your elected representatives at a lower level are behaving in this way, we will intervene and look after you." That creates habits of behaviour that are slightly anti-devolutionary, where you just have to say, "It isn't our responsibility. There isn't anything we can do. We can't intervene. It's not legal," and that sort of thing.

What happens internationally is kind of the same because politicians always take an interest in issues at all levels. You see it in Germany, Australia and France. They all begin at the local level. They also have a

very strong political base. I am not sure if it is to do with the structures, but it is to do with the way politicians learn to do their work.

I emphasise how big the change has been in the UK in recent years. For the first time, the Conservative party has had MPs in reasonable numbers in Scotland and Wales. Of course, they always had Members of the Welsh and Scottish Parliaments and that is an irony. The Conservatives lost all their seats in the UK Parliament in 1997, but they got into the new Assembly and Parliament by means of the proportional representation system and always had a political base there. Whereas from the position of the civil service it would probably not be seen as a huge mechanism, looking at it from the outside, it seems that any of your recommendations that did not adequately bring on board those elements and channels of communication and control would not really be a complete picture of the whole scene.

Chair: That is a very important point.

Q38 **Lloyd Russell-Moyle:** Mr Parry, you have said a bit about the advantages and disadvantages of having a unified home civil service. Of course, we have a separate Northern Ireland Civil Service. Does the unified or individual civil service work best for the UK? What are the international comparators, particularly in other systems that are unequally devolved? The Spanish system is probably the closest to ours.

Richard Parry: It is highly unusual. Usually every level of government will have it is own civil service and its own rules. India is probably the biggest international example of a unified system. The Indian civil service has always served all levels of government in India.

It seems to me that the big distinction is not between people in the home civil service and everybody else, but between people in one of the civil services of the Crown, shall we say, and everybody else. There are other civil services. You mentioned the Northern Ireland Civil Service. There is also the diplomatic service, the Secret Intelligence Service, the Security Service and GCHQ. They all exist, and they all operate on the same principles—that they hire people on the basis of merit, after fair and open competition. That is the phrase. Once you are in that group, that is the key thing.

Q39 **Lloyd Russell-Moyle:** When we visited Northern Ireland, we asked whether there was the ability to move between the two. They said, "There's no problem. They're separate civil services, but people move between the two easily and freely." Sue Gray is an example of an attempt to do that. Earlier, you said that having one unified civil service is an advantage. What is the advantage? In the Northern Irish example, they are saying that movement of people works perfectly well. Is it just an advantage in our imagination? Are there practical examples of advantages from having one civil service across the UK?

Richard Parry: I am not completely sure that access to the Northern Ireland Civil Service from the home civil service has always been absolutely easy. It is much easier the other way because they are civil servants. If they have been hired on the civil service principles, they can move into the home civil service very easily. There has been a certain resistance to making all vacancies in the Northern Ireland Civil Service available to all civil servants. The access issue is now ending, as more and more jobs are openly advertised. That has become the norm in the civil service, so I do not think that it is a huge issue.

The one thing that I would mention is that in the home civil service there is a channel between the head of the civil service and the First Ministers of Scotland and Wales over the appointment and the performance review of their permanent secretaries. There is a channel, whether that is helpful or unhelpful. What is also interesting with Northern Ireland is that it has its own civil service commissioners, who are not controlled by the Northern Ireland Executive, when it is in being. That is a reserved function, more or less.

It could easily be made to work. I think that it is still rather easier to do interchange within the civil service than from Northern Ireland, although, whatever the rules may say, I think it is a less normal thing, so that could be seen as a virtue.

Q40 **Lloyd Russell-Moyle:** Pay and some terms and conditions are set individually. When we went to Glasgow and visited the office there, a number of the Glasgow workers who were in teams with people working on exactly the same thing said, "Actually, the Scottish office pays more, so we are all looking for jobs in the Scottish system," or vice versa. I cannot remember which way around it was. They were saying, "Well actually, we're doing the same job, in the same team. We can skip over here and get better pay, which puts pressure on this Department to pay a bit more." It is not really one service. Most other companies would not have that. If it was one civil service, you would have one pay structure.

Richard Parry: That has not been the case in the UK civil service for a long time.

Q41 **Lloyd Russell-Moyle:** No. It is not really one civil service, is it?

Richard Parry: Since 1996 all Departments have been free to fix their own pay and gradings under the level of senior civil servants, within some control by the Treasury. That is not as strong in Scotland and Wales as it is for the Whitehall Departments.

Q42 **Lloyd Russell-Moyle:** Mr Rycroft?

Philip Rycroft: I did pull a face. It is not just a problem between the Scottish and Welsh Governments and Whitehall; it is a problem within Whitehall itself. I ran a UK governance group that had people who were on Cabinet Office terms and conditions. Bizarrely, Ministry of Justice terms and conditions were different. I had that in my own team—people

who were doing absolutely the same job but were on different terms and pay. It is completely crazy, bluntly. That is grist to your wider mill, looking at the wider civil service.

At the heart, it is a question of whether there should continue to be a unified GB civil service, and the way you were asking that question is interesting: what purpose does it serve to have that unified civil service? It is convenient to have senior civil servants on the same terms. There is convenience to management in Cardiff and Edinburgh from that.

Q43 **Lloyd Russell-Moyle:** Of course, this is really a concern for senior managers in the civil service, rather than for people lower down.

Philip Rycroft: That is my question as well. What is giving that concept life now? Undoubtedly, it will come under more political pressure over time. The SNP had the creation of a separate Scottish civil service in its manifesto in 2007. It has never really pursued that because, I suspect, it had other things on its mind. It is probably off the agenda for the next little while, but you can see it coming back. It seems to me that those who are concerned about the sustaining of the Union need to have quite a good answer to that question. What is it about the unified civil service that is important, and how much political capital is it worth devoting to protecting that principle? Personally, I would argue that it is part of the network of interests that creates the concept of a United Kingdom. If you broke it up, it would not be the end of the world, but we would lose something quite important from that perspective.

It is very symptomatic that you are asking the question. It ought to be one of those things that is apparent and clear and that you do not need to have an inquiry about because everybody understands which way is up in that regard. I think that has got attenuated. It is not going to happen for a wee while, but you will know it if, for the sake of argument, you have a resurgent SNP three, four or five or even seven or eight years down the track for whom this becomes politically important. If they push the agenda and Whitehall is on the back foot because it does not have the answers, they will get political momentum behind it.

Q44 **Lloyd Russell-Moyle:** We have to know the answers to the question, what is the point of a joint civil service? Otherwise, it will fade away.

Philip Rycroft: Of course, as across the whole range of these issues. My ultimate point on this relates to the Whitehall that I encountered. As somebody who had worked in a devolved context, I was a Whitehall novice when I, effectively, took on the job in the Deputy Prime Minister's office. I had done a bit of time in Whitehall, had left the civil service, which is another story, and then come back in to do that job, so I had done only a year or so in Whitehall. At that point, I was learning about Whitehall and the way it functioned and operated.

My point is about the importance of that deep understanding. My concern at that point was that the lack of that understanding was making it so

much harder to organise Whitehall around what was an existential referendum campaign, from the point of view of the United Kingdom. I was a civil servant, serving the Government of the day, perfectly appropriately. My colleagues in Scotland were doing the same for the Government they worked for. My worry is that, having had that shock, people forget about it and it fades away. They will say, "It's not going to come back again. The politics have changed," and when it does come back again, say in five, 10 or 15 years' time, Whitehall is as unprepared as it was in 2011. Learn, please.

Q45 **Mr Jones:** Mr Rycroft, earlier you mentioned the desirability of senior civil servants in Whitehall having experience outside Whitehall, presumably working for the Welsh or Scottish Governments. To what extent does that actually happen now? Are there many senior civil servants in Whitehall who have had a career in Cardiff or Edinburgh?

Philip Rycroft: No, or, indeed, in many other walks of life. I would extend it to getting that experience broadly. Specifically in the devolved context, there used to be a practice of sending quite senior folk, certainly from Scotland, to work in the Cabinet Office in particular—people like Muir Russell and John Elvidge, both of whom became permanent secretaries in Scotland, and Jim Gallagher, who was a very senior Scottish Office official.

I came down from the north as a director general in that tradition. I ended up becoming a Whitehall civil servant, effectively, but it is worth remembering that these things can be a bit bumpier than you sometimes might assume. I arrived at a Department you will all have forgotten called the Department for Innovation, Universities and Skills, which survived my arrival by four weeks. I had come to do a particular job, and that job vanished within four weeks. I ended up getting another job in the Business Department, but it is illustrative of the fact that these things do not always work out precisely as intended.

Certainly from the Whitehall perspective, it seems to me that we should make an effort to give people—it does not have to be many—the opportunity, and make it easy for them to do it. It is hard. I commuted for 10 years, effectively. From the family perspective, you are making quite a big commitment. Making it easier for folk would be a very good thing. Again, I am afraid that habit has been lost.

Chair: We come to our last few questions.

Q46 **John Stevenson:** Following on from that point, Mr Rycroft—just for clarity for our investigation—Lord Dunlop recommends that senior civil servants should have in their job spec that they have had experience of devolved Union activity. Would you support that?

Philip Rycroft: Yes, I would. I don't think that you could say to every senior civil servant, or every aspirant to the senior civil service, that they have to spend time in a devolved Government. That would be too much—

actually, a secondment—but you could ask that they demonstrate that they have done some work shadowing and have been involved in a piece of policymaking that has encompassed devolution issues; in other words, that they can tell the story about how they have used their skills to advance an issue that had devolved implications. I think that is perfectly reasonable.

It is 25 years on, but devolution is still a relatively young concept in the governance of the United Kingdom. It is a huge change to the way the country is run. As I have argued elsewhere with others, the thing that did not change in devolution was the centre. In a sense, what your inquiry is about, in my view, is understanding the centre and how the centre ought to shift.

Q47 **John Stevenson:** Mr Parry, would you accept Lord Dunlop's recommendation or suggest that it is a good one?

Richard Parry: The area that has been hard to achieve, and probably needs to be achieved if that recommendation is to become central, is making people prepared to do a job, either in devolved or in Whitehall, if they come from devolved, for three, four or five years and then, perhaps, return. That has been the bit that is difficult. You can stay for up to two years on secondment. The civil service rules are very free on secondments of up to two years, actually. There is very little problem in achieving that. After that, it gets a bit more difficult.

Then there is a kind of transfer. You go to Edinburgh, Cardiff or London, and that's it. You rebuild your career in the new place. The bit that is hard to achieve, because it impacts on individuals and how they lose their networks and so on, is the bit in between, when you are doing a real job for a reasonable length of time and then going back. At the moment, probably the reason why that kind of move has not happened very much is that individuals have considerations around where they want to live and their career. I have picked up a bit that individuals are reluctant.

In a way, there are many things that would be on an ideal CV for a senior manager anywhere. In the civil service, one of them has to be devolution. If you are a civil servant who has aspirations for a top job, you are going to think about that a little: "I've got to have a little bit of devolution in." It all helps. Every little helps. I think that there is an interchange scheme under the new review of intergovernmental relations. Sixty officers are meant to move. The intergovernmental secretariat is an important innovation. I will be interested to see how things are working out on the ground in the era from 2015 onwards—the Devolution and You era, if you want to put it like that—where this has been seen as something that we have to make work. Whether it is in fact working would be a very important area for investigation.

Q48 **Chair:** Mr Rycroft, can you tell us about the Devolution and You campaign in the civil service? What did it entail? What are your reflections on how effective it has been?

Philip Rycroft: Yes. It was an effort to give a higher visibility profile to devolution learning. There were various techniques and various things that we put in place. Don't test me too much on my memory of the precise details.

The broad scope of it was to have a devolution learning week—a week when there are lots of opportunities for people to do a bit of devolution learning—and the aforesaid exchange programmes, with work shadowing. You had cohorts of people moving north, south, east and west, and vice versa. We also had a presence at Civil Service Live. We used all the opportunities that we could to leverage the broader work and training programmes of the civil service to insert devolution elements into it. We worked with the folk who were thinking about the curriculum for civil service learning to get a devolution component into that.

We succeeded in putting on a good programme. People enjoyed it, as far as I can remember and as far as people told us. I think that we got a higher awareness of the importance of devolution learning. Did it change the lives of the majority of Whitehall civil servants? No, it did not.

Q49 **Chair:** Is it perhaps too self-selecting?

Philip Rycroft: That is the risk with these things. You get people who already have the interest and it consolidates their experience. The risk is that you end up having a conversation with people who are already quite well down that learning track.

That is not a reason to stop it. Indeed, in this post-covid world, your reach is very much greater than it was. Even though the tools were there, like many other folk, we did not think of using them. Nowadays, of course, you can get courses like that out to thousands of civil servants in one go, in theory.

I know the team who are pushing this stuff forward and give credit to them, because Devolution and You still exists. I am aware of that. The team do great work to advance this agenda, but they are doing so in a context where, as a priority, it remains too far down the list. You do not get as many folk coming along to these things as ought to and need to.

Chair: That concludes our session today. I am very grateful to Mr Rycroft and Mr Parry for their time and for sharing their expertise. If there is anything further that either of you wishes to add, that you have neglected to mention or that we have forgotten to ask you about, please feel free to write to us following this meeting. In the meantime, thank you both very much indeed.