

## DEMOCRATIC FINDINGS 4: RULING BY TASK FORCE

**S**ince coming into power in 1997, the New Labour government has set up 318 Task Forces to give advice and support to ministers and their departments. A new elite of some 2,500 appointed or nominated members have served on these generally temporary bodies.

Task forces – a.k.a. policy reviews, policy action teams, forums, etc – represent a huge change in the way we are governed. They bring outsiders (i.e., non-civil servants) directly into the task of advising government; these outsiders, like the large cadre of advisers taken on by the Prime Minister and his ministers, take a big new share in the policy-advice role which has traditionally been dominated by civil servants.

This wave of task forces has operated so far without anyone inside or outside government knowing how many exist or who their members are. MPs have asked in Parliament for information on how many Task Forces exist, but ministers have been unable fully to answer their questions. Not even the Cabinet Office, supposedly the hub of government, knows how many there are. Central government has no across-the-board rules for establishing such bodies or co-ordinating their existence. Departments create and log them quite informally at times.

This leaflet analyses the 295 task forces and similar outsider bodies set up in 1997-98, drawing on a major Democratic Audit research project which has identified them and their memberships.

● The Audit research is published in *Ruling by Task Force: The Politico's Guide to Labour's New Elite*, Anthony Barker, with Iain Byrne and Anjuli Veall (£10.99 from Politico's, 8 Artillery Row, London SW1P 1RZ, UK).



Senior civil servants talk of appointments in terms of “being invited to the party”, to illustrate the “inclusiveness” of the task force phenomenon. The invitations are made outside the Nolan rules which govern appointments to public bodies like quangos. Ministers and officials decide the balance of memberships and their decisions do not come under formal scrutiny. Thus, there is scope for abuse and patronage in the system.

A few party guests are celebrities from various walks of life; for example, Dawn French, Robbie Earle, Lord Baker, Eve Pollard, Richard Branson, Sir Terence Conran, Lord Marshall, Stella McCartney, have all decorated the new task force elite. But most of the 2,459 external members, occupying 3,103 places in all, are functionaries rather than celebrities. Fewer than a third of appointed members are women.

The Task Force Elite		
Interests	No.	%*
<b>Producer Interests</b>	<b>2207</b>	<b>71</b>
Private	(1107)	(35.5)
Public	(989)	(31.5)
Professional	(111)	(4)
<b>Consumer Interests</b>	<b>465</b>	<b>15</b>
<b>Trade Unions</b>	<b>73</b>	<b>2</b>
<b>Experts</b>	<b>235</b>	<b>8</b>
<b>Independents</b>	<b>122</b>	<b>4</b>
<b>TOTAL</b>	<b>3103</b>	<b>100</b>

\* Percentages rounded

Source: This table is a simplified version of Table 2, *Ruling by Task Force: The Politico's Guide to Labour's new elite*, p. 27

Our analysis reveals that, civil servants apart, the great majority of task force members may be classified as “producer” representatives (see Table). Between them producer interests dominate task forces, taking 71 per cent of all external places. Private interests account for more than a third of all places and public sector interests just under a third. Professional associations take 111 places.

Consumer interests are allocated less than one in seven task force places (15 per cent of the total), experts 235 places (8 per cent), “independents” 122 (4 per cent) and trade unions just 73 (2 per cent).

The balance of members varies with departments. Private industry dominates the task forces set up by the Treasury and Department of Trade and Industry. Industry and the City take 96 of the 108 places on the Treasury's 12 task forces, nearly 90 per cent of the total, and some three quarters of the places on the DTI's 26 task forces. Public sector producers hold nearly half the places on Education and Employment, and Health, task forces.

Such biases may be expected, given the nature of these departments' activities. But there is a strong argument, for example, for consumer or public interest representation on the Treasury's Private Finance Initiative task force, given the controversial nature of PFI deals in the NHS and public sector. But it is wholly composed of business and finance interests and Treasury officials.

### THE QUESTION OF UNDUE INFLUENCE

Whitehall's traditional processes of consultation with outside interests on policies and legislation have generally been unbalanced, unsystematic and opaque. By contrast, task forces create a more inclusive and focused advice-gathering process. They are at least out there in the open and their final reports are public property. But few operate in an open way, consult interested parties or the public, or hold meetings (as the Football task force did with supporters).

Task forces obviously give their members and the interests they represent opportunities to exert sectional influences on policy-making at a critical point – when policies are under review or actually being made. But the scope for

such influence is restricted in practice by the strong functional role task forces perform. Ministers generally use them

- to gather practical and often specialist information and advice for use in policy-making
- to gain practical support as well as advice on "wicked" or cross-departmental issues where Whitehall needs to improve its own processes (e.g., on social exclusion, export promotion, etc)
- to influence outside interests themselves, especially on "hot" political issues, such as energy taxation
- to improve the quality of public and commercial services to the public, or to make certain interest groups more effective or profitable (e.g., the huge tourism forum).

Fears of undue influence are probably exaggerated, but the looseness of the process demands constant vigilance.

## A DEMOCRATIC OVERVIEW

The task force phenomenon is a move towards more open and inclusive government, superior to the traditional generally closed departmental links with interest groups and unsystematic and partially open consultative trawls. But Democratic Audit is critical of three aspects of the more inclusive task force approach:

1. *Procedural consistency.* Task forces manifest once more the informality and ad-hocery of central government in Britain. "Making it up as you go along" makes for flexibility and fast response, but there is a need for common rules and procedures governing how external advisory bodies are constituted, how their existence and work are made public, how they operate, how they consult people, etc.

2. *Openness.* It has been an arduous task collecting the information on task forces for the Politico's guide. Some officials have even refused or been reluctant to give simple information about the people on their task forces. The informal, even slipshod way in which the task force process has been organised has made it impossible for ministers to inform MPs properly about their task forces or for the Cabinet Office to place full data on a central web-site. While task forces have brought policy issues out into the open and most at least publish final reports, few of them have consulted interested parties or the general public. Whitehall must improve its co-ordination to promote greater openness and wider consultation and public law should be developed to lay down formal rules of transparency and public access to the deliberations and working documents of these bodies and all public bodies.

The government's Freedom of Information legislation actually stands in the way of greater openness. Almost all

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the deliberative, information and research work of task forces could be kept secret under its rules exempting policy formulation in central government from disclosure. Commercial confidentiality could also be often called in aid of secrecy rather than openness. Democratic Audit has argued that the whole quango state should be made subject to the rules of transparent conduct that obtain for such bodies in the United States.

3. *Representativeness.* The overall ratio of 71:15 per cent between producers, private and public, and consumer representation, with a minority of academics and independents sharing an eighth of the places, is unsatisfactory. Another ratio – that of men to women members – gives cause for concern, at two-thirds men to only one third women. Trade unions may well have been over-represented in the period of tripartite corporatism; and the balance of the new select corporatism in practice on task forces is more finely tuned and pluralist. Yet with only 73 places (2 per cent of the total), the role of the trade unions in this new governing phenomenon has diminished too far. Trade unions representing workers' interests, as producers and consumers as well as at the workplace, and their role should be properly represented on task forces.

Task forces fall outside the Nolan rules for appointments to quangos. Ministers say their members are chosen for "specific experience and expertise", and that public advertising would be "inappropriate and disproportionate [in costs]" for short-lived bodies. Though some prominent Labour Party donors and insiders, like Lords Alli, Haskins and Puttnam, have been given task force places, they are appropriate appointments and there is no evidence to sustain charges of widespread Labour "cronyism". But the selection processes could be laid bare. The procedures for recruiting members could be openly debated; and the Commissioner for Public Appointments and select committees could be given a watching brief.

## CONCLUSIONS

The producer dominance on task forces is understandable, up to a point. It reflects the well-known structure of interest group politics and at least brings it out into the open on a range of contested issues. Their dominant presence does not necessarily entail influence, as argued above. And it can be argued that it is the role of government ministers and officials to represent the disorganised mass public and consumer interest.

Against all these points, however, Democratic Audit is bound to make the simple point that absent voices remain unheard.

The goal of effective government is one of the driving forces of this government. It is an admirable goal. But the Prime Ministerial "what works" test demands the question, "Works for whom?" The argument that practitioners and experts are giving mostly functional and expert, and therefore politically neutral, advice does not wash. The idea of the neutral expert is no longer a valid one, if indeed it ever was. This is not merely a question of the particular interests a functionary may represent, but of the whole framework of assumptions which condition their expertise.

Finally, the language of being "invited to the party" is very revealing. While it suggests a certain openness to outsiders, it also implies that government is an essentially private function; that to participate in it is within the personal gift of the "party holders"; and that only a select group of party-goers will be chosen.

## FURTHER INFORMATION

MacLeod, L (1998) *The Task Force Revolution: a guide to task forces and advisory groups under the new Labour Government*, Cranfield Partnership Research Unit (Cranfield University) for the Industry Forum, Bedford

Weir, S, and Beetham, D (1998), *Political Power and Democratic Control in Britain*, Routledge, esp chapter 10, 'Networks in Power'

Weir, S, and Hall, W (1995), *Behind Closed Doors* [on advisory quangos], Democratic Audit Paper No. 4, Human Rights Centre, University of Essex/Channel 4 Television

Weir, S, and Palast, G (1999), Memorandum No. 34 given in evidence to the Select Committee on Public Administration on behalf of Democratic Audit, Freedom of Information Draft Bill, Committee on Public Administration Third Report, Session 1998-99, HC 570- II, p. 138

## ABOUT DEMOCRATIC AUDIT

Democratic Audit is a research body, at the Human Rights Centre, University of Essex, which inquires into the quality of democracy and political freedoms in the United Kingdom and abroad. The Audit has published two major assessments of British democracy and human rights as well as reports on elections, quangos, House of Lords reform, freedom of information, and other issues.

