



United Kingdom Report

Andreas Busch, Iain Begg,
Nils C. Bandelow (Coordinator)

Sustainable Governance
Indicators 2022

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Executive Summary

Two topics dominated the United Kingdom during the two-year period reviewed in this report: the completion of the process of exiting the European Union and the coronavirus pandemic.

The 2019 general election provided Prime Minister Johnson with a substantial majority (80 seats) in the House of Commons. Johnson's election success was greatly helped by the pledge to "get Brexit done" after years of political infighting and by an opposition party leader, Jeremy Corbyn, who proved unattractive to voters, especially in central and northern England. Negotiations with the European Union remained complicated and only reached a conclusion on Christmas Eve 2020, ending speculation about a "no-deal" Brexit. Despite the finalization of the Trade and Cooperation Agreement, many items of unfinished business concerning relations between the United Kingdom and the European Union remain, and will take years to complete. In particular, the Northern Ireland Protocol has caused renewed political tensions. Frictions have been evident as business and citizens adjust to new rules, new customs controls and shifts in supply chains. As a result, the share of imports of goods from the European Union fell marginally in 2021, but UK exports to the European Union recovered after a sluggish start to the year.

The coronavirus pandemic reached the United Kingdom later than some continental European countries, but there is now a consensus that too little was done to heed the lessons from other countries. The government imposed a "lockdown" on 23 March 2020, instructing citizens to "stay at home," and introduced cushioning measures, such as loans to affected businesses and a "furlough" scheme to support workers made temporarily unemployed. Despite substantial additional funding, the NHS was acutely stretched as infection rates soared, but managed to cope, albeit at the expense of cutting back on treating patients with other needs. The government claimed its policy was to "follow the science," but it was criticized for failing to act soon enough against a surge in infections in the autumn of 2020. A rapid initial vaccination rate tailed off subsequently leaving the United Kingdom near the European average by 2022. However, judging by data on COVID-19-induced deaths per million inhabitants, the United Kingdom fared poorly compared with other richer European countries.

Politically, the Westminster system is “back to normal” with a healthy government majority allowing the government to pursue its policies, although a succession of stories about the prime minister’s malfeasance have called his authority into question. Keir Starmer replaced Jeremy Corbyn as leader of the Labour Party. Starmer has worked to heal intra-party rifts and to position his party as a credible opposition, with the polls suggesting growing success. The party system has reconsolidated with the electoral demise of UKIP and the Brexit Party.

The United Kingdom had to face the challenge of the pandemic, while redefining both its role in the world and adapting its domestic regulatory model. So far, there have been few signs of radical change in either respect. The economy endured a sharp fall in GDP in 2020, induced by the lockdown. However, the recovery in 2021 proved to be stronger than expected. Nevertheless, inflation is rising and, while public finances remain sustainable and employment is increasing, there are grounds for concern about the overall health of the economy as the pandemic recedes.

Although the responses to the pandemic across the four nations of the United Kingdom differed in detail, they have not been that dissimilar. They have, however, drawn attention to the division of competencies among the units of governance in the United Kingdom, with potential ramifications for debates on Scottish (and possibly also Welsh) independence and the governance of Northern Ireland. In England, there has been further delegation of power to city and metro mayors, which has sometimes led to friction with central government, for example, over funding arrangements.

Regarding executive capacity, a number of changes, including a reconfiguration of cabinet committees and further reform of delivery oversight, have been undertaken, with the aim of promoting better policy coordination and implementation. However, measures relating to the leveling-up objectives (central to the government’s agenda) and reform of a dysfunctional social care system were postponed while the focus was on the pandemic.

Citation:

<https://ourworldindata.org/covid-vaccinations>

<https://ourworldindata.org/covid-deaths>

<https://commonslibrary.parliament.uk/research-briefings/sn02784/>

Key Challenges

Dealing with the aftermath of the pandemic and the medium-term consequences of Brexit will be the two most prominent challenges for the United Kingdom in the near term. But there are underlying problems and policy dilemmas that have been neglected for too long, such as regional inequality, the cohesion of the United Kingdom, and finding enduring solutions to the inadequacies of social care for an aging population and insufficient housing.

Many aspects of the relationship between the United Kingdom and the European Union remain unresolved, including UK access to European markets for financial and business services (a vital sector of the UK economy), fisheries, security cooperation, and control over immigration policy. An immediate problem for the United Kingdom is the shortcomings in the Northern Ireland Protocol. The protocol's operation has manifestly antagonized the unionist community, and could undermine the delicate political compromises that have been central to peace and political stability in Northern Ireland. However, there is no easy way to avoid the creation of at least a minimal border in the Irish Sea, so long as NOT having a border in Ireland is deemed inviolable. The problem is compounded by pressure from some Conservative members of parliament for the government to take a tough line.

More strategically, as the pandemic eases, the government will have the challenge of demonstrating that it can deliver benefits from Brexit. While a few new trade deals (as opposed to rolling over deals done by the European Union) have been negotiated (e.g., with Australia), these deals are not expected to have a substantial economic impact. Similarly, there have been few significant regulatory changes capable of transforming economic prospects and most mainstream analyses project slower growth as a result of Brexit.

Economically, the outlook is challenging. Inflation levels not seen for 30 years, labor shortages in some sectors, relatively high youth unemployment (though falling) and continuing regional differences in unemployment (though low) are a politically difficult combination. Rising energy prices will be politically dangerous in the short term, especially in the context of a wider "cost of living" crisis. Furthermore, if wages continue to rise more slowly than prices, consumer demand as the engine of growth could falter. Normalization

of interest rates will be potentially difficult for both the state, having (sensibly) allowed public debt to rise during the pandemic, and private borrowers.

The prime minister's commitment to "leveling-up" the weaker parts of the country – for which there is even a government department – will have to be fleshed out, building on the proposals outlined in a recent whitepaper. Leveling-up implies greater public investment, more infrastructure spending, and more money spent on the NHS, schools and the police. It will be politically tricky to reconcile the instincts of many Conservative politicians interested in sound fiscal policy, with measures that require more spending and higher taxation (i.e., a "bigger state"). Yet, the Conservatives will need to deliver if they are to consolidate the recent political gains made in "Red Wall" constituencies, which proved crucial to the formation of their present parliamentary majority.

The unity of the United Kingdom remains a challenge. Partly because of Brexit, support for independence in Scotland has grown, and the pandemic has given the devolved governments, and city and metro mayors an opportunity to present themselves as self-confident political actors. The Scottish Parliament elections in 2021 resulted in a majority for pro-independence parties and the stance of Westminster in refusing a referendum will eventually become untenable. A move toward a unified Ireland may also surface, given the provisions of the Good Friday (Belfast) Agreement and dismay in the province about the functioning of the Northern Ireland Protocol. How a restored Northern Ireland Executive functions will be pivotal.

The United Kingdom is a stable liberal democracy that has weathered many problems and crises. The flexibility of its unwritten constitution has often been praised, but there are also risks involved and, as recent revelations of chaotic operations around the prime minister have highlighted, the system relies on effective leadership from Number 10. These risks lie in the limited formal checks and balances on informal understandings on which the functioning of much of the system relies. The present government has repeatedly tried to juxtapose the "will of the people" to that of elected representatives when it was politically advantageous to do so, and several legislative proposals seem to have been put forward with the goal of reining in institutions, such as the judiciary and the Election Commission, both central to the functioning of the system. Changes in these areas could substantially alter the character of the political system.

Party Polarization

In the British system of government, the logic of the two-party system is fundamental, even though far more than two parties sit in parliament (in the 2017 general election for the House of Commons, members from no fewer than eight parties won seats). However, over the last 100 years, prime ministers have been drawn from only two parties. Besides the political, there is also an institutional side to the two-party structure, namely the Office of the Leader of the Loyal Opposition. The entire logic and architecture of the House of Commons is geared toward a two-party antagonism, albeit with the corollary that both major parties are themselves coalitions of party members and members of parliament with very different policy positions. Effective “whipping” nevertheless means a strong incentive to maintain party unity on key parliamentary votes. In the non-elected second chamber, the House of Lords, both the role and influence of “crossbenchers” are more prominent, but it is the House of Commons that dominates Parliament.

Historically, the “first-past-the-post” electoral system has nearly always tended to produce stable one-party government majorities, including massive majorities during the Thatcher and Blair years in office. Following the elections in 2010 and again in 2017, no party secured a majority. Consequently, the Conservative-led governments had to rely on a formal coalition (2010 – 2015), and a “confidence-and-supply” arrangement with the Democratic Unionist Party (2017 – 2019). Nevertheless, governments reliant on cross-party agreements have historically been an exception, with the result that polarization between the two dominant parties is rarely an obstacle to policymaking. Moreover, during the coalition government of 2010 – 2015, a coalition agreement was reached within days and party polarization did not noticeably impede policymaking.

By contrast, during the 2016 – 2019 government led by Theresa May, the conjunction of a minority government and Brexit, an issue that transcended normal party divisions, changed things. Dissenting factional views inside the two major parties over this issue, perhaps more than ideological polarization in the party system, repeatedly obstructed the achievement of compromises. This put considerable strain on the internal coherence of both major parties. In early 2019, a small number of members of parliament withdrew from both the Labour Party and the Conservative Party to form The Independent Group (later renamed Change UK). However, this group failed to build sufficient

political momentum and establish itself. Consequently, several of its more prominent members moved on to the Liberal Democrats.

Several (mainly centrist) members of parliament did not to seek re-election, either as a party or an independent candidate, in the 2019 general election. In that election, the manifestoes of the two main parties were more polarized than usual.

With the 2019 general election delivering a clear majority for the Conservative Party, one-party government has returned and intra-party polarization is no longer a major obstacle to policymaking. Indeed, several key policy decisions, regarding a greater role for the state (and not only because of the pandemic), have proved to be at odds with the traditional ideological stance of the ruling Conservative Party. (Score: 9)

Sustainable Policies

I. Economic Policies

Economy

Economic Policy
Score: 7

The UK economic framework was substantially reformed after 1979 in a market-friendly direction. After the “leave” vote in the June 2016 EU referendum, the fall in the exchange rate helped to cushion the initial shock. But, in 2017, economic growth slowed and the United Kingdom shifted from being one of the fastest growing mature western economies to one of the slowest. Heading into 2020, however, the UK economy was on a modest economic growth path again (1.3% in 2019) and – following the clear general election victory of Prime Minister Johnson – renewed political stability was expected to improve economic growth prospects, even though ongoing negotiations with the European Union and the projected exit from the European Single Market still left areas of uncertainty.

The UK economy contracted sharply in 2020 as a result of lockdown measures. However, current projections suggest it has recovered more rapidly than had been expected as recently as the spring of 2021 and the economy has now overtaken its pre-pandemic level of GDP. In parallel, the formal completion of the Brexit process led to a number of difficulties, such as friction at EU borders and disruptions to supply chains. As in many other countries, inflation has surged, but it remains unclear whether this is a temporary or more enduring phenomenon. In the medium and long term, the government faces a substantial challenges. In particular, the government will have to find solutions to the country’s labor market problems (where there are shortages in areas such as care and agriculture), the continuing export weakness of the UK economy, the challenge of reducing the pandemic-induced increase in the budget deficit and formulating policies for “leveling-up” to reduce regional disparities (Begg, 2021).

Citation:

<https://obr.uk/download/october-2021-economic-and-fiscal-outlook-executive-summary/>

<https://committees.parliament.uk/oralevidence/2980/pdf/>
<https://www.instituteforgovernment.org.uk/blog/levelling-up-white-paper-delay>
 Begg, I. (2021) 'Rethinking UK economic policy' <https://www.cesifo.org/DocDL/CESifo-Forum-2021-6-begg-restart-after-covid-19-november.pdf>

Labor Markets

Labor Market
 Policy
 Score: 8

Given the high share of services in output (almost 80% of the economy) and its integration in the world economy, the United Kingdom was among the most affected OECD economies during the COVID-19 crisis due to extended periods of lockdown. Nevertheless, as a result of the rapid introduction of cushioning measures, unemployment did not rise much in 2020, peaking at 5.1%. A key reason was government support for the wages of up to 10 million “furloughed” workers, close to a third of the workforce. After lockdown restrictions were eased in the summer of 2021, unemployment fell to 4.1% at the end of 2021, while vacancies reached a record high.

Citation:

Taylor, H. et al. (2020): Post-Brexit Labour Supply and Workforce Planning: Key questions for policymakers, London: The Work Foundation
 OECD (2020) Economic Survey United Kingdom October 2020, Paris: OECD

Taxes

Tax Policy
 Score: 7

The United Kingdom has a progressive income-tax system. The balance between direct and indirect taxes is reasonably fair, as measured in terms of horizontal equity. The system is, however, very complex. In relation to vertical equity, there are too many opportunities for tax avoidance, with the results bordering on evasion for the rich, although steps have been taken to clamp down on some of the more egregious avoidance schemes. Property taxes are high and have been increased for purchases of high value houses, but labor taxes are low compared with many EU member states. The financial crisis and the ensuing economic downturn sharply reduced tax revenue with the squeeze on wages contributing to a lower yield from income tax. However, overall tax revenue has risen over recent years and was projected to be high enough to continue to narrow the public deficit over the course of the current parliament. A risk factor is, though, that the potential costs of leaving the European Union are still unclear and therefore not calculable yet.

The Autumn Budget 2018 included the introduction of a so-called digital tax, a form of taxation that has been discussed in many countries, but has so far rarely been implemented. Since April 2020, the United Kingdom taxes tech companies 2% of the revenue they make from UK users, which is expected to raise around between £400 and £500 million per year.

In September 2021, the government announced that from April 2022 it would increase national insurance contributions (NIC), which is a tax on labor, by 1.25 percentage points to help pay for the NHS and social care. This measure, which is expected to raise £12 billion a year, was politically controversial, as it contradicted a direct manifesto pledge not to raise NIC. The Autumn Budget 2021 resulted in a further net tax rise, amounting to £16.7 billion a year by 2026/27, as tax cuts only partially offset tax increases from the March 2021 budget. Overall, the recent tax rises will raise the tax burden from 33.5% of GDP before the pandemic to 36.2% by 2026/27, the highest since the early 1950s, according to Office for Budget Responsibility projections. In part, this arises from freezing thresholds for the different rates of income, a phenomenon referred to by economists as “fiscal drag.”

Citation:

https://obr.uk/docs/dlm_uploads/Executive_summary_Economic_and_fiscal_outlook_October_2021.pdf
<https://www.theguardian.com/politics/2021/sep/07/boris-johnson-unveils-12bn-a-year-tax-rise-to-pay-for-nhs-and-social-care>

Budgets

Budgetary Policy
Score: 7

The United Kingdom is fiscally a highly centralized state. As such, central government has considerable control over budgetary policy. Most public spending is directly or indirectly controlled by the central government, with few other influences compared to, for example, federal countries. This also means, however, that the central government has to shoulder the blame if things go wrong.

Under the Labour government between 1997 and 2008, the “golden rule” of UK fiscal policy was to limit deficit spending to investment over the business cycle. However, public spending as a proportion of GDP increased during the 2000s and, in hindsight, was too pro-cyclical. In 2009, adherence to these fiscal rules was abandoned to cope with the consequences of the crisis. There is now a fiscal council, the Office for Budget Responsibility (OBR), and looser fiscal rules, including provision for surpluses in “good times,” were included in the Charter for Budget Responsibility.

After the global financial crisis, UK chancellors ostensibly focused on reducing national debt and borrowing – a goal that was supported by moderate, but steady economic growth. Initially, the aim of the 2010 coalition government was to balance the net position of public finances by 2015, although in practice the deadline was repeatedly extended.

After Boris Johnson became prime minister, the government promised an end to austerity policies and committed itself to higher spending, especially on

health and social care. After securing a large majority in the 2019 general election, other spending priorities were added, notably to promote “leveling-up” and to invest in infrastructure. Despite these promises, the government sought to further consolidate public finances.

As elsewhere across the developed world, the coronavirus pandemic altered the situation, with the chancellor promising to do “whatever it takes” to cushion the economic crash, initially committing to fiscal interventions worth £280 billion. As a result both of the pandemic and a deviation from classically Conservative fiscal prudence, the government is on track to increase both the tax take and the size of government spending to levels not seen for decades, with public spending rising from 39.8% of GDP before the pandemic to 41.6% in 2026/27 – the highest share of GDP since the late 1970s. Since this will be balanced by higher taxes, however, net borrowing will conform with prior plans. The recovery in economic growth during 2021 and the projection that economic growth will continue during 2022 should ease the task of ensuring fiscal sustainability.

Citation:

Autumn Statement 2021: <https://www.gov.uk/government/publications/autumn-budget-and-spending-review-2021-documents>

<https://www.imf.org/en/Topics/imf-and-covid19/Policy-Responses-to-COVID-19#U>

https://obr.uk/docs/dlm_uploads/Executive_summary_Economic_and_fiscal_outlook_October_2021.pdf

Research, Innovation and Infrastructure

R&I Policy
Score: 7

The United Kingdom’s tradition of being an active player in research and innovation dates back to the Industrial Revolution. The country’s clusters of pre-eminent universities have for a long time played an important role in linking cutting-edge academic research with industries such as biotechnology, and information and communications technology (ICT). Performance has been weaker in terms of overall R&D spending – around 1.74% of GDP in the years prior to the pandemic, well short of the norm set for EU member states – as well as in the conversion of innovation into sustainable, large-scale production, which holds the potential for long-term profitability. However, it is important to emphasize that manufacturing contributes to a smaller share of UK GDP than in most OECD countries, and other indicators, such as ICT spending (which matters more for service industries), have to be taken into account to understand trends in innovation in the United Kingdom.

Over recent decades, successive governments have attempted to improve this situation, for example, by targeting weaknesses in technical education at various levels. Recent government initiatives have focused on extending tax credits for R&D, setting up regional technology and innovation centers,

investing in digital infrastructure and new university research facilities, as well as establishing Innovate UK to promote economic growth through science and technology.

After leaving the European Union, the UK government must address the challenge of maintaining its research and innovation effort. The government chose to end UK participation in the European Union's Erasmus program, replacing it with the somewhat less ambitious Turing scheme, but is expected to continue to participate in the European Union's Horizon program after projects currently in progress end. However, although the Trade and Cooperation Agreement (TCA) between the European Union and the United Kingdom provides for the United Kingdom to be associated with Horizon, the precise terms are yet to be confirmed and there has been friction between the United Kingdom and European Union over this matter, as with other aspects of implementing the TCA.

The United Kingdom has significantly increased its own science budget. However, for reasons of fiscal prudence, a decision in the November 2021 budget about reaching the target level of £22 billion per annum means it will take longer than previously expected, as explained in a BBC report. Nevertheless, many of the fears of UK universities and the country's corporate sector about the impact of Brexit have been allayed. In life sciences and pharmaceuticals where the United Kingdom maintains a prominent research role (as witnessed by the rapid development of the Oxford-AstraZeneca COVID-19 vaccine), UK research efforts remain especially strong. The revenue of some universities may, however, be affected by a sharp decline in applications by EU students since Brexit. This is partly because all EU students will, in future, have to pay the higher foreign student fees instead of the domestic rates they were entitled while the United Kingdom was an EU member state.

Citation:

<https://ifs.org.uk/uploads/publications/bns/BN283-Drop-in-international-students-would-imperil-university-finances.pdf>

<https://www.politico.eu/article/eu-applications-uk-university-ucas-brex-it-tuition-fees/>

<https://www.thetimes.co.uk/article/universities-hire-planes-to-fly-in-china-students-gfq2cc9j0>

<https://www.bbc.co.uk/news/science-environment-59068487>

Global Financial System

Stabilizing
Global Financial
System
Score: 7

The City of London is home to one of the world's main financial hubs. Consequently, governments in the United Kingdom have traditionally tried to protect the interests of the City of London against more intrusive regulation whether national, European or global. Governments have often argued that the

special characteristics of London as a financial center were not given sufficient attention by Brussels in particular.

At the international level, successive governments have taken a prominent role in attempts to improve the international regulatory framework through international bodies, such as the Financial Stability Board (chaired by the governor of the Bank of England) and the Bank for International Settlements, as well as through the prominent role of the Bank Governor in the European Systemic Risk Board. The United Kingdom had substantial influence on EU financial reforms, both through government action and in the form of initiatives from the City of London.

Continued uncertainty regarding future relations between the United Kingdom and the European Union could affect the United Kingdom's stance on global financial regulation, although the expectation is that UK financial regulation will remain closely aligned with European Union and international standards. One issue over which the United Kingdom is susceptible to accusations of double standards is in relation to inflows of capital from questionable sources. While money laundering standards are applied with some vigor, there is a perception that the United Kingdom, through the agency of the City of London, is too lax on the super-rich.

II. Social Policies

Education

Education Policy
Score: 7

Education is a competence devolved to the four constituent nations of the United Kingdom, an assignment that long pre-dates the more recent devolutions of power that established the devolved national administrations. In Scotland, for example, the school curriculum, the exam system and the structure of undergraduate university degrees have long differed markedly from those in England. Consequently, it makes little sense to talk in terms of UK education policy and performance. Specifically, the Department for Education (DfE) in the UK government covers only England. In Scotland, a delegated agency of the Scottish government, Education Scotland, is responsible for delivering education and there is a similar agency in Northern Ireland, although local authorities have a primary role in implementation.

The latest PISA results for 2018 showed some improvement for the United Kingdom, with the UK ranking jumping from 22nd to 14th in reading, from 27th to 18th in science and from 15th to 14th in mathematics, and a widening

of its advantage compared with the OECD average. Scotland has seen some decline from its previous PISA levels, leading to criticism of the SNP, which has been in power for well over a decade. This is a sensitive matter, because, as an OECD report commissioned by the Scottish government observes, “Scotland has an historic high regard for education.”

The last two decades have seen a succession of initiatives to enable non-governmental organizations – such as foundations, businesses and parent-teacher corporations – to set up their own schools, while also strengthening government powers to intervene in “failing” schools and turn them into sponsored academies. The core of this policy was to improve performance by boosting interschool competition, as measured by performance tables administered by the regulator, Ofsted (the Office for Standards in Education, Children’s Services and Skills). Ongoing programs, such as Pupil Premium, are designed to simultaneously improve educational outcomes and strengthen social cohesion by encouraging well-performing schools to accept disadvantaged children. However, the socioeconomic composition of many of the United Kingdom’s schools still poses a significant challenge for students from disadvantaged and immigrant backgrounds. A Children’s Commission on Poverty inquiry suggested that interschool competition has increased financial costs for pupils and their families, as many schools try to stand out by introducing fancier uniforms, new textbooks or extravagant field trips.

The increasing political salience of education in recent years has seen a concerted effort to improve the quality of education in schools, including the development of new curricula in Wales and Scotland. In England, the DfE and Ofsted were jointly tasked with ensuring the quality of the educational system. In 2015, the DfE proclaimed its intentions to support underperforming schools in England, which was followed by the Education and Adoption Bill that planned to convert failing schools into academies. The Educational Excellence Everywhere whitepaper also extends this to primary schools in England, which were to have been converted into academies by 2020. The government introduced a spending program of £4.3 billion by 2022. This measure aims to reverse the trend of declining education spending, which had fallen by 9% in real terms per pupil between 2009/10 and 2019/20. In addition, the government will focus on further and technical education, and establish 20 institutes of technology. The institutes will offer higher technical education and training in science, technology, engineering and mathematics (STEM subjects).

In the higher education sector, the substantial increase in tuition fees, from £3,300 to levels now in excess of £9,250 per student per year, has been contentious, and there have been suggestions both that fees should fall and that

the student loan system needs to be reformed. This could put students off from studying in the most expensive parts of the country, such as London and Oxford. However, so far, there has been no discernible effect on overall student enrollment rates or on access to higher education for students from poorer backgrounds. Though concerns about the level of student debt have prompted renewed debate over the funding of tertiary education.

International students make up about 20% of students and are thus a considerable source of income for the higher education sector in the country. About 30% of them come from EU member states. As the United Kingdom has left the European Union (which implies a substantial rise in student fees for EU citizens to the level paid by international students), it remains to be seen how these numbers will develop. A 40% fall in applications in 2021 might be influenced by the coronavirus pandemic, but – if it were to stabilize afterward – this would be a substantial loss of income that UK universities will struggle to make up for. Further problems may come from EU nationals finding working for British universities less attractive.

Citation:

WEF ranks quality of UK education system as 15th in Global Competitiveness Report 2017/18 (Singapore 1st, USA 20th, GER 25th, F 28th).

<https://www.theguardian.com/education/2018/aug/06/restore-grant-system-for-poor-students-urges-russell-group-chief>

<https://ifs.org.uk/uploads/publications/bns/BN283-Drop-in-international-students-would-imperil-university-finances.pdf>

<https://ifs.org.uk/publications/15858>

Social Inclusion

Social Inclusion
Policy
Score: 7

A traditional system of social class has long been a feature of British society. Since 1997, successive governments have sought, through a variety of policy instruments and initiatives, to overcome these divisions and to promote social mobility and inclusion. Most recently, Boris Johnson has emphasized his “one-nation” Tory stance and committed to pursuing a “leveling-up” agenda aimed at reducing socioeconomic disparities across geographic regions in the country. A recent major social policy reform – the introduction of Universal Credit, which replaced a series of targeted welfare payments with a single payment mechanism – was beset by implementation difficulties, although these difficulties have gradually been resolved.

While applauding the efforts made by the government during the pandemic, the Social Mobility and Child Poverty Commission’s 2021 State of the Nation observes that “social mobility, already stagnant, could move backwards,” adding a plea to the government to maintain social spending. The

commission's report noted the persistence of divisions around various social criteria, including class, geography and race, and – despite what it refers to as “some symbolic steps to try to address equality and social mobility” – implies that government responses have been too limited. One of these responses was the enactment of an obligation – known as socioeconomic duty – in both Scotland and Wales, which requires public authorities to consider socioeconomic impact when making decisions.

Although the United Kingdom's Gini coefficient has fallen significantly – a common phenomenon after a grave recession – it remains relatively high compared to other OECD countries and the distribution of wealth has become more unequal. The youth unemployment rate (11.9%) is still almost three times that of the overall unemployment rate (4.0%). A recent policy innovation has been the creation of a social mobility index. Over a long-term perspective, the proportion of “NEETs” (people who are not in employment, education or training) is decreasing, although the rate has remained stable over recent years.

Despite persistent economic inequalities, the United Kingdom has a relatively good record in promoting the inclusion of disadvantaged groups and ethnic minorities, and has a relatively good record on gender equality. There has been a discernible social shift against forms of discriminatory language and action, with a number of public figures being ostracized as a result of inappropriate comments. Legislation allowing same-sex marriage came into force in 2014 in England and a law allowing heterosexual civil partnerships was passed in 2019. Even Northern Ireland, hitherto socially very conservative, passed legislation in 2020 allowing for same-sex marriage. While reservations regarding multiculturalism and anti-immigrant sentiments remain common, with some surfacing around Brexit, immigrants tend to be more socially integrated than in many other countries. Policy initiatives over several governments have contributed to a social climate in which discrimination is seen as unacceptable.

A promise of “leveling-up” those parts of the United Kingdom which have been seen as disadvantaged was a cornerstone of the Conservative manifesto in 2019, and in September 2021 the Johnson government renamed the Ministry for Housing the Department for Levelling Up, Housing and Communities to emphasize the centrality of this topic. Headed by a political heavyweight, Michael Gove, details of its plans will be named in a whitepaper whose publication has repeatedly been delayed.

Citation:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1003977/State_of_the_nation_2021_-_Social_mobility_and_the_pandemic.pdf
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/532793/Main_text_SFR22_2

016.pdf

<https://www.gov.uk/government/publications/social-mobility-index>

<https://www.gov.uk/government/speeches/statement-from-the-new-prime-minister-theresa-may>

<https://data.oecd.org/emp/employment-rate-by-age-group.htm>

<https://www.ons.gov.uk/employmentandlabourmarket/peoplenotinwork/unemployment/bulletins/youngpeoplenotineducationemploymentortrainingneet/august2019>

Health

Health Policy
Score: 6

The National Health Service (NHS) remains a cornerstone of the United Kingdom's universal welfare state and is widely regarded as a core, and treasured, public institution. Most healthcare provided by the NHS is free at the point of delivery. However, there are charges for prescriptions and dental treatment, though specific demographic groups (e.g., prescriptions for pensioners and dental care for the poor) are exempt from these charges. There is a limited private healthcare system.

Despite consistent real increases in public funding for healthcare by governments of all colors, provision has been unable to keep pace with rising demand. Winter healthcare "crises" have occurred repeatedly as hospitals struggle to cope with emergency admissions and have to cancel routine operations to free bedspace. This is partly because of population aging, but it also highlights inadequacies in funding and in organization of care services for the elderly. Social care is funded by local authorities and has been financially squeezed, resulting in more costly hospital care having to be used. Reports regularly refer to a service that, while offering excellent clinical care, often struggles to cope. The quality of NHS services, monitored by the independent Care Quality Commission, is high, as reported by the Human Development Index (HDI) health indicator. The financial position of a number of hospital trusts is rather precarious and has been the subject of concern in recent years, with more hospitals struggling to maintain standards and missing targets for patient waiting times.

As a universal service, the NHS scores very highly in terms of inclusion. The Health and Social Act 2012 allows patients to choose a general practitioner without geographic restrictions. Quality is generally high. However, input and outcome indicators of healthcare, such as how quickly cancer patients are seen by specialists or the incidence of "bed-blocking" (i.e., where complementary social care is difficult to arrange and so patients are kept in hospital), vary considerably across localities. A report by the Commission on the Future of Health and Social Care in England recommended that health and social care services should be much more closely integrated. However, there has, to date, been little improvement, although the government has now earmarked an increase in national insurance to pay for enhancements in social care once the pandemic-induced backlog in healthcare is dealt with.

The NHS is invariably at the center of heated public debates, with competing narratives again evident in the 2019 election campaign. The pandemic posed substantial challenges to the NHS, although the NHS coped and its popularity was used to leverage the government’s lockdown message (“stay home, protect the NHS, save lives”). In spite of sizable increases in funding, elective surgery had to be postponed for many conditions, and delays in referrals and diagnoses for other diseases risked poorer health outcomes. In the early stages of the pandemic, shortages of personal protective equipment, inadequate testing capacities, and limited “track and trace” capabilities added to the pressure on the service. But subsequently, the early rollout of vaccinations, a high vaccine take-up rate and rapid innovation in methods for treating COVID-19 patients enabled the NHS to avoid being overwhelmed. Nonetheless, the United Kingdom suffered a comparatively high rate of deaths of 2,574 per million inhabitants. This rate is a little lower than in Belgium or Italy, but around a quarter higher than that seen in countries such as Austria or France.

The end of “free movement” after leaving the European Union has negatively affected the retention and recruitment of healthcare workers from EU member states, which UK healthcare services at all levels relied on in the past. There is also a dependence on workers from elsewhere in the world. Although plans to boost the training of indigenous staff are being developed, it will be some time before they do much to reduce the dependence on foreign-trained staff.

Citation:

<http://hdr.undp.org/en/countries/profiles/GBR>

<https://www.theguardian.com/society/2019/jun/26/junior-doctors-agree-to-82-pay-rise-ending-four-year-dispute>

https://www.instituteforgovernment.org.uk/sites/default/files/publications/whitehall-monitor-2021_1.pdf

<https://www.statista.com/statistics/1104709/coronavirus-deaths-worldwide-per-million-inhabitants/>

Families

Family Policy

Score: 7

Over the last 20 years, policy initiatives to improve the work-life balance and opportunities for women’s participation in the labor market have included expanding the provision of childcare facilities, extending maternity leave and the introduction of paternity leave. More recently, there have been public calls for companies to increase the number of women on their board of directors, while the possibility of introducing quotas for company boards has been raised.

The Cameron government emphasized the Troubled Families program, established in 2011. The program aims to help families in precarious situations with personal mentoring and support from local social workers. A 2016 evaluation from the National Institute for Economic and Social Research revealed mixed results. The increased spending did not result in any statistically significant betterment in the living conditions of the supported families, though time the subjective reporting of the supported families did improve. However, an internal evaluation by the Ministry of Housing, Communities and Local Government in 2019 found much more positive results, paving the way for the program to be renewed.

Cuts in welfare spending, associated with the central policy of reducing the budget deficit, negatively affected some core family policy measures, especially for single mothers who rely disproportionately on social benefits. Initial difficulties around the introduction of Universal Credit have had negative effects on some families, not least by lowering support for larger families.

The lockdown during the pandemic presented a considerable challenge to families, as schools closed, and parents were furloughed or worked from home. This particularly affected women, while men increased their relative share in paid work. As a study by the Institute of Fiscal Studies shows, compared to fathers, mothers were 47% more likely to lose their jobs, were more likely to be furloughed and 50% more likely to have their work hours cut. It seems that – during the lockdown – the government mainly responded to this with remote working solutions, which proved inconsistent with adequate childcare, thus widening the UK gender pay gap and worsening policy goals compared with the pre-pandemic situation. However, a temporary £20 per week increase in Universal Credit payments was seen as a valuable support, although there was dismay when it was then ended in the autumn of 2021.

Citation:

<https://www.workingfamilies.org.uk/articles/universal-credit/>

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/786889/National_evaluation_of_the_Troubled_Families_Programme_2015_to_2020_evaluation_overview_policy_report.pdf

<http://www.theguardian.com/world/2020/jul/07/how-coronavirus-is-widening-the-uk-gender-pay-gap>

<https://ifs.org.uk/publications/14861>

Pension Policy
Score: 8

Pensions

The United Kingdom has a three-pillar pension system in which the second (employer-based) is the mainstay. Private pension funds were adversely affected by the financial crisis as investment yields fell, and some needed capital injections from employers. However, this has not had a significant effect on the incomes of those already retired. New entrants into private pension schemes are being offered less attractive terms than their predecessors. Successive pensions acts since 2016 have increased the state pension age to 66 for both men and women, as of April 2021. Certain reforms have shifted pressure from pension funds to individual pensioners. These reforms will change the pensioners' living conditions substantially in the years to come. However, compared with many other countries, the UK public pension system is fiscally sustainable and guarantees the maintenance of a minimum income for pensioners through a "triple lock" of raising the basic state pension by the highest rate of inflation, average wages or 2% per annum. Successive governments, perhaps fearing a backlash from "gray" voters, have pledged to maintain this policy, despite some criticism about the growing burden on the "millennial" generation. However, faced with an exceptional increase in average earnings in 2021, explained by the statistical quirk of a bounce-back from a fall in 2020, the government suspended the triple lock for one year, resulting in a much lower nominal increase of 3.1%. Unsurprisingly, this decision provoked an outcry, not least from government supporters who deplored the breaking of a manifesto commitment.

The United Kingdom used to have a comparatively high degree of poverty among the elderly compared to other European countries. Older people lacking earnings-related pensions are at a comparatively high risk of poverty. This has improved as pension provision has expanded, an increase in the proportion of pensioners owning mortgage-free properties and through specific additional payments, such as winter heating. The overall figures disguise some inequalities among groups of pensioners. For example, lifelong housewives fare much worse than those who have the benefit of adding occupational or private pensions to their income from the state pension system. Most pensioners are, however, on reasonably comfortable incomes. If anything, recent debate has been about cutting some of the fringe benefits of better-off pensioners, such as free bus travel, because of fears about an undue burden on younger generations.

Citation:

Ebbinghaus, Bernhard (2019): Pension reforms and old age inequalities in Europe: From old to new social risks?, Conference Paper, European Sociological Association Conference, Manchester 2019

Integration

Integration Policy
Score: 7

Due to the country's colonial history, the United Kingdom has a large share of ethnic minorities (approximately 14% of the population), and integration has long been an important area of government policy. However, while the Human Rights Act 1998 and the Race Relations (Amendment) Act 2000 imposed the general duty to promote race equality on all public authorities, the United Kingdom has not developed a formal integration program. Policy has focused more on preventing discrimination against minorities than on their integration, reflecting a preference for multiculturalism. Nevertheless, even though there are still incidents of overt discrimination, both public policy and societal norms are very much oriented toward the inclusion of minorities. There are, however, both regional and ethnic differences in integration, with some cities and smaller towns having concentrations of populations of distinct ethnic groups, and tensions over access to public housing and public services in localities where recent immigrants have concentrated.

The Equality Act 2006 merged three existing bodies (including the Commission for Racial Equality) into the new Equality and Human Rights Commission (EHRC). The EHRC is an umbrella organization, which attempts to enforce integration and equality across several dimensions, such as ethnicity. In recent years, attempts to create a national narrative around "Britishness" aimed to change the United Kingdom's ethnocentric concept of citizenship to a more civic one.

Attempts to increase diversity in parliament and in government have been successfully promoted by both major parties. As a consequence, those holding public office are more reflective of British society now than they were two decades ago. This is true also at the cabinet level, with the office of the chancellor and the home secretary positions held by politicians of South Asian descent. Nadhim Zahawi, a who was politician recently promoted to the cabinet, arrived in the United Kingdom at the age of nine as a Kurdish refugee. However, in some public bodies, such as the police, concerns remain that minority ethnic groups are under-represented.

During and shortly after the Brexit referendum in 2016, there was an increase in anti-immigrant rhetoric and racially motivated crimes. Although it subsequently declined, it then rose again after the terrorist attacks in London and Manchester in 2017. Bodies such as the European Commission against Racism and Intolerance (ECRI), and Human Rights Watch have expressed concern. Equally, it is striking how rapidly public figures deemed to have made discriminatory statements – even carelessly – can be ostracized.

A distinction has to be made between the openness to diversity in British society, culture and institutions, which undoubtedly surpasses that of many other European countries, and the stance of UK governments over the last decade toward immigration. As home secretary, Theresa May introduced a target of keeping net migration to “tens of thousands,” although this target was consistently missed by a wide margin. In pursuit of this target, the Home Office adopted a “hostile environment policy” to deter immigration to the United Kingdom. A direct result of the hostile environment policy was the so-called Windrush scandal in 2018. Home Office employees had destroyed the legal documents of citizens who originally came to the United Kingdom as Commonwealth citizens before the 1970s, resulting in a number of unjustified deportations or withdrawals of rights to re-enter the United Kingdom. The public and political outcry, itself a manifestation of societal attitudes, led to rapid action to overturn evident injustices, but introduced no major legislative changes.

Home Secretary Priti Patel promised to curb immigration after Brexit, and signaled that there would be no distinction between EU and non-EU citizens, raising concerns about a hardline immigration policy and the status of immigrants in the United Kingdom. The Nationality and Borders Bill aims to implement a tougher stance by making it a criminal offense to arrive in the United Kingdom without permission (with a sentence of up to four years) and allowing the government to strip people of their British citizenship. The latter is highly controversial, because it would give enormous powers to the home secretary and deprive citizens of citizenship without notice. Even so, it is important to separate the policy toward illegal immigration (a high-profile political issue in light of the growth in crossings of the English Channel and the apparent inability of the authorities to curb it) from the approach to minorities already in the country. It is worth noting that a UK government response to the troubles in Hong Kong was to offer to allow Hong Kong citizens entry to the United Kingdom.

National Police Chiefs’ Council Report 08. Jul 2016.

United Nations Committee on the Elimination of Racial Discrimination: CERD/C/GBR/CO/21-23.

European Commission against Racism and Intolerance: ECRI Report on the United Kingdom, 4 October 2016.

Priti Patel’s Conservative Party Conference speech: <https://www.youtube.com/watch?v=p1mJFJDPdOQ>
<https://bills.parliament.uk/bills/3023>

<https://theconversation.com/stripping-british-citizenship-the-governments-new-bill-explained-173547>

Safe Living

Internal Security
Policy
Score: 8

Objectively speaking, citizens of the United Kingdom have enjoyed improved security over the last 15 years as the crime rate has dropped significantly and consistently (although it continues to be relatively high in absolute terms when

compared to other OECD countries). This is not reflected, however, in increased subjective perception of security, since British citizens (probably influenced by media reporting) perceive crime to be on the rise. The issue thus remains in the public spotlight, and cuts in the budgets of the Home Office and the Ministry of Justice – in line with overall budget cuts to fight the deficit – have therefore been politically contentious. The most recent figures do, nevertheless, suggest a further fall in crime, although questions have been raised about whether “new” crimes like cybercrime are being adequately recorded. Moreover, even in higher crime areas, there are few signs that citizens consider the environment to be unsafe. However, there has been some concern about the impact of the substantial reduction in police numbers on the ability of the police to respond. Doubts have also surfaced about the effectiveness of elected Police and Crime Commissioners.

The coalition government abolished some of the harsh counterterrorism laws introduced by earlier Labour governments in an attempt to correct the balance in favor of civil rights. A new National Crime Agency started work in the autumn of 2013 as a central body for crime fighting. Certain high-profile revelations of police malpractice, including the recently exposed falsification of records in the Hillsborough football disaster of 1989, have led to disquiet about police behavior, but have not conspicuously undermined confidence. There is some concern about inadequate responses to cybercrime, with significant increases reported in crime statistics.

The 2015 Conservative government – and its Home Secretary Theresa May – reformed the police disciplinary and complaint system to improve trust between citizens and the police. Furthermore, it has made the Police Federation subject to the Freedom of Information Act to improve transparency in the police force. Criticisms of the police have been voiced, not least after a heavy-handed response to people demonstrating against the abduction, rape and murder of a young woman in London.

There is continuing concern about terrorist threats, accentuated by the renewed difficulties in the Middle East and the evidence of the involvement of UK-born jihadis and, as in many other EU member states, sporadic terrorist attacks. There is concern about the threat posed by returning fighters from the Middle East, which has led to an increase in resources for the security services. There are occasional briefings from these services about “plots disrupted.” The Nationality and Borders Bill, currently before Parliament, aims to improve security by inter alia increasing the home secretary’s powers to strip suspects of their British citizenship.

Citation:

<https://researchbriefings.files.parliament.uk/documents/SN06820/SN06820.pdf>

Global Social
Policy
Score: 7

Global Inequalities

Despite regular objections from politicians, the United Kingdom has been one of the few OECD countries, which has maintained a commitment to devote 0.7% of GNI to foreign aid. In 2020, the United Kingdom was one of only seven countries that reported to the OECD that it had met the target. Under the coalition government, this spending was ring-fenced against cuts and the recent spending review has reaffirmed the commitment, despite frequent criticism from some populist politicians.

Until 2020, development assistance spending was coordinated by the Department for International Development, whose work was scrutinized by the Independent Commission for Aid Impact.

In general, the United Kingdom is a proponent of open markets and fair access for developing countries, although an attempt in the late 1990s to espouse an ethical trade policy was subsequently quietly dropped.

While accepting its formal duty of care to asylum-seekers, the United Kingdom has been reluctant to join efforts by certain other EU member states to accommodate refugees and maintains tough border controls, including in the English Channel, which has emerged as an entry point for displaced persons and economic migrants over the last two years.

In the November 2020 Spending Review, the government announced that it was cutting the overseas aid budget by a third and ended the commitment to spend 0.7% of GNI on aid, even though this broke a manifesto commitment. This would be a temporary measure. Chancellor Sunak explained that this reflected “people’s priorities” in a time of unprecedented economic emergency. Earlier in the year, the Department of International Development had been merged into the Foreign and Commonwealth Office to create the Foreign, Commonwealth and Development Office. The decision provoked criticism from all living former prime ministers and many Conservative members of parliament amid concerns that it would disrupt key programs. Despite the cut, the United Kingdom is still a major aid contributor.

Citation:

<https://www.theguardian.com/global-development/2020/nov/25/uk-foreign-aid-budget-cut-chancellor-announces>

<https://researchbriefings.files.parliament.uk/documents/SN03714/SN03714.pdf>

<https://www.gov.uk/government/news/prime-minister-announces-merger-of-department-for-international-development-and-foreign-office>

III. Environmental Policies

Environment

Environmental
Policy
Score: 9

Environmental goals have been espoused by successive Conservative-led governments and, despite objections from some members of parliament on the right of the party, there has been a concerted effort to shift the United Kingdom toward renewable energy. Off-shore wind power has been the main component, but the approach also includes construction of new nuclear reactors, although recent re-assessments of the commercial viability of nuclear energy may prevent it happening. The coalition government (2010 – 2015) set itself the goal of becoming “the greenest government ever,” and its Conservative successor governments have not noticeably changed tack. However, worries about the cost of living led the government to suspend automatic increases in fuel duties for seven years in succession, and there have been rumblings of discontent over the 2008 Climate Change Act, which forms the legislative foundation for climate change policies. The Johnson government has put renewed and broader emphasis on environmental protection.

Having left the European Union, the United Kingdom has had to replace environmental regulations such as the Water Framework Directive and the Biodiversity Agenda. The Environment Act 2021 is regarded by many as a landmark piece of legislation. For example, Tony Juniper, a seasoned campaigner of green policies, described it as “the most ground-breaking piece of environmental legislation in many years,” noting that it sets “clear statutory targets for the recovery of the natural world in four priority areas: air quality, biodiversity, water and waste, and includes an important new target to reverse the decline in species abundance by the end of 2030.”

The act enshrines in law a goal of net zero carbon emissions by 2050 and the aim to cut emissions by 78% by 2035 compared with 1990 levels. It establishes in law five principles, which are expected to advance the aims of the 25-year Environmental Plan initially put forward in 2018 (these are integration of environmental protection into policymaking, prevention, rectification at source, polluter pays and precautionary), and the need for all government ministers to consider them when making policy. In addition, it will set up the independent Office for Environmental Protection, which will report regularly on progress.

While some divergence from EU regulations could occur, there is little reason to believe that the United Kingdom will renege on big issues, such as the Paris Climate Accord. In November 2021, the UK government hosted the COP26 climate negotiations, which provided an opportunity to point out ambitious UK environmental goals, such as reducing greenhouse gas emissions by 78% by 2035 compared to 1990.

Citation:

<https://naturallengland.blog.gov.uk/2021/11/23/the-environment-act-2021-a-turning-point-for-nature/>

Global Environmental Protection

Global
Environmental
Policy
Score: 9

Under the Conservative governments of John Major (1990 – 1997), there was a policy shift and the United Kingdom became one of the foremost advocates of environmental protection standards among advanced nations. The United Kingdom ratified the Kyoto Protocol. Since then, successive governments have consistently pursued goals relating to environmental protection and the reduction of carbon emissions. Having previously encouraged fracking for natural gas, it now appears that public opposition to it has prevailed and it has all but ceased.

The United Kingdom ratified the Paris climate change deal at the Marrakech COP22 summit in November 2016 and continues to be in the mainstream of European opinion on these issues, and it welcomed the fact that the Biden administration rescinded the previous administration’s rejection of COP21. Following a large-scale public consultation, the government plans to introduce new measures to curb the use of plastics, including plans to introduce a plastics tax, which was announced in the October 2018 budget and arguably demonstrates international leadership. The international aid budget includes “clean energy” projects.

In November 2021, the United Kingdom hosted the COP26 climate negotiations in Glasgow, presenting itself as leading voice on the global stage. In doing so, it was able to point to its own actions aimed at arriving sooner than most at “net zero.” The difficult negotiations with the 196 nations participating, however, led to mixed results with agreements in some areas, but not enough to meet the goal set in the Paris Climate Accord.

Citation:

<https://www.theguardian.com/environment/2021/nov/13/cop26-the-goal-of-15c-of-climate-heating-is-alive-but-only-just>

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/752202/Budget_2018_red_web.pdf (see page 48)

Robust Democracy

Electoral Processes

Candidacy
Procedures
Score: 9

In the United Kingdom, procedures for registering candidates and parties can generally be considered fair and without regulatory discrimination. The process of registration is uncomplicated, and the information required is offered by the state and easily accessible. No restrictions or regulations exist on party programs, but there are regulations limiting the choice of party name, which must not be obscene, offensive or misleading. The party emblem should also avoid these qualities. Registration as a candidate requires a deposit of £500 and the support of at least ten voters. Support from a party is not necessary, as candidates can run as independents, and many candidates do take advantage of this provision. Very occasionally, a candidate standing on a single issue achieves election, even in national elections.

Members of certain groups are not allowed to stand for election to the House of Commons, namely those in the police, the armed forces, judges, and members of the House of Lords who sit and vote there. While this may be considered reasonably necessary in a democracy (although no such restrictions are in place in many similar democracies), it seems harder to justify the exclusion of people who are subject to bankruptcy or debt relief restriction orders, because this is tantamount to a second punishment for financial mismanagement and thus discriminates against them.

Leaving the European Union has prompted the necessity to determine voting and candidacy rights for EU citizens. The proposal in the current Election Bill, however, has been criticized by the House of Commons Public Administration Committee Report on the bill, which states that the bill is too complex and likely to lead to confusion.

Citation:

<https://committees.parliament.uk/publications/8194/documents/83775/default/>

Media Access
Score: 7

The media play a central role in political campaigning, and the importance of coverage has further increased in recent years through the rise of social media and the internet. Television remains the most important medium for campaigning in general elections. Paid TV advertising is prohibited for political parties, who can only advertise in newspapers. However, major parties are granted a certain amount of free time for TV advertising, a concession that is not available to minor parties and which could be construed as a deterrent to them.

Coverage on television is fair and balanced, and monitored by Ofcom, the industry regulator. Broadcasters are required to be balanced in their coverage of parties, especially at election time. Though there has been regular criticism of how broadcasters interpret the term “balance.” On occasion, a minority view (for example on climate change) will be given equal weight by organizations such as the BBC. No such restrictions exist for the print industry and indeed there is strong tradition of crass partiality, especially by some newspaper groups that are prominent in national political life, visible during the Brexit referendum campaign of 2016, the ensuing political quarrels and, more recently, in the coverage of Boris Johnson’s difficulties. There is therefore a marked imbalance between print and broadcast. Independent fact-checking agencies, such as Full Fact, which complement media presentations of statistics, try to highlight misleading claims and will be cited in media analyses.

Citation:
<https://fullfact.org/>

Voting and
Registration
Rights
Score: 9

In general elections, British, Irish and qualifying citizens of Commonwealth countries can vote. In local and devolved parliament/assembly elections, EU citizens resident in the United Kingdom were also entitled to vote as a consequence of EU membership. Entitlement to vote thus extends beyond British citizenship. As a government document explains, following Brexit, EU citizens already resident before the end of December 2020 will continue to be granted voting privileges. However, for those arriving later, voting rights will only be accorded if their home country allows the same rights to UK citizens. The bill to enact this is expected to become law in 2022.

In order to be entitled to vote, voters must be on the electoral register, which is maintained by local authorities and updated annually. The Electoral Registration and Administration Act 2013 also introduced individual electoral registration, which is intended to improve the security of the registration process. Registration statistics show regional and social discrepancies. There has been some concern that in certain localities where a significant proportion of the population do not speak English as a first language the registration

process has been abused. Sporadic complaints are made about excessive (and possibly manipulated) use of postal votes.

A restriction on the right to vote in national elections applies only in three cases, namely criminal imprisonment, mental disability and membership either of the House of Lords or the royal family. Citizens who have left the country for more than 15 years lose the right to vote in UK parliamentary elections – a regulation due to be abolished in the Elections Bill currently before parliament.

This new Elections Bill, however, has also met a lot of criticism, because it will require photo ID for voting (endangering the vote of citizens without such a document) and impose regulations on the independent Electoral Commission, and it received insufficient consultation and parliamentary scrutiny. The report by the House of Commons Public Administration and Constitutional Affairs Committee recommended, therefore, that the government should not proceed with the proposal, because its enactment might risk endangering trust in elections in the United Kingdom. The Electoral Reform Society also foresees lots of problems and has asked for the bill to be reconsidered.

Citation:

<https://constitution-unit.com/2021/09/30/the-elections-bills-proposals-on-electoral-commission-governance-risks-to-electoral-integrity-and-devolution/>

<https://committees.parliament.uk/publications/8194/documents/83775/default/>

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/984918/Photographic_ID_research_-_headline_findings_report.pdf

<https://committees.parliament.uk/committee/327/public-administration-and-constitutional-affairs-committee/news/159702/pacac-elections-bill-report-published/>

<https://www.electoral-reform.org.uk/wp-content/uploads/2022/01/Briefing-on-the-Elections-Bill---Report-stage.pdf>

<https://www.gov.uk/government/publications/local-voting-rights-for-eu-citizens-living-in-the-uk/local-voting-rights-for-eu-citizens-living-in-the-uk>

Party Financing
Score: 6

The Electoral Commission oversees all political financing in the United Kingdom. The commission is an independent institution set up by parliament, which publishes all its findings online to make them easily accessible. Although all donations above a certain threshold must be reported to the commission, the fact that political parties are largely dependent on donations for their ever-increasing spending on national campaigns has repeatedly led to huge scandals in the past. There have also been highly publicized cases where individual party donors have been rewarded by being granted honors. Changes have also been made to prevent donations from individuals not resident in the United Kingdom. Although these cases have generated considerable media interest, there is not much evidence that donations have influenced policy.

In 2011, the Committee on Standards in Public Life published a report recommending a cap of £10,000 on donations from individuals or organizations. This recommendation was welcomed at the time, but has not been introduced.

Contributions from party members or local associations (through local fundraising) are relatively minor, though still useful to parties, compared to the amount parties receive from institutional sponsors (trade unions in the case of the Labour Party, business associations in the case of the Conservative Party) and individual donors. There is also some state financing of parties (known as “Short money” after the politician who initiated it in the 1970s), which will be cut following the latest government expenditure review. The amount of Short money received by a party is linked to the party’s representation in the House of Commons, which means that parties that lose seats in a general election will face a funding squeeze during the next parliament. The 2010 – 2015 coalition government pledged to reform party financing, but made no substantial progress on the issue. The Conservative government elected in 2015 passed the Trade Union Act, which includes new restrictions on trade union financing for political parties. This will reduce the Labour Party’s income.

The Election Bill currently before parliament will include provisions that will limit the Electoral Commission’s independence by letting the government set the commission’s strategy. This could also affect party finance regulations.

Citation:

<https://researchbriefings.files.parliament.uk/documents/CBP-9304/CBP-9304.pdf>

Popular Decision-
Making
Score: 3

Formally, referendums play a small role in UK governance. They are rarely called in the United Kingdom, although they have been used in a handful of cases in recent years, also at the local level, to decide on whether to establish an elected mayor. Referendums also only follow from a government decision, rather than a citizen initiative, and require a specific legislative initiative to be enacted instead of being a routine process. The legal foundations for calling a referendum and binding the government to its outcome are weak, as the results are not legally binding. Citizens can, via an online petition, call for a parliamentary debate on any topic. Yet, the House of Commons is not obliged to agree to the debate and high-profile proposals can be – and frequently are – ignored. However, the outcome of the Brexit vote shows that they can become politically decisive and may lead to major changes in the United Kingdom’s political system. Despite their lack of constitutional standing, referendums in the United Kingdom have a de facto influence on policy decisions, but this is rather ad hoc.

Referendums are often more a part of politics and agenda setting than a structural part of the United Kingdom's policymaking process. The central government may use a referendum to unite the population behind a controversial position and, by doing so, hope to silence their critics for good. Tony Blair's devolution referendums in 1997 and 1998 or the 1975 referendum which was used by then Prime Minister Wilson to counter opponents of the European Union in his party are prominent examples, as was the Brexit referendum campaign. The 2010 – 2015 coalition government's referendum in 2011 on an alternative voting system to replace "first-past-the-post" was called at the insistence of the junior coalition partner, the Liberal Democrats, but (successfully) opposed by the Conservatives.

In addition to profound political disputes, the conduct of the 2016 EU referendum elicited legal action regarding the use of personal data and breaches of spending limits, as well as allegations of Russian influence. However, there is little evidence these incidents significantly altered the outcome. The bruising experience of the 2016 referendum and the lack of constitutional clarity on how to respond to the results of referendums make further resort to them unlikely at the UK level. However, there is clear grassroots support for a further plebiscite on Scottish independence, which – if it were to happen – would be limited to residents in Scotland, as was the 2014 referendum.

Access to Information

Media Freedom
Score: 8

In the United Kingdom, television channels both in the public and the private sector are required by law to be politically neutral. The public regulator, Ofcom, oversees the sector. No such requirement exists for print media. The BBC, the main public-service broadcaster, is financed by a television license fee, which is effectively a poll tax. It is overseen by a board of governors and enjoys almost complete political independence. However, recent scandals have weakened the BBC's standing, although there is as yet little evidence of that in its behavior, and it remains the case that TV and radio journalists often subject government and opposition politicians to very tough interviews. Politicians of all persuasions frequently accuse the BBC of bias, arguably highlighting the fact that it is outside political control. The aftermath of the News of the World scandal in 2011 (which led to the Leveson Inquiry and its 2013 report) exposed overly close relations between politicians and the press. After a lively debate on whether stricter press regulation should be adopted to prevent excessively intrusive journalism, a new consensus seemed to emerge that formal regulation should not be introduced and the government has proved to be uneasy about acceding to demands for tougher statutory regulation.

Occasionally, the government threatens to cut or even abolish the BBC license fee, but so far this has not been put into practice.

Security reasons are sometimes given for restricting press freedom and, as in the case of government attempts to clamp down on disclosures by Edward Snowden, tend to cause considerable political and public backlash. Such incidents can tarnish the relationship between the UK media and the government. The journalists' resistance to intimidation and their reporting of government surveillance practices are a shining example for civil journalism. Several media actors expressed concerns about the libel laws in the aftermath of the 2013 Defamation Act, which was meant to protect freedom of speech, but there have been no more recent cases in which the underlying freedom of the press has been questioned. The United Kingdom is a signatory of the Global Pledge on Media Freedom, launched in 2019. However, a recent assessment by the Paris-based NGO Reporters without Borders (RSF) is critical of the UK record, notably citing curbs on freedom of information requests. As in many other countries, the unfettered freedoms of social media are being challenged.

<https://rsf.org/en/united-kingdom>

Media Pluralism
Score: 7

The strong concentration of newspaper ownership has long been a feature of the United Kingdom's media market and that continues to be the case. The BBC as a public-service broadcaster has a dominant position, especially with regard to broadcast and online news. There is a long tradition of powerful individual owners, such as Rupert Murdoch (News Corporation), dating back to the 19th century. This coexists with a lively regional newspaper scene. However, regional newspapers have little influence in terms of national opinion.

The electronic media and television market, in contrast, is much more balanced and also required by regulation to be politically neutral.

The support of the Murdoch media empire has been considered politically crucial over the last two decades. The firm has been very influential particularly in terms of the United Kingdom's position toward European integration. Following the News of the World scandal and the enquiry into corporate standards at News Corporation, Murdoch's influence may have been weakened, but that of the Daily Mail Group remains strong. In addition, the Leveson Inquiry has demanded higher diversity in ownership and tighter regulation on media mergers, both of which (if enacted) could also work toward more diversity of opinion. The press, collectively, has strongly opposed attempts to circumscribe the freedom of opinion, and the matter remains unresolved.

In 2020 and 2021, the government attempted to appoint the former Daily Mail editor Paul Dacre as head of the media regulator Ofcom by repeating the interview rather than appointing one of the other candidates. There were accusations of the government manipulating the process in his favor and eventually Dacre withdrew his candidacy in November 2021.

Citation:

<https://www.theguardian.com/media/2021/nov/19/paul-dacre-pulls-out-of-running-next-ofcom-chair>

Access to
Government
Information
Score: 8

The United Kingdom has had a long tradition of official secrecy, but in recent years successive governments have very actively tried to capitalize on the transparency and cost-saving potential of making government information available online. Together with the Freedom of Information Act 2005, this has contributed to easier access for citizens and, often in a very high-profile way, the media. The restrictions on what information can be provided under the Freedom of Information Act (cost limits; national security restrictions; state financial interests) are largely in line with the respective regulations in other countries. More recently there has been a debate about restricting the right to freedom of information. However, the former head of the civil service and the cabinet office minister responsible for the civil service have both opposed any restrictions on access, although former Prime Minister Tony Blair, whose government introduced the Freedom of Information Act, has said that he regrets doing so.

The United Kingdom has also been at the forefront of making government data available for commercial use and citizen inspection (“open data”). Recent efforts to simplify and render government information more accessible have seen the replacement of a profusion of websites with a single government portal (gov.uk) and it is clear that the government now regards the provision of information as a high priority. It is noteworthy that the United Kingdom is now mentioned internationally as a leader in open government and access to data. In the World Justice Project’s 2015 Open Government Index, the United Kingdom ranked eighth out of 102 countries, behind the Nordic countries, the Netherlands, New Zealand and Canada.

At times, in the fraught period of the Brexit negotiations, however, the government sometimes sought to withhold or delay publication of strategic documents to avoid undermining of the UK negotiating position vis-a-vis the EU27. For the most part, Parliament was able to insist on publication.

During the pandemic, public information was generally published in a timely manner, including detailed data on infections and vaccine rollout, although there were some criticisms about the transparency of data underlying

ministerial statements. An easily accessible website was published as part of the comprehensive gov.uk website to host comprehensive information about the COVID-19 pandemic. The website presents information on guidance and support, government announcements, and statistical data on the pandemic, as well as links to legislation and press conference statements.

Citation:

<http://worldjusticeproject.org/open-government-index/open-government-around-world>

<https://osr.statisticsauthority.gov.uk/transparency-is-fundamental-to-trust-the-government-must-learn-from-mistakes-during-the-pandemic/>

Civil Rights and Political Liberties

Civil Rights
Score: 6

In the United Kingdom, civil liberties have long been protected despite the absence of a written constitution and an accompanying bill of rights. The country thus shows that effective protection is possible if support for civil rights is firmly rooted in society and therefore is expected of the government of the day. However, UK citizens have been afforded additional rights of protection from the European Court of Human Rights (ECHR). Events of the last decade such as terrorist attacks have also demonstrated that the balance between state interests and individual rights can be more easily tilted if there are no institutional protections at hand. Various anti-terrorism acts (2000; 2001; 2005; 2006; 2008) have given the UK government more and harsher instruments to fight terrorism. For most citizens, these anti-terrorist measures are not an issue, but for the very small minority that they affect, they can be a source of dismay. In the past, governments had objected to rulings from the ECHR, to the extent that some government ministers advocated a UK withdrawal from the court. The absolute national sovereignty of British courts was a crucial argument to the campaign to leave the European Union.

While courts and public pressure have from time to time succeeded in stopping practices like the indefinite detention of non-nationals, the state has usually succeeded in reintroducing them after some time under a different name, for example, when replacing “control orders” with “terrorism prevention and investigation measures.” However, it does so under quite intense media scrutiny. The files leaked by former U.S. National Security Agency (NSA) subcontractor and system administrator Edward Snowden disclosed a degree of digital surveillance in the United Kingdom that far exceeded expectations. The Government Communications Headquarters (GCHQ), with its Tempora and MUSCULAR programs, as well as the NSA/GCHQ PRISM joint venture, tracks and evaluates a very large share of national and international electronic communications. But despite the initial media outcry, public opposition to these programs has been relatively mild. Furthermore, wider society is well

aware of the proactive tradition of its national intelligence services and criticism tends to be limited outside the context of libertarian pressure groups. The most sustained opposition today comes from communication firms whose servers were hacked by government agents to access private data. An upshot of this episode was the introduction of the new Investigatory Powers Act in 2016, with regulations coming into force in 2018.

There have been several legal challenges to the government approach, often initiated by NGOs such as Liberty or Privacy International. In October 2016, the Investigatory Power Tribunal, which is the only court that hears complaints against the intelligence agencies (i.e., MI5, MI6 and GCHQ), ruled that the mass collection of private data as committed by the security services between 1998 and 2015 failed to comply with Article 8 of the European Convention of Human Rights and was therefore illegal. After being declared unlawful by the Court of Appeal, significant parts of the Investigatory Powers Act 2016, better known as the “Snoopers’ Charter,” will need to be overhauled by legislators. However, as Computer World reported in summer 2019, the courts have supported the government position on, for example, the right to appeal judgments of the tribunal.

The government has announced plans to replace the Human Rights Act with a new bill of rights following the United Kingdom’s departure from the European Union, but has yet to do so. Besides new regulations, there is also the need to decide the future standing of court decisions based on EU law. In December 2021, the government published a consultation, which will last until spring 2022, on its proposals to replace the Human Rights Act with a bill of rights.

The governments of the four nations of the United Kingdom chose to impose lockdown and restrictions, although there were some (relatively minor) differences among them in the application the measures. There was a lively public debate on their scope and duration, and many Conservative members of parliament pushed for the restrictions in England to be ended sooner than the government wanted. On the whole, public opinion supported the actions taken during the first year of the pandemic. According to YouGov, some three-quarters of respondents approved of the actions in this period. From March 2021, however, approval fell quite sharply, dropping to below 40% in January 2022.

Citation:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/668943/Response_to_the_IPA_codes_consultation.pdf

<https://www.computerworlduk.com/security/draft-investigatory-powers-bill-what-you-need-know-3629116/>

<https://www.computerworld.com/article/3427019/the-snoopers-charter-everything-you-need-to-know-about-the-investigatory-powers-act.html>

https://consult.justice.gov.uk/human-rights/human-rights-act-reform/supporting_documents/humanrightsreformconsultation.pdf

<https://researchbriefings.files.parliament.uk/documents/CBP-9406/CBP-9406.pdf>

<https://yougov.co.uk/topics/international/articles-reports/2020/03/17/level-support-actions-governments-could-take>

Political Liberties
Score: 8

Without a written constitution and the protection it affords, citizens of the United Kingdom have no fundamental rights in the sense of enjoying special protection against the powers of the executive and parliament. Citizens' rights in the United Kingdom can thus be said to be residual and negative in nature. Citizens can do anything not expressly prohibited by law, but there are no positive rights to assert against the government unless the government concedes them. In practice, UK citizens enjoy considerable freedoms, although rights to protest were somewhat circumscribed by a law requiring protesters to give advance notice to the police of a demonstration and restrictions on protests in sensitive locations. Even so, demonstrations do take place, sometimes without respecting the legal obligations. For example, the "flash" protests by Extinction Rebellion in 2019 and by a related group called Insulate Britain in 2021 were initially treated lightly by the police, but were subsequently more robustly policed, partly in response to public objections to the disruption caused.

Since disputes about political liberties always arise over contested issues, UK citizens have little recourse within the political system, especially when compared to continental European political systems. The Human Rights Act of 1998 (HRA) represented an attempt to create a "higher law" to which all other laws must conform. It offers individual and minority rights, and empowers judges to hold the executive to account and review acts of parliament. But its effectiveness is constrained by the fact that the government can temporarily annul the HRA, if it considers this necessary for the benefit of the country, and it remains contested.

The relative informality of civil rights in the United Kingdom is often justified by the strong tradition of a fair and open public discourse, which forms the very heart of the United Kingdom's political identity. However, in recent years, criticisms have been voiced that these informal foundations are being neglected or circumvented for political reasons. With the planned replacement of the Human Rights Act 1998 through a bill of rights, new rules will be set. The government announcement that it will to "restore common sense to the application of human rights," and provide "a check on the expansion and inflation of rights without democratic oversight and consent" indicates that it intends to roll back existing regulations in this field. In line with further

attempts to constrain judicial review (see section D4.2), the government aims to “restrain the ability of the UK courts to use human rights law to impose ‘positive obligations’ onto our public authorities without proper democratic oversight.” These plans are likely, though, to face stiff resistance and may struggle to be realized.

Citation:

https://consult.justice.gov.uk/human-rights/human-rights-act-reform/supporting_documents/humanrightsreformconsultation.pdf

Non-discrimination
Score: 8

Over the last two decades, measures to combat discrimination have entered the political agenda, the statute books and, perhaps most tellingly, have become cultural norms. Starting with the Race Relations Act 2000, all public authorities have been obliged to promote race equality and tackle discrimination. In 2006, this was extended to cover gender and disability discrimination. The Equality Act 2010 has added further areas, such as age, gender identity, pregnancy and maternity and religion or belief. Political pressure is being exerted to add “caste” in order to fight discrimination still common in the Asian community. The legal framework is therefore very robust in countering discrimination and has had a significant impact on social attitudes, with the result that incidents of discrimination are rapidly and loudly condemned.

The state has made a serious attempt to end discrimination and abolish inequalities by reacting to a number of scandals in, for example, the police force with its alleged “institutionalized racism.” Relatively minor incidents on the football field become headline news and the mainstream view is very strongly anti-discriminatory, to the extent that even populist political parties appealing to indigenous groups have to be very careful to avoid any hint of overt racism or other forms of discrimination. A perception that the indigenous population is crowded out from public services and social housing has contributed to populist right-wing views about the impact of immigration, but gains only limited traction. Some high-profile cases, particularly those involving trans-identified people, have resulted in increased tensions and heated public discourse about just how far anti-discrimination should go.

There is still a massive imbalance in the national DNA database (40% of the black male population is registered, but only 13% of Asian males and 9% of Caucasian males) and anti-terrorism laws sometimes entail racial profiling. These phenomena may be primarily rooted in security concerns rather than in explicit discrimination. They can, however, nurture discriminating path dependencies in criminal investigations. While such relations have lately been the subject of heated public debates in countries like France, the Netherlands and the United States, the debate in the United Kingdom has remained

comparatively quiet. Moreover, support for equality measures is evident in how public opinion reacts to cases of discrimination.

Rule of Law

Legal Certainty
Score: 8

In the United Kingdom, the government and public administration apparatus act in line with legal provisions. This is facilitated by the government's extensive control over the legislative process, which enables the government to alter provisions if they constitute a hindrance to government policy objectives. Media and other checks on executive action deter any deviation.

An interesting test case arose as a result of the fraught stand-off between Parliament and the government during the autumn of 2019 when the former passed an act obliging the government to send a letter requesting an extension to the Article 50 deadline. The government did comply, albeit with bad grace and with two accompanying letters, saying it disagreed with the obligation. Despite these theatrics, the law was followed and an extension agreed with the European Union.

Completing Brexit entailed a large number of statutory instruments, a form of legislation that limits the legislature's ability to scrutinize. There were also concerns that a large proportion of the legislation necessary to implement Brexit would be introduced in this way – with critics deploring so-called Henry VIII Clauses, referring to the 16th century English monarch's propensity to over-ride Parliament. Given the volume of legal changes needed, the balance between primary legislation and a resort to statutory instruments is a delicate matter. However, it would be incorrect to regard the government as not acting in accordance with legal provisions. Uncertainty has long been a source of great concern for the business community and international investors in the United Kingdom. Since the passing of the EU-UK Trade and Cooperation Agreement, the situation has improved considerably in terms of legal certainty, even if details still need to be clarified.

Some of the measures introduced to cope with the pandemic relied on statutory instruments after the Coronavirus Act was passed (for England), with a similar law in Scotland, while Northern Ireland and Wales used regulations. Parliaments have to agree to an extension of the duration of lockdown powers. These powers include a mix of obligations with (as the Boris Johnson may find) potential fines for breaches and guidance to citizens. Latterly, the balance has shifted back toward guidance.

<https://www.gov.uk/eu-withdrawal-act-2018-statutory-instruments>

Fore Keidanren source: <https://www.ft.com/content/37e87630-a9eb-11e8-94bd-cba20d67390c>

Judicial Review
Score: 8

The United Kingdom has no written constitution and no Constitutional Court, although the supreme court fulfills this function. Consequently, the United Kingdom has no judicial review comparable to that in the United States or many other European countries. While courts have no power to declare parliamentary legislation unconstitutional, they scrutinize executive action to prevent public authorities from acting beyond their powers. A prominent example was the ruling of the High Court of Justice in November 2016 that the British government must not declare the United Kingdom's separation from the European Union without a parliamentary hearing. The United Kingdom has a sophisticated and well-developed legal system, which is highly regarded internationally and based on the regulated appointment of judges.

Additional judicial oversight is still provided by the European Court of Human Rights, to which UK citizens have recourse. However, as a consequence of several recent high-profile ECHR decisions overturning decisions made by the UK government, some political figures called for the United Kingdom's withdrawal from the court's jurisdiction even before the referendum. The role and powers of the ECHR in the British legal system in a post-EU United Kingdom remain unclear.

In recent years, courts have strengthened their position in the political system. In cases of public concern over government action, public inquiries have often been held. However, implementation of any resulting recommendations is ultimately up to government, as the public lacks legal power. Judge-led inquiries tend to be seen by the public as having the highest degree of legitimacy, whereas investigations by members of the bureaucracy are prone to be regarded more cynically. Many such inquiries tend to be ad hoc and some drag on for so long that there is limited public awareness of the subject by the time their final reports are published. The extensive delay in publishing the Chilcot inquiry into the Iraq war, finally made public only in July 2016 several years after it was supposed to be completed, was widely criticized by the government, media and citizen groups.

After the Supreme Court decision declared the first Johnson government's attempt to prorogue Parliament in 2019 illegal, the new government questioned the existing balance of judicial and parliamentary powers, which in their view had become distorted over the previous decade. Attorney General Suella Braverman argued that to restore the supremacy of Parliament, courts should no longer be able to question primary legislation enacted by Parliament or interfere in parliamentary proceedings. The proposed Judicial Review and Courts Bill has met much criticism, however, with a cross-party group of members of parliament and peers, but also Conservative MP David Davis

saying it could endanger government accountability and should therefore be dropped.

Citation:

<https://researchbriefings.files.parliament.uk/documents/CBP-9006/CBP-9006.pdf>

<https://www.gov.uk/government/speeches/judicial-review-trends-and-forecasts-2021-accountability-and-the-constitution>

<https://www.theguardian.com/law/2021/jun/02/plans-to-restrict-judicial-review-weaken-the-rule-of-law-mps-warn>

<https://www.theguardian.com/commentisfree/2021/oct/25/judicial-review-peoples-right-fight-government-destroy-courts-undemocratic>

Appointment of
Justices
Score: 7

The judicial appointments system reflects the informality of the constitution, but it has undergone substantial changes in recent years, which formalize a cooperative process without a majority requirement. Since the Constitutional Reform Act 2005, the powers of the Lord Chancellor have been divided up. Furthermore, the supreme court of the United Kingdom has been established, which replaces the Appellate Committee of the House of Lords and relieves the second chamber of its judiciary role. The queen appoints 12 judges to the supreme court based on the recommendation of the prime minister who is advised by the Lord Chancellor in cooperation with a selection commission. It would be a surprise if the prime minister ignored the advice or the Lord Chancellor or selection commission or the queen ignored the recommendations of the prime minister. The queen has a formal, ceremonial role and she is bound to impartiality. In contrast, the Lord Chancellor has a highly influential role and consults with the legal profession.

There is no empirical basis on which to assess the actual independence of appointments, but there is every reason to believe that the appointment process will confirm the independence of the judiciary.

Given criticisms of the courts during the course of the Brexit process and especially after the Supreme Court judgment on the prorogation of Parliament in 2019, and given government attempts to restrict judicial review as well as the role of the prime minister in this process, the continued independence of judicial appointment from political interference will be important. However, a public outcry would be expected if independence were seen to be seriously threatened.

Citation:

<https://commonslibrary.parliament.uk/decision-of-the-supreme-court-on-the-prorogation-of-parliament/>

Corruption
Prevention
Score: 7

The United Kingdom is comparatively free of explicit corruption like bribery or fraud, and there is little evidence that explicit corruption influences decision-making at national level. Occasional episodes arise of limited and small-scale corruption at the local level, usually around property development.

The delinquents of recent scandals in UK politics mostly acted within the law. However, these scandals point to a continuing gap between politicians' attitudes and the public's expectations. Regulations against corruption have already been formalized to strengthen them, with the 2004 Corruption Bill consolidating and updating regulations into one law. On most international comparisons, the United Kingdom comes out with strong scores.

The members of parliament expenses scandal of 2009 provoked a call for more transparency in this field, but is an example of an informal "British" approach to the political problem of not wanting to raise the salaries of members of parliament. Instead, there was a tacit understanding that they could claim generous expenses. The rules were tightened very substantially in the wake of the scandal and an independent body was set up to regulate member of parliaments' expenses. Codes of practice, such as the Civil Service Code and the Ministerial Code, have been revised (the latter most recently in August 2019) and are publicly available.

During the coronavirus pandemic, things took a turn for the worse when a number of scandals over firms associated with Conservative members of parliament – which had been awarded highly profitable pandemic-related contracts – led to an inquiry by the National Audit Office (see section G13.1) in which existing government practices were criticized. In a separate case, in January 2022, the High Court ruled that the use of a "high priority lane" through which contracts were awarded to firms personally known to members of parliament and members of the government had been illegal. While unfortunate, the most plausible explanation for these actions is desperation on the part of the government to secure the necessary supplies, leading to a lack of due diligence, and not so much deliberate corruption

In November 2021, Conservative MP Owen Paterson stepped down after the Parliamentary Commissioner for Standards had found him in breach of lobbying rules and described his actions as "paid advocacy," something members of parliament are not allowed to do. In what became one of a number of criticisms of his style of government, Boris Johnson attempted to engineer a change the rules to enable Paterson to avoid what would have been a short suspension from Parliament, despite concerns from many of his own members of parliament. What proved to be a badly misjudged attempt to support Paterson met with widespread protest and Johnson had to abandon the plan. On 16 December, the Liberal Democrats won the byelection in Paterson's vacated seat with a 34% swing in votes in what was widely seen as protest against government action in the Paterson case.

Citation:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/826920/A

ugust-2019-MINISTERIAL-CODE-FINAL-FORMATTED-2.pdf

<https://www.theguardian.com/politics/2022/jan/12/use-of-vip-lane-to-award-covid-ppe-contracts-unlawful-high-court-rules>

<https://www.bbc.com/news/uk-59188972>

Good Governance

I. Executive Capacity

Strategic Capacity

Strategic
Planning
Score: 6

Although the United Kingdom has one of the most centralized political systems and is one of the long-established liberal democracies in the world, the resources directly available to the prime minister are relatively limited compared with those available to other heads of government. Formally, there is no prime ministerial department to provide strategic planning or advice, although the Cabinet Office provides an important coordinating role across government and its head, the cabinet secretary, attends cabinet meetings. The cabinet secretary is also the head of the civil service, after the two roles were separated under the 2010 – 2015 coalition government. In 2014, the post of chief executive of the civil service was created with the incumbent becoming a permanent secretary of the Cabinet Office in 2015. The departure of the incumbent CEO in April 2020 saw the role modified to chief operation officer, with a remit to lead efficiency drives across government. The Cabinet Office also houses the National Security Adviser and a centralized COVID-19 taskforce, with both offices led by top-ranked civil servants (permanent secretaries).

The governance of the Cabinet Office includes a board charged with the strategic and operational leadership of the department, on which eight of the 17 members are external, non-executive directors from diverse backgrounds. For strategic coordination across government, the key body is the Economic and Domestic Affairs Secretariat (EDS), established in summer 2015. Generally, the Civil Service has undergone substantial modernization and professionalization over the past decade. As the 2021 Cabinet Office annual report notes, its remit has “expanded from our traditional secretariat work to a much wider role at the center, coordinating delivery and driving change across government.”

At a political level, a special advisory unit has supported all recent prime ministers. Special advisers and civil servants staff these advisory units. The remit of the Number 10 Policy Unit is defined by the prime minister but tends to focus on strategic political and policy decisions. In 2021, the prime minister set up a new delivery unit, headed by Michael Barber (who had previously fulfilled a similar role during the Blair administration), to ramp-up policy implementation, replacing the Implementation Unit set up by David Cameron.

However, these structures in some cases diminished the executive's ability for strategic planning, especially in the case of policy disunity in cabinet. Prime Minister Boris Johnson and his (then) chief special adviser, Dominic Cummings, quickly adopted a strategy that combined opacity with confrontation, alleging that Parliament worked against "the people." Without a majority in the House of Commons and without a public strategy for the government, this resulted in what many observers considered to be close to a constitutional crisis.

After Johnson won a substantial majority in the 2019 general election, the conflicts diminished initially. When Cummings was forced to leave, there was a substantial drop in headline grabbing initiatives and a return to normal civil service consultations. Latterly, a series of revelations about the conduct of staff in number 10 Downing Street have cast doubt on the effectiveness of the machinery for government strategy, highlighting the important role of the prime minister in setting the tone.

Citation:

https://civilservicelearning.civilservice.gov.uk/sites/default/files/twelve_actions_report_web_accessible.pdf
https://www.instituteforgovernment.org.uk/sites/default/files/publications/whitehall-monitor-2021_1.pdf

Expert Advice
Score: 7

Non-governmental academic experts played an important role in conducting independent reviews of central government policy or strategy during the post-1997 Labour governments. They have worked on the economics of climate change (Sir Nicholas Stern), the future of the pension system (Lord Turner), a review of health trends (Sir Derek Wanless) and fuel poverty (Sir John Hills). Established academics have also served in decision-making bodies such, as the Monetary Policy Committee of the Bank of England since 1997 when the Bank of England was made independent of government. These academics have thus been given substantial influence over core decisions. Most government departments solicit external studies on policy-relevant issues and are supported in doing so by a new Cabinet Office team called Launchpad. The reports are subject to normal procurement rules, typically with a restricted call for tenders.

The coalition government (2010 – 2015) altered the political orientation of the experts consulted by government. A further shift in practice was due to the commitment to what is known as open policymaking (OPM), under which policymakers are called on to actively seek broader inputs into the policymaking process. The traditionally strong influence of think tanks has continued, but those of the left-leaning variety (e.g., the Institute for Public Policy Research and Policy Network) have been replaced by more conservative-minded ones (e.g., the Resolution Foundation and the Center for Policy Studies). The interactions are transparent but occur at various stages of the policymaking process and are often initiated by the think tanks themselves. The emphasis on OPM can be regarded as a change in approach, emphasizing not only evidence-based policymaking, but also helping to identify more appropriate policy solutions. A “what works” team in the Cabinet Office facilitates this process and government departments publish details about their areas of research interest. The Government Office for Science is a unit dedicated to bringing scientific evidence to bear on decision-making. In November 2018, five new business councils, covering major export-sector clusters, were established to advise on how to create the best business conditions in the United Kingdom after Brexit.

There are also many informal channels through which government consults or is briefed by individual academics who have expertise in specific areas. These channels are often more influential than more formal consultation processes. Civil servants are routinely involved in academic events, and benefit from professional policy training and the Trial Advice Panel. The Trial Advice Panel, which consists of experts from within government and academics, supports civil servants to design experimental and quasi-experimental assessments for programs and interventions.

In the negotiation of the EU withdrawal agreement, informal links proliferated, including with think tanks, business interests and academia, but the fundamental political choices were not obviously influenced by expert advice. Attempts by former adviser to the prime minister Dominic Cummings to recruit “weirdos and misfits” to Number 10 jobs in order to increase the diversity of approaches beyond normal civil service areas did not succeed and ended after his dismissal. During the pandemic, the government relied extensively on expert scientific knowledge channeled through the Scientific Advisory Group for Emergencies (SAGE), a body with many sub-divisions that brings together a range of relevant skills, and works closely with the government’s chief scientific officer and chief medical officer. Nevertheless, criticisms have been voiced about some of the SAGE advice.

<https://www.gov.uk/government/organisations/government-office-for-science/about>

<https://www.theguardian.com/politics/2020/jan/02/dominic-cummings-calls-for-weirdos-and-misfits-for-no-10-jobs>

Interministerial Coordination

GO Expertise
Score: 9

The primary coordinating role is undertaken by the Cabinet Office, which has expertise in all areas of government since Cabinet Office officials commonly worked in other departments before. According to its website, the Cabinet Office has over 2,000 staff, is responsible for the National Security Council and is central to “making government work better.” The Cabinet Office’s Economic and Domestic Secretariat is responsible for coordinating policy advice to the prime minister and the cabinet, and the attached Parliamentary Business and Legislation (PBL) Secretariat provides advice on legislation and supervises progress made by bill drafting teams. Implementation task forces were replaced in a reform in mid-2020 by new cabinet committees for “operations” that coordinate the delivery of policy.

The power of the prime minister to recast cabinet committees is matched by the scope for civil servants to be reassigned to reflect the latest legislative priorities, ensuring effective oversight of line ministries.

Line Ministries
Score: 9

The Cabinet Office is at the center of policymaking. Since the May 2015 general election, all line ministries are required to prepare single departmental plans (SDP), building on a process already launched during the previous coalition government. As explained by John Manzoni, the chief executive of the civil service appointed in October 2014, these SDPs are intended to bring together inputs and outputs, clarify tradeoffs, and to identify where departments and the cross-departmental functions need to work together to deliver the required outcomes.

Line ministries’ policymaking is subject to intense scrutiny by the Cabinet Office, while the cost implications of line ministries’ policy proposals are controlled by the Treasury.

The creation of implementation taskforces, working alongside cabinet committees, is intended to strengthen the central oversight of policy proposals.

Nevertheless, coordination mechanisms were not able to resolve the political tensions around Brexit. Since the United Kingdom left the European Union, things have returned to the previous state, with a strong role for the Cabinet Office, which has been led since the autumn of 2020 by Cabinet Secretary Simon Case, “a trusted member” of the prime minister’s “inner circle.”

Citation:

<https://www.ft.com/content/670d1f85-5173-44dc-aedb-170c6b0f0713>

Cabinet
Committees
Score: 9

The composition and terms of reference of cabinet committees are decided by the prime minister. The minister for the Cabinet Office generally also has an influential role, chairing 10 and sitting on all but two cabinet committees under the May government. The creation of implementation taskforces alongside conventional committees led to a net increase in committee numbers. After the change of prime minister in the summer of 2016, two noteworthy innovations were the establishment of the European Union Exit and Trade Committee, and the Economy and Industrial Strategy Cabinet Committee, both of which were chaired by the prime minister. Additionally, a committee on social reform was created. However, leaks from cabinet ministers suggested that key decisions on Brexit were not adequately shared outside the prime minister's inner circle.

When Johnson succeeded May as prime minister, he radically altered the mix of committees, reducing them to just six, three of which were largely focused on concluding Brexit, the over-riding priority of his government. This exemplifies the UK government's tendency to reconfigure committees rapidly in response to shifts in political priorities, demonstrating the flexibility of the system, as it quickly did when Brexit was completed.

In response to the pandemic, new configurations were again created, with three new committees set up, while another was created to deal with the challenges of the UK approach to Afghanistan. At the time of writing, there were 20 committees listed on the government website. In some cases (e.g., for Global Britain or COVID-19), there are separate strategy and operations committees.

Cabinet committees reduce the burden on the cabinet by enabling collective decisions to be taken by a smaller group of ministers. Since the Conservative government of Edward Heath (1970 – 1974), it has become an established norm that decisions settled in cabinet committees are not questioned in full cabinet unless the committee chair or the prime minister decide to do so.

Citation:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/720421/2018-06-27_DUP_CC_Transparency_Return__October_to_March__FINAL.pdf

<https://www.gov.uk/government/publications/the-cabinet-committees-system-and-list-of-cabinet-committees>

<https://www.instituteforgovernment.org.uk/publication/whitehall-monitor/whitehall-explained/cabinet-committees>

Ministerial
Bureaucracy
Score: 9

The interministerial coordination of policy proposals is an official civil service goal. Single Departmental Plans (SDPs) set out departmental objectives and how these will be achieved. SDPs highlight areas of cross-departmental working, including where departments are working together to deliver shared objectives and are overseen by the Cabinet Office and the Prime Minister's Office. There are also some cross-departmental bodies established in response to the identification of specific objectives, such as the Work and Health Unit set up to improve the employability of disabled or ill people.

There were concerns that the workload required to deliver Brexit would undermine coordination within government. But, as expected, since the formal conclusion of the process, there has largely been a reversion to the usual procedures. Plans put forward by former adviser to the prime minister Dominic Cummings for a major reform of the civil service were not pursued further after he left Downing Street.

Several new coordination units, cutting across departments, were created in 2020 in response to the pandemic, testifying to a capacity to change means of coordination rapidly.

Informal
Coordination
Score: 8

Informal coordination was a hallmark of the Labour governments under Tony Blair (1997 – 2007). However, informal coordination was reduced during the Labour government of Gordon Brown (2007 – 2010) and largely abolished under the coalition government (2010 – 2015), because of the need to avoid tensions within the coalition.

Having returned to one-party government in May 2015, it was expected that informal forms of coordination would become more common again. Yet, the divisions within the governing Conservative Party, namely among senior ministers and party factions, over the United Kingdom's future relations with the European Union complicated informal coordination to a point of more or less open sabotage, which finally led to the collapse of the May government. The rift within the Conservative Party even widened under May's successor Boris Johnson, before being largely settled after the general election victory in December 2019.

Cabinet committee discussions are regularly preceded or accompanied by bilateral meetings of relevant ministers supported by senior officials across government. These discussions are often chaired by the chancellor of the Duchy of Lancaster, a senior member of the Cabinet with no departmental role, or by other senior ministers. The proximity of ministries, the executive and Parliament in SW1 (the post code for the part of the London Borough of Westminster where so many institutions of governance are located) facilitates

a range of informal interactions. Moreover, there are informal networks of special advisers to ministers, which can help broker deals between ministers.

Although there are formal mechanisms for coordinating issues affecting the governments of the four constituent nations of the United Kingdom, the position of the central government as the voice for the United Kingdom as a whole as well as for England (and sometimes also Wales) can cause tensions, especially in view of the relative size (population and economy) of England compared with the other three nations. Differing rules and timing for COVID-19 restrictions on travel, though not diverging all that much, illustrate the potential complexities.

Citation:

Collaborative Civil Service: <https://civilservice.blog.gov.uk/2016/04/28/a-model-for-a-more-collaborative-civil-service-the-estate-strategy-in-action/>

Digitalization for
Interministerial
Coordination
Score: 8

The Government Digital Service (GDS), established in 2012, established standards for new digital services and promotes the government's digital-by-default approach. GDS is also responsible for providing common technologies and services to departments for their digital services (e.g., the gov.uk platform, and cross-government payments and notifications services). All government departments now have digital technology teams, which in some departments are also responsible for internal IT services for officials. Publishing all government digital material on the single gov.uk platform (at UK level, covering England, but separately for Scotland, Wales and Northern Ireland) has been a valuable consolidation.

An assessment in 2017 by Daniel Thornton of the Institute for Government provided qualified support to government efforts to achieve more digital coordination. A report by the Public Accounts Committee on the progress of the government's Verify program (intended to ease digital access for citizens by simplifying verification of their identity) was scathing about the failures of implementation and lack of progress. Comprehensive digitalization of NHS data remains a major challenge, but was given a significant impetus by the pandemic, including the creation of effective platforms for booking vaccinations and recording test results.

During the coronavirus pandemic, digital technology greatly facilitated effective responses by all parts of government to the crisis. While many new services were delivered in record time and the work of central government continued with only minor problems, there were a number of high-profile failures, not least abortive first attempts to establish a contact-tracing app. There were also problems with algorithms used to calibrate school exam results based mainly on teacher assessments. These arose first in Scotland,

which has an earlier exam timetable, making it all the more inexplicable that lessons were not learned when it came to a similar exercise in England.

As the GDS enters its second decade, the service has set out a number of ambitions, not the least of which is to create a single online identity to overcome what has been described in a blog article as systems “designed, developed and operated in departmental silos, with a focus only on meeting each department’s needs.”

Citation:

Alex

Allan

review:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/589946/2017-01-18_-_Better_Information_for_Better_Government.pdf

<https://www.instituteforgovernment.org.uk/sites/default/files/publications/head-of-ddat-final.pdf>

<https://www.parliament.uk/business/committees/committees-a-z/commons-select/public-accounts-committee/news-parliament-2017/accessing-public-services-through-verify-report-published-17-19/>

https://www.instituteforgovernment.org.uk/sites/default/files/publications/whitehall-monitor-2021_1.pdf

<https://www.bing.com/search?q=uk+government+digital+transformation+strategy&FORM=QSRE8>

Evidence-based Instruments

RIA Application
Score: 8

The reduction of regulation costs has been a long-standing policy goal of successive governments and is closely monitored by the Better Regulation Executive, set up in 2005 and charged with overseeing the Better Regulation Framework (updated periodically). Successive governments have refined this approach while maintaining its broad thrust. Regulatory Impact Assessments (RIAs) have to be prepared for all legislation, which affects businesses, charities and voluntary bodies, to assess the benefits and burdens of the planned measure. The number of RIAs carried out has fallen from a peak of 664 in 2011 to an average of 175 in each of the three years preceding the pandemic, and just 100 in 2020 and 85 in 2021, according to legislation.co.uk. Over the years, the largest number of RIAs were for the departments responsible for business, transport and the environment.

Academic research has questioned the value of these assessments since their results are not systematically integrated into the decision-making process, but they are certainly applied. The threshold for conducting a full RIA has been raised from effects exceeding £1 million to £5 million in 2018, but this is expected only to reduce the number of RIAs by 7%. RIAs are followed up after five years to verify their findings, with independent oversight. Each ministry has a better regulation unit and the formal process is scrutinized by the independent Regulatory Policy Committee

While this is good overall practice, implementation was particularly patchy during the politically charged Brexit process, with the government resisting pressure to make all the relevant documentation public in a timely manner. Some elaboration is provided by the Institute for Government. Notwithstanding this exceptional period, RIAs are taken seriously. There are extensive manuals and guidance for officials contemplating policy initiatives. Provisions also exist for taking into account impacts of UK-wide legislation on the devolved administrations.

A consultation launched in July solicited input on how “the UK can reshape its approach to regulation and seize new opportunities from Brexit with its newfound regulatory freedom.” Legislation is expected to follow in 2022.

Citation:

Dunlop, Claire A. et al. 2012: The many uses of regulatory impact assessment: A meta- analysis of EU and UK cases, in: Regulation & Governance Vol. 6 23-45.

<https://www.instituteforgovernment.org.uk/explainers/no-deal-brexiteuk-preparations>

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/841245/EU_Withdrawal_Agreement_Bill_Impact_Assessment.pdf

<https://www.oecd.org/regreform/Proportionality-and-threshold-tests-RIA.pdf>

Quality of RIA
Process
Score: 8

The Regulatory Policy Committee (RPC), a body established in 2009 and independent since 2012, is responsible for quality evaluation and impact assessment. The RPC provides feedback to the Reducing Regulation Committee, a sub-committee of the Cabinet Committee on Economic Affairs, on the quality of the analysis and evidence presented. The RPC does not actively solicit input from outside the government department concerned, but is open to submissions from other stakeholders on the impacts of proposed regulation. Transparency and guidance is provided on the government website (gov.uk) detailing how to contact the RPC. The government invites direct comment on the process in an effort to engage citizens and, perhaps more importantly, businesses. To reduce regulatory costs for businesses, the government committed to a Business Impact Target. There is a one-in-three-out principle for new regulations, with information regularly updated online.

That these principles can, however, be overridden for political expediency, if the government wishes, was demonstrated during the planning and execution of the United Kingdom’s withdrawal from the European Union. However, in relation to COVID-19, impact assessments were regularly undertaken ranging from the overall impact of the Coronavirus Bill, prior to its enactment, to more detailed assessments of specific measures.

Sustainability
Check
Score: 9

Citation:

<https://www.gov.uk/government/organisations/regulatory-policy-committee/about#rpc-guidance-and-training>

In the United Kingdom, the whole RIA process aims to provide support for sustainable policymaking. The assessment is based on a wide range of different indicators, including social, environmental and ecological. However, economic indicators seem to be the most important. The assessments analyze the impact of regulation over several time periods (i.e., short, medium and long-term), and they attempt to take into account external shocks and irregular developments. There is a sustainable development impact test to complete for all relevant policy proposals.

Citation:

<https://www.gov.uk/guidance/sustainable-development-impact-test>

Quality of Ex
Post Evaluation
Score: 10

Evidenced-based decision-making is deeply rooted in the United Kingdom's tradition of firm and efficient legislation, and ex post evaluations are as vital a part of public policymaking as impact and sustainability checks. The OECD ranks the United Kingdom second among its 40 members for its approach. Specialist analytical functions have recently been brought together to form the Analysis Function, further strengthening their role in policymaking and service delivery. Analytical approaches to evaluation are set out by the Magenta Book and the Green Book, supported by the Cross-Government Evaluation Group coordinated by HM Treasury. More recently the Behavioral Insights Team (formerly a team within the Cabinet Office, but now an independent entity) and the What Works Network (coordinated by the Cabinet Office) promote the increased use of evaluation methods, especially randomized controlled trials.

The notion here is to make government more efficient, and so to quickly identify and overcome unnecessary regulatory hurdles. In 2011, the previous coalition government launched the "Red Tape Challenge," encouraging citizens to report unhelpful or burdensome legislation that could be cut or reformed. However, the main focus of the United Kingdom's commitment to ex post evaluation is surely on facilitating business.

The Regulatory Policy Committee (RPC) assesses the quality of the government's RIA analyses and further examines all published ex post evaluation. If the RPC submits a recommendation to the government, it is expected to be implemented into law. Further, businesses can directly address the RPC if they disagree with or feel disadvantaged by a specific governmental regulatory assessment.

Citation:

OECD Regulatory Policy Outlook 2021

Public
Consultation
Score: 7

Societal Consultation

The United Kingdom had a weaker tradition, compared to many other EU member states, of systematically incorporating civil society organizations into the decision-making process. Nevertheless, a significant effort has been made since 2010 to make government more open and, in 2019, a new action plan for open government was published. The plan sets out eight commitments in the areas of influencing policymaking, transparency on publicly owned resources and access to data.

Previous changes led to a substantial increase in policymaking transparency and included systematic efforts to consult a range of actors. However, the extent to which social partners are formally engaged in the policymaking process continues to be less than in many other western European countries. The 2010 – 2015 coalition government established a “compact” to govern civil society engagement in policymaking in England, under the auspices of a (junior) minister for civil society. Civil society is also listed as one of the responsibilities of the minister for the Cabinet Office. The United Kingdom was a founding member of the Open Government Partnership and, as a member of the partnership, is committed to producing a national action plan to engage with civil society. The current plan detailed a range of commitments. According to a recent self-assessment, some three-quarters of these commitments have already been achieved or are underway, though 27% of these commitments are behind schedule. Impact assessments are one means by which consultation has been enhanced, with drafts circulated to stakeholders before being finalized. Feedback on these drafts is considered before decisions are taken on whether or not to proceed with the policy change under review.

In 2014, some 650 public consultation processes took place, all described on the government website (gov.uk) and this increased further in 2018 when 767 were conducted. In addition, a range of advisory boards solicit input into the policymaking process in areas such as migration and social security. However, a concern (expressed to the reviewer by a former minister for the Cabinet Office) is that the follow-up to many consultations is limited. Given the pluralist nature of the UK system of interest groups and associations, it can also be difficult to identify which organization would be competent and legitimized to speak on a certain issue.

The United Kingdom’s fifth National Action Plan for Open Government 2021 – 2023, covering the period up to the end of 2023 has been announced. Quoting from the announcement, its “commitments build on themes from

previous plans. They reflect priority areas identified through the co-creation process with civil society and active citizens, using the Open Government Network as the primary engagement mechanism.”

Citation:

<https://www.gov.uk/government/publications/compact-the-agreement-between-government-and-the-voluntary-community-sector>

<https://openpolicy.blog.gov.uk/about/>

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/668970/Final_mid-term_self_assessment_report_NAP_2016-18.pdf

<https://www.gov.uk/government/publications/uk-national-action-plan-for-open-government-2019-2021>

Policy Communication

Coherent
Communication
Score: 7

Compared with the culture of secrecy of earlier decades, government has become much more open in the United Kingdom in recent years. This is due to a combination of the Freedom of Information Act passed by a Tony Blair-led Labour government, and a willingness to use the internet to increase transparency and open up government. The government website (gov.uk) provides extensive information on government services and activities, and has been redesigned to be more user friendly. It is also a single gateway website, which aims to facilitate greater coherence in line with the government communications plan.

On international measures, such as the Open Data Index or OECD government assessments, the United Kingdom scores well and there is clearly a strong push from within the administration to enhance communication, for example, with a strategic communications plan and a single communications budget.

However, while the mechanisms of communication were laudable, communication proved to be difficult in the period between the Brexit referendum and the completion of the United Kingdom’s exit from the European Union. As with so many facets of governance, the settlement of Brexit resulted in a return to more coherent communication. On the whole, messages around the pandemic have been both clear and informative for the public, despite some differences of emphasis between the departments responsible, especially those covering healthcare, on the one side, and business and the economy, on the other. However, more could have been done to highlight why, despite claims to be following the science, governments (in this instance, of all four nations of the United Kingdom) took certain decisions.

Communication around the many charges leveled against Number 10 about parties has been shambolic.

Citation:

OPM Approach: <https://openpolicy.blog.gov.uk/> is an open site with short articles on the OPM approach
<https://gcs.civilservice.gov.uk/communications-plan/>

Government
Effectiveness
Score: 8

Implementation

The United Kingdom’s political system is highly centralized. For example, there are no “veto players” outside of the central government who could challenge or undermine the government’s core policy objectives. There is no written constitution or Constitutional Court, although the Supreme Court can challenge government decisions directly and effectively. There is provision for judicial review, something the government is currently trying to limit given its extensive use in recent years. The devolution of certain powers to Scotland, Wales and Northern Ireland has meant that some national policy goals are subject to decisions at the subnational level over which the central government has only limited powers. In particular, the influence of the Scottish Parliament, based in Holyrood, increased substantially following the close outcome of the Scottish referendum and the massive gains made by the Scottish National Party across Scotland in recent UK general elections.

Persistent problems in the National Health Service have had to be addressed by resort to emergency funding. Meanwhile, disputes over some issues – such as a third runway at Heathrow or the (slow) construction of HS2, a high-speed rail-link between London and northern England – have been affected by the impact that the issue would have on individual ministers’ parliamentary constituencies. The government has also struggled to introduce major welfare reforms, notably Universal Credit. The Institute for Government (IfG) in 2018 noted an increase in the number of major projects for which delivery is “in doubt” or “unachievable” compared to five years earlier. In the IfG’s 2022 Whitehall Monitor, it identifies positive responses to the pandemic, noting, for example, that “the government could quickly develop and roll out large new digital services.” But the report also draws attention to failings in public procurement from having departed from normal processes and from the many “political problems facing the government, which are already proving a distraction from its agenda.” Arguably, these difficulties suggest that, although the power conferred to the prime minister is often an advantage in implementation, it can be a disadvantage if the incumbent is beleaguered.

On the whole, UK governments are able to achieve what they set out to do, because the electoral system is geared to generating parliamentary majorities, which facilitate the implementation of government objectives. Nevertheless, and especially when the government’s majority is small, difficulties can arise

in achieving policy objectives because of intra-party factionalism and parliamentary party rebellions. Even under the exceptional coalition government between 2010 and 2015, Premier Minister David Cameron often had more trouble controlling his own party's right-wing than dealing with the demands of the junior coalition partner, the Liberal Democrats. After the general election in 2017 in which May lost her absolute majority and was forced into a "confidence-and-supply" arrangement with the Northern Irish unionist DUP, challenges in implementation became only too evident – and even more so after she was replaced by Boris Johnson who eventually withdrew the whip from no fewer than 21 Conservative members of parliament. The UK government was without a majority in the House of Commons for weeks, which in this traditionally parliament-focused system meant a de facto standstill of almost all government action.

The conclusion to draw is that in the relatively rare circumstances of a hung parliament, the UK government will struggle to implement policies. In the exceptional circumstances of 2019, the difficulties were exacerbated, but were soon resolved by a return to majority government.

During much of the pandemic, the devolved governments and, to a lesser extent, of the metropolitan areas exhibited an increased self-assuredness in implementing their own preferences in their areas of competence. In these areas of competence, the UK government was responsible only for England. However, in other areas of competence the UK government was able to implement several key policy responses to the pandemic effectively.

Citation:

<https://www.instituteforgovernment.org.uk/sites/default/files/publications/Whitehall%20Monitor%202019%20WEB1.pdf>

<https://www.instituteforgovernment.org.uk/publications/whitehall-monitor-2022>

Ministerial
Compliance
Score: 9

The prime minister has traditionally had more or less absolute power to appoint (and fire) ministers. Prime ministers use this power of patronage to earn the loyalty of backbench members of parliament and to ensure that ministers stick to the government agenda. The prime minister is also able to reshape the machinery of government, such as the remit and composition of ministries and cabinet committees.

Despite occasional leaks, the collective responsibility of cabinet is a well-entrenched doctrine, with standards of behavior are set out in the Ministerial Code. The prime minister's power is partly dependent on the incumbent's political strength, and calculations by their party and potential rivals as to their future electoral success (which is directly linked to their own job security). Party whips also play a key role in passing legislation and thus in supporting

the government, and any members of parliament with strong political ambitions have to be wary of being branded as mavericks. However, this label has become significantly less stigmatized over the past couple of years and Conservative members of parliament elected recently, especially the 2019 newcomers, many from what were previously Labour constituencies and with less experience of Parliament because of the long period of lockdown, are sometimes considered to be more prone to rebellion.

Following the 2016 referendum, several ministers publicly dissented from the government line on Brexit, with some ministers even resigning from the cabinet, while others used leaks and briefings to undermine the prime minister. As with other questions on executive capacity, the particular circumstances of Brexit being implemented by a minority government were unusually difficult. The ensuing disputes within the cabinet blocked Theresa May's key policies and finally collapsed her government. Her successor, Boris Johnson, who was a central figure in sabotaging Theresa May's premiership, has – after the clear victory in the 2019 general election – managed to reinstate the discipline he himself helped undermine.

During the pandemic and in the development of policies for recovery from it, there has been little sign of ministerial dissent. Moreover, the government was able to push through unpopular tax increases, despite these being at odds with manifesto commitments. Yet, several policies at the heart of the Conservative program – leveling-up being a prime example – have been postponed while attention was focused on the pandemic and are only now being taken forward.

The tight integration between the Prime Minister's Office and the Cabinet Office enables prime ministers to be effective in determining the strategic direction of the government. Through Treasury Approval Point processes, the Treasury has long had an important monitoring role, which goes beyond the role of finance ministries in other countries. Decision-making is concentrated in strategic units and in informal meetings. Ministers have to reveal their preferences in cabinet meetings, cabinet committees and bilateral meetings with the prime minister or chancellor. Consequently, monitoring is relatively easy for the core executive, also by means of the single department plans.

Some recent initiatives have reinforced central oversight, including the merger of the Major Projects Authority and Infrastructure UK into the Infrastructure and Projects Authority, which reports to both the Cabinet Office and HM Treasury. There are implementation task forces set up at ministerial level to drive delivery in a focused set of priority areas and an implementation unit in the Cabinet Office, which works on behalf of the prime minister to track the delivery of priority policies and the wider government program. It intervenes where delivery or operational performance is at risk, or progress is unclear in

Monitoring
Ministries
Score: 9

order to strengthen implementation capability across the civil service. The Financial Management Reform launched in 2014 has been evaluated as a success by the Institute for Government.

The Department for Exiting the European Union oversaw departments' progress toward implementing the United Kingdom's exit from the European Union. The department identified individual workstreams that needed to be taken forward, and worked closely with departments and other parts of central government to monitor delivery in these areas. On January 31, when Brexit took effect, the department was dissolved.

In a similar way, the government was able to set up new taskforces or inter-departmental initiatives related to the pandemic. For vaccines, this was an undeniable success, whereas test and trace had a more checkered history. But the point remains that implementation is closely monitored.

Citation:
Whitehall's Financial Management Reform:
https://www.instituteforgovernment.org.uk/sites/default/files/publications/IfG_FMR_Cima_briefing_paper_WEB_2.pdf

Monitoring
Agencies,
Bureaucracies
Score: 7

The United Kingdom was an early adopter of delegating civil service work to executive agencies in order to improve performance and reduce costs, which has been going on since the early 1990s under the Next Steps Program. There is, moreover, an expectation that the departmental minister takes responsibility for any agencies that the ministry oversees but no expectation that the minister will have to resign if problems arise in an agency. The ongoing Civil Service Reform also seeks to introduce new instruments of performance control and individual accountability, for example, through guidance, such as *Managing Public Money*. The Cabinet Office has recently revised its guidance on public-service reviews and issued a code of good practice for partnerships between departments and arm's length bodies. The government's July 2021 declaration on governance reform sets out plans for a fresh look at policy delivery, including the roles of agencies.

Nevertheless, problems have arisen. After repeated criticism, the UK Border Agency, which is responsible for the entry and management of foreign nationals, was taken back into the Home Office to improve transparency and political accountability. It still attracts some negative headlines, and there are evident stresses arising from the management of prisons by private contractors and the failings in dealing with cross-channel migration. Several child-abuse scandals revealed shortcomings in the monitoring of local-level entities, including local childcare, youth and police services. Further, the horrible fire at Grenfell Tower in June 2017 (which caused upward of 70 deaths) exposed

major failings in British construction supervision. To some extent, quality control bodies – for example, HM Inspectorate of Constabulary for the police – provide safeguards through setting standards.

Some public agencies have been heavily criticized. For example, the House of Commons Public Accounts Committee has been very critical of HM Revenue and Customs, the tax collection agency, while the CEO of the education standards agency (OFQUAL) was obliged to resign over problems in implementing grading of pupils in the summer of 2020. Public Health England – only created in 2012 – was abolished in October 2021 as a result of perceived inadequacies.

In its 2022 Whitehall Monitor, the Institute for Government asserts that problems with arms-length bodies (ALBs) partly stem from ongoing and largely unresolved questions about how ALBs should be used and what sort of relationship they should have with ministers.

Elston, Thomas 2011: Developments in UK executive agencies: re-examining the disaggregation – re-aggregation thesis, Paper presented to the Governance of Public Sector Organisations study group at the 33rd Annual Conference of the European Group for Public Administration, Bucharest, 7th – 10th September 2011.

Tailored

Reviews:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/570290/Tailored_Review_Guidance_v1.1_Nov_2016.pdf

Code of Good Practice: <https://www.gov.uk/government/publications/partnerships-with-arms-length-bodies-code-of-good-practice>

<https://www.gov.uk/government/publications/declaration-on-government-reform/declaration-on-government-reform>

Task Funding
Score: 6

Within the United Kingdom, Scotland, Wales and Northern Ireland have devolved governments, which have responsibility for major public services, such as healthcare and education. England has more limited devolved government as a result of the relatively recent establishment of metro and city mayors, and local authorities in England have responsibility for a more limited range of public services, including schools. The central government exercises tight control over the finances of the devolved governments and local authorities in England. The bulk of local authority revenue in England comes from central government grants, even the rate of property tax is controlled centrally. As a result, local authorities were among the hardest hit by government spending cuts during the 2010s. Social care is an especially problematic area, but local authorities are also highly constrained in dealing with basic services, such as filling potholes in roads. Increased task funding for subnational governments has been announced in more recent annual budgets, but it does not go far enough to offset funding gaps.

Given the absence of a written constitution, there is no mechanism to govern the allocation of funds to finance these devolved tasks. As such, any decisions about funding are subject to political and administrative negotiations through formula-based need assessments. Agreements such as the “Barnett Formula” for Scotland, Wales and England provide some stability of funding, while for historical reasons Northern Ireland has a distinctive form of financing. However, despite their recent reaffirmation, these agreements could change if a future government decides that fiscal consolidation requires severe spending cuts.

The Scotland Act 2012 gave the Scottish government new taxation and borrowing powers. After the close outcome of the Scottish independence referendum and as a result of the Smith Commission’s report, the new Conservative government announced the devolution of further tax powers – including income-tax powers – to the Scottish Parliament. The details of additional borrowing powers for the Scottish Parliament were laid down in the Scotland Act 2016, which allows the Scottish government to borrow £450 million a year for infrastructure investment, such as on schools and hospitals, up to a total of £3 billion.

The National Assembly of Wales has far less fiscal discretion, but central government has agreed that further borrowing powers should also be devolved to the Welsh Assembly and agreed on a fiscal framework. A new settlement for the Northern Ireland Assembly has also been under discussion for some time. However, after the Northern Irish parties were unable to form an executive after the regional election in 2017, the province had an extended period of renewed direct control of Westminster. A quid pro quo for the Northern Irish DUP’s support for the May government was extra funding for the province.

The growing number of devolved administrations in England has led to the rise of several assertive new political actors (e.g., the Greater Manchester Combined Authority and the Liverpool City Region Combined Authority), whose fiscal relation to the central state is expected to become a major political topic as the government seeks to implement its “leveling-up” agenda. However, central government funding for local governments was one of the areas most heavily cut during the years of public spending retrenchment. The cumulative effect of these cuts has been considerable, with many councils obliged to run down already slender reserves, and a number of local governments have struggled to maintain even statutory services. Notably, special measures were imposed on the Conservative-run Northamptonshire County Council – in effect a declaration of the council’s insolvency. After the

pandemic, a need for fiscal restrictions is likely to create tensions with devolved and regional entities, which have managed to raise their profile during the crisis.

Scully, Roger/Jones Richard Wyn 2011: 7. Territorial politics in post-Devolution Britain, in: Heffernan, Richard et al.: *Developments in British Politics 9*, Basingstoke and New York

Smith Commission Report: http://www.smith-commission.scot/wp-content/uploads/2014/11/The_Smith_Commission_Report-1.pdf

Regions and Nations Factsheets, Autumn Statement 2021: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1036523/Regions_and_Nations_Factsheets.pdf

Constitutional
Discretion
Score: 8

A distinction must be made between local authorities of England, on the one hand, and the Scottish Parliament, the National Assembly of Wales and the Northern Ireland Assembly, on the other hand. The latter have devolved governments enjoying considerable autonomy from central government, in contrast to the strong restrictions on local authorities in England. Nevertheless, more power was given to local authorities in England by the 2011 Localism Act, which substantially increased local authorities' decision-making and spending powers over, for example, healthcare, skills training, transport, employment support, physical infrastructure investment and housing. In addition, the Cities and Local Government Devolution Act 2016, in what can be seen as a limited push toward English devolution, established directly elected mayors for combined local authorities in England and Wales, so-called metro mayors. Eight elections for metro mayors were held in 2017 alone.

The devolved parliaments in Scotland and Northern Ireland decided against the creation of directly elected mayors in their respective regions. The establishment of a directly elected mayor in England or Wales normally follows a local referendum, although neither Leicester nor Liverpool held a popular vote and in one case (Torbay, in May 2019) the mayoralty was abolished following a referendum. These plebiscites more often than not rejected proposals to install mayors. In 2021, 15 cities had directly elected mayors, including London. However, there are also nine so-called metro mayors, who are the chairs of "mayoral combined authorities," for instance in the Greater Manchester Area and the West Midlands; the latest being in West Yorkshire, elected in May 2021.

The political weight of these subsidiary authorities varies markedly and the substance of mayoral offices in the traditionally centralized political system of England is hard to measure. The number of mayors is clearly increasing and they now cover 41% of the population, much of it in the nine metropolitan areas. Numerically, though, they remain a small proportion of all English subnational government jurisdictions.

Some further powers were shifted to the devolved administrations and they undoubtedly took advantage of these (and existing) powers in differentiating their responses to the pandemic. Scotland has gained increased tax powers. The 2017 Scottish Budget set out new income-tax bands. The New Welsh Land Transaction Tax was introduced on 1 April 2018. The return of powers from the European Union will lead to a significant increase in the decision-making powers of the Scottish and Welsh governments, and the restored Northern Ireland executive after a long political hiatus between 2017 and 2020. The Scottish Parliament and the Scottish government have become major political actors, especially through the Scotland Act 2016. Although the powers of the Scottish Parliament are revocable by central government, they should be considered permanent for political reasons.

The Welsh and Northern Irish parliaments have considerable autonomy, granted for instance in the Wales Bill. However, these powers differ in degree from those held by the Scottish Parliament, although new financial powers are being devolved, such as the proposed introduction of a Northern Ireland rate for corporation tax. Even if some decisions by the Scottish government have antagonized central government, the central government has not intervened. With the current Scottish government planning for a second referendum on independence, the central government will likely be even more cautious not to do so.

Citation:
Guide to Localism Act:
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/5959/1896534.pdf

House of Commons Briefing paper SN05000 2016 – Directly elected mayors:
<http://researchbriefings.parliament.uk/ResearchBriefing/Summary/SN05000>

National
Standards
Score: 7

Because of the constitutional position of the devolved administrations, there are significant policy areas, such as education, health and social care where there is no UK-wide standard – by design. In England, there are supposed to be national standards for service delivery by local authorities or the parallel networks of agencies for specific policies such as the trusts running healthcare, but recent scandals have shown that implementation can be unsatisfactory and thus that there can be “postcode lotteries” in standards. Recently, the Care Quality Commission, a body charged with overseeing the quality of health and social care, was criticized for a lack of transparency. A subsequent report by the National Audit Office found that, while there had been considerable improvements, shortcomings still needed to be addressed.

Although central government has the capacity to set standards, it does not always do enough to “watch the watchers.” Similar factors apply in Wales,

Scotland and Northern Ireland. All members of the civil service are pledged to a range of codes (such as the Civil Service Code, the Directory of Civil Service Guidance) to ensure national standards in performance, conduct and delivery. The central government has encouraged local authorities to set up regional standards boards. This is in line with the Localism Act 2011, which changed the powers and scrutiny of local government in England. The ongoing Civil Service Reform, which started in 2012, established a new range of national standards, especially in skills, accountability, transparency and diversity, as recorded in the New Public Appointments Governance Code.

An agreement on common standards was reached between central government and the devolved administrations in October 2017 regarding powers returning from Brussels. It was announced on 13 January 2022 that an agreement had been reached on relations between all of the United Kingdom's governments. It will be a three-tiered structure and will formalize a new council, chaired by the prime minister, made up of the heads of the devolved governments.

Citation:

HM Government 2012: The Civil Service Reform Plan: <http://resources.civilservice.gov.uk/wp-content/uploads/2012/06/Civil-Service-Reform-Plan-acc-final.pdf>

<https://www.nao.org.uk/wp-content/uploads/2015/07/Capacity-and-capability-to-regulate-the-quality-and-safety-of-health-and-adult-social-care.pdf>

Effective
Regulatory
Enforcement
Score: 8

The implementation, execution and control of regulations in the United Kingdom is the task of the civil service and statutory regulatory bodies. Many of the latter are set up on a statutory basis, either as non-departmental public bodies that report to parliament or as non-ministerial government departments, ensuring that they are at arms-length from government and ministers. There are also a number of non-governmental regulators for different industry sectors, some of which are voluntary and some of which are placed on a statutory footing either through legislation or a Royal Charter.

The civil service (also known as “Whitehall” for its historic location in London) is a highly centralized and powerful bureaucratic body that abides by very strict codes of conduct, and generally provides an indispensable and loyal service to the UK government.

Like many other countries, key industries in the United Kingdom – the City of London, with its concentration of financial and business services, is a notable example – are able to lobby against unwelcome regulation more forcefully than other businesses or civil society.

Adaptability

Domestic
Adaptability
Score: 7

The organization of ministries in the United Kingdom is a prerogative of the prime minister, and traditionally the precise division of tasks between ministries apart from the classic portfolios of foreign policy, defense, the Treasury, and the Home Office has been subject to considerable change. There is some evidence for international and supranational developments playing an important role in these decisions on UK government structures, a clear example being the creation of the Department of Energy and Climate Change, with an explicit remit to engage in international action to mitigate climate change, although was subsequently subsumed within new ministries following the change in prime minister in 2016. New cabinet committees have been set up (and subsequently terminated), such as a committee on Syrian refugees in 2015 and more recently on dealing with Afghanistan after the 2021 takeover by the Taliban. There have also been developments leading to new cross-departmental structures. The establishment of the National Security Council was a response to security-related issues, while the creation of a cross-governmental joint energy unit was motivated by the Ukraine crisis.

The United Kingdom has in some areas been an early, and sometimes enthusiastic, proponent of norms and practices that have been championed by international bodies, including those overseeing financial stability and transparency in government. The Open Data Charter and the Open Government Partnership (in which the United Kingdom plays an active role) were agreed under the United Kingdom's G7 presidency. The United Kingdom is an acknowledged leader in open government and ranked first out of 115 countries in the 2016 Open Data Barometer. Considerable effort was put into the preparation of COP26, held in Glasgow in 2021, with the effort headed by a cabinet minister.

Prior to Brexit, ministries and cabinet committees were reconfigured and efforts made to develop trade policy capability, because government had to respond to the expanding UK role in international trade. The revived Ministry for International Trade was one such reconfiguration. On the other hand, the Johnson government is eager to distance itself from many of the United Kingdom's previous relationships with the European Union to emphasize its independence.

International
Coordination
Score: 7

The United Kingdom has long played a leading role in coordinating international initiatives and the country's imperial legacy has contributed to its active stance on international commitments. It has led global responses in recent years, for example, in efforts to eradicate poverty in Africa, coordinate

the EU response to the Ebola outbreak, promote reform in the financial sector, and combat climate change and corruption.

As a permanent member of the U.N. Security Council, the United Kingdom is very active in the United Nations in security matters and also plays a prominent role in NATO. Government structures, such as the National Security Council, ensure consistency. It led the way in supporting the Rohingya in October 2017. It also supported initiatives to raise the lending capacity of the IMF, enabling it to boost support for low-income members badly affected by the pandemic

Following the decision to leave the European Union, the United Kingdom had to rethink its role in the world, especially among its European neighbors. While the Johnson government has emphasized its independence vis-a-vis its European partner countries by treating them somewhat robustly, it has played up its “Global Britain” profile by putting resources into COP26, the COVAX initiative and increasing funding for the WHO during the pandemic. Prime Minister Johnson hosted the Gavi donor conference (which secured pledges for vaccine funding for poorer countries) held in London in June 2020. Following the Carbis Bay G7 meeting chaired by the United Kingdom in July 2021, the United Kingdom undertook to donate 100 million vaccine doses by the summer of 2022.

Citation:

<https://www.gov.uk/government/news/uk-begins-donating-millions-of-covid-19-vaccines-overseas>

Organizational Reform

Self-monitoring
Score: 8

Flexibility and informal meetings are a key feature of the government system, enabling it to respond in a way uniquely tailored to the situation at hand that has always been valued highly and is an essential constituent of prime ministerial government in the United Kingdom. Nevertheless, the Cabinet Office in particular has a remit to monitor the government’s functioning and does so through a range of mechanisms, which have been reinforced by recent civil service reforms, particularly civil service management procedures. A key change introduced in 2016 was the introduction of wide-ranging “single departmental plans,” replacing the use of business plans. After a spending review in 2020, a new instrument – outcome delivery plans (ODPs) – was introduced. ODPs set out each government department’s revised priority outcomes, the department’s strategy for achieving them and the metrics that will be used to track performance. In addition, the recasting of cabinet committees saw the creation of “operations” as well as policy groupings, replacing the implementation task forces set up in 2015 innovation. Regular

assessments of progress are undertaken by the Civil Service Board chaired by the cabinet secretary and there is a so-called shadow civil service board composed of less senior civil servants. The latter is charged with assessing specific projects and advising senior management, and is also expected to provide different perspectives and views on papers that are forwarded to the Civil Service Board.

In response to critiques from select committees and the Institute for Government (IfG), the government revised its guidance on the machinery of government, placing greater emphasis on the importance of senior leadership and accountability, although the IfG's 2022 Whitehall Monitor raises concerns about the ambiguity over whether ministers or civil servants are ultimately accountable.

This self-monitoring has been bolstered by a renewed commitment to open government and the public release of data. Executive monitoring is complemented by media scrutiny, parliamentary committees, various policy-specific statutory bodies and independent organizations, such as the Institute for Government. The Institute of Government stated that its task of monitoring central government was facilitated by the availability of data, "the fact we can produce this report supports that." The dissemination of good audit practices has been encouraged by the publication of internal audit standards and there are periodic reviews of areas of governance concern, recent examples being an audit of race disparities and a review of national security capabilities.

Citation:

<https://www.gov.uk/government/organisations/civil-service/about/our-governance#civil-service-board>

<https://civilservice.blog.gov.uk/2015/07/29/clarifying-our-priorities-single-departmental-plans/>

<https://www.gov.uk/government/speeches/cabinet-committees-and-implementation-taskforces-membership-list>

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/641252/PSAIS_1_April_2017.pdf

Institutional
Reform
Score: 8

As mentioned above, the organizational flexibility of both the core executive and the distribution of tasks to specific ministries is a core characteristic of the UK system of government. Cabinet reorganizations and new institutional arrangements have often been the prime minister's weapon of choice to improve government performance. However, such reorganization can also be motivated by intra-party politics or public pressure, and it is difficult to evaluate the success of specific measures in enhancing the strategic capacity of the government. Recent civil service reforms have also served to enhance strategic capacity, while various open data initiatives have increased government transparency. More generally, the government is exploiting digital technology opportunities right across the functions of government.

Very substantial changes in governance do occur. Recent examples include the restoration of the Bank of England’s lead role in financial supervision and an alteration to the basis of financial regulation. Both of these examples followed evidence of the ineffectiveness of the preceding model, and shifts in the balance between state, market and external agencies in the delivery of public goods.

Changes in institutional arrangements, such as ministries or the focus of cabinet committees, were among the approaches taken to try to resolve the many difficulties in implementing Brexit. After the 2019 general election victory and the return of majority government, institutional flexibility was demonstrated by, for example, merging the Foreign and Commonwealth Office, and the Department of International Development. A key manifesto commitment – “leveling-up” – is expected to be fleshed out in 2022 and was already given impetus by broadening the remit of the Ministry for Housing into the Department for Levelling Up, Housing and Communities. Cross-departmental coordination will be part of this development.

II. Executive Accountability

Citizens’ Participatory Competence

Political
Knowledge
Score: 7

The UK government provides considerable information to its citizens through detailed websites, both at the core executive and the ministerial level. This flow of information has been enhanced in recent years. These websites contain general information, progress reports and statistical data. As part of its online material, the government makes some effort to ensure that citizens use this information by targeting specific groups. For example, a digital voter registration toolkit was developed in conjunction with a single-parent charity, while the “Rock Enrol!@” pack was designed to engage young people. The most important source of knowledge for citizens is TV broadcasting, followed by newspapers and radio. Throughout the pandemic, the government went to considerable lengths to keep the public informed. Public information campaigns involved frequent advertisements explaining through simple messages (e.g., “stay home, protect the NHS, save lives”) what the government expected, and both ministers and scientific advisers gave frequent briefings – daily when the pandemic was at its worst.

The share of those claiming knowledge of politics rose during the 2010s by about 10 percentage points, indicating a subjectively better understanding of politics by citizens in the United Kingdom. A 2018 Ipsos MORI “peril of

perception” poll found the United Kingdom to be at the higher end of knowledge of widely discussed issues, though behind the better-informed Nordic countries. Significant efforts were made to track opinion on matters relating to the pandemic and given airtime in political programs aired on terrestrial channels.

Nevertheless, a telling figure is that the proportion of citizens voting in certain television talent competitions is higher than in many national elections.

<https://www.ipsos.com/ipsos-mori/en-uk/perils-perception-2018>

Open
Government
Score: 10

The United Kingdom is highly committed to its open government agenda. It is a founding member of the Open Government Partnership, which since its beginning in 2011 has become a major global advocate for citizens’ free access to government data. Parliament, the government and the civil service reliably and timely publish all not-restricted documents on their websites.

The UK government has a long history of publishing official statistics, and since 2007 this has been governed by the Statistics and Registration Service Act. The act created the UK Statistics Authority, a non-ministerial department, with the Office for National Statistics (ONS) as an executive agency within the department (ONS previously reported into HMT). The act also created the Office for Statistics Regulation, which sets the Code of Practice for Official Statistics and oversees the accreditation of “National Statistics.” Beyond the official statistical system, the government publishes a wide array of data and is a world leader in open data. The UK government publishes an extensive array of transparency data (e.g., senior public servants’ salaries, workforce data, special adviser pay, and details of ministerial and senior officials’ meetings) – over 9,000 items on the government website (gov.uk) are categorized as “transparency data” and over 10,000 FOI requests have been published. The government also has a dedicated data portal (data.gov.uk), which makes publicly accessible over 47,000 datasets published by the UK government and other public authorities. Furthermore, the United Kingdom alongside Canada ranked first out of 30 governments in the latest Open Data Barometer (2016 – 2017) and in the OECD’s latest OURdata index (2017) the United Kingdom ranked 4th out of 31 countries.

Committee and working group meetings are streamed via a range of online platforms (e.g., YouTube and FacebookLive). Furthermore, the government provides an efficient online search-engine for government documents (data.gov.uk). Meanwhile, the bi-annual Open Government Action Plans, which set goals and standards for open government in the United Kingdom, are negotiated in cooperation with the UK Open Government Network (OGN), a coalition of active citizens and civil society organizations.

Citation:
<https://opendatabarometer.org/4thedition/>

Legislative Actors' Resources

Parliamentary
 Resources
 Score: 6

Members of parliament have relatively few resources at their disposal in terms of personnel capable of monitoring government activity. Parliamentary parties also relatively poorly funded, relying substantially on donations, and therefore can provide little support. In addition, if a party is in government, a substantial proportion of its members of parliament will be (junior) members of the government and therefore not too keen to monitor themselves.

Parties in opposition are granted some public funds to hire additional researchers to fulfill their duties of controlling the government. But in terms of resources this is still not much compared to those the governing parties can call on through the ministerial bureaucracy. The Library of the House of Commons, however, provides non-partisan support and many members of parliament regularly avail themselves of its services.

The Dame Laura Cox Report 2018 exposed the widespread problem of bullying and harassment of House of Commons staff. In response, the House of Commons Commission announced measures to prevent further bullying, which the House of Commons adopted. The Committee on Standards has been working on it, and the Independent Complaints and Grievance Policy as well as the Behaviour Code set up. A recent high-profile case involving a former minister showed the capacity of the independent Parliamentary Standards Commissioner, Kathryn Stone, to call out transgressions, despite attracting hostility from some members of parliament.

Citation:
 European Parliament / Directorate-General for Research 2000: Comparison of organizational and administrative arrangements in EU national parliaments; http://edz.bib.uni-mannheim.de/daten/edz-ma/ep/00/budg110_en.pdf
 Dame Laura Cox Report: <https://www.parliament.uk/globalassets/documents/conduct-in-parliament/dame-laura-cox-independent-inquiry-report.pdf>
<https://publications.parliament.uk/pa/cm201719/cmselect/cmstandards/1726/1726.pdf>
<https://researchbriefings.files.parliament.uk/documents/CBP-8369/CBP-8369.pdf>

Obtaining
 Documents
 Score: 8

The Osmotherly Rules, updated in October 2014, define the rights of select committees to obtain government documents. Although published in a Cabinet Office document, like many internal parliamentary rules, they are informal and cannot be legally challenged. However, documents are rarely held back and will thus be made available to committees. Only in very specific, pre-defined circumstances are documents withheld from select committees.

Although the government party normally has the majority on any committee, chairs of committees are shared among the parties, yet explicit party-political motives rarely come into play. Freedom of Information requests can additionally be used to obtain documents, but this does not include documents that affect national security or public interests. The media reinforce parliamentary scrutiny through their strong influence and the keen interest they take in committee findings that challenge the serving government.

Committees' rights are thus not formally limited, but there are occasional disputes between committees and government over the provision of specific information, and committees will then have to order the publication of government documents. Recent high-profile examples include documents assessing the impact of the United Kingdom's withdrawal from the European Union and strategy papers describing the government's approach to Brexit. In addition, the Johnson government delayed publication of a dossier from the intelligence and security committee about alleged Russian interference in the Brexit referendum campaign. In nearly all cases, Parliament eventually prevails, with the government likely to suffer reputational damage for resisting.

Citation:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/364600/Osmotherly_Rules_October_2014.pdf

Summoning
Ministers
Score: 8

Ministers can be summoned to parliamentary committee hearings, but they cannot be forced to attend, because ministers have to be members of parliament or members of the House of Lords, and members of parliament cannot be forced to attend any meeting. However, the Osmotherly Rules recommend that ministers accept invitations to a hearing as an act of respectful courtesy, and thus ministers will usually accept an invitation to a hearing in a select committee. It would be headline news and damaging to the minister in question if they refused to appear before a committee on anything remotely controversial, although the answers given to committees can be bland. Sessions in the House of Commons can become quite confrontational, whereas those in the House of Lords are usually more restrained. Ministerial questions in plenary sessions of parliament complement the work of committees and can also be quite sharp in tone. The prime minister and key aides traditionally refuse to appear before select committees, but have appeared before the Liaison Committee, which is composed of the chairs of all the other committees.

Summoning
Experts
Score: 10

Parliamentary committees may summon expert witnesses who will usually provide any evidence willingly. Should they decline to do so, committees then have the power to order a witness to attend, though this would be exceptional. Committees also often employ experts as specialist advisers.

Committees may also summon actors involved in an issue that the committee is investigating. Examples include the examination of press barons in the context of the Leveson Inquiry into phone hacking by journalists, of the entrepreneur Philip Green regarding the pension deficit of the BHS department store chain, and of Cambridge Analytica executives during the Information Commissioner's investigation into the propagation of misinformation during the Brexit referendum campaign. Such hearings invariably attract extensive media coverage. In the last two years, the key advisers to the government on the pandemic (both those holding formal offices, such as the chief scientific officer and the chief medical officer, and independent experts) have appeared a number of times as witnesses.

Task Area
Congruence
Score: 7

Every government department is shadowed by a committee in the House of Commons, which looks at three facets of the department's work: spending, policies and administration. The remit and number of committees adapts to reflect changes in the makeup of the government. There are also two select committees – the Public Accounts Committee and the (more recent development) Environmental Audit Committee – which undertake cross-departmental scrutiny. House of Lords select committees focus on broader topics and are less directly matched to departmental task areas, but cover important areas. One example is the Science and Technology Select Committee, which in turn has subcommittees that cover specific topics, such as the implications of autonomous mobility or the possible meaning of the withdrawal from the European Union for universities' staff policies.

However, the capacity of committees to monitor effectively is limited due to a lack of resources and limited continuity in membership (e.g., the House of Lords rules oblige members to be rotated off a committee after four years, although from direct observation of the work of its committees this does not seem to weaken them). Also, the number of reports they issue massively exceeds the time available on the floor of the House to debate them and, despite increased efforts by the committees to publicize them, not all reports achieve much media coverage.

A new Brexit committee, with an above average membership and a careful balance of members to reflect conflicting views, was created after the 2016 referendum. However, this did not prevent the topic from splitting the House of Commons, with large parts of 2019 marked by complete political paralysis. The return of majority government after the 2019 general election solved that

problem. During the pandemic, parliamentary committees provided timely scrutiny and criticism of government action.

Media

Media Reporting
Score: 8

The main TV and radio stations in the United Kingdom – especially those like the BBC that operate under a public charter – provide an extensive array of high-quality news services. Government decisions feature prominently in this programming, and information and analysis on government decisions are both extensive and held to a high standard. There is substantial competition for viewers, in particular between the BBC, ITV, Sky and Channel 4. In addition to news programs, all provide in-depth analysis programs on politics and policy in a variety of formats. The Today Programme on BBC Radio 4 is well known for its highbrow political analysis and scrutiny, and often sets the tone for political debates. Meanwhile, several other political shows broadcast by leading TV channels provide political analysis and ministers taking part in them can expect robust scrutiny.

The style of interview on these programs is often explicitly not deferential and can even be quite confrontational, especially toward ministers. This is justified by the need to hold politicians and especially government ministers to account. Local radio and press also have a tangible influence within their localities, and an increasing number of people resort to online services, most notably BBC Online, as a source of information on government.

Scandals both in the private sector (News of the World) and the public sector (BBC) may have cost some credibility, but have so far had no recognizable influence on the functioning of the media system as a whole. Despite political pressure, The Guardian newspaper played a crucial role in the global surveillance disclosures of 2013 and was awarded the 2014 Pulitzer Prize for its efforts.

During the pandemic, most media outlets have both held the government to account and ensured that the public are kept well-informed. Many key announcements were carried live, notably the frequent briefings on COVID-19 related matters.

Parties and Interest Associations

Intra-party
Decision-Making
Score: 6

A distinction needs to be made for all major parties between the election of the leader, on which party members have a say, and the selection of other personnel or decisions over major issues, for which there are generally much more restrictive procedures. The selection of parliamentary and local council

candidates usually involves local party members. Annual party conferences notionally have a major role in settling policy positions, but in practice it is party leaders that have the most significant role.

The Conservative Party restricts decision-making to party members. In most cases, a number of selected delegates participate in the most important personnel and issue decisions. Central party influence over candidate selection has varied in recent years. David Cameron introduced a “priority list” with at least 50% women and significant representation from ethnic minorities, from which all target seats and Conservative-held seats were supposed to be selected. In the run-up to the 2010 election and in the wake of the parliamentary expenses scandal, this requirement was relaxed. After the general election, selection rules reverted to the post-2005 procedure. The party leader is elected by a poll of all party members, who choose from a shortlist of two candidates nominated by Conservative Party members of parliament after a series of votes to eliminate other candidates. When the Conservative Party holds a majority in Parliament, the parliamentary Conservative Party is obliged to nominate the incumbent party leader as prime minister. Boris Johnson successfully used this mechanism to replace Theresa May in 2019.

The Labour Party also restricts decision-making to party members, although trade union influence remains strong. In most cases, a number of selected delegates participate in important personnel and issue decisions. Central party influence over local candidate selection has varied. Since 1988, there has had to be at least one woman on every shortlist. Since 2001, candidates require the approval of the central party’s head office prior to selection by their respective constituency Labour Party. Some political allies of the previous leader, Jeremy Corbyn, favored a return to mandatory reselection, which would have increased the influence of the left-wing within the party and was therefore highly contested. The Labour Party’s selection process for party leader was changed prior to the election of Jeremy Corbyn. Previously the old electoral college voted for the party leader, consisting of the Parliamentary Labour Party, constituency Labour parties, and the trade unions and affiliated organizations. Each group had one-third of the total vote. Since the procedural change, the choice is now based on a “one member, one vote” system. In addition, “registered supporters” were able to vote by paying £3, an amount increased to £25 in 2017, to be entitled to vote as well. The winning candidate must secure at least 50% of the vote. Consequently, the election process can take several rounds, as the candidate with the fewest votes after each round drops out, and their second preferences are redistributed to the remaining candidates, until the winning candidate has reached the required quorum. Keir Starmer emerged victorious in the first round of that process in the Labour leadership election in April 2020.

Association
Competence
(Employers &
Unions)
Score: 7

Major business associations propose practical policy solutions, which are rooted in a realistic assessment of the circumstances in which they will be carried out. Until recently, the polarization between the major parties had diminished, especially in the field of socioeconomic policy matters. The positions of the two main parties had appeared to diverge in the 2019 general election. However, in the course of the pandemic, the essential role of the state was broadly accepted by both business and labor interests. Especially with the Brexit decision, there is little incentive for business associations or trade unions to engage in wishful thinking if they want to be taken seriously in the national policy discourse. However, some economic interests do propose somewhat more provocative ideas.

The process of the United Kingdom's withdrawal from the European Union led to some more assertive stances both from business (concerned especially about threats to its access to European markets and curbs on skilled immigrant workers) and trade unions (notably around protections deriving from EU rules). Some business groups were, however, more concerned about what they perceive as excessive regulatory burdens associated with EU membership. Although British business associations were divided over Westminster's political ties to Brussels, access to the European Single Market was at the very heart of Britain's economic interest, namely their world leading financial and insurance industries. Overall, the influence of economic interest groups is relatively low-key, though not insubstantial. Several international businesses, such as Airbus and certain Japanese investors, were vocal during the Brexit debates. Several more international businesses (e.g., Nissan and BMW) have made it clear since the referendum result that disruptions to their densely woven supply chains across the European Single Market will negatively affect their British production facilities. While somewhat masked by reduced trade volumes as a result of the pandemic, border frictions have certainly arisen, but with more pronounced effects on SMEs than larger companies.

Despite being capable of formulating policies, the eventual result of the EU-UK negotiations (namely a comparatively "hard" Brexit) indicates that the influence of associations on both sides of industry must be judged relatively minor in the face of clear political preferences. As the pandemic recedes, businesses are starting to express concerns about increased taxation and the – so far – limited changes in regulatory measures, while trade unions are worried about the rising cost of living.

Association
Competence
(Others)
Score: 8

The United Kingdom has a tradition of close scrutiny of policy proposals. The quality and realism of policy proposals determines the degree to which any interest group is taken seriously in the country's national political discourse and there are many NGOs that have had a tangible impact on policy thinking. Green interest groups in particular have helped to shape the policies of

successive governments. There are vocal campaigners for rural interests, while both sides of the migration debate have been nourished by interest groups.

There is an abundance of NGOs with often-narrow policy agendas that tend to be pushed forward without much consideration of the wider ramifications of the pursuit of their issue. By the same token, the diversity of such bodies allows a wide range of proposals to obtain a hearing. There is also a rich variety of think tanks able to feed ideas and specific proposals into policymaking, facilitated by the cultivation of links with decision-makers.

Independent Supervisory Bodies

Audit Office
Score: 10

The National Audit Office (NAO) is an independent office funded directly by parliament. Its head, the comptroller and auditor general, is an officer of the House of Commons. The NAO works on behalf of parliament and the taxpayer to scrutinize public spending and is accountable to the Public Accounts Committee (PAC). The media will usually pick up on any NAO findings, especially if they uncover questionable practices.

In 2020, the NAO undertook an investigation into government procurement during the coronavirus pandemic following a number of media reports. It found that the government did not always have “a clear audit trail to support key procurement decisions,” and that £10.5 billion worth of contracts had been awarded without any competition, £6.7 billion through framework agreements and only £0.2 billion through a competitive tender or bidding process. It recommended that the Cabinet Office issue new rules to avoid conflicts of interest for public officeholders in the future – or “chumocracy,” as the press labeled numerous cases of firms with links to Conservative members of parliament being awarded lucrative contracts for testing and supplying personal protective equipment during the pandemic.

Citation:

<https://www.nao.org.uk/wp-content/uploads/2020/11/Investigation-into-government-procurement-during-the-COVID-19-pandemic.pdf>

<https://www.thetimes.co.uk/edition/news/chumocracy-first-in-line-as-ministers-splash-covid-cash-7wb5b8q0w>

Ombuds Office
Score: 8

The system of ombudsmen has been expanded over the last years. There are now four different ombudsmen that handle complaints about the civil service in each country within the United Kingdom, namely the Public Services Ombudsman for Wales, Scottish Public Services Ombudsman, Northern Ireland Ombudsmen, and the Local Government and Social Care Ombudsman in England. Further, there is a Parliamentary Health and Service Ombudsman (PHSO) who mainly deals with complaints concerning the National Health

Service in England, reporting to a parliamentary committee, and the Housing Ombudsman who looks at complaints about social housing. However, all ombudsmen's offices are somewhat limited in staff, resources and access to information. For example, ombudsmen have no formal power to see cabinet papers.

Scotland took the innovative step in 2021 of establishing the Independent National Whistleblowing Officer, which is specifically tasked with processing complaints about the Scottish health service. As specified by the Trading Standards, Scotland also features a wide range of private sector entities that provide ombuds and similar consumer protection services.

Citation:

<https://www.gov.uk/government/consultations/public-service-ombudsman>

<https://researchbriefings.files.parliament.uk/documents/CBP-7587/CBP-7587.pdf>

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/575922/draft_public_service_ombudsman_bill_print_version_december_2016.pdf

<https://www.tradingstandards.uk/consumers/adr-approved-bodies>

Data Protection
Authority
Score: 8

The United Kingdom was among the early adopters of personal data protection legislation. The Data Protection Act 1984 set standards for the use of digital data by the government, private businesses and individuals. Since 1998 (following the Data Protection Act 1998), the data protection regime has been shaped by EU law. The United Kingdom has adopted the European Union's General Data Protection Regulations (GDPR) into primary law (through the Data Protection Act 2018) meaning that the approach to data protection and information governance developed by the GDPR will be maintained now that the United Kingdom has left the European Union.

The central body authorized to enforce data protection legislation in the United Kingdom is the Information Commissioner's Office (ICO). The ICO is a non-departmental public body which reports directly to parliament and is sponsored by the Department for Digital, Culture, Media and Sport (DCMS). The office has a wide array of data protection responsibilities defined by the Data Protection Act, the Freedom of Information Act and the General Data Protection Regulations, among other legislation. Given the devolution of powers, a similar function also operates in Scotland. The ICO publishes its actions and fines. The ICO recently received a lot of media attention for its inquiry into the business practices of the data processing firm Cambridge Analytica. However, the ICO has no authority over any security agency in the United Kingdom, which are rumored to be proactively collecting a wide range of UK citizens' personal data.

In October 2018, Elizabeth Denham, the UK Information Commissioner, was appointed the Chair of the International Conference of Data Protection and Privacy Commissioners. In January 2022, she was succeeded by John Edwards, the former New Zealand privacy commissioner. An online safety bill is in preparation, which will, inter alia, seek to curb various abuses on social media, although the bill faces opposition due to the perceived threat it poses to freedom of speech.

Citation:

<https://ico.org.uk/about-the-ico/news-and-events/news-and-blogs/2022/01/new-uk-information-commissioner-begins-term/>

Address | Contact

Bertelsmann Stiftung

Carl-Bertelsmann-Straße 256
33311 Gütersloh
Germany
Phone +49 5241 81-0

Dr. Christof Schiller

Phone +49 30 275788-138
christof.schiller@bertelsmann-stiftung.de

Dr. Thorsten Hellmann

Phone +49 5241 81-81236
thorsten.hellmann@bertelsmann-stiftung.de

Pia Paulini

Phone +49 5241 81-81468
pia.paulini@bertelsmann-stiftung.de

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<https://doi.org/10.11586/2022122>

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