

Public Bodies 2014

Increasing Transparency... Increasing Efficiency... Increasing Accountability... Enabling Wider Public Value...

> Save Deliver Transform

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Public Bodies Reform Progress Update 2014

"The landscape for the public bodies needs radical reform to increase transparency and accountability, to cut out duplication of activity and to discontinue activities which are simply no longer needed."¹

Since May 2010, the Government's reform programme has reduced the number of arm's length bodies (ALBs) by over **285** and increased transparency – for example, **94%** of NDPBs now publish an annual report. Functions of over **75 bodies** have been moved closer to democratically elected representatives, increasing accountability. It has reduced the annual cost of administering ALBs by over **£900million** and the cumulative reduction since 2010 is now **£2.0billion**.

Background

The public bodies reform programme has been one of the Government's key priorities since it came into power in 2010, with the aim of reducing the number and costs of public bodies. The public bodies reform programme has 904 public bodies, to establish whether the functions of a body were still necessary, and if so, whether the function is still needed to be delivered at arm's length from government having met one or all of the three tests:

- 1. Does it perform a technical function?
- 2. Do its activities require political impartiality?
- 3. Does it need to act independently to establish facts?

The initial assessment identified:

- over 200 bodies that no longer needed to be an arm's length public body and
- over 170 bodies that had overlapping or similar functions and so could be reduced through merger down to fewer than 70. The remaining bodies were all identified as passing at least one of the key tests, and were therefore retained but a number of such bodies were also identified for substantial reform, in order to improve aspects of their transparency, accountability, efficiency and cost.

The period since 2010 has seen the Government press ahead with implementation of the planned reforms flowing from the initial review. In December 2011, the <u>Public Bodies Act 2011</u> was passed to provide a framework for the

¹ Francis Maude, Minister for the Cabinet Office, Written Ministerial Statement, 14th October 2010.

enactment of reforms to those bodies created in statue. The Act provided powers for ministers to abolish merge or reform public bodies through secondary legislation. All bodies that are subject to these powers are listed in schedules to the <u>Act</u>.

Summary of Progress

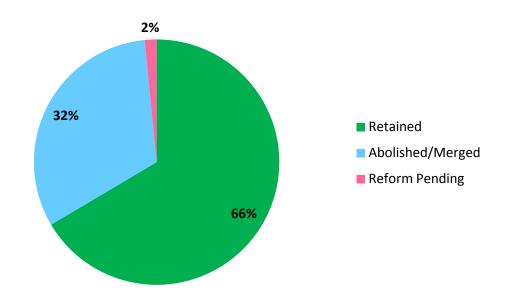
The following table below summarises the achievements of the reform programme to date.

Aim of Programme	Progress
Increased transparency through a more open and simpler public bodies landscape	Reducing the number of public bodies by over 285, abolishing more than 185 and merging over 165 bodies into fewer than 70.
	Over 95% of planned abolitions and mergers completed.
	90% or more of non-departmental public bodies have: a) a published annual report and information on their website showing b) how to make complaints, c) how to make freedom of information requests and d) biographies of board members
	A 2014 report by the National Audit Office commended the 'good' progress of reforms and the 'significant rationalisation of the public bodies landscape' that has been delivered.
Increased accountability through democratically elected structures	Functions of over 75 bodies have been brought closer to democratically elected representatives.
Increased efficiency, including reduced cost and improved value	Achieving cumulative administrative spend reductions as at March 2014 of £2.0bn.
for money	The programme is now on track to achieve cumulative spend reductions of approximately £3bn by end of March 2015, exceeding the projection of £2.6bn by an amount in the order of £400m. In 2013/14 it exceeded its estimated reduction in annual administrative spend by £900m, a year ahead of schedule.
Wider public value, including improvements in public services and improved citizen trust and participation.	Wider value is shown by numerous case studies set out in this report.

Detailed information about the reform programme is set out on the main '<u>Public</u> <u>Bodies Reform'</u> page on <u>gov.uk</u> and in the <u>Public Bodies 2014 web page</u>.

Progress of Mergers and Abolitions

In 2011 the Government set an objective of reducing the 904 public bodies within its reform programme by over 250². As the chart below shows, the programme is on track to reduce the number of public bodies by around a third – approximately 300 bodies, 50 more than the original estimate.



The Purpose of Public Bodies 2014

The Government's main objectives in reforming public bodies include improving transparency and accountability. The publication of data makes the bodies more transparent, which in turn helps taxpayers hold decision-makers to account.

The *Public Bodies* annual report was first published by the Cabinet Office in 1980. Initially it reported on size, expenditure and membership of NDPBs, but over the course of the public bodies reform programme it has been expanded and today it is a single transparent source of top-level data on all non-departmental public bodies (NDPBs), executive agencies (EAs, operational arms of government departments) and non-ministerial departments (NMDs). 'Public bodies' and 'arm's length body'

² Francis Maude, Written Ministerial Statement on December 2011, available at

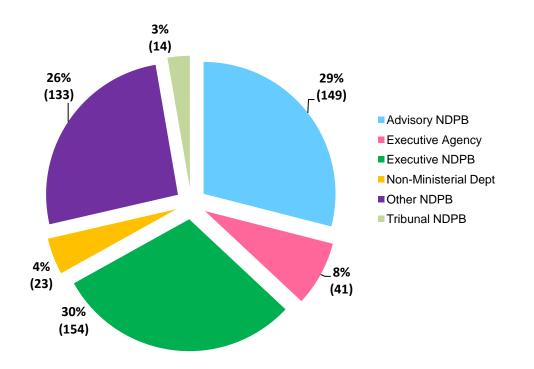
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/62124/Written_Ministerial_Stateme nt_Public_Bodies_Act_2011.pdf

(ALB) are broad terms for organisations that have a role in the process of national government.

Public Bodies 2014 also contains an annual update of the progress in rationalising the public bodies landscape, the savings made and the legacy delivered by the work on sponsorship and triennial review programme, which will enable reform to continue long after the public bodies programme is completed. *Public Bodies 2014* comes in two main parts: this covering report and Annex A, the data directory. It is an online publication and the data will be updated quarterly, where applicable, for improved transparency.

The Public Bodies Landscape 2014

The *Public Bodies* Data Directory is a snapshot of public bodies as at **31 March 2014**, regardless of whether they were included in the 904 bodies identified for review in 2010. As the following graph shows, NDPBs are the main focus of the data directory. The public bodies reform programme requires bodies to pass the Government's exacting tests for remaining at arm's length, so the landscape has been streamlined and the remaining bodies present greatly improved value, as page 9 explains. While advisory and 'other' NDPBs (see page 16 for details) make up more than half of the landscape, they cost on average only £64k to run each year.

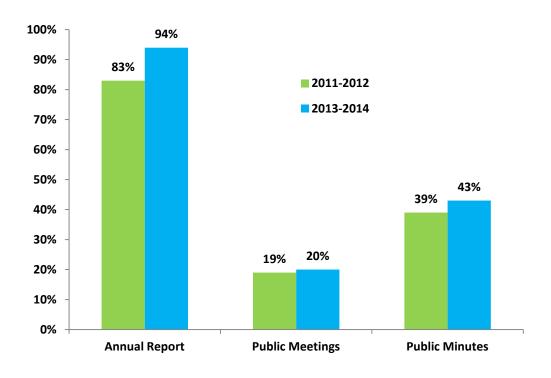


Increased Transparency: a more open and streamlined public bodies landscape. This will be evidenced by the number and outcome of triennial reviews, improved publication of information on public bodies, and increased public access to meetings, minutes and annual reports.

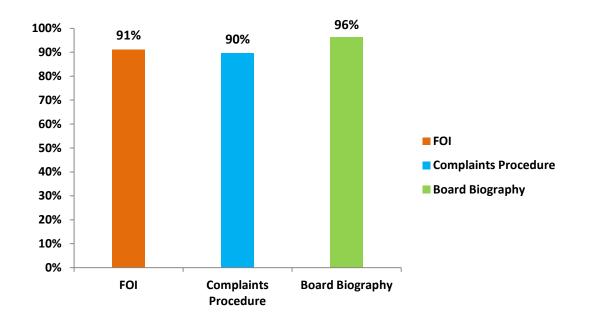
The Cabinet Office collects information on public bodies' transparency annually, making government more open to enable the public to be able to hold ministers and public bodies to account. Through the reform programme the range of information published has been substantially widened and it now includes in-depth data on each NDPB covering a range of areas, from the salaries of chief executives, the ombudsman covering the body and the diversity of the board. By increasing the scope of its *Public Bodies* annual reports, publishing quarterly data updates and including NMDs and EAs since 2013, the Government has further improved transparency.

Improved Transparency in NDPBs

Through its *Public Bodies* reports the Government has since 2012 measured whether ALBs have a published annual report, minutes available to the public and meetings open to the public. The graph beneath suggests that NDPBs have become more transparent - for example, in 2013-14 94% had published an annual report, an increase on the 83% that had in 2011-12.



The graph below shows that the websites of around 90% of NDPBs had details of their complaints process, instructions for making Freedom of Information (FoI) requests and biographies of the board. These indicators were first measured in 2014.



Transparency through Triennial Reviews

Government departments have committed to reviewing their NDPBs every three years to ensure they are fit-for-purpose and efficient. Further detail on triennial reviews is available on page 14. The reviews also aid transparency through:

- their announcement and completions being set out publically in a written ministerial statement
- their inclusion of a public call for evidence and
- the results of each review being published online.

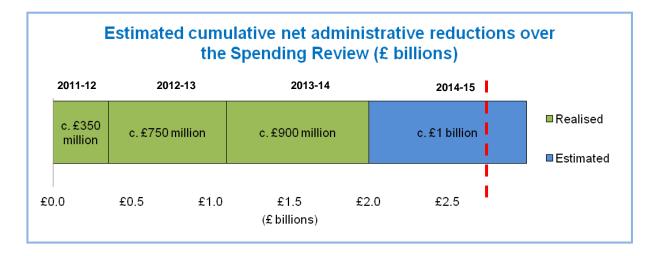
The reports of reviews are published available on <u>gov.uk</u> pages. A schedule of Triennial Reviews planned for this financial year 2014 to 2015 found here.

Transparency in Arm's Length Bodies: A Guide to Best Practice:

In September 2011, the Public Chairs' Forum and the Institute of Government published a joint report, '*Transparency in Arms Length Bodies*', which references Cabinet Office guidance. The Cabinet Office, working with the Public Chairs' Forum, encourages public bodies to follow the report's recommendations.

Increased Efficiency: while spending levels are reduced, essential services and functions are protected and improved. The reduction in the overall number of bodies removes waste and duplication.

To date, the reform programme has reduced the landscape by over 285 bodies, helping to sustainably lower the public sector's cost base. The chart below shows that the cost of administering public bodies has already been reduced by a cumulative £2.0 billion (shown in green) which has already been achieved over the 2011 - 14 period. The estimated further reduction of approximately £1billion in 2014/15 is shown in blue. The figure for 2013/14 shows that the annual cost has been reduced by over £900million, a year ahead of schedule³. The red line represents the £2.6 billion total reductions estimated for the overall programme.



Current estimates suggest that the total costs of reform will be between £650 million and £800 million. As the benefits of completed reforms are verified, the Government will be able to give a clearer indication of the overall costs of the reform programme.

Examples of reforms delivering cost reductions include the abolition of the **eight Regional Development Authorities** is due to reduce central government administrative expenditure by a cumulative total of over £700million by 2014/15. Its functions have been transferred to **Local Enterprise Partnerships**, which allow local government and businesses to work together to determine economic priorities in their area in order to promote growth and job creation. The economic development and regeneration of these communities and the opportunities for SMEs are benefits realised for the <u>growth agenda</u>.

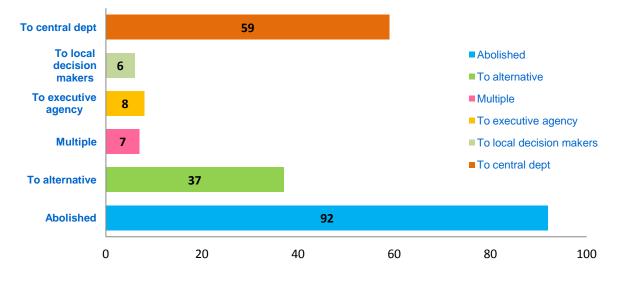
A further example is that of the Homes and Communities Agency, which works with its local partners and provides skills and investments in housing and regeneration to create new affordable homes and meet the needs of local

³ The estimated reduction of £1billion is based on the accounts and audited annual reports of departments along with reductions achieved to date. 'Administrative' costs include staff, ICT and building costs. It is a technical term that can be loosely defined as the total cost of the body minus the cost of directly delivering the service.

communities. The Tenant Services Authority (TSA) was the independent regulator for social housing in England which worked with landlords and tenants to improve the standard of service for tenants and residents. The TSA was abolished and its functions transferred to the HCA, which itself has been substantially reformed. The TSA's expertise has been maintained and built upon by the HCA at a sustainable lower cost base (administrative spend is due to be reduced by a cumulative £26million by 2014-15). Social housing providers now engage with a single agency on housing issues. In addition, the London functions and activities have been transferred to the Mayor, which has increased local democratic control over the delivery of housing and regeneration. **Increased Accountability**: bodies and functions are more accountable to citizens through their democratically elected representatives. Triennial reviews ensure bodies remain accountable in the longer term.

For public bodies to maintain the trust of citizens, they must be made more accountable to those they serve, and demonstrate continuous improvement in the services they deliver. The public expects the decisions of a public body, which is spending public money, to be overseen by a democratically elected representative whose actions can be debated in a clear and transparent way. Therefore, where it has not been possible to demonstrate-through the three tests set out on page 3- a clear and justifiable rationale for a body's existence at arm's length from ministers, we have brought the body closer to the control of democratically elected representatives. This has included moving functions from NDPBs to central government departments, EAs or local decision makers.

The following graph shows that functions carried out by over 75 public bodies have been moved closer to elected representatives while the work of over 35 has been continued by a different type of supplier such as a private company or charity.



Over 75 functions transferred to democratically elected representatives (2014)

Key

Local Decision Makers: local or regional authority such as a local council or London Mayor.

Multiple: means the functions of a body were transferred to more than one different type of supplier, whether public sector or otherwise.

To Alternative Supplier: a function which is being performed by a non-government body such as a private company or a charity.

Abolished Function: a function which is no longer performed.

Where appropriate, the programme is also supporting the shift of power away from Whitehall and placing more control into the hands of people who use them. Reform is helping drive change, in particular where a function could be delivered by an alternative supplier or could be more responsive to public demand through a market mechanism. Democratic accountability is not the only form of accountability; this government has also moved some functions to alternative suppliers. These alternative suppliers include charities, whose trustees are accountable to donors and recipients, along with the Charity Commission, and private companies who are accountable to their shareholders.

An example of improved accountability in public bodies is the London Legacy **Development Corporation** (LLDC) is a mayoral development corporation established under the provisions of the Localism Act 2011. It is responsible for the long-term planning, development, management and maintenance of Queen Elizabeth Olympic Park and its facilities. The LLDC has taken on a number of functions of the London Thames Gateway Corporation, the Olympic Park Legacy Company and the Olympic Delivery Authority. Unlike previous regeneration bodes, the LLDC meets in public, and is accountable to the electorate through the directly elected Mayor of London and the London Assembly. The public are also able to scrutinise the Mayors' decisions through the Mayor's annual 'State of London debate' and the 'People's Question Time' which is required in statue to be held twice a year.

Accountability through Triennial Reviews

The reviews aid accountability because:

- they are signed off by the relevant minister
- they involve calls for evidence, which invite service users to comment and can allow the public to input into the process and
- Parliament has the chance to input into reviews.

An example of triennial reviews improving accountability is the **Criminal Injuries Compensation Commission** delivers the Government's various compensation schemes. The triennial review published in 2013 recommended that as CICA was run, in effect, as an Executive Agency of the Ministry of Justice, it should be reclassified from an NDPB to an Executive Agency so that its classification better reflects its nature and ensures that it continues to operate within a framework of accountability to ministers.

The reports of reviews are published available on <u>gov.uk</u> pages. A schedule of Triennial Reviews planned for this financial year 2014 to 2015 found here.

Wider Public Value: the transfer of services to local bodies and the voluntary sector engages communities and ensures services are best suited to their needs. Through private sector involvement, reforms will also support growth and provide the best value for the public.

In the context of the public bodies reform programme, 'wider public value' includes the following:

- 1. Improved public engagement, including stronger emphasis on involving customers in strategic decisions- the Cabinet Office are supporting this by refreshing guidance on how public bodies and their sponsoring departments should seek feedback from customers and stakeholders.
- Decisions taken at the level that makes most sense- such as Local Enterprise Partnerships (see page 9) established with businesses according to economic reality rather than bureaucratic lines drawn on a map.
- Increase in volunteering and funding from alternative sources where organisations have moved outside the public sector. Such as Nesta and the Canal and River Trust.
- 4. Improved public trust, as people can read completed triennial reviews online and be reassured that public bodies are subject to regular review.

An example of an **innovative delivery model** is **Nesta** provides investments, grants and mobilises research, networks and skills to help people and organisations bring ideas to life. **Nesta** used to be an Executive NDPB and is now an independent charitable company, which has been able to raise funds for its innovative programmes and research projects from both within and outside government including from companies such as Google and Mozilla, well as from public sector bodies such as the EU and the UN Development Programme. Nesta are now seeking to work in partnership with the public sector internationally.

Another example is **Civil Service Learning (CSL)** is a cross-government organisation that manages the design and delivery of courses and learning materials across the Civil Service. It took on some of the functions previously belonging to the **National School of Government** when that body was abolished and provided overarching co-ordination of learning & development across government. This improved the quality and consistency of courses that had previously been separately organised by departments and reduced duplication. Significant improvements have been made with over 1,700 roles removed and replaced by a central CSL function of 58 people and most face-to-face courses being delivered at least 70% cheaper. Through making greater use of technology, collaborating with other departments and extracting best value, CSL realised annual savings of £90m (compared to 2009-10).

Maintaining the Pace of Reform

The public bodies reform programme has successfully delivered a smaller, more accountable, more efficient arm's length body landscape. But there is still more to be achieved. The Government has put into place a number of measures to ensure that the pace of reform is continued once the public bodies reform programme is completed. This means an increasing focus on enabling departments to manage and review the bodies they sponsor, as well working towards a strong, logical and consistent system for classifying public bodies.

Triennial Reviews were established to ensure that those NDPBs which remained after the 2011 Public Bodies Act are subject to regular and robust review so that they exist for a clear purpose, deliver the services their users want, maximise value for money for the taxpayer and do not outlive their useful purpose.

TRs are unique across government in their collaborative approach and empowering departments to self-regulate. Departments not only lead on their own reviews but participate in challenge groups and act as lead peer reviewers for other departments. The Cabinet Office has worked together with departments to establish a strong review framework, share lessons learned and best practice, and establish an on-line community to ensure the impact and success of this programme. This allows departments to cooperate towards a common purpose of a leaner public bodies landscape, resulting in significant savings for the taxpayer and more efficient and effective services for the customer.

In the original round of reviews, 142 reviews of NDPBs were due to be announced between 2011 and 2014. All of these reviews have now been announced and over 80% of them have now been completed. The second round of this ambitious delivery programme involves 361 bodies being reviewed between 2014-17 in order to deliver further savings to the taxpayer and raise the standard of service to the customer.

Sponsorship: The public bodies reform programme has worked hard to guarantee the sustainability of reform, ensuring that departments improved the way they sponsor public bodies in the long term. In doing so, a sponsorship specialism has been established this year for over 500 officials across government. The specialism now benefits from a senior government champion, a bespoke training programme and a well-defined career pathway. Independent analysis of public bodies reform completed by government experts at the Universities of Birmingham and Sheffield has "demonstrated a step change in government capacity to undertake public bodies sponsorship."

Classifications: The Cabinet Office is currently reviewing the administrative classification system within the UK. The project will seek to establish a better understanding of the current classification process and framework, and assess if these are currently fit for purpose. The review will highlight concerns and (where necessary) make recommendations on how to improve the system. This project has been signed off by ministers and will engage with key stakeholders including various public bodies, departments across Whitehall, consumer groups, academic institutions and leading think tanks.

Introduction to the Public Bodies Data Directory

The *Public Bodies* Data Directory is published in a range of formats including an online spreadsheet, allowing easier searching and re-use of the information.

Public Bodies has been published by the Cabinet Office since 1980. *Public Bodies* 2014 provides a directory of data for non-departmental public bodies (NDPBs), executive agencies and almost all non-ministerial departments⁴ as at 31 March 2014.

The directory has been compiled by collecting data from Government departments concerning the arm's length bodies they sponsor and, in the case of non-ministerial departments, their own activities.

What are NDPBs, Executive Agencies and Non-Ministerial Departments?

A **NDPB** is a body which has a role in the process of national government but is not a government department, or part of one and therefore operates to a greater or lesser extent at arm's length from ministers. The NDPB classification is not a legal classification but an administrative one.

There are four types of NDPB:

- **Executive NDPBs** are typically established in statute and carry out executive, administrative, regulatory and/or commercial functions. Examples include many museums and galleries and the Information Commissioner's Office.
- Advisory NDPBs provide independent, expert advice to ministers. Examples include the Low Pay Commission and the Committee on Standards in Public Life.
- **Tribunal NDPBs** have jurisdiction in a specialised field of law. Examples include the Traffic Commissioners and Deputies.
- Independent monitoring boards are independent watchdogs attached to each prison establishment, immigration removal centre and holding room in England and Wales. They form all but one of the bodies classified in this report as 'other' NDPBs.

⁴ Whilst HMRC is a non-ministerial department, in size and profile it more closely resembles a minister-led Department than other NMDs. It has therefore been exempted from this dataset.

Executive agencies are part of a government department. They are business units headed by a Chief Executive. They carry out executive functions within policy set by ministers.

Ministers do not concern themselves with the day-to-day running of agencies but are accountable to Parliament and the public for their overall performance and continued existence. They are staffed by civil servants; included within the 'parent' department's Estimate (money voted by Parliament); and publish their own accounts, which are consolidated into those of the parent department.

Non-ministerial departments are government departments in their own right but do not have their own minister. They are, however, accountable to Parliament through their sponsoring ministers. Non-ministerial departments are staffed by civil servants; and have their own Estimate and accounts. Some non-ministerial departments operate along executive agency lines. Examples include: the Crown Prosecution Service and the Food Standards Agency.

Key to Directory Fields

General: the information is as at 31 March 2014 unless indicated otherwise. The entries for 'annual report' and 'last review' may have been updated as recently as October 2014, when the last of the departmental returns were completed.

Department: name of the sponsoring department.

Name: name of the public body.

Type: whether it is a non-departmental public body (NDPB), executive agency or nonministerial departments - each of which are described on page 16.

Regulatory Function: indicates where the body performs a regulatory function, which is defined as, 'exerting powers over, or imposing burdens on, other organisations or individuals; by means of inspection, licensing, referral to another decision-maker (particularly with binding advice), accreditation or enforcement'.

Public Bodies Reform Proposal: the proposals made in relation to the body as part of the 2010 public bodies reform programme.

Contact Details: postal address, telephone, email and website address for the body.

Description/Terms of Reference: a short description of the purpose of the body.

Notes: normally records the date that a body was established and may be used to record other important information or to clarify other information fields.

Chair: shows the name of the current Chair.

Chair's Remuneration: actual remuneration for financial year 2013-14 (excluding expenses such as travel and subsistence) and is a numerical entry: either an exact figure (rounded to the nearest pound), or within a £5,000 range. Where payment is on a 'per day' or similar basis that should be noted. An entry of zero denotes that the post is unpaid or that the chair does not claim the remuneration (aside from expenses) to which he or she is entitled.

Chief Executive (CE) / Secretary: shows the name of the current CE/Secretary. Where there is more than one of a body and there are multiple post holders, the word "Multiple" will appear.

Chief Executive / Secretary's Remuneration: remuneration figure for financial year 2012-13. Non-ministerial departments and executive bodies tend to have a CE who will be employed by the body. Non-executive bodies are usually supported by a secretary who will not be employed by the body but instead remains and employee of the sponsor department. Generally, a figure is given for CEs but not for secretaries. Where CE remuneration is given it will, unless stated otherwise, consist of basic salary plus:

- geographical allowances such as London weighting
- performance related bonuses
- any employer's contributions paid under the pension scheme
- the estimated monetary value of any other benefits otherwise than in cash and
- any agreed sum on taking up appointment.

Public Meetings: indicates whether any of the body's meetings are open to the public (it does not necessarily relate to public access to the body's board meetings).

Public Minutes: indicates whether minutes or summary reports of board meetings and other meetings are published. Where minutes are available only on request it should say "No" but an explanatory note should be included.

Register of Interests: indicates whether a register of interests for board members is maintained.

Ombudsman: the ombudsman, if any, within whose remit the body falls. Advisory and tribunal NDPBs do not usually fall within an ombudsman's jurisdiction. The most common entry in the directory is "PHSO" indicating the Parliamentary and Health Service Ombudsman, which combines the two statutory roles of Parliamentary Commissioner for Administration (the Parliamentary Ombudsman) and Health Service Commissioner for England (Health Service Ombudsman).

Annual Report: shows the year of the body's latest published annual report. For smaller bodies, the annual report may be included as part of a departmental annual report.

Last Review: the year in which the body was last reviewed or an indication of a forthcoming review.

Audit Arrangements: shows the audit arrangements/external auditor for executive bodies. The entry "NAO" refers to the National Audit Office.

Expenditure Information: data for financial year 2013-14. Non-ministerial departments and executive bodies will have their own budgets and produce audited accounts on which this information is based. Non-executive bodies do not normally have their own budgets but may provide an indication of their costs in the interests of transparency.

Government Funding: represents voted by Parliament, funded from central government or grant/grant-in-aid from the parent department. For smaller NDPBs it instead represents the secretariat costs borne by the sponsor department, where identifiable.

Total Gross Expenditure: the public body's total gross expenditure for the financial year (the 'bottom' line expenditure figure in their income and expenditure account). Where a body receives income from sources other than the Government (for example through fees or levies), its expenditure figure may significantly exceed its funding figure.

Staff employed: the full-time equivalent number of employees (to the nearest whole number) as at 31 March 13. Does not include staff of the parent department providing a secretariat for executive bodies but does include civil servants temporarily seconded into the body itself, and paid for from the body's funds. For Advisory NDPBs which generally do not employ their own staff the figure shown is the number of secretariat staff supplied by the parent department, where identifiable.

OCPA Regulated: indicates whether any appointments to the body are regulated by the Office of the Commissioner for Public Appointments.

Ministerial or Non-ministerial: whether ministers appoint the chair / members of the board overseeing the public body.

Male / Female: whether the **chair** or other **members** of the board have declared themselves male or female, where the data is available. '--' indicates that information on gender was not available. Data on ethnicity and disability are aggregated in the summary tables in Annex A.

Changes since Public Bodies 2013

New additions to Public Bodies

- Health and Social Care Information Centre
- Medicines and Healthcare Products Regulatory Agency
- National Crime Agency
- National Institute for Health and Care Excellence

Bodies that were in *Public Bodies* 2013 in another form

- Innovate UK (formerly the Technology Strategy Board)
- The Housing Ombudsman (replaces the Independent Housing Ombudsman Ltd)
- Legal Aid Agency (replaced Legal Services Commission)
- 132 Independent Monitoring Boards numbers fluctuate in line with facilities overall the number reduced from 138 to 132

No longer in Public Bodies

The following bodies were included in *Public Bodies 2013* but have since been abolished, merged or been reformed so that they have fallen outside the scope of the report.

- Administrative Justice and Tribunals Council
- Advisory Group on Military Medicine
- Agricultural Dwelling House Advisory Committees (x16)
- Agricultural Wages Board for England and Wales
- Agricultural Wages Committees (x15)
- Commission for Rural Communities
- Committee on Agricultural Valuation
- Driving Standards Agency (merged with the Vehicle and Operator Services Agency)
- Equality 2025
- Food from Britain
- Health Protection Agency
- Museums, Libraries and Archives Council
- National Fraud Authority
- Olympic Lottery Distributor
- Railway Heritage Committee
- Service Children's Education
- UK Border Agency
- Victims' Advisory Panel