

## CIVIL SERVICE SUPPORT TO COALITION NEGOTIATIONS

The Draft Cabinet Manual Chapter on *Elections and Government Formation*<sup>1</sup> that the Cabinet Secretary presented to the Justice Committee on 23 February 2010 stated that it was, “open to the Prime Minister to ask the Cabinet Secretary to support the Government’s discussions with Opposition or minority parties on the formation of a government. If Opposition parties request similar support for their discussions with each other or with the Government, this can be provided by the Cabinet Office with the authorisation of the Prime Minister.”

On 7 May 2010 the then Prime Minister, Gordon Brown, announced that he had asked the Cabinet Secretary to “arrange for the civil service to provide support on request to parties engaged in discussions on the formation of a government”.

The offer of support was taken up by the Conservative, Labour, Liberal Democrat, DUP, Plaid Cymru and SNP Parties.

The nature of the support to be provided was set out in the note “Civil Service support to Government formation negotiations” (attached at Annex A) a more detailed note on “Government formation negotiations - arrangements for provision of factual information” (attached at Annex B), and a note on “Government formation – venues” (attached at Annex C). These arrangements were made clear to all the Civil Servants and parties involved.

Between 7 May and 11 May the civil service provided logistical support, factual briefing and advice on constitutional processes on request to the parties. In particular, the civil service facilitated meetings in Admiralty House, the Cabinet Office at 70 Whitehall and the Foreign and Commonwealth Office as part of negotiations between the Liberal Democrat Party and the Conservative Party, and negotiations between the Liberal Democrat Party and the Labour Party.

The Leader of the Conservative Party announced on 11 May that he intended to form a coalition government with the Liberal Democrat Party, which he believed would be capable of commanding the confidence of the House of Commons, and he was appointed Prime Minister by Her Majesty the Queen on 11 May. Following the appointment of the Prime Minister and the formation of the government, the specific arrangements for supporting government formations negotiations came to an end and the civil service provided ongoing support to the Government in the usual way. The government’s five-year programme was published by the Prime Minister and Deputy Prime Minister on Thursday 20 May<sup>2</sup>.

---

<sup>1</sup> <http://www.cabinetoffice.gov.uk/media/343763/election-rules-chapter6-draft.pdf>

<sup>2</sup> <http://www.cabinetoffice.gov.uk/media/409174/stabilityreformmay2010.pdf>



## CIVIL SERVICE SUPPORT TO GOVERNMENT FORMATION NEGOTIATIONS

- The Prime Minister has agreed that following the general election the civil service could, as appropriate, provide support to discussions between political parties about forming a government.
- This will only be provided if the parties request it and with the specific authorisation of the Prime Minister.
- The key principles are that all parties involved will be treated equally; the process will be confidential; and support will cease when a government is formed unless any continuation is authorised by the Prime Minister.
- Support may consist of three elements:
  - first, advice on constitutional issues and processes;
  - second, provision of factual information about specific policy proposals;
  - third, logistical support to the negotiations.
- Parties will be provided with a common piece of advice on the key constitutional issues. The Cabinet Secretary may provide further advice as required, supported by First Parliamentary Counsel and the Cabinet Secretariat
- Factual briefing will be requested from the relevant department and could include information on: costs, timescales, legislative implications, impacts on devolved administrations and local government. It will not include: recommendations on particular options or negotiating positions. Parties will be encouraged to work from a single factual brief provided to all those involved, but specific briefing will be provided if requested.
- Logistical support to negotiations could include: provision of meeting rooms, preparation of agendas, production of minutes, drafting of agreements. It would not include advice to parties on negotiating tactics or positions.
- The Cabinet Secretary has overall responsibility for supervising the process.
- Direct support for any party involved in negotiations would be provided by a senior official nominated by the Cabinet Secretary supported by a small team from the Cabinet Secretariat.
- The relevant Permanent Secretary will be the primary point of contact for any factual information relating to their department and requests will be discussed with them or their nominated contact. They will need to ensure that information is of high quality, is consistent and is provided to tight deadlines.
- At all times, the civil service will work in accordance with the Civil Service Code and the core values of integrity, honesty, objectivity and impartiality. All those involved will maintain absolute confidentiality about negotiations and any information provided.

**Cabinet Secretariat, 4 May 2010**



## GOVERNMENT FORMATION NEGOTIATIONS – ARRANGEMENTS FOR PROVISION OF FACTUAL INFORMATION

This note provides more detail on the arrangements for the provision of factual information to parties under the arrangements for civil service support to government formation negotiations

### *For political parties*

1. Any requests for factual information should be routed through a single point in each party to ensure that only information essential to government formation negotiations is requested.
2. Information provided by the civil service is to support the process of government formation and should be treated on a similar basis to a briefing on Privy Counsel terms. It should not be used publicly.
3. Parties may request factual information about the policies set out in their own manifesto. Factual information about the manifesto policies of another party will only be provided with the agreement of that party. As factual information is intended to support negotiations between parties, all parties are encouraged, where possible, to work from a single common brief provided to both sides.

### *For civil servants supporting parties*

4. The civil servants working with each party may help to clarify the nature and scope of the information being requested by a political party, but will ensure that such discussion do not amount to policy advice.
5. The civil servants working with each party will commission the required information from the relevant department, through the relevant Permanent Secretary or individual nominated by the Permanent Secretary.
6. The civil servants working with each party will not inform those working with other parties of the information that has been requested.

### *For departmental officials*

7. The relevant Permanent Secretary has overall responsibility for ensuring the quality, consistency and timeliness of information provided.
8. The relevant officials in departments may well be involved in providing information to more than one party. The same factual information would be provided to any party that is receiving support from the civil service.
9. It will be important that departmental civil servants provide the information that is relevant to the particular request and they do not disclose the fact of a request to others nor provide information to one party simply because it had been requested by another party.
10. Departmental officials will treat requests and information provided in confidence.

**Cabinet Secretariat, 6 May 2010**



## Government formation – venues

It is for parties to decide who they wish to meet, where, and whether they want support from the civil service.

If requested, the civil service is ready to provide a suitable venue. There are three main options:

**Parliament:** parties will be able to occupy their old offices and to use these as a base. The House authorities have made available two meeting rooms: the Large Ministerial Meeting Room (below the Commons chamber), and meeting room on the second floor of Portcullis House (overlooking Westminster Bridge). A small office near the meeting room in Portcullis House is available for civil servants supporting the discussions

**Admiralty House:** this provides a secure and private venue. Two parties could each have a suite of rooms available for their own use (including a large meeting room, a small meeting room and a large seating area). The ground floor is available for talks between parties and includes a large meeting room, a small meeting room and a large seating area. Civil servants supporting the discussions would be located in the same building.

**No.10 / 70 Whitehall:** the Prime Minister may continue to be based in No.10 Downing Street and meetings with other parties could be organised in 70 Whitehall (or the venues above). Any other parties involved could be provided with their own meeting room in 70 Whitehall. Civil servants supporting the discussions are usually based in 70 Whitehall.

All the venues would be available at any time of the day over the weekend.

**Cabinet Secretariat, 6 May 2010**

