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2. cc PS/Sir David Fell
Mr Legge 10/11
Mr Thomas
Mr Blackwell
Mr Wood (LHS)
Ms Jude

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From the Secretary of the Cabinet and Head of the Home Civil Service
Sir Robin Butler GCB CVO

Ref: A096/208

24 January 1996

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CONSULTATION BETWEEN SENIOR CIVIL SERVANTS AND OPPOSITION SPOKESMEN

I refer to Sir Robin Butler's letter of 19 January about contacts between Senior Civil Servants and Opposition Spokesmen. The Prime Minister will announce today, by means of a written PQ, that he has authorised the arrangements for contacts to be made. In the event that you receive press inquiries I attach Question and Answer briefing which you may wish to pass to your Press Office.

I am sending a copy of this letter and attachment to Private Secretaries of Permanent Secretary Heads of Department.

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SEC 30 JAN 1996
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Yours,

Mark Lem

for Ms Jan Polley
(Private Secretary)

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Mrs McAleen

Mr Jack 10/3/11

Chris Guest Esq
PS/Sir Terence Burns GCB
HM Treasury

CIVIL SERVICE CONTACTS WITH OPPOSITION SPOKESMEN

What meetings are taking place?

The established convention is that, towards the end of a Parliament, opposition spokesmen may - with the authority of the party leaders - arrange meetings with senior civil servants through the office of the Head of the Civil Service.

Why are they taking place?

The purpose of the meetings is to allow opposition spokesmen to inform themselves on factual questions of departmental organization, and to inform senior civil servants of any organizational changes stemming from Opposition policies in the event of a change of Government.

Will Civil Servants advise the Labour Party on its policies?

Civil servants will not give Labour policy advice.

Why are they taking place now?

The Prime Minister and the then leader of the Opposition agreed in July 1992 that such meetings could take place from January 1996.

Will any details of the meetings be made available?

Both timing and contents of any exchanges will be confidential on both sides. Ministers are not present and do not receive reports on the meetings. ✓

Is it only the Labour Party that can have such meetings?

Other political parties wanting similar meetings can of course request them. Their prospects of forming the next Government would affect their chances of success. ✓

Is there anything novel about the meetings?

On previous occasions they have not begun until four and a half years after an election. The Prime Minister and the then leader of the Opposition agreed in July 1992 that they should start earlier this time. ✓

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From the Secretary of the Cabinet and Head of the Home Civil Service
Sir Robin Butler GCB CVO

Ref: AO96/169

Dear Terry,

CONSULTATION BETWEEN SENIOR CIVIL SERVANTS
AND OPPOSITION SPOKESMEN

The Leader of the Opposition has now asked the Prime Minister to authorise the contacts between senior civil servants and opposition spokesmen in the lead up to the next General Election and the Prime Minister has done so. The No.10 Private Office will be circulating the exchange of letters between the Prime Minister and Mr Blair to inform Cabinet Ministers of this, and a Parliamentary question and answer is being arranged to announce it more widely. No similar request has so far been received from the leader of the Liberal Democrats but, if such an approach is made, the Prime Minister will no doubt be willing to authorise similar contacts.

--- The purpose of these contacts is set out in the Heads of Departments Personal Handbook, and I attach the relevant extract, which I have also given to the Leader of the Opposition's office. Mr Blair will be circulating a note to his colleagues emphasising the limits on what civil servants can discuss and making it clear that we will not be able to disclose confidential Government plans, discuss present Government policy or give policy advice to the opposition.

Members of the Shadow Cabinet are being led to expect that their first meeting will be with the Permanent Secretary, normally on a one to one basis. Further meetings can include, at the discretion of both sides, other senior civil servants and the Chief Executive^s of Agencies. It has been suggested to Shadow Spokesmen the initial meeting should comprise a briefing by the Permanent Secretary covering, for example:

/ - the structure and

Sir Terence Burns GCB
HM Treasury

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- cc AS/S. D. G. P.
- Mr Legge
- Mr Norman
- Mr Blackburn
- Mr Wood

(arrangements, with the
Opp's view's approval, are more
wide-ranging).

19 January 1996

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- the structure and organisation of the Department, including running and programme costs and current management consultancy contracts;
- the operation of existing Agencies, and relationships with them;
- the handling of European Union business;
- current management activities, including Senior Management Review, market-testing, industrial relations, operation of the Private Finance Initiative and the possible creation of new agencies;
- imminent future changes affecting organisation and administration.

Each Permanent Secretary will, no doubt, wish to check with the relevant Opposition spokesman whether this is what he or she wants. Subsequent meetings will provide an opportunity for Opposition spokesmen to give senior civil servants any information they wish to give us on Labour policies and the consequences for departmental organisation.

It is, of course, being emphasised that the discussions are confidential on both sides. The arrangement is that these contacts have to be initially authorised through the Leader of the Opposition's office and mine. If you or colleagues receive any approaches direct from opposition spokesmen, I should be grateful if you could let my office know and we will check that these are known to and authorised by, the Leader of the Opposition. Thereafter continuing contacts can be arranged directly between the relevant opposition spokesman and Heads of Departments.

If you or colleagues have any questions on any of this, please do not hesitate to contact my office. I am copying this letter to Permanent Secretary Heads of Departments.

Yours ever,

Robin

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CONTACTS BETWEEN SENIOR CIVIL SERVANTS AND THE OPPOSITION

In the lead-up to a General Election, special arrangements come into force under which Opposition spokesmen may have contacts with senior civil servants without Ministers having a right to be privy to the content of their discussions. In the course of these contacts, the Opposition parties, in preparing for major changes in the machinery of government, may also wish to let senior departmental officials have some idea of their plans, so as to enable the changes to be made as smoothly as possible if the Election results in a change of Government. In the nature of things the number of people concerned, either in the Opposition parties or in the Civil Service, will be very limited. Until 1992 such arrangements did not start until six months before the end of a Parliament: in the event of an early Election, this rule precluded such contacts from taking place at all. Following the 1992 Election, the Prime Minister told the then Leader of the Opposition that he would be content to authorise confidential exchanges between senior civil servants and Opposition spokesmen from January 1996, ie some fifteen months before the last date for calling an Election.

The initiative for arranging such contacts lies with the Party Leaders to approach the Prime Minister in the first instance. Subject to the Prime Minister's approval, and that of the Party Leader, the department concerned should be approached through the official Head of Department, who will keep in touch with the Head of the Home Civil Service.

A clear distinction must be drawn between contacts for these purposes and requests for information about Government policies. The latter should be dealt with at Ministerial level, and in so far as officials take part in the discussions they should do so only in support of their Ministers or with their Ministers' express authority.

Heads of Department should treat requests for contacts with officials as follows:

- a. Any request from a member of an Opposition party for confidential talks with civil servants should be referred to the Head of Department, whether the request is made directly to a civil servant or through Ministers.
- b. The Head of Department should consider whether the request appears to be for the purposes described in the first paragraph of this note above. If he thinks it is, he should refer it to the Head of the Home Civil Service, who will advise him how to handle it. (It will normally be necessary to make sure that the approach has in fact been authorised by an Opposition Leader.)
- c. If he thinks it is not, particularly if it appears to touch on issues of Government policy, he should consult his Minister, who will decide how it is to be handled.

When an Election has been called further guidance may be issued.

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