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Ref: A07849



PERSONAL AND CONFIDENTIAL

Civil Service 2.

Prime Minister

para 31 is helpful. MFD 19/3

mt.

PRIME MINISTER

The Parliamentary Commissioner for Administration has sent me a copy of extracts from his Annual Report for 1981 (to be published on 23rd March) discussing the effects upon his investigations of resource constraints and industrial action in the Civil Service.

2. I attach a copy of the extracts herewith.

3. The Parliamentary Commissioner has asked that this should be given only very limited circulation in advance of publication on 23rd March. I suggest that we should confine knowledge of it to those to whom I have sent copies of this minute until that date.

4. I am sending copies of this minute to the Chancellor of the Exchequer, the Chancellor of the Duchy of Lancaster and the Minister of State (Commons).

Robert Armstrong

(dictated by Sr. R Armstrong and signed on his behalf)

19th March 1982

PERSONAL AND CONFIDENTIAL

Some effects of industrial action in the Civil Service

23. In my Report for 1980<sup>3</sup> I explained why industrial action by civil servants was not something on which I could pass judgment. During that year I found in some of my investigations that delay and associated difficulties were attributable to the effect of industrial action by civil servants in 1979. Some of the investigations I have completed in 1981 also hark back to that period. In one case I found that industrial action had exacerbated the delay in settling a claim to attendance allowance; in another it had added to the difficulties in dealing with a claim for a farm grant; and in a third it had caused delay in making refund payments by the Intervention Board for Agricultural Produce, causing hardship to a company for which they could recover no compensation.

24. During 1981 there was another, more widespread and longer lasting, strike in the civil service. This generated relatively few complaints to me at the time—perhaps because many members of the public understood the position sufficiently to realise that I could not intervene to secure immediate delivery of pensions, passports, driving licences and VAT refunds held up as a result of the strike. To those who did complain to me about such matters I had to explain that, much as I sympathised with their predicament, it did not result from administrative action taken by departments in the exercise of their statutory duties (the area defined in the Parliamentary Commissioner Act as my operational territory) and that it was not therefore in my power to investigate.

25. Since the 1981 industrial action ended, I have had referred to me a handful of complaints about the results of the delay in issuing passports. I am now making enquiries of the Foreign and Commonwealth Office, who are responsible

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<sup>1</sup> HC 99, HC 250, HC 395, HC 470

<sup>2</sup> HC 322

3 <sup>3</sup> HC 148

for passport offices, to discover what steps they took at the time and what they have done since in response to requests for help or compensation for inconvenience, distress and financial loss attributed to the breakdown in service. In doing so, I have no wish to rake over the embers of an unhappy passage in public administration. But having said that I would expect departments to take every step open to them to alleviate the effects on the citizen of a strike by government employees and to restore full service as quickly as possible, I think it right now to seek to establish whether this requirement was met by the Foreign and Commonwealth Office. It is too soon to forecast the outcome of my enquiries but it is a subject of some general interest and importance to which the Select Committee on the Parliamentary Commissioner for Administration may wish to direct their attention in due course.

26. Unfortunately, the 1981 strike also had the effect of delaying some of my investigations. Departments were not always in a position to respond to the invitation to comment on a complaint, which is the starting point of my investigation: and my officers were sometimes unable to get immediate access to documents they wanted to examine or to interview officials whom they wished to question. This had the effect of holding up some investigations which were 'in the pipeline' during the 21 weeks while the strike lasted, and I had to write to referring Members explaining the position and asking them and their constituents to bear with me in the meantime. My efforts to reduce the backlog of cases (to which I referred in paragraph 13 of my Report for 1980<sup>1</sup> and on which the Select Committee expressed some concern<sup>2</sup>) were somewhat hampered in consequence. The number of cases under investigation at the end of 1981 was 164 compared with 162 at the end of the previous year; but of the 164 investigations in progress at 31 December 1981 60 had been referred to the office during the last quarter of the year. A determined effort by my staff in the latter part of the year when things were getting back to normal in departments did much to relieve the problems of the previous period.

Departmental performance under 'the cuts'.

29. I am on record as commenting last year that the constraints imposed on resources in government departments might sometimes mean a reduction in standards of service. In two complaints which I have investigated against the Land Registry this year, I found that while I had no criticism to make of the standard of work done, there had been unacceptable delay in dealing with applications due to the combination of a considerable increase of work with constraints on manpower and financial resources. The Chief Land Registrar in his report for 1980 had already informed the Lord Chancellor of his difficulties. My own investigations confirmed that the hard-pressed staff of the Land Registry had been doing all they could to minimise the inconvenience to the public, and satisfied me that the fundamental cause of the delay illustrated by these complaints could not reasonably be attributed to maladministration in the department.

30. A somewhat similar situation was responsible for delay by the Department of the Environment in dealing with an application for a grant towards the cost of repairing a church. In my report on the case, I said that the small number of inspectors and other staff available for this branch of the Department's work meant that they had been unable to keep pace with the steadily rising workload in the last few years and I could only conclude that the delay in this instance was largely caused by resource problems beyond the control of the Department.

31. I have no doubt that other departments are also feeling the strain and are having to operate a system of priorities in fulfilling their responsibilities. But it would be wrong to infer from my experience of investigations in 1981 that there has been any clear and significant decline in standards generally in the Civil Service from these causes. Indeed, I continue to be impressed by the ability of the administrative machine to cope with all the problems and to provide all the services expected of them and taken for granted by the public at large. If we wish to limit public expenditure, there is bound to be a limit also to the activities government can undertake. We are in danger of demanding simultaneously a reduction in public spending and a maintenance of all the services to which we have grown accustomed in better times.