

Extended Ministerial Offices – Guidance for Departments

Cabinet has agreed that Secretaries of State and other Ministerial heads of departments may appoint an Extended Ministerial Office (EMO).

The management and operation of the Civil Service is governed by the Constitutional Reform and Governance Act 2010. This places with the Prime Minister, as the Minister for the Civil Service, the power to manage the Civil Service. The Prime Minister delegates this power to Ministerial Heads of Department. The power is then in practice delegated to Permanent Secretaries by way of the Civil Service Management Code. In the case of an EMO, however, Ministers can decide to retain direct and full responsibility for appointments and management of staff in EMOs. They can of course delegate appointment and management of civil servants to the Principal Private Secretary (PPS) or another senior official if they choose.

When establishing an EMO, Ministers will, in consultation with their Permanent Secretary, agree the composition of the office, the mix of staff and skills and the budget. EMO proposals will require the approval of the Prime Minister as the Minister for the Civil Service, before any commitments to appoint staff are made.

An EMO could include civil servants fulfilling the traditional private office role, special advisers and external appointees. The office could include support for policy formation, implementation, media, correspondence, relations with Parliament and so on, as well as the traditional private office function. As part of the approval process to establish an EMO, the PM requires that a member of the EMO focuses on implementation reporting also to the Head of the Implementation Unit. The success of the office will be dependent on all staff being fully integrated and working as one to deliver the Minister's priorities, as well as working closely with the rest of the department. Advice from officials in the Department must go to the Minister unaltered, although as now staff in the Minister's office will often comment on the advice.

EMOs are primarily designed to support Secretaries of State and other Ministerial Heads of Departments. Where no EMO is planned, relevant Junior Ministers can put forward their own proposals which should be discussed with the relevant Secretary of State and the Permanent Secretary before consulting the Prime Minister. Those appointed into extended offices for junior Ministers will be subject to the guidelines and processes set out below.

Civil service appointees

All civil service appointments (permanent or fixed term) must be made in consultation with the Permanent Secretary. Civil servants in the EMO will be directly accountable to, and may be directly appointed by, the relevant Minister. The Civil Service Code, including the political impartiality requirements and the Civil Service Commission's recruitment principles will apply to all civil service appointments. As now, no civil service member of a private office or an EMO can be politically active.

External appointments can be made to EMOs and must be in accordance with the Civil Service Commission's recruitment principle which deals with appointments to EMOs. The Permanent Secretary must be involved in all such appointments. Before an appointment is made, the Accounting Officer must be satisfied that it meets the requirements of this exception. He or she must also, as part of the annual compliance statement to the Commission, confirm that the role and the individual are still needed and the individual continues to operate in line with the Civil Service Code requirements regarding impartiality and objectivity.

Where civil servants are brought in without fair and open competition under the Civil Service Commission's EMO exception, an appointment can be made for up to five years. Individuals appointed on civil service terms without fair and open competition at Director level and above will require the approval of the Civil Service Commission, as will those who have worked for the Minister or the Minister's political party within the past 5 years. Details of the requirements under this exception can be found on the Civil Service Commission's website.

When the appointing Minister leaves Government or moves to another appointment it will be for the incoming Minister to decide whether he or she wishes to have an EMO (which would require the Prime Minister's approval). Where it is decided to terminate the contract of a civil service appointee working in the EMO the individual will return to their main department. Individuals brought in for specific appointment to an EMO from outside the Civil Service without fair and open competition under the Civil Service Commission's EMO recruitment principle would normally be expected to leave the Civil Service if they are no longer required in the EMO.

The Minister may delegate to the PPS or another senior official the responsibility for recruiting and managing Civil Service staff within the EMO. Ministers must feed directly into the appraisals of the PPS and other EMO staff, and the Permanent Secretary will be expected to represent the Minister's views at moderation. The Permanent Secretary should discuss any feedback from moderation with the Minister before final decisions are taken.

Implementation Unit representation

As part of the approval process to establish an EMO, the Prime Minister will require that a member of the EMO focuses on implementation, reporting also to the CO Implementation Unit, in order to drive implementation of the Government's key policy priorities, and to provide the Centre with clear and timely information on implementation.

Implementation leads in the EMO may be Departmental staff, appointed with the approval of the appointing Minister and with the approval of the Implementation Unit DG. They will have a dual reporting line to the PPS (or other civil service head of the EMO); and to the Head of the Implementation Unit in the Cabinet Office. The Head of the Implementation Unit will also contribute to the performance management process for these members of staff.

Special Advisers

Special Adviser appointments will continue to be made in accordance with the Ministerial Code and the Special Advisers' Code of Conduct and Model Contract. As now, Special Advisers will not have line management responsibility for civil servants but they should be fully integrated into the functioning of the office, working closely with civil servants in the EMO to deliver the Minister's priorities.

Ministers may choose to appoint a senior Special Adviser as Chief of Staff and may also allocate other Special Advisers a title to clarify their roles. The Prime Minister's approval must be sought for all Special Adviser appointments, including the appointment of a Chief of Staff.

Where appointed, a Chief of Staff may have day to day responsibility for the Special Adviser team within a Department, setting the policy direction to implement the Minister's priorities.

Special Advisers will continue to report managerially to the Prime Minister's Chief of Staff.

As now, Special Adviser appointments end at the end of an Administration or when the appointing Minister leaves the Government or moves to another appointment.