

# Devolution Guidance for Policy Makers

In an increasingly devolved UK, policy officials from all administrations are strongly encouraged to **communicate, cooperate and collaborate** with counterparts in other administrations. This will help you understand the impact of your work across the UK.

The checklist below is not an exhaustive list of the principles you should follow and the questions you should be asking yourself when developing policy. Depending on the policy context, there may be further or different questions you might want to explore. The points of contact and further resources on the following page will help you.

## Is the policy devolved, reserved or mixed?

### Devolved?

- What is the territorial extent?  
*Remember that the devolution settlements are asymmetrical*
- Will the policy have funding implications, including for the Barnett formula?
- Will the policy require legislative consent?

### Reserved?

- Will the policy affect a subject area that another administration is responsible for?
- Will other administrations need to be consulted?

### Mixed?

- How will the input of other administrations be managed in line with the devolution settlements?
- How might regional political, economic, social differences impact the policy's effectiveness and reception?

## Have I sought all views necessary to deliver the policy?

- Have I sought the views & input of other administrations ?  
*The MoU is the guiding document for this question.*
- Have I planned sufficient time to engage with the other administrations?  
*Make time to engage early.*

- Have I sought the views of an appropriate range of stakeholders?  
*For UKG civil servants, the Territorial Offices are invaluable points of contact.*

- Have I used research/evidence pertinent to all regions of the UK, to develop the various policy options and justify any recommendations?  
*Colleagues in other administrations will be able to provide relevant data or research.*

## Implementation

- Will implementing the policy cut across devolved areas such as health and policing or reserved areas such as foreign affairs?  
*See postcard overview resource for what's devolved, reserved or mixed.*

- Is the necessary implementation and delivery infrastructure in place across the UK?  
*Health, education and local government services operate differently across the UK, and you should understand and take account of these differences when developing implementation strategies.*

- Will adaption be necessary to work within this infrastructure?  
*You may find it helpful to also refer to the 'rural proofing' and the 'islands proofing' guidelines.*

# Who can I contact?

<b>Your Department</b>	<p>Department Devolution Team</p> <ul style="list-style-type: none"><li>Specialists in supporting devolved administration engagement and building devolution capability.</li></ul>
	<p>UK Governance Group, Cabinet Office</p> <ul style="list-style-type: none"><li>Responsible for the intergovernmental relations of the United Kingdom and constitution and devolution matters across the UK.</li></ul>
	<p>Constitution Group, Cabinet Office</p> <ul style="list-style-type: none"><li>Supports the Chancellor of the Duchy of Lancaster and other ministers in delivering the Government's constitutional and devolution agenda.</li></ul>
<b>UK Government</b>	<p>Offices of the Secretary of State for Scotland and Wales; Northern Ireland Office</p> <ul style="list-style-type: none"><li>Ensures Scottish, Welsh and Northern Irish interests are fully and effectively represented at the heart of the UK Government, and the UK Government's responsibilities are fully and effectively represented in Scotland, Wales and Northern Ireland respectively.</li></ul>
	<p>Economic and Domestic Affairs Secretariat</p> <ul style="list-style-type: none"><li>Should be approached for assistance on complicated or high-profile issues, especially those involving one or more devolved administration.</li></ul>
	<p>Office of the Advocate General for Scotland</p> <ul style="list-style-type: none"><li>Provides legal advice, drafting and litigation services to the UK Government in relation to Scotland.</li></ul>
<b>Devolved Administrations</b>	<p>Constitution and Justice Division, Welsh Government</p> <ul style="list-style-type: none"><li>Responsible for intergovernmental relations (including the British Irish Council and JMC), UK parliamentary legislation and legislative consent, and matters relating to the UK's constitution and the devolved settlements, including the constitutional implications of EU exit.</li></ul>
	<p>Executive and Central Advisory Division, The Executive Office, Northern Ireland Executive</p> <ul style="list-style-type: none"><li>Responsible for intergovernmental relations within the UK, including participation in the Joint Ministerial Committee and the British Irish Council.</li></ul>
	<p>Constitution and UK Relations Division, Scottish Government</p> <ul style="list-style-type: none"><li>Responsible for relations between the Scottish Government, the UK Government and the other devolved administrations.</li></ul>

# Key Resources

<b>Memorandum of Understanding (MoU)</b>	Agreed in 2012, sets out the principles which underlie relations between the four administrations of the UK.
<b>CSL Online Module: Devolution and Intergovernmental Working</b>	Made up of several tutorials, which explain the differences between devolved administrations and devolved legislatures, the difference between reserved and devolved powers and the asymmetrical nature of devolution.
<b>Postcard overview of devolved and reserved powers</b>	A summary of which powers are devolved and reserved in each part of the UK.
<b>Introduction to Devolution</b>	A more detailed overview of the current devolution landscape in the UK and how to operate within it. This includes a glossary, acronym guide and points of contact pages.
<b>Devolution Factsheet</b>	A high level overview of the devolution basics.
<b>Devolution Guidance Notes</b>	Set out advice on working arrangements between the UK government and the devolved administrations.