

# Ministers reflect

Oliver Heald

December 2015



# Oliver Heald

## Biographical details

### Electoral History

1997-present: Member of Parliament for North East Hertfordshire

1992-1997: Member of Parliament for Hertfordshire

### Parliamentary Career

2012-2014: Solicitor General

2005-2007: Shadow Chancellor of the Duchy of Lancaster

2004-2007: Shadow Secretary of State for Constitutional Affairs

2003-2005: Shadow Leader of the House of Commons

2002-2003: Shadow Cabinet Member (Work and Pensions)

1995-1997: Parliamentary Under-Secretary of State for Social Security

*Oliver Heald was interviewed by Jen Gold and Peter Riddell on 8<sup>th</sup> September 2015 for the Institute for Government's Ministers Reflect Project*

**Peter Riddell (PR):** When you started as a minister, and let's go back to the first time, what was your experience of coming into government like? What support was available? Had any previous roles prepared you for becoming a minister? And what was the most surprising thing?

**Oliver Heald (OH):** Well I'd got some experience in the sense that my wife, Christine, had been private secretary to the Home Secretary. So I'd got a sort of idea of how the Civil Service worked with ministers from that. But I had no other help or advice. When John Major appointed me, he said 'Oh well you've got a big challenge here because this is the first job Margaret Thatcher did and the first job I did'. So that was it really! 'Go and do your best on pensions and benefit fraud'. I'd been a PPS [Parliamentary Private Secretary] with William Waldegrave and Peter Lloyd [former Conservative ministers]. So I had had that experience. I spent a year working very closely with William and six months with Peter. So I had an idea of how a ministry worked.

When I first arrived at Richmond House, William Hague had been the previous minister and he had a very informal style. The officials called him by his first name and so on. I wasn't so keen on that, because I think there's something to be said for them calling you minister, and you understanding they're an independent body giving you advice rather than it being too chummy. So personally I changed that back as my first thing.

The next day I was supposed to be addressing a conference of actuaries on pension reform. So they immediately brought in the man who trained ministers up in pensions at the DSS [Department for Social Security] and he came in and gave me a seminar on pensions and explained what they were to me. Then I went along and met the actuaries. And the good thing was that with the actuaries, they don't agree with each other. So whatever you said there was always going to somebody supporting you and somebody against.

**PR:** Did you have any other kind of induction at the beginning?

**OH:** Not really. Obviously there were some things that I was asked about concerning financial interests and making sure that I declared what I needed to declare. But I don't remember anything in the way of an overall induction, no.

**PR:** What about jumping ahead 15 years. When you became Solicitor General, how was the process then?

**OH:** It was different. The private secretary did go through quite a number of issues and they had a book which set out all the current issues that were in the department and explained where we were on them all. So there was quite a lot more preparation actually. It was better.

**PR:** In either job, did you go in with any particular priorities - was there any sense of 'Right, this is what I want you to do' in either job?

**OH:** Yes, there was. There was a definite brief. John Major was keen that we should have in place adequate protections following the [Robert] Maxwell [pensions] scandal. So my job was to make sure that we regulated in that area effectively and followed on with the work William had been doing on it. So that was a mission, to get that right.

Then the other thing was to do something on benefit fraud, where if you remember there was a lot of analysis showing very substantial sums were being lost to benefit fraud and there had been a very inadequate response to that. My job as benefit fraud minister, was to come up with an approach to show we were serious about benefit fraud, tackle it and try and increase the savings that were being made, which when I started were about £300 million a year. And the objective was to get the savings from

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effective benefit fraud operations to a much higher level and we did actually do that. We got it up to about £1.5 billion in two years.

**PR: What about when you became Solicitor General, was there any sense of priority? Or because of the nature of the role was it rather different?**

**OH:** Well no, David Cameron did say to me he was looking for a positive approach. It was something that was familiar to me because when I was a barrister I used to advise companies on their employment law and issues of that sort and they weren't really looking to be told what they couldn't do. They were looking to be told what they could do. So I think that was something he wanted me to do.

We had an initiative to make the process of legislating, where the law officers have a particular role, to make that a bit more simple and easier to understand for other ministers. So the law officers look at issues like: is this a retrospective law? Is the commencement going to be too early if it's less than two months? Law officers look at the Human Rights Act and decide whether it's compliant. The certificate is signed by the minister. But there are about five things that law officers look at and I used to go to the committee and say if it met the five criteria. We did simplify that quite a lot [and] produce a much simpler form to deal with that, so that was something.

Then I was put on the criminal justice board with Damian Green [then Policing and Criminal Justice Minister]. We were looking at trying to make the criminal justice system more efficient and, of course, the law officers deal with the Prosecution Service [CPS]. We oversee the CPS and so trying to come up with a way of making the criminal justice system more effective, efficient, electronic, all that was part of it. So I think that was another initiative that was important.

**PR: Were there any surprises in either of the jobs? Whether in social security or as solicitor which you thought 'Hold on, I didn't expect this?'**

**OH:** Well I worked for a long time with Peter Lilley [Conservative MP and former minister] on a project called 'basic pension plus', which you may remember. This was an attempt to try and improve the basic state pension by investing some of the national insurance contributions in a fund to top it up. Anyway, we spent ages and ages on this and then we got it to the point where we thought, we're not going to make that much better. And then I couldn't believe how long it took to get approval from the Cabinet! Every committee you could think of had to look at it. And I'd been a minister for about 18 months at this point. I just couldn't believe the clunky nature of the machinery of government and how long it took. It took months to get it through the various Cabinet committees. So I think that was something I was quite surprised about, that it was so difficult just to do something. It was very clunky. I think that was a bit of a surprise.

In terms of the law officers, that was something I was very familiar with as a role because I'd been a lawyer. So I don't think there were any great surprises. Were there any great surprises? No. It was really enjoyable.

The other thing was in the DSS, although we had some confidential material, the nature of it was government-confidential material. Whereas in the law offices we did have cases which were going to the Court of Appeal where there was a lot of information that was probably owned by individuals more. And so I think we were very careful about that.

**PR: Did you have any role models when you became a minister? Somebody you'd seen do it well or badly and thought 'I'll either do it this way or won't do it that way?'**

**OH:** Well I think I'd obviously seen quite a lot of people in action. I liked the cerebral and analytical way in which William Waldegrave did his work. He was very much looking what the evidence was and analysing it. He was extremely good like that. It was a very intelligent approach, so I liked that. But I must say, the one I always really admired in the House was Willy Whitelaw. I just thought he had such a nice manner and it didn't matter if he made a mistake did it? It was almost part of it. So I've always tried in the House to be a warm figure and to get to the point where if I make a mistake, people will still think,

well he's basically good-hearted! So I've never been one to attack the opposition beyond a certain level. I don't like it to get personal. And that sort of bitchy approach, I don't go for that. So I think I learned that really from Willie Whitelaw [former Home Secretary]. I think I used to watch him in action quite a lot when Christine was a civil servant. And I liked his manner.

**OH:** Oh yes, the other thing I learned from Waldegrave, he said your job as bag carrier is 'This and this and the most important thing of all is when I go to a radio interview you have the price of milk written down on a piece of paper'. Because he was the agriculture minister. And the number of times they'd be saying and 'So what is the price of milk now?' And I handed the note, and he'd say 'Well of course I work in metric and I can tell you a litre is', you know. That was very good. He'd obviously learned that from someone else, to be prepared.

**PR: Well indeed.**

**OH:** And do your homework, you know.

**PR: You mentioned the relationship with civil servants obviously being slightly more rigid in the law officers department due to their background. How would you describe the main duties and roles of a minister?**

**OH:** What more generally?

**PR: Yes.**

**OH:** Well you're very much developing policy and then as a minister making it happen. Delivery has become much more important over recent years. So getting that approach where you can get the people who have to deliver and drive the delivery. I think that's very much more of the role.

You're very much accountable to Parliament and I think it's important that you should always put your cards on the table with Parliament and go down there and make statements. Then, you have a role with your party. Because you are the front of house, and you have to make sure that you're keeping in tune with colleagues and that you're not captured by the Civil Service and their thinking and become very much always going for the centre and not really necessarily keeping in touch with party thinking. So I think that's very important that you see yourself also as being a Conservative and keeping in touch with thinking on the backbenches.

**PR: Did you in your diary deliberately spend time here [in Parliament]?**

**OH:** Yes. I always used to come in for breakfast in the Tearoom and then I would make sure that I had a tea time slot. When I was law officer I used to do the morning there [at the Department], so I'd have breakfast here. Morning in the department and then I would come over here [House of Commons] whenever the witching hour was either 2.30 or earlier about midday. Then I'd spend time over here working in the office. I would go and have a tea break with the colleagues. The smoking room, I used to go in there about 7 and have a drink. They're all different crowds, you meet a different group in each of those three places. It was very useful. And the times when I got into sticky water were times when I let my ministerial role run ahead of me and I'd lost ground with the colleagues. There were issues when I was Shadow Leader of the House, not actually a ministerial post, where I was so concerned about a security issue here, which the evidence suggested was quite real, that I didn't bring my colleagues along enough. So it is very important to do that.

**Jen Gold (JG): So you've partly answered this question in relation to your role as a law officer, but we're interested in the day-to-day reality of being a minister and how most of your time actually gets spent. So reflecting back to your time in the Major government...?**

**OH:** Well in the Major government, of course, I was doing pensions and benefit fraud which were topics which generated a lot of correspondence. So that was a different thing. I think that's changed a lot over

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the years, correspondence. Nowadays a lot of it's electronic; ministers don't always sign it off. But in those days I used to sign off thousands of letters, which was a big part of the day.

But anyway, I'd spend the day in the department working away on various issues. I would go out and visit quite a lot. I used to go and visit the benefit offices. Go out with the benefit fraud officers. I used to do an initiative called 'Spotlight on Benefit Cheats' where I would go to particular parts of Britain and say, 'Look, if you're not playing straight, you've got four weeks, sort it out and then we're really going to be working very hard in this area on benefit fraud'. And it was very effective actually. It wasn't an amnesty but it was making the point that you had to get your claims in order.

So there was a lot of travel, a lot of work in the office in the day. Evenings I would come over here again and work in my office down below. And then I did a lot of adjournment debates. Yes. The hours were a bit of a killer in those days, as you'll remember. It was very punishing because you would often be up until midnight, you know we used to do business after ten every night. I used to go to breakfast here because I thought it was a very important thing to do in terms of the colleagues. But actually to be in there at eight o'clock having your breakfast when you've been up to all hours, it used to make it quite hard going. It was the time of the Maastricht Treaty. That was four o'clock in the morning quite often.

**JG: So as Solicitor General, you said the hours were very different?**

**OH:** Yes when I was here as a minister in the nineties we used to work until midnight really most nights and we'd start at 2.30. So yes I would work in the department actually until about 5pm or 6pm. And then I used to come over and it was the evening over here. Then as Solicitor General it was, because the hours had changed, it was coming over here in the afternoon and we often finished at 7pm by that time.

**JG: And obviously you have various demands on your time – your parliamentary role, departmental business, media, constituency – were there any particular demands that you found difficult or challenging to balance?**

**OH:** Yes. Although it's near London, it's quite a large constituency. It's got four towns and lots of villages and so they all want and expect you to visit regularly. I do believe in '97 for example, one of the reasons I survived was that I had actually done all the constituency work and done it to a reasonable standard. So I used to do the ministerial work up until Thursday night. Friday there was a box. But I would then work around the constituency, Friday, Saturday and often on a Sunday.

**PR: And where is your home?**

**OH:** Royston in Hertfordshire in the constituency.

**PR: So did you commute back there in the evenings?**

**OH:** No. I have tried that. But it didn't work. It's never quite worked. It's 50 miles and the trains after 10pm have engineering works, so it's quite difficult.

**JG: Reflecting on either period you spent in office, could you talk us through an occasion where you had to deal with an unexpected event or crisis? We're interested in people's decision making processes and the support structures you were able to draw on.**

**OH:** Yes. I mean as Solicitor General I'd have to be careful about what I can say, because we had to give legal advice. We were greatly assisted by some very expert people in the department who helped us. Those were often very crucial or urgent matters but I can't really say much about those.

In DSS there were occasions, for example, over issues to do with war pensions where there would be a story in the Sundays and it was immediately a very key issue as to what you were doing about a particular situation with war widows. And I remember on one occasion there were war widows who were receiving pensions and if they were to remarry they lost it. And this was an issue which we'd been doing some work with the MoD [Ministry of Defence] on but it was very much a longish-range issue which we



were talking over and we would have got there, but we hadn't. We were going to do something. Then the Sundays came out with this as a huge issue and highlighting the particular circumstances of particular people. We had questions coming up on the Tuesday. All the media wanted us on immediately, 'What are doing about this?' and I remember being deployed and of course, we didn't have a really good line to take. We were saying, 'We are working on this'. I think that was quite a worrying time. And all the colleagues on the Conservative side are very keen on the military and war widows, so we did have to work very hard to come up with a much more effective line and actually go to Downing Street and say, 'Look, we need your help on this'. We did come up with a package very, very quickly indeed. But yes, that was an example of having to move fast to get through the bureaucracy quickly to respond to something which we were working on but hadn't got to the point. And then on questions on the Tuesday, it was made the announcement.

**PR: And you thought the machine could move rapidly under those circumstances?**

**OH:** Well it was amazing. Because if you compare it with the experience on 'basic pension plus' where it took months, this was an example of the system working. But it was because Number 10 decided this has got to be done. I think that is still a very important part of the system. Not mentioning particular issues, the Law Officers could get calls from Number 10 saying 'Look we've got to have advice on this now, it's a really urgent thing'. Because issues can just blow up and suddenly become the main focus of the nation. You'll have seen this so often Peter, I mean it's surprising isn't it?

**PR: Absolutely. I mean as we've seen last week.**

**OH:** That crisis has been there for some time really. But suddenly it's the focus of the nation.

**PR: Without going into details, how quickly could you respond? Because you were all the time getting advice from either within your department or the Treasury Solicitor or externally...**

**OH:** Yes.

**PR: Could that work rapidly?**

**OH:** It could, yes. The advantage that both Dominic [Grieve, then Attorney General] and I had is that we come from the era of barristers who used to do a wide range of work. I mean I used to do a wide range of work. We were general common lawyers in the early days and then we specialised. So we were used to tackling a wide range of issues at a reasonable level. Within the department itself, there are some very expert people on particular issues.

The issues that come up in government are always the same issues in one way or another. So you'll get asked about a particular situation. So you're able to draw on really good people at any time. You can literally get them on the phone in five minutes. And then if you need an outside Silk, we've a list of barristers who will respond quickly. At the very top of the list of Treasury Silks, they're prepared to drop everything if they need to. So yes, we can give very good legal advice, the definitive view pretty quickly.

**PR: What do you regard as the achievement you are most proud of in office?|**

**OH:** Well with the earlier period, I was very proud of 'basic pension plus'. To get some sort of basic pension in place which is providing an adequacy of income, from which people can plan further savings, that's been an issue which has been bubbling away all the time I've been in politics. We have now got to the point where we've an answer. To have been a part of that at a very early stage coming up with quite a good proposal, even if it got rubbished in the general election, I was proud of that. The benefit fraud, the methods that we introduced for tackling it are still in use. So I think we developed a very good set of tools there.

**PR: And how much of those factors, some clearly were internal to the department, but of course, one of your problems with the pension plus was you had the Treasury around?**

**OH:** Yeah. That's right. It was very slow to get approved. And by the time it did, of course, we were in the run up to the general election and it got trashed. But the people who really understood pensions like Frank Field, all thought basic pension plus was a very good idea.

**PR: In that case, how much did other players come into the decision making? The pensions industry, Treasury, select committee and so on, how important were all those other players?**

**OH:** Well the pensions world was very supportive of what we were suggesting because it answered a lot of the questions. Subsequently we've come up with a different solution through the last government which also works. But it was very strongly supported by the pensions world.

Treasury had a view point and there were other departmental interests.

**PR: How significant in that era was the select committee?**

**OH:** Well they were supportive and I think they were of some significance. Select committees have changed completely in my time here. When I first started on the employment select committee with Angela Eagle being the Labour person who did most of the talking and I was the Tory, we had one clerk and very little support. Angela and I used to write the reports. And if we agreed, most people went along with it. Nowadays you've got a marvellous set up with each committee and very good experts brought in. So it's changed a lot. So I think the influence in the Major period was there but it wasn't that great. Now I think it's very significant.

**PR: When you were working for Peter Lilley, how did the relationship with him work and also his special advisers? Because you had a discrete area or two areas of pensions and benefit fraud, how much freedom were you given by him? And also how important was it to keep his special advisers on board?**

**OH:** We got on very well. I mean Peter is an old friend, he is my neighbour and he and I think along fairly similar lines on these issues. So I had his confidence, he was confident in what I was doing. I also had a very good Lord [as Minister of State], John MacKay of Ardbrecknish who was very mathematical and that's useful in the pensions world. He was very focused on the detail.

**PR: He died rather young didn't he?**

**OH:** He did. Very sad. Yes. He was a nice man. But the way it worked was that Peter would say to me, 'Well look we've got to review SERPs [State Earnings-Related Pensions]. I'd like you to work up a paper on that'. And then Peter Barnes who was the special adviser was very interested in this and I'd update Peter Barnes. But we had a lot of meetings with Peter Lilley, we used to have a morning meeting every day and he would like you to ask for a meeting if you wanted to update him. So he was very easy to work with. He was very efficient, hardworking, analytical. You couldn't have a better minister in many ways, he was really good.

**PR: Of course totally different with the law officers, it's just you and Dominic?**

**OH:** Dominic and I are old friends as well. And he and I had rooms next to each other and I would ask him 'What do you think about this?'

**JG: And was there a particular division of labour between the two of you?**



**OH:** No. We didn't do that. He did the more serious cases in the international sphere. So if you were asked about a particular issue, Dominic would take it if it was really big. When you were answering in Parliament, the Attorney General, tended to be the one taking the big one.

**PR: It is a sensitive one: the quality of your private offices in both places?**

**OH:** Yeah. Well in the DSS I was very lucky I had a really strong office. I would say it was A1. The people were highly intelligent, people with very good academic backgrounds. And because pensions is so complicated and difficult to understand, you need good officials. So I was really lucky there. At the AGO [Attorney General's Office], we had a really strong team.

**JG: And in your time in office, what would you with hindsight you found most frustrating?**

**OH:** It's always getting things done is the frustration and you do have to push pretty hard to get things done, whatever department you're in. I used to try and keep it fairly simple as to what I wanted to achieve. In the [most] recent job I had three things I wanted to do. Firstly, I wanted to make sure I won my cases in the Court of Appeal which I did.

Second, make sure that we made a big improvement to the way the courts were run in terms of electronic working, because I think these mounds of paper are ridiculous and, it is an ideal area to be electronic, digital. You've all these documents to be able to search through quickly and this is what computers are made for. So with Damian Green we determined that we were going to push that hard and we did. In the CPS everybody has got a tablet and the courts are wiring up. So we did make a difference on that.

Then the third thing was to do the good law project trying to so the Cabinet had a simple document that explained the legal side. The general thing that your advice was reliable, I think we achieved that.

I had two things I wanted to do in DSS. One was the Maxwell regulation, that it should be in place, effective and work and that we listened to the actuaries and we achieved that. The other was benefit fraud where there were five things we were doing to tackle benefit fraud. So 'Spotlight on Benefit Cheats', all the methods we tried there, are now in use.

If you're a junior minister unless you're actually the Secretary of State, you're not going to change everything. So you want to find a few things you can change and make sure that you really make a difference. And I feel I did that.

**JG: You touched on the digital transformation project you were involved in and obviously you were doing that against the background against quite significant cuts in the last government.**

**OH:** Yes. Well what we did, we had a CPS office that was working with digital. We sent the Treasury down there. They sent two officials to see what you could do digitally and then we sent them to another office where we were doing it the old way with mounds of paper everywhere. I mean it was such a no brainer that they did give us a £150 million [laughter].

**PR: How would you define being an effective minister? What are the characteristics of being an effective minister?**

**OH:** An effective minister retains the confidence of his colleagues whilst effecting change and presenting it to the public. And if I looked back at my overall approach I would say my weakness was probably with the media. I didn't do enough with the media and didn't manage to get my messages over enough. The strengths were probably that I did actually make some changes that worked.

**PR: What advice would you give to a new minister?**

**OH:** I would make friends with the media. I think that would be my advice. Because although you'll always get turned over, I think it's still worth building relationships more than I did. I'm obviously on friendly terms with a lot of journalists. I think you could build that more and the most effective ministers have done. And do more telly than written as well. I mean I used to do more written media than telly and I think the answer these days is to do more telly.

**JG: And with hindsight, thinking back to your time in office, would you have done anything differently? Approached the role differently in anyway?**

**OH:** Well I think the lesson is you do need to decide very early on what you want to achieve and push like hell and work on the basis that you're not necessarily going to get all that long. So the only thing I would have done is probably to have made some decisions about how to tackle benefit fraud six weeks earlier than I did. I feel I gave it a good shot. I was very satisfied with the sense that I'd achieved some things.

I was very lucky to get a chance at office. My generation missed out a bit, because I was a bit of a rising star under John Major, minister after two or three years and then we had 13 years in opposition. Of course I was in shadow cabinet for five years, did all these great jobs but they're not as rewarding in opposition as they are in government. Because you're talking about it and don't actually get anything done. So the great lesson really is if you get a chance of office make sure you do some things.

**PR: That is a very good way of putting it, if you get the chance.**

**OH:** The point about doing the constituency work is important. Because there were a lot of people in '97 who were pretty good people who are no longer in Parliament, and they just lost out. It was partly because I had been told by Leon Brittan [former Home Secretary] many years before: 'Whatever you do, if you're a minister do your constituency work, because you can't have any of this without being in Parliament'.

**PR: What did your majority go to?**

**OH:** 3,000. And when you think, it's a good seat for the Conservatives.

**PR: Well no, exactly. I think the point you make of where generations come and when opportunities come is totally unpredictable.**

**OH:** It is. And I feel very lucky to have had a second bite of the cherry because a lot of my generation didn't.

**PR: If you look at the number that came back, the parliamentary party was cut in half, and it wasn't many who came back. It was Alistair Burt and very few others.**

**OH:** No, it wasn't.

**PR: Those who lost in '92 were better placed – Andrew Mitchell etc. – because they came back in '97 into safe seats. But on the whole those who lost in '97...**

**OH:** There are a few of us. I mean obviously David Willetts was another one who got two goes at it. But there weren't many.

And I was very glad to get a chance to be a law officer. Because if you've been a barrister for many years, and then you go into politics, the chance to do that job where you do both things is just fantastic. And so I felt very grateful to get a go at that. It was very nice to go to court as the Solicitor General as well as obviously doing the other things.

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