



ASSOCIATION OF
CHIEF
EXECUTIVES

The Dos and Don'ts of Giving Evidence to a Select Committee

ACE seminar with Dame Margaret Hodge MP

Event Summary

February 2019

ACE members had the pleasure of welcoming Dame Margaret Hodge MP to speak about giving evidence to select committee hearings, drawing on her considerable experience as former Chair of the Public Accounts Committee (PAC) between 2010-2015.

Dame Margaret opened the seminar by reflecting on the evolving relationship between Government and Parliament since she was first elected as an MP in 1974. The formalisation of the select committee system, coupled with the recent hung Parliaments, has expanded the opportunities for MPs to influence policy-making outside ministerial office. Dame Hodge felt she has achieved greater impact working to build transparency into the tax system as PAC Chair than in her various ministerial roles in Government between 2003 and 2015. MPs Yvette Cooper, Sarah Wollaston and Frank Field are current Committee Chairs with similarly strong voices. Despite the fact that witnesses can refuse to attend, select committees are empowered by this public voice, which Dame Hodge advised CEOs to bear in mind before giving evidence. Their work attracts significant media coverage, which influences political debate and engages the public on key policy issues.



An effective select committee has to leave 'tribal politics at the door.' Within her time chairing the PAC, the committee published 246 reports with only one not being unanimously agreed, which Hodge argues was due to her ability to build cross-party consensus between committee members and compromise on the remit of some of the more contentious tax inquires. She believes the current limited system of resourcing in the UK leads to more collaborative working and is a strength, compared to the United States, where committees have more staff but are extremely partisan. However, she does feel committees would benefit from more levers to get accurate information from their witnesses and access official documents. She criticised a previous official witness that abused official statistics to spin a more positive light on the department's work during a hearing, and advised CEOs to be honest, straight forward, direct and answer the questions.

As a final point, Hodge also criticised the convention of ministerial responsibility as the traditional model of government accountability to Parliament, arguing it has not kept pace with the expansion of the civil service and lacks transparency. In partnership with the Institute for Government, she is investigating how this model could be reformed and personally feels officials and public body leaders should have more direct accountability to Parliament, in a similar fashion to local Government.

The discussion was then opened up for Q&A with the audience.

The fact that coverage in the press often focuses on critical committee reports was discussed. One audience member suggested Chairs could play a greater role in publicly sharing best practice from their inquiries and accountability sessions. However, Margaret argued that central government has a greater responsibility. She suggested by creating a stronger centre of government, mechanisms to share best practice could be improved. For example, tackling the lack of institutional memory and cross-sector expertise by rewarding

civil servants that stay in their posts; combining the Cabinet Office and HM Treasury; and hiring staff with a wider breadth of diverse experience, for example from local government, public bodies and other sectors.

Audience members raised that some committee members are unfair, aggressive, create a hostile atmosphere in their style of questioning, have a clear agenda before the hearing, or don't use the evidence they receive. It was felt this can hinder the ability of the witness to feel comfortable about being open and transparent in their responses. Dame Hodge said this behaviour is an abuse of power, and witnesses should be calm, not let themselves be bullied, and convince the panel of the merits of the evidence. Joint committees can help mitigate the risk of political bias on the panel. However, she reiterated that there is also a role for the chair to build consensus within the committee. The lack of development and training for MPs on committees is an issue, but experienced Chairs can provide support by hosting away days with their committee and mentoring less experienced MPs.

Some CEOs have found it difficult in hearings to be completely open and transparent without going into too much technical detail. Margaret said the onus is on public body leaders to learn how to convey technical issues to non-specialist committee members and service-users, if necessary saying that the matter was complex and so may take time to explain. She added that committee Chairs should be comfortable acknowledging when a response has not been understood and asking the witness for further clarification.

When the committee is investigating a live issue and the witness feels unable to discuss sensitive details in public, Dame Margaret suggested writing to the committee Chair in advance to explain concerns. If pushed on an issue during a hearing, the witness should be clear and honest in outlining their responsibilities and why they are unable to answer the question.

One audience member suggested that the nature of scrutiny and accountability in the select committee system has created a risk-averse culture. Dame Margaret disagreed and suggested this was due to the culture of the civil service. She encouraged leaders of public bodies to facilitate a culture of risk-taking in how services are delivered by public bodies.

As a final note, Margaret discussed with the audience the potential role of select committees to improve faith in the political class. She feels that the PAC's tax investigations did play a role in improving confidence in MPs following the expenses scandal. However, dishonesty is still an issue. For example, in relation to current discourse around the ability of the government to control immigration. As a result of cross-party collaboration on committees over Brexit, Margaret feels there is much to be learned from such a consensual approach of the select committee system. One feature of optimism of the Brexit process has been the level of cross-party work that has arisen, which she hopes will be maintained in a post-Brexit UK.

