

Understanding the public sector

Introduction

The public sector is not heterogeneous which can make it seem initially challenging to influence. Rather, the public sector comprises politicians (executive plus backbenchers), Ministries (policy makers, analysts, regulators), Agencies (regulators, inspectors), etc as well as all those public servants working at local and regional level. The private sector needs to be clear about the direct target for the advocacy and about whether there is, additionally, a need to work through intermediaries. This briefing aims to describe each of the possible target audiences and possible approaches.

Keep the customer satisfied

There is often little interchange between private and public sectors and, therefore, little understanding among civil servants of the possible implications for business of legislation and regulation. Furthermore, civil servants working in Ministries see the Minister as their primary, often only, customer and their sole objective is to satisfy the Minister's policy objectives. This can mean legislation leads to consequences which the politicians and civil servants had not foreseen, but which might have been obviated had there been effective consultation with private sector.

Like everyone else, civil servants want their job to be as easy as possible. So private sector advocates should assist them by preparing compelling and succinct proposals (or responses to consultation) backed up by high quality evidence which, as far as possible, offer solutions to meet publicly stated policy objectives.

Public private dialogue

Effective dialogue is a pre-requisite for effective advocacy. Even if formal mechanisms exist in your sector, it should still be a priority to get to know the key people in the Ministries or Agencies that interact with you and your sector. This will help to build understanding and give ready-made channels of communication when they are needed.

Ministries

The Ministries are most likely to be the starting point for dialogue. Identify the analysts and the people writing the policy recommendations. Aim to ensure that they understand the implications of their decisions on the private sector. In particular, help them to understand and to separate the economic burden of regulation from the administrative burden; for new and existing regulation, there may well be scope to reduce or even eliminate the administrative burden through carefully thought out proposals for implementation.

Whilst it is the politicians who (largely) set the agenda, it is the Ministries who aim to turn the aspiration into practice, so aim to influence the key people at an early stage. Better still, offer solutions to civil servants in such a way that they can take some of the credit when putting proposals to Ministers.

Ministers

If there is a requirement to influence policy, as opposed to implementation, it is likely that there will be need at some point to influence the Minister. This must be well prepared. It will help to get civil servants 'on-side' before meeting the Minister.

You will want offer solutions, ideally designed still to address the policy objectives, but in way that reduces the potential burden on business and in a way that allows the Minister to take the credit publicly for improving the enabling environment.

Parliamentarians

Members of Parliament, who are not members of the government, can be amongst the most difficult people to influence, yet once won over can be extremely effective. They are hard interest because either they belong to the governing party, and want a ministerial job so do not want to rock the boat, or else are in opposition and only want to pick on the salient issues which could be used to embarrass the government. If you can influence MPs to act on your behalf, however, they can lobby ministers and civil servants very effectively.

Many countries have Select Committees – committees of MPs whose role is to provide oversight and accountability for Ministries. Their reports can be influential and an excellent way to influence the Government is to be invited to give evidence to a select committee – but you have to prepare well and make a strong case.

Some countries, in addition to formal Select Committees, have more informal all-party Parliamentary committees. These coalesce around specific interests such as small business. In the UK, the secretariat is often provided by a sponsor or a trade association. Meetings are designed to offer networking opportunities to participants and also to ensure that parliamentarians are what are aware of, and knowledgeable about, the issues and so are in a good position not only to lobby outside Parliament but also to speak authoritatively when the topic is debated by Parliament.

Agencies

The problem with agencies is that, on the whole, they do not create policy – rather they are created to implement it. Typical examples would be tax collection agencies or regulatory bodies such as health and safety. In their zeal to impress their masters, however, they can often adds to the administrative burden placed on businesses by 'improving' the administrative rules within the overall defined policy framework. Agencies may, in addition, have a role in recommending to ministers new or changed policies – and it is rare that they do so in such a way as to reduce or eliminate their influence. Usually, agencies are accountable to a specified Minister though occasionally are set up to be independent of government and are answerable directly to Parliament.

This all mean that influencing agencies can be quite hard. The starting point should be as for Ministries, but recognising that you're more likely to win over the agency if you focus on reducing the administrative burden rather than arguing for change in policy that leads to them playing a less important role. Such policy issues will almost certainly have to be taken with the Minister directly.

Proposing changes in administration which reduce their own workload whilst maintaining the influence are likely to be more effective. As with other groups, offer solutions for which they can take at least some of the credit.

Conclusion

Understanding the public sector, and the way it operates, is as important to private sector advocates as understanding the private sector should be to public sector regulators. Take the effort to identify very clearly the people whom you ought to be influencing and then prepare and implement a proper communication strategy.