

Strengthening Cabinet Office Procedures

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I. Introduction

Located at the hub of Government's decision-making system, center-of-government offices are crucial to a Government's capacity to define and implement their policies and programs. The titles and structures of center-of-government offices vary between countries according to the distribution of their constitutional and administrative powers, as well as the requirements of the current Prime Minister or Head of Government. Some countries have two Offices separately serving the Prime Minister and the Cabinet or Council of Ministers. In other countries, a single office serves both.

Despite these differences, the functions performed by center-of-government offices are broadly consistent. Almost universally, their activities relate to the internal work of Government, and they do not serve the public directly. Although center-of-government offices sometimes perform cross cutting functions such as civil service management; or undertake special initiatives of particular concern to the incumbent Prime Minister, they are generally not responsible for the development and implementation of policies and programs, which is the job of line ministries. Rather, their primary role is the coordination of Government business, including:

- Arrangements for Cabinet meetings, including agenda preparation and quality control of Cabinet submissions;
- Preparation and approval of Government's strategic priorities and work program;
- The policy preparation process, including inter-ministerial coordination;
- Government communications, to ensure the coherence of Government public messages;
- Monitoring Government performance;
- Relations between the executive and other branches of the state (the head of state and the legislature).

The work of coordination can be complex and demanding, especially where conflicting political imperatives are involved; and where capacity in the center-of-government office is lacking. For both reasons, standard procedures are essential to create a reliable, non-controversial framework within which to deal with competing priorities and demands. The procedures may be basic and simple in the first instance, gradually becoming more sophisticated over time as capacity increases.

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This GET Note describes some of the basic procedures being developed and introduced in the Prime Minister’s Office of the Kingdom of Tonga, which serves both the Prime Minister and the Cabinet. Although the procedures are tailor-made for Tonga, they are based on generic models that can be observed in many differing administrations¹.

II. Background

Tonga, the only remaining monarchy in the South Pacific, and boasting one of the earliest written Constitutions in the world², underwent a major constitutional change in 2010 with the introduction of representative democracy. As a result Cabinet, with the Prime Minister at its head, is now the country’s prime executive decision-making body, with collective responsibility for the development and implementation of Government policies and programs; and accountability to the democratically elected Legislative Assembly. The role of the Prime Minister’s Office (PMO) has expanded accordingly, but capacity is still very limited, so a ‘toolkit’ of procedures is being developed to enable PMO to perform its basic functions with minimal resources.

III.A Cabinet ‘Toolkit’

The toolkit consists of procedures to support the PMO’s four core tasks³:

1. To provide leadership and direction in whole-of-Government policy development, and facilitate implementation of Government priorities and projects;
2. To provide executive support to the Prime Minister and Cabinet to ensure effective operation of Cabinet;
3. To ensure clear communication of Government decisions and policies, commitments and initiatives;
4. To provide advice and briefing to the Prime Minister to support him/her in the leadership of Government and its relationship with the Legislative Assembly.

The initial raft of procedures will cover the following functions:

- Cabinet meetings
 - Forward business and agenda planning
 - Scrutiny and circulation of Cabinet submissions
- Strategic policy planning
 - Publication of Government’s strategic agenda
- Legislative Program
 - Preparation and presentation to Parliament of Government’s legislative program
- Prime Minister’s briefing
 - Coordination of advice and briefing for the Prime Minister

¹ For further reading on the role of center-of-government offices, see OECD’s *Co-ordination at the Centre of Government: the Functions and Organisation of the Government Office*. OECD/SIGMA Paper No. 35, 2004

² Written in 1875

³ The Prime Minister is also Minister for Information & Communications, and these functions are also housed within the PMO but are not featured here.

The procedures will be written up in a Handbook, which will act as desk instructions for both PMO and Ministry staff; and further procedures will be developed as PMO capacity develops.

IV. Cabinet Meetings Procedures

Cabinet’s primary role is to drive the Government’s policy agenda, and oversee its implementation. The foremost function of the Prime Minister’s Office is therefore to ensure that Cabinet meetings are efficiently organized in a manner that enables well-informed decisions to be taken in a timely fashion. To that end, two mechanisms are being developed:

- A ‘forward look’ procedure for scheduling Cabinet business
- Preparation, circulation and scrutiny procedures to ensure Cabinet submissions are decision-ready when tabled

A. *Forward look*

In Tonga, as in most countries, Cabinet, under the Chairmanship of the Prime Minister, considers and agrees on all major policy and legislative proposals submitted by individual Ministries. These include⁴:

- Matters that must be decided by Cabinet as a matter of law;
- Matters that might affect international obligations or relations in any significant way, such as proposed Treaties;
- Government budget decisions;
- Proposed Bills or regulations;
- Decisions that have implications for a number of government agencies or ministerial portfolios;
- Other significant decisions on matters of policy or administration, or that may involve public interest; and
- Financial matters

In addition, however, other more minor matters, such as Government reports or Ministers’ travel plans are routinely referred to Cabinet for information or approval. Not surprisingly, the agenda becomes crowded, which limits Cabinet’s capacity for in-depth discussion of important policy and legislative proposals. The Forward Look procedure aims to address these issues, by scheduling the submission of policy and legislative proposals.

The Forward Look procedure is essentially a rolling 12-month calendar of Cabinet meetings, showing when policy and legislative proposals will be tabled: the first three months in detail and in outline for the remaining nine months. Individual Ministries will be required to inform the PMO in advance of the dates on which they intend to submit their proposals. They will then be assigned agenda ‘slots’, according to the priority of the proposal within the Government’s overall policy agenda. The calendar will be rolled forward every three months. To ensure Ministers are committed to the process, the Forward Look schedule will be approved by Cabinet before circulation. Once approved, changes during the first three months will require the Prime Minister’s authorization. The process is summarised in **Box 1** below.

⁴ Article 106 of the Tonga Cabinet Manual

Box 1. Forward Look procedure

Step 1	PMO issues a 12-month calendar showing the dates of Cabinet meetings, and requests Ministries to specify when they will submit draft policy and legislative proposals
Step 2	Ministries submit bids for dates on which they intend to submit draft proposals, based on their Corporate Plan objectives, together with an assessment of the urgency and importance.
Step 3	PMO assesses bids, negotiates with Ministries to avoid clashes, and prepares Forward Look calendar for the approval of the Prime Minister and Cabinet
Step 4	Approved calendar is issued, notifying Ministries of their Agenda slots during the first 3 months
Step 5	PMO uses Forward Look calendar to create the agenda for each Cabinet meeting, and follows up with Ministries to ensure items are submitted on time
Step 6	PMO rolls the calendar forward every 3 months

The Forward Look procedure should result in better-informed decision-making by creating more time and space for in-depth consideration of policy and legislative proposals. It will also provide Cabinet with visibility of its future work program, and the means to exercise better control and oversight of business rather than, as at present, being a somewhat passive recipient of whatever Ministries submit. Equally important, the ability to look ahead will enable Government to communicate its strategic agenda publicly; and to share the legislative program with the Legislative Assembly, which can then program its own sessions more efficiently. Finally, having committed themselves to submitting proposals on a particular date, Ministries will have deadlines to meet, which should help them to plan their own work programs.

B. Preparation and circulation of Cabinet submissions

Cabinet’s capacity to reach well-informed decisions on important and complex policy and legislative proposals depends greatly on the quality and timeliness of Cabinet submissions. Excessively lengthy, over-technical papers received only a day or so prior to a Cabinet meeting will inevitably undermine Ministers’ preparedness for in-depth discussion. To remedy these shortcomings, the PMO will develop a standard format for Cabinet submissions, to ensure that they are succinct but comprehensive, containing adequate factual information and sufficiently well-presented arguments to enable Cabinet to reach informed decisions. An indicative template is shown at **Annex A**.

Additionally, as is usual in most countries, the PMO will set and enforce time limits for the submission and circulation of Cabinet papers, in order to ensure that Ministers receive Cabinet papers at least three full working days prior to the meeting at which they are to be discussed. Criteria will also be developed for the acceptance of last-minute items, subject to the Prime Minister’s personal approval.

C. Review of Cabinet submissions

It is also the job of the PMO to ensure that Ministries comply with the requirements laid down for preparing Cabinet submissions. This will mean checking that the submission is complete, that the proposal is soundly based following consideration of all the options, and that other relevant Ministries have been consulted and any differences of view resolved as far as possible. Further, that the financial, legislative and other implications (social, environmental, political etc.) are fully spelled out. As a start, the PMO will develop and use a checklist to review policy submissions against the template in **Annex A**, and will be empowered to return non-compliant submissions for amendment. As capacity develops, the PMO may become more actively engaged in facilitating inter-ministerial consultations on the preparation of major policy proposals.

V. A Strategic Agenda for Government

Setting the government’s strategic goals is a political responsibility, while the preparation of plans, and the activities required to implement the plans are tasks of the administration. It is generally the responsibility of the center-of-government office to coordinate the plans and assist Government in establishing priorities amongst competing demands on fiscal and other resources.

In Tonga, the strategic planning function is currently exercised by the Ministry of Finance and National Planning (MoFNP), which is responsible for the Tonga Strategic Development Framework (TSDF). TSDF sets out in detail the Government’s nine outcome objectives together with 42 strategies to deliver them. It is an important mechanism for ensuring that Government activities are planned, funded, organized, and managed so as to deliver the required results on time and within budget. It also provides development partners with a comprehensive picture of the Government’s work program.

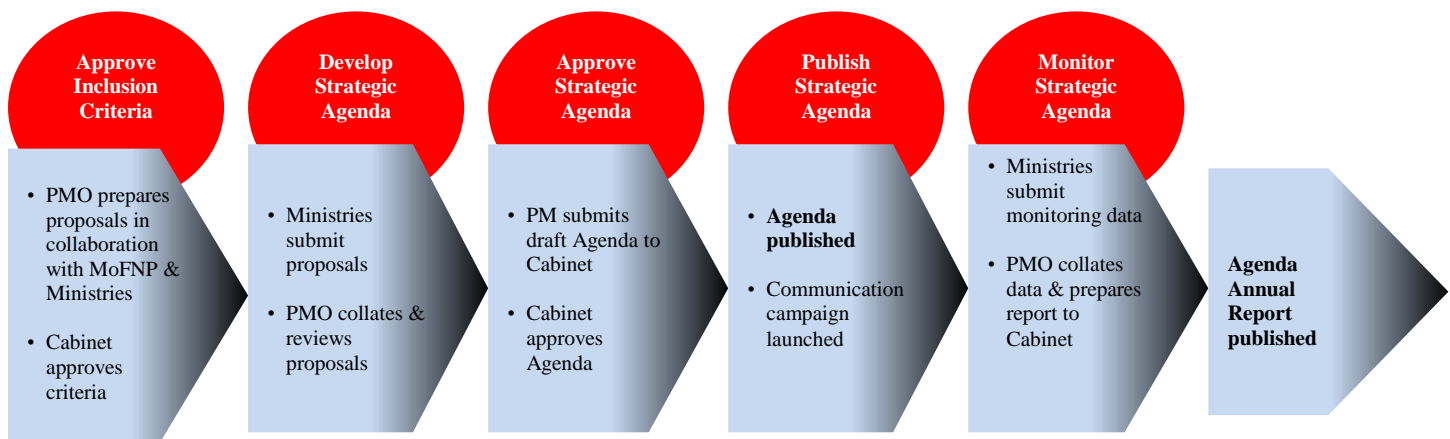
Cabinet has decided that, with the inception of democratic government, there is a need for greater visibility about what Government is doing. Cabinet believes that the wider public – and key audiences within it such as business leaders and entrepreneurs, community leaders, cultural and religious groups and educationalists – have a right to know what Government is committed to deliver on their behalf. Equally important, the legislature, which is responsible for holding Government to account, must be provided with a clear picture of Government’s strategic priorities.

However TSDF is not designed as a tool for communicating with the general public, and is not a substitute for such a tool. A purpose-built document – the Government’s Strategic Agenda – will therefore be developed and published. Written in plain language, it will set out the most significant items of genuine public importance that Government is committed to deliver over its lifetime. No new initiatives will be created for the Strategic Agenda; rather, it will highlight TSDF policies and programs of the greatest public significance and strategic importance.

The PMO will be responsible for preparing and publishing the Strategic Agenda, the procedures for which will involve: collating items proposed by Ministries for inclusion, using ‘public significance’ criteria developed in collaboration with MoFNP; preparing the Agenda for Cabinet approval; publishing the Agenda on the Government website; overseeing a communications campaign to ensure that it reaches

the designated target audiences by the most effective means; and preparing an annual report in collaboration with Ministries, setting out what has been achieved and what has not. **Figure 1** below illustrates the overall process.

Figure 1. The Strategic Agenda process



VI. Legislative Program

Center-of-government offices are generally responsible for co-ordinating and maintaining relations with the legislature; and with Tonga’s move to democracy, this function will be developed in the PMO. Most urgently, procedures are needed to coordinate the scheduling of government legislation, in order to ensure that Government Bills receive adequate time and due priority within the parliamentary timetable.

As a first step the PMO, in collaboration with the Attorney General’s Office, will develop a prioritised list of the Bills to be brought before the Legislative Assembly in the forthcoming parliamentary session, based on Forward Look information provided by Ministries. As is common in most parliamentary governments, the Legislative Program will be presented to the legislature. (In many countries the presentation of the Legislative Program to Parliament is a formal and ceremonial event, often performed by the Head of State, but no decision has yet been taken about the public presentation of the Legislative Program in Tonga.) This will enable legislative sessions to be organized more efficiently; and it will also help to ensure that the relevant Ministers are available as required to attend Parliament to present and defend the Bills within their portfolios.

The PMO, again in collaboration with the Attorney General’s Office, will then liaise with the parliamentary authorities to agree on the timetabling of Bills. Once the timetable has been agreed and a legislative slot has been assigned, Ministries must ensure that their Bills are ready for tabling on the due date, having been scrutinised and approved by Cabinet’s Legislation Committee. The PMO will maintain a continuing working relationship with the Clerk of the House to manage adjustments to the Legislative Program that will inevitably be required as the parliamentary session proceeds.

VII. Briefing for the Prime Minister

The type of briefing and advice provided by center-of-government offices can vary considerably. Some center-of-government offices contain an overtly political component, staffed by political advisors. Others incorporate a quasi think-tank function, enabling the Prime Minister to initiate policy initiatives or to conduct policy research; or provide critical scrutiny of advice submitted by Ministries. At a minimum, however, the center-of-government office must have the capacity to assemble timely, accurate and relevant advice and briefings to enable the Prime Minister to perform his/her executive functions.

In Tonga procedures are being developed to enable PMO to carry out this most basic but essential task, including provision of a chairman’s brief for Cabinet meetings; briefing for the PM’s attendance at external events; and advice on matters referred to the PM for information or executive decision. While the PMO will be the single channel of communication to and from the Prime Minister, it will be careful to avoid duplicating or overriding the policy role of Ministries. Rather, the PMO’s role will be to ensure that advice to the Prime Minister is timely, relevant, comprehensive, objective and factually accurate. Standard formats will be developed to ensure that information and advice is presented in a succinct, user-friendly form.

VIII. For the Future

A. Coordination of Government communications

In common with many other countries, Tonga is proposing to adopt a freedom of information policy. More generally, communications and policy development are becoming more closely interwoven, as Government seeks to explain to the public what they are doing and why. While Ministers remain responsible for informing the public of developments in their own portfolio areas, the Prime Minister will in the future have a more prominent role in communicating messages about the work of the government as a whole, and for ensuring that individual Ministers’ messages are consistent with this. One of the PMO’s core functions will be the day-to-day management and coordination of the Government communications function under the Prime Minister’s Press Secretary.

When capacity permits, the PMO will establish procedures to ensure that Government communications are consistent; and that initiatives and announcements are synchronized and timed to maximize their impact. The procedures will include: a requirement to specify communications arrangements in Cabinet submissions relating to policy and legislative proposals; regular meetings of Ministry communications staff chaired by the Prime Minister’s Press Secretary; and a standing item on communications on the Cabinet agenda.

B. Cabinet decisions follow up

Improving the quality and timeliness of Cabinet submissions as described earlier should lead to more effective decision-making. Individual Ministers are then responsible for implementation; but as Chairperson of Cabinet, the Prime Minister needs to know that decisions have been implemented on time and in the manner that Cabinet intended; and that any problems arising are being dealt with satisfactorily. To that end, the PMO will develop simple Follow Up procedures to track the implementation of Cabinet decisions and report back on implementation.

C. Ministerial committees

Many countries make use of Ministerial committees to discuss items and resolve differences of view between Ministries before they reach Cabinet. Some are standing committees dealing with specific policy areas, such as the economy, or social affairs; others are established to tackle one-off or short-term topics, such as major infrastructure projects or health epidemics. For Cabinet to operate effectively, it is essential that the Committees form part of an integrated decision-making process with Cabinet at its apex. Effective procedures are required for the establishment, operation and reporting of such committees. Otherwise, they tend to proliferate, become prone to ‘mandate creep’, and to continue in existence after their original remit has ceased. They can also become unaccountable, in terms of the results they achieve and the time taken to achieve them.

As the capacity of the Prime Minister’s Office increases, procedures will be developed to ensure that all Ministerial Committees are established by and report to Cabinet, with Cabinet-approved mandates that are subject to regular review, and secretariat arrangements aligned to those of Cabinet itself.

Annex I: Indicative Template for Cabinet Policy Submissions

POLICY PROPOSAL		Maximum length: 6 pages + Annexes
ORIGINATOR	Name of Ministry or institution	1 line
TITLE	Title of proposal	1 sentence
PROPOSAL	Description of the decision being requested	1 sentence
TIMING	When a decision is needed	1 line
ISSUE	Reason for the proposal	1 paragraph
STRATEGIC RELEVANCE	Reference to the TSDF objective/strategy being progressed	1 sentence
BACKGROUND	Essential information needed to understand the proposal	1 page
OPTIONS	Options considered & their advantages & disadvantages	2 pages
RECOMMENDATION	Recommended option and rationale for selection	½ page
FINANCIAL IMPLICATIONS	Implementation costs and MoFNP views	½ page
LEGAL IMPLICATIONS	Requirement for new & amended legislation	½ page
WIDER IMPACT	Other issues (social, economic, environmental etc) & views of relevant Minister or institution	½ page
IMPLEMENTATION	Implementation steps and timetable (including dates for submission of draft legislation & communications plan)	¾ page
CONSULTATION	Institutions and persons consulted & their views	ANNEX
AUTHORISATION	Signature of Minister & date of submission	1 line