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**No Executive means inadequate government for Northern Ireland**

*Northern Ireland has caretaker ministers but no government. A new report from Pivotal, the independent think tank focused on Northern Ireland, examines what Stormont ministers have been able to do since the Executive collapsed in February – and asks if this has addressed the problems facing local people.*

In the absence of an Executive, Northern Ireland has had ‘caretaker’ ministers in place since February. This lack of proper government is inadequate to deal with the huge challenges facing local people, businesses and public services.

The cost of living is rising at an alarming rate, health waiting lists remain lengthy, and problems persist with the local economy.

A new report from Pivotal, the independent think tank focused on Northern Ireland, looks at what caretaker ministers have done in recent months with their limited powers.

*Governing Northern Ireland without an Executive*, published today [Thursday, Sept 1] says these actions do not address the breadth and scale of the challenges facing Northern Ireland, and a fully-functioning Executive is needed.

Not only does the lack of an Executive leave ministers unable to fully adapt to changing and growing crises, they also cannot spend all the money available to them from the Treasury. The Department of Finance has said this figure currently stands at £435 million – or about £230 for every single person in Northern Ireland – and will continue to rise if Westminster announces new spending elsewhere in the UK.

Looking ahead, the paper raises serious concerns about the prospect of another prolonged period without proper government here.

**What is being done**

Stormont has been in a state of collapse since February due to political disagreements over the Northern Ireland Protocol. While the Protocol is not the subject of Pivotal’s paper, it notes that these disagreements need to be resolved for both economic and political reasons.

New Westminster legislation means that, unlike previous periods with no government, ministers can run their departments on a restricted basis. Old budgets are rolled over and some decisions can be taken, as long as they are in line with already-established policies. Examples of actions since the May election include:

* In health, plans for surgical hubs to help reduce waiting lists over the next year were announced; a delivery plan was published for the mental health strategy; and a public consultation is expected to address how the urgently-needed re-shaping of hospital services should proceed.
* More funding was announced for the Engage programme – the Department of Education’s scheme to limit the negative effects of Covid-19 on children’s education and wellbeing.
* Families with children who are eligible for free school meals received summer holiday food grants.
* New training programmes were announced by the Department for the Economy – with the department also publishing a new strategy for education and training for young people aged 14 to 19.

Local politicians also lobbied the Treasury for more help with the cost of living, and highlighted the impact of inflation on the block grant.

Other day-to-day business has continued, like consultations, publication of guidance and statistics, research and some public appointments.

**Limits and shortcomings**

Caretaker ministers have some powers – but any bigger decisions that are significant, cross-cutting or controversial cannot be made without an Executive.

This is compounded by the fact that no Programme for Government and no multi-year budget were agreed during the last mandate, effectively reducing caretaker ministers’ options.

Pivotal’s report finds that working within an uncertain budget that is carried over from last year – and which was designed without any anticipation of the cost-of-living crisis – risks poor financial planning and failing to prioritise what is most important. The paper concludes that the current situation “is inadequate given the number and scale of challenges facing Northern Ireland”.

Many big issues – such as the cost of living, and the need for transformation of the health service – are not just significant problems now, they are growing over time. Any delay only makes them tougher to deal with.

As well as these immediate issues, the report points to other areas which risk getting left behind: “Climate change legislation needs to be followed up with cross-government action plans setting out how the ambitious targets will be met. Agreement is needed about funding for the ‘Fair Start’ action plan to tackle educational under-achievement. There are also outstanding commitments in New Decade, New Approach which have yet to be properly progressed, for example a childcare strategy, an anti-poverty strategy and action towards a regionally balanced economy, all of which have become even more important given the cost-of-living crisis.”

In the background, work is being done that could help to prepare for an incoming Executive.

The Civil Service (NICS) is working on both a draft Programme for Government and a draft multi-year budget, that would enable any new Executive to hit the ground running.

Officials have also begun work on three longer-term “missions” to address three of Northern Ireland’s biggest challenges: employability and productivity; green sustainable future; and improving life outcomes.

However, all that work is only theoretical without a proper government to put it into action. It also lacks transparency and accountability, which are significant concerns with the current state of local government.

Normally, MLAs are able to scrutinise the work of ministers and officials through the Assembly and its Committees. Most of this scrutiny is available to the public, meaning that government operates on principles of openness. As things stand, decisions are opaque. This is not healthy for any democratic state.

**Moving forwards**

Caretaker ministers are better than nothing. However, the legislation that allows them to operate in their reduced role also puts a time limit on this period. That limit will be hit on 28 October, after which time the Secretary of State is supposed to call a new election that would take place either side of Christmas. Caretaker ministers would no longer be in post after this point, leaving civil servants as the only decision-makers.

Moreover, the same legislation that allowed for this period of caretaker ministers also removed the power of civil servants to make more decisions when no ministers are in post. After the October time limit is reached, the civil service will be more constrained in its decision-making than it was during the latter part of 2017-20.

An Assembly election could easily end up in the same stalemate that persists right now. That would mean the period without government would carry on, and the challenges facing Northern Ireland would grow.

**Ann Watt, Director of Pivotal, said:**

**“Given the limitations on decision-making at present, particularly about a setting Budget, there is no doubt that a fully-functioning Executive could do a lot more to help people.**

**“Significant amounts of money are going unspent that could instead provide some assistance for urgent problems, such as rising energy bills. Currently £435 million is unallocated. That money could be make a huge difference in people's lives. Meanwhile, action is urgently needed to address big pressures in public services like health waiting lists and squeezed school budgets.**

**“Even more concerning is the prospect of caretaker ministers no longer being in post after the end of October and the limited powers civil servants would then have to take decisions.”**

**“Behind the scenes, a lot of work is being done to create plans that could be pushed forwards quickly if an Executive is formed.**

**“However, for that to happen there needs to be a political breakthrough around arguments about the Protocol.**

**“Clearly the current Protocol arrangements has aroused strong feelings from several different political quarters. However, the Protocol is only one of many big issues facing people here. It is incumbent on all the local political parties to find an acceptable path towards fully-functioning government, as soon as possible.”**

**Recommendations**

The recommendations from Pivotal’s report are:

1. Urgent restoration of the Assembly and Executive should be the priority for everyone. This represents by far the best way to take on Northern Ireland’s list of short- and long-term challenges.
2. To that end, finding a resolution to outstanding issues on the Protocol is hugely important.
3. Civil servants and political leaders should develop a Programme for Government – which could then be finalised quickly if and when a government is established. Similarly, a multi-year budget should be prepared and ready for an incoming Executive. It should be realistic about the difficult decisions needed around spending, given the list of challenges facing local people and the tight limits on public spending.
4. If the period without proper government is to continue, lessons should be learned from previous Stormont collapses. Clarity is needed about the powers available to the civil service. The UK Government needs to enable significant decisions to be taken, so that as much as possible can be done to help local people with the cost of living, the struggling health service and more.
5. Steps should be taken to help to ensure transparency, scrutiny and accountability in government.
6. In the absence of an Assembly and Executive, those outside politics – the public, civic society and business – should continue to take an active role in raising issues, developing policy ideas, pressing for change and working collaboratively to promote good policy-making.

ENDS

**Notes to Editors**

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For more information contact Ryan Miller – 07789 552 340 – [ryanmiller@nick-garbutt.com](mailto:ryanmiller@nick-garbutt.com)

1. Pivotal is an independent think tank launched in September 2019. Pivotal aims to help improve public policy in Northern Ireland
2. Pivotal’s earlier reports are available [here](https://www.pivotalppf.org/our-work/publications)
3. Pivotal’s Board of Trustees provides oversight of its work. They are Peter Sheridan (Chair), Chief Executive of Cooperation Ireland; Lisa Faulkner Byrne, Project Coordinator, EPIC; Richard Good, public policy consultant; Seamus McAleavey, Chief Executive, NICVA; and Alan Whysall, Honorary Senior Research Associate, Constitution Unit, University College London
4. A wider Reference Group has helped steer the development of Pivotal and will provide ongoing guidance
5. Pivotal’s Director Ann Watt is a former senior civil servant with 20 years’ experience in public policy development and delivery. Most recently Ann was Head of the Electoral Commission in Northern Ireland (2014-2019)
6. Pivotal has received funding and in-kind support from Belfast Harbour Commissioners, The Community Foundation Northern Ireland, the Department of Foreign Affairs and Trade, The Joseph Rowntree Charitable Trust, NICVA, Queen’s University Belfast, Ulster University
7. For further information about Pivotal see [pivotalppf.org](http://www.pivotalppf.org) or contact Pivotal’s Director Ann Watt on 07932 043835
8. Follow Pivotal on Twitter @pivotalppf