Future Governance Forum

INTO POWER 01

Lessons from Australia and the United States

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and Adam Terry

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About The Future Governance Forum

The Future Governance Forum is a new, progressive, non-profit and non-partisan think tank. We are here to provide the intellectual and practical infrastructure vital to national renewal and the revival of progressive government in the UK.

Our goal is to shape a comprehensive new operating model for the way the country works, delivering effectively across national, devolved, regional and local government. We bring together people and institutions with the expertise to develop and implement new models of partnership, policy development and service delivery.

Our current programmes of work explore:

- **Mission Critical:** how can governments develop missions as more than a signal of intent, but a theory and a practice of government?
- **Impactful Devolution:** how can government meaningfully and permanently devolve power to regional and local level in one of the most centralised countries in the world?
- **Into Power:** how should an administration be set up, and its people empowered, to deliver on its promises?
- **Rebuilding the Nation:** how can we utilise innovative models of public and private investment to deliver future policy objectives?

By prioritising these questions we are thinking about new progressive models of governance for the long term.

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Executive Summary

A UK general election will take place at some point in the next 11 months. On current polling, there is a strong chance that the opposition Labour Party will win power from the incumbent Conservative government. Should that happen, it will be only the third time in the last 40 years that we will have experienced the transition of power from one party to another.

This 'transition' is not a formally defined process with a set start and end point, and much of what constitutes the process takes place behind closed doors and with fairly limited public understanding of what is happening. And yet getting it right is a crucial part of whether the new government will be able to deliver quickly on the promises it has made in the election campaign and begin governing in the way in which it intends. It matters to everyone.

To shine a light on this essential element of our democratic process, and to develop a set of principles and recommendations for what we think an effective transition should look like, we have looked overseas - to recent examples of similar transitions in the United States (US) (2020) and Australia (2022). As a non-partisan but overtly progressive think tank we have chosen specifically to look at moments where progressive parties won power from conservative incumbents. And in the absence of an agreed definition of the 'transition period', we generally take our start point as the period about 12 to 16 months out from an election, when planning begins in earnest, to the end of a new government's first 100 days in office (though acknowledging that much is set in train before then and continues after it).

We have conducted interviews with senior advisers in both the US Democrat and Australian Labor transition teams, as well as desk-based research covering transition processes in the UK, US and Australia. Our work is intended to complement the excellent literature on transition which already exists - most notably that by the UK's Institute for Government (IfG) - and in general we direct our recommendations towards those in progressive opposition parties who are currently engaged in thinking about the transition process ahead of the next general election (though we hope there will be much in the report that is of interest to the more general reader). Most of our recommendations are applicable for the looming 2024 election, though some look ahead to consider what longer-term reform might look like for the next electoral cycle.

We have grouped our central findings and recommendations into three areas:

Transition is political

The process of transition can never be divorced from politics. Every act in a transition is politically charged, because by their nature these acts reflect the values and attitudes of the people undertaking them. That realisation should be embraced, and political parties should consider how to use the process of transition as a means of enabling and realising their broader political programme.

- **The party leadership must set the direction and mandate for the transition team, and delegate to trusted people to deliver them. That means posing and answering challenging, explicit questions as to the type of government they wish to lead.**
- **The transition team must do nothing to detract or distract from the electoral campaign, while preserving the space in which it functions, and its vital lines into the leader and shadow teams.**
- **The transition team should draw up a plan for the first 96 hours as well as the first 100 days, so the new government can deliver when it has most political capital, but is least experienced.**

Transition is about people

The people involved in a transition and the preparation for government are pivotal to whether or not it is successful. An opposition party needs to think about how it draws on the expertise and skills from relevant people within its orbit, how it matches the right people - drawn from diverse backgrounds and representative of the people they hope to serve - to the right roles in the new government and how it equips them to do well.

- **The transition team should consult party colleagues who have experience of past transitions - national and sub-national - folding the lessons learned into their plans and establishing a network that can be taken into government.**
- **The transition team should support shadow ministers and staff during the transition through training, induction and ongoing mentoring schemes.**
- **Recruitment to roles in the new administration must be systematic and transparent, with an emphasis on identifying the right skills and drawing from the most diverse pool of candidates.**

Getting the transition process right is essential to success

Transition consists of formal processes defined in statute or convention, as well as informal processes that take place within political parties. If an opposition is to set itself up to govern well after winning power, it must set clearly defined objectives for these processes and allocate the resources needed to deliver them. This is even more important when the opposition has ambitions to change the fundamental nature of governing, as Labour does with its mission-driven approach.

- **While deferring to the overall campaign, the transition team must be adequately resourced, protected and empowered to carry out its tasks as the election looms.**
- **Changes to the way in which the country is governed - not just the policies which the government implements - must be embedded in transition planning if they are to succeed.**
- **The transition team should consider establishing 'beachhead' teams of temporary appointments in key roles if they can help a new government to start delivering immediately.**

Full Recommendations

Politics

Recommendation 1: The leader of the opposition and their senior team must acknowledge that their leadership style will fundamentally shape the transition process and in turn the establishment of the new government. The leader should consciously set the direction for transition and then delegate to trusted advisers to deliver it according to that direction. Allocating time to ask explicit, challenging questions of the leadership team will help crystallise this process, lay the groundwork for the kind of administration he or she wishes to lead and empower the transition team to deliver on the leader's wishes.

Recommendation 2: The transition team must commit to doing nothing to distract or detract from the campaign, while at the same time ensuring that senior politicians are still dedicating at least some of their time to thinking about preparation for government. This is a delicate balance to strike, and to get it right the communication between the two camps must be regular and frank, and the party leadership must broker the internal politics firmly.

Recommendation 3: A transition must include a plan for the first 100 days, which includes staffing all departments, policy announcements, major set pieces, overseas trips and media interventions. More than this it should also include a highly detailed plan for the first 96 hours of a new government. This is the time when a new administration is most vulnerable and the public's first impressions of the government are made.

Recommendation 4: In the long term, bipartisan efforts should be made in the UK to end the culture of silence around transition planning and the taboo when it comes to discussing it in public. An incoming Labour government, having recently navigated the current challenging context, could make a magnanimous gesture to begin this process in the interests of establishing more stable and effective transitions in future.

People

Recommendation 5: The transition team formed within the opposition political party should consider establishing a sub-group tasked with identifying the most relevant party colleagues - at national, devolved, regional or local level - and consulting them on their experience of transitions past. Lessons learned from that experience should be fed into the leadership's overall preparation for government, and the network formed via this process should continue to be utilised as the party assumes power and begins governing.

Recommendation 6: The opposition party should ensure that those politicians and staff who will be assuming roles in the new administration are supported and trained to make the transition. This could include a training programme ahead of the election; compulsory induction for all new government staff once in office; an emphasis on abiding by official guidance such as the Cabinet Manual and Ministerial Code; and ongoing mentoring support and regular check-ins once the party is in power.

Recommendation 7: When recruiting for permanent roles in a new administration, the opposition should think creatively about how to put in place an open and transparent appointments process - both to demonstrate

a break with the incumbent government, and to maximise the prospect of hiring the best and most diverse cadre of people into new positions. This should involve giving serious thought to the skills and attributes that are needed in senior roles – including political and managerial experience – if the new government is to make a decisive and effective start to its time in office.

Recommendation 8: In the long term, political parties should consider whether recruitment to roles in new governments can be opened up further still, including the potential to establish an online jobs portal to which applications could be made ahead of a general election.

Process

Recommendation 9: Once a transition team has been established, with a clear mandate flowing from the direction set by the party leader, its dedicated capacity needs to be protected, both during the campaign and in the busy early days of a new government. It should be separate from the campaign team and supported by the right infrastructure to enable it to interface regularly with the leadership and the shadow cabinet. If relevant, the party may want to consider publishing an ethics policy for the transition team as part of a wider commitment to governing with greater transparency and integrity.

Recommendation 10: Where an opposition party is proposing not just new policies, but a fundamentally new way of governing – as Labour is with its mission-driven government approach – this needs to be an explicit part of the transition team's mandate and embedded into its planning. This is so it can be trailed in advance with key stakeholders, including civil servants, and the organisational and cultural changes it implies can start being implemented from day one of a new administration.

Recommendation 11: The transition team should review the landscape of the government system it is likely to inherit and consider where it might be possible and beneficial to establish 'beachhead' teams of temporary appointees, who can help the new administration get to work quickly and lay the foundations for longer-term success.

Recommendation 12: Wherever possible and appropriate, the transition team should make use of external experts, independent of the campaign, to bring different perspectives to the transition and provide constructive challenge to the core team. In particular, the team should look for areas where third parties would bring skills and experience that are useful to a transition and not always part of the permanent structure of a political party, including project management, IT and other specialist areas. This could be especially beneficial in helping to identify diverse and untapped sources of talent for the recruitment and appointments process covered in chapter two.

Recommendation 13: Opposition parties must prepare as thoroughly as possible for access talks and know their objectives going into them, precisely because the civil servants participating in the talks are bound so tightly in terms of what they can discuss. They must also always see these talks for what they are: a means of preparing to govern well once in office and not of securing political advantage during a heated campaign.

Introduction

In a democracy, a general election (be that parliamentary or presidential) marks the end of one government administration and the beginning of another - even when the incumbent party is returned to office, but acutely when the opposition party wins power. This involves a transition from the outgoing to the incoming government, the precise moment of which can happen very suddenly. Britain's system of government, in particular, is famous for the brisk way in which, after an election, one prime minister leaves 10 Downing Street, another enters and a new administration is formed.

This apparent speed hides a great deal of work behind the scenes, some of which is done formally - such as through access talks between political parties and the civil service - and some of which is done informally, within the political parties themselves. For various reasons - ranging from the need for the civil service to maintain its neutrality and confidentiality to concern within political parties that publicly preparing for government can be interpreted as complacency - this process is nebulous and often opaque.

In this report we aim to shine a light on elements of that process to determine what can be learned from past experience, both for immediate planning purposes and for longer term reform to the system overall. As a non-partisan but explicitly progressive think tank, we focus our attention on recommendations for progressive parties preparing for the transition into government. In general, we look more at what we term the 'informal' aspects of transition planning that take place within political parties, rather than the 'formal' elements laid out in statute or convention and involving the civil service, which have been well covered elsewhere (in particular, by the Institute for Government).

Looking overseas for lessons to learn

In Britain we are approaching one of the relatively rare points (only twice in the last 40 years) where power is likely to change hands. Should the opposition Labour Party win the next general election, which must take place by January 2025 at the latest, it will have been out of power for at least 14 years by the time it takes office and will not have managed a transition into government for at least 27.

Only 15% of parliamentarians currently holding shadow ministerial roles served in the New Labour administrations of 1997-2010. Even their experience will have depreciated in value due to inevitable changes in the way the government works and following civil service reforms under successive Conservative-led administrations.

It is fair to say then, that should Labour win the next election it is likely to be 'rusty' when it comes to the operation of the British state. In some areas it may lack the networks it will need to leverage in order to start governing with impact from day one in office. The span of time that has elapsed may also have harmed its memory of what an effective transition plan looks like. This report is therefore intended to assist opposition parties in preparing effectively for government, as well as looking to the longer term, where appropriate, for structural changes that could be made for future electoral cycles.

To determine if we can establish some core principles and recommendations for effective transition planning, we have looked to similar transitions in recent years in both the US, where there is far more openness and thus debate and discussion about transition, and Australia, which is much closer to our own system.

Given the considerable differences between the US and Australian experiences - not least the scale and level of formality of the US approach to transition - throughout the report there are areas where we focus more on the American than the Australian experience, and vice versa. The simplified version of our approach is that the Australian system is much closer to ours and so there we have attempted to highlight innovation, while the US is radically different and so serves as a contrast or source of new ideas for the longer term.

We are limiting our analysis to situations where the party of opposition is transitioning into government and have focused on progressive parties taking over from conservative incumbents. We acknowledge, of course, that there is a transition between administrations when either a new prime minister takes over from within the same party or indeed when the ruling party wins an election on a new mandate, but that is not the scope of this report. We will also not cover the role coalition negotiations play in transition, a topic so complex and significant it requires its own detailed analysis.

For both the US and Australia we have conducted interviews with senior advisers involved in the transitions of President Joe Biden (2020) and Prime Minister Anthony Albanese (2022). Anonymised quotes from our interviewees are included in each chapter and their observations woven into the text. We have accompanied these interviews with desk-based research into these transitions, plus the recent history of UK politics and government.

In chapter one, we consider the **politics** of transition, including the role of the party leader, the interaction between transition planning and campaigning, preparations for the vital first 100 days of the new administration, and political parties' communication (or lack thereof) regarding their transition work. In chapter two, we look at the central role that **people** and personalities play in transition planning - how to draw on expertise from elsewhere in a political party, how to support would-be ministers or advisers to make the move into power, and how to recruit effectively both for bespoke transition roles and for long-term posts in government. Finally, in chapter three we look at the **processes** of transition and how political parties can use them to establish and protect capacity for transition planning in the heat of an election campaign, draw on external support to bolster that capacity and develop a theory of government that can be deployed from day one in office.

Each chapter is broken down into sections where we consider the experience of one or both of our comparator countries, before drawing conclusions about what we have learned and (where relevant) making recommendations for either immediate or long-term action that parties could take here in the UK. We hope our findings will be of particular interest to those in opposition parties who are thinking through many of these issues right now ahead of the general election, but also more broadly to all those who have a stake in how preparing well for transition can lay the foundations for better government.

> "I always take the view that it's always prudent to prepare, because if you don't prepare and you win, you're letting down the nation or state."
>
> *Australian interviewee*

Transition timelines

Before we delve into the US and Australian experiences, and determine what lessons can be learned for the UK, we first need to set some of the context. Below we set out a high-level sense of the transition timelines in the UK, the US and Australia. Different components referenced here are then explored in more depth in subsequent sections.

UK

In theory, the informal process of transition within the main UK opposition party could begin as soon as an election is lost and eyes turn towards the next one. In practice, in UK political culture this does not generally happen, though it could if the new government looked particularly unstable.

The first formal part of the transition can begin up to 16 months before the general election, when the leader of the official opposition asks the prime minister for 'access talks' with senior civil servants (though the absence of fixed term parliaments makes determining a precise moment potentially difficult).

This is allowed under the Douglas Home Rules, an uncodified convention dating to the early 1960s by which the opposition can hold confidential talks with the civil service about their plans for government. Guidance for these talks sets the parameters within which they can take place: as a general rule, civil servants can ask the opposition about its plans and policy proposals, but cannot discuss the current government's plans nor provide specific advice on the opposition's policy programme.[1]

The commencement of these talks requires the permission of the prime minister. This is generally granted without issue, although in the current electoral cycle Rishi Sunak was reportedly reluctant to allow talks to begin (he finally granted permission in January 2024, which is at most 12 months out from the election and could be as little as four months out).[2]

Another formal component of the preparation involves civil service permanent secretaries asking their departments to undertake anticipatory work to explore how to implement the opposition's policies should they be elected. The exact point at which this begins is not clear and varies depending on the way the parties involved signal their intentions in the months and years before an election. In the current circumstances, the conclusion of the opposition Labour Party's internal democratic policy development process - the National Policy Forum - provides some signals for civil servants to work from.

Once an election is called, the civil service intensifies its anticipatory work. The transition work that takes place within the opposition at this point will vary from leader to leader and notably there will be intense pressure to focus as much as possible on the election campaign, squeezing the resources available for transition planning. Throughout this report we will explore how an opposition party can best use that time and protect the capacity it needs to plan for the transition and prepare for government effectively.

Once the results are in on election night there is usually an immediate handover of power, with one prime minister leaving 10 Downing Street and another

1 Catherine Haddon. 'General Election: Access Talks'. Institute for Government, January 2024.

2 Peter Walker. 'Sunak Allows Labour to Meet Civil Servants to Prepare for Possible Election Victory'. The Guardian, January 2024.

entering. This moment of handover, which can be much longer and thus a much more considered part of the transition in other countries – notably the US – is near-instantaneous in the Westminster system.

The final phase of the transition is the first 100 days of the new government. While not formally defined, during this phase there is the legislative agenda to set, positions to fill, including political roles, inductions from civil servants and the day-to-day work of government to be delivered by the fledgling administration before it can consider itself established.

As we will see later in this report, this is also a vital period for the new administration to establish its own model and culture of governing, which could be markedly different from what has gone before. The extent to which a progressive party can make those changes and embed them in the institutions of government is contingent on effective planning ahead of the election, and ensuring that the first 100 days' work is treated as a distinct activity and resourced accordingly.

US

The US has detailed legislation as to how it handles presidential transition. Since the early 1960s the transition has been formalised and federally funded, and more recent legislation has significantly expanded and clarified the steps a transition team may take, and the resources it has available to undertake its work.

While this process is highly structured, the period covered by legislation – roughly speaking the six months before polling day and the 11 weeks between then and inauguration day – is not the be-all-and-end-all of American transitions. As in other countries, the US's transition timeline has informal and formal components, which overlap but start and finish at different times.

The presidential election is always held on the Tuesday after the first Monday in November, on a fixed four-year timeline. Much of the timeline defined in statute hinges around that date. The formal part begins up to two years before the election with the General Services Administration (GSA – essentially part of the US civil service) sourcing buildings for use in the transition. At this stage, the GSA also coordinates with the various other agencies with a stake in the transition, such as the Office of Management and Budget, the National Archives and Records Administration, the Office of Government Ethics, the Office of Personnel Management[3] and the security services. Together with the GSA, these agencies work to plan and prepare for their roles once presidential candidates are confirmed and the transition proper begins.

As in the UK, the timelines for the informal part of the transition which takes place within American political parties will vary from leader to leader. On the day that Bernie Sanders pulled out of the race for the Democratic nomination in 2020 (8 April) Joe Biden – still not at that point officially the presidential candidate – asked his team to begin thinking about transition. This was around seven months before the election and marked the start of the 'informal' process within the opposition Democrats. This included strategising, fundraising and drawing up lists for recruitment.

3 Martha Joynt Kumar. 'Joseph Biden's Effective Presidential Transition: "Started Early, Went Big"'. Center for the Study of the Presidency and Congress, September 2021.

By law the incumbent president must establish the White House Transition Coordinating Council no later than early May of the presidential election year. This council is tasked with providing guidance to federal agencies and the transition coordinator (the most senior civil servant responsible for transitions) on transition preparations, facilitating communication between eligible candidates' representatives and senior officials in the agencies and in the Executive Office of the President (EOP), and preparing and hosting interagency emergency preparedness and response exercises.

Also in May, the Presidential Transition Act (PTA) requires that the heads of federal agencies (who are political appointees under the US system) designate senior career officials (i.e. not political appointees) to oversee transition-related activities and provide continuity. The PTA also provides for interim leadership of agencies during the transition. By September, agency heads must provide a succession plan for each senior political position in the agency.

After the election the president-elect has around 11 weeks before his or her inauguration. This is the period which is commonly referred to as 'the transition' and during it the president-elect's transition team conducts a review of federal agencies (roughly equivalent to UK government departments), working on staffing, and also the legislation the president-elect wants to advance in his or her first 100 days.

Finally, after the inauguration, the American transition has a 'long tail' as it can take over a year for all the appointments to various departments either to be made or to be confirmed by the Senate. This latter process of confirmation has become highly partisan, a development which contributes to the long duration of the overall transition into government.

Australia

In Australia, the formal part of the transition period covering access talks is combined with the pre-election period of 'caretaker government', where the government dissolves in preparation for the next election.

The informal part of transition planning within political parties can begin up to two years out from the election, with events like the Australia 2020 summit, held by the incumbent Labor Government in 2008 to identify leading thinkers and policy ideas ahead of the 2010 election.

As inheritors of the Westminster system, Australia's formal transition process - much like that of the UK - is defined by convention rather than legislation and this includes the caretaker period. While it definitively begins when the House of Representatives is dissolved, the government is free to announce that it is planning an election without dissolving the house and can defer this dissolution for as long as it sees fit. This has caused controversy in the past, with the opposition requesting access once the election date is known or anticipated, but before the caretaker period has begun. Once the government has dissolved parliament, the average duration of the caretaker period over the last three elections has been one month.

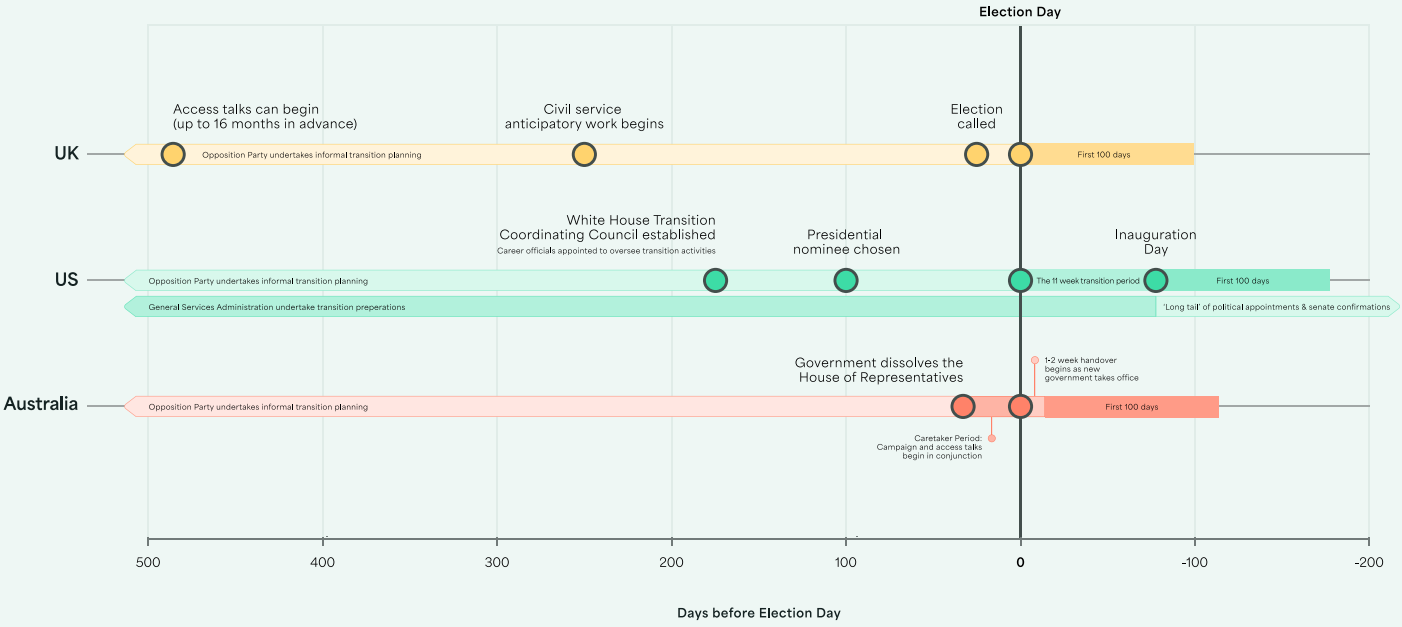
This system means access talks and the attendant machinery of government planning within the opposition party take place in a short period, at the same time as the campaign. As a result, these talks have the potential to develop

along quite partisan lines and politicians of both parties have been accused of using the access talks not to plan, but to glean information for partisan ends - something that has not (thus far) been seen as an issue in the UK system.

After the election a short period of transition before a new government takes office is normal, ranging from a week to a fortnight.

Figure 1 - Preparation for government and subsequent transition timeline, UK, US and Australia

Future Governance Forum analysis of various sources



Chapter One: Politics

Introduction

Transition is not an administrative task with a political flavour. It is an inherently political task. For an opposition party, preparing well for the prospect of winning an election and assuming power afterwards is an essential precursor to being able to deliver the political programme - the vision that underpins it and the policies that bring it to life - which it has spent years developing and refining. If a progressive party hopes to govern well, and deliver the social and economic change for which it has campaigned, it must prepare well.

That process must start with the party's leader and its senior leadership team. Whether intentional or not, the leader's approach will set the tone of the transition, and will send the signals and direction to the team who are undertaking it. It is therefore essential that the leader takes the time to consider what sort of government he or she wants to lead - its approach to governing as much as the policies it will implement - and give his or her transition team a clear mandate that they can then take away and deliver. Our Australian example, in which Labor's senior team were challenged to answer explicit questions about how they wished to govern, provides instructive lessons here.

With the leader having set the direction, it should become easier for the transition team to carve out an agreed space within which it can operate inside the political party. This is essential as resources will understandably be increasingly diverted towards the campaign as the election date nears. Our American and Australian interviewees were clear that the campaign will always take precedence - you cannot wield power if you haven't first won it - but establishing clear rules for how the transition function will interact with the campaign, with the leader and with the shadow cabinet, will protect vital capacity to prepare for government even as the election intensifies.

There is no formally defined end to a transition period, but from a political perspective it is essential that the team preparing for government looks at certain crucial milestones and considers how the party can be ready for them. Beyond the election itself, the transition team should work up plans for the first 96 hours - when the government will be keen to make its mark, but will also be at its most inexperienced - as well as the first 100 days.

In the final section of this chapter, we look longer term and consider if we can learn from the US, in particular, and make our transition processes more formal and more public for future electoral cycles. Today political parties avoid talking about any preparation for government work they may be undertaking for fear of looking complacent or opening themselves up to accusations of prematurely 'measuring the curtains.' If a bipartisan consensus could be reached to make at least some aspects of the transition less politically contested and more transparent - as has happened in the US over the last two decades - it could lead to better preparations and ultimately better government, which is in all our interests.

Leadership

An opposition party campaigning for government will have overall missions or objectives (such as cutting child poverty) and individual policies by which it intends to achieve those missions (for example, child tax credits). Taken together this is the party's programme and it is perhaps best understood as constituting the 'what' of a government.

But while conversation about this programme dominates traditional political discourse, there are other factors for an incoming government to consider. Notably, there is also the question of 'how'. This does not only mean the mechanics of achieving a goal; it also means the manner in which it is achieved - at its most fundamental, the party's theory of how it would change the country in government. In this vein, the current Labour opposition in the UK is emphasising both that it would be a "mission-driven government"[4] and that it would want to oversee "a huge shift of power and control out of Westminster and back into the hands of communities."[5] For these ambitions to be made real, they need to be factored into the transition team's preparation for government work from the outset and the direction for doing so can ultimately only come from one person: the leader.

US

In US presidential elections the candidate, then eventually the president-elect, relies on a highly trusted team, usually headed-up by a direct personal appointee, to lead the transition.

The engagement from the political leadership is therefore often close and personal. For example, Donald Trump appointed his son-in-law Jared Kushner to put together his transition team, which ended up being led by (at that time) political ally Chris Christie. Joe Biden chose Senator Ted Kaufman to lead his team, who as well as being an expert in transitions, had first worked for him in 1972 and served as his chief of staff for 19 years.

Despite, or perhaps because of, these close and trusted relationships, the transition team is often quite autonomous from the candidate themselves. Harrison Wellford, who has advised six presidents on transitions since 1976, said in 1996 "a lot of it is the tone set by the candidate himself"[6] and the candidate's involvement does seem to be more about setting the vision, tone and overall objectives, while the transition team figures out how to implement them in practice. However, the impact of this initial setting of vision, tone and objectives should not be underestimated.

Thus, we hear that Jimmy Carter wanted a 'more collegiate' White House than Richard Nixon and a greater role for cabinet (he gave these instructions, though it seems debatable whether they were effectively implemented), while Ronald Reagan was 'largely uninvolved' in the early stages of policy formulation. It is also clear from the literature that modern heads of the US transition were empowered and autonomous, while still taking direction from the top.

4 'Missions'. The Labour Party.

5 Sir Keir Starmer. 'Sir Keir Starmer: "I Want Everyone in the Countryside to Know That I Will Roll up My Sleeves and Restore Respect"'. Country Life, September 2023.

6 John P. Burke. 'Lessons from Past Presidential Transitions: Organization, Management, and Decision Making'. JSTOR, March 2001.

In this way, the two most recent transitions, from Barack Obama to Trump and from Trump to Biden, reflect the character of the presidents, not necessarily because they had direct and close oversight, but because their senior picks reflected their style. Trump's transition was chaotic and delayed, Biden's long planned and widely seen as smooth. Even in the absence of close day-to-day involvement, the influence of these leaders still resonated through the transition due to the type of people they trusted to execute it.

For a specific example of the kind of instruction a president gives his transition team, Biden said that he wanted his administration to "look like America." The transition team responded, both in terms of its own organisation and its work: 41% of the senior staff on the transition team were people of colour and a majority of staff overall were women.[7] When positions were appointed, both Biden's cabinet[8] and his White House team were among the most, if not the most, diverse in American history.

Similarly, incoming presidents have also taken a high-level interest in policy in a way that has a bearing on the structure of the transition. Biden set four 'crosscuts' for his transition team - economy, equity, Covid recovery and climate change (discussed in more detail in chapter three). These focuses, while admittedly broad, are distinctly Biden's. They reflect his personality and priorities. They were also used to help shape everything the transition team was doing, from recruitment to policy development.

Australia

In the 2022 Australian election, the team engaged by Labor directly took on the question of how the party wanted to govern if it won the election. It asked the party leadership how it wished to govern - questions around the role of cabinet, the role of the centre, key priorities - and what it would then do about people, process and structure. The goal of this was not to guide the leadership towards a right answer, but to stimulate thinking and, through a process, work towards an answer that worked for that context.

Labor had run similar processes in previous elections. The example in Figure 2 was run with former leader Bill Shorten. The questions were designed for him, his chief of staff and his senior staff to discuss ahead of the 2019 election (an election that Labor was widely predicted to win, but ultimately didn't).

As with the US case, establishing these key principles early on also means that the leader's office can then delegate the planning for the transition and election with more confidence. This gives a leader, who is preoccupied primarily with winning the election, the scope to be as involved as they see fit after having given that initial steer.

The Australian case reinforces the sense - seen in both the Biden and Trump transitions - that a leader's style has an impact on transition planning regardless of the degree to which they are personally involved.

7 Arlette Saenz. 'People of Color Make up Nearly Half of Biden Transition Team'. CNN, 15 November 2020.

8 Ritu Prasad. 'Biden Cabinet: Does This Diverse Team Better Reflect America?'. BBC News, December 2020.

Figure 2 - Example opposition guide to planning, prepared for Australian Labor under Bill Shorten

Opposition guide to planning

What are the three adjectives that describe an effective Labor Government?

_____

_____

_____

If you are elected prime minister, what will your leadership style be...

- in the middle of a wide range of discussions, across the detail and adding value and guidance across a spectrum of issues and portfolios.
- engaging on a narrow set of critical issues and being heavily engaged through the appropriate formal and informal structures.
- allowing ministers to do their work, ensure there is strong cabinet and government process to make good decisions, and provide support when they need it.

A first term government needs to be set up to deliver...

- on our election commitments, strong leadership on debates, and effectively manage the political complexities of government.
- a strong balance between effective political management, while providing certainty and sound public administration.
- an ambitious platform for policy reform where our election commitments are only an initial down-payment on making Australia a fairer society.

If we are elected, we need to establish a government that is...

- getting the fundamentals right in cabinet and administrative process, giving our public sector leaders the space to lead, and respecting the importance of frank and fearless advice
- bringing respect back to the relationship between ministers and public service, where cabinet and cabinet committees provide leadership, and drive innovation and new approaches to public policy.

- rethinking how we govern, without being shackled to slow moving bureaucratic process, but retaining the independence and critical role of the public service.

What are the three or four big policy challenges for the next term of Government?

What is a good size of cabinet to make it work? (small is 18, big is 22)

At the end of a first term of a Shorten Labor Government, what would ideally be the three things you are most proud of?

"So, you can sort of do a tapestry-style thing. But they need to then work out what's the process to then do the work without it distracting from the day job of winning the election, and hooking in with the boss at the right time, depending on his interest in the content and where he wants to play."

Australian interviewee

Consistent themes have emerged about Labor leader Anthony Albanese's style from the interviews and in biographies already written about him that include: consensus-building, working towards a solution, trust in his team, integrity, authenticity, and a respect for, and commitment to, cabinet and its processes. These sorts of characteristics can set the tone for the transition team and its work.

"I think it needs to develop a bit, but it's a pretty good signal to say that 'I'm gonna be chairman of cabinet,' you know. 'I'm gonna do cabinet properly, gonna do cabinet committees properly. I'm gonna let ministers do their thing.' … And that's a really clear signal to everyone and so everyone knows the rules of the road.

"It's kind of self-differentiated leadership, so the leader has to, to some extent, stamp their personality and their leadership style on their cabinet and on their government. People say there's no 'I' in team and that's just bullshit! There are actually lots of 'Is' in team - that's the point of it. You don't want a leader or a set of leaders that would do everything the same way, because that's telling you that they're really not stamping their own authority and their own authenticity and identity."

Australian interviewee

The exact impact this style had on transition planning is hard to prove, but we can see from contemporary sources that Labor shadow ministers were giving interviews setting out, from very personal perspectives, what they saw their briefs as being and how they intended to roll out their plans.

"I think there is work to do both in terms of resourcing of DFAT [the Department of Foreign Affairs and Trade], leadership at DFAT, but also making sure that DFAT recognizes the situation the country faces, and is prepared to make the changes and develop more of the capabilities that are required."

Senator Penny Wong, at that time shadow foreign minister and leader of the opposition in the Senate [9]

In the interview from which this Penny Wong quote is taken, she discusses a range of strategic issues, but also process and machinery-of-government issues around the political appointment of diplomats. This indicates that she has given personal thought to how these should be restructured and has her own ideas that she intends to implement.

We have heard that Anthony Albanese was comfortable giving agency to his cabinet and we know they were involved in the transition planning that was done centrally.

9 Michael Fullilove. 'The Director's Chair: Penny Wong on Politics, China, and the Job of Foreign Minister'. Lowy Institute, November 2021.

Conclusions and recommendations

Whether intentional or not, political leaders have a major impact on the nature of their party's transition from opposition into government. We have seen politicians directly state what sort of transition they want and what sort of administration it should result in, but even when they do not do this, the leader's political style and the culture he or she creates has a clear impact.

If the UK Labour Party wins power at the next general election, then the transition to power will be 'Starmerite' in character by virtue of it being part of Keir Starmer's project. He and his leadership team should acknowledge that, own it and take the time needed to think about what that might look like. This should include asking themselves the kind of questions that Australian Labor leaders have considered in recent years about: what their theory and practice of government will look like; the style and tone they wish to set; the principles they will use to navigate the inevitable trade-offs of government; what a successful first term would look like; and in turn how best to set their team up to deliver that.

For Labour and its five missions, in particular, as part of the transition a process similar to the Australian example set out above could be gone through with those shadow secretaries of state responsible for particular missions. This would get them thinking about how they will go about achieving their mission and what structural, cultural and organisational changes from the status quo will be needed to make it happen.

The transition team itself must also be aware that it is running a transition within the culture set by the leader. By understanding this, and reflecting on the specific characteristics of that leader, transition planners can see their own work in a new light - and may find strengths and weaknesses in it they had not appreciated before.

It is also clear that the leader of a party rarely has a close involvement in the transition planning, juggling, as they do, the needs of day-to-day politics and the campaign. The most important thing they can do is to set the expectations around what the transition team is there to do and how it will interact with the campaign team. The next most important thing is to recognise that they will not be directly involved, and so to appoint and empower trusted people who they can be confident will both understand and deliver the type of administration they want to run.

Recommendation 1: The leader of the opposition and their senior team must acknowledge that their leadership style will fundamentally shape the transition process and in turn the establishment of the new government. The leader should consciously set the direction for transition and then delegate to trusted advisers to deliver it according to that direction. Allocating time to ask explicit, challenging questions of the leadership team will help crystallise this process, lay the ground-work for the kind of administration he or she wishes to lead and empower the transition team to deliver on the leader's wishes.

Links with the campaign

The act of planning for entering government and exercising power inevitably overlaps chronologically with campaigning to win power in the first place. This presents challenges as there is huge pressure for a party to devote the full power of its machine towards the campaign - the failure of which, of course, means any transition planning is for nothing. As set out below, there is a great degree of fear across political cultures (including in the more open US) that the transition may negatively impact that campaign.

US

"The transition does nothing to hinder the campaign... we talked with the campaign and cleared everything we did."

Ted Kaufman

The US is very different from the UK in the sense that the transition and the campaign are strongly distinct entities. This enables them to focus fully on their very distinct tasks, but of course with separation comes the potential for siloing and even active division. Running the most recent Biden transition, Ted Kaufmann was aware of this risk and took steps to mitigate it.

In interviews he described how he and his team had a meeting every Saturday with key campaign people to compare plans, and ensure shared understanding on policy, operational and communications issues.

A deliberate attempt was made to recruit people for the transition who, though aware of the gravity of the project they were undertaking, also knew that their role was to support the campaign.

"Every senior leader we brought on and everyone we brought on their teams, really at a gut level internalized their responsibility to their colleagues on the campaign side. Their responsibility to keep things quiet, to keep things to themselves, and to not do anything that could in any way impact the campaign's ability to drive its own narrative and make its own news... We had a lot of people who saw it as part of their service to protect the campaign from distraction."

Yohannes Abraham

The transition raises its own funds and so there is no issue of competition for raw resources, but, even in a system as large as the US system, there are a finite number of appropriate political people who can staff both the campaign and the transition. As with the general tenor of their transition, for Biden's team the campaign took precedence here.

"If there was jump ball between the campaign and us about someone we wanted to hire they got precedence. Easy. ...The campaign takes precedence."

Yohannes Abraham

Australia

In Australia politicians and political staff have some responsibility for both the campaign and the transition, which requires careful management. Perhaps because of this challenge, we know that Albanese also brought in external consultants, people with a defined role and mandate to work on transition planning and the first 100 days (as discussed below and in chapter three).

Conclusions and recommendations

Though each requires involvement from political leaders (see the section on leadership), the job of executing a campaign and planning for a transition are different, and require a different skill set. In the US the distinction between the two teams ideally means they can put the right people in the right places, and manage the different crunch points of campaign and transition while maintaining close collaboration.

Structurally, it is harder for the Australians to manage the competing - and ferocious - pressures of transition and campaign. We know external consultants worked closely with the shadow cabinet, who obviously made time to focus solely on the transition, at least for a while.

In Britain, due to the nature of jobs in political parties, it is entirely conceivable that even if there is a defined transition team internally, these people will still get dragged into working on the campaign. (Those who worked on the Labour opposition's transition team ahead of the 2015 general election confirm that they also saw it as a key part of their role to 'protect' the campaign from becoming distracted.) But having a proper, dedicated transition team with the right skills is important, not least because that team needs to ensure that shadow cabinet members are still carving out at least some time from incredibly busy campaigning schedules to think about the transition to government.

This is a governance and organisational challenge for political parties. The Australian use of external consultants is one way to build independence into the structure and could be done in parallel with an internal team, but obviously costs money that therefore cannot be spent on the campaign.

Recommendation 2: The transition team must commit to doing nothing to distract or detract from the campaign, while at the same time ensuring that senior politicians are still dedicating at least some of their time to thinking about preparation for government. This is a delicate balance to strike, and to get it right the communication between the two camps must be regular and frank, and the party leadership must broker the internal politics firmly.

Planning for the first 100 days

The first 100 days is the somewhat arbitrary figure that is often used to define whether a new government has 'got up and running' effectively. Its origin lies in the fantastic list of achievements that American President Franklin D. Roosevelt managed in only his first 100 days in office,[10] though he himself would not have recognised the phrase as it is used now. Regardless of the exact number of days, the transition is clearly aimed at setting up the fledgling government to succeed and to start doing so quickly, both delivering on its agenda and avoiding mistakes.

US

Members of the transition team for President Biden told us that they viewed all their work through the prism of planning for the first 100 days.

> **"Think of your work as strategic work to execute 100% in 100 days. Can you set up a team looking longer run at the second 100 days, and third? Yes. But focusing on the first 100 days was a principle for the whole transition team."**
>
> *American interviewee*

Their core objectives (set out in more detail in chapter three) were to staff key government roles and to provide the president with the policy tools he needed to make sure his administration either had, or at least was seen to have, momentum and direction.

Australia

In a similar way, in Australia much of the work external consultants did with potential ministers was focused on how they were planning to start out in office. While the questions of how they wished to govern, how they would run their departments and the organisation at the centre had applicability to the lifespan of the whole administration, there was also a strong focus on the crucial first period:

> **"The canvas was already shaped up and it meant that it was just like 'bang, bang, bang, bang, bang' and all the pre-planning could happen. And it meant that the media had the content they needed without having to make shit up and say shit. And so that created momentum and that was really good."**
>
> *Australian interviewee*

10 Elaine Kamarck. 'The first 100 days: When did we start caring about them and why do they matter?' The Brookings Institution, April 2021.

> "At the same time, there was good internal guidance, and I think there's a lesson in this. There were notes that went out from the leader's office to shadows and to MPs: 'This is the process, don't go rush off and do this stuff yourself - you'll get guidance.' You know, all that."
>
> *Australian interviewee*

With a much shorter transition time than in the US (though still longer than the UK), our Australian interviewees also urged a focus not just on the first 100 days, but the few days immediately after the government forms.

> "Build the scaffolding to support and protect new ministers - it's the high-risk time - and have two roll-out plans: the first 96 hours and the first 100 days.
>
> "The first 96 hours can create momentum and frame a new administration; conversely, a tentative and shambling government will spend months recovering from a rocky first week... Beyond a hard, detailed schedule of the first week, a detailed 100-day plan should be in the top drawer for later revision as the government settles in."
>
> *Australian interviewee*

First impressions, both with the public and the civil service, are crucial and there are many internal and external shocks that can immediately derail the new government. As an illustration of this, the Australian urgency in 2022 was informed by Labor's experience relating to the 'Quad' and Albanese's election.

The Quad is a multilateral forum consisting of Australia, Japan, the US and India. In 2022 it was seen as vital for Australia, due to escalating tensions with China,[11] but its next meeting was scheduled to take place very soon after the election (in what some held to be a deliberate move by the Liberal Government).

Interviewees described this as creating a massive challenge, especially in terms of caretaker conventions. It posed a significant administrative and constitutional hurdle for an incoming government to be prepared and able to represent the national interest. Votes were still being counted when the meeting took place and, although Albanese had been sworn in as prime minister (in an expedited process), much of the cabinet was not yet confirmed.

11 Tiffanie Turnbull. 'Anthony Albanese: Australia's New PM Sworn in Ahead of Quad Meeting'. BBC News, May 2022.

Interviewees told us that handling this 'curve ball' smoothly provided a sense of stability, boosting confidence in the government. It was well-planned and gave the incoming Labor Government an opportunity to show that it was serious about governing in the national interest. A similar dynamic could play out here in the UK in 2024: if there is an autumn election, it could run up very close to the G20 summit taking place on 18-19 November in Brazil.

Conclusions and recommendations

Transition is not just about establishing an effective new administration operationally. The team also needs to consider how to maintain momentum for the incoming government; the way it wants to be seen; and the policy outcomes it hopes to achieve.

An incoming government's first few days and months are also when it has maximum political capital and the strength of its electoral mandate is at its fullest. Yet they are also when the team is at its newest and least experienced, and therefore at risk of making missteps. Planning for and executing effective strategies for the first 96 hours and first 100 days is essential for making the most of this moment, for taking some of the boldest and/or most difficult decisions quickly, and for setting the tone and direction for the rest of the administration to follow.

This planning, as highlighted by the Australian experience, must recognise that the first 100 days are not homogenous. There are both moments of greater danger (they point to the first 96 hours) and moments where extremely specific preparation is needed. In their case these two things overlapped. While it might all seem to be managing downside risk, handling these challenges reflected well on Albanese.

Transition planners thinking about this momentum, working closely with their colleagues in the leadership, should consider not just the tempo of announcements, but also the content. Is the incoming government going to try to use its honeymoon period to drive through important but contentious reforms, and how can the transition be planned to make this go smoothly? Are political teams in departments going to be ready to deal with any issues and, if not immediately, when are they likely to be?

Transition planners should therefore consider the level of detail they go into for the different phases of their planning for the first 100 days. The first 96 hours can be plotted out essentially to the hour; the first few weeks planned in detail (including major set-pieces such as a first budget and a King's Speech); and days 50 to 100 sketched out, to reflect the fact that the world will change substantially from the time the plan is drafted.

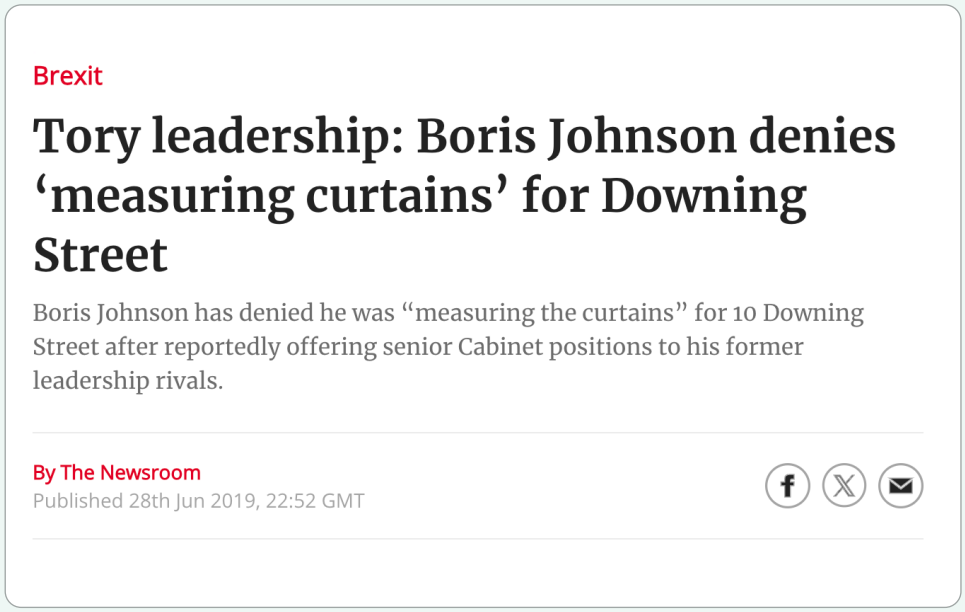
Recommendation 3: A transition must include a plan for the first 100 days, which includes staffing all departments, policy announcements, major set pieces, overseas trips and media interventions. More than this it should also include a highly detailed plan for the first 96 hours of a new government. This is the time when a new administration is most vulnerable and the public's first impressions of the government are made.

Communications

In British political culture there is a sense that to be seen to be planning for government is presumptuous. Political figures worry about being seen to be "measuring the curtains of Downing Street" and how this accusation will be wielded by their opponents. Many are also inherently superstitious and worry that to be preparing too openly for success risks bringing about failure.

This perception worries incoming government regardless of how likely - or even seemingly certain - it is that they will be entering office. It worried Boris Johnson even outside a general election, when he looked almost certain to win the internal Conservative leadership contest and become prime minister.

Figure 3 - Scotsman report on Boris Johnson's Conservative Party leadership campaign[12]



Brexit

Tory leadership: Boris Johnson denies 'measuring curtains' for Downing Street

Boris Johnson has denied he was "measuring the curtains" for 10 Downing Street after reportedly offering senior Cabinet positions to his former leadership rivals.

By The Newsroom
Published 28th Jun 2019, 22:52 GMT

Sometimes the controversy arises out of political planning, as with the Boris Johnson example above, and sometimes it arises from the necessary operational concerns of transition, as cited in the IfG's first report on UK transition in 1997, when New Labour briefed that they were measuring, if not the curtains, then at least the size of the prime minister's residence. Alastair Campbell described it as:

> "...deeply unhelpful. What on earth was he [Sir Robin Butler, the man who put out the briefing] thinking of? I got Tim [Allan, Campbell's then deputy] to put out a line that it was inaccurate, unhelpful and inappropriate. I would rather at this stage have a row with Butler than a story about TB/CB [Tony and Cherie Blair] measuring the curtains."[13]

12 'Tory leadership: Boris Johnson denies 'measuring curtains' for Downing Street'. The Scotsman, June 2019.

13 Peter Riddell and Catherine Haddon. 'Transitions: preparing for changes of government'. Institute for Government, September 2009, p.28.

US

In the US today there is a far more open culture when it comes to the transition, but this was not always the case. It has come about as the result of proactive bi-partisan efforts led, primarily, by Ted Kaufman, the sometime senator and long-time adviser to Joe Biden who ran the president's 2020 transition.

> **"Senator Obama is measuring the drapes."**
>
> *John McCain, 2008* [14]

> **"If we normalize the act of early transition planning, we will be all the better for it."**
>
> *Ted Kaufman, 2010*
>
> **"If you were caught working on the transition, and I mean literally caught - somebody wrote a story or article in the paper saying: 'Oh well, the Biden campaign or Obama campaign is off working on transition,' - people would say: 'Well, they're overconfident. They're taking it for granted.' And the term they used to use... 'measuring the drapes at the White House.' Once my bill passed, people could go ahead and plan and not worry about these kind of stories."**
>
> *Ted Kaufman, 2020* [15]

Senator Kaufman led on two bills which helped to normalise transition planning and to create the conditions for the modern openness we see in the US.

In 2010, Kaufman's bill, the Pre-Election Presidential Transition Act, established much of the formal infrastructure for transition set out in the introduction and described in more detail in chapter three. It created the requirement for the GSA to supply office space, desks, computers and phones to the major party presidential candidates within three business days of their formal nomination.[16]

In 2015, and no longer a senator, Kaufman reached across the aisle to team up with members of Republican presidential candidate Mitt Romney's transition team. The resulting bill, the Presidential Transitions Improvements Act, required the executive branch to establish two transition panels - one for the White House and one for the federal agencies - at least six months before the election to facilitate the transfer of power to the next president. Both panels must include a representative from each presidential candidate.[17]

Formalising the process in law ensures that both the incumbent and opposition are afforded the same access, and go through roughly the same process.

14 William Flook. **'McCain: Obama Already 'Measuring the Drapes''** - Washington Examiner, October 2008

15 **'Transition Lab: The Biden Transition to Power'.** The Center for Presidential Transition, December 2020, 16:00.

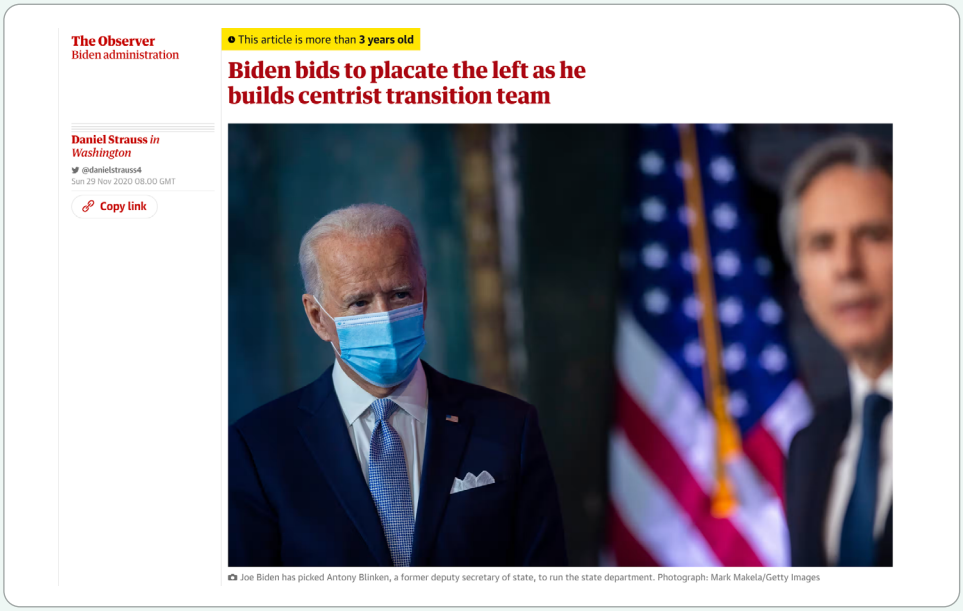
16 Timothy Noah. **'Presidential transitions come into the open'.** POLITICO, May 2016.

17 Timothy Noah. **'Presidential transitions come into the open'**. POLITICO, May 2016.

It therefore takes the sting out of accusations of presumptuousness that either group may want to throw at each other. After all, the public knows that they are each doing the same thing.

Transition teams are now part of the American political cut and thrust, with their own communications teams and plans. Appointments, for example, are both subject to scrutiny from the press and used by the campaign as big-ticket announcements.

Figure 4 - Guardian reports on the composition of Joe Biden's transition team[18]


The Observer
Biden administration

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Biden bids to placate the left as he builds centrist transition team

Daniel Strauss in Washington

@danielstrauss4

Sun 29 Nov 2020 08.00 GMT

Copy link

Joe Biden has picked Antony Blinken, a former deputy secretary of state, to run the state department. Photograph: Mark Makela/Getty Images

That said, it is important to understand that the degree of openness does change in line with each phase of the transition. There is a marked divide between the openness of the transition team pre- and post-election. Much of the openness and discussion begins at the election and it is the months between the election and inauguration (which do not have a parallel in the UK) where debate and speculation on appointments take place.

Yohannes Abraham, Executive Director of the Biden-Harris Transition, has said that pre-election the Biden transition team was inward-looking. It focused on keeping quiet and not disrupting the campaign (see below). This also overlaps with the period when there is a much smaller group of people involved. However, during this time the communications plan was being drawn up so that post-election they had a public affairs team ready to go from day one.

Australia

Australian political culture around the transition is more like that of the UK. Transition planning is generally kept under wraps and for similar reasons: so that it is not seen to harm the campaign.

18 Daniel Strauss. 'Biden bids to placate the left as he builds centrist transition team.' Guardian, December 2020.

> "The other sort of thing that really stands out is a lot of the planning that we did in 2007 was premised on a new government with lots to do, a huge broad agenda with ministers wanting to do many things. So I think we had seven what we called 'signature reforms' inside of government. I don't think they were ever made public."
>
> *Australian interviewee*

This seems to have changed over time, with the most recent Albanese-led opposition being more explicit about elements of their legislative and machinery-of-government agenda. Note, though, that the article in Figure 5, which describes Albanese as being "slammed for 'getting too far ahead of himself'" was published two days before polling day.

Figure 5 - Daily Mail Online reports criticism of Anthony Albanese plans just prior to the general election[19]

Anthony Albanese reveals his FIVE point plan of what he's actually going to do in his first 100 days if he's elected PM - only to be slammed for 'getting too far ahead of himself'

- **The Labor leader has outlined his top priorities in his first 100 days if elected PM**
- **He's vowed to reveal real state of the nation's finances, with a budget in October**
- **He will sack Australia's top civil servant who was Scott Morrison's chief of staff**
- **And he's vowed to unite country and begin work on drafting key new legislation**

Conclusions and recommendations

The US has eventually achieved a degree of openness about aspects of the transition that has two major benefits. The first is that through formalising and professionalising the transition, the chances that it will be well-planned are dramatically improved - and if it is not well-planned, it becomes clear that that is a result of political choices rather than a failure of process or the perceived need to conduct everything in secrecy.

The Trump transition in 2016, for instance, was poorly planned on most metrics, being slower than other recent transitions to make all its required

19 Kevin Airs. 'Anthony Albanese reveals his FIVE point plan of what he's actually going to do in his first 100 days if he's elected PM - only to be slammed for "getting too far ahead of himself".' Daily Mail Australia, May 2022

appointments. The warning signs that this might be the case were picked up, as were the implications for his presidency overall. The media and others were aware that Chris Christie was leading it and when he was suddenly sacked[20] it raised an alarm, precisely because so much of the US transition process is conducted in the open. By contrast, with the experienced and capable Ted Kaufman and Yohannes Abraham at the helm of the recent Biden transition, we could see regular contemporary comment pre-inauguration, that this was going to be the best-planned transition ever. Obviously, this did not impact on Biden's prospects of winning the election (as it came afterwards), but these kinds of endorsements in the run-up to his inauguration helped build goodwill for the administration ahead of it taking office.

The second benefit is that by opening up the appointments process to scrutiny the political and demographic makeup of important people in the government is brought to the surface. Both the actual Biden transition team[21] and the appointments it made were identified as being the most diverse ever[22] and the political makeup (whether they were left or centrist Democrats) was also discussed at length in the media. To an extent, this is similar to how a cabinet is discussed in Britain, but in the US the analysis goes much further down the pay scale, especially when it comes to demography.

To imagine how these two points might play out in the British context, we only need to look at the appointment of former senior civil servant Sue Gray by the opposition Labour Party. The initial stories which followed in the media were the result of controversy over her civil service role, but quickly morphed into approving commentary that the Labour Party was taking its preparations for government seriously through an experienced hire.

Could Labour, or any opposition party here in the UK, go further? Commitments made from opposition to staff the most diverse government ever are unlikely to be campaign winners, but could help set a mood and build the story of the values of a party. The same goes for regional and class disparities - which would chime with the current opposition's commitment to implement section 1 of the Equalities Act (which requires public bodies to have a regard for socio-economic disadvantage). Small steps like this would start to shift the culture around transition.

The simplest, quickest and least likely possibility is that an opposition shifts the culture by unilaterally being more open about its plans. There is no requirement that it should suddenly become as open as we see in the US, but incremental change could help with planning, signalling to the civil service and even potentially with the campaign.

Of course, the risk of being seen to 'measure the curtains' is real, but there is a scenario where having a plan for government, and being seen to have a plan for government, especially at a time of general political disorder, wins more

20 David Smith. 'Chris Christie dropped as head of Trump's White House transition team'. The Guardian, November 2016.

21 Li Zhou. 'President-Elect Joe Biden's Transition Team Is One of the Most Diverse Ever'. Vox, November 2020.

22 Cleve R. Wootson Jr. and David Nakamura. 'Biden Has Achieved Historic Diversity. A New Study Says More Can Be Done.' Washington Post, September 2022.

votes than it loses. It will still attract criticism from the media and therefore may be unacceptable to the campaign team (see above), but a rational appraisal of whether the culture of silence regarding the transition is actually useful should be undertaken by any opposition.

A longer-term project would be to follow the Americans' lead and attempt to secure bi-partisan consensus about the need for reform to the transition process in Britain, which, if formalised and normalised, would likely become more open - as it has in the US. All parties in parliament would need to be convinced that there is a problem and that there is mutual benefit in addressing it. It would require leadership, as has been demonstrated by Ted Kaufman, but going down this route removes the fear associated with being the 'first mover' that inevitably holds parties back from talking about their plans. It is hard to imagine that more structure would not result in better-planned transition, creating the conditions for better government in this country.

Recommendation 4: In the long term, bipartisan efforts should be made in the UK to end the culture of silence around transition planning and the taboo when it comes to discussing it in public. An incoming Labour government, having recently navigated the current challenging context, could make a magnanimous gesture to begin this process in the interests of establishing more stable and effective transitions in future.

Chapter Two: People

Introduction

People - their personalities, skills, experience, working styles - are pivotal to whether or not a transition is successful. The transition process is defined by the people running it, the people leading the party it is being prepared for and the experienced people that are available in that party to inform the planning.

In this chapter we look at the people within a political party, and its wider ecosystem, who can act as sources of advice and expertise for those in the leadership and transition teams as they prepare for government. This includes not just those who have past experience of national transitions from opposition to government - essential voices, but in a system where power changes hands relatively infrequently, a small group - but also those who have more recent experience of taking over the reins in devolved nations, regional or local government.

We also consider what support a party can source for its shadow ministers and advisers as they prepare to move from opposition into government, and look in particular detail at how Anthony Albanese's team in Australia in 2022 sought to formalise the process of recruitment, induction, training and ongoing mentoring, so as to position their new cabinet to govern as effectively as possible upon taking office.

Lastly, we look at the enormous challenge of recruiting and appointing people to roles within the new administration. Excluding civil servants and ministerial roles, an incoming government has potentially several hundred roles to fill (thousands in the US), for which the job descriptions are complicated and diverse, but which are essential to the smooth running of the new government. In the UK, the most well-known are the so-called spads (special advisers), of which, in 2022, there were 126.[23] The government also has the option to appoint to a range of other roles in Number 10 and the Cabinet Office, including establishing new units (for example, those specifically focused on strategy, policy or delivery), and ministers themselves play a key role in appointing to many other posts across government and the wider public sector, including non-executive roles in government departments and agencies.

In many, if not most, of these roles there is currently no set process for recruitment. This matters because these people will make a major, if often uncredited, contribution to the success of the next government and, after so long out of power, knowledge among Britain's opposition parties of what makes an individual effective in a given role is likely to have atrophied.

The planning for, and execution of, their recruitment also matters because a modern British government must reflect the modern British people. Political appointments are not like standard corporate recruitment, but nevertheless an effective government that understands the nation it has been elected to serve must bring in a cohort of staff that reflects the demography and diversity of the nation. This is even more important if, as is currently the case in the UK, the opposition party has regularly criticised the incumbent government for cronyism and committed to overturn the practice if it wins the election.

23 Catherine Haddon and Ketaki Zodgekar. 'Special Advisers'. Institute for Government, February 2020.

In the final section of this chapter, we consider both what today's transition teams should be thinking about when it comes to recruitment and appointment to roles following the 2024 general election, and whether there are lessons we can learn from Australia and the US for longer-term reforms to the UK system that could be implemented ahead of future elections.

Drawing on existing expertise

When a political party is attempting to manage a transition from opposition it is logical to draw on the experiences of others within the party who have been through a similar process. This could either be people who ran a transition, people who went through one or people who worked in government post-transition.

At the national level, the pool of people who have gone through a general election transition is small (though their experience is invaluable), but the number of people who have experienced a transition after a local, regional or devolved nation election is larger, and many of the lessons they will have learned can be adapted and applied by the national party.

In this section we explore how political parties can learn from their predecessors and colleagues at subnational level when it comes to the general transition.

US

In the US the way transition teams are structured usually involves senior leaders from previous administrations playing formal roles within the team itself. These are often people who have run, or at least been through, the transition before. This means that there is a well-established 'transition community' in the US, including a small number of people who have taken up transition as both an interest and a skill set, and make themselves available in a bi-partisan way.

The depth of the experience in teams running the transitions is notable. Just looking at the last two Democratic transitions from opposition, Ted Kaufman, who led Biden's transition, had previously written the relevant transition law (with bipartisan support), and John Podesta, who co-chaired the Obama transition, had previously served as chief of staff to President Clinton.

There is generally not much that we in the UK would recognise as local government representation. The Biden transition had two people on the senior team who were either a former mayor or a governor of a state. In some senses this is surprising, because, as we shall see later on, 'people who run things' are highly valued by those looking to fill posts. However, the likely explanation is a combination of the relative respect and seniority within the party hierarchy held by those in the top level of American 'local' government, such as state governors and city mayors (the governor of California aspires to be president him-or herself, not a political appointee of another president), and the sheer number of Washington insiders that are available to draw from Congress.

> "Early on all of us, Senator Kaufman... myself, we all spent a good deal of time talking to people who had run transitions in the past."
>
> *Yohannes Abraham* [23]

For all their experience, members of the Biden transition team are keen to highlight that they consulted with previous transition teams from a very early stage.

24 'Transition Lab'. The Center for Presidential Transition.

Later, and closer to the sharp end of appointments, we heard how the transition team looked beyond people who had been involved in the transition to ask very specific questions of people who had experience of running the agencies they were attempting to staff.

> "Look, you're not going back inside [a job in the agency] - but just tell us what we need in each of these agencies."
>
> *American interviewee*
>
> "What kind of people do you need in these political positions at the Department of Energy? In some cases it was how to deal with Congress, in others it was dealing with national labs. They didn't need to have been that senior; they just needed to have been there and observed what worked and what didn't work."
>
> *American interviewee*

The last quote above shows that the transition team did not stop at consulting the former heads of these agencies, but worked through the more junior people as well, to get a grounded assessment of what did and didn't work in the past.

We end up with a taxonomy of people who are worth consulting as follows:

1. **People who have run previous transitions.**
2. **People who have led government departments or agencies.**
3. **People who understand from the inside how these departments or agencies work.**
4. **People with applicable experience from regional or devolved contexts.**

Australia

Anthony Albanese's cabinet is one of the most experienced ever to go from opposition to power in Australia, with many of the members having served as ministers in a previous Labor government. In that sense the transition had its own institutional memory, as many of the ministers had either been through a transition or run a department before.

> "When you think of it, this is quite an amazing group. So, Penny [Wong] will run her thing in foreign affairs. Richard [Marles] will run defence. Mark Butler will work out what he's gonna do in health. Jason Clare will work out education. Jim [Chalmers] will do what he's gotta do. Clare [O'Neill] will grab her new 'democratic resilience'-type space and cyberspace. [Mark] Dreyfus will do what he wants to do very clearly, quickly in Attorney General's [Office]. Amanda Rishworth in social policy, exactly the same. All of those big portfolios are being given their head and with an expectation that they're gonna deliver the big things they need to."
>
> *Australian interviewee*

There was also a considerable group of alumni from the Kevin Rudd and Julia Gillard administrations that the Labor team was able to speak to, and the team had maintained strong policy networks with former officials, consultants and think tanks, helped by the relative stability in allocation of shadow ministerial portfolios.

In addition, Australian Labor held six out of eight states at the time of the 2022 election, and several incoming Labor ministers and MPs had previous state-level experience (such as having been chiefs of staff to state premiers or state campaign directors) giving them useful networks to draw on. Finance Minister Katy Gallagher, for instance, is a former Chief Minister of the Australian Capital Territory. While these links between federal and state political networks were not formalised, there was certainly a transfer of ideas between the two as Albanese's team prepared for government.

One issue that was cited was a tension between the 'great and the good' - elder statespeople in Labor circles - and those whose voices were perhaps closer to the modern-day electorate and the way that younger generations were thinking about issues such as climate change. Some felt that failure to integrate these latter perspectives was a 'massive issue' in the context of the rise of the 'teals' - independent candidates running on a strong climate platform who gained seven seats from the Liberal Government in the 2022 election. It is unclear if this was more an issue for the campaign or the transition. However, failure to integrate these viewpoints into the transition could store up political problems in government if such views are popular and the new administration does not or cannot deliver on them.

Conclusions and recommendations

Experience, whether specifically of running a transition or more generally of 'running things' (departments, local government) is highly prized in both American and Australian preparations for government. They also have access to very high levels of experience, especially in the American case, where it is integrated into the staff team before they even begin their wide-ranging consultation.

Here in the UK, the opposition Labour Party has been out of power for nearly 14 years and its last transition from opposition was almost 27 years ago. It will not,

except in a few cases, be able to follow the Australian model and fill a new cabinet with experienced people, and many of the people who do have experience were in relatively junior roles the last time they served in government. This makes consultation with a broader network of political allies with experience of transition even more important.

Such consultation is distinct from, and in addition to, the access talks with the civil service. Those talks are extremely useful for an opposition party looking to enter government, but by definition they cannot be as candid or political in nature as discussions with other people from within the same party.

To make the most of any discussions with those who have been involved in previous national, devolved, regional or local transitions, they should be run in a structured manner and coordinated by the central leadership with all those shadow ministerial teams who have an interest. This will enable the current opposition to learn both specific lessons about certain policy areas and departments, as well as more generally applicable lessons about transition as a whole.

Learning from the US model here could be instructive, by ensuring that a dedicated part of the transition team is tasked with identifying those people within the party and its wider ecosystem who have the most relevant and applicable experience; drawing up a structure for engagement with them; and then carrying out the consultation before reporting back to the centre and relevant shadow teams with their findings. This function could be made up of core transition team staff or potentially be a separate voluntary unit led by a senior individual who themselves has experience of previous transitions.

That said, the sub-team carrying out that work should remain aware - as was highlighted by the Australian case study - that in a constantly changing political world the advice they are given needs to be understood in the context in which those giving it made their careers. There is always a danger in politics of attempting to refight the last war, when an entirely new battlefront has opened up.

Recommendation 5: The transition team formed within the opposition political party should consider establishing a sub-group tasked with identifying the most relevant party colleagues - at national, devolved, regional or local level - and consulting them on their experience of transitions past. Lessons learned from that experience should be fed into the leadership's overall preparation for government, and the network formed via this process should continue to be utilised as the party assumes power and begins governing.

Support for those making the transition

For those people within a political party who are likely to make the transition from opposition into government - be that as minister or adviser, in a version of the same role they have held in opposition or a new one altogether - the prospect can be daunting. Opportunities for training or support to help with this process vary considerably. In the US, it seems that very little training - either internally or externally provided - is offered to candidates or staff pre-appointment. However, in Australia a much more rigorous approach to training and supporting members of the new government was undertaken in 2022, and this provides valuable lessons for the UK.

Australia

In 2022 Australian Labor sought to professionalise the recruitment, induction and professional development of those who would play a role in the new administration. We cover recruitment in more detail below, but once people had been appointed it is notable that the team introduced compulsory induction, which hadn't been done before.

They also identified a lack of strategic policy capability in ministerial offices:

> "So one of my jobs was to work with chiefs of staff, just on a narrow piece of strategic policy planning... This was something that they just had not done before with the job. They've been political managers, by and large. So thinking about how that critical role works, what they've got to be able to know how to do, how to do well, what skills are necessary for that... It's a really distinctive job that doesn't have a very clear job description."
>
> *Australian interviewee*

The team then offered training and support intended to mitigate this issue and ensure the people who eventually took on these roles were better able to deliver on the government's priorities.

The same team also provided support on how to be a minister, acknowledging that for elected politicians access to training or mentoring of this kind can be even more challenging.

> "So, the judgement calls about 'What's my job, what do I leave to my secretary of my department, what's my chief of staff's job, when do I talk to the Treasurer and Finance Minister, when/who do I call in the PMO [prime minister's office]?' Those questions that are really practical, there's virtually no support for them and it's a difficult one because you can often not talk to your colleague."
>
> *Australian interviewee*

This builds on an existing infrastructure of training for politicians and public servants in Australia, which includes the work of the McKinnon Institute for Political Leadership[25] and the Australia and New Zealand School of Government (ANZSOG),[26] and publications such as *Learning to be a Minister* by Anne Tiernan and Patrick Weller.[27]

Part of the 'pre-ministerial' process in opposition included a refreshed Cabinet Handbook. Albanese was keen that it and its rules - as well as the Ministerial Code - be taken seriously and that included a strong push on diversity. This formed a key part of the preparation for those about to take up ministerial positions.

There was also a concerted effort to ensure that training and support did not end once the election took place, and that the relationships formed during the transition process developed into more of a mentoring function once Labor was in power.

Conclusions and recommendations

The Australian model is less about training people to fit their roles perfectly than it is about asking them to think through what they want to achieve, how they want to run things and what support they need. A similar approach could be hugely beneficial to British political appointments at all levels. While there are already some avenues in the UK for would-be ministers and advisers to undergo training - notably the IfG Academy - the opposition political party itself should also consider what more it can do to prepare its people for government and support them once in power.

For a start, a process of compulsory induction would be worth importing, as would an ongoing process of mentoring and regular check-ins. Similarly, the Australian focus on integrity and the Cabinet Handbook - alongside the Ministerial Code - also feels like a useful model at a time when trust in politicians is low and declining, and when UK Labour has made restoring that trust an essential part of its platform.

Recommendation 6: The opposition party should ensure that those politicians and staff who will be assuming roles in the new administration are supported and trained to make the transition. This could include a training programme ahead of the election; compulsory induction for all new government staff once in office; an emphasis on abiding by official guidance such as the Cabinet Manual and Ministerial Code; and ongoing mentoring support and regular check-ins once the party is in power.

25 McKinnon Institute.

26 Anzsog.

27 Dr Anne Tiernan and Patrick Weller. 'Learning To Be A Minister'. Melbourne University Publishing, August 2010.

Recruitment to new roles

A key task of transition planning is to ensure that in the early days of a new administration the right people are in the right roles. This is not straightforward in any nation. The questions of skills and experience apply differently in a political context. In the UK, this is complicated further by the inevitability that many of the political appointments a potential new government will make will be experiencing the system from the inside for the first time.

We have already touched on the training and mentoring support which should be made available for those who make the move from opposition into government, and here we widen our scope to look at how to fill the many new roles that the establishment of a new administration entails.

US

An incoming US president needs to make about 4,000 political appointments, of which about 1,200 require Senate confirmation[28] meaning candidates need to be of the highest possible quality and rigorously vetted if they are to be appointed. Due to the scale of appointments that need to be made, this is often the largest function of a president's transition team.

Given the sheer scale of the operation, a digital system for processing everything is seen as essential to its success.

> **"A platform for onboarding is absolutely critical. We had an outstanding software platform to onboard, do interviews, the entire HR aspect. It helped us organize interviews and the interview process was so well-structured."**
>
> *American interviewee*

On the day of the election (4 November 2020), the Biden-Harris transition team had a digital portal live on their website[29] specifically for political appointees in the new administration.[30] This resulted in a 'talent bank' of thousands (if not tens of thousands) of people that the appointments teams could consider.

This official talent bank was supplemented by those produced by external organisations such as universities, think tanks, Congress and other interest groups - essentially their own lists of candidates for potential roles that the new administration could draw on. The degree to which this was welcomed by the campaign is unclear, but as we can see from Figure 6 it can be a tool that is targeted at the demographic and political diversity of recruiting to the administration, as well as its policy focus.

28 'Top Senate-confirmed Political Appointments Over Time'. Center for Presidential Transition.

29 Steven Nelson. 'Biden launches presidential transition website as he nears 270 electoral votes'. New York Post, November 2020.

30 'Join Us | President-Elect Joe Biden'. Biden-Harris Transition.

Figure 6 - List of talent banking services compiled by Harvard University for potential use by students [31]

Biden-Harris Administration Portal for Political Appointments

American Constitution Society: Talent Bank Submission Form

Black Talent Initiative: Talent Bank Submission Form

Coalition for Women's Appointments

Congressional Black Associates & Black Women's Congressional Alliance Resume Bank Form

LGBTQ Victory Institute Presidential Appointments Initiative

National Asian Pacific American Bar Association: Political Appointments Project

National Asian Pacific American Bar Association: Judicial and Executive Appointments Project

The Blueprint for Sexual and Reproductive Health Rights and Justice Application Form

Taken together, the official portal and the work undertaken by third parties enabled the Biden-Harris transition team to go beyond 'the bubble' of political life when recruiting for key roles.

Managing this website and ensuring its smooth running, and that the data it put out was usable, was a significant task. We know that between IT and professional services (which includes IT consultants) the transition team spent around $3 million.

Today the website is still available (now at a .gov domain) and continues both to promote Biden's agenda, and to serve as a talent bank for current roles and those that may become available in 2024. This long-term impact shows that transition can be a process which has value long beyond the first 100 days.

> "We [were recruiting for] everyone from executive assistants to the Secretary of State and everyone in between."
>
> *American interviewee*

31 'Presidential Transition and New Administration Resources'. Harvard Law School.

Once potential recruits had been gathered via the above process, the job of the appointments team was to match these people with the policy priorities set out by the president and the policy team, and with the roles that were available. These roles were extremely varied:

> "Early on we were all aware of the fact that this was going to be a difficult transition for a variety of reasons. Those crises the nation is facing led us to the fact we needed a calibre of talent that could match those challenges. So, we decided early on to bring some very senior, very experienced policy leaders [to the appointments team]."
>
> *Yohannes Abraham* [32]

In the past these large appointments teams were generally composed mostly of junior people processing the large volume of CVs that have been submitted. The Biden-Harris transition team, though, took a different approach: The criteria for making appointments varied depending on the duties of the role. Assuming that many qualified people would apply for each role, the Biden team had the 'crosscuts' (set out in more detail in chapter three) to help guide how one candidate should be preferred over another (so in the case of two equally qualified economists, the one with a background in inequality and equity might be preferred to the other), but our interviewees also shared their perspectives on other criteria that they considered when interviewing and analysing CVs.

We were told they were looking for people who were able to "rejuvenate" the federal agencies following the "very difficult situation" from the preceding four years under Donald Trump. Particularly for the senior roles, they wanted people who could "engender appreciation, respect, dignity and optimism" among the career civil servants.

> "I would emphasize managerial experience and ability over technical or subject matter expertise, because subject matter expertise can be learnt very quickly by smart people. You can learn stuff by reading briefs for a week; what you can't learn is how to deal with people and manage political problems.
>
> "Now obviously if you're going to be a science advisor you better know something about science. But I'd really say our best experience in the US is in managing people who know how to run things."
>
> *American interviewee*

32 'Transition Lab'. The Center for Presidential Transition.

These skills in political management are hard to define, but were consistently cited as important.

Views differed about the best place to find people, but some argued that while political experience was not necessary for filling many of the 4,000 roles, for the most senior roles it was essential. Many of those senior people were appointed from roles such as mayor of a city or governor of a state, but also, especially for the 'mid-level roles' that didn't involve running the agency, from within Congress.

> **"I would lean towards people with experience of government, even at the local level.**
>
> **"We tend to empty out Congress of its top people."**
>
> *American interviewee*

We also heard that, in addition to their management skills, political people were preferred because there was also the sense that they would be able to start faster.

> **"There's a premium on finding people who can hit the ground really running."**
>
> *American interviewee*

Of course, 'hitting the ground running' implies there is a functioning system that an appointee can slot into. A more reform-minded opposition might instead be looking to people who can either change the system or deliver despite it.

Even in the more junior or specialist roles it was felt some political experience or understanding was an advantage.

> **"Whether it's big-P politics or small-p politics there's politics virtually everywhere and some proven experience to manage the cross-currents of political pressure I think is really important."**
>
> *American interviewee*

There was a degree of scepticism about people from outside the political system.

> "Academics, for example, tend to be very bad managers. Unless they are successful deans or provosts etc. there is zero evidence that they can run an agency. They can be an adviser to somebody...
>
> "I think there is a lot of mythology about how much better people from the business world are than people from the political world at administration. If you look at the Trump administration, he brought in a bunch of business people and they were terrible..."
>
> *American interviewee*

It should be added that interviewees did see business experience as valuable, especially where people had proven experience of moving back and forth between business and politics. We were told that it is rare for people to come from trade unions into a Democrat White House, in contrast to the close relationship Labour in the UK holds with the domestic trade union movement.

Australia

From the moment incoming Prime Minister Albanese was sworn in, a unit of nine people was immediately established, including an HR manager to run a staffing process.

> "We ran a proper process for our ministerial staff. It had never been done before. So public EOI [expression of interest] ad in the paper, HR system that supported the applications."
>
> *Australian interviewee*

Over 4,000 expressions of interest were received after an official advertisement for ministerial staff was placed in newspapers. The team then coded and gave composite scores to candidates and uploaded them onto a database. Applicants were subject to the same scoring criteria. Essentially, this created a central pool of candidates with politicians asking for certain skills and roles, and the team matching them with candidates - a job brokerage scheme set up at the heart of government.

> "All the processes were written up... So essentially Jim Chalmers [the Treasurer] could say: 'I need a press secretary based in Canberra, relatively senior, what have you got?'"
>
> *Australian interviewee*

The feeling among interviewees is that this widened the pool of applicants and made some small changes at junior levels (although not at senior levels). Interviewees noted that this process was a positive signal to civil servants, who were impressed that a proper process was being run. This differentiated the new administration from the old one.

> "If you think about who applied, if you think about where they drew the applicants from - they were the kids who would have once gone into the public service because they would have found it exciting or, you know, think tanks or not-for-profits or consulting firms. But given the opportunity and the idea of working with the reformist government... That's kind of interesting as well, right? There's a job. There's a nation-building opportunity that people were drawn to, whether they got through the process or not? On the supply side, it's not bad."
>
> *Australian interviewee*

It also raised awareness that there is a central portal that can and should be used. However, someone working in the Attorney General's Office straight after the election said that they tried to use the pool, but the quality of candidates varied too greatly. They went back to more reliable routes to identify candidates, which for them tended to be from the big law firms. That said, once they had identified someone, that potential appointee still had to be registered with the central staffing unit and then proposed via a submission to the central staffing committee, so that everything took place within the same formal process. Interviewees told us it is currently unclear if this appointments process has improved the diversity of appointees, but this was stated as a goal.

After the election, the Treasurer charged Sam Mostyn, a civil society leader, businesswoman and women's advocate who had previously served in Paul Keating's government, to put together a list of 100 women who could be candidates for board-level and other senior appointments. The aim was to be able to reach women who were not on the government's radar, and she spoke to a lot of people - men and women - to put the list together.

> "[It's an] incredibly valuable list to have in your back pocket. She was deliberate about it not just being about gender - there's a lot of women that are not white women in professional backgrounds on that list as well."
>
> *Australian interviewee*

This process has shades of the talent banks produced by third parties in the US (see above), but is arguably more easily applicable to Britain where external bodies are not culturally predisposed to building and submitting those sorts of lists to would-be governments. In Britain, as in Australia, their creation will require instruction from the top.

Conclusions and recommendations

The sheer scale of the US recruitment and appointments operation limits its applicability to the UK context, but in the Australian case we see what a lower-resource version of a similar system might look like. Most notable from the Australian experience is the conclusion that simply running an open and formal process sends a powerful message in itself. This is heard most clearly by the civil service, perhaps because it mirrors the more conventional recruitment practices that they already use, but is also far more relatable to the general public than the usual relationship-based (and opaque) recruitment practices we often see in politics.

Formalising and opening up the recruitment process for roles in a new government should be an important goal for a progressive party looking to take office and break with the practices of its predecessor. Doing so would increase the diversity of hires in the new administration and thus improve its ability to govern well. While a UK political party will never have the resources of its US counterparts, it is also true that the number of appointments a new British government needs to make is a fraction of the American equivalent. It is also worth noting that all major UK political parties already have in place a system to source several hundred people per electoral cycle to stand for parliament and so some of the infrastructure is already there in our system (albeit for appointing people to different kinds of roles with different criteria).

A UK opposition party can also learn from the American and Australian experiences when it comes to the skills and attributes they look for when appointing people to new roles in government. Prioritising people with the right political experience for the most senior roles is essential, as is placing a premium on hiring people who can manage others well and empower subject matter experts to get on with their allotted roles. The UK's current Labour opposition may not have as big a pool of people with central government experience to draw on as the Americans do and it cannot simply 'empty out Congress', but looking creatively for the same skills and talents in other places - especially in local, regional and devolved government, as well as the broader progressive ecosystem - should enable them to achieve the same ends.

One final consideration for transition planners in UK political parties is how much they can use the formal processes of transition (see chapter three) as a prompt to considerations of recruitment and people management. For instance, the list of issues thrown up by access talks with the civil service could also serve as an inventory of skills required for new government advisors (as long as the transition team is alive to the risk that it could also reflect a civil service view of what is needed that does not square with the aspirations of the new administration).

Recommendation 7: When recruiting for permanent roles in a new administration, the opposition should think creatively about how to put in place an open and transparent appointments process - both to demonstrate a break with the incumbent government and to maximise the prospect of hiring the best and most diverse cadre of people into new positions. This should involve giving serious thought to the skills and attributes that are needed in senior roles - including political and managerial experience - if the new government is to make a decisive and effective start to its time in office.

The creation of a US-style talent bank in the UK, digital or otherwise, is a longer-term consideration. It would certainly have the potential both to attract the best talent, and to diversify and democratise the way political appointments are made in Britain. But in the current context it immediately butts up against accusations of complacency and 'measuring the curtains'; even in the US, where transition work is much more open, the platform did not open until Biden was confident he had won the election. A formal process in Britain would have to begin pre-election and as such is only likely to be possible if a bipartisan agreement can be reached on making the transition process more publicly and formally established (as we considered in chapter one).

Nevertheless, the potential benefits in terms of finding talent, and finding it from new places and underrepresented communities, are massive and are certainly something that a future government (and future oppositions) should consider as part of more fundamental reform of the way the transition process operates in the UK.

Recommendation 8: In the long term, political parties should consider whether recruitment to roles in new governments can be opened up further still, including the potential to establish an online jobs portal to which applications could be made ahead of a general election.

Chapter Three: Process

Introduction

Transitions in the UK, US and Australia can broadly be split into two types of process. There are the 'formal' processes - those set down in statute or codified by convention - and the 'informal' processes which take place within political parties, and which can change with each leader and at each election. These processes are the architecture around which the rest of the transition is structured. Understanding them is important to understanding the framework within which the politics and the people we have covered in the first two chapters will operate. In all three countries, the formal and informal transition processes are of different durations, but for a period run simultaneously.

The formal process is defined either by law, regulation or convention. It includes the formal mechanisms around the handover of power, but also preceding activity such as access talks with the civil service, and can continue once the government is formed, as is the case with US Senate-confirmed appointments. Being formal, this is the easiest timeline to track, although even so, the British reliance on convention, and the unwillingness of political parties to plan in public for fear of seeming presumptuous, makes specific timings hard to define. The informal process of transition is even harder to define. It consists of the internal preparation that is done by parties and candidates as they think about how they would like to manage the transition and form a government. It could include the creation of the transition team, the development of a 'theory of government' and training for potential ministers or staff. It is largely in the gift of political leaders when and how they do these things, and it varies within political cultures, as well as across them.

In this final chapter we focus mainly on the informal processes and the implications of our findings in the US and Australia for progressive parties here in the UK. We finish with some observations about the formal process - specifically the opposition party's engagement with the civil service - while noting that this aspect of transition has already been well covered by a considerable body of existing literature.

Transition planning within political parties

The structure and resources a party makes available internally to plan for the transition inevitably change over time and from leader to leader to leader, but some elements are consistent across countries. In both the US and Australia, political parties make use of a dedicated transition team, though the degree of organisation and the resources available varies considerably. That team then divides its work into a series of distinct but related workstreams. Given the formal and extended nature of the transition in the US, there is considerably more evidence available as to how American transition teams operate than there is regarding their Australian counterparts.

US

The transition team

In the US a transition organisation is formally established by the party as a political not-for-profit (a 501(c)(4) under IRS regulations). It has its own board of directors, of which the minimum number is three. Some of the infrastructure

and physical office space for the team is provided by the GSA,[33] but the transition organisation will need to fundraise to resource itself (which it is allowed to do in collaboration with the party). The transition organisation must not raise more than $5,000 from any individual if it is to be eligible for the GSA support.

American transition teams are generally put together by each of the presidential nominees before the national convention at which their candidacy is confirmed. The team's lifespan takes it from this point, through to the election and beyond, in three phases:[34]

- **Pre-Convention: Around ten staff, close allies of the candidates**
- **Pre-election: Around 50 staff, wider teams but still trusted people as confidentiality is important**
- **Post-election: Several hundred people, external contractors delivering many functions such as vetting**

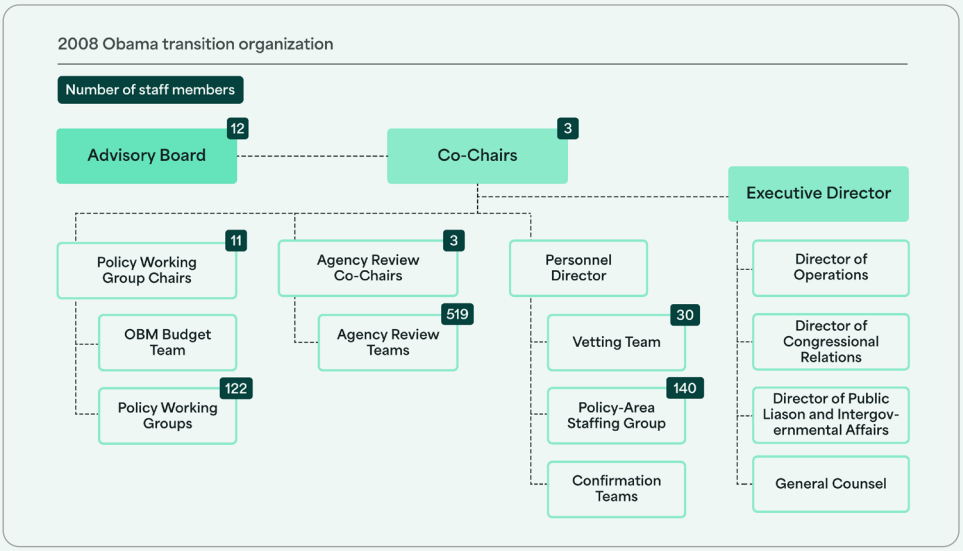
The headcount gets so large because the transition team - at different parts of its lifecycle - is responsible for recruitment and vetting, security clearance and briefing, the review of America's government agencies and policy implementation plans. These are massive undertakings in themselves, which require considerable support staff and professional skills. The difference with comparable arrangements in the UK is enormous.

Barack Obama's 2008 transition cost around $9.3 million. The team's final size was around 450 people (see Figure 7).

33 U.S. General Services Administration

34 'The Nuts and Bolts of a Transition Organization'. Center for Presidential Transition, April 2020, p.4.

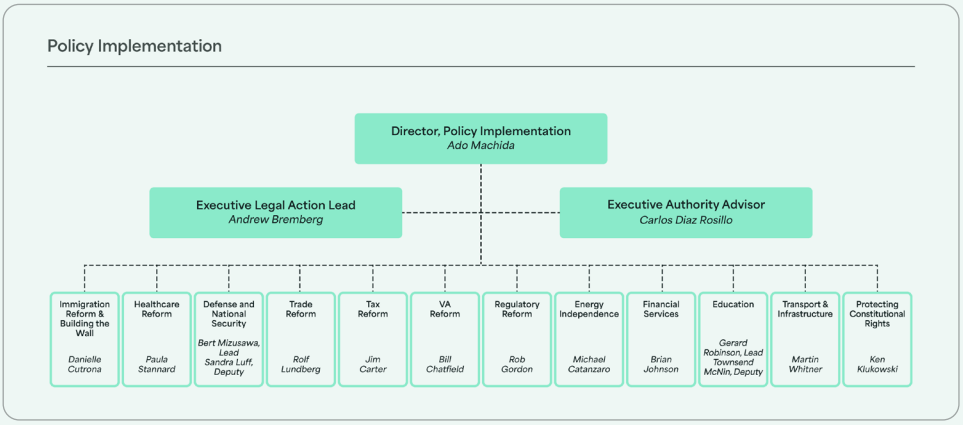
Figure 7: The final size of the 2008 Obama transition team and where they were assigned [35]



Note: Numbers indicate transition team at highest staffing level. Total staff numbers for some teams were not available.
Source: Boston Consulting Group analysis

Donald Trump raised around $6.5 million and his 2016 transition team seems to have only been around 100 people[36] (see Figure 8 for the policy implementation function within that team). This may have been a strategic decision, although his was a troubled transition in general, particularly with the sudden replacement of key people[37] and eventual delays in making appointments. As one former Trump transition official put it, "Trump famously thinks preparation is for losers and the Biden team appears to be the opposite."[38]

Figure 8: Trump transition policy implementation team organisational chart[39]



35 'Presidential Transition Guide'. Center for Presidential Transition / Boston Consulting Group, April 2020, p.52.

36 'Donald Trump Presidential Transition Team'. Ballotpedia.

37 David Smith. 'Trump transition team in disarray after top adviser 'purged''. The Guardian, November 2016.

38 Nancy Cook. 'Trump's 2016 Transition Defined His Presidency. Biden's Might, Too.' POLITICO, November 2020.

39 'Trump Transition Team List and Assignments' DocumentCloud.

The 2020 Biden transition was extremely well resourced, raising $22 million,[40] far more than his predecessor, and of this more than half ($13.6 million) was used on payroll and staffing. At its maximum the team was around 500 people.

American transition teams are also legally required to publish their ethics policy, which is something that should be considered for the UK context. They must state how they plan to interact with lobbyists and manage conflicts of interest when it comes to the relationships between the team members and the agencies for which they are planning the transition. To avoid undue influence, one Biden transition team member we interviewed explained they were required not to contact the officials they placed into agencies for a year after their function ended.

Figure 9: How the Biden-Harris transition team spent its transition money [41]

Exhibit B
PT Fund, Inc.
Total Expenses
Inception - 02/14/2021

Description		Amount Through 02/14/21
Communications & Research	$	1,223,358.38
Fundraising/Processing Fees		887,346.45
IT		1,527,369.25
Operations		757,897.25
Payroll		13,669,286.57
Professional Services		1,299,941.67
Travel and Events		5,021,147.24
Total Expenses	**$**	**24,386,346.81**

Transition workstreams

In the US the workstreams of the transition team are broken down by the Center for Presidential Transition into four broad areas: policy, operations, agency review and appointments. Figure 10 gives some sense of the scale of this undertaking within the American system.

We have already covered appointments in detail in chapter two. Below we explore the remaining three American workstreams, noting that each feeds heavily into the others. Policy goals, and what is found in the agency review, guide appointments, and the administrative burden around appointments and agency review requires strong operational support. In the most recent Biden transition the agency review team and the policy team essentially shared leadership to ensure there was maximum understanding and the work they did was connected.

40 Schouten, Fredreka. '**President Joe Biden Raised More than $22 Million to Fund His White House Transition**'. CNN, February 2021.

41 '**The Biden-Harris PT Fund**'. February 2021.

Figure 10: Key 2024 transition milestones from the Centre for Presidential Transition[42]

Chapter 1—Transition Overview

Key 2024 transition milestones

	MILESTONE	TARGET COMPLETION DATE	WORKSTREAM
PHASE I Pre-election (planning)	Identify transition chair, executive director and other top leadership	Spring	Leadership
	Establish strategic priorities and work plan	June	Leadership
	Develop budget and fundraising plan	June	Operations
	Set time targets for presidential appointments and identify priority positions	June/July	Appointments
	Coordinate with GSA to plan for office space, IT, financial resources	June/July	Operations
	Create standardized agency review report format	July	Agency review
	Catalog key campaign promises and identify policy priorities	July-October	Policy planning
	Submit security clearances for key transition personnel who will require access to classified briefings	August/ September	Operations/ Appointments
	Vet and finalize shortlists for top priority presidential appointments	August-October	Appointments
	Identify and recruit agency review teams and landing teams	September/ October	Agency review
	Engage with the Senate on priority positions	October	Congressional relations
PHASE II Post-election (transition)	Launch agency review teams	Early November	Agency review
	Select key White House personnel and nominees for top 50 Senate-confirmed positions	Pre-Thanksgiving	Appointments
	Develop policy implementation plan, budget and management agenda; send intended Cabinet agency appointments to the Senate	November/ December	Policy planning
	Train Navigators	November/ December	Appointments
	Submit agency review reports and brief incoming agency heads	January	Agency review
	Prepare documents for transfer into government agencies	January	Agency review/ Legal counsel
	Prepare Cabinet orientation/retreat	January	Appointments
PHASE III Post-inauguration (handover)	Fill top 100 Senate-confirmed positions	End of April	PPO
	Secure confirmation for additional 300-400 presidential appointments	August congressional recess	PPO/Agencies
	Close down transition operation, maintaining documents necessary to submit for legal filings	Spring 2026	Operations

When it comes to policy, the transition team is responsible for ensuring the campaign promises made by the candidate during the campaign can be made into legislation. They will not be the ones to actually introduce or carry through this legislation – that will be the responsibility of the new White House team – but they are responsible for considering the priorities, the plan for implement-

42 'Presidential Transition Guide', Center for Presidential Transition / Boston Consulting Group, 2023, p.14.

ing them in the first 100 days, and (overlapping strongly with the appointments duty) who is best placed to carry them out and should therefore be given a role in a particular agency or in the White House itself.

How this plays out is contingent on the kind of promises the candidate makes during the campaign and how they communicate with their team internally (see the section on leadership in chapter one). Ted Kaufman, who ran the most recent Biden transition, took statements Biden had made from the campaign team and then 'sliced and diced' them to fit to the different agencies.

As well as the promises he made during the campaign, Biden also gave specific direction to the transition team:

> **"For the Biden administration transition team leaders, they gave us four crosscuts that allowed us to be strategic in our work to stand up the first 100 days... Covid, economic recovery, equity and climate change."**
>
> *American interviewee*

The policy team within the overall transition team drafted executive orders for the president to execute in the first 100 days (see chapter one). For example, there was an executive order that the US achieve 50% electric vehicle sales by 2030. As a member of the team pointed out, the transition team did not develop the legislation that would ultimately be needed to deliver this objective, but the order in itself was felt to 'demonstrate governance'. Briefing during the transition that these orders would be made once the president took office signalled how serious the incoming administration was about climate change.

Before inauguration day, but after the election, the policy team may also draw up a communications plan for the transition, and an outreach strategy, with think tanks and trade associations particularly in mind.

Operationally, a robust infrastructure is needed to support agency reviews and, in particular, the ability to make several thousand new appointments. In the modern context this means a digital system - as seen in our discussion of the US jobs portal and talent bank in chapter two. Much of the other work of the operations team comes from hiring offices and providing general HR functions, as well as infrastructure, to the wider transition team.

The formal transition period in the US system also allows time for 'agency review', in which teams enter the various US departments of state, meet with their career civil servant leaders and come to an assessment of the state of the department in light of the president's agenda. This is a massive undertaking, generally consisting of several phases and different teams.

- First, a 'landing team' arrives shortly after the election, gathers information and leaves before the inauguration. Landing teams seek information that is necessary to help the president-elect's transition team create a policy plan for the first 100 to 200 days of the new administration. They look to gather an overview of major issues facing the agency, pressing decisions that need to be made early in the new administration and opportunities to begin implementing the president's agenda.

- Second, 'beachhead teams' may arrive after the inauguration and serve as temporary political appointees for up to 120 days until Senate-confirmed officials are in place. This concept was developed by Mitt Romney's transition team in 2012 and put into practice by President-elect Trump, who deployed 536 beachhead officials into federal agencies as of day one of the new administration in January 2017. The beachhead team lays the groundwork for the new administration's priorities. Depending on how long it takes for more senior nominees to be confirmed, beachhead team members may serve for months and have varying levels of authority to make policy decisions. The agency transition team supports the beachhead team members, some of whom may eventually become permanent appointees.

- Finally, permanent political appointees are put in place. They need to be onboarded and provided with knowledge of the operations and resources at the agency that they are going to lead.

Ultimately, the decision about which groups to send and when to send them rests with the leadership of the overall transition team, but the agency transition function needs to prepare to support each group as set out above.

Australia

The formation of the Australian transition team and the workstreams that it undertakes are less defined than in the US case, reflecting the degree to which the Australian system is much closer to the UK's, both in terms of scale and the pace at which transition happens.

In Australia, much more is dependent on individual people and, in particular, individual politicians. It is therefore hard to draw parallels on policy, operations or agency/departmental reviews, but there are parallels when it comes to appointments - as well as particular Australian innovations in 2022 regarding training, support and mentoring to appointees - which we have covered in chapter two.

Conclusions and recommendations

Transition team

How a political party decides to structure its transition team - and the workstreams that the team is expected to carry out - is one of the most impactful questions of the whole process. It defines not just the scope of the activities of that transition team and its ability to carry them out, but also the tone and tenor of the transition and ultimately how effectively the party as a whole is able to move from opposition to government.

Above all, this means treating transition as a task in itself, with its own dedicated people who are given the leeway to focus on that duty. The structure of any transition team should take into account both practical considerations (it should have sufficient staff and resources, appropriately allocated) and political considerations (it must have access to, or integration with, elements of the leader's office and the shadow cabinet).

In the US the transition team is a separate legal structure to the party. In Australia, as we will see in more detail below, extensive use is made of external consultants to help plan transition. This separation from the main party structures guards against the inevitable pressure to pull all the party's resources into the campaign. In the UK context the establishment of separate entities in this way would be hard to emulate and would entail a massive cultural shift from where we are now. However, it is nevertheless absolutely critical that the transition structure is separate from the campaign structure, and that its space and capacity to plan is protected as the election campaign intensifies, and the party comes under increasing pressure to allocate all its resources to winning power in the first place (though the transition and election functions must also constantly interact, as set out in chapter one).

Recommendation 9: Once a transition team has been established, with a clear mandate flowing from the direction set by the party leader, its dedicated capacity needs to be protected, both during the campaign and in the busy early days of a new government. It should be separate from the campaign team and supported by the right infrastructure to enable it to interface regularly with the leadership and the shadow cabinet. If relevant, the party may want to consider publishing an ethics policy for the transition team as part of a wider commitment to governing with greater transparency and integrity.

Transition workstreams

In terms of transition workstreams, policy considerations are, or certainly should be, a central part of the transition process (as highlighted in the IfG's recent paper, Preparing for government[43]). This is not the same as saying that

43 Emma Norris, Catherine Haddon, Jack Worlidge, Joe Owens and Ben Paxton. '**Preparing for government**'. Institute for Government, January 2024.

the transition team should be necessarily developing policy itself; in the UK context that is highly unlikely to happen, especially for internally democratic parties such as Labour, with a constitutionally set process for policy development. However, it does mean that those who are responsible for policy development in the party should be thinking about the transition into power and what it means for the policy programme: in terms of legislative priorities, the pace of rollout, the use of announcements to send signals on longer-term priorities (to their own ministers and advisers, to the wider civil service, and/or to the public at large), advanced stakeholder outreach plans and so on.

This aspect of transition planning is even more critical when an opposition party's electoral platform involves not just a new set of policies, but an implied new way of governing altogether, as is the case in the UK at the moment with Labour's proposals for a shift to 'mission-driven government'. Such a shift cannot be achieved if it is not embedded as part of transition planning from the outset.

Recommendation 10: Where an opposition party is proposing not just new policies, but a fundamentally new way of governing - as Labour is with its mission-driven government approach - this needs to be an explicit part of the transition team's mandate and embedded into its planning. This is so it can be trailed in advance with key stakeholders, including civil servants, and the organisational and cultural changes it implies can start being implemented from day one of a new administration.

The US system of agency review is a good idea, which would require significant adaptation to work in the British context, due to the much shorter timescales and the fact that opposition parties in the UK do not have the same level of access to the inner workings of government departments as their US counterparts. A particularly confident opposition could attempt to do something similar from the outside, while accepting the limitations of such an exercise in the current UK context. However, this is something that an incoming government would probably have to do 'live' as it takes over departments and begins governing (and as such it should be well planned-for). In the longer term, a more open and bipartisan approach to transition planning - as we cover in chapter one and recommendation 4 - might remove some of those barriers.

One element of the US agency review process which does merit consideration for importing into the UK system is the concept of 'beachhead teams' - temporary appointments to enable the incoming administration to get to work quickly while finalising the process of allocating people to permanent roles. There may be people who do not want or are not suitable for a long-term government appointment (as covered in chapter two), but have a lot to give in the 'set-up' phase. There is already an element of precedence for this in the UK, where secondments are used during the set-up phase when establishing a new mayoral combined authority (MCA) until the organisation is in a position to recruit its own staff.

Recommendation 11: The transition team should review the landscape of the government system it is likely to inherit and consider where it might be possible and beneficial to establish 'beachhead' teams of temporary appointees, who can help the new administration to get to work quickly and lay the foundations for longer-term success.

External support

Opposition parties do not only have to look internally when planning for government and establishing their transition teams. There is a wealth of potential external expertise available to them - from consultancies, specialist providers, think tanks, trade unions, business, academia and civil society - in order to add additional ideas, bandwidth and expertise. The US Democrats and Australian Labor both made use of this kind of external support during their transitions in 2020 and 2022, although in markedly different ways.

US

As is commensurate with the scale and degree of resources involved in their transitions, US transition teams can draw upon a wide range of third-party support.

Some of these are operational, including IT and communications providers. We know, for instance, that before the formal transition began in 2020, the Biden team was using commercial Google accounts for its internal communications as this became a point of contention[44]. After the transition began, these and their recruitment website (see chapter two) were moved onto a secure government domain. Elsewhere, it is expected that a transition team will have both its own legal counsel and that it will use lawyers as part of its vetting process for potential appointees.

Additionally, the intellectual and strategic level support which US political parties and their transition teams can draw upon is gigantic. Management consultants such as McKinsey[45] and Deloitte[46] provide direct support to transition teams and also produce thought leadership material, drawn from their decades of experience in the arena.

Outside of these commercial providers, there are a range of think tanks dedicated to tackling different parts of the multiple aspects of the process of an effective transition. For example, the Partnership for Public Service,[47] a non-partisan, non-profit pro-democracy organisation founded in 2001, has a dedicated Center for Presidential Transition. This produces detailed reports on planning a transition at all levels, assesses the success of transitions and even ran a dedicated transition podcast for several years. For example, it partners

44 Andrew Restuccia and Dustin Volz. 'Biden Team Lacks Full U.S. Cybersecurity Support in Transition Fracas'. The Wall Street Journal, November 2020.

45 US Federal Government Transitions | McKinsey & Company

46 W. Bruce Chew, Mark Walsh, Derek Larsen and Jeff Merrell. 'The Presidential Transition Translating lessons from mergers and acquisitions.' Deloitte.

47 The Partnership for Public Service.

with another external organisation, the Washington Post, to produce a searchable presidential appointments tracker during the Trump administration.[48]

Other dedicated transition think tanks include the White House Transition Project.[49] On the conservative side, a group of organisations led by the Heritage Foundation have established Project 2025 - the 2025 Presidential Transition Project - to develop thinking around policy, personnel and training ahead of a possible Trump victory later this year,[50] and the America First Policy Institute has created the America First Transition Project.[51]

Most other think tanks, such as the Brookings Institution, while not being specifically focused on transition, will nevertheless also comment and contribute resources and advice, while other institutions, such as the Congressional Research Service (roughly equivalent to the House of Commons Library) produce their own materials. As seen in chapter two, this think tank ecosystem can also play a key role in identifying sources of talent for the incoming administration, as well as helping to debate and refine the criteria for what makes a good public servant, and what a new government should be looking for when making its appointments.

Australia

In the most recent Australian election, the opposition Labor Party engaged a former chief of staff to a Labor prime minister to provide external advice on the key strategic and organisational questions for the party leadership, and to provide further advice in specific areas.

External support and expertise was seen as invaluable during preparations for government and in the early days of the new government, not least because external consultants were somewhat removed from the immediate political pressures of the campaign and transition.

The external team also ran the recruitment function covered in more detail in chapter two.

Conclusions and recommendations

Transition planning involves organisational design, recruitment, team building and complex project management - all areas where political parties could usefully draw on specialist external providers, as they are not likely to have permanent in-house expertise to the level of detail required. Of course, such things cost money, but the American case shows starkly that if resources are made available, there are virtually endless worthwhile activities that they can support.

Political parties in the UK do already make use of external support in transition, whether by securing secondments or other support from consultants, such as those from the Big Four consultancy firms, or by drawing on the expertise of think tanks, academics, service providers and practitioners, and other experts in their respective fields. However, there is scope to go further. There is no reason not to use people who know how to take on operational tasks - which

48 'The nominees Donald Trump tapped for key roles during his term'. The Washington Post.

49 White House Transition Project.

50 Project2025.

51 America First Transition Project.

the parties will not have to do on any kind of regular basis - for their skills, and this could be particularly useful (as in the US case) when it comes to recruiting for government positions in helping to support the party by tapping into a wider ecosystem of skills and talent.

Recommendation 12: Wherever possible and appropriate, the transition team should make use of external experts, independent of the campaign, to bring different perspectives to the transition and provide constructive challenge to the core team. In particular, the team should look for areas where third parties would bring skills and experience that are useful to a transition and not always part of the permanent structure of a political party, including project management, IT and other specialist areas. This could be especially beneficial in helping to identify diverse and untapped sources of talent for the recruitment and appointments process covered in chapter two.

Civil service engagement

In all the systems we have examined, the most formally defined and consistent element of transition is the role of the civil service and the way in which it interacts with the political parties vying to form the next government. This stems from the fact that, even in a system as reliant on convention and unwritten rules as the UK, the guidance for civil servants has to be written down as the risk of compromising individual officers and the wider service when engaging with the opposition is grave. As a result, this formal aspect of transition is perhaps the most well-covered in existing literature, but there are still interesting parallels to be drawn and lessons to be learned from how it operates in the US and Australia.

US

In the US, prior to the election there is almost no contact between civil servants and the transition teams of the presidential candidates. The president-elect's transition staff arrive at agencies for the first time during the two-month period between election day and inauguration day for briefings.[52]

Each federal agency builds its own internal civil service transition team to manage this process. The expectation is that there will be at least one senior leader who has experience of transition to head this up and that this person must legally be appointed by the May before the election. Leaders are commonly drawn from the senior administrators in the agencies, but have in the past included senior HR, IT and budget team members.

Each agency leader sits on the Agency Transition Directors Council to promote intra-agency cooperation in the transition.

52 '2023 Agency Transition Guide'. Centre for Presidential Transition, November 2023.

Australia

Australia goes into its 'caretaker period' when an election is called and at that point the opposition is expected to request access for shadow ministers to have discussions with the appropriate civil servants. Technically, the period in which access talks may begin can be slightly different to the caretaker period, as set out in the guidance on the caretaker convention from the Australian Government. This says:

> "The pre-election period [when access talks are permissible] is to date from three months prior to the expiry of the House of Representatives or the date of announcement of the House of Representatives election, whichever date comes first."[53]

In practice, though, it seems that often these meetings do not take place until the government is actually dissolved.[54] The contacts that are then possible are described as follows:

> "The scope of the meeting is limited to machinery of government, administrative and technical issues; it is stressed that officials are not authorised to discuss government policy or give opinions."[54]

The reason contacts are not permitted until the caretaker period is understood to be because, unlike in Britain, there are worries in Australia that they will be used to gain political advantage. Australian media reports:

> "Consultation with the opposition remains a contentious issue, with some senior public servants concerned that shadow ministers may see briefings as opportunities to score points on their opponents through their portfolio agencies."[56]

The level and nature of these talks can also depend on the attitude of the incumbent government and the relevant minister, who can - if they choose to - make things difficult for the civil servants participating in the talks.

Ahead of these talks, civil servants prepare two sets of briefings, one for a returning government and one for an incoming government. This is set out

53 'Guidance on Caretaker Conventions'. Australia Government, Department of the Prime Minister and Cabinet, December 2021.

54 Mark Kenny. 'Bill Shorten Calls for Caretaker Provisions amid Pre-Election Uncertainty'. The Sydney Morning Herald, April 2016.

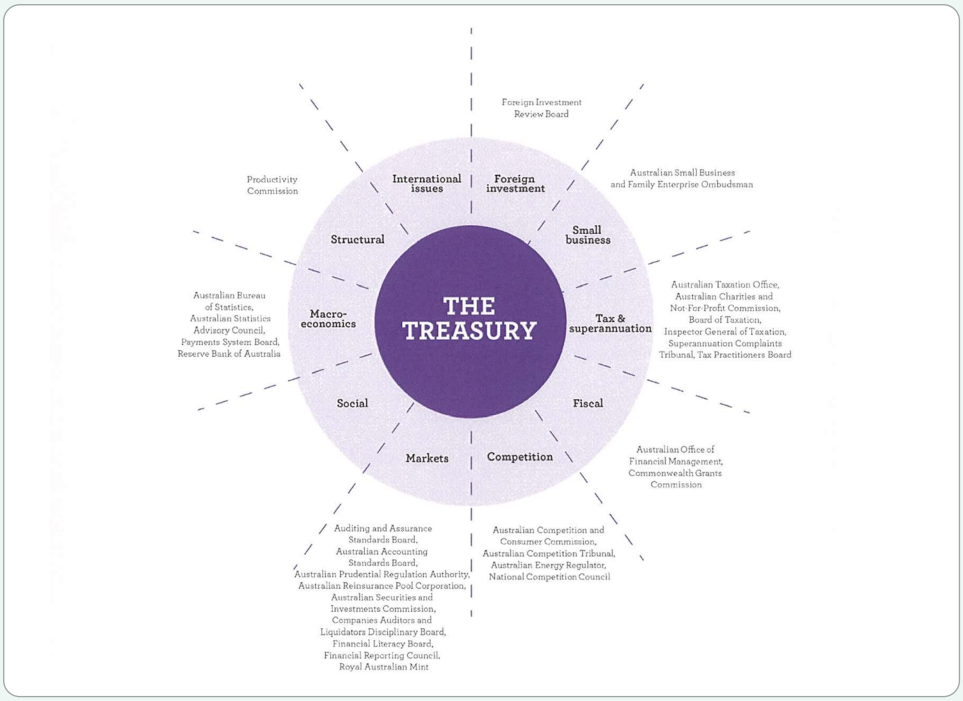
55 Jennifer Menzies and Dr Anne Tiernan. 'Caretaker Conventions in Australasia: Minding the shop for government'. Centre for Governance and Public Policy Griffith University, 2014.

56 Jennifer Menzies and Dr Anne Tiernan. 'Caretaker Conventions in Australasia: Minding the shop for government'. Centre for Governance and Public Policy Griffith University, 2014.

in the guidance on the caretaker period, and colloquially these briefings are known as 'the red book' and 'the blue book'. They range in scope from the roles and responsibilities of officials to specific advice about policy. They also indicate that civil servants, as in the US, are assigned to dedicated transition roles, but that actual practical support in setting up offices and other such tasks is reserved until after the election.

The red book and blue book briefings attempt to condense the multitude of issues facing a government into a short document and the advice is frank, simple and clear.

Figure 11: Page from Australian Treasury incoming ministerial briefing 2016, released under FOI[57]



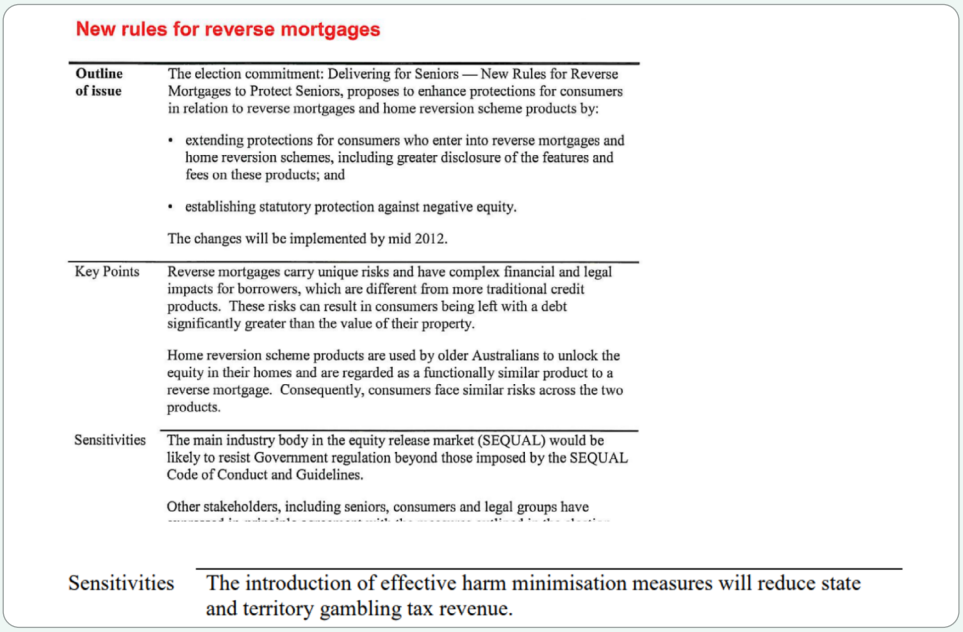
While the example shown in Figure 12 is more focused on the machinery of government, Figure 13 shows how Australian civil servants have assessed the policy promises of the incoming government and set out the implementation and political challenges.

In 2015, Meredith Sussex, former head of the Victorian Cabinet Office, said:

> "The pre-election briefing books are one occasion when public servants give very wide-ranging advice, often on issues on which the new government's policy views are unclear."

57 'Incoming Government Brief'. Department of the Treasury (Australia), September 2016.

Figure 12: 2010 incoming Treasury Briefing on policy[58]

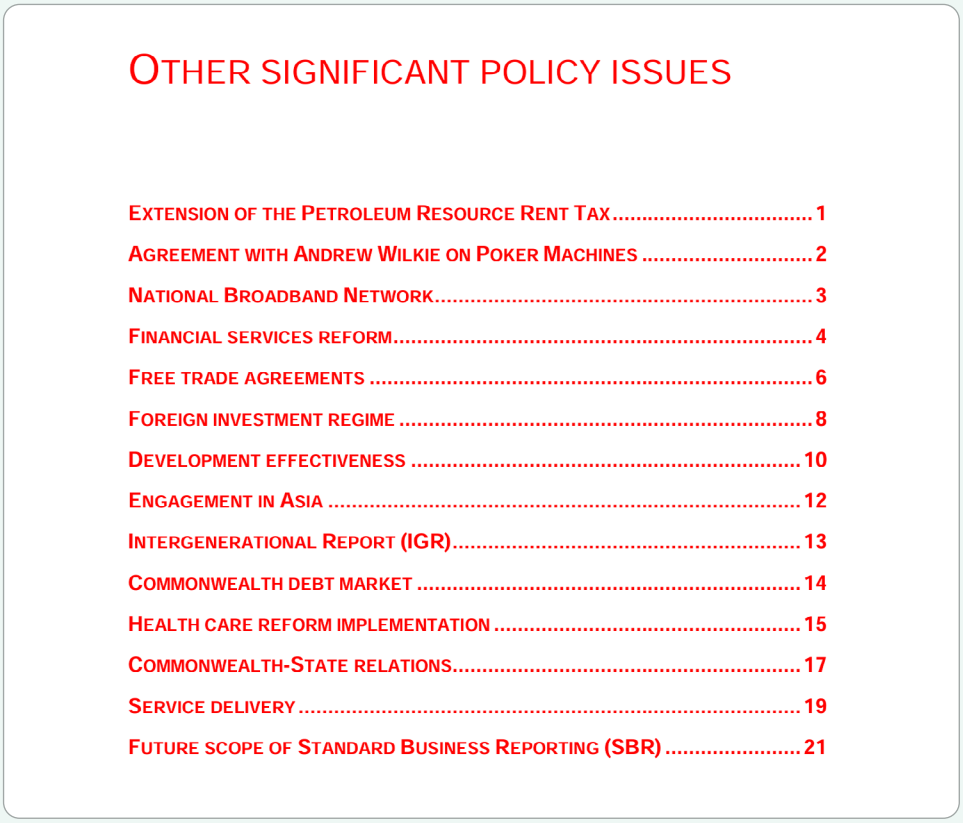


New rules for reverse mortgages

Outline of issue	The election commitment: Delivering for Seniors — New Rules for Reverse Mortgages to Protect Seniors, proposes to enhance protections for consumers in relation to reverse mortgages and home reversion scheme products by: • extending protections for consumers who enter into reverse mortgages and home reversion schemes, including greater disclosure of the features and fees on these products; and • establishing statutory protection against negative equity. The changes will be implemented by mid 2012.
Key Points	Reverse mortgages carry unique risks and have complex financial and legal impacts for borrowers, which are different from more traditional credit products. These risks can result in consumers being left with a debt significantly greater than the value of their property. Home reversion scheme products are used by older Australians to unlock the equity in their homes and are regarded as a functionally similar product to a reverse mortgage. Consequently, consumers face similar risks across the two products.
Sensitivities	The main industry body in the equity release market (SEQUAL) would be likely to resist Government regulation beyond those imposed by the SEQUAL Code of Conduct and Guidelines. Other stakeholders, including seniors, consumers and legal groups have

Sensitivities	The introduction of effective harm minimisation measures will reduce state and territory gambling tax revenue.

Figure 13: Other significant issues 2010[59]



OTHER SIGNIFICANT POLICY ISSUES

58 'Incoming Government Brief'. Department of the Treasury (Australia), September 2016.

59 'Other significant policy issues'. Department of the Treasury (Australia).

Briefings of this kind are obviously useful to the potential new administration as it grapples with how it executes its agenda. They also highlight issues that may not be core to the programme, but which government will have to tackle. These could be issues that would-be ministers have not yet considered seriously as part of the manifesto process before the access talks. The selection of issues may also reveal something about the attitude of the civil service to the political project - specifically what they see as a risk - and the omission of issues may highlight early to incoming politicians the civil service's existing mindset.

Conclusions and recommendations

Pre-election access talks in the US and Australia are generally limited in scope (and this is true of the UK as well). A real understanding of the civil service's perspective on policy is limited to after the election. This makes transition planning from opposition hard.

However, these talks still represent a vital opportunity for an opposition party, and so it is even more important that politicians and their teams maximise their value by ensuring they are confident in their objectives for the talks and know what questions to ask.

The Australian experience also shows the risk for parties of all colours of allowing access talks to become weaponised for political purposes. The discussions which take place in the UK system can be as frank and informative as possible within the confines of the guidance given to both sides, precisely because everyone is confident that they will not leak. Were that trust ever to be breached by either side, the value of the talks would be reduced, and their contribution to better and more effective government considerably diminished.

Recommendation 13: Opposition parties must prepare as thoroughly as possible for access talks and know their objectives going into them, precisely because the civil servants participating in the talks are bound so tightly in terms of what they can discuss. They must also always see these talks for what they are: a means of preparing to govern well once in office and not of securing political advantage during a heated campaign.

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