Tips on setting up and supporting independent reviews: a guide for public servants

Introduction

Governments have always looked to external experts and former senior officials or political colleagues to conduct independent reviews. But they are doing so even more these days, in part due to an increased reluctance to engage consultants. In some circumstances an eminent person is appointed to lead the review, but they need a strong secretariat to support their work, including to carry out research, consult and draft the report.

Nous has played this vital secretariat role on more than 20 high profile reviews. In other circumstances, we have brought the critical capability to manage the entire review process independently. This experience has provided the opportunity to consider the ingredients for a successful review.

While the styles of leadership and the focus of the reviews has varied considerably, there are few things to get right in both the setting up and supporting them, regardless of whether the commissioning agency is using an internal or external secretariat.

This document has been designed to offer practical advice to anyone embarking on an independent review. It is divided into two sections: setting the foundations for an efficient and effective review, and how to best support the work of the independent reviewer or panel once their work is underway.

Part One: Planning for success – Setting up the review

As with any successful undertaking, preparation and clarity on scope and expectations are key.

Selecting the reviewer or review panel

As with any major undertaking, it is important to know what it is that you want to achieve. Are there specific assumptions or hypotheses to test? Is it detailed exploration of potential policy options? Is the review a diagnostic of what is working and what is not and why? These and other objectives (which are not mutually exclusive) should give the commissioning minister and agency a clear idea on the nature of the decisions that will be made based on the findings, and thereby help you to fine-tune the Terms of Reference and your guidance to the independent reviewer or review panel.

When it comes to selecting who will lead the reviewer, it is worth remembering that every reviewer is different and will come with their own predispositions about how to run the process. This is something that is not often discussed, as the instinct is to defer to the reviewer’s preferred way of working. But it is important to be on the same page not only about what the review is to achieve, but how it is to be conducted.

For example, most reviewers will be savvy about how to engage with stakeholders and keep the commissioners of their work well-informed, but there is also a risk that they will want to talk to the people they know and delegate to others any engagement with people whose views are important but less familiar. This is not a criticism of the reviewers themselves, but a reflection of human nature. It speaks to the challenge of finding someone who is both deeply expert and open-minded.

Other reviewers may come with the assumption that they are being engaged because of an expectation that they will produce 'the answer' based on their own expertise or experience, whereas the commissioners may want to see a true first-principles approach to addressing the terms of reference – one that draws on a wide range, even competing, perspectives.

EXAMPLE

One review panel we worked with had a very dominant chair and did a lot of engagement independently, using their own networks. Although the other members had a great deal of expertise, it was clear to the secretariat that they were not being included in consultations and that their expertise and perspectives were being given insufficient consideration. Without guidance to the contrary, the chair assumed that the other panel members were subordinate rather than equal contributors.

If follows that, beyond considering expertise and availability, it would be helpful to test prospective reviewers' views on what a good review process looks like, and what they foresee, if anything, as the likely findings. The purpose of this is not to challenge or derail a potential appointment, but to inform thinking about what supports the reviewer might require, and what specific direction might be helpful (e.g. suggestions about who to engage with). In the case of a review panel, this information can also help determine whether additional panellists might be needed.

Preparing the reviewer or review panel

Once the appointments are made, the next step is to formally brief the reviewer or chair of a panel on their role, and to agree expectations about how the review will be run and what 'deliverable' will be produced. This is usually done with respect to explaining the context for the review and the terms of reference. However, in our experience, the commissioning department does not always talk openly with the reviewer or panel about how the review will be run. Key questions to commence such a discussion include:

- What is your normal approach to running a review like this? Do you have a view on a preferred methodology or are you happy to take advice?
- What support would you want from a secretariat? Are there particular skill sets you want to access or knowledge gaps you need to fill?
- How much engagement would you hope to do yourself and where are you thinking your focus will be?
- Given what you know about the various audiences for the report, what thoughts do you have about the overall look, length and feel of the final report?

EXAMPLE

The leader of one successful review made it clear that he wanted to be in 'listening' mode at the outset – keeping an open mind and learning – and that he would be data-driven. He specified the questions he wanted data on, indicating the type of charts that would be helpful for him to understand what was going on with respect to activities and resourcing. This gave the secretariat clarity on how to structure engagement and data collection, and insight into how to work best with the reviewer.

As part of this conversation, the commissioning agency might also wish to convey its expectations, including on aspects such as:

- The need to create an environment where there is a genuine contest of ideas.
- The role of the secretariat in supporting review objectives rather than advocating departmental views.
- Encouraging direct engagement with 'frontline' people or users.

EXAMPLE

One review panel delegated all engagement with anyone below their 'rank' and asked the secretariat to talk with the vast majority of stakeholders. This meant the reviewers did not get a sense of the lived experience of those who were likely to be most affected by the review's outcomes. The situation was compounded by a secretariat that deferred to the panel rather than use their position to advise on methodology or challenge thinking. Unsurprisingly, this review's recommendations have been largely shelved.

Getting the Terms of Reference right

Even after careful consideration, Terms of Reference can still retain some ambiguity or overlap. Having accompanying guidance on how they should be interpreted and applied might be helpful, noting the importance of balancing specificity with the desire to avoid being overly prescriptive.

One thing to bear in mind is that the final report will likely be structured according to the Terms of Reference. This is a reason to avoid being too detailed, for it can make for an unwieldy document that requires a lot of internal cross-referencing or repetition. At the same time, the Terms of Reference should be comprehensive about the review's scope and clear on key areas of focus.

EXAMPLE

One review's Terms of Reference went to two levels of sub-points and read as a long, overly detailed list. It was impossible to write a report that addressed each sub-sub point methodically without a lot of repetition. This affected the structure of the report and its length. The result was thorough and did fully address the Terms of Reference, but it was difficult to produce a one-to-one 'question and response' structure for the findings, which can be useful for decision-makers.

Part Two: Oiling the machine – Running and supporting the review

The relationship between the reviewer or review panel and the secretariat is critical, especially given that the latter typically needs to draft the report. If the set-up has been done well, a good rapport should have been established. But the real test will come in the delivery phase, when timeframes are tight and access to the reviewer/s may be limited.

Ensuring role clarity and a healthy view of risk to underpin a productive relationship

Most reviewers tend to be external subject matter or technical experts, people who have had senior roles in government (e.g. former department heads), or prominent private sector individuals. In all cases, it can be intimidating for the secretariat lead, whose instinct may be to adopt a deferential stance. This is appropriate up to a point, but the secretariat brings knowledge, connections into the commissioning department or agency, and sound perspectives on what might work in both a policy and operational sense. A positive dynamic between the secretariat and the reviewer/s will allow the secretariat to shape the approach to the review and the ideas that emerge from it.

Several internal departmental secretariats we have worked with have seen their role through the prism of managing risk – risk of leaks, risk of surprises, and occasionally risk of anything too challenging emerging. Risk management is legitimate and important, but can also be indicative of a mindset weighted towards defending a department's interests rather than towards engagement with new information and new ideas.

A risk-conscious secretariat focused on 'managing' the review might also seek to accommodate views – like all good public servants – and to resolve points of contention rather than properly hashing them out. They may do this through clever writing that can have the effect of diluting or skirting around a point, or by briefing their superiors to be alert to issues so that they can be dealt with later. (These is not a criticism, but an observation of the habits that can be cultivated in public bureaucracies – habits with which, as a former public servant, I am very familiar.)

Would it not be better if there was open conversation between the secretariat and the reviewer/s, with all parties focused on the objectives of the review and the findings emerging from the analysis? For this to happen, the reviewer/s need to treat the secretariat as a partner and not merely as administrative support. Similarly, the secretariat needs to recognise that its value goes beyond undertaking tasks on behalf of the review, managing risk, and ensuring their superiors are kept apprised of the review's progress. Team members will bring their own skills and knowledge that will deepen through the course of the review. This expertise needs to be fully leveraged.

EXAMPLE

A Nous secretariat started an 'ideas register' from week one of a review. These ideas started out as hypotheses to test and build on. The ideas register was used in regular meetings with the reviewer, as a means of conveying what the analysis and engagement was revealing. Everyone in the secretariat was able to input their own ideas. A gradual process of testing, refining and combining the ideas produced a document that became the basis for the review's recommendations.

Maintaining pace, rhythm and an outcome orientation

One way to promote a collaborative way of working is to treat the review as a project rather than as a policy task force. The latter tend to be hierarchical and are typically bound up in traditional ways of working. A project team is arguably more likely to assign responsibility to individuals to rapidly develop expertise and take responsibility for a discrete part of the deliverable. A rhythm is established where the team comes together regularly to talk about what each member is learning and contributing, and to collectively consider key questions. This way of working means shifting focus from the drafting and refinement of briefings to prioritising analysis and ideas. It means thinking first and writing later, and being less concerned with the quality and format of the writing until there is clarity on what it is you're saying and how that fits into a broader storyline.

Many reviewers like to be inspired, prompted and even challenged. Agendas for your meetings with the reviewer/s therefore should not be primarily about process but about bringing forward emerging insights to share and test. It is a good idea to schedule immersion sessions or 'push the thinking' meetings that are designed to engage with the data to fully understand what is going on. Where appropriate, invite individual experts to join these sessions so that you can feel more confident in your interpretation or contextualisation of the data. Each of these sessions should have a clear output that synthesis key points and translates directly into the review's findings, narrative, structure, or recommendations.

EXAMPLE

One review required deep consideration of policy and governance related to delivery of programs targeted at First Nations communities. The reviewer did not feel well-versed in this area, so the Nous secretariat convened a three-hour working session that included experts in Indigenous Affairs to provide the foundational knowledge necessary to inform how the review focused its analysis – including what questions to ask of stakeholders and how – and framed its findings.

It is important to set internal deadlines and milestones so that you can maintain your pace, which is likely to be intense. This is particularly important if the reviewer or review panel only engage with you intermittently. You need to be feeding them ideas and content to respond to. For example, if you are conducting a lot of stakeholder engagement on the review's behalf, distil the key takeaways into a summary to share. Do not spend time producing detailed transcripts – that is what AI is for! – but do pull out the key concerns, perspectives or propositions and make note of what this means for emerging findings.

Communicating your findings and recommendations

Each review has a different purpose and audience and will require a different approach to finalisation and presentation. It is important to think about these things from the beginning and to always keep the final report in mind.

There are common questions to consider across different types of reviews and some useful principles to follow. Examples of points to settle with the reviewer early in the process include:

1. The use of graphics to summarise information, convey a framework or concept, and present mini case studies, process diagrams or other 'artefacts'.
2. Whether headings in the report will be summary statements or more neutral subject headings.
3. The extent to which the executive summary is to be so detailed as to function as a standalone version of the report.

When crafting the recommendations, plan to iterate them many times. The wording is crucially important. As with the Terms of Reference, there should be specificity and clarity. It is usually best to have findings separate from recommendations, with the former providing context and the latter providing direction for action. Where possible, group recommendations to aid comprehension and to avoid the production of a 'laundry list' of actions. You want recommendations to appear as mutually reinforcing and complementary.

It is important also to be clear on what is truly recommendation-worthy. There may be some suggestions or comments that you would like the decision-maker to bear in mind, but in the interests of keep recommendations to a manageable, focused list, couch these as lesser-order points in larger recommendations or include the points in a discussion about proposed implementation. It is sometimes useful to present recommendations over a timeline to take account of relative urgency and critical dependencies.

EXAMPLE

We have done several system-level reviews that provide a 10-year implementation time horizon for change, with three phases. This can be produced easily as a one-page overview, with then more detailed discussion about what should happen in each phase. This was cross-referenced to discussion in the document to each recommendation outlining costs, more specific timings, risks, dependencies and other implementation consideration.

Conclusion

Reviews often have high stakes attached. They are held in response to a major failing, to inform anticipated policy reforms, or to conduct a 'health check' as part of a risk mitigation strategy. Governments often invest a lot in terms of resources and political capital. It is therefore unfortunate when they fail to have much impact. Sometimes this is due to bad timing or changed context. But other times it is because they are not as robust, focused or as compelling as they might otherwise have been. Setting up and supporting them well can make all the difference to whether their full value can be achieved.