

XO LESSONS LEARNED REVIEW

Cabinet Secretariat and PMIU

Report Overview

Recommendations

- I. The Chair should take a short amount of time upfront to work with the Cabinet Secretariat and other relevant parties as appropriate (e.g. No.10, DExEU) to consider the recommendations in this report and any other reflections that could ensure Brexit activity is delivered most effectively.
- II. The Cabinet Secretariat should advise the Chair on the urgency of items due to return to XO to ensure that the drafting timelines allow for appropriate advice to be presented.
- III. The Chair should consider postponing meetings if delays in preparing and circulating papers mean that there will not be appropriately briefed ministers that are able to make informed decisions in the room.
- IV. The Chair should agree in advance a toolkit of interventions for issues that arise in XO - including Task and Finish Groups, small ministerial groups or official-level meetings - that can move discussion away from the main XO agenda so it can focus on higher priority issues.
- V. The Cabinet Secretariat should work with the Chair to ensure that from the outset there is a clear work programme that is shared with all departments.
- VI. Departments should recall that as XO is a Cabinet Committee, their ministers should give the meeting priority. The only reasons not to be present in the meeting room would be exceptional circumstances (such as Privy Council business) and, if they do need to be absent, it should only be via video conference.
- VII. The Cabinet Secretariat should ensure that ministers, officials and SpAds are clear about their respective roles and responsibilities, including for collective agreement and especially where there is flexible attendance.
- VIII. The Cabinet Secretariat should highlight actions that it believes are duplications when circulated immediately after the meeting, and confirm with CDL that different actions can be formally merged.
- IX. The frequency of XO meetings should be adapted during the implementation period in proportion with the urgency of decision-making.

- X. If there is a change in the rhythm of XO, then an officials meeting should be established beneath XO to enable cross-departmental discussion on upcoming meetings and, in particular, interdependent issues.
- XI. Task and Finish groups should be established for appropriate issues, but should be supported by a clear and consistent structure and guidance from the Cabinet Secretariat.
- XII. A formal feedback loop between XS and XO should be established for appropriate sharing of information.
- XIII. The Cabinet Secretariat should proactively identify complex issues that require resolution at XO and ensure there is appropriate time and opportunity for a solution to be developed before the XO meets.
- XIV. If an XO(O) meeting is developed, then the DAs should be invited when relevant.
- XV. The Chair should consider whether a set day for XO should be set aside to brief DAs on the issues that will impact them.
- XVI. The XO model should not immediately be applied to any current policy or delivery challenges. However, the Cabinet Secretariat should develop a standard "Playbook" that can be quickly applied to an issue that meets the criteria in paragraph 54.
- XVII. The Cabinet Secretariat should consider if elements of the XO model can be usefully applied to other Cabinet Committees after the election.

Methodology

The review employed qualitative research consisting of 37 interviews and 2 workshops with relevant stakeholders across Government. These captured the views of around 90 individuals, including private offices, policy leads, Devolved Administrations, Permanent Secretaries, and those in the Centre.

All interviews were structured around four questions:

- How can governance structures be improved for no deal preparedness in Jan 2020 and the end of the transition period in Dec 2020?
- How can governance structures be improved for future negotiations and the implementation of Brexit activity during the Implementation Period (IP) within UK Government?
- How can governance structures be made more effective for working with partners outside Government (i.e. the Devolved Administrations, operational partners, agencies and local authorities)?
- How can governance structures be applied to other policy areas across Government?

We have taken the feedback from all these interviews and workshops and identified the key themes in each area with proposed recommendations.

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This report is structured around the four questions that in combination answer the overall question of: *How can learning from XO Cabinet Committee structures be applied to the future operation - both in addressing policy issues and implementation challenges - of Government?*

Below each headline question are a number of sub-strands that were seen by interviewees as the most important areas for lessons to be learned.

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Findings

Overarching reflections

1. One of the key findings from the Secretariat itself was that further work upfront on the structure and agenda for the committee, particularly focusing on these lessons learned, could help avoid many of the issues raised by departments in our interviews. By necessity the XO was launched very quickly in July 2019, containing a number of innovative elements, which meant that the functions underlying the meeting were often developed in parallel with the meetings running. In order to accommodate the findings of this report it would be helpful to take a short pause before restarting XO meetings to consider how the model can be adapted to be most effective. The review focuses on the operation of the model, but it will be worth investing time in clarifying the model itself as part of the the preparations for the next phase. **Recommendation I: The Chair should take a short amount of time upfront to work with the Cabinet Secretariat and other relevant parties as appropriate (e.g. No.10, DExEU) to consider the recommendations in this report and any other reflections that could ensure Brexit activity is delivered most effectively.**
2. For the most part, the recommendations in this report link to the pace of the XO meeting rhythm. This was necessary for driving momentum but in the next phase, which will be focused on issues wider than no deal, some change in pace would create opportunities to improve decision making. This could be by improving the ability of the system to provide advice, to prepare ministers, and to create more efficient meetings.
3. Whilst this lessons learned report inevitably focuses on the areas that could be improved, it should not be taken that the overall model was flawed. Interviewees were unanimous in their support for an XO-like model to drive activity for these unique circumstances and were more interested in adapting the model to be more effective rather than completely replacing it.

Q1. How can governance structures be improved for no deal preparedness in January 2020 and the end of the transition period in December 2020?

4. Departments were unanimous that the unique pace of the XO drove unprecedented delivery. The XO and the globally recognised 31 October deadline ensured an organisation-wide orientation and positively led to departments rapidly increasing the pace of delivery in their area, particularly to provide advice to ministers for collective agreement on required decisions. Departments broadly agreed that daily XO meetings led to a greater level of preparedness than other fora would have.

The quality of advice for decision-making

5. Some departments did note the variation in quality of papers - most were of the required standard necessary for the XO whilst others lacked detail or well developed arguments. This was partially attributed to the daily rhythm, specifically that this resulted in very

short deadlines for lead departments to produce papers. Timelines often did not allow for wider HMG discussion to take place nor for senior officials or ministers to properly oversee the development of a paper, which compromised the quality of advice. Joint commissions were considered particularly difficult, with the result that some papers came from one department rather than the multiple that were originally commissioned.

6. This feedback reflects the tension in XO between using the meeting to troubleshoot operational issues and solving more complex, long term issues. The former benefited from the fast turnaround of advice and quick decision making. Departments raised that the latter was more difficult, of poorer quality and insufficient for decision. Decisions were then delayed and repeatedly returned to XO. **Recommendation II: The Cabinet Secretariat should advise the Chair on the urgency of items due to return to XO to ensure that the drafting timelines allow for appropriate advice to be presented.**
7. Most departments raised the short period between receiving papers and the XO meeting itself as a detriment to ministerial briefings and therefore HMG scrutiny on required decisions. The decision to use non-ROSA systems to share papers considerably mitigated this. These issues reflect the tension between the political imperative to have a daily meeting and departments' ability to deliver quality papers at pace. Whilst Recommendation II above will address this in part, to ensure that all ministers are appropriately briefed for XO, there needs to be willingness to cancel meetings when papers have not been delivered. **Recommendation III: The Chair should consider postponing meetings if delays in preparing and circulating papers mean that there will not be appropriately briefed ministers that are able to make informed decisions in the room.** This will be particularly important during the IP, see paragraphs 19-22 below.

Agenda and Forward Look

8. *Agenda setting:* Departments broadly agreed that urgent issues or those requiring prompt decisions were tabled. There was agreement that the thematic days for priority issues, and the use of FRAPSNUDE, were helpful tools in tracking progress. Several departments questioned whether the level of detail discussed at XO was appropriate for such a senior ministerial cast list - particularly subjects that were overly technical, uncontroversial or limited in impact. There is also a question about where, in the future, programme governance should happen; for example, this could be in an XO Core specifically focused on this, with a function akin to a programme board. Other departments noted, however, that being detail-orientated was a unique feature of XO, allowing for a whole system approach to planning. **Recommendation IV: The Chair should agree in advance a toolkit of interventions for issues that arise in XO - including Task and Finish Groups, small ministerial groups or official-level meetings - that can move discussion away from the main XO agenda so it can focus on higher priority issues.**
9. Some departments voiced frustration on the agenda setting process where items related to spending decisions or wider economic interventions. Typically these proposals were discussed with HM Treasury who argued that the issue fell in the HMT competence and

therefore were not appropriate for discussion at this forum. This wider issue may need to be discussed before a future XO governance model is put in place.

10. *Forward look*: Departments unanimously agreed that the forward look was a useful planning tool, particularly for those departments with more limited input to XO. The forward look allowed departments to prioritise involvement, even where there were later changes. A forward look beyond a two week horizon was agreed to be even more useful for three reasons: first, it would enable longer term commissions (see paragraphs 5-6); second, it would ensure cross-Whitehall alignment on decisions where topics impact more than one department; and, third, departments can better prepare ministerial briefings.
11. Many departments advocated for a structured forward work programme of discussion items, agreed at an early meeting post-election. This structure would prioritise items for the forward look, and allow planning for attendance at Secretary of State level. It would also allow the Secretariat to make clear what XO was due to take decisions on as part of the wider collective machinery. **Recommendation V: The Cabinet Secretariat should work with the Chair to ensure that from the outset there is a clear work programme that is shared with all departments.**

In Meeting

12. *Attendance*: All departments supported having officials in attendance alongside Ministers, and said it was helpful to have experts in the room who are able to answer questions immediately. In particular, having a mix of policy, operations and communications involvement was seen as a useful change. Some respondents stressed the need to have officials at the right level of seniority with experience of ministerial engagement, but considering the lack of space in the room they did question whether there was a need for multiple officials from a single department.
13. Departments had a mixed response on ministerial attendance. Some Secretaries of State preferred to delegate attendance to junior ministers, due to the XO pace and level of detail in agenda items. Others expressed concern when they were not invited to certain meetings and missed an opportunity for their department to input on the decision making process. It was felt that this could be resolved by sharing forward planning (see Recommendation V). Departments proposed that the Chair agree a set cast list for the most common issues so that, in the majority of cases, departments would know if they would be invited on a certain day.
14. Some departments raised a wider issue on ministers who joined XO by telephone. This was noted to be difficult for proper engagement in discussions and should try to be avoided at all costs. Interviewees felt differently about video conferencing and thought that this worked more effectively in XOs. **Recommendation VI: Departments should recall that as XO is a Cabinet Committee, their ministers should give the meeting priority. The only reasons not to be present in the meeting room would be exceptional circumstances (such as Privy Council business) and, if they do need to be absent, it should only be via video conference.**

15. *Dashboard*: Departments saw the potential of the Dashboard and the overall principle of tracking milestones and metrics in this forum, and DExEU received feedback that it encouraged departments to make greater efforts to meet their deadlines. Departments noted that while a large number of people were involved in creating and updating the dashboard, it was rarely used by Ministers. Part of the concern was the lack of connection between the metrics presented in the Dashboard and an agreed measure of success. The Brexit Readiness Unit review of system weaknesses touches on this issue and makes a series of recommendations for how the full potential of the dashboard can be achieved.
16. *Collective Agreement*: Departments praised the function of XO securing collective agreement on urgent issues at pace. Some concerns were raised by departments that the pace may have endangered collective agreement, due to occasional lack of fully briefed ministers representing their department (see paragraph 7). There were also concerns about the decline in attendance from Secretaries of State as we neared 31 October.
17. Some departments raised the propriety of having non-ministerial attendees playing an active role in discussions and decisions, and the ambiguity this could cause in relation to collective responsibility. This includes Devolved Administration, No.10 SpAds, departmental officials and operational partners such as Highways England or Kent Police. Some departments noted the presence of these attendees as useful in order to fully discuss issues and led to better decisions, but caused potential tensions around collective responsibility. **Recommendation VII: The Cabinet Secretariat should ensure that ministers, officials and SpAds are clear about their respective roles and responsibilities, including for collective agreement and especially where there is flexible attendance.**

Post-meeting

18. *Actions and feedback on discussions*: Departments consistently said that the actions process was difficult, particularly for those not in the room. The actions circulated immediately after the meeting - recognised as a useful process in itself - did not contain sufficient detail on what was required, ownership, deadlines, nor context. Departments raised that there were too many actions overall. This was partially solved through the introduction of a daily Director General call, chaired by the Secretariat. But one area that does need ministerial involvement is in reducing the repetition of similar actions. **Recommendation VIII: The Cabinet Secretariat should highlight actions that it believes are duplications when circulated immediately after the meeting, and confirm with CDL that different actions can be formally merged.**

Q2: How can governance structures be improved for future negotiations and the implementation of Brexit activity during the IP within UK Government?

Rhythm and Pace

19. Departments recognised that the daily rhythm of XO in advance of 31 October ensured that the Government was considerably better prepared than before. Departments unanimously said that the changing demands of the IP would require a reduction in the frequency of meetings.
20. *Urgency of Decision-Making:* Departments commented that for no deal objectives, the urgency of operational decisions justified a high pace of Ministerial meetings. With a longer period for preparations in the IP and a greater focus on policy over operations, a high frequency of meetings was unnecessary.
21. *Quality of Policy Products:* As in paragraphs 5-7, some departments raised concerns on the quality of advice and decisions with papers produced at pace. Departments repeatedly stressed that the IP will raise new, highly technical policy issues where decisions will have wider, significant impacts than those made for no deal. In particular, early decisions would limit future options - including on negotiations - while at the same time being more technical in nature. It will be essential for future governance structures to be designed to enable more considered decision-making. As in paragraph 5, the pace often resulted in more departmental “silos”, which could impact the increased cross-government working needed for the IP.
22. XO was effective because a significant amount of advice, prepared by departments, referred to issues that had been under consideration by the department for many months and had limited consequence outside of its own first order impact. This will rarely be the case in the IP.
23. *People:* Departments, particularly from those interviewed at a senior level, repeatedly expressed the human impact of a daily rhythm. Officials would be required to work late into the evening and return to work early the following day. This could be sustained over a short period, but would have serious wellbeing impacts long term.
24. Despite this, the appetite for a more frequent than normal meeting was large - typically ranging from once a week to three times. One idea that was suggested by multiple senior interviewees, without prompt, was that there could be a phased rhythm, with variable intensity depending on the level of decisions needed and the urgency in which they need to be taken. A different type of meeting structure for especially technical decisions was also welcomed. **Recommendation IX: The frequency of XO meetings should be adapted during the implementation period in proportion with the urgency of decision-making.**

Role of officials

25. A regular topic of discussion was how XO, an institution established for delivery, might adapt to address complex, interrelated, and often uncertain negotiation and IP objectives.
26. Some departments suggested that to address the technical challenges, particularly where cross-departmental, structures around XO should be established for officials to collaborate and clarify questions for dispute resolution. This would not just be to cross policy boundaries, but also allow interdisciplinary interactions between policy, operations and communications. An XO(O) sitting beneath XO was viewed favourably if it were used in a similar manner to NSC(O). **Recommendation X: If there is a change in the rhythm of XO, then an officials meeting should be established beneath XO to enable cross-departmental discussion on upcoming meetings and, in particular, interdependent issues.**

Task and Finish Groups

27. The 'Task and Finish' groups employed in no deal planning were referenced by a minority of interviewees that had been involved in one or more during the pre-31 October period. Some proposed that these groups successfully facilitated cross-departmental working, whilst others noted that 'punchy' timescales and a lack of clarity on purpose limited effectiveness. These groups add an element of decentralisation from the centralised XO process, and enabled more activity to take place overall. **Recommendation XI: Task and Finish groups should be established for appropriate issues, but should be supported by a clear and consistent structure and guidance from the Cabinet Secretariat.**

Strategy and Coordination

28. Departments frequently contrasted the clarity of direction and purpose that so effectively enabled activity for no deal preparations with the greater ambiguity of the IP.
29. *Siloes and Divergence:* For negotiations undertaken in distinct chapters, the IP constitutes a risk of siloes, exacerbated by the logistical challenge of operating in Brussels. Several departments noted the importance of strengthening XO/XS alignment, in particular through a formalised feedback loop between the committees. This would also require greater regularity, clarity and consistency in XS meetings. Inevitably, this would widen the number of people that are privy to sensitive negotiation issues.
30. *Project Coordination:* Departments said there was a need to ensure that strategic and operational decision-making was not divided during the IP phase, as it occasionally had been in preparation for 31 October. Departments were also keen to ensure that no deal and Free Trade Agreement (FTA) workstreams were combined appropriately as the two issues were so interlinked.

31. *Strategic Oversight*: Interviewees expected that an XS-type meeting would provide direction on key timelines, both in the context of strategic choices over extension, and the context of the spending review. There were concerns that the interdependency of decisions required an extreme level of information sharing, including discussions at XS or XO, which was not always forthcoming in the pre-31 October phase.

Recommendation XII: A formal feedback loop between XS and XO should be established for appropriate sharing of information.

32. Some interviewees commented that in the run up to 31 October, there was sometimes ambiguity around whether the XO was for dispute resolution, policy decisions, or programme updates. In reality it considered all three types of issue at different points. Indeed, one of the advantages of the XO process was the integration of policy and delivery issues and this should be continued in the next phase during the IP. One option for improvement is to ensure programme governance and updates inform, and integrate properly with, the wider policy issues being discussed in XO. Recommendations I, IV and V go some way to addressing this and the Cabinet Secretariat and DExEU should make sure there is clarity in the work programme.
33. If the XO is to be a resolution forum for complex issues then the recommendations II, III and X need to be taken to their extreme so that all departments a) have an opportunity to resolve issues outside the meeting; b) are able to feed in to relevant paper(s) with senior official and ministerial engagement; and c) are able to properly brief their ministers with comprehensive advice. **Recommendation XIII: The Cabinet Secretariat should proactively identify complex issues that require resolution at XO and ensure there is appropriate time and opportunity for a solution to be developed before the XO meets.**
34. One positive element of XO was in ensuring there was a single communications message across Government. This will be particularly useful in a negotiations phase and XO should be used to promote this.
35. The use of COBR was welcomed by most departments for promoting the delivery of operational activity. There was a mixed perspective of whether it should be used for policy discussions - it focused minds on the issue at hand and allowed live actions and visual displays, but tends to promote a COBR crisis-resolution mentality that is not useful for policy development. On a practical level, the monopolisation of the room for several hours each day is likely unsustainable if there are genuine COBR-level emergencies.
36. *XO Core*: Departments proposed that the XO Core group could be employed as a dynamic and streamlined body meeting more frequently than the full XO cast-list. This would enable preparatory discussion and appropriate briefing by officials for 'deep-dives', in advance of final decision-making. This should be considered as part of Recommendation IV.

Q3: How can governance structures be made more effective for working with partners outside Government (i.e. the Devolved Administrations, operational partners, agencies and local authorities)?

37. Taking the lead from more operational cabinet committees and COBR meetings, and similarly to EUXT(P), on occasion the Devolved Administrations were invited to XO. Operational partners, notably Highways England and Kent Police, were invited on issues directly relevant to their area.
38. The main feedback from the DAs themselves was that they welcomed the opportunity to attend XO but that such opportunities were reduced from the EUXT(P) model. The DAs recognised the political realities that led to this, but the main concern was that this limited their ability to prepare for a no deal Brexit. Whilst it was not always necessary to be involved in the process for the UK Government reaching a decision, it was always useful to understand where issues had got to. This includes reserved issues, which often had material impacts on other, devolved issues.
39. The DAs' perspective was that they were able to see what progress had been made in areas where they had existing personal relationships with officials in departments. Where they did not, it was a "black hole" of activity - it was clear discussion was taking place and decisions made, it was just not clear what this activity was.
40. The departmental feedback matched this picture - those that had existing relationships ensured that the DAs were sighted on relevant issues, but those that didn't said they were not clear on what should and should not be shared. The introduction of a forward look enabled better DA engagement, as departments knew what was coming so could engage them earlier.
41. The issue around sighting the DAs on the latest no deal preparedness was resolved in part shortly before 31 October, when the Secretariat introduced a new slide pack to be circulated to all departments and the DAs. These covered the discussions and decisions from XO and therefore gave a snapshot of the latest preparedness picture. These slides were welcomed by the DAs and they strongly agreed that they should be continued if the XO process starts again.
42. The DAs were, however, keen to have a forum for discussion of cross-cutting no deal issues - either at ministerial or official level. Other fora did exist for DAs to engage with the UK Government system - principally JMC(EN) and, at official level, the Operational Readiness Forum. Both were considered somewhat helpful in their own right, but were not a substitute for the level of information that the DAs had previously enjoyed in EUXT(P) and, particularly, EUXT(P)(O).
43. One concern from UK Government interviews was that the DAs did not often contribute to decision making in XO and attended only to receive updates on progress. The DAs did not necessarily disagree with this and said understanding was their main reason for wanting to attend, but that on occasions where UKG policy would severely impact their

preparedness, then attendance at the meeting would give them the opportunity to intervene before the decision had been made.

- 44. **Recommendation XIV: If an XO(O) meeting is developed, then the DAs should be invited when relevant.**
- 45. **Recommendation XV: The Chair should consider whether a set day for XO should be set aside to brief DAs on the issues that will impact them.**
- 46. One concern from departments was that they did not have clarity on when DAs were due to attend, and therefore felt uncertain when developing papers or briefing ministers. More clarity on which XO meetings the DAs will be invited to would be welcomed, as would the idea that DAs attend a specific meeting on a regular basis (e.g. one a week on a Wednesday).

Q4: How can governance structures be applied to other policy areas across Government?

Overall perspective

- 47. Given expressions of the remarkable productivity facilitated by the XO structure, our research considered whether its governance might be applicable to non-Brexit issues.
- 48. Overall, most interviewees saw the potential for this model - the impact on preparedness for no deal was not questioned and therefore it was felt that an XO for other issues could unlock wider issues to progress activity. However, interviewees found it difficult to see how the idea could be applied in practice on a wider basis. There were five issues:
- 49. *Exceptionalism*: No deal was a unique challenge that XO was specifically designed for. It was suggested that no policy issue was, or indeed could be, sufficiently high priority, cross-cutting and time-limited as Brexit and therefore require an XO model to service.
- 50. *Focus*: Similarly, interviewees questioned the ability of the system to respond to more than one issue at an "XO-level", and adding more would dilute the focus on Brexit.
- 51. *Engagement*: Even in unique Brexit circumstances, the proportion of Secretaries of State deputising their attendance steadily increased as they needed the time to focus on other departmental issues. For a longer term project, XO's capacity to represent collective agreement could be endangered.
- 52. *Delivery*: XO, designed for delivery, may not be as effectively employed for policy development as the daily pace was too fast. One commented that XO's application in this way might endanger departmental integrity and purpose, with the centre displacing conventional departmental policy remits.

53. *Chair*: There was a consistent view that in order to be effective the XO needed a Chair that could grasp the entire picture whilst also being able to dig deeper into detailed issues. Some noted the different feel in XO when there was another Chair.

Appropriate Policy Areas

54. In the context of these concerns, departments were clear that XO should be applied only in specific instances. Departments overwhelmingly identified these rare issues that had:
- A 'burning platform', with a strict deadline, extreme publicity and high risk;
 - A clear objective (e.g. leave the EU by 31 October);
 - Influence across most (or even all) areas of Government;
 - Significant No.10 engagement; and
 - A recognition that funds would be available to implement decisions.
55. One type of issue that was raised as a potential area for an XO model were major delivery projects, such as the Olympics or World Cup. In these instances, a 'burning platform' and clear operational deliverables would constitute a project similar in character to no deal delivery, with major reputational - if not practical - impacts if the deadline is not met.
56. One interviewee noted XO's broader value as an 'in-a-box' governance structure for 'black swan' challenges which were not suitable for either the standard COBR or Cabinet Committee structures.
57. **Recommendation XVI: The XO model should not immediately be applied to any current policy or delivery challenges. However, the Cabinet Secretariat should develop a standard "Playbook" that can be quickly applied to an issue that meets the criteria in paragraph 54.**

Adapting XO elements to other Cabinet Committees

58. There are also individual elements of XO which can be usefully applied to other Cabinet Committees, without replicating its governance structures wholesale.
59. *Cast Lists*: In particular, this included a flexible cast list of ministers and officials, with policy, operations and communications officials all attending. Interviewees said that this enabled greater scrutiny and consideration of papers, and facilitated strong cross-government collaboration.
60. *Rhythm*: Another feature was a more regular rhythm for meetings when facing a clear deadline. This built significant momentum across Government. Auxiliary to this rhythm was the process of 'live actions', lending urgency and pace to the process. Some of these elements are already used in more operational committees, but could be extended to other areas. **Recommendation XVII: The Cabinet Secretariat should consider if elements of the XO model can be usefully applied to other Cabinet Committees after the election.**