

Local Public governance and Administration for Results: Transparency, Accountability and Citizen Engagement Margaret Saner, Discussant, CEPA Meeting, UN, 17 April 2012

Comments are drawn from experience implementing approaches in many differing countries in Europe pre accession to the EU, in Africa and in the Middle East.

1. Context

Many factors are currently affecting the way in which Governments discharge their responsibilities and the growing interest in turning into practice the wonderful phrase, ‘thinking globally while acting locally’. It is only possible to touch on a few factors here. Perhaps one of the major ones is the availability of information - which in the past might have been a source of power and influence for the public service but is now facilitating public engagement. Secondly as governments have struggled to innovate their delivery of services to the public they have engaged diverse actors in the delivery process. These actors are well informed as to their ‘customers’ needs and increasingly seek to influence decision making. At the same time, civil society organisations (and some are also the deliverers of services) are increasingly influential, often seen as a counter balance to the power of government but are not accountable. Meanwhile in many countries public services and indeed public servants, are taking the brunt of austerity measures intended to correct the economic downturn.

The context in which choices are assessed, decisions made and resources allocated is therefore complex and as Marta Oyhanarte has so comprehensively set out, the potential of effective citizen engagement to mobilize local economies and societies is tremendous. She has clearly illustrated the potential benefits of a framework comprising standards (legal and professional) and approaches to effective engagement.

2. Some observations on an established democracy - the United Kingdom

Over the years I have been part of developing a framework of approaches to improving governance in the UK where we focused initially on the delivery of service to the public, then on Freedom of Information, followed by requirements for consultation. The previous government’s approach to improving results was to set up a central Delivery Unit which both supported and monitored cross government performance, the current government approach is to place accountability more directly with Departments and to publish data on expenditure and achievements. We also benefit from a robust National Audit Office and independent Judiciary and Press and a range of laws which protect people’s rights and give them recourse to challenge decisions. We have a public service which regards policy making as complex process with in built requirements such as being evidence based, non partisan and value for money and includes a series of impact assessments for example on the environment on the amount of regulation, on diversity etc.

Many of these ‘after the fact’ approaches to accountability and transparency are available without distinction between local and national issues but in our particular case local government is structured separately, is at the front line of delivering services affected by

policy at the national level and in practice staff move between local governments more than between national and local government. In the past there have been concerns about the quality of locally elected politicians and about accountability and engagement of citizens. For a time there was a separate mechanism established for the audit of local government, standards have been set for publication of achievement against targets and considerable effort was put in to the capacity building of local public servants (politicians and officers). Organisations have evolved to support local government, to be a voice in dialogue with national government and to strengthen the skills and knowledge available across the sector.

There are now fewer cases of improper use of public funds or influence hitting the headlines. And many more issues are brought to light as a result of the Freedom Of information Act. As Mustaq Khan has argued, the circumstances in better off countries are different from those which are growing or struggling and the web of mechanisms to safeguard public resources in the UK has been built up over long years to provide many avenues of challenge.

I have outlined some of the 'post hoc' approaches to accountability and transparency but there is another dimension which is the assurance 'before the fact' that decisions will be well taken and resources allocated responsibly. One might include here that the daily reality and motivation for public servants who are paid comparably with other employees in the country is very different from those who struggle to make ends meet, often have several jobs and who see their seniors regularly abusing public money or influence.

And yet, the reality in the UK, a representative democracy, is that only around 30 - 40% of people actually use their vote. People are less predictable in their views; tending to coalesce around single issues which affect them directly. Small groups can indeed cooperate around specific needs and agendas but when issues are examined at a community level the pressure to acquire access to scarce resources sets these groups against each other. One organisation 'Involve' which I first came across as a result of concerns about democratic participation has conducted research over the years and their work has informed my comments here. For example, working on improving service delivery when in the Cabinet Office I became concerned that many local authorities and indeed government organisations in general were so constraining their 'customer surveys' that there was no genuine input by residents to local decision making. Involve's research confirmed this and after being challenged local authorities are consulting in a more open way.

Let me register a thought, administrative approaches are necessary but not sufficient to ensure real engagement.

2.2 Examples from other Countries

I recognise from practical experience of working in other countries, often on public service reform/modernisation, what Mustaq is describing about the challenges in dealing with different forms of corruption and abuse of power. Rolf Alter has clearly analysed and presented the many ways in which good public governance can be secured and I don't disagree with any of them, yet I remain concerned that there is something of a triumph of hope over reality in many cases. The value base referred to by Rolf is vital. The issue for me is

how to ensure that we get beyond lip service to these mechanisms and develop real engagement, which builds trust, as Marta argues, limits the opportunity for poor behaviour and strengthens the hand of those who are prepared to take a stand against misuse of power and facilitates economic participation and growth.

On the minus side, I am afraid it is all too easy to present impressive documents which appear to be completely compliant with good practice. I have seen a room literally piled to the ceiling with paper declarations from civil servants – completed on an annual basis – which are never scrutinised and are impossible to refer to should there be an issue but the proud claim is nevertheless made that ‘we have a law’.

People can and do abuse the power they have whether great or small and this might be power in relation to decision making or allocation of resources. Public servants can forget that the funds they are allocated are public monies and even if they are not actually benefiting personally they can become distanced from the people they serve.

I have experienced cultures where ‘who you know’ and ‘something small’ serve to oil the wheels of the machine and the general public are as much involved in what might be termed abuse as are the public servants. For example if there is no Anti Bribery legislation, there is no protection for the public servant offered an inducement. Consideration also needs to be given to protection for ‘whistleblowers’.

On the plus side, in the same cultures I have come across communities determined to be masters of their own destiny, who at a local level cooperate together to secure resources to develop education and health facilities. On one visit to village that had experienced conflict I was taken to various establishments to see what was happening and began to realise that I was seeing the same faces every time - the elders of the community had in their own way developed a comprehensive strategy for providing more opportunities for their youth than they had experienced, around 12 people, many very elderly were pressing, with great courtesy and persistence for something better for their community, had they been asked they would have been very articulate in expressing their needs but meanwhile they were getting on with it themselves. They understood the need for growth in productivity and that economic participation is a route to greater social freedom.

Also in Africa I have seen how a Prime Minister has initiated and continued with a series of ‘Round Tables’ to which he invites various sectors of society, eg business, youth, civil society organisations etc. They sit together with the politicians and officials from the relevant Ministries to examine problems and develop solutions. These are working meetings where business agendas are set and followed up - he will challenge government Ministries to deliver on their promises. The process is in its early days but is results based and the indications are positive, it is perhaps the start of a new relationship between the state and the citizen and at the same time a process of developing policy making skills in the public service.

These and other experiences have led me to the view that as well as ensuring that proper and appropriate administrative mechanisms are in place it is vital to pay more attention to the motivation and capacity of both the public in terms of their participation in the economy and society and public servants in terms of their attitudes and behaviour. This is a situation where

leadership by example really does matter and make a difference.

I propose that we need to recognise distinction between consultation and involvement in decision making - think through what can genuinely be decided at local level and which actors should be involved - who is accountable? I'd prefer to strengthen local democracy and grow the productivity base than to by pass supposedly weak local authorities to deliver services but leave citizens with no recourse should things go wrong and with the status quo of negligible economic participation.

There is no doubt in my mind that when right mechanisms are in place it will make a difference - but it seems to me that these issues need to be understood and thought through more deeply from a systems perspective - based on the reality in the country concerned. I am conscious that many donor agencies advocate citizen engagement as a way of holding governments to account but Mustaq has highlighted the reasons why this may not work - we should perhaps consider how we can tailor the solutions to the local evidence and put in place appropriate preventive measures, deterrents and opportunities for redress as well as legal protections and professional standards.

Thank You

Margaret Saner CBE

Department for Communities and Local Government

<http://www.communities.gov.uk/corporate/publications/consultations/>

Involve

<http://www.involve.org.uk/>

Ntional Fraud Authority

<http://www.attorneygeneral.gov.uk/NewsCentre/Pages/NationalFraudAuthority.aspx>

<http://www.homeoffice.gov.uk/publications/agencies-public-bodies/nfa/national-fraud-segmentation>

<http://www.actionfraud.org.uk/>.