

ACCOUNTABILITY - A PERSONAL PERSPECTIVE

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Scope of Presentation

- ▶ *What is accountability and why is it important?*
- ▶ *Mechanisms of accountability in the Civil Service*
- ▶ *Relationship between accountability and performance - The Accountability Dilemma*
- ▶ *The complexity of public policy and the difficulty of measuring success or failure*
- ▶ *Role of personal responsibility & integrity*
- ▶ *Conclusions*

PERCEPTION OF CIVIL SERVICE ACCOUNTABILITY

“No one is responsible for anything.”

▶ *Carl O’Brien, Irish Times, March 2012*

“Government is too centralised and unaccountable”

▶ *Programme for Government, 2011*

“Lack of accountability bedevils our public sector”

▶ *Paul Mills, The Irish Examiner, April 2017*

WHY IS ACCOUNTABILITY IMPORTANT?

- ▶ *It is fundamental in any democracy that those entrusted with the delivery of public services and expenditure of public monies, should be held to account in the exercise of those duties.*
 - ▶ *Meaningful accountability is critical to generating trust in our system of government and in ensuring the optimal performance of our public administration to the benefit of all citizens.*
- ▶ *“Strengthening Civil Service Accountability & Performance”, Senior Civil Service Association, March 2014*

WHAT ARE THE ESSENTIAL ELEMENTS OF ACCOUNTABILITY ?

- ▶ *To provide clarity on what is to be done and who is responsible for doing it*
- ▶ *To ensure that those being held accountable have a sufficiency of expertise to do the job*
- ▶ *To provide a series of well defined targets or objectives against which success or failure can be measured, and*
- ▶ *To provide clarity in regard to the consequences of success or failure*

Two Distinct Forms of Accountability

Reporting Accountability (Answerability)

The obligation on individual civil servants to report on their actions to a higher authority or authorities, including the Minister and the Oireachtas

Management Accountability (Enforcement)

The requirement for individuals to submit to a system of reward and sanction (or discipline) in respect of the performance or otherwise of their duties

MECHANISMS OF ACCOUNTABILITY

- ▶ The Constitution
- ▶ The Ministers' & Secretaries Act 1924 - 2011
- ▶ Public Service Management Act 1997
- ▶ Civil Service Regulation Acts
- ▶ Comptroller & Auditor General Acts
- ▶ Ethics in Public Office Act
- ▶ Standards in Public Office Acts
- ▶ Freedom of Information Act
- ▶ Protected Disclosure Act
- ▶ Civil Service Personnel Code
- ▶ Civil Service Code of Standards and Behaviour
- ▶ Civil Service Disciplinary Code
- ▶ Performance Management Development System
- ▶ Civil Service Accountability Board
- ▶ Corporate Governance Standard for the Civil Service
- ▶ Corporate Governance Frameworks
- ▶ Code of Practice for the Governance of State Bodies
- ▶ Public Spending Code
- ▶ Spending Reviews
- ▶ VfM Audits
- ▶ C&AG (or external auditors)
- ▶ Statement of Internal Financial Controls
- ▶ Internal Audit Committee
- ▶ Risk Register
- ▶ Risk Appetite Statements
- ▶ Public Procurement Guidelines
- ▶ Performance Budgeting
- ▶ Strategy Statements
- ▶ Business Plans
- ▶ Annual Reports
- ▶ Customer Service Charters
- ▶ Oireachtas Committees
- ▶ Parliamentary Questions
- ▶ Statutory regulators (e.g. DPC, SIPO)
- ▶ Tribunals of Enquiry
- ▶ Horizontal Reporting
 - ▶ Other Departments
 - ▶ Senior Officials Groups
 - ▶ Cabinet Sub Committees
- ▶ International Bodies (e.g., EU, OECD)
- ▶ The media, the public and the courts

ASSURANCE FRAMEWORKS

An assurance framework is a structured means of identifying and mapping the main sources of assurance in an organisation, and co-ordinating them to best effect.

....assurance arrangements canprovide evidence-based assurances on the management of risks that threaten the successful achievement of public service delivery objectives and, in turn, report on these to Parliament and other stakeholders.

▶ *UK Treasury Guidance Notes on Assurance Frameworks, December 2012*

Two Questions Posed

- ▶ *Does public accountability rely on assurances and what are the implications of this reliance?*
- ▶ *How can we ensure the effectiveness of assurance systems?*
- ▶ *Are our systems of accountability and assurance sufficiently robust?*

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Impact of Accountability on Performance - The Accountability Dilemma

“The accountability rules for finances and fairness can hinder performance. Indeed the rules may actually thwart performance”

- ▶ Behn, R. “Rethinking Democratic Accountability”, Brookings Institutions’ Press, Washington, 2001.

“Decision-making on public resources is now rigidly centralised with the focus almost entirely on spending and its control. While this may keep spending down, it has the effect of shifting the focus away from the primary aim of public administration which is the optimal delivery of services”

- ▶ Paul Haran, “Decentralisation of Power Key to Improving Services”, the Irish Times, 8 June, 2012.

Impact of Accountability on Performance - The Accountability Dilemma

There is no straightforward coupling between accountability and performance. The relationship is characterized by tensions, dilemmas and trade-offs.

- ▶ *Performance and Accountability - A Theoretical Discussion and an Empirical Assessment, Christensen, T, University of Oslo & Lægreid, P University of Bergen, Published by the Stein Rokkan Centre for Social Studies, 2012*

Impact of Accountability on Performance - The Risks

By creating an excess of accountability mechanisms we run the risk of stifling innovation and original thinking.

Distrust of Government leads to a demand for greater accountability which in turn results in greater inefficiency as civil servants are required to justify everything they do, as they do it.

The Complexity Of Modern Policy Making - The Difficulty Of Measuring Success Or Failure

- ▶ Government promotes business but also regulates it and protects the interests of consumers;
- ▶ Government both promotes and regulates the agriculture sector;
- ▶ Education policy impacts on industrial policy;
- ▶ Health policy overlaps with social protection policy;
- ▶ Employment law interacts with job creation;
- ▶ Immigration policy affects labour supply;
- ▶ Government incentivises the motor industry while encouraging citizens to use public transport.
- ▶ Competition policy seeks to liberalise markets, myriad Government policies protect them.
- ▶ Governments promote national interests while remaining loyal to international obligations.

Factors Impacting On Policy Outcomes

- ▶ Time
- ▶ Metrics (measuring the wrong thing, perhaps?)
- ▶ Availability of resources
- ▶ Cooperation of multiple Government Departments and agencies
- ▶ Shifting political priorities (including changes of Government)
- ▶ Changing societal needs
- ▶ Technological developments
- ▶ The impact of external influences and events (both national and international)
- ▶ Public opinion

The Role of Personal Responsibility & Integrity

“.....(accountability) can be regarded as corresponding to a sense of personal obligation to take responsibility for one’s own actions.”

- ▶ *Consultation Paper on Strengthening Civil Service Accountability & Performance, Dept of Public Expenditure & Reform, 2013*

“.....a regime that encourages a sense of personal responsibility is arguably critical to any effective system of accountability. Conversely, a robust system of accountability should support and encourage a sense of personal responsibility and integrity.

- ▶ *“Strengthening Civil Service Accountability & Performance”, Senior Civil Service Association, March 2014*

The Travers Report - 2005

“...it is essential from the perspective of good public administration, (and) public-sector corporate governance ... that firm ground rules are set on the de minimus recording of decisions, taken or not taken, ... by the Minister and top management of a Department.”

- ▶ Travers, J., “Report on Certain Issues of Management & Administration in the Department of Health & Children Associated with the Practice of Charges for Persons in Long-stay Care in Health Board Institutions & Related Matters”, Houses of the Oireachtas, Joint Committee on Health & Children, March 2005).

“We will bring to an end the unacceptable executive practice where no record is kept of ministerial involvement with an issue and resulting decisions.”

▶ *Programme for Government, 2011*

Conclusions & Questions

- ▶ Despite public opinion and media commentary, we have a very significant degree of accountability in the Irish civil and public services
- ▶ A multiplicity of accountability mechanisms is not a guarantee of enhanced performance or greater efficiency
- ▶ We need a debate about how we can achieve better accountability - Is there a better way?
- ▶ **Most definitively, we do not need more accountability**