Accountability works!

ACCOUNTABILITY
cfps
WORKS

What is accountability?

What has it achieved?

Why is it important?

How we can make it better?

Contents

"Scrutineers" – in this document, we have used the title of "scrutineers" to describe those who have a responsibility to hold to account decision-makers as elected politicians or lay representatives. This covers NHS non-executive board directors, foundation trust governors, school governors, members of probation boards and police authorities, MPs, local councillors and others whose legitimacy derives directly from local people or service users.

Introduction

Over the last year, the concept of accountability has come to occupy the centre stage of political discourse (for example - the way Parliament is run, the safety of children, the quality of hospital care or the way our money is invested). Many commentators perceive the reason to be a crisis of confidence in the current political order, or a general cynicism about the motivations of policy-makers and decision-makers alike.

However, it is possible that the driving force is something more positive. Outcry and anger over matters of public controversy suggest that people are interested in, and want to be a real part of, the political and decision-making process. In short, they are seeking to 'hold the powerful to account'.

It is not well known that there are a large number of people with an existing, formal role in doing exactly this. People might, for example, see Select Committee proceedings reported on the TV news, but they are not aware of the value and impact of their work and the role they play in trying to shine a light on how decisions are made at governmental level. They may see reports about 'council chiefs' in their local paper but they are not aware of the role that most councillors play through overview and scrutiny, which helps to improve local services. They hear about different public services being subjected to 'inspection' by bodies such as Ofsted or the Care Quality Commission (often in response to disasters or scandals such as Baby P or Stafford Hospital) but are uncertain about the role that such bodies play in influencing decision-making more generally.

There could be a number of reasons why this might be. Sometimes it can be the method of presentation – the long, dense reports full of recommendations. Or, it can simply be the way that accountability in the public sector tends to function – committee rooms and questioning which, while forensic and dogged, might simply not capture the immediate interest of the media or the public at large. But accountability in all its forms deserves championing, celebrating, and publicising, not only to get more people involved but to demonstrate that it performs an incredibly valuable role in a democratic society and we would miss it if it wasn't here.

This is about more than theory. In this report, we have tried to get to the bottom of 'accountability' – what it is, and why it is important. We are trying to shine a light on the good work that people and organisations do when they hold others to account, to support the institutions that do this work and to encourage decision-makers to take a fresh look at accountability and transparency.

In doing so, we've highlighted several factors that underpin the operation of accountability in the public sector today.

- **Accountability is complicated.** A large variety of people and organisations hold decision-makers to account in various ways.

- **Accountability needs investment.** It is not enough to assume that accountability and transparency are the same thing, and that making more information available to the public will enhance the impact that the public and non-executives can have on the decision-making process. Formal structures are required.

- **Accountability is cultural.** For accountability to be effective, decision-makers need to understand why they are being held to account. They need to accept the credibility and legitimacy of those holding them to account and, more importantly, accept the utility of the process, in helping them to improve the way they do business.

- **Accountability is vital.** Now more than ever, accountability is playing a crucial role in the public sector: building links across partnerships, contributing to the democratic process and helping to save money by making recommendations to make public services more efficient. It is a crucial way in which the public can be reconnected to politics and to the decision-making process in the public sector.

These are all issues which we will explore in depth in the first section of this report.

Summary of our findings

We will conclude that accountability is:

- The right of the public, as citizens, to challenge decision-makers directly as part of the democratic decision-making process;

- A means to bring together discussions about matters of public concern, as part of a democratic debate about the past and future delivery of public services;

- An obligation on the part of decision-makers to respond to and act upon the concerns and insights of those holding them to account;

- A way for decision-makers to improve the services they deliver, ensuring responsiveness alongside quality and value for money;

- One of three pillars that support effective and strong democracy – the other two being involvement and transparency.

We will also demonstrate that, although there are many different people playing a part in holding to account and improving services, we should not focus on the role that they perform individually. Instead we should adopt the idea of a **web of accountability** – a collection of people with different responsibilities, interests, powers and methodologies, all of whom 'hold to account' and try to improve services. Importantly, this collection of people should be working together to influence and complement each other's work. This will incorporate different sorts of accountability – some accountability being **'hard'** (where it provides sanctions and redress for complaints) and some being **'soft'** (where its power relies on its ability to persuade, advise and influence).

This idea mirrors recent developments throughout government towards more effective partnership working, but takes it further in highlighting the need not just for some superficial, institutional

joining-up, but the opportunity to take this chance to revisit, culturally, socially and politically, the role that accountability plays in the delivery of our public services.

The challenge of **finance and resourcing**, the need to demonstrate the **effectiveness of accountability** in delivering change and the challenges and potential risks attached to a new era of **transparency** are all issues which we will discuss in our conclusions.

Next steps

We are making a handful of recommendations to policy-makers, legislators and scrutineers. The recommendations are backed by the evidence presented in the rest of this report and by the findings from all the work and research we have carried out since our inception in 2003.

We will be following up this work by:
• arranging one-to-one meetings with national and local policy-makers;
• organising national and regional events, to be held after the 2010 General Election, to push forward this debate;
• publishing additional research and documents in 2010 – including a document which will summarise the outcomes from our events, and research on local scrutiny and the opportunities offered by Total Place;
• producing an 'Accountability Charter', to which public organisations can sign up to demonstrate their commitment to being held to account in the way we describe in this report.
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What is accountability?

1. What it is

No-one would disagree that accountability is a good thing (Koppell: 2005). But part of the problem is that it is all things to all people. The word 'accountability' covers a huge range of different tasks undertaken by different people in different ways. Understanding how different sorts of accountability interact, and how far each individual form goes, is a very complicated exercise.

A recent academic definition describes accountability as:
A relationship between an actor and a forum, in which the actor has an obligation to explain and justify his or her conduct, the forum can pose questions and pass judgment, and the actor may face consequences (Bovens: 2008).

This can be compared and contrasted with the principles used by the CfPS about good scrutiny, which are based predominantly on practitioner experience:

Good scrutiny:

1. provides 'critical friend' challenge to executive policy-makers and decision-makers;
2. enables the voice and concerns of the public and its communities;
3. is carried out by 'independent minded governors' who lead and own the scrutiny process;
4. drives improvement in public services. (CfPS: 2006)

Scrutiny is not, of course, the same as accountability. As we will see, scrutiny as we understand it is a part of a much wider landscape of accountability which takes in the media, regulators, inspectors, elected politicians and, of course, the general public.

To understand accountability, and what it means, we have to try to unpick this complexity and express it in a coherent, understandable way.

The first step in defining what accountability is rests on an understanding of what is being held to account in the first place. In this document we are limiting ourselves to talking about the public sector. But what do we mean by this?

More and more, services that might previously have been regarded as 'public' are being delivered by:
• private sector organisations
• quangos
• other bodies 'spun off' in some way either from Government departments or from what might be considered part of the public sector, either nationally or locally.

If we don't know where the public sector begins and ends, it can become difficult to discern where public accountability begins and ends as well (Barberis: 1998). Attempts have been made in law to draw a distinction, but even the legal definitions fail to offer much clarity for practical purposes (Oliver: 1999).

In some instances, a judgment can be made between 'public' and 'private' based on whether an organisation should be subject to the Freedom of Information Act. But some commentators have pointed out that even the FOIA is not broad enough, and that many organisations delivering a public function (or spending public money) are currently excluded.

Accountability has, for the most part, managed to sidestep this issue by remaining 'institutional' in nature. Individual organisations are accountable to specific people, groups or organisations who have a unique role in holding them to account. This approach suggests that a wider understanding of 'public accountability' is not necessary – this has, however, been challenged by some (Van der Wal: 2008).

For the purposes of our thinking, we will go on to demonstrate the flaws with this institutional approach. Although, as we shall see, accountability exists in a variety of different forms, it is possible to develop some fundamental ideas about what it is across the public sector – by which we mean all those providing public services with public money.

Different forms of accountability

There are a large number of different sorts of accountability in the public sector (Mulgan: 2000). We have sought to identify them, and how they work, below. Briefly, they are accountability:

Through the ballot box – elections.

Through the media - through reporting and investigations carried out by journalists, casting a light on how decisions are made.

Through the market and choice - through citizens, as consumers, expressing an opinion about a public service through choice-based mechanisms.

Through complaint and redress for wrongs - such as through the courts, ombudsmen or other individual complaint processes.

Through regulation, inspection and audit - which range from financial audit to 'improvement' mechanisms such as the Comprehensive Area Assessment.

Through management processes - such as senior managers / ministers holding to account more junior staff for work they do, perhaps through performance management processes.

Through scrutiny carried out by lay non-executives - through select committees and local government overview and scrutiny committees, as well as by people not subject to direct popular election such as the members of police authorities and probation boards, Local Involvement Networks, Community Health Councils in Wales and school governors.

In examining this we will demonstrate that accountability is one of three key principles that are essential to an understanding of modern democracy – the other two being involvement and transparency. These themes are mutually reliant: each one is necessary but without the other two is not sufficient in helping to ensure a healthy modern democracy.

Through the ballot box

The most obvious, direct and visible method of accountability is through elections to public posts. The creation of directly-elected posts is often put forward as a solution to a commonly-identified 'democratic deficit' in the public sector. Democracy is a potent idea and it is tempting to assume that direct election will deliver the kind of accountability that the public and professionals alike may be looking for.

For example:

• In the late 1990s, elected Regional Assemblies were posited as a way to 'hold to account' work carried out by Regional Development Agencies (RDAs), and other bodies and agencies in the English regions. However, the plans for full elections for the Assemblies were abandoned after having been rejected by the electorate in the first region where they were proposed. The composition of the Assemblies remained as a mixture of local councillors and other stakeholders in regional policy. Their powers were limited to investigating work undertaken by the Regional Development Agencies. Regional Assemblies have now been abolished and other regional bodies are also under threat because of a feeling that they suffer from a significant 'democratic deficit' and are 'unaccountable'.

• Currently, proposals to introduce directly elected police commissioners are being promoted because of a feeling that they will be more 'accountable' than existing police authorities.

- The movement to institute more directly elected executive mayors - who are said to be more accountable to the public than council leaders, who are effectively selected by the majority party and over whom the electorate has no real choice. It's council leaders who are selected by the majority party and over whom the electorate has no choice, not elected Mayors, which is how it reads at present.
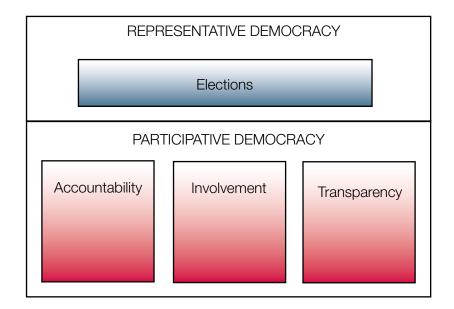
Inevitably, though, it is not as simple as saying that elections are, or should be, the ultimate form of direct accountability. By their very nature, they are infrequent, and as a tool for accountability they are not particularly effective – they often require people to make a single vote that reflects their views on a huge range of public policy issues. Distilling all these issues down to a single decision once every four or five years is clearly not an effective means for 'accountability' as it has been described above.

For this reason, many suggest that public services would become more accountable if people were allowed to vote on individual areas of public interest – to decide on policy in referenda, for example (Dalton and Wattenberg: 2000). This highly participative model of democracy and accountability is practised widely in countries with a long history of devolved decision-making – for example, the USA and Switzerland. But while government by referendum has its adherents, it has some significant flaws (Morison: 2007).

Putting decisions up to a public vote:
- can make strategic decision-making difficult, or even impossible;
- can produce budgetary problems in the short, medium and long term (the budget crisis currently affecting the State of California being an example);
- actually makes accountability (and blame for failure) fall into a nether-world between the public and elected politicians, neither of whom have clear responsibility for, or control over, anything;
- can be divisive, because it encourages those with loud voices who are already highly enfranchised. Consequently, the voice and concerns of marginalised groups can be ignored or actively harmed by decisions being taken by the majority.

This is not to say that participation, and accountability through the ballot box, is always wrong and that we should return to a more 'traditional' way of making decisions (i.e. in secret). It is not a case for saying that 'participation' and 'representation' are fundamentally opposed as concepts (Rayner: 2003). Our report 'On the radar' (2005) focused on the relationship between local authorities and

REPRESENTATIVE DEMOCRACY

Elections

PARTICIPATIVE DEMOCRACY

Accountability   Involvement   Transparency

the voluntary and community sector. It highlighted the fact that representative accountability can act as a means for more participation amongst voluntary groups and local people. For example, one of the themes of the relationship identified was lobbying – a clear case of 'lay scrutiny' itself being used as a participative tool to influence the executive.

Representative and participative approaches to political debate and decision-making must, therefore, be understood as two sides of the same coin. But participation is about more than **involvement**. Meaningful participation requires a more **formal system of accountability** to support it, and openness and **transparency** – both themes which we will explore later in this document.

Through the media

The media are often cited as a group well-placed to 'hold to account' decisions made by the powerful. The traditional argument goes that they have the resources, independence and credibility to seek out corruption, to investigate matters of public concern, and to expose the inefficient and wasteful on behalf of the general public. In this section we will look at the role played by the professional media, rather than the increasing role exercised, through the Internet, by ordinary people using new media technology.

As might be expected, decision-makers (and others in the public sector) have a mixed view of the press and media. Many in the public sector, not least elected politicians in power, frequently bemoan the media's seeming unwillingness to report 'good news' and express annoyance that the media seems to focus exclusively on what is going wrong.

It is true that the media do not always fulfil lofty investigative ambitions. Equally, though, public organisations cannot expect journalists to be supine and compliant, and to publish corporate press releases without alteration, rather than to apply some critical thinking to the issue under discussion.

Journalism and the media have a vital role to play in democratic discourse and in the propagation of a free and vibrant civil society. But the credibility and legitimacy of the press as a source of accountability (on its own) is debatable. The media are driven by what readers/listeners/viewers are likely to be interested in, by the interests of advertisers and by the direction of owners. Compelling 'stories' which may be emotive and interesting to the casual reader may not move public discourse on, in terms of developing a full understanding of all the facets of a particular problem. The media's resources to carry out long-term investigations into issues which may not yield immediate results is not as great as it was – although there are some notable recent exceptions.

Local media and accountability – at the sharp end of service delivery, the position is gloomy. Local newspapers in particular lack the resource to hold local decision-makers to account on all but the most general issues. Whereas the local media would once play an important role in publicising and analysing business conducted (for example) at the local council, this is now much less common. In some instances this is a result of lower readership, less income from advertising, and the ownership of large numbers of titles by national newspaper groups who may prefer to rationalise their publications into a smaller stable of more profitable newspapers. None of this has a positive effect on the print media's ability to influence and shine a light on issues of important or concern to the public.

Through the market and choice

Another method to hold to account is through the market, for example:

- Opportunities for parents to express a preference over their child's school - proposals have been made to expand the exercise of choice by allowing parents to establish their own schools.

- Increased personalisation of social care services through individual budgets, which can be spent as the service user thinks fit (NLGN: 2009).

- Privatisation of utilities because it was felt that the accountability to customers (rather than to ministers and civil servants) would compel them to be more efficient, and to focus more on their customers' needs.

- Opportunities to choose a general practitioner or the hospital where patients receive treatment or care.

Financial efficiency is usually cited as a reason to 'marketise' the delivery of public services (Lewis: 2001). However, there are three significant risks in the use of the market as a form of accountability in many cases:

- Provision of accurate and timely information, and the effective use of that information by the public as consumers;

- The risk that choice could be illusory because the service being provided is either a) largely identical because of national 'minimum standards' or b) being delivered only by a very small number of competing providers.

- some people or groups may not be able to genuinely exercise choice because they are ill-informed, disenfranchised or otherwise vulnerable.

In this context, it is telling that very often public sector markets are themselves subject to external, regulatory accountability – e.g. Ofgas, Ofwat, the Office for Rail Regulation (ORR) – and/or detailed and complex contract management protocols (defined by rigorous performance management techniques) which often play a far more important role in accountability.

'Choice' can help to drive down cost and drive up standards, and can help to ensure a more customer-responsive, rather than provider-driven, service (for example, choice-based lettings in council housing). However, the evidence suggests that it cannot – like the other methods described here – play a role as the single form of accountability in any given organisation or industry (Kluvers: 2003, Ryan: 2001).

Through complaint and redress for wrongs

Decision-makers can be held to account by individuals or groups who want to use the opportunity to seek redress or sanction for a mistake, or for wrongdoing. We will go on to talk in more detail about the notion of 'sanctions' in accountability in the next part of this report.

The notion of accountability as a method for redress for wrongs is often not acknowledged by practitioners, who see a clear demarcation between the use of accountability as a method to examine and investigate matters of importance to the community at large, and complaint and redress, which is about individual wrongs and complaints.

'Redress accountability' can take a number of forms, including:

- Judicial review, where the courts effectively 'hold decision-makers to account' and order sanctions or redress;

- Through the various ombudsmen, who exist to seek independent redress in particular organisations and sectors;

• Through organisations' own complaints processes.

Although these redress mechanisms focus on individual complaints, rulings and findings by ombudsmen and other complaints systems can reveal systemic problems with implications for others.

On its own, however, redress as a means of accountability is limited (May: 2007). It looks back at individual circumstances and tends to focus on the **process** rather than the **merits** of an organisation's action. This is because complaints and redress mechanisms tend not to allow decision-makers to be second-guessed over issues where they have discretion to act. To permit this would significantly affect the ability of decision-makers to approach their work with any level of certainty.

Through regulation, inspection and audit

Central government holds to account business transacted by other parts of the public sector through a combination of regulation, inspection and audit. This is usually carried out by inspectorates or agencies operationally independent of central government who apply complex and detailed methodologies to assessing the strength and weakness of public services. Organisations doing this kind of work are:

• National Audit Office

• Audit Commission

• Care Quality Commission

• Ofsted

• Her Majesty's Inspectorate of Constabularies

• Her Majesty's Inspectorate of Prisons

• Tenant Services Authority

Each has its own separate (statutory) remit, its own methodology and its own cultural and organisational approach to inspection and regulation. The **Audit Commission**, who lead on Comprehensive Area Assessment, have repeatedly stated their intention to work with the authorities being assessed to identify potential improvements. Other bodies, such as the **National Audit Office**, have tended to take a more arms-length approach. Some inspectorates/regulators are starting to work together on areas of common interest and responsibility. However, this joint, and multilateral, working is not without its complexities.

In theory, inspection feeds in to managerial processes, and organisations use external inspection to influence the way that they plan and improve their own services. In practice, this often doesn't happen, because the culture of organisations is to 'comply' with external inspection requirements rather than to engage with them more constructively (Jos and Tompkins: 2004). We looked at this issue in much more detail in our report on performance management and improvement, 'Green Light' (CfPS: 2010), but in brief some problems are:

• External inspection becomes an 'industry' which organisations 'manage', rather than treat as an improvement tool;

• Organisations use 'gaming' techniques to get around targets and rules set by external inspectors and regulators.

However,

• Inspection, regulation and audit has led to significant improvements in the way that public services have been delivered in recent years (judged, of course, against targets set by these inspectorates);

- The processes have the power and potential to expose examples of poor practice and to act as an impetus to improve, where such a drive does not exist within the organisation;
- It helps to enforce minimum standards of public services.

Inspection regimes have become unpopular in some circles recently, with failings in social services and Ofsted inspections emerging from the Baby P scandal, and with doubt being cast over the continuation of the Comprehensive Area Assessment. However, as long as central government gives other organisations money to carry out work, that money will have to be accounted for through some kind of regulatory regime.

Through management processes

Managerial accountability is the notion of accountability upwards, to senior managers and decision-makers themselves. It is an internal process, which is often conducted behind closed doors, which may ultimately come down to the performance of individual officers (Smith and Hague: 1971).

For example:

- An 'improvement board' or 'Star Chamber' process in an organisation where managers and executives look at performance in a given department and make decisions on improvements;

- Through the ordinary line management process, whereby senior managers oversee the work of more junior staff on a day-to-day basis. In many organisations this process ties in with staff development and appraisals;

- Through contract management, where a service is being delivered by an external contractor and procurement/contract management officers in the commissioning organisation are holding the contractor to account for the service delivered (Marvel: 2007).

There are risks inherent in managerial accountability. It is flexible, and continuous, and having to account to a more senior manager (or elected politician) obviously provides a strong impetus for action. However, some commentators have suggested that a move towards managerial accountability involves a shift away from public accountability - essentially, that managerial accountability internalises discussions about performance and outcomes, with them happening away from public fora (Kluvers: 2003). Contract management presents additional problems for other forms of accountability: contractors may be unwilling to be held to account in any way other than through contractual processes. Officers involved in the 'clientside' management of the contract may also be unwilling to allow scrutiny from elsewhere which may prove critical of their own success at holding the contractor to account.

Through lay scrutineers

One of the most high profile means of 'continuing' accountability is through non-executive or lay members scrutinising executive decision-makers. These can be elected politicians (MPs or councillors) or people selected through a combination of means (school governors, NHS foundation trust governors, or police authority members).

Some examples of this kind of lay scrutiny in action are:

- Overview and scrutiny committees in local government, which have a statutory role in investigating work carried out by the authority and its partners;

- MPs sitting on select committees, which have a similar role in respect of national policy.

Sometimes, lay scrutineers will sit on executive bodies – for example, non-executive directors sitting on the Boards of government departments, NHS trusts, and private companies. This can be risky, as non-executive directors can end up playing a peripheral role in the decision-making process – conversely, they can become too involved, and not maintain the independence of their role effectively.

The work carried out by lay scrutineers – particularly if they are elected – tends to be much less restricted than that carried out by other accountability actors. Methodologies are more flexible and the approach often focuses on future policy development rather than past performance – a key difference from the regulatory approach (Judge: 1992, CfPS: 2010).

However, alongside this there are some endemic problems in this approach. Because they are not responsible for decision-making, their own power to implement their recommendations is limited. There are limited powers of sanction for failure to adhere to recommendations, when they are made (and sanction, where it exists, is more often used as an implied threat than a reality).

It is more common – particularly for select committees, and overview and scrutiny committees – for this form of accountability to make itself felt through 'softer' means than sanction – through persuasion and advice, backed up by evidence.

A traditional conception of accountability would see this form of 'scrutiny' accountability as limited in scope and impact. However, as we shall see, it is potentially the most powerful and coherent form of accountability of all the types we have examined above.

What, then, is accountability?

Despite the difference in the forms of accountability described above, it is still possible for us to formulate a definition which goes into more depth than the more general description we cited at the beginning of this section. It takes account of the comparative complexity of the British situation in practice, where different forms of accountability inter-relate.

Accountability is…:

• The right of the public, as citizens, to challenge decision-makers directly as part of the democratic decision-making process;

• A means to bring together discussions about matters of public concern, as part of a democratic debate about the past and future delivery of public services;

• An obligation on the part of decision-makers to respond to and act upon the concerns and insights of those holding them to account;

• A way for decision-makers to improve the services they deliver, ensuring responsiveness alongside quality and value for money;

• One of three pillars that support effective and strong democracy – the other two being involvement (already discussed) and transparency (which we will cover in the next section).

Within this broad typology it is possible to distinguish between **hard** and **soft** accountability:

Hard accountability is formal, sanction-based and, often, focuses on compliance with a judgment or finding. The forms of accountability we have looked at that focus on redress, regulation, inspection and audit fit this definition the best. The credibility, legitimacy and utility of the process as perceived by the people being held to account are essentially immaterial. **Soft accountability** is more nuanced. Here sanction is not the primary tool, and often the power of sanction and redress may, in fact, be entirely absent. The principal tools are

engagement and close working with decision-makers, and the 'powers' of persuasion, advice and mutual respect. This heavily relies on the perceived credibility and legitimacy of the process, and those who carry out 'soft accountability' often have to work hard to persuade those they hold to account to have regard to their recommendations. Lay scrutiny is a good example of this soft accountability.

Accountability is also both **institutional** (with the mechanisms for formal accountability being tailored to each organisation's requirements) and **cultural** (with systems such as FOI requiring a much wider conception of the duties of public organisations to their users/citizens).

The accountability mindset: building a culture of accountability

Building a culture of accountability can be critical to ensuring accountability achieves the aims set out above. On the basis of the evidence we have considered so far, a culture of accountability depends on several factors: the **credibility, legitimacy and utility** of the method and form of accountability and whether decision-makers treat it as an issue of **compliance** or as a contribution to democratic debate and evidence-based policy-making.

Credibility and legitimacy – the reason why the electorate are often perceived as the ultimate actor in the world of accountability is because it is their interests – as clients, customers, residents and voters – that are being served by all public authorities.

Arguably, the closer 'accountability' gets to the public, the more credibility and legitimacy it has to actually 'hold to account'. Structures that involve the public and/or elected politicians are, arguably, the most legitimate of all. This is what gives lay scrutiny its strength.

Another important part of making accountability mechanisms credible is the perceived independence and objectivity of the person or organisation 'holding to account'. Our research suggests that where accountability is carried out by people who:

• are not perceived as having a vested interest;

• have a clear reason for holding to account; and

• are adopting an open and evidence-based approach;

decision-makers will be more inclined to adopt an open mind towards the outcomes (CfPS: 2007, 2010).

This would seem to favour the accountability through lay scrutineers – and, particularly, elected scrutineers.

However, this is not universally accepted. Research we have carried out since 2003 in local government and health does suggest that, notwithstanding the legitimacy that democratic accountability provides, decision-makers can still be unwilling to accept its input and can be inclined to take an approach which focuses on the next issue under discussion – compliance.

Compliance is the other side of the coin. There are measures and forms of accountability with which decision-makers 'comply', even if they may perceive them as illegitimate and lacking in credibility (or, indeed, utility).

Compliance is a central theme in the debate over redress and sanction, discussed earlier. In this context, compliance limits accountability to a focus on the past, without necessarily leading to improvements in the future (White and Hollingsworth: 1999, Jos and Tompkins: 2008).

It is arguable that the more significant the sanction, the more significant the pressure to 'comply' with the **process** of accountability (Craig: 1990) rather than 'work with' accountability, by engaging with stakeholders and using their feedback to improve services. Organisations who adopt this culture of compliance with accountability may well be less inclined to take it seriously when there is no threat of sanction.

Utility – accountability seems to be most effective when it is perceived as 'useful' (Lerner and Tetlock: 1999, Hattrup and Ford: 1995). Our own research reinforces this idea - that accountability should seek to engage with decision-makers not simply require their compliance (CfPS: 2010). We will return to this in much more depth later in this report, when we look at the difficulty of proving accountability's 'effectiveness'.

A 'hierarchy' or a 'web' of accountability?

What we have demonstrated is that all the different forms of accountability described above are, on their own, not sufficient to hold a strong check on executive power, or to improve services. Different forms may have different levels of credibility, legitimacy and utility to those being held to account, which may influence whether they merely 'comply' with them or whether they genuinely use them to improve.

However, it is risky to see all these different forms of accountability as mutually distinct. Their individual rationales, objectives and methods of operation are very different and some forms can conflict. For example, media pressure for quick and visible results as opposed to a scrutiny approach which might be more long-term in nature. However, the areas of operation are similar and the objectives of different forms of accountability are, in many cases, complementary. We explored some of these relationships in our work to develop the 'scrutiny map' (CfPS: 2005).

This leads to multiple forms of accountability, all acting simultaneously on a plethora of public bodies. We have provided a snapshot on the following page of how this operates in England, to illustrate the complexity of the current situation if nothing else. Even the picture that we have provided is greatly over-simplified.

Figure one, overleaf, also demonstrates those areas where there is ad-hoc joint working between different people holding decision-makers to account. In the context of local service delivery:

• Local authority scrutiny of the council and some partners (through the statutory scrutiny function, empowered in England variously by the Local Government Act 2000, Local Government and Public Involvement in Health Act 2007, the Police and Justice Act 2006, the Health and Social Care Act 2001);

• Local authority scrutiny of the work carried out by partners through the Local Strategic Partnership/Local Service Board and Local Area Agreement/Local Delivery Agreement process;

• Scrutiny and governance of crime and disorder partners (for example, police authorities and probation trusts);

• Citizen-led accountability in the health service, or social care, through Local Involvement Networks or Community Health Councils (in Wales);
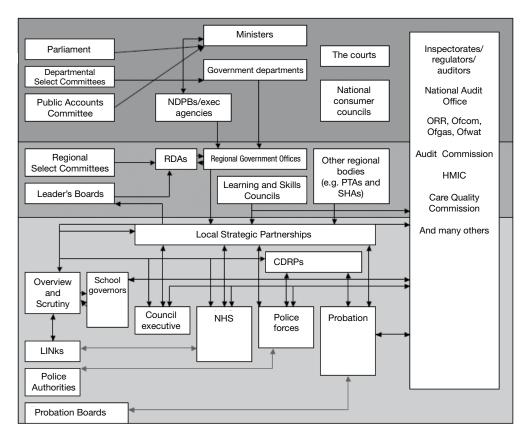
Figure 1

- Managerial accountability of national bodies operating at local level (for example, JobCentre Plus) up to Government departments and Ministers;

- Accountability of various different local public bodies to national regulators and inspectors.

The picture that these different forms of ad hoc partnerships paint is one of an institutional and organisational focus. Even where there is some partnership working, it is limited and still lacks coherence. Facing this complex picture, organisations may well feel that they have to decide which forms of accountability are most important in order to save both time and resources. Many consequently perceive different forms of accountability as sitting in a hierarchy.

For some, the most important actor might be an inspector, or an auditor. Other actors may be perceived as being less important, and so, being further down the 'hierarchy', will have less time and resource devoted to meeting their requirements.

Conversely, for some it is the electorate who are perceived as the principal actor in accountability and all other forms will be subservient to them. Some local authority leaders have specifically indicated that they are treating Comprehensive Area Assessment as a secondary concern, their focus being on the electorate holding them to account for their decisions and performance. This is a theme developed by the Local Government Association's 'Freedom to Lead' campaign.

The web of accountability

We accept that some methods for accountability are seen as more credible, legitimate, high-profile, capable and effective than others. But we think that the situation is more complex than this. This complexity is enhanced by the increase in partnership working in many parts of the public sector – and particularly in local service delivery. The introduction of 'Total Place' – the programme of work which seeks to identify how and where money is spent by public sector organisations locally – is providing a real impetus to joined-up government at local level. However, even with this development, the need for continuing compromises around the roles of different organisations, and around their differing priorities, seems destined to remain at the heart of local partnership working arrangements (Benz and Papadopoulous: 2006). Local governance and decision-making remains extremely complex (Hendricks: 2009).

But Total Place should also provide a driver to enhancing the way that those public sector organisations are held to account. Total Place demonstrates that individual accountability arrangements for individual organisations are no longer sustainable. Work is going to have to be put into identifying and dealing with the governance implications of this huge change.
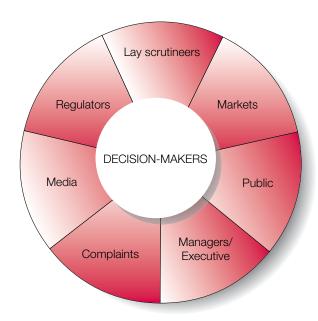
The idea of a hierarchy is ill-equipped to meet this challenge. We prefer the concept of a nexus, or web, of accountability.

Figure 2

This reflects much more accurately the multi-faceted nature of accountability that we discussed in the first section of this report (Van der Wal: 2008). We have tried to provide a picture that reflects this complexity in figure 1, which despite covering only a few policy areas and omitting a large number of actors helps illustrate just how many people are involved in holding to account, and being held to account.

Rather than thinking that this picture makes accountability complicated or opaque, we think that – if harnessed – it could be a valuable tool for the public sector. We consider that this notion of a web of accountability could provide the foundation for the 'local accountability framework' that the Local Government Association is proposing to campaign for during 2010/11 and that this could provide a model across the public sector.

Talking about a 'web' of accountability takes account of the facts that:

• While there are a large number of actors in accountability and many are doing different things (with different motivations for doing so) the similarities inherent in their work suggests that some form of joining up is logical;

• The way that public services are being delivered is changing, with organisations adopting an 'area' approach which cuts across institutional boundaries (and hence the boundaries between different sorts of accountability);

- Accountability works differently in different areas; sharing skills, experience, knowledge and information could lead to a net increase in the quality and impact of work;

- Duplication of effort (and, hence, inefficiency and waste) in the field of accountability can be combated by such work. Although, this is a risk that can be overplayed.

As we have seen, accountability in different sectors and institutions works in very different ways. In talking about a web of accountability, we are, therefore, not discussing or proposing some monolithic, single institution which takes responsibility for everything. Instead, we are suggesting an approach defined by co-operation and dialogue, over areas of mutual interest, that allows different actors in the field of accountability to provide mutual support, assistance and advice.

How might this work in practice? It is not a new idea and we are by no means the first to have suggested it. There are (tentative) examples of it in action in various parts of the public sector already, although where it exists it tends to be bilateral rather than multilateral. For example:

- The co-ordination between the various different inspectorates involved in the Comprehensive Area Assessment, and the links between CAA and the scrutiny functions of local authorities themselves (Audit Commission: 2009, 'Take Your Partners' CfPS: 2009);

- Joint 'local service board' scrutiny, as being carried out in some Welsh local authorities;

- Joint working between the National Audit Office and the Public Accounts Committee of the House of Commons;

- Joint working locally between Local Involvement Networks and local health scrutiny committees;

- Joint working (in its embryonic stages) between local scrutiny functions and police authorities;

- Joint working in two-tier local authority areas between district and county councils.

However, there are opportunities beyond this – for example:

- Working together to prepare for, and to follow up from, inspections and/or assessments;

- A more effective use of resources by ensuring that work is carried out by the 'right' organisation, rather than being duplicated or falling between the cracks;

- Locally, taking advantage of the 'area' based agenda behind Total Place and Comprehensive Area Assessment. This allows those holding to account to identify mutually beneficial work, and to make recommendations that take into account the complex relationships between different organisations.

For example:

- HMIC, Probation Boards, Police Authorities and local overview and scrutiny bodies could identify points of concern about crime and disorder in a locality and decide on a mutual plan of action to investigate it;

- A departmental select committee could engage with overview and scrutiny bodies (and inspectorates) when carrying out work on a given subject to acquire a wider evidence base;

- Local bodies could build on work carried out at national level by select committees by seeking to interpret, adapt and apply their recommendations to local circumstances, where appropriate;

- Inspectorates, regulators, scrutineers and others could work more closely with formal consumer representation bodies;

- All the organisations dealt with here could adopt a more coherent approach to engaging with the public which is complementary rather than complicated.

Where necessary, this close joint working could be enhanced by the sharing of resources – both human and financial. The pooling of resources could, under certain circumstances, mean that, collectively, these bodies could do more than they can alone. However, this would need to be based on need. We are not advocating the establishment of 'shared services' for accountability across the board.

Pre-eminence

Even If the idea of a 'hierarchy' of accountability is not an attractive one,, it is clear that one group of people is going to have more credibility and legitimacy than others to have a role in accountability.

On balance we consider that accountability carried out by lay scrutineers – particularly by elected politicians – should take a lead. Certainly, our research up to this point strongly supports the assertion that these scrutineers should be considered 'first amongst equals' in local and national accountability (Hambleton and Sweeting: 2004, Leadership Centre: 2009).This is an argument given additional strength by recent legislation which has given lay scrutineers (locally) enhanced powers to hold to account other organisations and partnerships – even those which are also accountable through other means. It is also supported by the evidence we have presented on the legitimacy and credibility of different forms and methods for accountability. Lay scrutineers are the people best placed to take this challenge on, and the people who need to be given the backing (financial and cultural) by executives and decision-makers to do so.

Suggesting the pre-eminence of lay scrutineers involves a different approach being taken towards other forms of accountability – principally, managerial accountability and regulatory accountability. It does not suggest that those forms of accountability should be supplanted (certainly, managerial accountability is a continuous process at the heart of public decision making). Instead, it is that those who carry out these forms of accountability should think again about their cultural approach and the way in which they work.

2. How people are held to account

The need for sanctions

In the first section we mentioned several different types of accountability, some that involved the use of sanctions, some that did not. Is there an absolute need for sanctions for accountability to be effective? Certainly, there is evidence that where sanctions exist, accountability has more clout and can achieve more. It is, to be blunt, more difficult to ignore.

But, as we have seen, an approach defined by sanctions can encourage those being held to account to focus on complying with those holding them to account. Their focus tends to be 'upwards' rather than 'outwards' The process can also be antagonistic and combative.

From a practitioner's point of view, it is odd that discussions of accountability focus so much on sanctions. They play little role in accountability as it actually happens on the ground – with the obvious exception of 'redress' or complaint – where it is more often bound up with

negotiation, discussion and dialogue. As we have seen, even where sanction exists it is often a last resort measure for when all other attempts at exerting influence have failed.

The answer, again, lies in the 'web' of accountability. Some bodies have the credibility, legitimacy and power to use sanctions. It should be easier for those bodies who lack this ability to be able to liaise with those who do. By doing so, when circumstances arise where a sanction is necessary, the appropriate organisation or group for administering such a sanction should be involved.

Wide powers of sanction should not, therefore, be given to those holding to account who do not already possess them.

Finance and resource

Accountability is not cheap: it requires investment. It can be done in a cost-effective way – and most often is – but the presumption that a strong, formal process for accountability can be supported on a shoestring is incorrect. Furthermore, there is a fallacy that accountability is something that can be cut back on as a 'luxury' in the current financial climate.

It is true that centralised national and local accountability has, since the late 1970s, been subject to significant increases of resources, capacity and power. For example:

• The establishment of Parliamentary Departmental Select Committees in 1979;

• The National Audit Act 1983, which expanded the role for the National Audit Office and the Audit Commission;

• The rise in contracting out, which started in the 1980s and continues to the present day, resulted in an abundance of statutory (and non-statutory) regulators and inspectorates, including those for privatised industries;

• The creation of the executive/scrutiny split in local government through the Local Government Act 2000, which for many local authorities resulted in the appointment of dedicated scrutiny officers and the provision of a defined budget for 'scrutiny activity'. However, in many areas, scrutiny remains underresourced (CfPS: 2010).

As we have seen, these formal steps have lent additional complexity to governance and accountability in the public sector. They have also resulted in additional expense. It has been estimated, by the Local Government Association and others, that £2bn is spent annually on inspection and regulation. However, a criticism that has often been made by local scrutineers is that the resource available to them has not increased to match new powers. Advocates of lay scrutiny and other means of accountability alike have demonstrated that such an approach is value for money, and that the more open, transparent and evidence-based approach adopted has paid dividends.

The pressure to cut support and funding to formal means of accountability is obviously strong. For example:

• **The perceived need to divert all public spending towards front line services.** This approach leads from an assumption that accountability is a 'back office' function which has no real impact on the delivery of services to 'real people'. The evidence we present in the next part of this report will demonstrate that this is not the case, and that in fact good accountability ensures that public services can be delivered more economically, efficiently and effectively ('On the money', CfPS: 2007).

• **The view that governance and accountability has become 'too complex'** and that efficiency gains will result from mergers of some organisations (for example, National Audit Office and

the Audit Commission (HC PAC, 2008, NLGN: 2007)) and abolishing some regulatory organisations, and accountability functions, entirely (proposals to abolish Standards for England). We think that our idea of a 'web' of accountability could provide an answer here. More effective joint working between multiple scrutineers could be a way to move from large, top-down inspection and assessment towards a more nuanced, flexible and locally-relevant approach, based on the democratic process. This is the view proposed by the Local Government Association in their 'Freedom to Lead' campaign.

• **The view that accountability can be delivered cheaply.** Our research ('2009 Annual survey of overview and scrutiny in local government' CfPS: 2010) in local government demonstrates a trend in the local government sector to cut significantly the amount of money available to local scrutiny functions to carry out their work. Evidence from research we have carried out over recent years does, in fact, suggest that a sustained level of resource is required to ensure that decision-makers can be held to account effectively. We are not proposing that accountability should enjoy huge funding increases while the rest of the public sector suffers. A pragmatic, long-term approach needs to be taken that weights the importance of accountability appropriately when making budget decisions. It needs to recognise the significant enhancements in service delivery and effectiveness that can come as a result of being held to account.

The challenge of demonstrating effectiveness

It is easy to attack those holding others to account by saying that the work they do is ineffective. This goes back to the point we raised earlier, on 'utility' – those being held to account must be assured that accountability is 'useful' for it to become a meaningful part of the organisation's culture. Many have grappled with the problem of proving effectiveness. It has been a particular theme for academics trying to examine the impact of select committees. A wide variety of assessment tools and methodologies have been developed and used, but none has proved entirely satisfactory (Gans: 1995, Arter: 2000, Bovens: 2003, Hindmoor and Larkin: 2007).

Additional difficulties come when attempting to demonstrate the impact of inspection and regulation. It can be difficult to identify whether improvements to services are being carried out as a response to external influence (through inspection) or whether internal processes are driving the improvement, with the existence of inspection being incidental.

Accountability is a colossal concept. Because of this, trying to adopt a detailed typology to measure its 'effectiveness' across the whole public sector is probably not useful or possible.

We think that the principal question that should be answered is - *'has this work had a positive effect'* on decision-makers and/or on members of the public. This should be the ultimate criterion against which accountability should be judged. It does raise its own questions – for example, to what extent is it a subjective judgment? – but taken alongside our conclusions about what accountability is, it can provide at least a basic framework.

Broadly speaking, our research suggests two main outcomes for accountability:

• Accountability contributing to a debate, encouraging democratic engagement and fostering a sense of community and understanding about topics which might be of particular controversy or concern;

• Accountability delivering a defined result to a particular service or group of people.

Later on in this document, we will provide some lay scrutiny examples of these principles in action.

The importance of transparency and openness

Having clear and accurate information is vital to being able to hold decision-makers to account (Fung et al: 2007, Birkinshaw: 2005). However, the provision of information (and transparency) is not all that is required to deliver effective accountability. It is not enough to say that if you make information public, public accountability will inevitably follow (Kluvers: 2003).

Providing information to the public in a way that is going to be genuinely useful to them in holding an organisation to account is more difficult than it appears (Birkinshaw: 2005). When information is provided without context, as raw data or spending figures, it makes it difficult, if not impossible, for the interested layman (even if he or she is technically expert) to use that information to effectively hold to account (Audit Commission: 2010).

This takes us back to the earlier discussion about the complicated interface between representative and participative democracy. It is possible for people to hold to account individually, or organisationally, as 'outsiders' (see, for example, the FOI requests about MPs' expenses in 2009). But this needs to be backed up by formal accountability exerted through other means to have full, meaningful effect. Specific research, too, shows that the availability of information (in particular, performance information) makes little contribution to the direct accountability of public organisations by the public themselves. Hence, there is no real 'holding to account' of local authorities by the public on the basis of publicly-available performance data (Boyne: 2002, Brown and Troutt: 2007).

The avoidance of blame, and other organisational themes that work against transparency, are also big reasons why a 'compliance' approach to transparency on its own is insufficient. In many organisations being held to account through external means, people working in those organisations can become more risk averse, and less willing to innovate. (Hood: 2007).

As a result, discussions of transparency must involve an understanding that those being held to account must consider the cultural issues around compliance and credibility that we discussed earlier. Transparency is meaningless if it is not matched by a willingness for that information to be used to effectively hold to account (Roberts: 2005). This involves not just the publication of information, but openness about the manner in which decisions are made and multi-lateral communication between the decision-maker and all those acting in the 'web' of accountability – including service users themselves, through tools such as petitions (Gaster: 1999).

The use of high quality and accurate information to hold to account will, if carried out in this way, ensure that accountability can be more effective in arguing for change in public services. (Audit Commission: 2009, CfPS: 2010).

3. Conclusion: the challenge

We closed our first section by identifying what we thought accountability was. Having looked at how it is delivered, we are now in a position to identify a number of challenges to the future of accountability, which we will seek to address in our recommendations.

• Disagreement about the purpose of accountability. Since the production of our 'Scrutiny Map' in 2005 we have been making the case for more clarity in this area. While the picture of governance and accountability across the public sector is complex, it should be possible to move from the current arrangement, a jumble of unconnected actors and activities, to a more interconnected 'web' of accountability;

- A blurring of executive responsibility for many decisions through programmes such as Total Place, which make traditional models of institutional accountability increasingly difficult to maintain;

- A pressure to adopt more participative means of engagement at the expense of formal accountability;

- A risk that transparency will be seen as a 'replacement' for real accountability;

- A risk that further marketisation of the public sector in the future will see the public/private divide blur yet further, and the role of democratic accountability rolled back in favour of market and managerial accountability alone;

- A risk that 'multiple accountabilities' between different forums and actors will make the business of democratic accountability increasingly difficult to deliver;

- A risk that the broad kind of accountability that we are discussing – the kind that relates to organisational behaviour – will prove yet more difficult to attain in future;

- A risk that some or all the above will happen because of a perception that formal accountability is expensive to maintain;

- A risk that none of this relates to people's experiences, aspirations and fears or achieves any outcomes that address these;

- A risk that because accountability and scrutiny is not 'joined up', failing services will fall through the net.

What impact does it have?

We've already looked at the practical difficulties behind assessing impact, and suggested that the ultimate criterion for effective accountability should be that it should have a positive effect on the organisation being held to account and/ or local people or service users. Further to our view that lay scrutineers – and, particularly, elected politicians – should be 'first amongst equals' in holding to account, we have focused on this particular group of people in putting together these examples of impact.

With that in mind we have divided our examples below into two sections – one for impact on democracy, and democratic engagement, and another for substantive impact upon services being delivered by public sector organisations. The emphasis is on actual outcomes and impact – the process of accountability is less important to people than the possibility that it can deliver real results. This is what the 'web of accountability' is all about.

Some of these examples are a few years old. This is deliberate – the newer the work is, the more difficult it is to ascertain the impact that it has had on the ground.

Accountability delivering a defined result

Child poverty: Rhondda Cynon Taff Council (2009)

This review looked at RCTs high level of child poverty, with a focus on the 'transition' years between 8 and 13 and the future employability of children. Short term funding was identified

as a key problem and formed the backdrop to the report's findings, which have been accepted. Outcomes already in train include more joint working between the local authority and the CAB, the development of a suite of cross-cutting child poverty indicators for performance management purposes, and a keener awareness in schools of the challenges affecting children living in poverty.

Credit unions: North Yorkshire County Council (2005)

This work followed a ten-year campaign by local people to extend the benefits of a credit union to North Yorkshire so that credit facilities could be made available to those on low incomes, and the financially excluded, who resorted to doorstep lenders and other high interest, high risk options such as loan sharks. Decision-makers in the area had hitherto stated that the setup costs would be too high. Further to a detailed feasibility study, the scrutiny review mapped out a partnership proposal that would not involve such a significant financial impact, based on expanding and enhancing the services offered by an existing, smaller credit union. The county-wide service was established in 2009 as a direct result of the review's recommendations.

Summer emergencies 2007: Gloucestershire County Council (2007)

Following extreme flash flooding, river flooding and a resultant cut in mains water supplies, Gloucestershire County Council set up a scrutiny inquiry to look at what lessons could be learned from the experience. Scrutineers talked to local people, businesses, utility companies and other stakeholders. The inquiry resulted in Severn Trent, the local water company, investing £35 million in providing an alternative water supply for Gloucestershire. Recommendations from the inquiry also resulted in a number of flood alleviation projects and improvements in the way that future emergencies are planned for (not just among local authorities and the emergency services, but also the public utility companies). The impact of the report led the Pitt Review of Flooding to recommend the involvement of scrutiny in flood management and planning work across the country.

Review of prostitution strategy: Suffolk County Council, Suffolk Police Authority and Ipswich Borough Council (2008)

Following the murders of several sex workers in Ipswich in 2006, a plan was put in place (involving joint work between the council, police and others) to eliminate street prostitution in the city. Some time later, scrutiny revisited the issue following concerns that momentum had been lost. Some key recommendations – to ensure that the funding was available to deliver the initial outcomes of the action plan, and to carry out work into the off-street sex trade (not highlighted in the original action plan) – were made, accepted and implemented. This work won the 'Impact through Scrutiny' award at the CfPS Good Scrutiny Awards 2009.

Policing and protest: Joint Committee on Human Rights (2009)

These pieces of work looked at the high profile issue of the policing of protests and demonstrations in the context of protestors' human rights and operational policing. It found that clearer guidance needed to be provided to the police on the use of their powers – particularly their use of anti-terrorism powers. It attempted to address the concern that the police can be 'heavy handed' in their policing of protests. This work has significantly influenced the provision of new guidance and the preparation and introduction of new legislation on the subject of public order policing.

Support for the emotional and mental well-being of children looked after: Newcastle Council (2009)

Councillors in Newcastle recommended that elected politicians should become more closely involved in the care provided to looked-after children in the city, through the Corporate Parents Advisory Group. Following this review, the group now meets regularly with the Children in Care Council, which is made up of looked-after children themselves.

The review has also contributed to a number of other positive outcomes. The council now provides work placements for young people up to the age of 21 who have been in care as children, and also has a guaranteed interview scheme for former looked after children. Additionally, more children and young people have access to support from Child and Adolescent Mental Health Services, (around 130 at any one time), through a dedicated team for looked after children which has been established.

Estate safety and anti-social behaviour: London Borough of Hackney (2008)

Following interest from residents in issues relating to housing and community safety, and external challenge from an inspectorate, it was agreed that two of the strategic committees would meet to complete a review entitled 'Estate safety and tackling anti-social behaviour'. The review looked at housing management, the council's community safety role and how more complex issues are addressed in partnership. This was conducted through a series of site visits, surveys of Registered Social Landlords and a survey of young people, which was commissioned from the Hackney Youth Parliament.

Amongst other things, the review led to a mapping exercise being completed of all social housing stock in the borough (following concerns raised by RSLs that they often did not know who managed neighbouring properties), and better information being provided by the local Arms Length Management Organisation (ALMO), about who residents should contact with different problems. In addition, a quarterly update is provided to all councillors on the progress made by the borough's Anti-Social Behaviour Action Panels, which address difficult issues that require a multi-agency approach. This was a particularly important outcome, as the content of the meeting was of a highly sensitive nature, and offering anonymised analysis of these meetings highlighted to Members how the council was addressing their ward problems.

Young people, policing and crime: Metropolitan Police Authority (2008)

The MPA plays a hybrid role in directing policy for the Metropolitan Police and holding to account decisions made by senior police officers. This recent piece of scrutiny work focused on the causes, impacts and effects of young people's involvement in crime as victims, witnesses and perpetrators and how this influenced their interactions and relationships with the police and other service providers who have a mandate to support and protect them. The findings of the report reflected the large number of people (especially young people) involved and highlighted the need for more effective partnership working to meet young people's needs. Recommendations reflected this and have heavily informed the contents of the Metropolitan Police's Youth Strategy.

Accountability contributing to democratic engagement

Dignity in care: North East Lincolnshire Council (2009)

This work derived from a suggestion by Eng-Age, a local older people's forum. The work

examined the approach taken by the council and its partners towards care for the elderly. Many of the review's findings and recommendations were long term in nature, and so have not yet been realised, but it is a successful example of scrutiny helping to engage local people in a discussion about the services they receive. Local people were left feeling that that they had been listened to and that their concerns were taken seriously about dignity in hospitals, care homes, day centres and in their own homes. Local people had the opportunity to feed their comments into the work, as the formal meetings were open to the public, focus groups were held and there was an opportunity for people to send in their views/comments. Councillors also visited people in residential homes and in their own homes, in order to get views from people receiving care.

The nationalisation of Northern Rock: House of Commons Public Accounts Committee (2009)
The Public Accounts Committee has a particular responsibility for looking at public spending, and is assisted in this role by the National Audit Office, which provides it with background evidence in the form of 'value for money' reports. In this instance, the PAC contributed to the debate around the nationalisation of Northern Rock. It helped to crystallise the nature of the public debate around this issue by focusing, in its conclusions, on risk and financial planning.

Regular scrutiny of the Prime Minister: House of Commons Liaison Committee
Since 2002, the House of Commons' Liaison Committee has carried out an annual, day-long session questioning the Prime Minister. This set-piece event gives the Committee – made up of the chairs of the other Select Committees – a high profile opportunity to apply forensic in-depth questioning in a way that often cannot happen at Prime Minister's Questions. While inevitably the focus of discussion is often on issues already in the public eye, the sessions can serve to stimulate debate and discussion more widely on areas of policy with a lower public profile.

Strengthening the council's relationship with the voluntary sector: London Borough of Harrow (2009)
Local councillors and representatives of the voluntary and community sector (VCS) worked together in this review to examine all aspects of the relationship between the VCS and the council. The review made pragmatic and realistic recommendations, which are now being acted upon and implemented. These included improving the relationship, the development of a third sector strategy, the need to move to longer term models for funding and service level agreements (to provide more financial security to the sector) and the establishment of an independent community trust to handle the council's grants administrations process. The key success of this review was to involve the voluntary and community sector – a group of people with disparate and sometimes contradictory interests – in such a way that constructive findings and recommendations could be developed which had broad support and a real chance of being delivered.

Why is it important?

On the basis of the evidence in this document we can put together some key reasons why accountability – as we have set it out – is important, and why it is essential for organisations themselves to be accountable.

Accountability improves the quality of decision-making and service delivery, in that it:

• Allows elected representatives to ensure that public money is being spent effectively;

• Acts as a crucial way to use evidence in an objective way to check the power of policy-makers and decision-makers;

- Provides an impartial method to weigh up the needs and aspirations of different sectors of the community, and different partners, in reaching informed conclusions and recommendations;
- Allows – when given the right powers - elected representatives to cut across institutional boundaries in pursuit of the best way of delivering services – just as decision-makers themselves are doing through programmes such as Total Place.

Accountability is intrinsically valuable because it:

- Helps to engage with the public at national and local level about important decisions that affect people's lives;

- Encourages open debate and discussion amongst professionals, the public, and others on issues of public importance and concern;

- Strengthens democracy by giving an important, formal role in the decision-making process to people other than the decision-makers themselves;

- Provides a mechanism to effectively channel other key principles for the enhancement of civil society – transparency, redress and involvement – into the decision-making process.

This is our call to action for decision-makers and scrutineers alike, based on the evidence that we have gathered and set out in our first two sections. Accountability can and should reach this potential wherever it is being carried out. In our next section we will make some recommendations which set out how we think that we, as a country, can get there.

How can we make it better?

We have seen that accountability delivers positive results, but that its role is rarely championed or recognised. Below, we make a number of key recommendations to those held to account, to those holding them to account, and to legislators who have the power to define and control the development of accountability in the public sector in future years.

In these recommendations, we have used the terms 'decision-makers', 'policy-makers', 'executives' and 'those being held to account' to mean those with an executive responsibility for decision-making whose activities are held to account by service users, inspectorates, lay scrutineers or any other form of formal or informal accountability.

Our 'Accountability Charter' will give a further specific, practical challenge to the public sector to enhance accountability.

Recommendations to those being held to account: policy-makers, decision-makers and executives

In line with the pre-eminence of elected politicians and other lay scrutineers to direct local and national accountability, **organisations calling for a reduction in central regulation and inspection need to make a parallel commitment to develop robust local accountability arrangements**. The focus for these arrangements should always be on impact and results, rather than the process of accountability.

National and local policy-makers should **take steps, as part of agreements around joined-up accountability, to revisit funding commitments, redirecting some of the money**

currently spent on inspection, regulation and assessment into supporting accountability by lay scrutineers.

Policy-makers should **work with us to develop our Accountability Charter, which will set out a blueprint for a change in cultural thinking about accountability in the public sector, and sign up to it upon its publication later in 2010.**

Recommendations to Government and Parliament on new legislation

Previously, legislation has focused on the requirements and powers of institutions. This approach, which focuses on silos rather than services as they are delivered to people on the ground, is inappropriate and holds effective scrutiny and accountability back. **Future legislation should adopt a consolidated approach to scrutiny and accountability, and should be based on an understanding of the 'web of accountability' we have described.**

Recommendations to scrutineers, and to others holding to account

Local networks of those involved in delivering accountability should be set up to capitalise on the opportunities provided by the 'web of accountability'. These should not be bureaucratic, process-led structures, typified by meetings, memoranda and protocols, but dynamic networks enabling those doing similar things locally to use each other's intelligence and to complement each other's work, where appropriate. Under certain circumstances this may well involve the sharing of human and financial resources. New social media should be used to their fullest capacity to support this.

These local networks should **put participation and openness at the core of the work that they do**, further to our conclusion that accountability, involvement and transparency are three pillars of effective democracy.

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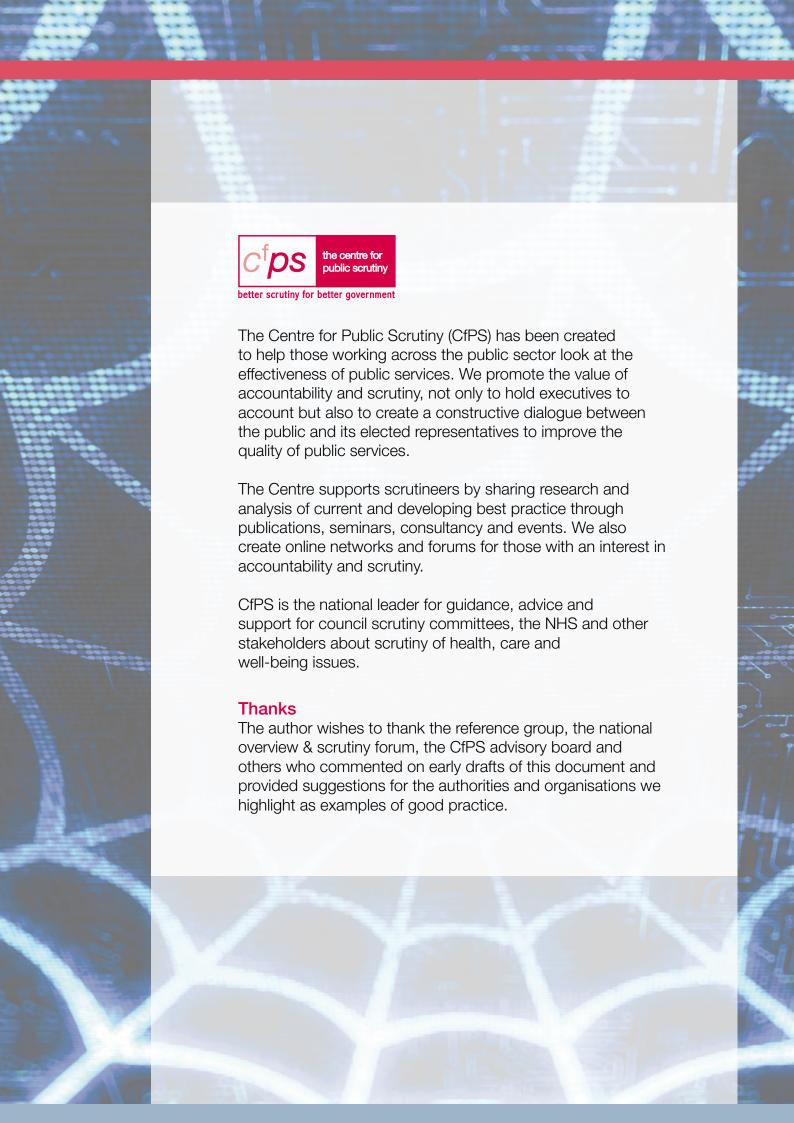|	
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better scrutiny for better government

The Centre for Public Scrutiny (CfPS) has been created to help those working across the public sector look at the effectiveness of public services. We promote the value of accountability and scrutiny, not only to hold executives to account but also to create a constructive dialogue between the public and its elected representatives to improve the quality of public services.

The Centre supports scrutineers by sharing research and analysis of current and developing best practice through publications, seminars, consultancy and events. We also create online networks and forums for those with an interest in accountability and scrutiny.

CfPS is the national leader for guidance, advice and support for council scrutiny committees, the NHS and other stakeholders about scrutiny of health, care and well-being issues.