

Response from Prof. D Birrell

THE REVIEW OF PUBLIC ADMINISTRATION IN NORTHERN IRELAND

Q1. Democratic Accountability

In terms of a system of public administration, democratic accountability is a priority. This should be a priority for two main reasons. Firstly, the main form of public administration under consideration is non-departmental public bodies or quangos where there is a lack of direct accountability. Secondly, the likely absence of devolution means that there is no regional tier to provide a structure of public accountability through an assembly and scrutiny committees.

There may be argument for enhancing the role of a Westminster Northern Ireland Committee to exercise detailed scrutiny over quangos. The local government system is compatible currently with democratic accountability through elections and accountability to central government.

Responsiveness

Local government system meets formal requirements of representative theory of democracy and system is held accountable through electoral mechanism.

Boards do not have to be responsible to the community other than through demands of pressure groups, politicians, the media. Mechanisms of public consultation and participation can be considered.

Partnerships

This is a different issue from responsiveness and is an issue that should be given high priority. The system of governance has been transformed in UK and the rest of Europe through the replacement of formal structures by multi-organisational networks or partnerships involving different levels of statutory bodies and also voluntary and community organisations. This is most evident at local government level. This shift in the mode of governance has been driven by the stakeholder philosophy, recognition of multi-faceted problems and solutions, EU project requirements, creation of funding and resource opportunities and recognition of value of collaboration and multi-agency working.

Subsidiarity

This is not such a priority issue as for mainly political reasons it would not be possible to significantly increase powers of local government. There are some questions about division of responsibility between quangos and government departments and agencies, eg. re: planning. The degree of localism also arises with reference to the number of local government councils and the number of boards, eg. re: education and health and social services.

Quality of Service

Quality assurance mechanisms cover a wide range of practices. A range of bodies are involved in scrutiny, inspection and audit. Performance indicator, service frameworks, standards and ranges have been introduced all with a focus on value for money. The Best Value Initiative in local government is a major example. User involvement should be a major principle and the Citizens' Charter was a comprehensive strategy to enhance and monitor quality. The findings of the Ombudsman in Northern Ireland in relation to all public bodies can be quoted as evidence of general good quality standards.

Coordination and Integration of Services

Again the multi-functional model of a local authority is not really possible in Northern Ireland. However the trend in Great Britain even in local authorities with comprehensive functions is towards working together and collaboration with other agencies. This can be achieved through agreements, protocols and partnerships rather than through one agency or a coordination mechanism. An attempt in the 1970s to provide coordination through district development offices in Northern Ireland was largely ineffective.

Northern Ireland has important examples of integration of services particularly through the integrated structure of health and personal social services which is currently the subject of much interest from Great Britain as it is government policy to break down the barriers between health and social care. The creation of common boundaries at Board sub-agency level with other cognate services would facilitate collaboration and joint working.

Cross-cutting approaches can also be coordinated from the centre of government eg. OFMDFM or Social Exclusion Unit in Office of Deputy Prime Minister in London.

Scope of the Public Sector

The degree of privatisation of the existing public sector is more a matter of political ideology and the policies of the UK government and devolved Executive and Assembly. Given the operation of the principle of parity and the continuing (under Direct Rule) application of Westminster legislation to Northern Ireland it may be more appropriate to compare the degree of privatisation between Northern Ireland and Great Britain, eg. personal social services make much less use of private/independent sector and private finance initiatives are less common.

The mixed economy of service provision now has a much stronger emphasis on the importance and value of the third sector, ie. the voluntary and community sector. While this is a vibrant sector in Northern Ireland it may lack capacity to replace the public sector and there are accountability and equality dimensions.

The fragmentation of much of the public sector structure into partnerships and the involvement of public sector organisations in a large array of schemes, structures and organisations means that some care is needed in describing the scope of the public sector.

Q2. There could be some reference to impact of change in forms of governance including blurring of boundaries. There is an understatement of political circumstances and impact of transition to post conflict society.

Q3. The large size of quango sector compared to local government and central departments and agencies, including number of employees in each sector.

A system of public administration which reflects realities of new governance.

A system of public administration which is flexible to respond to political developments in Northern Ireland – Direct Rule, legislative, executive or administration devolution, local power-sharing, cross-border co-operation.

Q4. Trend to multi-agency working and strategic partnership has given private, community and voluntary sectors an increasing role in governance. Public sector is sharing power with other stakeholders. Public bodies may purchase services from private and voluntary sector and this could on a larger scale. Specific change of roles has tended to directly reflect government policy agendas, eg. transfer of social housing from public sector to voluntary sector.

Q5. Not all services need to be co-ordinated at local level eg. social security does not need to be integrated except perhaps in relation to take up of benefits.

Re: other services it is usually parts of services that needs co-ordination, eg. special needs housing.

In one sense district councils can be seen as having a role representing the interests of their locality in partnerships. The inclusion of local political representation, users, community groups and the public may be more important than co-ordination.

A mechanism for strategic overview of physical infrastructure, transport, roads, and economic development, may be useful and a possible model exists in the three cross border local government networks, ICBAN, East and North-West, eg. Greater Belfast network could be established with similar remit except for cross-border dimension.

Q6. Yes. As indicated above partnership government is the new significant change effecting public administration. The model for the delivery of services is towards networks and partnerships involving the public, private and voluntary sectors. However partnership may be more effective at strategic planning level or project working together rather than at operational level for mainstream services. Some

partnerships may operate with detailed statutory guidance, others with more discretion. Working together may be enhanced by pooled budgets, integrated management, shared staff, and working protocols. While there are advantages in holistic approaches, pooling expertise and increasing resources, problems can arise with such issues as accountability and the equality of the partners.

- Q8. If Assembly and Executive exist they are responsible for policy formulation and monitoring of implementation and expenditure through Assembly Committees and Public Accounts Committee. However scrutiny of public bodies may need clarification. Under Direct Rule these roles may be exercised in a more restricted way at Westminster and new arrangements may be worth examining, eg. a new remit for Northern Ireland Committee or new Committee to scrutinise public bodies.

The Department of Environment has special role through its local government division for policy and legislation in local government as well as finance.

- Q9. Local government in Northern Ireland has a representative and consultative role not just a service delivery role. The functions of local government have expanded:
1. directly through small increase in powers, eg. economic development, community relations, emergency planning and cross-border co-operation, and,
 2. through involvement in local partnerships, eg. tourism and EU funded district and strategic partnerships.

Local governments representative role has decreased in significant area such as Health and Social Services Boards and this role could be enhanced. Local governments consultant role has increased and involves housing, planning, policing, roads and water services. Other public bodies, departments and agencies could be required to consult District Councils.

- Q10. Public bodies or quangos have a long history in Northern Ireland. Northern Ireland is a suitable size and has a suitable population for quangos. They have advantages in terms of specialisation, expertise, impartiality which has outweighed problems of coordination and narrowness. Their continuing growth has given rise to criticisms of undemocratic nature of quangos especially in absence of accountability to a Regional Assembly and Executive.

The problem of the composition of quangos and under-representation particularly of women has been addressed through public appointments unit and opening appointments to self-application but outcomes need to be monitored and acted upon.

There are three types of quangos. Firstly, tribunals where change is unlikely but their status as quangos and part of public administration and governance is often overlooked as they have been taken over by a totally judicial ethos. Secondly, advisory committees which are not as widespread in Northern Ireland as in Great Britain mostly relate directly to government departments and agencies. Thirdly, the large Executive Bodies, some of whom provide services which in Britain are local

government services, education, social housing, personal social services, libraries and fire services. The possibilities for change lie in the margins, the return of some quango functions to departments and agencies; the transfer of some minor functions to local government and a reduction in number of sub-units of quangos.

There are also major issues concerning public participation and accountability. Quangos and board members tend to be unknown to the public and isolated from the public. This could be addressed through opening up all Board meeting to the public (this is current practice with some), consultation with users, more elected representatives on boards.

The difficulty the public may have in knowing or defining quangos is perhaps demonstrated in that the list of public bodies in the appendices includes a few Executive/Next Step Agencies eg. driver and vehicle licensing and driver and vehicle testing agency and also housing associations which are voluntary organisations.

- Q11. Establishment of Executive Agencies has followed closely example of Next Steps Initiative in Great Britain. I do not think rationale for this Initiative was based on reason given in para 4.10, divorcing delivery of services from the political environment rather it was to leave ministers with a smaller policy-making elite. Are Northern Ireland departments too small to need to hive off policy functions? Does this structure then require new (unnecessary) liaison arrangements between departments and agencies? Have Northern Ireland agencies used separate status to be innovative, recruit non-civil servants, do things differently?
- Q12. To some extent local councils do this re: other services, acting as a local lobbying or pressure group.
- Also important to grant access to Minister/senior civil servants to local pressure groups.
- Formal consultation can be introduced through focus groups and user groups.
- Q.13 Maintenance of user-friendly we-sites, perhaps publication of newsletters and wide distribution. Some councils deliver newsletters to all homes in their area. Some public bodies do carry out questionnaires to gauge local opinion but this can be expensive process as with public consultation on 11+ selection process.
- Q14. Such exercises in building capacity are usually targeted at politicians or senior executives. An effective programme has been 'Future Ways Project' working with local councils, police and other groups to support leadership within organisations deepen their understanding of change, equity, diversity, citizenship and interdependence.

Q15. There may be a case for some further enhancement of local government in recognition of:

- i. there has been a gradual enhancement with minor functions;
- ii. there has been enhanced role through participation in partnerships;
- iii. widespread adoption of political power-sharing in council leadership posts and committees;
- iv. the high profile status of district councils in local community and local media;
- v. the potential of councils to generate and disperse public sector employment around the province.

There is however lack of agreement among the parties for major extension of functions and there are too many small councils. Larger councils would be needed to take on more functions. However if councils are given more of a strategic and consultative role the grouping of councils into networks could be considered. The principle of networks/groupings already exists.

Quangos have a long tradition in Northern Ireland and provide specialist focus and impartiality. But there are problems of accountability, representativeness and openness. Some transfer of functions from quangos to departments and agencies and local government could take place. This proposal would be a version of model 4. It would not effect housing, education or health and social services in the main.

Q15. It may be appropriate to build on existing local government functions and expand environmental, tourism, economic development, community services rather than envisage transfer of a whole service, eg. libraries.

There is probably a case for retaining most quangos on the grounds of specialist expertise and degree of independence from government.

However the idea that a service must be in one of three boxes sits uneasily with the new degree of partnership working. Increasingly, for example, British local authorities do hardly anything on their own.

Q17. This may require review and clarification of role of local government unit in DoE and possible issuing of more guidance from central government departments.

Q18. A corporate approach would involve a multi-functional regional or sub-unit covering a range of Social Services (housing, education, health and social work) or physical/environmental services (roads, planning, pollution) but these would appear too like a form of undemocratic local government.

Q19. 'Developing Better Services' considered a wide range of options. A key principle is to maintain the integration of health and personal social services. The existence of acute hospital trusts already dilutes integration and the number might be reduced to include only the largest 'regional' hospitals. The pattern in Great Britain suggests

trusts as the key component, perhaps reduced in number. There may be no need for HSS Boards or a regional Board. The structure should also not allow the domination financially or otherwise of the health sector, especially the acute sector at expense of social and community services. There is also a need to recognise structures for links with related areas of housing, education and community development. Britain has moved to pilot children's trusts linking components of education, social services, and NHS authorities. There are also examples of linked housing and social services departments.

Health and social services fit into Model 3. One centralised Board would be too large and return to local government would mean a separation from health and be only viable with a small number of authorities.

Q20. Some key principles are more important than others, integration of health and social services, coordination with education and housing, viable size of units and involvement of users are particularly important. Localism, cross-community concerns, human rights dimensions are not as important.

Q21. Issue of need for two tier system Board-Trust as opposed to single tier of trusts.

Use of review to enhance integration by abolition of purely hospital trusts.

Need to improve collaboration and structures for working together with other services, education, housing particularly but also probation, youth service, social Security.

In Great Britain pilots have been initiated to link social services and education in children's trusts and in other areas, social services are integrated with social housing. It is also necessary to clarify future role of trusts in relation to health and social service groups.

Q22. Targeting Social Need has had limitations as it is driven through government departments' mainstream programmes. A social exclusion approach with a focus on disadvantaged groups and multi-agency projects may be preferable.

The enhancement of local government, use of regional sub-units and partnerships is more likely to benefit rural areas.

Q23. Little attention paid to cross-border co-operation. This exists at all levels and at there is the special administrative structure of implementation bodies. It is noteworthy that 25 out of 26 district councils in Northern Ireland in 2001 reported involvement in cross-border projects and initiatives. One barrier to increased co-operation is the mismatch in administrative services, north and south, eg. for social housing.

There is also little reference to European Union and implications for aspects of the structure of Public Administration. There is a need for administrative bodies at all

levels to have mechanisms to link into Europe. European funded projects impose administrative requirements and have supported a partnership model of working. The EU has also promoted transnational projects involving multi-national structures and Northern Ireland public bodies are involved in such projects.