

**Opportunities spurned:**  
**A critical review of policy development, service  
delivery and public assurance in public services**

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## **Abstract**

National Frameworks or performance regimes for individual public services or for sectors of the public services have become increasingly popular with successive governments in the UK since the New Labour administrations of Tony Blair and Gordon Brown. Since the advent of joined-up government introduced by the modernisation agenda of the first New Labour administration, governments have attempted to adopt a more strategic approach to policy and delivery of public services. Successive governments have produced more holistic policy and guidance that includes central government policy supplemented by advice, guidance and sometimes regulation on how public agencies should deliver the services. These have invariably been accompanied by revised arrangements intended to improve accountability and transparency and ultimately public assurance.

National frameworks, or regimes, attempt to bring these three areas of policy development, service delivery and public assurance into a mutually supportive, coherent and joined-up approach. They are defined as “the context, the parameters, the agencies and the relationships operating within the three domains of policy development, service delivery and public assurance in public services or sectors” (Murphy, *et al.* 2018a). A conceptual model has been developed to show how the different parts of the frameworks are configured and inter-relate (Murphy and Lakoma 2019), and this also serves to show which aspects of the frameworks or regimes are investigated in the twelve individual papers that are included in the submission.

The publications that comprise this submission, and the research that underpinned them, fall into three types. The first type are critical reviews of a particular national framework or regime for a service or sector as a whole, which highlight inadequacies, omissions or potential improvements to the framework. Secondly, there are papers that are critical reviews across successive regimes or frameworks in a particular service or sector. Thirdly, there are critical reviews of individual parts, components or aspects of a particular service or sector. All of them share the same objective i.e. to highlight inadequacies, omissions or potential improvements. The particular focus of the individual papers submitted are shown in Table 1 containing the list of publications that also provides a simple taxonomy of the publication types.



The frameworks, the individual components, and/or any proposals for change are reviewed from the perspective of three statutory requirements. These three statutory requirements relate to all locally delivered public services within the four sectors investigated by the published papers, namely Local Authorities, Health and Social Care, the Police and Fire and Rescue Services.

Throughout the study period these services and sectors, and the organisations that deliver these services, have been required, individually and collectively, to facilitate continuous improvement, to provide value for money and to deliver more accountable and transparent public assurance arrangements. These three statutory requirements are the underpinning objectives for all public service delivery in the UK since 1999. In all of the papers that follow they have been the common overarching objectives that form the basis of the evaluations. They are therefore the basis of the review of existing whole regimes in some of the papers; for the review of proposals for the replacement of whole frameworks or successive frameworks, or to the replacement of significant parts of frameworks or regimes. In some cases they also help to highlight realistic and feasible alternative arrangements, which, if adopted, could have better met the statutory requirements.

The conceptual model is used as an analytical tool in order to evaluate individual frameworks/regimes or successive versions of frameworks or parts of frameworks. The model provides a coherent overview which potentially can be used to facilitate future evaluation of changes to frameworks or their constituent parts.

Both the introductory chapter and the individual publications demonstrate how policy development, service delivery and/or public assurance arrangements in the four public services or sectors can be better understood, assessed and potentially improved, while acknowledging the appropriate financial and legislative parameters. Attempting to bring them together in a single framework enhances public understanding and encourages engagement as well as improving the potential to achieve better multiple-agency co-operation, continuous improvement in service delivery and value for money.

Collectively the publications also reveal a reluctance on the part of recent UK governments, and their advisers, to learn from good practice, from previous frameworks or from frameworks in alternative services or sectors. They also

demonstrate an insularity to innovations, new initiatives and examples of good practice from previous administrations and from international practice.

## Acknowledgements

The development of the ideas and thinking behind this thesis and the publications that comprise it, have been hugely influenced by the many colleagues I have had over the last 40 plus years, in local government, in the civil service and over the last 10 years in academia. They are too numerous to mention individually but I owe them all a debt of thanks. Without them the ideas in this thesis would never have developed.

I would like to thank my supervisory team Professor David Smith, Professor Joyce Liddle and Dr Martin Jones. It has been a long time and a considerable intellectual journey since I started writing the papers that became the foundation for this PhD by publications. David, Joyce and Martin have been there throughout. They have helped me through thick and thin; ever positive, ever patient, ever generous with their time and more crucially with their knowledge and expertise.

I would also like to thank Russ Glennon, Ashley Purcell, Katarzyna Lakoma and Pete Eckersley, the occupants with myself of 'Room 606' throughout the writing up of the thesis. Advice, discussion, proof reading, help with IT, tea and even the occasional beer. "Did Pete really draw those diagrams?" – "what do you think?"

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## **Glossary of acronyms**

CAA. Comprehensive Area Assessment

CCT Compulsory Competitive Tendering

CPA Comprehensive Performance Assessment

DCLG. Department of Communities and Local Government

DETR. Department of the Environment Transport and Regions

DTLR. Department of Transport, Local Government and Regions

DWP. Department of Works and Pensions

FRS. Fire and Rescue Services

FSEC. Fire Service Emergency Cover Toolkit

HMG. Her Majesty's Government

HMICFRS. Her Majesty's Inspectorate of Constabulary, Fire & Rescue Services

HMT. Her Majesty's Treasury

IRMP. Integrated Risk Management Plans

JSNA. Joint Strategic Needs Assessment

KPIs. Key Performance Indicators

LGA. Local Government Association

MHCLG. Ministry of Housing Communities and Local Government.

NAO. National Audit Office

NFRS. Nottinghamshire Fire and Rescue Service

NTU. Nottingham Trent University

ODPM. Office of the Deputy Prime Minister

PAC. Public Accounts Select Committee

PCC. Police and Crime Commissioner

PEEL. Police Effectiveness Efficiency and Legitimacy inspections

## Introduction

The structure for a PhD by publications submission is not established within the university's regulations but can vary according to the content of the individual study. This submission starts with the list of publications that form the main part of the PhD, followed by individual summaries of the publications as required by the regulations. The individual publications all contain relevant literature, appropriate methodology and methods, analysis, findings, discussion and conclusions sufficient to have warranted publication.

The summary of the individual publications is followed by an introductory chapter or critical study of the collective contents of these publications. Its purpose is to analyse the individual and collective publications comprising this submission; to state their significance, and to demonstrate the interrelationship between them as a coherent body of work. In so doing and as part of this narrative it will link the submitted papers to relevant theory; address and explain the methodologies adopted; and review some of the existing literature in the broader field as required by the university's regulations (NTU 2018). The critical review is followed by the published copies of the full papers contained in the publications list.

## The Research Question

The research question in a PhD by publications is inevitably different from a traditional PhD. In the **author's view**, it is more an ex-post facto summary of what the papers sought to achieve, rather than the focus and catalyst for a single investigation. It has to cover the arc or range of the papers presented later. The collective research question that embraces all of the individual papers and the critical review that follows is:

*How effective are the policy development, service delivery and public assurance arrangements for public services in the UK, and how can they be improved while facilitating continuous improvement, achieving value for money and acknowledging the appropriate financial and legislative parameters?*



The next section will analyse the individual publications that comprise the main part of this submission. It is important to emphasise that each of the papers responded to an appropriate research question or questions, which were established within the paper at the time they were written and not specifically to contribute to the collective research question.

## List of Publications

Table 1 below, lists the submitted publications and their word counts. It also provides a simple taxonomy in that it identifies in the third column whether the individual paper is primarily about policy development (A), service delivery (B), public assurance (C), or (in all cases) the combination of two or more of the three.

The fourth column then identifies whether the paper is about a single whole framework or regime (X), or multiple or successive frameworks/regimes (Y), or a significant part of a framework or successive frameworks/regimes (Z). The final column is the word counts. The list also has four subheadings (a-d) to identify which of the four services or sectors is the subject of the particular paper i.e. local government, health and social care, the police or fire and rescue services.

Table 1. List of publications by service, by subject and by type of paper.

Title		Domains	Type	Word count
<b>a) LOCAL GOVERNMENT</b>				
1.	Murphy, P., Greenhalgh, K., and Jones, M. (2011) Comprehensive Performance Assessment and Public Services Improvement in England? A Case Study of the Benefits Administration Service in Local Government. <i>Local Government Studies</i> , 37(6), pp. 579-599.	B/C	Z	7397
2.	Murphy, P., Greenhalgh, K. and Jones, M. (2014). Housing and council tax benefits administration in England: a long-term perspective on the performance of the local government delivery system. <i>Local Government Studies</i> , 40 (5), pp. 729-744.	B/C	Y	5958
3.	Murphy, P., (2014a). <i>The development of the strategic state and the performance management of local authorities in England</i> . In: P. Joyce and A. Drumaux, eds., <i>Strategic management in public organizations: European practices and perspectives</i> . Abingdon: Routledge, pp. 243-255.	A/B/C	Y	5512
4.	Murphy, P. and Jones, M., (2016). Building the next model for intervention and turnaround in poorly performing local authorities in England. <i>Local Government Studies</i> , 42 (5), pp. 698-716.	A/C	Z	7146

<b>b) HEALTH AND SOCIAL CARE</b>				
5.	Murphy, P., (2013). Public health and health and wellbeing boards: antecedents, theory and development. <i>Perspectives in Public Health</i> , 133 (5), pp. 248-253.	A/B	Z	4075
6.	Murphy, P., (2014b). Sport, physical activity and the establishment of Health and Wellbeing Boards in Nottingham and Nottinghamshire. <i>Managing Leisure</i> , 19 (2), pp. 92-104.	A/B	Z	6247
<b>c) POLICE</b>				
7.	Murphy, P., Eckersley, P. and Ferry, L., (2017). Accountability and transparency: police forces in England and Wales. <i>Public Policy and Administration</i> , 32 (3), pp. 197-213.	A/C	X	6911
<b>d) FIRE AND RESCUE SERVICES</b>				
8.	Murphy, P., Greenhalgh, K. and Parkin, C., (2012). Fire and rescue service reconfiguration: a case study in Nottinghamshire. <i>International Journal of Emergency Services</i> , 1 (1), pp. 86-94.	A/B/C	Z	4995
9.	Murphy, P. and Greenhalgh, K., (2013a). Performance management in fire and rescue services. <i>Public Money &amp; Management</i> , 33 (3), pp. 225-232.	A/B/C	Y	9260
10.	Murphy, P., Greenhalgh, K., Ferry, L. and Glennon, R., (2019). <i>Fire and Rescue</i> . Chapter 6 in: P. Murphy, L. Ferry, R. Glennon and K. Greenhalgh, eds., <i>Public service accountability: rekindling a debate</i> . Cham, Switzerland: Palgrave Macmillan, pp. 107-125.	A/B/C	Y	5929
11.	Murphy, P., Lakoma, K., Greenhalgh, K and Taylor, L. (2019). <i>A comparative appraisal of recent and proposed changes to the fire and rescue services in England and Scotland</i> . Chapter 14 in P. Wankhade, L. McCann, and P. Murphy, <i>Critical Perspectives on the Management and Organisation of Emergency Services</i> . Abingdon Oxon: Taylor and Francis.	A/B/C	Y	6609
12.	Murphy, P., and Lakoma, K. (2019). <i>Developing a model to facilitate evaluation of performance regimes and national frameworks</i> . <i>Working Paper 7</i> . Nottingham: Nottingham Trent University.	A/B/C	Y	4649
<b>Word counts</b>				
Introduction and summary of submitted publications .....				5,916
Critical study.....				18,855
Submitted publications .....				74,688
Total.....				99,459

## Summary analysis of the individual publications

### Paper 1:

**Murphy, P., Greenhalgh, K., & Jones, M. (2011) Comprehensive Performance Assessment and Public Services Improvement in England? A Case Study of the Benefits Administration Service in Local Government, *Local Government Studies*, 37:6, 579-599.**

This is the first of two largely empirical papers relating to the benefits administration service in local authorities that form part of this submission. Two later papers (papers 3 and 4) look at the performance management of local government from a more holistic comparative perspective.

The policy for determining who should be receiving benefits was effectively determined by central government with local government administering their distribution, and the Audit Commission, external auditors and the Benefits Fraud Inspectorate responsible for monitoring performance and providing assurance to the public. The paper therefore addresses both service delivery and public assurance and is clearly concerned with a part (albeit an important part) of the Comprehensive Performance Assessment (CPA) framework.

The purpose of the paper was to evaluate the impact of the CPA regime on one particular public service, namely the distribution of council tax and housing benefits by local authorities throughout the course of the CPA regime. CPA went through a number of iterations and this service was assessed in every iteration of the CPA methodology and it included one of the few key performance indicators (KPIs) where the definition of the performance indicator, the means of collection and the public reporting of its results, remained the same throughout the CPA period between 2002 and 2008.

Paper 1 was the first post-2010 paper to conclude that, contrary to the prevailing political rhetoric of the incoming government, there had been sustained and significant improvement in the performance of the Council Tax Benefit and Housing Benefit services administered by local authorities throughout the CPA period. This occurred irrespective of the size or type of authority, the nature of the political control of authorities or the urban or rural nature of the administrative areas. This improvement

was mirrored in the general improvement of local government services throughout the CPA period, which shows that the improvement in benefits was not achieved at the expense of other services (Audit Commission 2009).

In terms of the theory of organisational change, the paper contended that the CPA regime itself acted as the ‘change agent’ for the system as a whole and that institutional isomorphism operated at the service level. Institutional isomorphic change can arise due to three potentially interrelated mechanisms: coercive, mimetic and normative isomorphism (DiMaggio and Powell 1991). The paper concluded that CPA acted as both an inter-organisational and intra-organisational catalytic trigger (Osborne *et al.* 1995). It also concluded that the implementation of CPA, and the inclusion of the performance of the benefits services within CPA, acted as a coercive trigger that promoted a combination of both mimetic and normative isomorphism across the service leading to widespread sustainable improvements in the services to claimants.

## **Paper 2:**

**Murphy, P., Greenhalgh, K. and Jones, M. (2014). Housing and council tax benefits administration in England: a long-term perspective on the performance of the local government delivery system. *Local Government Studies*, 40 (5), pp. 729-744.**

This is the second of two, largely empirical papers relating to the Benefits Administration Service in Local Government that are part of this submission. As with the previous paper it addresses both service delivery and public assurance and is clearly part of the wider local authority frameworks but this paper deals with successive performance frameworks or regimes rather than just CPA.

In 2010 the Coalition government announced that between 2013 and the end of 2017, all existing claims to income-based welfare allowances, including housing benefit, would gradually move to the proposed universal credits system (DWP 2010). This paper evaluates the performance of the Council Tax and Housing Benefits Administration Services under the previous system for the delivery of these benefits since they were transferred fully to local authorities in 1993, and continued up until December 2011.

During this period the performance of local government has been influenced by four successive national performance regimes, namely: Compulsory Competitive Tendering (CCT); Best Value; Comprehensive Performance Assessment (CPA) and Comprehensive Area Assessment (CAA). Paper 1 above (Murphy, *et al.* 2011) found a significant improvement in performance across all types of authorities in all parts of the country during the CAA period. This second paper provided a longer-term perspective on the performance of the benefits service between 1993 and the end of 2011.

The research findings showed that under CCT the performance of the system was poor, with wide variations in individual local authority performance, many acknowledged inadequacies in the system and unacceptably high levels of fraud. Towards the end of CCT and in the subsequent Best Value period, the antecedents of some of the tools and techniques subsequently used to drive improvement in the CPA era, were either put in place or were being developed.

However, the Best Value period itself did not show significant improvements and it was not until many of the initiatives were refined, developed and applied within the CPA framework, that sustained and significant improvements became evident. This overall improvement generally continued under the CAA regime although the previous trend of consistent reductions in the variation between authorities' performance had changed between 2009–2010 and 2011–2012. Post-CAA the gap between the performance of the best and the performance of the worst authorities widened as improvement in the poorest performing authorities stalled and then went into reverse. At the time of publication it was too early to judge whether these trends would be maintained under the Coalition Government's localism regime (Lowndes and Pratchett 2012), and the introduction of sector-led performance management (LGA 2012a, 2012b).

### **Paper 3:**

**Murphy, P. (2014b).** *The development of the strategic state and the performance management of local authorities in England.* In: P. Joyce and A. Drumaux, eds., *Strategic management in public organizations: European practices and perspectives.* Abingdon: Routledge, pp. 243-255.

This contribution to a research monograph took a high-level and long-term perspective on the performance management of local authorities. The book, as its title suggests, was an international comparative analysis of the development of the strategic state across European countries.

The paper examined the strategic development of the performance management, external inspection and intervention regimes developed by central government for local authority services in England between 1999 and 2010. It then analysed their subsequent experience under the coalition government following the 2010 general election. It addressed all three domains of policy development, service delivery and public assurance, and dealt with successive frameworks as a whole.

Between 1997 and 2010 there was considerable evidence of a ‘strategic’ central state in relation to the management of locally delivered public services. The central state, in cooperation with local public service delivery organisations, was gradually acquiring the capacities and organization to be more effective at local interventions, and was becoming increasingly ‘strategic’ in these interventions as they became based upon an increasingly robust and comprehensive evidence base, and demonstrably effective practice and experience. The government and key stakeholders, such as the Local Government Association and the Audit Commission, also gradually built the necessary infrastructure, organizations and networks to promote continual improvement and generate organizational and sectoral innovations in public service delivery.

This paper argued that under the coalition government of 2010-2015, this gave way to a less coherent approach (‘post 2010 fragmentation’) as the coalition prioritized short and medium term reductions in public expenditure over public service improvements and promoted market based responses to public service reform. The paper initially described the New Labour years but also attempted to explain some of the conceptual confusions and apparent inconsistencies in contemporary policy proposals for locally delivered public services under the coalition government.

Post 2010 the capacity to systematically produce and quality assure the evidence upon which public policy decisions were based was generally being sacrificed to meet the short-term financial imperative of reducing public expenditure. As a result, the central state’s ability to intervene strategically and effectively was consistently compromised.

#### **Paper 4:**

**Murphy, P. and Jones, M. (2016). Building the next model for intervention and turnaround in poorly performing local authorities in England. *Local Government Studies*, 42 (5), pp. 698-716.**

This paper examined the design and implementation of the two alternative strategies adopted for the intervention and turnaround of poorly performing local authorities in England in the two distinct periods of 2002-2008 and 2011-2015. It therefore deals with a significant change of both policy and external scrutiny and public assurance arrangements. It also focusses on one part of successive frameworks (intervention) rather than the whole frameworks.

The first model was integral to the two Comprehensive Performance Management regimes (CPA and CAA) of New Labour, while the second to the Sector Led Improvement regime (SLI) of the Coalition Government. The paper was a response to a series of recent evaluations that had been published, for or on behalf of the main proponents and developers of the Sector Led Improvement model, the Local Government Association (LGA), (Bennett et al. 2014, Downe, et al; 2014, LGA 2012a, 2012b, Planning Advisory Service 2013).

The intention was not to determine which regime had the most merit or inadequacies, but rather to synthesize knowledge and identify those areas that could be improved as policy and practice moved forward. The paper found that both models had merits as well as weaknesses, dependent upon context and policy priorities. It provided a review of when and where alternative models could be used, but also highlighted the significant loss of a range of sophisticated tools and techniques that had previously been available to assess or interrogate the evidence for intervention and improvement.

A comparison of the evidence available for managing local authority performance indicated that the evidence available up to 2010 (primarily within the Audit Commission), was improving, while the evidence base available after 2010 deteriorated appreciably. The paper pointed to a need for a more transparent, robust and independent appraisal of the costs and benefits of alternative forms of intervention, and the likelihood of sustainability of the different approaches in particular circumstances.

More recent interventions in Rochdale (Klonowski 2013), Rotherham (Jay 2014), Birmingham (Kershaw 2014), Essex (Lucas 2015), Avon (Baker 2017) and Northamptonshire (Caller 2018) support the view that the contemporary SLI model was not adequate in all individual cases, and the paper highlighted the need for a more comprehensive analysis and appraisal of both the CPA and SLI regimes.

On a practical level, the paper and its underpinning research provided the basis for contributions to successive governments' consultations that sought to review the current intervention protocols in Fire and Rescue Services (Murphy and Greenhalgh 2012, 2015, Murphy *et al.* 2018b).

This paper was runner-up and highly commended in *Local Government Studies* Best Paper of the Year.

#### **Paper 5:**

**Murphy, P. (2013). Public health and health and wellbeing boards: antecedents, theory and development. *Perspectives in Public Health*, 133 (5), pp. 248-253.**

This is the first of two exploratory research papers that dealt with the policy and implementation of the 2012 Health and Social Care Act. The 2012 Health and Social Care Act *inter alia*, transferred responsibility for public health in England from primary care trusts to local authorities (from which it had come in 1974 (DoH 2011)). This paper traced the theoretical and policy antecedents of the proposals and highlighted key changes since their original conception in the 2010 public health white paper (DoH 2010). It considered the alternative theoretical interpretations of Agency Theory, Public Choice Theory, or Public Value/New Public Service Theory and concluded that the development of health and well-being boards and their objectives could best be understood by viewing them through the theoretical prism of public value or new public service theory.

It then explored the two alternative narratives being promoted on the one hand by the Secretary of State (Andrew Lansley) who favoured privatisation and competition within the system based upon price competition. This was juxtaposed with the position of Chief Executive of the NHS, Sir David Nicholson who favoured a more collaborative approach with greater emphasis on competition based upon the quality



of procedures and outcomes rather than price. It also discussed alternative approaches to the use of evidence, contrasting the influence of neo-liberal ideology and policy based evidence making with the traditional more pragmatic approach of the NHS, that traditionally favours evidenced based policy making.

The paper suggested that the drafting of secondary legislation and the development of advice and guidance relating to implementation, delivery and the future operating environment for public health and for health and wellbeing boards should be predicated on the principles of creating public value (Moore 1997, Bennington and Moore 2011). Similarly that health and well-being strategies should be focused on the development of local community and be population based and therefore explicitly public strategies, as exemplified by Mulgan (2009).

These policy and implementation proposals, needed to be complemented by a continually improving joint strategic needs assessment (JSNA) and a robust evidence base, allowing real-time, remote and open access with built-in quality assurance mechanisms. New techniques for collaborative or network-capacity building, innovation and individual and collective organisational development and infrastructural support would be needed. In these circumstances, the growing literature and experience that draws on social network analysis (Stephenson 2011) and wider partnership working for service improvement were identified as potential pathways to explore. This paper contributed to the rapidly expanding critical literature around the 2012 Health and Social Care Act that is now widely regarded as the most damaging reform of the NHS since its inception (The Kings Fund 2014).

#### **Paper 6:**

**Murphy, P., (2014c). Sport, physical activity and the establishment of Health and Wellbeing Boards in Nottingham and Nottinghamshire. *Managing Leisure*, 19 (2), pp. 92-104.**

This exploratory paper investigates the implications for sport and physical activity from the emergence of Health and Wellbeing Boards in Nottinghamshire and the City of Nottingham. The paper focussed on parts of the operational mandate of the NHS relating to public health and examined the role that sport and physical activity could

potentially make during its implementation. It did not address the whole of the new regime implemented by the Act.

The paper examined both the theory and practice behind the emerging governance arrangements, the strategic objectives and priorities, and the developing evidence base for future policy and delivery within the two areas. Although the paper was primarily based upon exploratory research, the primary and secondary evidence suggested that both the theoretical development of the background policy and legislation, and the practical preparation and development on the ground in Nottingham and Nottinghamshire, were best understood through the theoretical lens of Public Value or New Public Service Theory (Bennington and Moore 2011). Thus the nature, scope and role of the new Health and Wellbeing Boards were best understood and their future strategy and operations best anticipated by applying this form of theoretical analysis and interpretation.

In practice both Nottingham and Nottinghamshire, communities of interest unequivocally adopted a pragmatic approach to the NHS reforms and the new organisational landscape that was emerging. This was clearly being built upon existing policies, objectives, strategies and governance arrangements established under the previous system of Local Strategic Partnerships, Community Strategies and Local Area Agreements, rather than attempting to build wholly new policies and structures. These arrangements emphasise the several and mutually collective responsibilities for local public services based upon the centrality of the community or public interest as articulated in a series of public strategies or programmes, with the public citizen or the community at the centre, rather than the ambitions of individual organisations (Goss 2007, Mulgan 2009, Murphy 2013)

Finally, recommendations were made that would facilitate the development of the sector's contribution and enhance the strategic positioning of the sector within the post-Olympic policy environment; the new public health system and the emerging health and wellbeing policy and delivery agenda.

## **Paper 7:**

**Murphy, P., Eckersley, P. and Ferry, L., (2017). Accountability and transparency: police forces in England and Wales. *Public Policy and Administration*, 32 (3), pp. 197-213.**

This paper focused on how government reforms have changed the nature of accountability arrangements for the 43 territorial police forces in England and Wales. It was based on empirical research commissioned by the National Audit Office (Ferry and Murphy 2015) and addressed both policy development and the accountability and transparency arrangements that form part of the public assurance domain of the national framework. It therefore dealt with a significant part of the national framework rather than the whole framework.

Between 2010 and 2015, the UK's Coalition Government introduced directly-elected Police and Crime Commissioners (PCCs) to oversee English and Welsh police forces, and also required every force to publish a range of performance and financial information online. Together with the fact that front-line policing services have not been outsourced or privatised, this suggests that strong 'downwards' accountability mechanisms exist through which residents can hold their local force to account.

The paper explored the conceptual nature of accountability, before analysing the evolution of the various regimes that are required to monitor financial and operational performance in the police service and provide assurance to the public. These regimes expanded under the New Labour administrations but were radically reformed by the Conservative-led coalition government that held office between May 2010 and May 2015. The paper shows how these reforms sought to improve 'downwards' accountability to citizens by introducing elected Police and Crime Commissioners (PCCs) and giving the public greater access to data about the activities of their local force as part of the government's 'transparency' agenda. Paradoxically, however, the changes have resulted in police accountability arrangements becoming more complex and opaque.

The new arrangements were significantly more complex than their predecessors, because many more actors were involved – several of which assumed the role of both 'principal' and 'agent' in different accountability relationships. Although forces may be more responsive to communities than the police authorities that they replaced (and

this is at least partly due to the introduction of directly-elected PCCs), it was too simplistic to argue that they are subject primarily to ‘downwards’ accountability mechanisms. Despite the abolition of centralised targeting frameworks, the annual all-force inspections called ‘Police Effectiveness Efficiency and Legitimacy’ (PEEL) inspections (HMICFRS 2019) and the continued power of the Home Secretary to intervene in the governance and management of forces meant that ‘upwards’ accountability structures remained robust.

Although direct elections may appear seductive as a means of strengthening the ‘downwards’ link between public officials and citizens, they do not necessarily simplify accountability procedures. As the South Yorkshire Police and Crime Commissioner case demonstrated (BBC News 2014), such initiatives may need to be accompanied by additional oversight or intervention mechanisms to prevent individuals subsequently perceived to be unsuitable from remaining in post.

#### **Paper 8:**

**Murphy, P., Greenhalgh, K. and Parkin, C., (2012). Fire and rescue service reconfiguration: a case study in Nottinghamshire. *International Journal of Emergency Services*, 1 (1), pp. 86-94.**

This is the first of a series of papers on policy development, service delivery and accountability, transparency and public assurance in the UKs’ Fire and Rescue Services. This first paper, which adopted a relatively simple perspective based upon principal-agent theory, focussed upon the Integrated Risk Management process introduced in 2004 as part of the first framework but ever-present in all subsequent frameworks.

Fire and Rescue Authorities (FRA) were required by the Fire and Rescue Act 2004 and successive national frameworks (ODPM 2004, 2006, DCLG 2008, 2012, Home Office 2018a) to produce local integrated risk management plans (IRMP). These plans set out the authority's strategy for reducing the commercial, economic and social impact of fires and other emergency incidents. This replaced the previous system based on national standards and incident response times, that had prevailed for the previous 50 years. The Act also changed the basis for assessing ‘risk’ from a focus on risks to buildings, premises and property to a more holistic assessment focussing on

risks to people and communities, as well as to property (Murphy and Greenhalgh 2014a, 2014b). This changed the pattern of risk in all communities which then influences the most economic, efficient and effective configuration of emergency services.

Nottinghamshire Fire and Rescue Services were the first authority to attempt a comprehensive review of risk across the whole of their administrative area, through a Fire Cover Review. They commissioned Nottingham Business School to supplement data and intelligence, advice and quality assure the process and provide external independent 'objectivity' to both the service and the authority (Murphy and Greenhalgh 2011).

NFRS were able to develop a comprehensive evidence base that enabled them to undertake a robust and detailed review of the individual and community risks at various levels across the county and its immediate surrounding areas (Murphy and Greenhalgh 2011, 2014). This required constant refreshing and updating as patterns of risk changed and new techniques and information become available.

The quality assurance of the evidence and the systems and processes adopted by the project team were critical to the efficient and effective operation of the review and the confidence of key stakeholders in the outcome. The service may not have anticipated the success of this strategy but retrospectively it is clear that it was very successful and the new approach to the assessment of risk has been widely replicated across the UK, Europe, North America and Australasia.

The underpinning research for this paper formed a key part of the 2014 REF impact case study entitled *From Buildings to People: A New Regulatory Regime for Fire and Rescue Services* (Murphy 2014c).

#### **Paper 9:**

**Murphy, P. and Greenhalgh, K., (2013a). Performance management in fire and rescue services. *Public Money & Management*, 33 (3), pp. 225-232.**

This article analysed and evaluated performance management regimes used in fire and rescue services from the Best Value regime of 1999 through to the arrangements

enshrined in the national framework of 2012 (DCLG 2012). It suggested components for a new revised performance management regime and dealt with all three areas of policy development, service delivery and performance assurance arrangements. It investigated successive national frameworks.

In a paper published much later on the general concept of performance regimes, Martin et al. (2016, p. 129) state

*“We conclude that the concept is valuable. It helps to frame comparative and longitudinal analyses of approaches to performance assessment and draws attention to the ways in which public service performance regimes operate at different levels, how they change over time and what drives their development. Areas for future research include analysis of the impacts of performance regimes and interactions between their visible features (such as inspections, performance indicators and star ratings) and the veiled rationalities which underpin them”.*

Paper 9 included analysis of the impacts of performance regimes and interactions between their visible features, such as inspections and performance indicators. In both theory and in practice it anticipated the call from Martin *et al.* in 2016.

The coalition government had undertaken a strategic review of the national framework for Fire and Rescue Services (DCLG 2010) and the framework that emerged (DCLG 2012) was considered superficial, cursory and insubstantial. The research focused on a document analysis of previous performance management regimes supplemented by formal and informal surveys and interviews with senior officers and members of the FRSs, academics and other interested parties from both the FRSs community and practitioners and policy-makers from other public services.

The paper demonstrated that FRSs in England and Wales significantly improved their performance as a result of the Comprehensive Performance Assessment and Comprehensive Area Assessment regimes, but that there was still clear potential to further improvement in services and the opportunity to make further productivity and efficiency gains.

The authors contended that a new performance management regime could be delivered, which reduces the burden on FRSs, but improves the quality assurance

offered to the government and the general public (Murphy and Greenhalgh, 2011, 2013b, 2013c, 2013d). They argued that any new regime should be built on tools and techniques from previous regimes, rather than creating new mechanisms, while acknowledging that a number of the contemporary tools, techniques, standards and benchmarks needed revising and updating. Similarly, the policy and institutional changes in the UK since the general election of 2010, and the roles and responsibilities of key stakeholders demanded re-articulation, commitment and leadership from both the government and the FRSs at national and local levels. Its recommendations included amendments and refinements to the national framework and it signposted a way forward for the sector in terms of an updated performance management regime.

This paper won the 2013 *FIRE/Gore* Annual award for Outstanding Research – these are the only annual research awards in Fire and Rescue Research. There are only two categories (Outstanding Research and Best Research Poster).

#### **Paper 10:**

**Murphy, P., Greenhalgh, K., Ferry, L. and Glennon, R., (2019). *Fire and Rescue*. Chapter 6 in: P. Murphy, L. Ferry, R. Glennon and K. Greenhalgh, eds., *Public service accountability: rekindling a debate*. Cham, Switzerland: Palgrave Macmillan, pp. 107-125.**

This paper drew upon research originally commissioned by the National Audit Office (Ferry and Murphy 2015, Murphy 2015) that informed a number of NAO reports most notably the Financial Sustainability of Fire and Rescue Services (NAO, 2015) the subsequent Public Accounts Select Committee Inquiry based on the NAO report (PAC 2016), and chapters 1 to 4 of the Policing and Crime Act 2017. The research was updated to cover the following year, 2016, and published in a book that dealt with all four locally delivered services or sectors, Local Government, Health and Social Care, Police and Fire and Rescue Services (Murphy et al. 2019a). Both the book and this particular chapter dealt with policy development, service delivery and public assurance within successive national frameworks.

By 2018, the government were in the process of enacting reforms to the fire and rescue services modelled on the policing reforms (the subject of Chapter 5 in the book) via

provisions in Chapters 1-4 of the *Policing and Crime Act 2017*, which received royal assent in January 2018. The fire and rescue services have, like all public services, experienced austerity-localism (Lowndes and Pratchett 2012) and a performance management, governance and assurance regime similar to the one imposed on local government. This had recently been deemed inadequate and in need of urgent and extensive reform by the (then) Home Secretary Theresa May (May 2016) and the (then) Police and Fire Minister Brandon Lewis (Lewis 2017). Unlike the other local services, major reforms in Fire and Rescue Services were anticipated in the future rather than experienced during 2010-2015. The paper used the evaluative framework in paper 12 to explore the implications for fire and rescue services.

The paper itself firstly focused on changes in governance, accountability and public assurance arrangements for Fire and Rescue Services in the years between 2010 and 2015. It then focussed on how recent Coalition and Conservative government reforms had changed the nature of accountability arrangements within locally delivered public services. It provided some background to the economic and political landscape together with a chronology of events, before moving on to discuss the public assurance, accountability and transparency arrangements.

It concluded that since 2015 there had been clear improvements to accountability and transparency in fire and rescue services, although it would have been difficult for the government not to act and act decisively given the inadequacy of previous arrangements and the highly critical reports from the NAO (2015) and the Public Accounts Select Committee (PAC 2016).

Finally, the paper raised the issue of continued disinvestment in the service as further reductions in public expenditure were planned up until 2021. As the Grenfell Tower disaster had shown (Hackitt 2018) Fire and Rescue Services are facing rapidly changing and ever more complex challenges, and they were having to do so within a resource envelope that was diminishing and was planned by the Treasury to diminish further up to 2020 (Murphy 2016a).



## **Paper 11:**

**Murphy, P., Lakoma, K., Greenhalgh, K and Taylor, L. (2019). *A comparative appraisal of recent and proposed changes to the fire and rescue services in England and Scotland*. Chapter 14 in P. Wankhade, L. McCann, and P. Murphy, *Critical Perspectives on the Management and Organisation of Emergency Services*. Abingdon Oxon: Taylor and Francis.**

The arrangements for developing policy, delivering services and providing assurance to the public for Fire and Rescue Services in Scotland and England have diverged significantly since 2010, facilitated by the devolution of responsibility for local public services to the Scottish Government (2013a, 2013b). This divergence generated an opportunity to compare the two service regimes, which, for over a hundred and fifty years shared the same antecedents and history (Ewen 2010, Murphy and Greenhalgh 2018). The catalyst for this new appraisal has been the publication of a series of key policy and assurance documents in both countries, (Audit Scotland 2018, Home Office 2018a, HMICFRS 2018a, Scottish Parliament 2019). The research question adopted for the study was “how do policy development, service delivery and public assurance compare between the two countries?” This paper therefore looked at these areas and the successive regimes or frameworks for the service in the two countries.

Previous studies have individually explored the antecedents and the first five years of the development in the two countries between 2010 and 2015 (Taylor *et al.* 2018, Murphy and Greenhalgh 2018). In Scotland the previous eight locally based Fire and Rescue Services were amalgamated into a single service. In England, greater collaboration between the emergency services has been the predominant policy focus and Police and Crime Commissioners have been encouraged to develop into Police, Fire and Crime Commissioners with a single governance arrangement for both services.

The research found the policy priority in Scotland focused on improving public services and in particular improving outcomes, which was consistent with the policy emphasis in England prior to the 2010 general election. Horizontal integration to achieve economies of scale and greater efficiencies were an ambition of the New Labour administrations of 1997-2010, although few amalgamations of services actually took place. Indeed some of the changes in Scotland might well have emerged

as a logical next stage or at least as policy options in England had the general election not intervened.

Significant changes in the structural and organisational landscape was the most visible contrast between the two countries in terms of service delivery, with Scotland favouring the amalgamation of their Fire and Rescue Services into a national service. The crucial issues were how well the services were performing, how efficiently they were spending the public's money and ultimately how safe their communities were as a result.

The findings of the investigation and those of others (Audit Scotland 2018, Scottish Parliament 2019) tended to favour the approach in Scotland. It was clear that England had financial management and expenditure targets as its central priority. Yet, in value for money terms, and in terms of financial targets, (which are equally challenging in both countries), it was Scotland that appeared to have been more successful.

The research found clearer lines of accountability between the government and the service; more and more focussed parliamentary, national and local scrutiny; and more robust and effective frameworks for inter-agency working in Scotland than exist, or were anticipated, in England.

There were clear differences in the economy, efficiency and effectiveness of the two systems. England had poor government leadership leading to ad hoc restructuring, resulting in reduced assurance, sub-optimal delivery and rising risks to achieving value for money. Scotland had an unfinished transformation project that nevertheless demonstrated individual and collective leadership, a coherent strategic approach, value for money and improved delivery outcomes.

A research poster based on this research won the 2018 FIRE/Gore Annual award for a research poster.

## **Paper 12:**

**Murphy, P., and Lakoma, K. (2019). *Developing a model to facilitate evaluation of performance regimes and national frameworks*. Working Paper 7. Nottingham: Nottingham Trent University.**

In 2016, the government acknowledged the inadequacy of the previous policy development, service delivery and public assurance arrangements in Fire and Rescue Services with the (then) Home Secretary Theresa May admitting “it is currently almost impossible to scrutinise your local fire and rescue service. There’s no independent inspectorate; no regular audit of performance; and only limited available data on performance over time or between areas” (Home Office 2016 p.8). Chapter 1- 4 of the Policing and Crime Act 2017 and the new National Framework for Fire and Rescue Services published in 2018 directly addressed, amongst other things, these three issues.

This working paper describes the conceptual model that was developed by the author to show how different parts of national frameworks or performance regimes are configured and interrelate. The model has appeared in a series of workshops and conference presentations and an early developmental version appears in the professional press (Murphy and Glennon 2018a). The model is shown in Figures 1 and 2 on pages 38 and 42 of this thesis, and a more detailed version is articulated in this paper. This paper is included because of the centrality of the model to the thesis. It is refined and explained in more detail in the critical study that follows as the next section of this submission.

A copy of the paper (which has been published and is within the public domain), together with an explanation of the model, has recently been requested by Her Majesty’s Inspectorate of Constabulary and Fire & Rescue Services to assist in the development of future performance management regimes for both the territorial police forces and for fire and rescue services.

## Critical Study

### Background and Context

The publications upon which this submission rests, were published over a period of approximately 8 years. With the exception of paper 2, which investigates a much longer timescale from the introduction of compulsory competitive tendering in the 1980s, the papers focus on the period from the election of the first New Labour administration of Tony Blair until early 2019 and the May local elections.

During that time the relevant academic literature, as well as theory and practice, developed and changed significantly in public services within the UK, not least because of the 2008/2009 recession, and the strategic and economic policy responses adopted by the 2010-2015 Conservative led Coalition Government (HMG 2010), the 2015-2016 majority Conservative administration (Conservatives 2015) and the minority Conservative administration from 2016 to-date. These changes were often a direct replacement for arrangements introduced and developed by the previous New Labour administrations between 1997-2010.

In order to help demonstrate and make evident the interrelationship between the submitted papers it may be helpful to explain some academic and professional background that has informed the author's approach to the subject areas and the perspective that has been adopted in the original research and the subsequent publications upon which this submission is based.

The author's academic background has essentially been characterised by the study and interest in a multi-disciplinary approach to scholarship at undergraduate and postgraduate levels. The author's professional experience, in local and central government (between 1977-2000 and 2000-2009 respectively), also contributed to an ongoing interest in the systematic and systemic approaches to the development of policy, and the delivery of public services (Garret 1987, 1990, Senge 1990, 1994, 1999, Virtanen and Kaivo-oja 2015). This long-term in-depth knowledge of the subject area has many advantages and strengths, but as an academic, it also generates potential tensions and challenges because of the proximity of the research area to the researcher. The challenge for the researcher is to ensure objectivity because they need to be able to 'stand outside the research area,' remain objective and follow appropriate ethical

procedures. Although ‘true’ objectivity is ultimately unattainable in social science research the researcher must acknowledge and appreciate why the pursuit of objectivity needs to be part of the research approach.

Systematic and systemic approaches are dynamic and improvements in their operation are feasible and desirable, not only at the organisational (such as the individual local planning authority) level, but also at the multi-organisational and national levels i.e. the overall effectiveness of the planning system. These systems have to be, and are, sensitive and responsive to changes in their environments. Their operation and performance can be assessed against national objectives, outputs and outcomes, for example in the most recent Revised National Planning Framework (MHCLG 2019). The performance of the national system can also be compared internationally against the performance of similar systems in other jurisdictions (Voets *et al.* 2019).

This background in multi-disciplinary, trans-disciplinary and interdisciplinary issues later emerges in some of the papers that form part of this submission. It would however be overly simplistic to associate the author’s local government experience directly with service delivery or his central government experience with only policy development as in truth, policy, delivery and assurance have always been inextricably interrelated throughout both periods.

The next section describes the analytical and evaluative lens through which changes to the subject areas of the individual and collective papers (local government, health and social care, the police and fire and rescue services) are viewed. Before attempting to do so, it might be useful to restate the collective research question that embraces all of the individual papers and the critical review that follows, which is:

*How effective are the policy development, service delivery and public assurance arrangements for public services in the UK, and how can they be improved while facilitating continuous improvement, achieving value for money and acknowledging the appropriate financial and legislative parameters?*

### **The analytical and evaluative lens through which the subjects of the individual and collective papers were viewed**

The first New Labour administration of 1997-2001 introduced two initiatives as statutory requirements on public services and redefined the way that a third, the requirement to achieve ‘value for money’, was to be determined. These three requirements were collectively to provide not only improved and continuously improving public services, but also greater assurance to government, the public and other stakeholders that public money was being spent as effectively as possible and for the purpose for which it was collected.

The three requirements have particular resonance for the underpinning research and subsequent publications presented in this submission. They are not the full legislative requirements placed upon public services (there are clearly more specific obligations applicable to each of the four services or sectors studied), but collectively they provide the analytical or evaluative lens which has been adopted in the publications and in the narrative that follows. These legislative requirements are not immutable and may be subject to change in the future, but they have remained constant factors throughout the study period of this thesis. They are also ubiquitous in the sense that they apply to all locally delivered public services in the UK.

The first innovation was to encourage and strengthen partnership or collaborative working and to re-introduce and expand the use of the concept of multiple and several organisational responsibility for tackling long-term deep-rooted social, economic and environmental problems. These types of issues had clearly been adversely affecting local communities for some time and were proving increasingly problematic despite government policy and action to mitigate their impact. These had generally become known in academic and practitioner literature as the “wicked” issues or problems (Rittel, and Webber 1973, Benington and Moore 2011, Alford and O’Flynn 2012).

Wicked issues are not amenable to effective action on the part of a single agency (whether government or non-government) but require concerted action on the part of multiple agencies to address them or mitigate their impacts in a systematic and coordinated way (Butcher *et al.* 2019). The first statutory application of multiple and several organisational responsibility within the study period was in the New Labour

era. The 1998 Crime and Disorder Act established Crime and Disorder Reduction Partnerships (now more commonly now known as Community Safety Partnerships) between the police, local authorities and other interested agencies in every local authority area of the UK (Phillips *et al.* 2002). This was followed by a series of statutory and non-statutory partnerships and collaborations such as Local Strategic Partnerships, regeneration and neighbourhood partnerships, Children and Adults Social Care Partnerships, Safeguarding Boards, Mental Health Partnerships, Health and Wellbeing Boards (Wilson and Game 2006, Martin 2006, Goss 2007, Ashworth *et al.* 2010, Alford and O'Flynn 2012, Joyce 2012, 2015, Van Dooren *et al.* 2015, Hughes 2017) that collectively had to address long standing problems or persistent issues in local communities. The assumption being that they would configure themselves and act in the most co-ordinated or joined-up manner appropriate to the local issue and circumstances.

The second innovation was the cornerstone of what later became known as the 'improvement agenda'. This was the statutory requirement placed upon public bodies to facilitate continuous improvement across all of their services and activities, rather than just be subject to the local political dictates of their governing boards or authorities. This was first introduced in the Local Government Act 1999, which, *inter alia*, required local authorities to seek to achieve 'Best Value', although the obligation to achieve Best Value and continuous improvement was soon extended to all four sectors (DETR 1998, Friedman 2005, Martin 2006, Goss 2007, Mulgan 2009, Ashworth *et al.* 2010).

The introduction of Best Value was also accompanied by a subtle change in the obligation on public services to achieve value for money. As a concept and objective, the achievement of value for money, had come to prominence in the UK in the 1980's. However, under Best Value, value for money was henceforth to be assessed by a combination of the 3 'e's of economy, efficiency and effectiveness. A combination of economy, efficiency and effectiveness was (and is) the basis for assessing whether services, organisations or collaborations within the public sector are meeting their statutory requirement of achieving Best Value (DETR 1998, KPMG 2008, Campbell-Smith 2008, Ashworth *et al.* 2010, Van Dooren *et al.* 2015, Hughes 2017).

The two new initiatives and the revised concept of value for money were translated into generic statutory requirements for all public services and they are still extant at the time of writing despite prophecies of their demise (Glennon 2017). For a short time, under Gordon Brown's administration, of 2007-2010, 'equality' and 'sustainability' were added to economy, efficiency and effectiveness but subsequent governments since 2010 have reverted in policy and practice to the 3'e's.

Throughout the study period the four services and sectors that are the subjects of this study and the organisations that deliver these services have been required, individually and collectively, to reconfigure their activity so as to facilitate continuous improvement; to operate collaboratively in appropriate circumstances when facing entrenched local issues and to provide value for money. In so doing, they are supposed to generate and be subject to more accountable and transparent public assurance arrangements. These requirements have been underpinning objectives for all public service delivery in the UK during the study period. All of the papers that form this submission have adopted and combined these common assumptions and/or objectives to form the basis of the evaluations that followed. They are an omnipresent characteristic of the current legislative basis for all locally delivered public services and the performance management regimes constructed around them (HMT 2007).

In developing national policy for public service improvement, the New Labour administrations first attempted to join up central government policy development and subsequently, central government policy development and its delivery and implementation. This was enshrined within a system of Public Service Agreements which outlined delivery targets for individual Whitehall departments (HMT 1998b). These were also linked to 'Comprehensive Spending Reviews' that provided successive rounds of central government financial support via Departmental Expenditure Limits (DELs) to individual Whitehall departments. In effect the core of central government comprising the Cabinet Office, HMT and the No.10 Strategy Unit, negotiated increasingly sophisticated delivery targets (which might be input, output or increasingly outcome based targets) with the individual 'delivery' or spending departments, Departments of Health, Transport, Education, Work and Pensions, Home Office, Ministry of Justice etc. in exchange for central government funding. This Public Service Agreement system rapidly developed into a more sophisticated system that determined individual departmental objectives and targets complemented by multi



department cross government objectives and targets, while being linked to DELs (HMT 2007).

This new ‘joined up’ policy approach (Christensen and Laegreid 2007, Craven *et al.* 2018,) was complemented by a parallel attempt across Whitehall departments to link up policy making and service delivery through the development of the theory and practice of co-production and co-delivery of public services with their main external delivery agents, be they local authorities, the police, the NHS or non-departmental public bodies (Cabinet Office 1999, Bovaird *et al.* 2012, Downe *et al.* 2012, Pestoff 2018, Brandsen *et al.* 2018, Butcher *et al.* 2019). Thus ‘consult’, became one of the original four ‘c’s of Best Value namely compare, consult, competition and challenge (DETR 1998) through which local authorities needed to develop their strategies and policies and sat alongside the 3 ‘e’s of economy, efficiency and effectiveness by which they assessed their service delivery.

This more collective and collaborative approach to policy development and public service delivery was also complemented by a system of internal and external audit, and the measurement and monitoring of performance intended to ensure costs were reduced and the quality of services improved (Martin 2006, Goss 2007, Ashworth *et al.* 2010). This ‘improvement agenda’ was therefore facilitated by the creation and strengthening of external inspection, auditing, regulation and assurance bodies, primarily designed to provide greater accountability and transparency of public service performance and financial conformance to assure the government and the public, at the same time as facilitating, driving and encouraging public service improvement (Davis and Martin 2008, Ashworth *et al.* 2010 Murphy *et al.* 2019a).

These initiatives and the attempt to generate more mutually supportive and coherent programmes of improvement were collectively known as the New Labour’s Public Service Reforms or its ‘Modernisation Agenda’ (Newman 2001, Stoker 2004, Pollitt and Bouckaert 2004, Wilson and Game 2006, Martin 2006, Van Dooren *et al.* 2015, Glennon *et al.* 2018). Essentially these were multifaceted baskets of reforms across policy development, service delivery and public assurance. They operated at both national and local levels under the New Labour administrations, although they also included devolution for Scotland, Wales and Northern Ireland and often had regional

components within England (Cabinet Office/DTLR 2002, House of Commons Library 2003, Wilson and Game 2006).

The local government modernisation agenda was central to these reforms (Andrews et al 2003, Stoker 2004, Martin and Bovaird 2005, Wilson and Game 2006, Downe and Martin 2007, Morphet 2007, Laffin 2008, Murphy and Greenhalgh 2018). It was based on multiple and mutually reinforcing reforms across policy making, service delivery and public assurance that are shown in Table 2. It was supported by a range of new initiatives, organisations and projects that became known as the improvement infrastructure that is shown in Table 3. This new infrastructure was generally developed co-operatively (and in most parts collaboratively), *inter alia*, by the government, the former Audit Commission, the Local Government Association and the Chartered Institute of Public Finance and Accountancy.

Components	Initiatives
Legal basis and parameters	The Power of Well Being
A Strategic Vision (derived from the community rather than the LA)	Local Strategic Partnerships and Community Leadership
Objectives and Priorities (articulated and measureable)	Community Strategies
Efficient, effective and economic service delivery	Best Value, collaborative working and beacon councils
Better Decision Making	New political structures (executive/ scrutiny split)
Probity and openness	A new ethical framework and a local standards board
Innovation and organisational development	New technology and E-government
A sustainable long-term funding regime	Review of local government finance

Table 2. Local Government Modernisation Agenda 1997-2005. (Source: Author).

Area of interest	Project, programme or organisation
Improving the evidence base for local government policy and delivery	Improvement and Development Agency (IDeA) Local Authority Observatories (Web-based, Open and capable of interrogation) Knowledge Hubs (Web-based, Open and capable of interrogation) Employers Organisation - (EO)
Improving local government as delivery organisations	IDeA, EO and the Local Government Leadership Centre Local Government Specialist Consultants Beacon Council Scheme Local Authority Coordinators of Regulatory Services (LACORS) Register of Accredited Political and Officers Peers
Improving interagency collaboration	Improvement and Development Agency (IDeA) The Local Government Leadership Centre Beacon Council Scheme 4ps (Local Government Partnerships)
Improving local government as community representatives	Improvement and Development Agency (IDeA) The Local Government Leadership Centre The Standards Board The Centre for Public Scrutiny Register of Accredited Political and Officers Peers

Table 3. Local Government Improvement infrastructure 1997-2005. (Source: Author).

The local government modernisation agenda heavily influenced the wider agenda to reform and modernise public services which included, *inter alia*, arrangements for reforming Health and Social Care (Wistow 2001); the modernisation of the police and criminal justice agencies (Home Office 2001); education (Shaw 2009), welfare, planning and housing, transport, environment, communities, regeneration and development (HMT 1998a, 1998b). A core aspect of all of these modernisation agendas were new performance management arrangements, sometimes collected together and articulated in a national framework or referred to as a performance regime (Talbot *et al.* 2005, KPMG 2008, Talbot 2008, 2010, Martin *et al.* 2016).

### **A conceptual model for the evaluation and analysis of national frameworks and performance management regimes**

As part of its public service reforms central government in the UK periodically introduced national frameworks of reforms for individual services or sectors (ODPM 2004), which Talbot (Talbot *et al.* 2005, Talbot 2008, 2010) and Martin *et al.* (2016) characterised as performance or improvement ‘regimes’ in the academic literature.

These regimes attempted to consolidate and set out in a single document the government's policy and objectives, the responsibilities, roles and expectations of delivery agencies and the monitoring, regulation and public assurance arrangements expected from the relevant organisations and the community of interest or practice.

In order to evaluate these regimes or frameworks or assess proposed changes to them, the author developed a conceptual model' which was further developed by Murphy and Lakoma (2019) which is articulated in more detail in paper 12 of this submission. The objectives behind this model and the concepts and assumptions within it were then used to underpin the critical reviews in the first 11 papers submitted as part of this thesis. Figure 1 below starts to illustrate the model. As can be seen from this diagram the model has three levels.

- The 'principles' or values that underpin public service.
- The situational or contextual constraints within which a particular service or set of services operates; and
- The constituent policy development, service delivery and public assurance arrangements that operate in the service or sector.

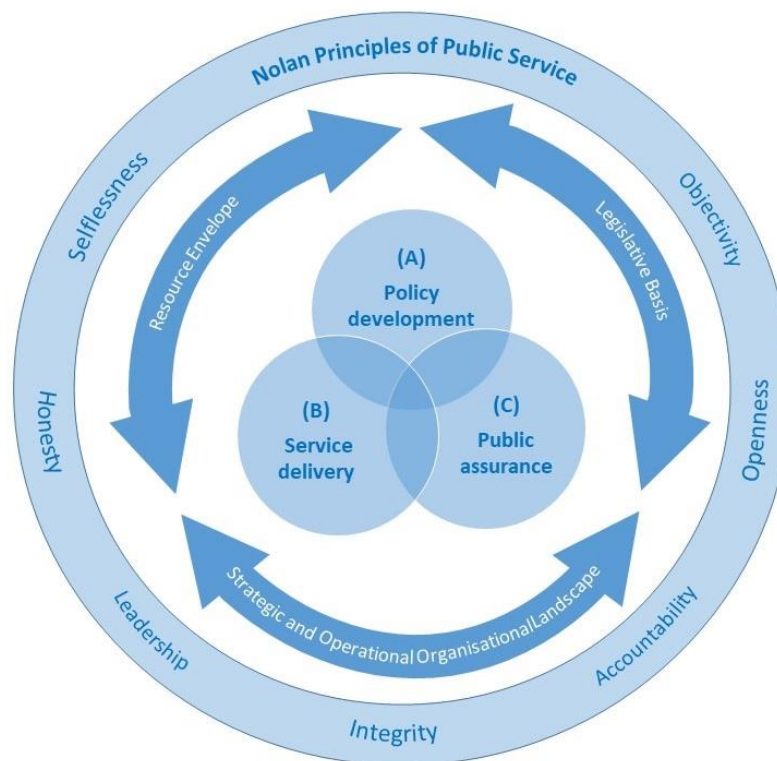


Figure 1. National Frameworks: A conceptual model (Source: Murphy & Lakoma 2019)

Murphy and Lakoma (2019 p2.) define National Frameworks as “the context, the parameters, the agencies and the relationships operating within the three domains of policy development, service delivery and public assurance in public services or sectors”.

They acknowledge that the definitive core and underpinning assumptions for any public service framework is the public interest and the values and/or principles that are enshrined within public service. In the UK, this is currently relatively simple to identify since anyone who works as a public office-holder or a direct or indirect employee of the public sector in the UK must adhere to the seven principles of public life known as the 'Nolan principles' (Committee on Standards in Public Life 1995). These cover selflessness, integrity, objectivity, accountability, openness, honesty and leadership and are shown in Figure 1 as the large outer circle. In developing any policy initiatives or arrangements for service delivery, ministerial legislators and officials must adhere to and promote these principles in their work. The principles operate across and throughout any public activity, and across and throughout any public service context. They are not unique to the UK but they are universal to UK public services. Although they are not immutable, these values and principles once articulated tend to endure for long periods as is demonstrated by the longevity of the Nolan Principles.

In addition to these principles and values, there are a number of situational or contextual constraints that act as the strategic parameters to the development of service frameworks and other policy/service/assurance regimes. Most national policy documents and frameworks (for example the five National Frameworks for Fire and Rescue Services published since 2004 (ODPM 2004, 2006, DCLG 2008, 2012, Home Office 2018a) attempt to cover these situational issues at the start of the documents as they ‘set the scene’ for any proposals that follow in the main body of the policy or framework. They generally include the legislative basis that provides the authority and legitimacy for the proposals; the current or revised strategic and operational organisational landscape that the service operates within; and the resource envelope deemed to be available and the timescales (short, medium and long-term) that the framework is expected to cover.

These three key contextual constraints or parameters are shown as collectively comprising the second (inner) circle on Figure 1.

All of these three or aspects within them can change over time but changes tend to take place more often than the behaviours and values in the outer circle and less often than changes in the factors that make up the central three domains. The changing organisational landscape can see new organisations, new roles and new responsibilities emerge as well as the reform and/or disappearance of organisations (Murphy *et al.* 2019b). There may be annual or three/four year changes in the resource envelope as a result of annual budgets or medium term spending reviews. The public services in the UK have recently been subject to long term trends in financing as a result of macro-economic policy, most notably long term expansion of financial support, before, and long term contraction of such support after the recession of 2007/2008 and the general election of 2010.

The largest reorganisation within the study period came with the reorganisation of Health and Social Care as a result of the Health and Social Care Act 2012 (Murphy 2013, 2014b) but the police saw the emergence of Police and Crime Commissioners, (Murphy *et al.* 2017), Fire and Rescue welcomed a new Inspectorate (Murphy and Lakoma 2018), while all four sectors were significantly affected by the abolition of the Audit Commission and changes to the external audit arrangements.

Significant legislative changes within the study period, have been numerous and some of this primary legislation has been referred to above. Significant sector specific examples include the Local Government Acts of 1999 and 2000, and the Localism Act 2011; the National Health Service Act of 2006 and the Health and Social Care Act 2012; the Criminal Justice Act 2003 and the Police Reform and Social Responsibility Act of 2011; the Fire and Rescue Services Act 2004 and the Policing and Crime Act 2017. More generic examples would include the Equalities Act of 2010 and the Local Audit and Accountability Act of 2014. In more recent years following the European Referendum of 2016, the legislative programme has been dominated by the 'Brexit' issue and non-Brexit legislation has been severely curtailed.

Although the three key contextual constraints in the inner circle interact, influence and can affect each other, they also provide the medium term parameters for the three

conceptual areas illustrated by the Venn diagram at the centre of the model shown at Figure 1, namely policy development, service delivery and public assurance.

Since the introduction of national frameworks for performance measurement, management and monitoring, and in order for them to be comprehensive such frameworks need to be cognisant of and make provision for the three interconnected ‘domains’ mentioned above. These three domains are not ‘new’ but their interactions are an important part of performance regimes and the domains are shown at the conceptual core of Figure 1. They are:

- **The policy or policy development domain** – which determines the objectives of any policy, whether national, regional or local; but also identifies what the parameters to its development are and whether delivery is feasible and realistic
- **The service delivery domain** - which determines how the service is to be delivered and ideally how its delivery is to be optimised, continually improved, sustained, innovated and constructively monitored; and
- **The public assurance or regulatory domain** which shows how the public is to be provided with re-assurance that the money taken from them to finance the policy prescriptions and the strategic and operational delivery of the service, is justified and provides value for money.

Joined-up policy development and policy making, is particularly important in public services that have mutually inter-dependent responsibilities to the public at national, regional and local community levels (Kozuch and Sienkiewicz-Malyjurek 2014, Sienkiewicz-Malyjurek 2017). Efficient and effective service delivery is also equally interdependent at local, regional and national levels; and the objectives of the assurance and regulatory arrangements need to transcend all public services to address wider community or public goals and objectives such as public safety and security rather than prioritise narrower individual organisational goals and objectives.

These three inter-connected domains, which are illustrated in more detail in Figure 2, clearly have areas of overlaps and some of their individual aspects or components are common to more than one domain. For example, all three domains use a (more or less robust and quality assured) evidence base, and are subject to internal and external scrutiny, many of the elements of which are also common to all three domains. They

also have some aspects that are specific to an individual domain, such as a strategic policy intent, performance management or external audit and inspection.

The three core domains also inter-relate with the three broader parameters that make up the two circles that surround them, although interactions with the components of the inner circle tend to be more numerous. The model therefore depicts a dynamic system as the interrelationships can change and the level of influence or impact of one component on other components varies. This is illustrated within the individual papers summarised above.

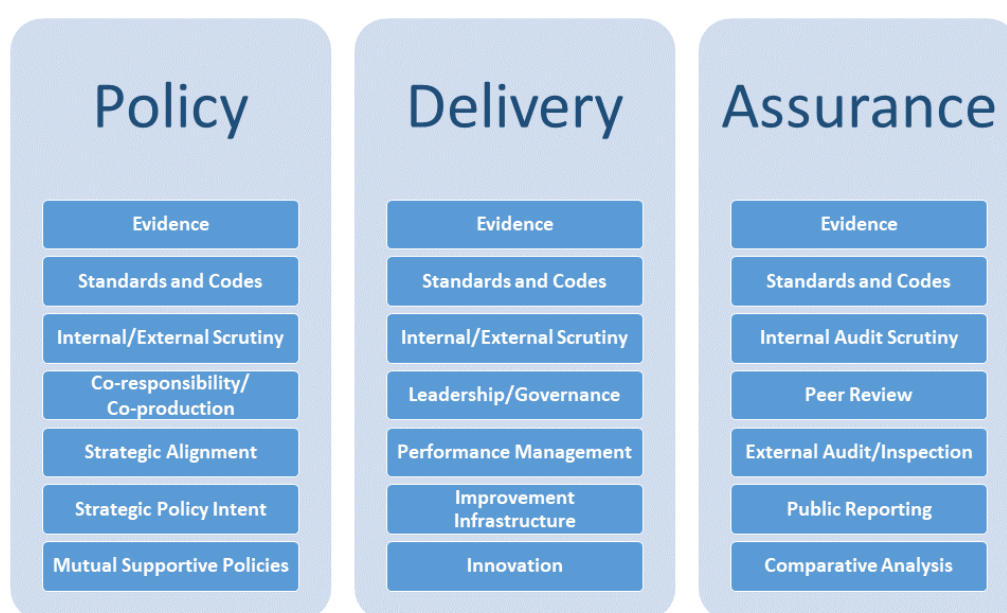


Figure 2. The three domains of policy development, service delivery and public assurance (Source: Murphy & Lakoma 2019).

The three core areas of policy development, service delivery and public assurance, (individually and collectively) within the four services or sectors of Local Government, Health and Social Care, the Police and Fire and Rescue Services are the subjects of the papers in this thesis. Figure 2 shows their key characteristics, some of which conceptually are common to all three domains and some more specific. These too are interrelated and can clearly change.

The simplest and most straightforward way to operationalise the model in practice would be to adopt the idea of applying Key Lines of Enquiry together with a scoring categorization and categorization descriptors to help those undertaking the assessment.



This approach was originally developed by the Audit Commission for Best Value Reviews in 1999 but is now widely used for inspections, peer reviews, peer challenges, and self-assessments. It was used in the most recent Fire and Rescue service inspections by HMICFRS (2018, 2019). The approach usually posits a series of questions for the inspectors or reviewers to address, whether in their on-site or off-site examination of witnesses or in their assessment of documentation or websites. Figure 4 provides an example taken from the former Fire and rescue Services Operational Assessment toolkit. There were seven key operational assessment areas identified in the toolkit and each had between 3 and 5 key areas to help focus both the inspectors and those being inspected. The first key operational assessment area was Community risk management and the first of 3 areas (question 1) was about the quality of the ‘evidence based risk strategy’

## Community risk management

**Question 1:** How well does the Authority understand the local context and identify, plan for and prioritise the risks faced by the community?

<b>Key Area</b>		
1.1 Does the FRA have an effective, evidence based risk strategy that reflects the diverse nature of the community, and identifies and prioritises those most at risk through its Integrated Risk Management Plan (IRMP)?		
<b>Focus</b>		
<b>The organisation:</b>		
<ul style="list-style-type: none"> <li>• has a strong, clear leadership focus on reducing community risk effectively with the resources available</li> <li>• understands local risk and has established arrangements to gather and use data, intelligence and targeting to assess risk to the community and develop appropriate approaches to prepare, prevent, protect and respond</li> <li>• uses the FSEC toolkit or alternative approach</li> <li>• understands the diverse nature of the community it serves, and consults and engages with the community as part of its approach to community risk</li> <li>• considers the future planning of partner agencies (eg in terms of planning, transport and regeneration) that potentially change community risk</li> <li>• has taken statutory responsibilities and national guidance into account when developing plans.</li> </ul>		
<b>Descriptors</b>		
<b>Developing</b>	<b>Established</b>	<b>Advanced</b>
The FRA is developing risk analysis processes to become more effective.  The FRA is building up knowledge and understanding of its community and priorities.	A risk analysis process is in place and the FRA is well aware of the different risk groups representing the diversity within the local area. The FRA has regard to statutory responsibilities and national guidance but does not extend its process to reflect local circumstances. Leaders understand the nature of community risk.	A well informed and developed risk analysis process exists and the FRA is very aware of the diversity in the local area and takes active steps to inform itself about the distinctive needs and opportunities, and engages in discussion with the local community about community risk. Statutory guidance is fully implemented and is extended in a coherent way to reflect local circumstances.

Figure 3. Key Assessment Area 1 Community Risk (LGA/CFOA 2015)

These ‘Key Lines of Enquiry’ were used for both internal self-assessment tool in advance of the peer review and then applied by the external peer panel that undertook the review.

The next section will ‘locate’ the individual papers within this complex and inter-related landscape.

### **The position of the submitted publications in relation to the conceptual model**

The set of publications included in this submission, and the research that underpinned them, can all be viewed as critical reviews or evaluations of national performance management frameworks or performance regimes or the individual parts, components or aspects that make up these regimes, and/or critical reviews of proposals for changing parts or all of these frameworks. The frameworks, regimes or proposed changes are evaluated against the statutory requirements to facilitate continuous improvement, to provide value for money and to deliver more accountable and transparent public assurance, when compared to the arrangements they replace or to realistic, practical and feasible alternative arrangements that could have been introduced in their stead.

The publications presented all focus on one or more of the four sectors or services that dominate local service delivery and account for the majority of public service expenditure in all local communities in the UK, namely Local Authorities, Health and Social Care, the Police and the Fire and Rescue Services. These four sectors have all been subject to successive waves of public service reform under New Labour, Coalition and Conservative governments since 1997.

These services account for over £200 billion of public expenditure annually and they were the core services that were represented on the Local Strategic Partnerships (Liddle and Townsend 2003, Geddes 2006, 2008, Geddes et al. 2007) that negotiated successive waves of Local Area Agreements between 2005 and 2012. They were individually and collectively assessed under the Comprehensive Performance Assessments (CPA) (Game 2006, Audit Commission 2009, Davis 2011 Martin *et al.* 2016) and Comprehensive Area Assessments (CAA) (Hayden *et al.* 2010), of the previous New Labour administrations of Tony Blair (1997-2007) and Gordon Brown

(2007-2020). They were also the four sectors for which the former Audit Commission had responsibility for external audit and inspection and for which it collected and maintained financial and performance data and information before its closure in 2015.

Between July and September 2010, the incoming Conservative-led Coalition Government announced that it would abolish the Audit Commission, abandon Comprehensive Area Assessment, terminate all commissioned inspections, decommission Local Area Agreements and transfer external audit of public bodies to the private sector audit firms (Murphy 2014a). The Audit Commission was formally closed on the 31<sup>st</sup> March 2015, although in reality it had only a skeleton staff and vastly reduced capacity to operate since 2012.

The publications that comprise this submission and the underpinning research that preceded them commenced in April 2009 **after joining** Nottingham Business School. They generally review public policy development, service delivery and public assurance in the periods before and after the election of the Coalition Government in 2010 and the announcement of the abolition of the Audit Commission.

Their positions in relation to the conceptual model developed as part of this thesis (Figure 1), are highlighted in Figure 3 below. As identified in table 1, which is the list of publications, all of the papers (numbered 1-12 in the list and on Figure 3) address issues in more than one core area and half of them address issues across all three core areas (policy development, service delivery and public assurance).

In addition, as shown and explained in the list of publications on page 11 they can be about a single whole framework or regime (X), or multiple or successive frameworks/regimes (Y), or a significant part of a framework or successive frameworks/regimes (Z).

One paper, (7) is a type X and relates to a single whole regime. Six papers are of type Y and address successive frameworks or regimes or the transition between two or more regimes (papers 1, 4, 5, 6, 8 and 12). The remaining five papers address particular parts or aspects of frameworks or regimes (publications 2, 3, 9, 10, and 11) which are type Z.

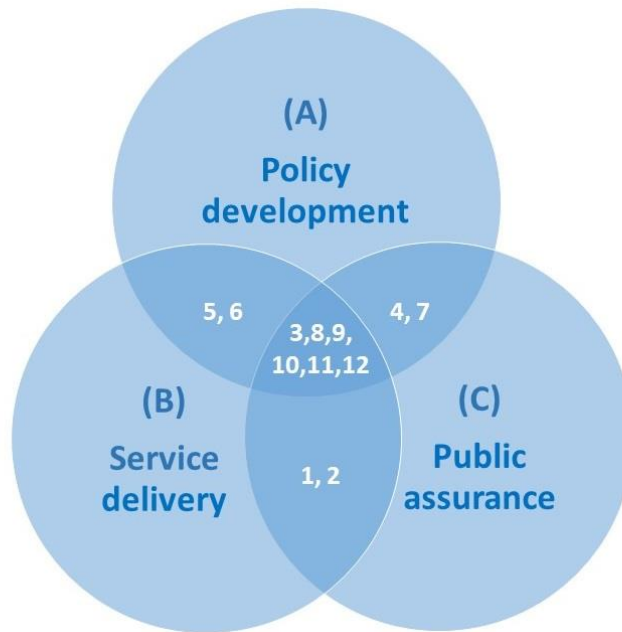


Figure 4. The individual papers in relation to the conceptual model. (Source: Author)

The next section will briefly address the methodology and methods adopted within this submission before the final three sections provide a synopsis of findings, some conclusions and the contribution to knowledge that the thesis makes.

## Methodology and methods

Each of the individual papers describes the methodology and methods adopted for the individual papers included in this submission. These have varied over the course of time but have tended to become more sophisticated, as the nature and extent of data explored has become more varied; as the theoretical basis for individual inquiries has become more informed and as the research questions to be answered, have become more challenging.

Overall however, they have tended to adopt a mixture of interpretivist, realist and pragmatist perspectives (Saunders *et al.* 2016) depending to a large extent on the contemporary nature of the subject, policy or issue being examined, and the extent of data available to investigate the issue. This might appear a rather pragmatic and eclectic approach, but it is not uncommon to adopt a ‘fit for purpose’ approach in exploratory, descriptive explanatory or evaluative research, particularly research

investigating contemporary or emerging policy and practice in the public sector, upon which the majority of this submission rests (Van Thiel 2014). Exploratory or descriptive research can be appropriate when the issues are new and the data is difficult to collect. As some of the research was both exploratory and evaluative but also originally commissioned by others (e.g. the research for papers 7, 10, and 11), there was also the need to make decisions about both methods and realistic objectives within a relatively short time period when prior information and analysis was limited (Van Thiel 2014, Bryman and Bell 2011).

With the exception of the first two papers and paper eight, which are primarily quantitatively based, the majority of the papers use a multi-method qualitative approach, or a mixed methods approach dominated by qualitative methods (Saunders *et al.* 2016, Patton 2015). The methods adopted included literature reviews, document analysis, elite interviews (normally semi-structured) and focus groups, which are the principle ways of conducting exploratory research (Saunders *et al.* 2016). When sampling has been involved, it has generally been either purposive or snowball sampling (Van Thiel 2014) and most of the papers also take an abductive or deductive approach which might be expected in a research area focussing on performance management regimes and national frameworks.

The qualitative papers (particularly papers 3, 4, 8, 9, 10 and 11) often involved very extensive document analysis, usually by way of content analysis (Burnham *et al.* 2008, Bryman and Bell 2011, McNabb 2017). All of the documentary sources were discoverable under freedom of information legislation, at the time that the primary research was undertaken. However, some sources such as the LGA, which co-ordinated organisational self-assessments on their website from 2010 onwards, or the former Audit Commission's inspection reports on individual authorities, are unfortunately no longer available from these centralised repositories, and it would now be difficult to replicate this research for the purposes of validity (e.g. paper 4). These are also examples of extensive use of secondary data, but in all cases data or information that was collected primarily for the purposes of performance monitoring, management and public assurance and/or to help services and councils achieve continuous improvement, which is the also focus of this thesis. The data and information were all internally and externally audited and crucially the information is or was, all in the public domain.

Miles and Huberman (1994) consider data analysis qualitative research to consist of three concurrent flows of activity data reduction, data display and conclusion drawing/verification. Data reduction is the process of selecting, focusing, simplifying abstracting and transforming data which they see as continuing throughout the life of qualitative projects. Even before data is collected “anticipatory data reduction is occurring as the researcher decides (often without full awareness) which conceptual framework, which cases which research questions and which data collection approaches to choose” (Miles and Huberman 1994 p10). Data reduction includes writing summaries, coding, teasing out themes and clustering all of which have been characteristic of the published papers. The three types of analysis (reduction, display and conclusion drawing/verification) form an interactive cyclical process and qualitative data analysis is a continuous iterative enterprise.

Because of **his** previous experience in local and central government **the author** was extremely fortunate to have generous access to key informants (in addition to key databases) to undertake elite interviews (Marshall 1996, Fisher 2010, Bryman and Bell 2011) such as senior leaders, senior politicians (from all the major political parties) and senior managers in all four sectors. These have significantly informed all of the papers. Paper 11 in particular, benefitted from **the author** having previously been a long-term colleague with the respective Heads of the Home Civil Service and Scottish Civil Service between 2010 and 2015. This helped with both access to data and intelligence but also snowball sampling for interviews in both countries.

Other key informants have included CEOs and Chairs in professional organisations, such as the Chartered Institute of Public Finance and Accountancy, and the Royal Town Planning Institute; managers and leaders from non-departmental public bodies such as the National Audit Office and NHS England, and existing and former senior civil servants from across Whitehall, as well as CEOs and senior managers in Local Authorities, NHS Trusts, the Police and Fire Services. The potential problems of using key informants in research, such as the reliability and validity of qualitative data analysis, together with challenges or risks to controllability, subjectivity and triangulation, as well as the risks of uncritical acceptance of interviewee’s responses had to be sensitively managed both at the time of the interview and at the time of writing up the papers. (Clarke 1999, Pawson and Tilley 2004, Fisher 2010, Ricucci 2010, Van Thiel 2014, Halperin and Heath 2016).

Bryman and Bell (2011) counsel against undue reliance on key informants and/or elite interviews and suggest an appropriately critical approach be adopted to individual interviews. Adopting such an approach together with seeking triangulation, consistency, data saturation and cross tabulation with other quantitative and qualitative information, were all deployed to facilitate reliability and validity of findings from the numerous elite interviews that contributed to the submitted papers. These issues have also benefit from critical reflection after the interviews (Fisher 2010, Van Thiel 2014) and at the writing up stage of this thesis.

By bringing the papers together and having to “address adopted methodologies” as required by the regulations (NTU 2018, p7), it is now apparent in retrospect, that just as the theoretical basis for the authors’ inquiries has become more informed and sophisticated over time; so has the critical understanding of the methodologies and methods to be deployed or potentially deployed; as well as the appreciation of the need to manage the tensions inherent in the closeness of the researcher to the subject matter. The abductive nature of the research has meant that exploring key informants views is of primary significance; elite interviews add credibility to findings and avoid the need for broad generalisations.

One other way that this potential tension has been mitigated has been in the production of multiple author rather than single author projects and papers wherein different perspectives and interpretations of the research are brought to bear, and inconsistencies and interpretations surfaced and challenged.

It is also clear that the earlier research would have benefitted in particular from systematic and empirical study of policy narratives and the policy process and in particular discourse analysis and the concept of ‘bounded rationality’ (Jones *et al.* 2014), not least because of the number of peer reviewers in the early years who have considered these early efforts to be under-theorized and over-descriptive.

### **Synopsis of key findings**

All of the papers in this submission investigate some combination of policy development, service delivery or public assurance in one or more of the four locally delivered public sectors of Local Government, Health and Social Care, the Police and

Fire and Rescue Services (see Table 1 and Figure 3). They do so by adopting, combining and applying three ubiquitous statutory requirements to form an analytical lens, i.e. the need for continuous improvement, greater multi-agency collaboration and better value for money. This analytical lens was then used to review the effectiveness of performance management arrangements or component parts of the performance management arrangements, for the four services or sectors. The common objective of all the papers was to highlight inadequacies, omissions and/or areas for potential improvement in the performance management regime or regimes that are the subject of the individual papers.

The collective research question for this thesis had two parts. The first part asked how effective have the policy development, service delivery and public assurance arrangements been for locally delivered public services in England over the study period? The second part asked how they could potentially have been improved, which is a purpose that public management scholars share with policy makers and service deliverers (Andrews and Boyne 2010).

In terms of effectiveness the key findings and the collective lessons from the submitted papers suggests that while useful overall, the various performance management regimes studied (or component parts of the regimes) could and should have been much more effective than they have been. As a result, the quantity and quality of public services have not been as economically, efficiently or as effectively delivered over the study period as they might have been. Thus, the conceptualisation and attempt to operationalise regimes in practice was a beneficial, positive or ‘good’ thing, but it has not been as good as it could have been. In particular, attempts to provide robust and comprehensive regimes articulated in a single document or framework since 2010 have not been as successful or as effective as their earlier predecessors. The application of the model and the evaluation of these frameworks has however helped to highlight inadequacies, omissions and potential improvements.

All of the papers, with the exception of paper 12, individually and collectively explore different aspects and highlight multiple inadequacies across all three areas of policy development, service delivery and public assurance. With the exception of paper 12 they also implicitly (papers 1, 2, 5 and 6) or explicitly (papers 3, 4, 7, 8, 9, 10 and 11) identify and recommend multiple aspects for improvement.



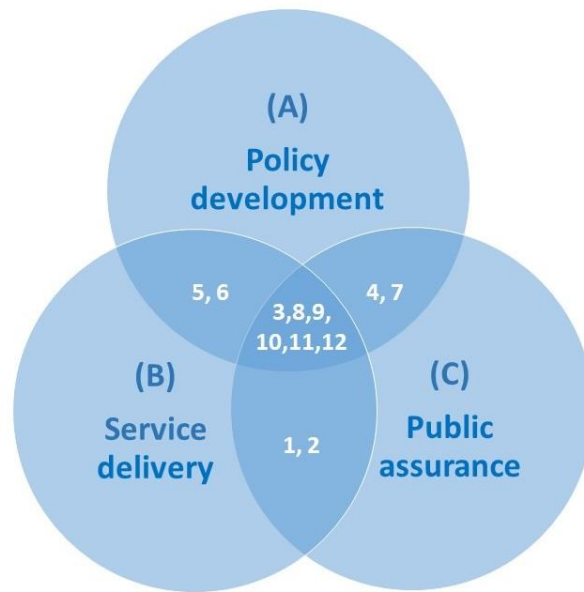


Figure 4. The individual papers in relation to the conceptual model. (Source: Author)

Figure 4, reproduced above, helps to illustrate this in more detail and cross references the individual papers to the three core areas of policy development, service delivery and public assurance. It also shows the overlaps and interdependencies between the three core areas. The following findings illustrate and draw on these interrelationships but they also draw on the interrelationships with the three components that make up the inner circle shown on Figure 1, namely the legislation, the resource envelope and the strategic and operational organisational environment, as these have changed and evolved over the study period.

### **Policy, policy development and the policy process**

The papers show that prior to 2010 the dominant policy objective was public service reform and improvement to policy development, service delivery and the assurance offered to the public (papers 1, 2, 3, 4, 7, 9, 10, and 11).

Since 2010, the dominant policy objective has been the macro-economic strategy introduced by the then Chancellor George Osborne, but continued by his successor Philip Hammond, of attempting to reduce the so-called structural deficit on the national debt primarily through significant reductions in public expenditure (papers 3,

7, 9, 10, 11, Glennon 2017, Murphy *et al.* 2019a). As the coalition's programme for government stated in 2010:

*“The deficit reduction programme takes precedence over any of the other measures in this agreement, and the speed of implementation of any measures that have a cost to the public finances will depend on decisions to be made in the Comprehensive Spending Review”*

(HMG 2010, p.35).

The short-term policy of cutback management initiated by Osborne in 2010 has now effectively endured for nine years and over 17 budget or financial statements and has dominated fiscal policy at both national and local levels. If cutback management is ever efficient or effective in reducing public resources, it is as an immediate or short-term response to crises or financial shocks. In the medium to long-term a strategic response is required (paper 4). This fiscal centric or dominant macroeconomic policy has also led to a narrowing of scope and focus within individual public policies, policy making and policy development, as most clearly described in paper 3 but also evident in papers 2, 4, 5, 9, 10 and 11. Sometimes this has been explicit (Home Office 2018a) and sometimes left implicit (DCLG 2012). Nevertheless, this has served to restrict the potential for service improvement from performance management regimes in the post 2010 period.

In terms of policy development the joined-up policy-making articulated through Public Service Agreements prior to 2010 in England (papers 1, 2, 3, 4) and throughout the study period in Scotland (paper 11), were not followed in England by an expansion of multiple and several responsibility between policy or delivery agencies, as might have been expected. In fact, central government abandoned PSAs in England (while keeping periodic medium term Spending Reviews) and adopted policies of austerity localism (Lowndes and Pratchett 2012). The government sought to distance itself from direct responsibility for service delivery (paper 4), e.g. by the creation of new public bodies such as NHS England (paper 5), and by adopting a policy based on sector led improvement for local authorities and the Fire and Rescue Services (papers 3, 4 and 10).

The public service improvement infrastructure shown earlier in Table 3 that facilitated service improvement and multiple agency collaborations, was almost totally

dismantled between 2010 and 2015 (papers 3, 9, and 10). Ironically by 2017, the Conservative majority government of 2015-2017 had by then decided that it needed to legislate in the 2017 Policing and Crime Act to promote greater collaboration between the emergency services, although it produced no evidence to support this ‘need’. The 2012 Health and Social Care Act and the top down restructuring of the NHS has been a barrier rather than a facilitator for the integration of Health and Social Care services (papers 5 and 6). The integration of health and social care is generally regarded as one of the biggest challenges currently facing public services, and one that can only be tackled by adopting a multiple-agency approach to ‘population’ health issues as recent changes in policy have belatedly acknowledged (The Kings Fund 2019).

Similarly, the previous interest from central government in how policy was to be implemented, or the potential impact it may have in practice, was deprioritised and henceforth assumed to be the responsibility of the service delivery organisations alone rather than the government co-creating or co-producing policy and testing its implications before rolling it out in practice. This is most clearly evident in some of the Fire and Rescue Services papers within this submission (papers 9, 10, and 11); in the 2012 National Framework for Fire and Rescue Services (DCLG 2012) and in Open Public Services White Paper of 2011 (Cabinet Office 2011), but is also a characteristic of the other services (papers 3, 5, 6 and 7) and is supported by extensive external corroborating evidence, most notably from the NAO (2015a, 2015b).

Unlike the pre-2010 period, there has been almost a complete absence of piloting, pathfinding, option appraisal or scenario testing in policy making from the governments of 2010-2019. Formal public consultations, if undertaken at all, have minimised the consultation periods and focused on specific questions that policy makers deem appropriate for a response (Home Office 2017, HMICFRS 2017, Murphy and Greenhalgh 2015, Murphy *et al.* 2018b) Some government consultations, such as those on intervention protocols and statements of assurance, have been published and multiple responses received but have not resulted in any changes or even any explanation for its absence (Murphy and Greenhalgh 2012, Murphy *et al.* 2018b, Spencer *et al.* 2019). In addition to the waste of public money this has meant subsequent policy has been partial rather than comprehensive and service delivery less efficient or effective than it could have been in all four services or sectors (papers 1, 2, 3, 5, 9, 10, 11 and 12). Individually and collectively the papers reveal a reluctance

on the part of post-2010 governments and their advisers to learn from acknowledged good practice, from previous frameworks or from frameworks in alternative services or sectors (papers 1, 2, 3, 4, 5, 6, 9, and 10). They also demonstrate an insularity or imperviousness to innovations, initiatives and good practice from previous administrations (papers 2, 3, 4, 5, and 10) and from international practice (paper 11 NAO 2015, Murphy and Ferry 2015).

Policy is becoming more focussed on a particular individual service or objectives and outputs rather than being concerned with multiple services seeking collective impacts or outcomes, either nationally or in local communities. It has become more atomized and fragmented, and even when collected together within national frameworks or regimes it has not been comprehensive or at times coherent (2, 3, 7, 9 and 10). In fact, contrary to original intentions, attempts to articulate policy, service delivery responsibilities and public assurance since 2010 (DCLG 2012, Home Office 2018a, HMICFRS 2018a) have generally served to highlight inadequacies, omissions and potential improvements, although even when these inadequacies have been highlighted (Murphy et al. 2018b, 2018d, Murphy and Greenhalgh 2015), in England they have largely been ignored (Home Office 2018b, HMICFRS 2018b).

Between 2010 and 2016 policy was being developed almost exclusively by central government rather than being ‘place based’ co-produced and inclusive (2, 5 and 11). Evidence based policy making, which was the ambition or objective espoused prior to 2010 gave way, at best, to evidence informed policy making and/or in some cases policy based evidence making. More recently, since the 2016 election it has resembled policy making by decree or fiat as described by Funnell (2000) in the late 20<sup>th</sup> century Australian context. With Brexit dominating public discourse and successive legislative programmes (HM the Queen 2016, 2017) there has been virtually no significant primary legislation affecting the four sectors, with the exception of the Policing and Crime Act 2017, since the general election of 2017

At the time of writing, despite the overwhelming dominance of deficit reduction through public expenditure restrictions in macro-economic policy, the government have not reduced the structural deficit, let alone produced a comprehensive and coherent policy framework for public service delivery or improvement (or any single individual service) that remotely covers all aspects of the evaluative model in paper

12. The Local Audit and Accountability Act 2014 encouraged a narrower focus on financial resources and short term financial reporting rather than the broader use of resources and the medium and long term planning that was part of its predecessor. The abandonment of an underpinning assessments of local needs, based on multiple deprivation indices, in the annual local government financial settlements from 2012 onwards; together with continuing reductions in settlements and corresponding restrictions on public services raising finance locally, means the pattern of spending on public services is getting less and less related to need. It is therefore less economic, efficient and effective in addressing need (CIPFA 2019, Institute for Fiscal Studies 2019, Travers 2019, Eckersley *et al.* 2019, Travers *et al.* 2019). Policy options for delivering more economic, efficient and effective services have been narrowed, allowed to narrow and constrained by circumstances at the local level, just as much as the government has constrained them at the national level. More recent attempts to provide comprehensive national frameworks and performance management regimes (e.g. Home Office 2018, HMICFRS 2018), have however helped to highlight inadequacies, omissions and areas for potential improvement (paper 11, Murphy and Greenhalgh 2015, 2016, Murphy *et al.* 2018b, 2018d).

The next section will focus on service delivery. It will examine whether the policy changes or developments outlined in the submitted papers and summarised above have driven service improvement, as measured by the economy, efficiency and effectiveness of delivery, and the achievement of value for money.

### **Continuous improvement in service delivery**

As there is a statutory requirement on all local public service deliverers to facilitate the continuous improvement of their services and activities, the key questions become, not has the service improved?, but, (a) has service delivery improved as much as it could and should have done in the circumstances? and (b) did the service provide value for money while acting in the public interest? Ten of the submitted papers are concerned with service delivery.

Papers 1, 2, 3, 10 and 11 examine various performance management regimes and frameworks and evaluate their impact on the improvement of Local Government and Fire and Rescue Services, which is shown to be stronger in some periods and services

than in others. They also show that the existence of a national framework or performance regime, *while they have the potential to accelerate improvement, is not, of itself, sufficient to optimise improvement and value for money or in some cases to achieve them.*

Papers 9, 10 and 11 all compare successive national frameworks or performance regimes with each other and against the relevant aspects of the conceptual model in paper 12. These papers, together with papers 1, 2, 3, 5, 6, and 7, demonstrate the potential for national frameworks to contribute to improving policy development, service delivery and/or public assurance across the four services or sectors, and that they did so consistently prior to 2010 (Andrews 2010, Audit Commission 2009, Walker and Andrews 2015)

Paper 9 built on a series of presentations and articles published in professional journals since 2010. They argued that an improved performance management regime could be delivered which reduced the burden on Fire and Rescue Services but provided improved assurance to the government and the public (Murphy and Greenhalgh 2011, 2013b, 2013c, 2013d, Murphy and Glennon 2018a, 2018b).

Despite this potential (and somewhat perversely), this did not happen as is shown most clearly in paper 10. Paper 10 (which was accompanied by a similar analysis for local government, health and social care and the police) was based on reports commissioned in 2015 by the NAO (Ferry and Murphy 2015, Murphy 2015), which demonstrated that the Coalition Government of 2010-2015 might have achieved this but in practice had allowed performance to deteriorate (and assurance to weaken), as a result, *inter alia*, of the inadequacies of the 2012 National Framework and the governments sector led improvement approach. They collectively show that between 2010 and 2015 performance had deteriorated and risks to achieving value for money had increased across the four sectors. This resulted, *inter alia*, in the critical Public Accounts Committee report (PAC 2016), the transfer of responsibility for Fire and Rescue to the Home Office and ultimately to chapters 1 to 4 of the Policing and Crime Act 2017 which relate to changes in the performance management regime for Fire and Rescue Services despite the name of the Act. This was partially because the NAO report (2015) laid responsibility for the turnaround and deterioration in performance unambiguously at the feet of the Department of Communities and Local Government,

which in simple terms, had removed or reduced support, guidance, mechanisms, systems and data that would, at least potentially, have enabled Fire and Rescue services to improve services and deliver value for money in that period.

Paper 11 demonstrated through a comparative analysis of arrangements in England and Scotland that by adopting alternative performance management arrangements this deterioration could have been (at least partially, if not wholly) avoided, as it was in Scotland.

Papers 5, 6 and 8 similarly demonstrated the difficulties of improving service delivery and delivering value for money at the local level when the national policy or framework is unclear or partial, and/or the guidance and mechanisms advocated for improvement are either inadequate or do not exist.

Papers 5 and 6 dealt with the emerging policy and implementation of the 2012 Health and Social Care Act and the transfer of responsibility for public health from the NHS to Local Government. They primarily examined the multiple agencies and interrelationships of policy development and service delivery, at the national level (paper 5) and at the local level (paper 6), in Health and Social Care. Paper 5 found competing theoretical and practical approaches being promoted by the Secretary of State for Health (privatisation and competition based upon price competition) and the Chief Executive of the NHS (inter-agency collaboration and competition based on quality of process and/or outcomes). Paper 6 revealed the contrasting but unequivocally pragmatic approach to policy development and service delivery at the local level in Nottingham and Nottinghamshire.

Paper 8 focussed on the Integrated Risk Management Plans (IRMPs) that have been the foundation of service configuration in Fire and Rescue Services since their introduction in the 2004 Act. IRMPs have underpinned all five National Framework for Fire and Rescue Services since 2004. This paper examined the challenge Nottinghamshire faced in becoming the first Fire and Rescue Service to comprehensively review risk across the whole of its administrative area. In particular it highlighted the criticality and inter-dependence of the quality of the evidence to all three areas of policy development, service delivery and public assurance (see Figure 2 earlier).

Figure 2, which is explained in paper 12, illustrates the constituent parts of the three areas of policy development, service delivery and public assurance. It shows that some concepts, such as ‘evidence’ or ‘standards, codes and benchmarks’, characterise all three areas. The actual evidence needed for evaluation may also be common across the domains but it is unlikely to be exactly the same. The evidence that is needed to manage a service is different and more comprehensive than the evidence needed to monitor a service, although some of the same information is needed by both (2, 4, 5, 6, 7, 8). Whatever standards, codes and/or benchmarks are used however, need to be clearly understood by all key stakeholders for their use to be economic, efficient and effective. Viewed through the analytical lens adopted by the author, the papers in this thesis suggest that the clearest and most effective way to do this is to organise all of the key information into a comprehensive and holistic performance regime or a national framework and encourage the engagement of all key stakeholders.

### **Public Assurance**

It is suggested above that legislative changes, which are shown conceptually as part of the legislative basis in the inner circle on Figure 1, strongly influenced policy development and that macro-economic policy and austerity-localism that is shown conceptually via the resource envelope as part of the inner circle on Figure 1, strongly influenced service deliver. However, it was multiple changes in the third element of the inner circle, namely changes in the organisational landscape, that most affected public assurance.

Although the legislative changes and reductions in financial support discussed earlier within this thesis have undoubtedly affected public assurance, this is also the area that has seen the most change in its strategic and operational organisational landscape over the study period. As mentioned above, the changing organisational landscape has seen new organisations, new roles and new responsibilities emerge as well as the reform and/or disappearance of previous and often well-established organisations (Murphy *et al.* 2019b, NAO, 2013, 2014). Successive governments have invariably sought to respond to performance challenges or implement policy changes with or through changes to governance arrangements and to the external scrutiny of all four services or sectors. More specifically, they have sought to improve assurance to the public



through individual or collective changes to the components of the public assurance domain shown on Figure 2.

The papers submitted as part of this thesis have taken an increasing interest in public assurance issues (papers 1-4 and 7-11 inclusive), not least because some have been based on research commissioned by the NAO (Ferry and Murphy 2015, Murphy 2015, Murphy 2016a) as it sought to understand the challenges to its continuing operations following the closure of the Audit Commission and the transfer of some of its former roles and responsibilities to the NAO. Although accountability, openness, integrity and honesty are all Nolan principles, and within public services ‘accountability’ has been argued to be a super-ordinate concept (Glennon *et al.* 2019) it is not, of itself, sufficient for public assurance (as the Nolan principles imply). It is dependent on the quality and quantity of transparency and the evidence and information available, and also needs to take account of the political, historical and geographical contexts of governance and culture (Cooper and Lapsley 2019).

The largest reorganisation within the study period came with the reorganisation of Health and Social Care as a result of the Health and Social Care Act 2012 (papers 5 and 6). However, the police have seen the emergence of Police and Crime Commissioners, (paper 7, Murphy 2016b); Fire and Rescue welcomed a new Inspectorate (Murphy 2017, Murphy and Glennon 2018a, 2018b, Murphy and Lakoma 2018), as well as Police, Fire and Crime Commissioners (Eckersley and Lakoma 2019); while all four sectors were significantly affected by the abolition of the Audit Commission (papers 1, 2, 3, 9 and 10, and Murphy *et al.* 2019a, 2019b) as well as changes to the external audit arrangements in the Local Audit and Accountability Act 2014 (papers 7, 10 and 11).

Despite express intentions to the contrary, the organisation landscape of the four locally delivered services or sectors that are the subject of this submission have got more crowded and complex over the study period (papers 3, 7, and 10). The empirical work cited above, together with papers 1-4 and 7-11 (inclusive), articulate a situation where a range of central government reforms have created challenges by “obscuring whether or how much these four services are delivering what is needed, to the level desired by the public and in a sustainable way” (Murphy *et al.* 2019a p. 133). It is therefore difficult for them to be able to demonstrate continuous improvement, value

for money and economical, efficient and effective multiple agency working, using the current frameworks and regulatory environment. A view shared by the NAO (2015) and the Public Accounts Committee (2016).

To be effective public assurance and public service accountability need to:-

- balance forward looking and backward looking forms of accountability;
- navigate or negotiate the tensions between centrally imposed and locally determined objectives and accountabilities (in both their individual and systemic forms);
- embrace and integrate financial and performance accountability along with quantitative and qualitative methods to promote a dialogue of accountability between all key stakeholders. (Glennon *et al.* 2019)

Although previous regimes and frameworks acknowledge and attempt to achieve these aims, the more recent frameworks do not. Papers 7-11 (inclusive) demonstrate that ‘answerability’ in terms of the traditional principal/agent relationship is not conceptually or practically sufficient for the complex and dynamic public service assurance environment considered in these papers. Accountability and public assurance need to be based on an open and robust conversation or dialogue between the multiple stakeholders, and not just between central government and local agencies and thence between agencies and the users of their services. It should be based on a robust appraisal of resources available and the needs of individuals and communities and how the two are best aligned (papers 10, 11, Murphy *et al.* 2019a).

The most recent National Framework for Fire and Rescue Services (Home Office 2018a) and the new inspection programme (HMICFRS 2018a), like previous national frameworks, have created the opportunity and focus for such a dialogue. Understanding performance regimes and the context, the parameters, the agencies and the relationships operating within the three domains of policy development, service delivery and public assurance in public services or sectors is the essence of that dialogue. Attempting to bring them together in a single framework can enhance public understanding and encourage engagement as well as increasing the potential to achieve better multiple-agency co-operation; continuous improvement in service delivery, value for money and public assurance. It is not inevitable or automatic that they will

do these things but it does increase the potential to achieve them and to do so more economically, efficiently and effectively.

## **Conclusions**

Both the introductory chapter to this thesis and all of the individual publications that are included within it address the collective research question of the thesis. The first part of the research question addresses the effectiveness of policy development, service delivery and/or public assurance arrangements that are brought together in performance regimes or national frameworks in the four public services or sectors that the research has explored. The second part is about how they can be improved, while maintaining continuous improvement, achieving value for money and acknowledging the appropriate financial and legislative parameters.

Martin *et al.* (2016, p.129) have called for future research to include “analysis of the impacts of performance regimes and interactions between their visible features”; their call finds resonance in both this introductory chapter/critical study and in almost all of the publications in this thesis. The potential for learning and improvement in both theory and practice is also exemplified and demonstrated by the publications that make up this submission, the empirical evidence that informs their underpinning research and (in some cases), the policy and practice that was subsequently developed out of them.

Each of the papers submitted has individual conclusions and recommendations, but collectively they demonstrate the utility and usefulness of holistic, comprehensive and coherent frameworks or regimes not only for policy-making, but for improving services to the public and for assuring the public that public money is being spent appropriately. In all cases they also help to highlight inadequacies and/or omissions and/or areas for improvement.

Key partners and collaborative stakeholders, particularly those in multi-agency and joint and collectively responsible operating environments (such as local authorities and the NHS in their respective sectors; or the Police, Fire and Ambulance Services), need this information and assurance if they are to continually improve their respective services and meet their individual and collective responsibilities to the public. The

government also needs quality assured and robust information if it is to demonstrate that public services are achieving Best Value and value for money while facilitating improvement and meeting the national and local objectives of the particular service or sector.

The publications demonstrate the interrelationships and interdependencies of policy development, service delivery and public assurance mechanisms and show how their economic, efficiency and effectiveness can be improved when brought together and clearly articulated in robust performance management regimes. Although desirable and achievable, this is however insufficient, of itself, to guarantee or ensure that improvements in these areas always follows as the analysis of some of the later frameworks within the papers shows. It also demonstrates that insufficient attention and priority has been given to effective policy development, to service delivery challenges and in particular to public assurance over more recent years. As a result, public policy in this area has been disparate and at times incoherent, it has created avoidable problems and unnecessary challenges to service delivery, while public assurance has significantly deteriorated.

One particular but persistent theme that emerges in all three domains since 2010 relates to the availability and use of robust evidence, data and information. The quality of the 'evidence base' is one of the key aspects of all three core areas (see Figure 2). Policy development, service delivery and public assurance systems are all dependent for their economy, efficiency and effectiveness on, *inter alia*, robust, reliable evidence and appropriate interrogatory and analytical mechanisms. The quality and quantity of performance management evidence and information is shown to be consistently improving under the successive national administrations up until 2010. Whether this amounted truly to comprehensive and consistent 'evidence-based policy making' was beyond the scope of this thesis; however, what these publications demonstrate is that overall and in key parts of these four sectors, the evidence base has significantly deteriorated since 2010. This is particularly apparent from papers 2, 3, 4, 7, 9, 10 and 11, while paper 9 also provides a theoretical model for evaluating evidence bases for performance management regimes.

The evidence base and the means to interrogate it deteriorated to such an extent in Fire and Rescue Services, that one of the (then) Home Secretary's justifications for the late

amendments to the parliamentary bill that later became Chapters 1 to 4 of the Policing and Crime Act 2017, is a situation where

“it is currently almost impossible to scrutinise your local fire and rescue service. There’s no independent inspectorate; no regular audit of performance; and only limited available data on performance over time or between areas”

(Home Office 2016 p. 8).

This unacceptable situation is consistently highlighted by earlier publications in this submission, features in reports commissioned by the National Audit Office (Murphy 2015) and was subsequently acknowledged by the Public Accounts Select Committee during their review and report on the financial sustainability of fire and rescue services (PAC 2016).

Overall the publications in this thesis demonstrate a surprising, disappointing but consistent failure of recent governments and their advisers to learn from (or in some case even acknowledge) notable or good practice from alternative or previous regimes and frameworks, or from frameworks in other services or sectors. They demonstrate a regrettable insularity to innovations, and initiatives from previous administrations and from international practice. In effect, they show that throughout the period from 2010 onwards, the performance management arrangements in England were not delivering joined up policy development, that service delivery was sub-optimal and that public assurance was deteriorating.

### **Contribution to theory**

Ironically, this disappointment in the development of practice (at least in England) contrasts sharply with the development of public management theory over the same period particularly in two of the theoretical approaches most relevant to the subject matter of this thesis.

The first approach is from public management theories that acknowledge and explicitly build on the concept of ‘public value’. The second is the body of work, which has recently built up around Public Service Dominant Logic (PSDL). These have both

made significant progress over the years since 2010 and that progress has recently been summarised and clearly articulated in two key contributions.

Lindgreen *et al.* (2019) provide a “systematic and interdisciplinary examination” of how the concept of public value has emerged and developed beyond Moore’s (1995) original focus on service delivery that was based primarily on North American practice. They demonstrate that there is a range of organisations that create public value, not just public sector organisations, but voluntary and commercial organisations and not just outsourced or commercial organisations providing goods and services to the public sector but freestanding commercial organisations. It also demonstrates differing conceptualisations and perspectives on public value (other than Moore’s original perspective) for example material welfare and rights-based formulations (Rutgers 2019, Brewer 2019). This in their terms, ‘broadens’ the theory and practice of creating and delivering public value to other sectors, although they caution that whilst the use of the concept within the charity/voluntary/third sector “fits pretty comfortably” in the commercial sector; “it can fit but more awkward[ly]. In latter in particular it

“is vulnerable to abuse such as when public value gets used to justify commercial enterprises that generate profits without recognising the interests and rights of employees, suppliers, consumers or citizens in society as a whole” (Lindgreen et al. 2019 p. xxix).

In addition, various contributions help ‘deepen’ the theory of public value as they demonstrate how public value can be created by individuals as well as by collectives and by organisations (Maynhardt 2019, Mayhardt and Fröhlich 2019). In addition, Douglas and Noordegraaf (2019) show how different stakeholders prioritise different value dimensions in the interpretation of public value and may have competing perspectives that need to be consolidated in the design of public organisations. Moore (1995) had noted that the design of organisations is not only shaped by the ‘task environment’ but was also subject to the wishes of the ‘authorising environment’.

“The most suitable design achieves an instrumental match with the task environment and an institutional match with the authorizing environment producing both efficiency and legitimacy” (Lindgreen *et al.* 2019, p. xxx).

However “the appropriate design may change with shifts in the task and authorisation environment....(so) public value transforms the relatively static phenomenon of organisational design into a dynamic and lively affair. Organisational design is about designing *multiple* spaces for public value, where different stakeholders *interactively* intertwine the different dimensions of value, while constantly *adapting* to changes. (Douglas and Noordegraaf 2019, p.63).

There are two questions that flow from this for future research based on the conceptual model developed over the course of this thesis, which explicitly acknowledge, and embraces the concept of public value. Is the model sufficiently dynamic and is it conceptually broad enough for future use in the light of the latest theoretical developments?

The model was explicitly designed to be a dynamic model acknowledging both a changing task environment and a changing authorizing environment but is it conceptually broad enough to take account of value creation and co-creation outside of the public organisations and their key stakeholders? The model has generally been applied at a sectoral level and when it has been applied at an organisational or service level, it has generally been within Fire and Rescue Services or Public Health services. These are services, that are overwhelmingly delivered directly by public organisation or in collaboration with other public sector organisations. Future empirical research at a more granular level in a more ‘hybridized’ sector, organisation or network of organisations would therefore be desirable to test the robustness of the model. The operationalisation of the model via the use of Key Lines of Enquiry as described on pages 42-44 is however an inherently flexible way to operationalise the model. They have been used for adapting to changes in both task and authorizing in performance management regimes in the past, not least by the former Audit Commission.

Secondly, the conceptual model (at best) inherently (rather than expressly) assumes material welfare and human rights will be respected in the process of operationalising the use of the model whether for evaluative or developmental purposes. It is bounded by the Nolan principles. However, the latest literature suggests there could be a need for these assumptions to be expressly stated as part of the detailed model (or its specific application to a service or sector) rather than relying on the Nolan principles and the

application of the Human Rights Act. This be accommodated/reiterated in the KLOEs but could also be tested in future empirical research using the model.

Public Service Dominant Logic (PSDL) was built on the development of service dominant logic identified by Lusch and Vargo (2006, 2014) in the marketing literature; this recognised that some organisations were in effect ‘service dominated’ rather than ‘product dominated’ in their objectives and outputs. PSDL acknowledged that the delivery of public services (as opposed to public products such as capital schemes) had gradually become the main output of current public service organisations (Osborne, *et al.* 2013). At the same time, there was an acknowledgement that in many services the role of the user, client, citizen or recipient of public services was increasingly as co-producer and/or co-creator of its value (Handyman *et al.* 2015, Alford 2016).

Osborne, one of the most prominent contributors to the development and theory of PSDL has recently argued for a revised conceptualisation of this approach and a shift in emphasis in what he calls ‘this emergent paradigm’ both between co-production and value creation/co-creation and between the respective roles of public service organisations, citizens and service users in these processes (Osborne 2018, p. 225). He has recently suggested that PSDL is neither a necessary nor sufficient term and should be superseded by ‘Public Service Logic’ (PSL) because co-production and co-creation are different ways of adding value and that co-production assumes a process where the public service organisation is dominant and where the logic is linear and based upon product dominant conceptualisations of production.

“Co-creation assumes an interactive and dynamic relationship where value is created at the nexus of interaction. Value for the service user and the public service organisation thus are created not by linear production but rather by this interaction occurring within the context of the service user’s wider life experience (Grönroos 2011)”.

(Osborne 2018 p. 225-226).

This Osborne contends has significant implications for how we understand the relationship between public service organisations and service users in public service delivery – and for “what this relationship means for the value that public services create in society”. He accepts that what constitutes ‘value’ in public services is ‘embryonic’ and contested.



“For some it is a variant of Moore’s (1995) public value, for others it resides with individual citizens, whilst for yet others it can be both and where individual and public value may be congruent or dissonant..... Nonetheless, by shifting our focus from linear co-production to dynamic value co-creation, PSL reveals an essential truth often obscured in current management theory. *PSOs do not create value for citizens – they can only make a public service offering. It is how the citizen uses this offering and how it interacts with his/her own life experiences that creates value.....* It is the citizen and/or service user who creates the performance and value of a public service, with the PSO acting as a facilitator of this process.... PSL therefore starts from the service user as its basic unit of analysis and explores how public services, and PSOs, might be designed to facilitate the co-creation of value by service users, not vice versa”. (Osborne 2018 p.228).

Osborne supports this by referring to two areas (a teaching experience and a health treatment) where the respective public services provide outputs rather than outcomes. He ignores the evidence that when ‘good’ teaching or more effective health treatments are aggregated to the ‘population’ level they create or provide greater collective value than poorer or less effective outputs and that comparative data can be generated to demonstrate good practise. He admits his ‘insights’ contains many conundrums of their own that need to be elucidated before the potential of his contribution can be “unlocked”. He also focusses on the service domain and does not address the policy domain. It is therefore in the service delivery and the assurance domains that his insights have most relevance for the operationalisation of the conceptual model.

Osbornes’ insight therefore has potential theoretical value but more limited practical value at least until his multiple conundrums are resolved, and all key individual interactions are identified and outcomes measured. It does however serve to remind researchers and practitioners to focus (where possible) on outcomes and added or created value but it also has many theoretical challenges as well as the obvious practical limitations and challenges.

Not all interactions with public services are individual interactions, there are collective interactions and non-interactions (e.g. non-visible services such as security and diplomatic services), and at times individuals can be clients, customers, users, citizens, visitors, part of the *demos* or multiple combinations thereof. Similarly, the objectives and organisation of public services clearly differ and not all public service organisations provide services. For some services, for instance, when individuals, communities or specific parts of the populations are subject to restrictions, regulation or incarceration such as in the criminal justice system they seldom view the imposition (albeit in the interests of the public) as adding value. Other services, such as development control, exist to balance and negotiate between individual and collective interests. In some areas the provision of council or social housing is welcomed in others it is resisted and tax collection has never been universally popular.

In practice (to a greater or lesser extent) because public services and their regulators are obliged to improve transparency and accountability as well as continuously improve services, all performance management regimes assume some form of public engagement, participation or consultation in their policy development and service delivery domains. An appropriate quality and amount of engagement can be designed into the system - which can also be contested by various stakeholders, including the public. It can also be operationalised and 'tested' in the assurance regime. Public service organisations are specifically resourced by the representatives of the taxpayers to undertake or achieve specific objectives, targets, outputs, and outcomes, not necessarily to interact with individuals. While public service logic reminds us to focus on the user, and the creation of value, it is recent contributions to public value theory that appear to be the more fertile and potentially fruitful avenues to explore in future research.

One of the areas that will require further research is in the generalisability and relevance of the research approach and potentially the application of the model arising from this research to other countries. The research to-date has been used by policy makers, practitioners and regulators/auditors/inspectorates across various parts of the public sector in the four countries of the UK, particularly in England and Scotland (Murphy et al. 2018d, Murphy *et al.* 2019a). Academics and practitioners in Europe, America and Australasia have welcomed it but, it

clearly requires further empirical research to gauge just how much relevance or use it could be in non-UK settings.

### **Contribution to empirical knowledge and practice**

The publications in this submission and the introductory chapter/critical review have collectively sought to provide a high-level critical overview of the policy development, service delivery and public assurance arrangements in four locally delivered public services in the UK over the last 20 years. The publications have also sought to examine the context, the parameters, the agencies and the relationships operating within and between these three areas and the strategic and operational environment within which they are all set. In order to further knowledge and understanding of these areas, their context and their interrelationships, a conceptual model has been developed to evaluate current or previous regimes and frameworks and to facilitate future evaluation of changes to frameworks or their constituent parts. This is itself a significant contribution to knowledge and a contribution to practice, as briefing papers and presentations on the model and/or parts of the model have been commissioned by the Scottish government (Murphy *et al.* 2018c), and HMICFRS the new inspectorate for the police and fire and rescue services (Murphy *et al.* 2018d).

Individual performance regimes generally define regimes/frameworks by their own individual objectives and/or contents, and according to Martin *et al.*'s review, scholars who have used the concept of a regime have done so in a general sense rather than as an analytical tool (Martin *et al.* 2016). This thesis has created both a definition and a conceptualisation of the regimes or frameworks designed explicitly to be used as an explanatory, exploratory and an analytical tool. Each of the individual publications have both helped develop this perspective and used the developing perspective to demonstrate significant inadequacies, omissions or potential improvements in a particular framework or frameworks or parts of a framework.

Each of the papers submitted has individual conclusions and recommendations, but collectively they demonstrate the utility and usefulness of holistic, comprehensive and coherent frameworks or regimes not only for policymaking, but also for improving services to the public and for assuring the public that public money is being spent

appropriately. In all cases, they also help to highlight inadequacies and/or omissions and/or areas for improvement.

Key partners and collaborative stakeholders, particularly those in multi-agency and joint and collectively responsible operating environments (such as local authorities and the NHS in their respective sectors; or the Police, Fire and Ambulance Services), need this information and assurance if they are to continually improve their respective and collective services and meet their individual and collective responsibilities to the public. The government also needs quality assured and robust information if it is to demonstrate that public services are achieving Best Value and value for money while facilitating improvement and meeting the national and local objectives of the particular service or sector.

The publications demonstrate the interrelationships and interdependencies of policy development, service delivery and public assurance mechanisms and show how their economic, efficiency and effectiveness can be improved when brought together and clearly articulated in robust performance management regimes. Although desirable and achievable, this is however, insufficient of itself, to guarantee or ensure that improvements in these areas always follows as the analysis of some of the later frameworks within the papers shows. The publications also demonstrate that insufficient attention and priority has been given to effective policy development, to service delivery challenges and in particular to public assurance over more recent years. As a result, public policy in this area has been disparate and at times incoherent; it has created avoidable problems and unnecessary challenges to service delivery, while public assurance has significantly deteriorated.

The previously published papers, and the analysis within this introductory chapter, all demonstrate how the conceptual model, or constituent parts of the model, have been extensively used to analyse existing or proposed frameworks or parts of frameworks. The conceptualisations have also been used in analytical or evaluative research reports commissioned or invited by the UK and Scottish Governments and by national agencies such as the National Audit Office (Ferry and Murphy 2015, Murphy 2015, 2016, Murphy and Greenhalgh 2012, 2013e, 2015, 2016, Murphy *et al*, 2018a, 2018b, 2018c, 2018d). This demonstrates a contribution to reducing the acknowledged gap

between both theory and practice and the academic and professional literature relating, in particular, to emergency services (Wankhade and Murphy 2012).

Earlier in this thesis the author referred to potential tensions and challenges because of the proximity of the research area to the researcher, particularly the challenge of remaining objective. Another challenge, very conspicuous in the first few years of the thesis has been to write in an academic manner and style. Although the author was competent to write professional and official reports, advice guidance etc., the purpose and style of academic writing needed to be both mastered and improved. In retrospect, learning to write in an academic style also helped develop writing for impact and writing for advocacy. Writing for newspapers, the media and for pressure groups requires a different style of writing as does writing for websites and social media. Being very conscious about the purpose for which one is writing and the intended audience helps to shape the content and presentation of the research. It has also helped to bridge the gap between theory and practice and the academic and professional literature.

This thesis encapsulates and responds to Martin *et al.*'s, justification for the value of the concept of a performance regime in that it “helps to frame comparative and longitudinal analyses of approaches to performance assessment and draws attention to the ways in which public service performance regimes operate at different levels, how they change over time and what drives their development” (2016 p. 219), although some of the publications appeared before Martin *et al.*'s paper was published.

Finally, the model helps to present and understand the submitted publications and the research on which they have been based as a coherent body of work. The author's intention, as always, has been to contribute to the improvement of public policy and public practice.

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# Comprehensive Performance Assessment and Public Services Improvement in England? A Case Study of the Benefits Administration Service in Local Government

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**ABSTRACT** *The purpose of this paper is to independently evaluate the impact of the Comprehensive Performance Assessment regime on one particular public service, namely the provision of council tax and housing benefits distributed by local authorities throughout the course of the regime. This service was assessed in every iteration of the CPA methodologies and it included one of the few key performance indicators (KPIs) where the definition of the performance indicator, the means of collection and the public reporting of its results, remained the same throughout the CPA period between 2002 and 2008.*

*The findings show that there were considerable and consistent improvements in benefits administration nationally within England and across all of its regions. The paper then investigates a series of propositions. Whether there was any significant variations in the performance of larger as opposed to smaller authorities, or between predominantly rural authority areas and urban authorities or between authorities with different party political control. Finding no significant differences the research suggests implementation of the CPA regime itself appears to have had a catalytic effect upon the performance of the benefit administration services within local authorities throughout this period. The paper therefore concludes with a brief discussion as to whether the findings support the theoretical position of proponents of neo-institutionalism isomorphism or more traditional rational actor theories of public choice.*

**KEY WORDS:** Comprehensive performance assessment, local government, council tax and housing benefits administration, public service improvement

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### Introduction

Since 1999 the Local Government (Best Value) Act has required local authorities and other public bodies to both achieve best value (BV) in all their activities and to facilitate the continual improvement in the performance of their organisations and the services they provide. Their performance was initially externally evaluated by a combination of long-standing and newly created inspectorates, external auditors and ad hoc assessments through the production of Annual BV Performance Plans; the implementation of a system of national BV performance indicators, and through corporate and service inspections of BV Reviews. These inspections were carried out by the new Best Value Inspectorate, other national inspectorates such as Ofsted and the Social Services Inspectorate and the more recently established Benefits Fraud Inspectorate. Between 2002 and 2009 however the performance of all of England's local authorities was regularly externally assessed by the Audit Commission working collaboratively with the other external inspectorates under a performance management regime known as Comprehensive Performance Assessments (CPA). As its name implies this regime was intended to operate across every principle local authority in every part of the country, and was intended to come to robust judgements about the economy, efficiency and effectiveness by which all local authorities delivered all their services and activities. This regime was in operation for seven years before it was superseded in April 2009, for a single year, by the new performance management regime for local authorities and their key local delivery partners known as Comprehensive Area Assessments (CAA).

The Audit Commission and the government published regular annual progress reports throughout the CPA regime and also published an overview of performance improvement at the end of the regime (Audit Commission, 2009). However, some recent academic commentators have pointed out that agencies such as the Audit Commission and the inspectorates have an interest in the 'success' of the regime, as they need to demonstrate that their scrutiny of the system worked and therefore that services improved. There is a relatively recent and emerging body of academic literature related to CPA, largely set within a performance management framework devoted to assessing how either the system as a whole performed or which parts of the system have been the most effective in driving up improvements to public services (Andrews 2004, Andrews *et al.* 2005, Game 2006, Wilson 2004 and Game 2004). Other evaluation has been undertaken by teams of academics sponsored by government departments (Martin and Bovaird 2005, Boath *et al.* 2007, Martin 2008, Audit Commission 2009). It has also become increasingly commonplace to question whether CPA has had the impact that the Audit Commission claims for it (Clarke 2008). With the regime only recently coming to an end, the relatively robust national data available for benefits

administration provides an excellent opportunity to contribute to this growing body of research, by studying the impact of the CPA on this particular service, to reassess the impact of the CPA regime.

### **The purpose of this study**

The purpose of this paper is therefore to independently evaluate the impact of CPA throughout the course of its history on one particular local authority service that was represented in every iteration of the CPA methodologies, using one of the few key performance indicators (KPIs) where the definition of the performance indicator, the means of collection and the public reporting of its results remained the same throughout. The use and importance of this particular KPI was never challenged by the local authorities, the auditors, the inspectors or the government in any consultation undertaken on the CPA. The raw data on the indicator existed and was collected nationally, both prior to the CPA regime and was still being universally collected after CPA as part of the successor CAA. It now forms part of the 'Right Time Indicator' of the DWP (DWP 2009a). This latter combines the average processing time for new claims with administration of changes of circumstances. In 2008 there were changes made to the definition of the 'changes in circumstances', which make the statistics non-comparable overall, however, the definitions applied to the KPI that we examined remained the same.<sup>1</sup>

This particular performance indicator was collected and reported by the local authorities themselves, it is internally and externally audited, and was reported directly into the Department of Works and Pensions (DWP) on a quarterly basis with the results publicly available on the DWP website (DWP 2009a). The significance of this process lies in the fact that the external inspectorates, in this case the former Benefit Fraud Inspectorate and its successor, the Audit Commission, played no direct part in either its definition or collection. Finally it was very rare (but not unknown) for all those involved in the policy and delivery of a service to be able to identify a single key indicator that the vast majority of the community of delivery organisations, stakeholders and interested parties agreed is the one key indicator that is a reasonable proxy for the performance of the overall service. Performance indicator PM1, 'the average time for processing new claims', has always been the first indicator in every version of the performance regime for the benefits administration, and is commonly accepted as being such a proxy for the performance of the council tax and housing benefits service (CT and HB) in the same way that life expectancy (through the 'all age all cause mortality' indicator) is accepted within the health community. It is for these reasons and because of the veracity of the evidential base that we have adopted it as the barometer of performance. As such, this organisational field is felt to be appropriate to consider the organisational responses to the CPA regime (Bovaird 2008) and, *inter alia*,



the impact the CPA may have had on performance improvement within the service.

By analysing performance of this single service, we were seeking to establish two findings. First, to what extent did service performance improve during the CPA regime? Second, could improved service-level performance be linked to the presence of CPA as a catalytic trigger (Osborne *et al.* 1995) whereby the comprehensive and inclusive nature of the CPA assessment, and its highly 'visible' publication, raised the profile of this single measure within organisations and across the intra-organisational professional field.

The CPA, as with other performance measurement regimes, can be considered to operate as a socially constructed view of relative organisational performance (Osborne *et al.* 1995), and as such the ways in which organisations have responded to the CPA in the past, and any subsequent change in service delivery, can be seen from either neo-institutionalism and/or rational actor theoretical perspectives (McSweeney and Duncan 1998, O'Shea 2007, Wayenberg 2006, DiMaggio and Powell 1991, Goldman 2005). Whether responses were provoked by a proverbial 'carrot or stick' is likely to vary across organisations, depending inter alia on their relative performance at the start of the CPA process and/or their political support for the government introducing the new regime. Similarly, factors such as organisational size, political control and urban/rurality could also have had an impact on organisational response, outside of the CPA trigger (Andrews *et al.* 2005). This study will consider the potential impact of these and other factors as well as briefly discussing the potential for neo-institutionalised isomorphism, given that the CPA regime generated both incentives for improving performance and sanctions for poor performance. However, in a wider context, such speculation may only provide a useful insight for further research into organisational responses to CPA and to successor performance regimes.

### **The council tax and housing benefits services within local authorities**

Housing Benefit (HB) was introduced by the government in April 1993 and is an income related benefit designed to help people on low incomes pay for rented accommodation whether they are in or out of work. Council Tax Benefit (CTB) was also introduced in April 1993 and is an income-related benefit calculated in a similar way to housing benefit, which has been designed to help people on low incomes pay their local council tax. There are currently approximately 4.5 million people in receipt of housing benefit with an average receipt of over £80 per week while 5.5 million households are in receipt of council tax benefit receiving an average of approximately £15 per week. Together they represent the redistribution of income of over £220m per year to the some of the poorest people in our communities (DWP, 2009a).

The administration of the payment of CTB and HB is usually undertaken by a team in the treasury or financial services department of ‘all-purpose’ or ‘unitary’ local authorities (such as London Boroughs, Metropolitan and Unitary Authorities) and by the district councils within those parts of the country where there are still county and district authorities in the two-tier system of local government. In 2002 there were 115 single tier authorities and 238 districts administering the benefits. Some partial local government reorganisation between 2006 and April 2009 changed the numbers of administering authorities to 124 and 201 respectively by the end of the CPA regime period. The county councils played no part in the delivery of this particular service and are therefore not part of this assessment.

Figure 1 below attempts to depict a simplified model for the resourcing and operation of the process for administering and determining applications for CTB and HB payments in local authorities in terms of the constituent inputs and outputs of the service.

The payment and entitlements that CTB and HB applicants are entitled to from the system are established nationally, and the objectives of the service are essentially the same in every authority. These are to process all claims quickly, accurately, efficiently and economically; to ensure prompt payment and to provide a responsive service that minimises fraud and pays all entitlements to all those qualifying. In July 2002 the government set this out and formally introduced a new ‘Benefit Verification Framework’ (DWP 2002) to ensure that benefits are paid to those who need them, and at the

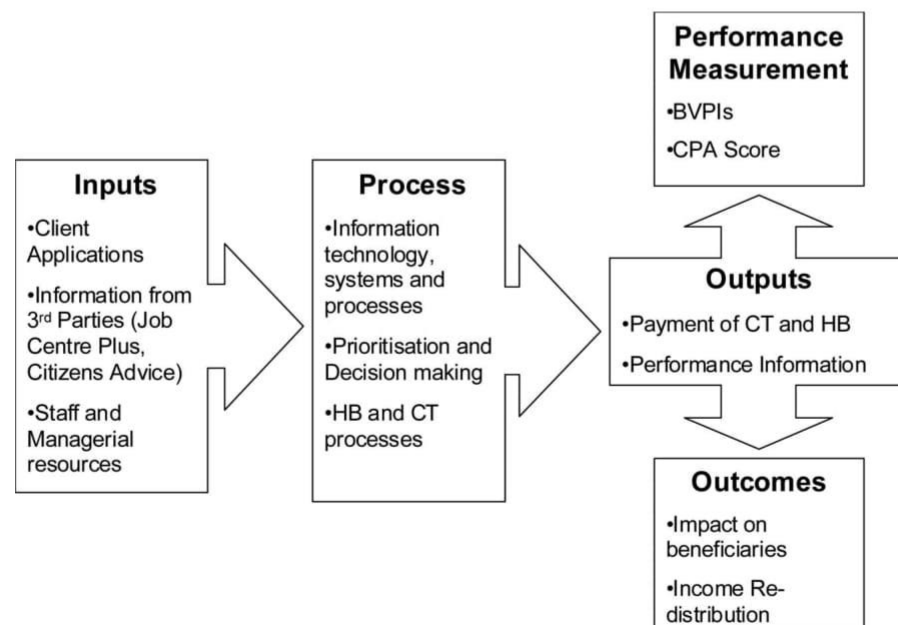


Figure 1. CTB and HB administrative process.

same time making sure that the system is secure from fraud. The new framework set out new procedures and instructions on how claims for council tax benefits and housing benefits should be dealt with. It has strict rules that every council has to abide by and requires that every person claiming benefit has to provide original and verifiable documentation relating to identity, income, savings and capital. In order to facilitate this new (and tougher) system, new 'standard' benefit forms and new computer software systems were installed and implemented prior to April 2002. Similarly in order to prepare for such a fundamental change in the system the government had to give councils and their partners and stakeholders considerable notice of the proposed changes, and had therefore undertaken a national information campaign over the preceding three years. Following the Comprehensive Spending Review of 2002, and as part of the implementation of CPA, the DWP provided discretionary grants to local authorities between 2002 and 2006 from a 'standardisation' fund to assist the implementation of the new verification framework.

The Benefit Fraud Inspectorate (BFI) was officially launched in November 1997, in response to government concerns about the estimated levels of fraud and attacks being made on the social security system (BFI 2007). However as part of CPA the role of the BFI changed significantly to assess the performance of the benefits services as well as to detect and deter fraud in the system. The BFI therefore existed formally as part of the CPA regime until April 2008, when the responsibility for the inspection and assessment of CTB and HB transferred to the Audit Commission in England, and the Wales Audit Office and Audit Scotland in the devolved administrative areas.

Although there have been some minor changes to the benefits administration systems and processes between 2002 and 2009, essentially the process has remained the same throughout the country throughout this period. In order to measure progress in providing better quality services and demonstrate comparative value for money, a system of performance indicators and benchmarking standards for the benefits service were also established. However, most of the benchmarks and standards used were either pre-existing or were amendments to existing performance indicators rather than being completely new indicators.

#### **The monitoring of the administration of new claims and the antecedents of the Performance Indicator PMI**

Although some individual service performance indicators were being developed by the Audit Commission immediately after its establishment in 1983, the commission started regular annual collection and publication of suites of national indicators in the 1990s with the first of their annual publications relating to the 1993/94 financial year (Audit Commission 1995). From 1993/94 the national indicator sets have always included data on the



payment of HB and CTB, although at various times they have been called Audit Commission National Indicators, Best Value Performance Indicators, and more recently the 'Housing Benefit and Council Tax Claims Administration Quarterly Performance Data'. Since the publication of the results for 2003/04 these have been published quarterly on the Department of Works and Pensions website rather than in written reports.

From 1993/94 there were eight benefit indicators collected and these included G1b and G2b, which were 'the percentage of new claims that were processed within 14 days of receipt' with the two indicators merely distinguishing between the two types of benefits. In 1996/97 two of the eight indicators were dropped but the remaining six, including the percentage processed within 14 days, were retained but were re-designated G1 and G2.

In 1999/2000 the suite of national benefits indicators were expanded to a total of 11 and G1 and G2 changed to the 'average time for processing new claims' rather than the percentage paid within 14 days. Finally in 2000/01, newly renumbered as BVPI 78a and with a tighter and much more precise definition imposed, the commission collected 'the average time taken for processing all new claims' conflating the statistics for both types of benefits into one indicator. Although this was later rebadged as PM1, the definition and quarterly collection of this indicator has remained the same since April 2000, and therefore the same throughout the CPA period from April 2002 to April 2009.

In April 2006 changes were made to the way the performance of the authorities was presented, effectively to bring it into line with the way performance is assessed under the Housing Benefit–Council Tax Performance Standards (DWP 2009b). Prior to 2006 an authority's performance was classified into one of four quartiles, which produced a relative measure of performance. In 2006 the quartiles for each of the performance measures were superseded by grade ranges assessed against absolute benchmarks, and these determined the standard of performance in each of the indicators with a score of 1 to 4 as follows:

4 Excellent	Less than 30 days
3 Good	30–36 days
2 Meeting minimum standards	36–48 days
1 Not meeting minimum standards	over 48 days

PM1 measures the average processing time in calendar days across all new claims for which the date of the full and final decision is made within that quarter. An excellent performance would mean the average processing time is less than 30 days; a good performance will be between 30 and 36 days; authorities are deemed to be meeting minimum standards if performance is within the 36 to 48 day range and they are not meeting minimum standards

if their average processing time exceeds 48 days. PM1 is therefore an output indicator rather than an input or outcome indicator. The 'outcomes' of its administration, while very important, both to the recipients and to wider poverty and income distribution within local communities, do not significantly affect the performance of the distributing authority.

PM1 was effectively reported as a relational indicator prior to 2006 but has since been assessed against the Housing Benefits–Council Tax Performance Standards, which translates it into an absolute and standards-based indicator. Fortunately, as the raw data is also available on the DWP website, it is possible to retrospectively recalibrate and compare the performance of authorities between 2002 and 2006 against the current standards, which is what we have done.

### **Some methodological and data issues**

The data was collected by the local authorities and aggregated by the DWP. Covering six years is sufficient to produce a comparative longitudinal study over almost all of the lifespan of CPA. All of the information is publicly available, there are no issues over sensitivity or confidentiality and some summarised analysis has already been done at the national level by the Audit Commission (Audit Commission 2001, 2009), which provides some reassurance or support to our research conclusions. The data is being used for the purpose for which it was originally collected, namely assessing comparative performance over time, and between local authority providers of the service. It was being used within a performance management framework, which itself had been the subject of considerable consultation between the government, the Audit Commission, the local authorities and all key stakeholders (Audit Commission 2009).

However, it is necessary to be aware of the significant methodological developments within the CPA framework between 2002 and 2009 and to be mindful that while generalisations about service improvement may be possible from the dataset across all delivery authorities over the lifecycle of CPA, some of the more detailed analysis may only be verifiable within the two organisational subsets of unitary authorities and district authorities to which alternative CPA methodologies were applied. Similarly although there was no change to the collection and definition of the PM1 indicator over the CPA period there were significant changes to both the unitary authorities' CPA methodology, as well as the district CPA methodology between 2005 and 2006 respectively (Audit Commission 2005a, 2005b). The importance or internal weightings ascribed to particular parts of the methodology, pieces of information or individual assessments therefore changed within these overall methodologies, and we must accept at least the possibility of these changes influencing the detailed analysis and (potentially) our conclusions. However the weighting ascribed to the benefits services, unlike some other services, were only minimally affected



by the changes within both the unitary authorities methodology and the districts methodology.

The second major issue usually identified when using official statistics from government departments or their agencies is the problem of validity. Validity issues arise when inferences are drawn about the relationship between data in the data set when in fact other factors or events not captured by the data set have been responsible for the changes or impact (Jankowicz 2005). In this particular case more detailed research will need to examine whether any significant long-term changes might have occurred to these variables without CPA, such as changes to the numbers of people employed by the authorities in these roles, further changes to the technology utilised by authorities, or changes to the financial investment in benefits administration by the authorities (either individually or collectively) to assess whether these played a significant part in any improvement change or impact on performance. Finally, as the benefits administration system partially relies on sources of information and advice from third parties such as the other benefit providers,<sup>2</sup> and applicants for benefits often seek and receive guidance and support from advice agencies such as the Citizens Advice Bureau. Future research may therefore need to ask whether changes or improvements to these contributing agencies could account for any changes in the performance of benefits administration services over the CPA period.

We acknowledge that no definitive conclusions can be drawn on any of these potential external factors without further, more specific research, but during the course of our study, we discovered no sustained nor significant changes in any of these external resources in the course of our investigations sufficient for us to question our overall conclusions.

#### **The National Performance April 2002 to April 2009 and some selected regional analysis**

The five graphs below show the overall performance of authorities over six of the seven years of CPA. During this time not all authorities managed to submit their individual returns on time for each quarter so it is not possible to report on either a 'true' national or regional average from the published data. However, in order to assess the long-term overall performance the graphs below plot the performance of the best (reported) authority, the worst authority and the performance of the median authority between April 2002 and March 2009, both nationally and specifically in terms of three regions. As this is ordinal data, medians have been used to demonstrate long-term trends rather than means as the latter is impossible for the authors to calculate.

#### **National and Regional Performance of national indicator PM1 2002–2008**

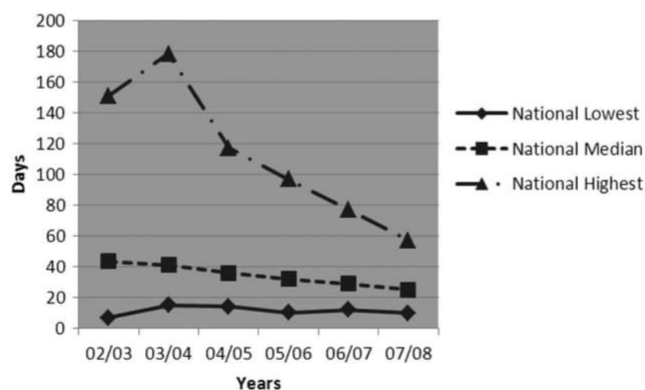
It is clear from these graphs that authorities improved their performance fairly consistently overall throughout the whole period of CPA. Although

there will always be a greater tendency for the poorer performing authorities to fail to return their performance on time (for obvious reasons the best performing authorities appear to have consistently reported their performance on time and subsequent quarterly ‘adjustments’ were consistent minor downward adjustments), nevertheless the reported performance of the worst performing authority fell from a high of 174 days to 57 days over this period and the performance of the median authority improved from 44 days to 25 days. By way of comparison, in the pre-CPA year of best value in 2000/01, when the definition of PM1 was the same as under CPA, nine out of 33 London Boroughs took in excess of 100 days on average for PM1 with Hackney, taking on average 205 days (DWP 2009b). Clearly the BV regime was not delivering the significant improvements later witnessed under CPA.

**Did the size, type, urban/rural nature or political control of authorities make any significant difference?**

Previous studies within the literature on local government performance management have examined the impact other factors such as size, type, urban/rural nature or political control may have had on organisational performance (Andrews *et al.* 2005, Communities and Local Government 2010). In order to explore in more detail these results and to see if there was any significant variations between large authorities and small authorities, or between predominantly rural authority areas and urban authorities and/or between authorities with different political controls (Labour, Conservative, Liberal Democrat or ‘No Overall Control’), the authors have also looked at individual authority performance in three regions of England for which consistent and comparable data is available.

The regions examined were London, the East Midlands and Yorkshire and Humberside. These three regions were chosen because they allow us to make the comparisons highlighted above and because these were, uniquely,



**Figure 2.** National PMI.

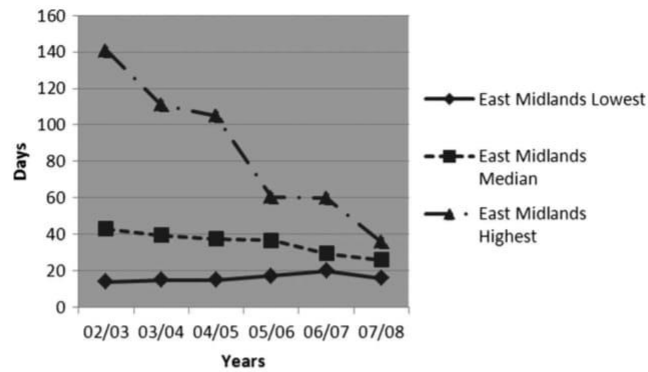


Figure 3. East Midlands PMI.

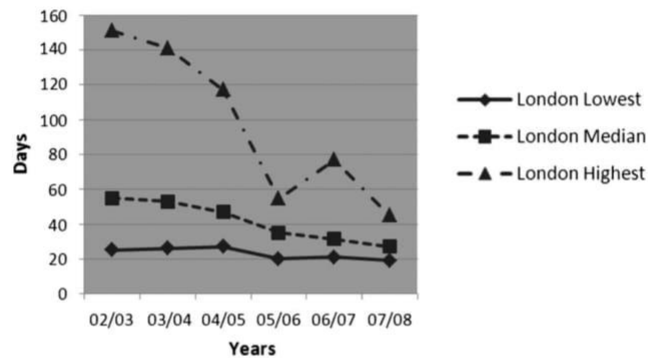


Figure 4. London PMI.

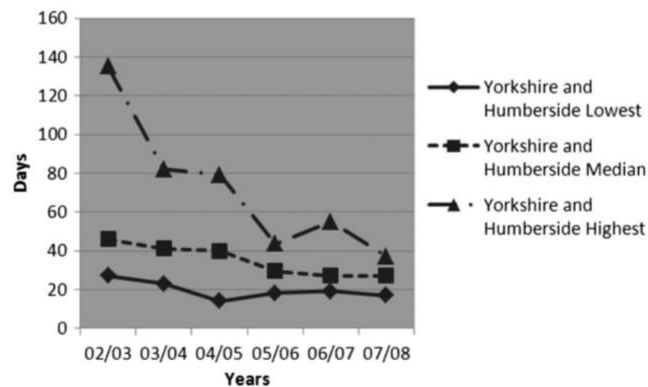
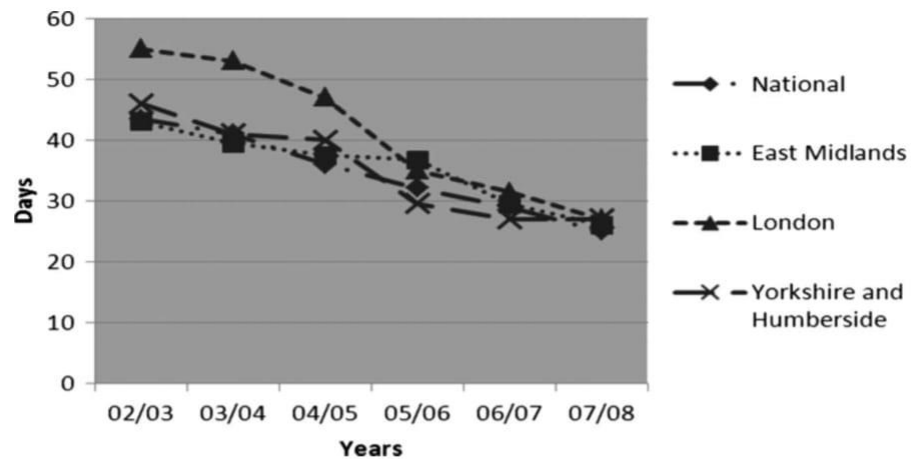


Figure 5. Yorkshire and Humberside PMI.

the only three regions that were not subject to any form of local government boundary changes or administrative reorganisation between 2002 and 2009 as a result of the opportunity for voluntary structural changes afforded by



**Figure 6.** Median values of national indicator PM1 within England, and in three regions.

Part 1 of the Local Government and Public Involvement in Health Act 2007. In other words the responsibilities and the boundaries of all of the authorities remained exactly the same and there were no significant disruptions to their organisational context throughout the study period.

Coincidentally, these three regions were highly appropriate for this particular study. London is an area with comprehensive coverage of 'all-purpose' or unitary urban authorities. The East Midlands is the region with the smallest number and lowest proportion of unitary authorities (four) and the largest number and lowest proportion of small district authorities, having 13 of its authorities serving host populations of less than 85,000 residents. This is the size of authority at which 'fourth option' governance arrangements were allowed to continue under the Local Government Act 2000. Yorkshire and Humberside is one of those regions in the middle with 14 unitary authorities and seven district councils delivering CTB and HB services. The results for each of the three regions are shown in Tables 1, 2 and 3 below. The figures shown represent the number of days individual authorities on average took to register a claim. The shading represents their performance against the CTB and HB Performance Standards referred to above and both give a very graphic representation of the significant improvements in the service to claimants over the CPA period.

These results also demonstrate that the type of authority again has had surprisingly little impact on the levels of improvement achieved. There is as much variation in the performance of the three different types of authorities, London Boroughs, unitary authorities and district councils as there is within their individual groups as there is between types of authority.

Throughout the CPA regime there has been little difference in the main political parties' attitude to the regime with the national Local Government Association (which includes all authorities) maintaining a largely bi-partisan



**Table 1.** The performance of London authorities 2002–2008 when compared to the CT and HB performance standards introduced in 2006

	02/03	03/04	04/05	05/06	06/07	07/08
Camden	48	55	60	41	32	23
London (City of)	25	26	34	30	23	23
Hammersmith and Fulham	68	56	59	45	28	25
Kensington and Chelsea	46	33	32	29	32	27
Wandsworth	68	69	57	42	39	33
Westminster	74	61	77	44	40	34
Hackney	151	141	117	55	26	21
Haringey	54	50	47	42	40	35
Islington	97	82	57	36	28	26
Lambeth	133	101	89	53	N/S	27
Lewisham	39	40	36	31	38	26
Newham	62	38	54	41	47	36
Southwark	50	34	39	41	34	39
Tower Hamlets	47	42	52	33	28	25
Barking and Dagenham	46	46	68	41	30	23
Bexley	50	46	36	35	31	28
Enfield	67	49	44	31	34	28
Greenwich	45	50	38	29	31	33
Havering	57	74	40	31	27	25
Redbridge	49	39	38	31	32	37
Waltham Forest	69	78	55	26	24	21
Bromley	88	66	42	33	33	29
Croydon	41	62	38	27	28	23
Kingston upon Thames	68	56	47	39	33	27
Merton	56	60	48	20	25	36
Sutton	54	53	42	31	27	24
Barnet	55	53	39	38	77	28
Brent	86	56	48	36	35	26
Ealing	80	48	44	51	70	45
Harrow	87	78	27	23	21	20
Hillingdon	42	57	59	26	22	24
Hounslow	49	46	47	45	39	43
Richmond upon Thames	30	31	49	31	27	19

Grade 4	Less than 30 days.
Grade 3	30–36 days.
Grade 2	36–48 days.
Grade 1	over 48 days.

approach throughout the whole period. The national results clearly show that the nature of the political control of an authority has had surprisingly little influence on performance, and Figure 7 illustrates this by showing the political control of the authorities with the best and worst performance in each year over the CPA period. The table also shows the political control of the best and worst performing authorities in each of the three regions referred to above.

Mann-Whitney<sup>3</sup> tests have been carried out to establish whether there are significant differences between those authorities that remained in Labour control throughout the time period or those that remained in Conservative control.<sup>4</sup> These tests establish that the median times of the Labour

**Table 2.** The performance of East Midlands authorities 2002–2008 when compared to the CT and HB performance standards introduced in 2006

	02/03	03/04	04/05	05/06	06/07	07/08
Derby	79	55	49	39	58	36
Leicester	141	111	69	57	59	32
Nottingham	120	63	35	28	29	28
Rutland	42	39	57	25	24	21
<b>Derbyshire</b>						
Amber Valley	42	67	54	40	27	32
Bolsover	20	22	38	47	28	19
Chesterfield	26	26	32	33	29	27
Derbyshire Dales	25	23	28	31	26	17
Erewash	83	70	35	40	29	27
High Peak	21	22	22	17	20	21
North East Derbyshire	48	57	49	32	28	23
South Derbyshire	14	15	15	25	29	28
<b>Leicestershire</b>						
Blaby	49	49	35	39	39	31
Chamwood	35	32	31	30	31	27
Harborough	32	39	33	42	35	30
Hinckley and Bosworth	43	41	37	51	26	21
Melton	55	43	44	27	27	32
North West Leicestershire	19	25	25	38	31	24
Oadby and Wigston	34	45	29	51	40	31
<b>Lincolnshire</b>						
Boston	43	37	57	41	60	24
East Lindsey	35	39	38	41	25	16
Lincoln	54	33	39	33	34	28
North Kesteven	35	37	38	24	29	19
South Holland	30	31	36	32	29	28
South Kesteven	46	45	42	35	33	28
West Lindsey	45	46	39	39	34	23
<b>Northamptonshire</b>						
Corby	50	51	48	40	27	19
Daventry	29	30	30	34	42	25
East Northamptonshire	29	35	24	24	30	28
Kettering	75	52	31	39	31	32
Northampton	96	82	63	61	37	24
South Northamptonshire	53	99	105	35	24	22
Wellingborough	44	35	41	36	30	27
<b>Nottinghamshire</b>						
Ashfield	54	38	39	37	31	32
Bassetlaw	43	47	50	29	27	23
Broxtowe	50	69	45	50	31	28
Gedling	45	44	37	42	32	23
Mansfield	36	34	33	29	27	25
Newark and Sherwood	34	40	31	44	35	23
Rushcliffe	31	26	26	32	28	21
Grade 4	Less than 30 days.					
Grade 3	30–36 days.					
Grade 2	36–48 days.					
Grade 1	over 48 days.					

**Table 3.** The performance of Yorkshire and Humberside authorities 2002–2008 when compared to the CT and HB performance standards introduced in 2006

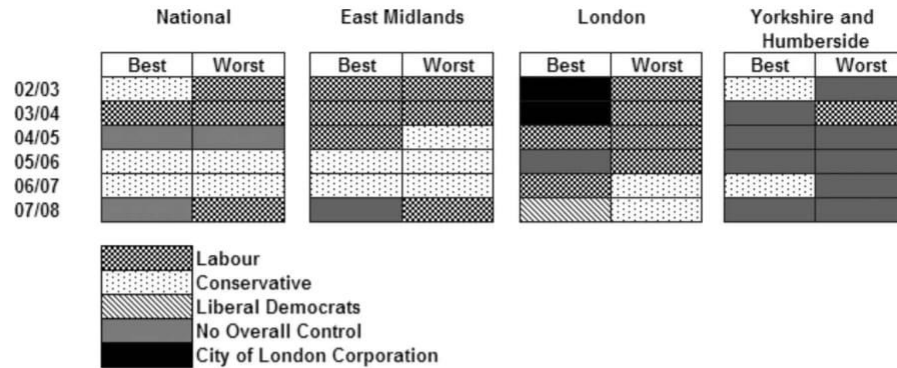
	02/03	03/04	04/05	05/06	06/07	07/08
East Riding of Yorkshire	27	27	23	20	19	18
Kingston Upon Hull, City of	43	36	62	25	24	20
North East Lincolnshire	56	42	36	35	23	17
North Lincolnshire	34	24	27	32	33	29
York	58	n/s	73	40	34	29
<b>North Yorkshire</b>						
Craven	58	74	33	28	20	19
Hambleton	53	62	42	29	24	20
Harrogate	48	48	42	35	29	27
Richmondshire	37	23	14	18	23	34
Ryedale	44	35	38	29	30	27
Scarborough	43	48	47	28	25	19
Selby	60	40	44	25	22	21
<b>South Yorkshire</b>						
Bamsley	68	74	42	36	31	23
Doncaster	37	35	26	30	25	23
Rotherham	31	31	28	27	27	26
Sheffield	46	49	41	37	55	37
<b>West Yorkshire</b>						
Bradford	36	37	36	24	31	31
Calderdale	75	47	38	38	26	29
Kirkless	135	60	40	30	30	30
Leeds	41	33	79	44	31	28
Wakefield	69	82	50	41	27	27

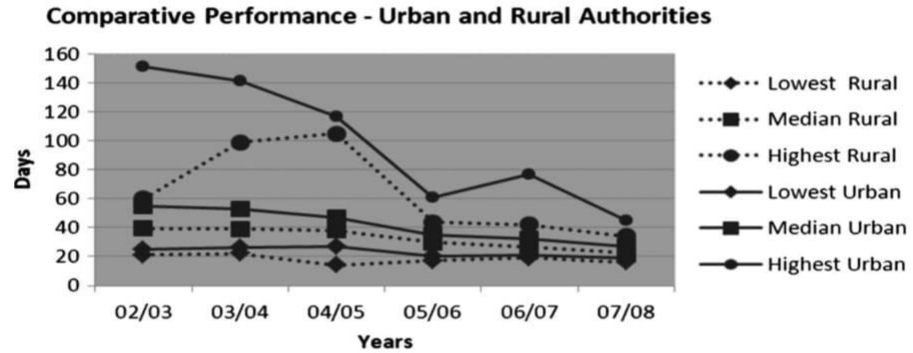
Grade 4	Less than 30 days.
Grade 3	30–36 days.
Grade 2	36–48 days.
Grade 1	over 48 days.

controlled authorities were significantly higher than the Conservative authorities in 2002/03 but that there was no significant difference between the reductions in median times between 2002/03 and 2007/08 and there is also no significant difference between the median times of the Labour and Conservative authorities in 2007/08.

In order to compare rural authorities with urban authorities we have taken predominantly rural authorities as those authorities who are members of the former Local Government Association affiliated group reserved for the 50 authorities that represented the ‘most sparsely populated areas’ of England, and compared these to authorities with only urban or built up areas within their administrative boundaries. This latter group is not just the London Boroughs but includes for example the relevant cities and suburban authorities in the other two regions. Mann-Whitney tests and Figure 8 below are therefore based upon the results from the 46 urban authorities and 20 rural authorities listed in endnote five. The Mann-Whitney tests demonstrate that reductions in median times for both rural and urban



**Figure 7.** Party political control of the best and worst performing authorities during 2002 to 2008.

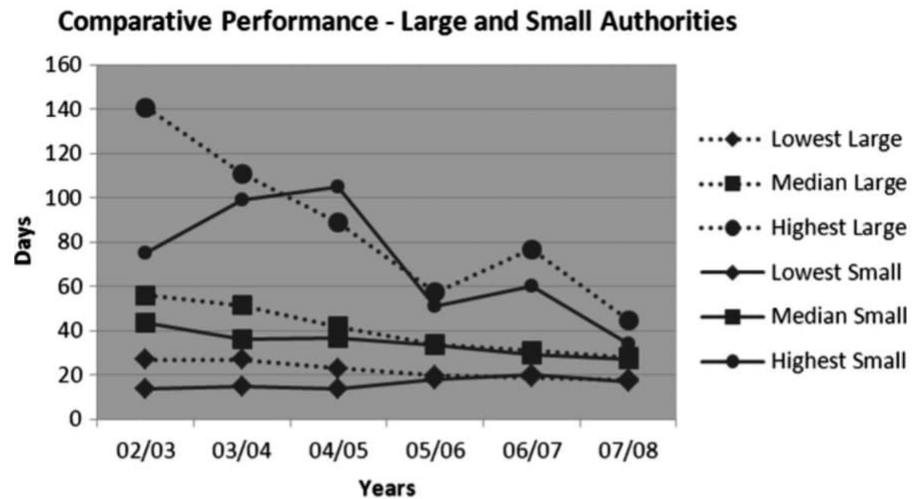


**Figure 8.** Urban and rural authorities 2002–2008 East Midlands, London and Yorkshire and Humberside.

authorities between the years 2002/03 and 2007/08 is significant. Figure 8 above shows that whether the authority was rural or urban had little impact upon the trend of reduction in payment times achieved, although a Mann-Whitney test does demonstrate that the reduction in the median time in urban authorities is significantly higher than those in rural authorities.

We also compared large authorities with small authorities to see if there were any significant differences between these groups. Large authorities are defined as those having both large resident populations to serve and large budgets with which to serve them. We therefore defined large authorities as those serving populations of over 200,000 (there are no district authorities serving populations in excess of 200,000) and net revenue budgets in excess of £250m in 2002/03. We defined small authorities as being those ‘fourth option’ authorities serving populations of less than 85,000 and with a 2002/03 budget of less than £25m. In London not even the City of London Corporation falls within the smaller category, and 21 of the 33 London Boroughs fall into the large authority category. In the East Midlands, 15





**Figure 9.** Large and small authorities 2002–2008 East Midlands, London and Yorkshire and Humberside.

authorities fall into the smaller authorities category and three into the larger authorities category, while in Yorkshire and Humberside 10 fall into the larger and four into the smaller categories. Figure 9 above and the Mann-Whitney U tests are based upon the results from 34 large and 20 small authorities<sup>6</sup> and helps to demonstrate how the performance of the service is not directly dependent on the size of the authority. The Mann-Whitney tests demonstrate that reduction in median times for both small and large authorities between the years 02/03 and 07/08 is significant. However, they also show that the reduction in median times within the larger authorities is significantly higher than those within the smaller authorities.

### Conclusions

There was sustained and significant improvement in the performance of the CTB and HB services administered by local authorities throughout the CPA period, and this significant improvement occurred irrespective of the size or type of authority, the nature of the political control of authorities or the urban or rural nature of the administrative areas. This improvement was mirrored by general improvement of local government services throughout the CPA period, which shows that the improvement in benefits was not achieved at the expense of other services (Audit Commission 2009).

The significant improvements in the outputs of the benefits administration system do not appear to have been the result of significant increases in the inputs to the system, and even if evidence could be provided of this, there is a strong possibility that this could also be attributed to the external trigger

for performance improvement arising from the introduction of the CPA regime. After the implementation of the new verification framework and notwithstanding the support from the DWP Standardisation Fund between 2002 and 2006, there was no substantial improvements in information technology or in the resources applied by either local authorities or other parties outside of local authorities that are (albeit indirectly) involved in the process. There will clearly have been individual changes to the input mix in all authorities, but improvement essentially came about and was sustained because of improvements in knowledge and knowledge transfer, because of the way with which resources were applied and better inter-related and because the CPA regime itself acted as a catalyst, a motivator and a supporting infrastructure for widespread service improvement.

It is reasonable to claim that the improvements in the services by almost all English local authorities over this period represented sustained and widespread improvements over a whole service sector or organisational field. In these circumstances and in terms of the theory of organisational change, we would contend that the CPA regime itself acted as the 'change agent' for the system as a whole. Taking this a stage further and looking forward to further potential studies, our findings suggest that institutional isomorphism operated at the service level. Such theoretical interpretations have been used in the past to explore the development of new public management (NPM) (McSweeney and Duncan 1998, O'Shea 2007), local government modernisation (Wayenberg 2006) and political decision making (DiMaggio and Powell 1991, Goldman 2005). Institutional isomorphic change can arise due to three potentially interrelated mechanisms: coercive, mimetic and normative isomorphism (DiMaggio and Powell 1991), which are now widely adopted by social scientists (Currie 2009). Coercive isomorphism implies the presence of some external force or organisation (a higher level of government for example or the imposition of CPA) and may be both formal and informal. Mimetic isomorphism uses the modelling (or benchmarking) of other organisations within the field in order to imitate innovation, whereas normative isomorphism results from the gradual professionalisation of an organisation or service over time. Furthermore, isomorphism could be the result of individuals or organisations responding rationally, to uncertainty; to sanctions or constraints; or to institutional rewards both financial or regulatory (all of which were present in the government's CPA regime), leading to cross-organisational homogeneity (DiMaggio and Powell 1983, Currie 2009). It could therefore be interpreted that improvements in service delivery across the sector were a result of such forces for change.

The trigger for change may be interpreted as coercive due to the external pressure of the CPA and the 'visibility' of performance this brought at the corporate or political level; mimetic through the active modelling or benchmarking of good local authorities by the DWP, or normative through the increased professionalisation of the service over time either through

employee transfer between organisations, the influx, through outsourcing, of large corporate service providers or the transference of skills through the mimetic process. There is also the possibility that such isomorphic change represented a progression through each of the three mechanisms as a result of rational decision making, not least in those organisations that were originally very poorly performing. At this stage the theoretical interpretation of the findings are inconclusive and would require further investigation through a more interpretivist study, using case studies and interviews, to establish the causes underlying the improvement in performance in individual authorities. It may be that there has been a shift in performance through punctuated equilibrium, characterised by periods of stasis or incremental change, punctuated by large-scale change episodes (Bovaird 2008). If this was the case, then the CPA, as an overarching and highly visible performance management framework, may indeed have acted as both an inter-organisational and intra-organisational catalytic trigger (Osborne *et al.* 1995). Notwithstanding these possibilities, our study suggests that the implementation of CPA and the inclusion of the performance of the benefits services within CPA acted as a coercive trigger that promoted a combination of both mimetic and normative isomorphism across the service leading to widespread sustainable improvements in the services to claimants.

## Notes

- 1 The DWP website refers to changes to definitions and the collection regime making comparisons of results incomparable. This is true of the results as a whole but not to the part of the regime under investigation in this paper. DWP also accepts that the figures are suitable for investigating long-term, high-level trends, which is the objective of this study.
- 2 This is principally Jobcentre Plus and HMRC who provide employment and other non housing and council tax benefits to an overlapping set of 'customers'.
- 3 Mann-Whitney U tests are used to test the difference between the medians with an approximately 95 per cent confidence interval.
- 4 There were only two authorities from the three regions evaluated that remained in Liberal Democrat control throughout the evaluation period. The Liberal Democrat authorities have therefore been omitted from this analysis.
- 5 Authorities defined respectively as 'rural' and 'urban' authorities in the East Midlands, and Yorkshire and Humberside.
  - a) The East Midlands rural group (13) comprises Rutland, Melton and Harborough in Leicestershire; Newark and Sherwood in Nottinghamshire; Derbyshire Dales and High Peak in Derbyshire; East Lindsay, West Lindsay, North Kesteven, South Kesteven and South Holland in Lincolnshire; and Daventry and South Northamptonshire in Northamptonshire. The urban group (8) includes Nottingham, Derby and Leicester unitary authorities but also Chesterfield BC, Mansfield DC, Oadby and Wigston BC, Lincoln CC and Northampton BC.
  - b) In Yorkshire and Humberside the rural group (7) includes Craven, East Riding of Yorkshire, Harrogate, Hambleton, Richmondshire, Ryedale and Selby while the urban group (5) includes Hull, Leeds, Sheffield, Rotherham, and York.



6 Authorities defined respectively as 'large' and 'small' authorities.

- c) Large London Boroughs (21) – Barnet, Croydon, Ealing, Bromley, Wandsworth, Lambeth, Enfield, Hillingdon, Brent Lewisham Redbridge, Southwark, Westminster, Newham, Havering, Waltham Forest Haringey, Bexley, Greenwich, Harrow and Hounslow.
- d) Large East Midland authorities (3) – Nottingham Derby and Leicester.
- e) Small East Midlands authorities (16) – Bolsover, South Derbyshire, Derbyshire Dales; Corby, Daventry, East Northants, Kettering, South Northants, Wellingborough; Boston, Lincoln City, West Lindsey South Holland, Harborough Melton and Oadby and Wigston.
- f) Large Y&H authorities (10) – Leeds, Sheffield, Bradford, Kirklees, Wakefield, East Riding, Doncaster, Hull, Rotherham and Barnsley.
- g) Small Y&H authorities (4) – Rydale, Richmondshire, Craven and Selby.

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# Housing and Council Tax Benefits Administration in England: A Long-Term Perspective on the Performance of the Local Government Delivery System

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**ABSTRACT** *The Coalition government announced, in 2010, that between 2013 and the end of 2017 all existing claims to income-based welfare allowances, including housing benefit, would gradually move to the Universal Credit (DWP 2010). This article evaluates the performance of the Council Tax and Housing Benefits Administration Services under the current system for the delivery of these benefits since they were transferred fully to local authorities in 1993 up until December 2011. During this period the performance of local government has been influenced by four successive national delivery regimes, namely: Compulsory Competitive Tendering (CCT); Best Value; Comprehensive Performance Assessment (CPA) and Comprehensive Area Assessment (CAA). An earlier article (Murphy, P., Greenhalgh, K. and Jones, M., 2011. Comprehensive performance assessment and public services improvement in England – a case study of the benefits administration service in local government. *Local Government Studies*, 37 (6), pp. 579–599) examined the CPA period in detail and found a significant improvement in performance across all types of authorities in all parts of the country during this period. The current article complements this earlier analysis and provides a longer-term perspective on the performance of the benefits service between 1993 and December 2011. The findings of this article show that under CCT the performance of the system was poor; there were wide variations in individual local authority performance, with many acknowledged inadequacies in the system and unacceptably high levels of fraud. However, towards the end of CCT and in the subsequent Best Value period the antecedents of some of the tools and techniques subsequently used to drive improvement in the CPA era were either put in place or were being developed. The Best Value period itself did not show significant improvements in performance and it was not until many of the initiatives were refined, developed and applied within the CPA framework that sustained and significant improvements became evident. This overall improvement generally continued under the CAA although the previous trend of consistent reductions in the variation between authorities' performance had changed between 2009–2010 and 2011–2012. It is too early to judge whether these latest trends will be maintained under the Coalition government's localism regime.*

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**KEY WORDS:** Local government, performance management, service delivery, council tax and housing benefits, public sector reform

### **Background and context**

When presenting the spending review for the period up to 2014–2015, the UK Coalition government announced its intention to eliminate the ‘structural’ deficit on the public accounts over the course of the current five-year parliamentary term. By March 2010 the total national debt was estimated to have risen to approximately £900 billion, or the equivalent of 70% of gross domestic product (GDP) from approximately 35% of GDP in 2008 prior to the recession. The government’s intention is to achieve this through a combination of public expenditure cuts and increased taxation with (depending on how you do the calculations) approximately three-quarters of the income gap coming from reductions in public expenditure and the remainder from multiple changes to taxation (HM Treasury 2010, pp. 13–20). The biggest single contribution to the public expenditure reductions would be from reductions in the welfare benefits system.

welfare spending will be falling in real terms over the next four years, in contrast to the 45 per cent real increase over the last decade ... The June Budget took the first step towards these goals with a package of measures that will deliver net savings of £11 billion a year by 2014–15 ... This Spending Review builds on these measures with further radical reforms ... a package of reforms to the existing welfare system which will deliver net Annually Managed Expenditure savings of £7 billion a year by 2014–15. (HM Treasury 2010, p. 68)

The chancellor announced changes to every aspect of the welfare system in an attempt to meet his macro-economic targets, and these included changes to pensions, national insurance, tax credits, employment benefits, invalidity and other benefits delivered directly by central government agencies and housing and council tax benefits provided indirectly through local authorities.

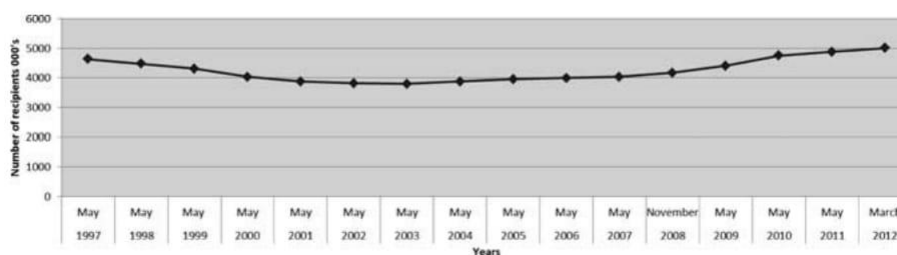
However, the purpose of this article is neither to look at the Coalition government’s economic strategy nor to look at the redistributive effects of these proposals on individual or household incomes, important though these things are. The intention is to look at the Council Tax and Housing Benefit delivered by local authorities, since these systems of benefits were fully transferred to local authorities, in an attempt to evaluate the performance of benefits administration services in local authorities collectively. Our interest is in how efficiently this service has been managed and delivered in the past. This research is intended to complement previous research that specifically focused on the delivery of these services under the CPA regime (Audit Commission 2009, Murphy *et al.* 2011) and provides a longer-term perspective for this earlier work.

### **The introduction of Council Tax and Housing Benefit**

Council Tax and Housing Benefit are income-related benefits that were introduced to help people on low incomes pay for rented accommodation and their local council tax respectively. Responsibility for payment of Housing Benefit (HB) was partially transferred from central government to local authorities in 1982. Full responsibility was transferred to local authorities in 1989 and the primary legislation was consolidated and updated in the Social Security Contributions and Benefits Act 1992. All local authorities were required to pay the same nationally set levels of benefit and then reclaim the amounts paid from the Department of Works and Pensions (DWP) through subsidy claims. Council Tax Benefits (CTB) were introduced in April 1993 when the Council Tax replaced the short-lived Community Charge as the main local property tax in the UK as a result of the Local Government Finance Act 1992. It is paid as a rebate on the council tax bill to adults who are unable to pay because of their low level of income. The total number of claims, the average weekly amounts paid and performance data on the time taken to pay claims and other data and information are collected on a quarterly basis by the DWP, supplemented by an annual sample survey. All returns are rigorously quality assured and any false or missing data are now retrospectively corrected on the historical database, usually by the following quarter. As of March 2012 there were approximately 5.01 million claimants of HB and 5.92 million claimants of CTB, and with average weekly payments of £87.04 and £15.70 respectively this currently amounts to approximately £27,509 million per year in redistributed benefits (DWP 2012). There are no national CTB figures that cover this whole period but the profile is very similar to that of the HB, contained in Figure 1, which shows the number of benefit recipients since the benefits were introduced.

### **Methodological and data issues**

In a previous article the authors examined the performance of the HB and CTB administration under CPA between 2002 and 2009 using the key performance



**Figure 1.** Housing Benefit 1997–2012.  
Source: House of Commons (2012).



indicator of the time taken to register new claims for benefits then known as PM1 (Murphy *et al.* 2011). Since October 1999, this has been regarded by central government, local authorities and external regulators and auditors of the system as the most appropriate of the national indicators to act as a reasonable ‘proxy’ for the overall performance of the service. Prior to this date the key performance indicator for the system was the percentage of new claims processed within 14 days of receipt. There is therefore a disparity between the datasets for the period between April 1993 and March 1999 and those beyond October 1999 (data for the six months from April 1999 to September 1999 are not available). In addition to this gap there is also a gap in the publically available data between April 2008 and March 2009.

The raw data for these indicators existed, and have been collected nationally, since April 1993 and the PM1 data still formed part of the Right Time and Speed of Processing indicators published on the DWP website and used within this analysis. Although the definition has changed at various times and the raw data have, at times, been combined with other performance information (such as in the Right Time Indicator or Speed of Processing Indicator), it has been possible to disaggregate the information and therefore to compare performance between October 1999 and December 2011.<sup>1</sup> The Right Time Indicator was replaced by a Speed of Processing performance measure in October 2011.

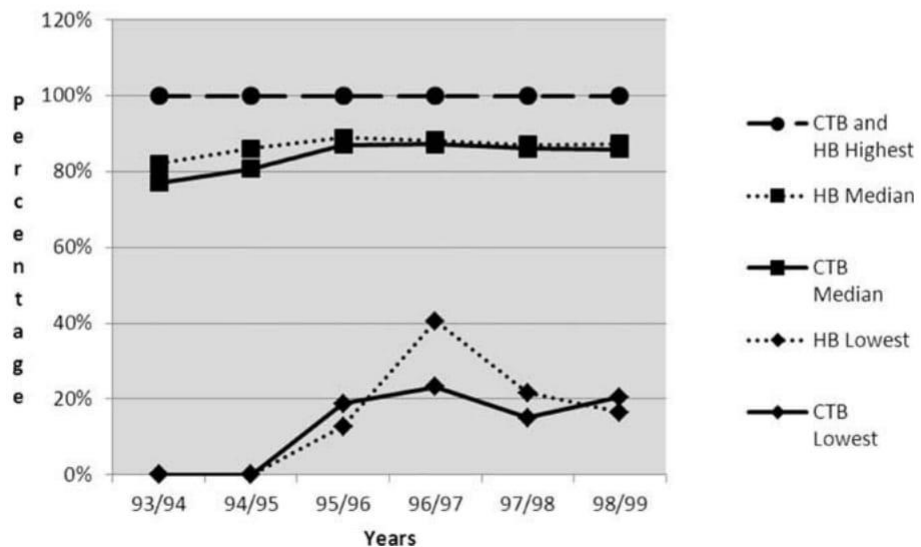
The Audit Commission started regular collection and annual publication of national indicators in 1993–1994 (Audit Commission 1995). The reports have always included data on the payment of HB and CTB, although at various times they have been called Audit Commission National Indicators, Best Value Performance Indicators, the National Indicator Set, the HB and CTB Quarterly Performance Data, the Right Time Indicator and, currently, the Speed of Processing Indicator. As noted above, the authors have had to use a different dataset for the period between April 1993 and March 1999 and therefore the statistics drawn for the two datasets (that is, before and after March 1999) are not directly comparable. However, the historical evidence is sufficiently strong for us to make long-term, high-level comparisons and draw some general conclusions relating the performance of the system nationally.

In the previous article the antecedents of performance indicator PM1, its reliability and validity were discussed. The raw data, collected by individual local authorities and aggregated by the DWP, are relatively robust as both the process involved and the data capture in the systems used are internally and externally audited. Over time, the data and collection system have been further ‘quality assured’ by the introduction of the Benefits Fraud Inspectorate in 1997, the Verification Framework in 2002, new integrated computer systems between 2001 and 2003, and most recently the introduction of direct digital scanning from application forms directly into the DWP systems. It is, however, ordinal data, so medians have been used to demonstrate long-term trends rather than means as the latter are impossible to calculate. The variability within the datasets is demonstrated by using the maximum and minimum values rather than standard deviations for the same reason.

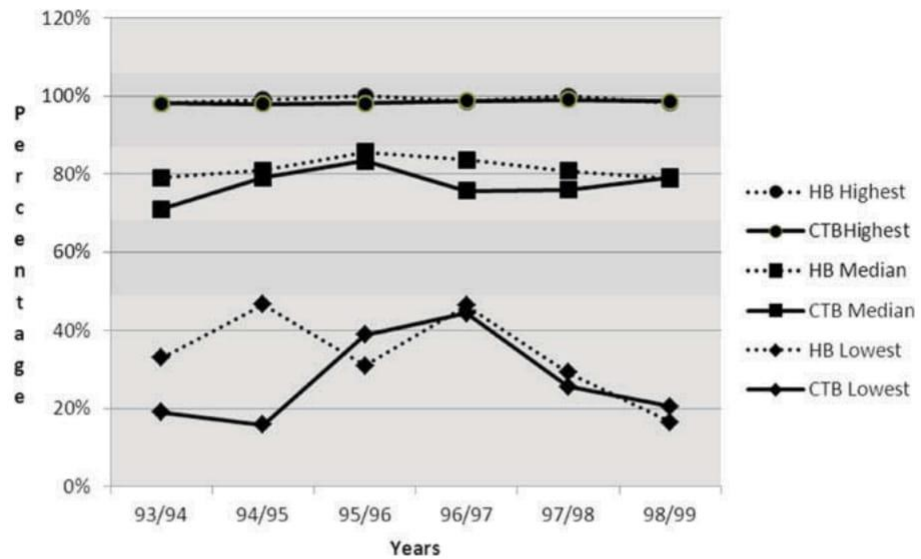
### HB and CTB under Compulsory Competitive Tendering

Figure 2 depicts the national performance of HB and CTB for the period 1993–1994 until 1998–1999 under the CCT regime. Figures 3, 4 and 5 show performance for the three regions examined in the authors' previous research (Murphy *et al.* 2011). The performance indicator used during this period was the percentage of new claims processed within 14 days of receipt of all relevant information. The HB and CTB data were provided separately at this time so each of the figures detail the maximum, median and minimum percentages for both HB and CTB. Nationally the median values for both HB and CTB hovered around the 87% level for the last four years of CCT. The performance in the East Midlands was in line with the national performance while London had its highest achievements in 1995–1996 and was unable to re-attain this level by the end of the CCT period. In contrast, Yorkshire and Humberside showed a steadily declining performance although comparable data are only available from 1996–1997 due to local government reorganisation and the establishment of the unitary authorities.

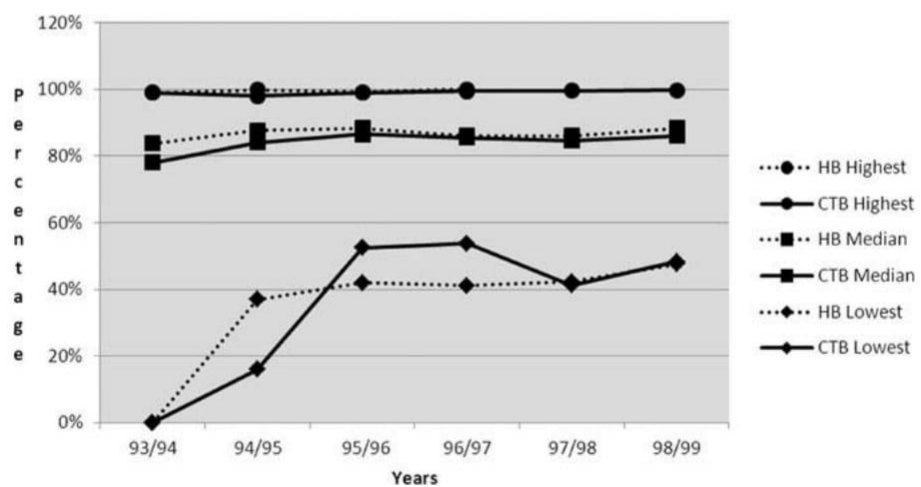
The maximum values depicted in these figures reveal that the best performance, both nationally and within the East Midlands and London regions, were either at, or just below, 100%. Yorkshire and Humberside's values were slightly less, declining annually. The variability of performance nationally and in the East Midlands and Yorkshire and Humberside regions decreased, bringing the percentages of claims processed within these areas closer together. However within London the variability widened.



**Figure 2.** National performance indicators HB and CTB 1993–1999  
Source: Audit Commission website.



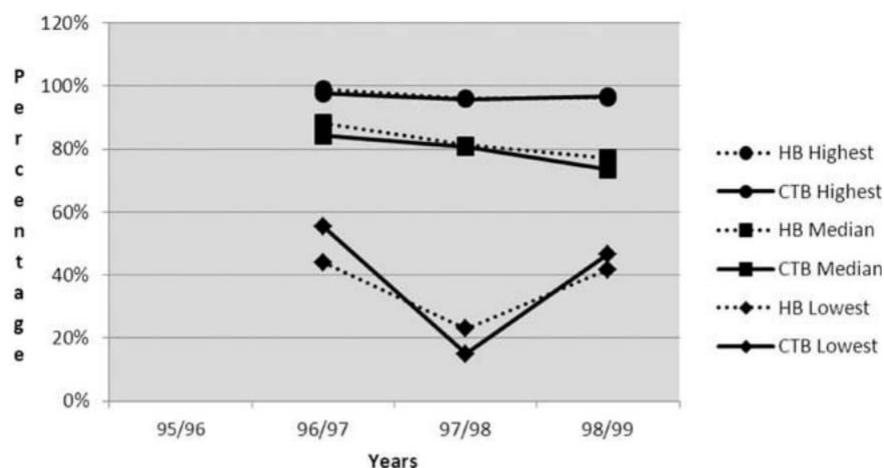
**Figure 3.** London performance indicators HB and CTB 1993–1999  
Source: Audit Commission website.



**Figure 4.** East Midlands performance indicators HB and CTB 1993–1999  
Source: Audit Commission website.

### Quality of data prior to 1999

In 1998 Loughborough University were commissioned by the then Department of Social Security (DSS) and the Department of the Environment, Transport and the Regions (DETR) to undertake research on the administration system. This



**Figure 5.** Yorkshire and Humberside performance indicators HB and CTB 1993–1999  
Source: Audit Commission website.

sought to establish a baseline of current practice; identify key barriers to improvement and a ‘best practice’ approach to administering housing and council tax benefits.

The report (Stafford *et al.* 1999) summarised existing research and drew on earlier unpublished literature commissioned by the DSS. It highlighted the wide variation in local authorities’ performance but also drew attention to a wide range of other issues and concerns relating to:

- the design and issuing of forms;
- the use of computer systems and other information technology;
- the variation in costs;
- the procedures of verifying claims and ensuring accuracy;
- the collaboration with the third parties involved in the process, such as the Benefits Agency;
- the Rent Officer Service and the Employment Service; and
- the operation of their anti-fraud systems.<sup>2</sup>

More pertinently, there were major criticisms concerning the time some local authorities took to process benefit claims and the reliability of the data collected. Concerns were expressed about the reliability of cost data, the staffing figures, the 14-day determination and payment targets, the accuracy checks and over-payment figures, and the data on reviews.

The report reflected Kemp’s (1992) earlier work on a nationally representative survey of local authorities in England, Scotland and Wales which found wide variations in the proportion of new claims determined within the 14-day statutory requirement, although Kemp did not identify reasons for the variations in these processing times.



The significant levels of errors and delays in payment were evident as early as 1993 when the Audit Commission reported that around only one-third of local authorities were administering housing benefits properly. In addition, they noted that a significant number of authorities only achieved efficiency at the expense of non-adherence to the, admittedly complicated, regulations (Audit Commission 1993). There were also a significant number of authorities that caused concerns due to the large backlogs of unopened mail, unprocessed claims and unanswered queries. In 2001 the Local Government Ombudsman reported receiving over 4000 complaints regarding HB administration, representing approximately 21% of all complaints received (Audit Commission 2001). The data were unreliable and the performance of the system was clearly inadequate (Friedman and Clohesy 1999, House of Commons Social Security Committee 2000). It therefore needed a radical overhaul.

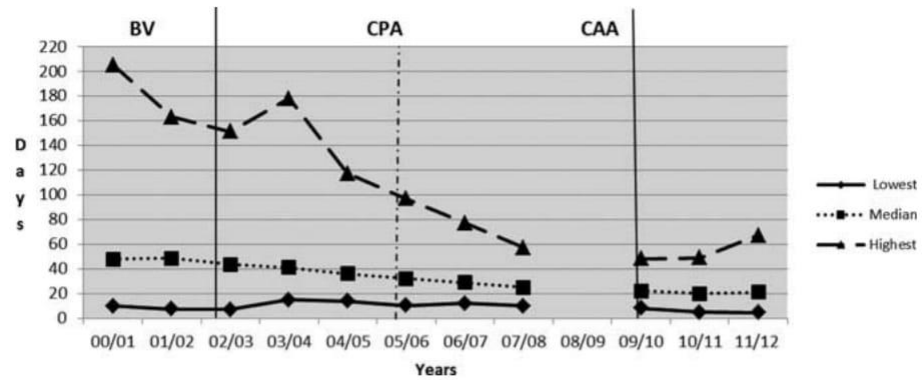
### **The performance of HB and CTB under Best Value, CPA and CAA**

The Local Government Act was passed in 1999 with Best Value replacing CCT in order to respond to criticisms levelled at the performance of local authorities and the services they delivered. Between 1999 and 2010 the dominant theoretical frame of reference for policy-makers and managers was the Public Value or New Public Service Theory (Moore 1995, Barber 2007, Mulgan 2009, Bennington and Moore 2011). The Best Value regime, which commenced on 1 April 2000, was based upon a suite of national performance indicators; it required the publication of annual performance plans documenting authorities' performance and priorities for improvement; and it introduced a programme of internal Best Value reviews with external inspections to be carried out by a newly established Best Value Inspectorate.

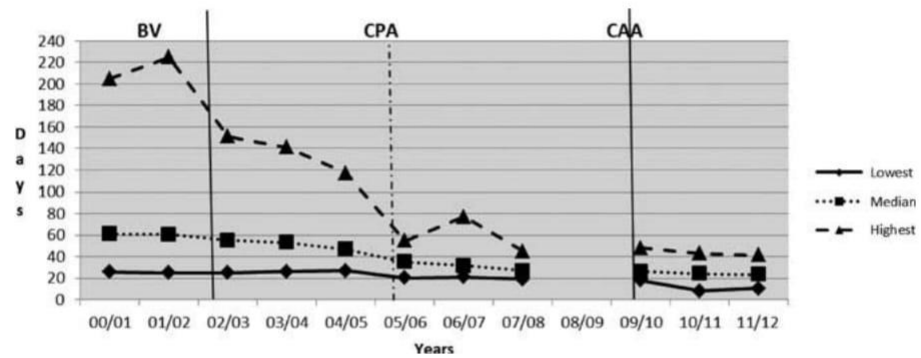
As part of this regime a new set of national performance indicators was introduced in 2000 which, amongst other things, was used to assess the performance of the HB and CTB delivery system. The key indicator for the benefit service was PM1, *the average number of days to process new claims*. From this date, the data for the two benefits (HB and CTB) were amalgamated and therefore only one dataset is depicted within the following figures.

This period saw the introduction of the National Verification Framework and a new generation of computer systems and software that were quality assured by the DWP, which had by this time succeeded the DSS. Local authorities now had little discretion as to who would receive housing benefits or how much they would receive. Best Value therefore concentrated upon the way the system was administered and the performance of individual authorities. Figures 6–10 depict the performance of authorities administering the system from April 2000 during Best Value, CPA and CAA.

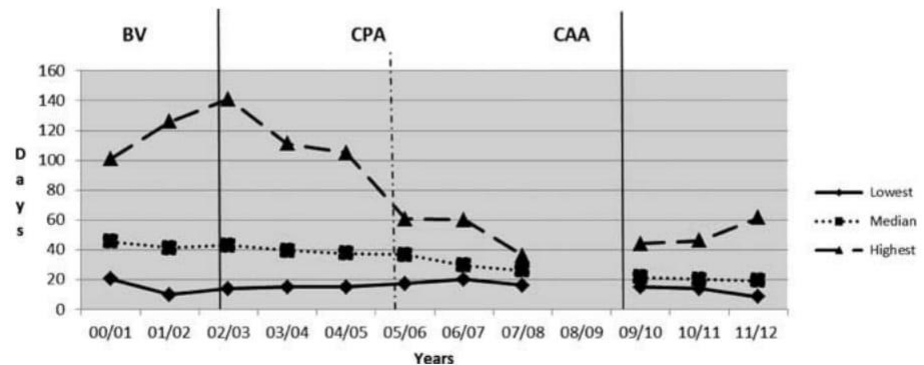
The level of performance of the system was poor in 2000–2001 and showed no significant improvement by the end of the Best Value period in 2001–2002. In fact the median value was 48 days at the beginning of Best Value and remained at 48 days at the end. The regional graphs show that the service quality continued



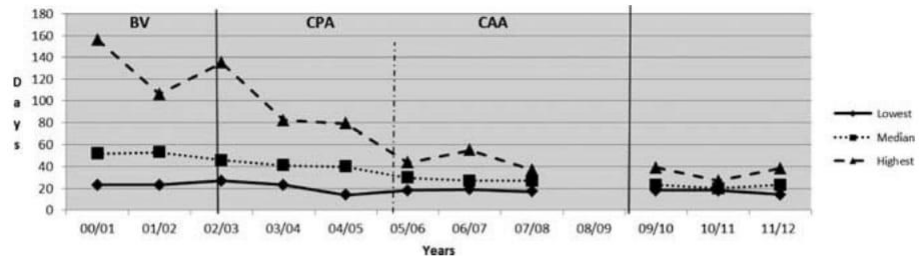
**Figure 6.** National performance April 2000–December 2011  
Source: DWP website.



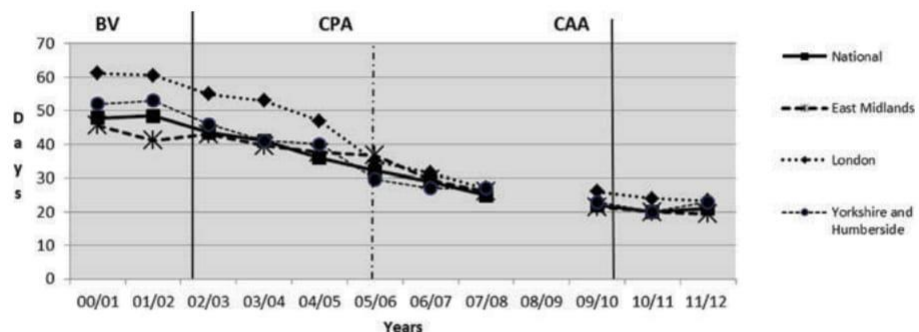
**Figure 7.** London performance April 2000–December 2011  
Source: DWP website.



**Figure 8.** East Midlands performance April 2000–December 2011  
Source: DWP website.



**Figure 9.** Yorkshire and Humberside performance April 2000–December 2011  
Source: DWP website.

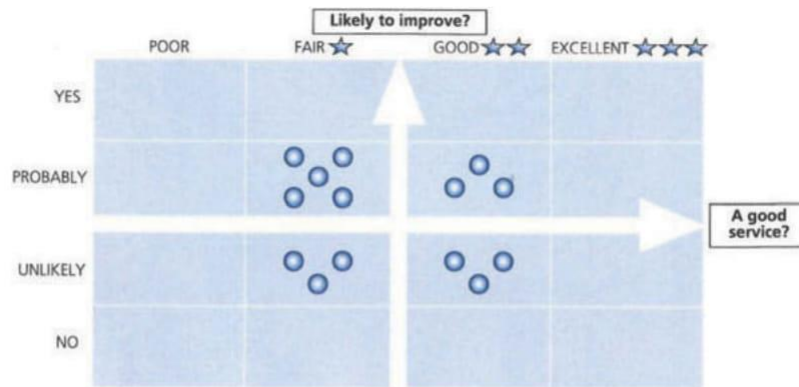


**Figure 10.** Median value performance of HB and CTB nationally compared to the three regions  
Source: DWP website.

to vary widely, a fact that was reflected by the Audit Commission report in October 2001 which stated that

both processing times and administrative expenditure per claim ... vary significantly between authorities – even authorities of the same type. Although some can process new claims in as little as 20 days, clearly those taking 100 days or more *on average* are open to challenge. (Audit Commission 2001, p. 7)

In fact the figures show a narrowing of the range of performance nationally but the authors would concur with the commission's view that 'questions must be raised where some authorities' costs are over four times the average of others' and there is an 'almost ten-fold range' in administrative performance (Audit Commission 2001, p. 7). In their report the Audit Commission also noted that relatively few councils had reviewed their HB service, and many of those that had, did so as part of wider reviews of financial administration. The first 14 Best Value inspection reports, depicted in Figure 11 did not contain a single 'excellent' service or one the inspectors were convinced 'would improve', leading the commission to conclude that 'some authorities are struggling to provide a Best



**Figure 11.** Diagrammatic summary of Best Value review scores  
Source: Audit Commission (2001).

Value service and that some of these will find it difficult to improve in the future' (Audit Commission 2001, p. 8).

It is impossible to extrapolate whether the new Best Value regime would have delivered the improvements that characterised the service under CPA. Best Value was not delivering the step change in continuous improvement that the government had envisaged and there were too many service reviews that were too narrow in scale and/or avoided addressing the strategically significant services which needed improvement. It was also clear that the five-year programme of Best Value reviews across all authorities was unachievable. The government's response was to introduce CPA in 2002.

### Comprehensive Performance Assessment

There were two distinct phases to CPA, one covering the period from April 2002–March 2005 with the second reporting performance up to March 2009. The overall methodology changed significantly with the introduction of a new methodological framework in 2005, known as 'The Harder Test'. However, benefits under 'The Harder Test' were still assessed in the same way and the results of the assessments still given the same weighting in the revised reporting framework. The date for the change in methodology is depicted by a dotted, vertical line within Figures 6–10. Prior to 2006 an authority's performance was classified, through the performance indicators, into one of four quartiles which produced a 'relative' measure of performance between authorities. From 2006 the quartiles for each of the performance measures were superseded by grade ranges assessed against 'absolute' benchmarks and these determined the standard of performance in each of the indicators with a score of one–four as shown in Table 1.

PM1 was effectively reported as a relational indicator prior to 2006 but was subsequently assessed against the Housing Benefit–Council Tax performance standards which translated it into an absolute and standards-based indicator.



**Table 1.** Descriptors and benchmarks for standards of performance

Number	Descriptor	Performance
4	Excellent	Less than 30 days
3	Good	30–36 days
2	Meeting minimum standards	37–48 days
1	Not meeting minimum standards	Over 48 days

The raw data for the earlier period were however available on the DWP website and it was possible for the authors to retrospectively recalibrate and compare the performance of authorities between 2002 and 2006 with performance after 2006.

Figures 6–10, demonstrate that there were significant and sustained improvements in benefits administration nationally within England and across all of its regions throughout CPA. Similarly, an earlier article (Murphy *et al.* 2011) found that there were no significant variations in the performance of larger or smaller authorities, or between rural and urban authorities or between authorities with different party political control. This research suggested that the implementation of the CPA regime itself appeared to have a catalytic effect upon the performance of the benefit administration services within local authorities throughout the CPA period.

The figures show that the level of performance of the system improved throughout the CPA period, reflected in the median time taken to process new claims falling from 48 days to 25 days, whilst the range in performance nationally reduced from 195 days to 47 days. They also reflect a consistent pattern of improvement across all regions.

### Comprehensive Area Assessments

CAA was introduced in the 2006 local government White Paper (DCLG 2006) and was implemented from April 2009 (Audit Commission 2011). CAA was intended to provide an integrated assessment of the performance of key, locally delivered, public services across a local authority's geographical area, with a focus on the impact or outcomes that local authorities, health and the criminal justice system achieved. Benefits administration, however, remained a service that is better measured by output indicators rather than outcome indicators since there is relatively little discretion in the level and eligibility of the benefits at the local level. Whilst the 'outcomes' of its distribution are very important, both to the recipients and to wider poverty and income distribution within local communities, they do not significantly reflect the performance of the distributing authority. For this reason, under CAA, the delivery of HB and CT benefits were still assessed in a way similar to the assessment under CPA although the reporting arrangements were changed.

The raw data now formed part of the Right Time Indicator (DWP 2011), which combines the average processing time for new claims with administration of changes of circumstances. In 2008 there were changes made to the definition

of the 'changes in circumstances' which make the statistics non-comparable overall; however the definition applied to that part that was previously PM1 remained exactly the same. Unfortunately the data for the period April 2008–March 2009 have not been published and, at the time of writing, the latest data available from the DWP cover the period up until December 2011.

As shown by the graphs, the level of performance that the new CAA system inherited was relatively good, and the processing times have continued to improve with median processing times reducing from 22 to 21 days.<sup>3</sup> The variability, nationally, has however increased from 40 to 62 days, which is replicated in all three of the regions: London increasing from 30 to 31 days; the East Midlands from 29 to 53 days and Yorkshire and Humberside from 21 to 24 days. It is interesting to note that the increased range in the national performance is due to a greater decline in the performance of the poorest local authority relative to the best or the median. The national picture is reflected in the East Midlands, although the pattern is different in London and in Yorkshire and Humberside.

### **Discussion and conclusions**

Whilst the performance measures used changed significantly between the CCT and Best Value regimes, some level of comparison can be made. At the end of the CCT period (1998–1999) the national median percentage for authorities completing the new claims processed within 14 days was 87%. At the start of the publically available data for the Best Value period (2000–2001) the national median value for processing these claims was 48 days; therefore, half of the values obtained nationally from all local authorities were at, or above, 48 days, and the minimum value at this time was 10 days. Whilst the authors acknowledge the gap in data for the year 1999–2000 they would question how it was possible to go from a position of achieving 87% of claims processed within 14 days to 50% taking 48 days or more.

The reliability of the data collected under the CCT regime does, therefore, appear to be challengeable, a reservation strongly reflected within the Audit Commission report (1993), which discovered, *inter alia*, that mail was left unopened and that the resultant delay was not often counted against the 14-day limit. Stafford *et al.* (1999, p. 26) similarly noted that, 'as both 14 day indicators catch only part of the process, local authorities can technically meet both the 14 day indicators and yet take several months to process a claim from end-to-end'. The Housing Benefit accuracy review undertaken by the DSS in 1998 found that under CCT the data was unreliable, the performance of the service was poor and there were high levels of inadequacy in the system. The 14-day performance measure could not be used as an accurate assessment of the performance of individual authorities or the performance of the system as a whole. It provided no encouragement to achieve quicker processing times and could, in practice, act as a perverse incentive. It did not, for example, provide details of how long it took to process those claims which were not completed within the 14-day target.



The PM1 indicator, introduced in April 2000, with its ability to determine maximum, minimum and median values, resolved these issues and allowed the authors to compare performance over the three successive periods of Best Value, CPA and CAA. National reporting of performance was in place from 1995 (Audit Commission 1995) and it was during the CCT and Best Value periods that nearly all of the tools, techniques, mechanisms and interventions that were designed to promote or facilitate improvement, and were later deployed under the CPA regime, were developed. For example, the DSS/DWP acquired powers to intervene in individual local authorities and the Benefit Fraud Inspectorate was established in 1997. The New Verification Framework was developed and implemented prior to 2002 and new computer systems and software were being procured and installed between 2000 and 2003. However, the research shows that systematic improvement was neither consistent nor sustained until these were all brought together, refined and applied as part of the CPA process.

These findings, and the authors' earlier research (Murphy *et al.* 2011), indicate that there were significant and sustained improvements in benefits administration nationally within England and across all of its regions throughout the period of CPA. Similarly, that there were no significant variations in the performance of larger or smaller authorities, between rural and urban authorities, or between authorities with different party political control. The earlier research suggested that the implementation of the CPA regime itself appeared to have a catalytic effect upon the performance of the benefit administration services within local authorities. The current research supports this conclusion and the figures show that the level of performance of the system improved dramatically throughout the CPA period, reflected in the median time taken to process new claims falling from 48 days to 25 days while the range in performance nationally reduced from 195 to 47 days.

The general improvement in performance appears to have been sustained after CPA, although the previous trend towards less varied performance has reversed. There is, however, too little time series data to establish whether this is a new trend or a short-term 'blip'. Nevertheless the performance of the best authorities continued to improve under CAA and there remained a significant gap between the performance of the best and the performance of the worst, indicating that there was still significant potential within the system for further improvement. Post-CPA this gap widened, as improvement in the poorest performing authorities stalled. It is interesting to note that the part of the CPA process that was specifically designed to address poor performance, the Local Government Intervention and Engagement Programme 2002–2009 (ODPM 2013), was replaced under CAA with the sector-led intervention advocated by the Local Government Association and supported by the new Coalition government (House of Commons Communities and Local Government Committee 2011).

Finally, despite the government's general preference and promotion of 'outcome'-based performance indicators our research suggests that benefits administration remains a service that is better measured by output indicators as there is little discretion over the level and eligibility of the benefits paid or the administration of the system. Whilst the 'outcomes' of CTB and HB distribution are

clearly vitally important to social welfare and income distribution within society, they do not significantly reflect the performance of the distributing authorities or the system as a whole. This view appears to have been endorsed by the inclusion of output indicators in the new Speed of Processing measures of the DWP.

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### **Notes**

1. The DWP website refers to changes to definitions and the collection regime, making comparisons of results impossible, but accepts that the figures are suitable for investigating long-term high-level trends, which is the objective of this article.
2. The Second National Housing Benefit Accuracy Review (DSS 1998) revealed that approximately 2% of Housing Benefit cases were fraudulent; a further 4% had fraud strongly suspected, and in another 1% fraud was mildly suspected. At that time, the Audit Commission and the National Audit Office estimated that HB fraud and error varied from £900 million to over £2 billion a year (Audit Commission 1997, 1999).
3. The data available on the DWP website only cover three-quarters for 2011–2012 at the time of writing. The authors have used the average of the three median values available for 2011–2012 as a proxy for the median measure.

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# 15 The Development of the Strategic State and the Performance Management of Local Authorities in England

*Peter Murphy*

## 1. INTRODUCTION AND BACKGROUND

The inspection of public services in the UK by agencies of central government dates back at least as far as the early nineteenth century: “The first inspectors of schools were established under the Factories Act of 1833 with the power to establish schools for children working in the factories. The role developed into an inspection function to gather information and report back to the government on the implementation of education clauses of legislation” (Martin 2008, 52).

Following the factories inspectorates, Her Majesty’s Inspector of Constabulary was established in 1856, and there were a further plethora of inspectorates, including the Social Services Inspectorate, established after the World War II. However the key foundations of the development of strategic intervention by the modern UK state came with the establishment of the Audit Commission in 1983 (Campbell-Smith 2008, 43–72). This gradually provided regular national performance statistics, external audits, independent inspections and national operational research reports that became the core of the evidential base upon which the performance management regimes and the strategic interventions of the Labour administrations from 1997 to 2010 were built.

## 2. THE STRATEGIC STATE

A key milestone in the development of Labour’s early approach to the reform of both central and local government was the publication of the “Modernising Government” white paper in 1999 (Cabinet Office 1999). This set out a long-term program for public-service improvement and attempted to adopt a strategically planned approach. To ensure its vision was both inclusive and integrated, it specifically adopted three aims:

- Ensuring that policy making was more joined up and strategic;
- Ensuring that public-service users, not providers, were the focus of services; and
- Delivering public services that were high quality and efficient.

Following the 2001 election, and in order to drive the delivery of this long-term vision, the government established three powerful new policy units and colocated them at the center of government in the Cabinet Office and in No. 10 Downing Street.

The Office of Public Service Reform was headed by the former head of the Audit Commissions' Best Value Inspectorate, Wendy Thompson; the Prime Minister's Delivery Unit was led by Michael Barber, the former director of standards and effectiveness at the Education Department; and the Forward Strategy Unit was headed by Geoff Mulgan, previously the director of the Performance and Innovation Unit at the Treasury. This powerful triumvirate was coordinated from 2001 by the director of communication and strategy, Alastair Campbell. These units had, as one of their collective functions, the stewardship of the modernization agenda in central and local government, and their primary role was to ensure policy and programs at both national and local levels were working symbiotically to deliver the government's vision. Their collective objective was therefore to coordinate and facilitate the delivery of the government's vision for improving public services at national and local levels, which has strong resonances with the recent Organisation for Economic Co-operation and Development (OECD) definition of the strategic state, shown in box 15.1. One systemic way they achieved this objective was through the establishment of national Public Service Agreements (between government-spending departments and the center of government), the targets and objectives of which were then translated into successive generations of the top-down performance-management regimes that evaluated the efficiency and effectiveness of public-service delivery to local communities (Mulgan 2009; Barber 2012; Joyce 2012).

#### **BOX 15.1 CENTRE OF GOVERNMENT**

To put in place an effective strategic management system, central agencies must act as a central leadership hub in order to facilitate co-ordination, collaboration and co-operation across the public administration, with the objective of securing a strong, coherent and collective strategic vision of where the country needs to go and how it will get there. Centres of Government are the focal point for the strategic state and are essential for leadership, steering, stewardship, oversight and accountability." (OECD 2012, p. 39)

### **3. THE DEVELOPMENT OF PERFORMANCE ASSESSMENT REGIMES, 1999–2010**

The Local Government Act of 1999 required best-value authorities (including local councils, the police and fire and rescue authorities) to facilitate continuous improvement in the way all of their functions, services or activities were exercised, as measured by their economy, efficiency and effectiveness. In order to ensure

this was achieved, the government established the Best Value Inspectorate within the Audit Commission in April 2000, and this gradually led to the development of a system of increasingly sophisticated and coordinated performance-management regimes to assess the performance and delivery of local public services (Downe 2008, 19–37).

These performance-management regimes were mandatory and increasingly comprehensive and were, to a large extent, based upon independently audited performance indicators and targets, established by government in consultation with local delivery partners with generic definitions and standards, allowing benchmarking and comparative analysis of performance, both geographically and, to an extent, historically.

Under the 1999 act, councils were required to carry out best-value reviews of all their services over a five-year period from 2000 to 2005. The reviews were expected to help councils identify how they could improve their services, and the Audit Commission was given responsibility for carrying out inspections of best-value reviews. Between April 2000 and November 2003, the Audit Commission carried out 1,664 inspections, and after each inspection, it published a report scoring the quality of the service and the prospects for improvement.

Throughout this time, the commissions' audits and inspections were complemented by independent inspections of individual services or groups of services, such as social services, education, housing services, benefit services and so forth, carried out by other specialist preexisting inspectorates (Davis and Martin 2008). Prior to 2002, the Best Value and other inspection regimes were primarily service-inspection regimes and were the responsibility of designated individual inspectorates. The inspectorates reported almost exclusively to their respective sponsoring central government department or agency (e.g., Ofsted reported to the Department of Children Schools and Families; Social Service Inspection to the Department of Health; HMI Constabulary, HMI Probation and HMI Prisons to the Home Office; Benefit Fraud Inspectorate to the Department of Works; and Pensions and HM Fire Inspectorate and the Housing Inspectorate to the Department of Transport, Local Government and Regions).

From 2000 onward, the performance management regimes were also complemented by Local Public Service Agreements (LPSA), which were directly negotiated contract-based agreements between central and local government, in which local authorities were encouraged to meet agreed "stretching" improvement targets for individual services in exchange for both financial rewards and freedoms from bureaucratic or legislative burdens. Initially these LPSAs were agreements between central government and individual local authorities in which the latter could call on the help of local delivery partners such as the police or the health service for delivery of objectives, but only the local authority could enjoy the benefits (Sullivan and Gillanders 2006, 25–45).

In 2001 the government also asked the Audit Commission to initiate a program of fourteen pilot Corporate Governance Inspections in local authorities that assessed their corporate performance and quality of governance. The fourteen pilots were not chosen at random and included a number of authorities recognized



as, or suspected of having, significantly poor performance or governance issues. This program was intended to develop a corporate-inspection process or model to complement the service-inspection processes referred to previously and to become part of the next generation of performance-management regimes for local government, known as Comprehensive Performance Assessments (CPAs).

The 2002 CPA regime in local government, which was followed in health by the Standards for Better Health (S4BH) in 2004, developed both corporate and service assessments for Local Authorities and NHS Health Trusts and coordinated them into performance frameworks or regimes designed to assess them as both corporate organizations and as collections of services delivered to the public. Later, there were also equivalent regimes developed in criminal justice, national parks and so forth, but the most influential regimes were undoubtedly those in local government.

A second generation of LPSAs implemented in 2004, while still negotiated between central and local government, were based exclusively on local rather than central priorities. They had a stronger emphasis on impacts and long-term outcomes for local communities and most importantly involved local delivery partners such as criminal justice, health and the third-sector organizations to both collaboratively develop the program but also to benefit from the rewards (Sullivan and Gillanders 2006, 25–45).

Learning the lessons from LPSAs and the first rounds of CPAs, a second, more comprehensive CPA regime was developed after 2005, which concentrated not only on the economy, efficiency and effectiveness of the authorities but also looked at their impact on communities and hence how effectively councils were performing in certain statutory partnerships, such as the crime- and disorder-reduction partnerships and in local discretionary partnerships such as those designed to promote regeneration or development of the local economy. They also took a more direct interest in the political governance and leadership of the organization and of the wider local public-service community than the first generations of CPAs.

At around the same time the second-generation LPSAs and the development of Local Area Agreements (LAAs) had also encouraged multiagency working between public agencies within coterminous local authority boundaries. Subsequently the 2007 Local Government and Public Involvement in Health Act enshrined this collaborative working within a new performance management regime titled Comprehensive Area Assessments (with LAAs at their center) implemented from 2009, under an initiative known as One Place (Audit Commission 2010). A common and more strategic approach was also taken to the multiagency or interagency use of public resources with the transfer of costs to other public authorities no longer counted as efficiency gains, and the new Use of Resources Assessments (Audit Commission 2008) using the same assessment methodology for the local authorities, Primary Care Trusts, Police, and Fire and Rescue Authorities. At the same time, Multi-Area Agreements encouraged wider cross-boundary geographical collaborations on long-term issues, such as transportation and economic regeneration.

## **STATE INTERVENTION IN UNDERPERFORMING LOCAL SERVICES, 1999–2010**

Section 15 of the 1999 act gave the secretary of state powers to direct the authority to take “any action which he considers necessary or expedient” to ensure its compliance with the requirements of the act to secure continuous improvement. This gave the secretary of state far greater and more widespread powers to intervene in poorly performing authorities or services than historically had been afforded to secretaries of state or auditors in previous services, such as education, social services or benefits fraud.

Although the government, local authorities, the NHS and other local service-delivery organizations developed improvement agencies and other initiatives to help build capacity and capabilities within the public services, the key strategic initiative was the development of the intervention arrangements in the most significantly and demonstrably underperforming, or failing, local delivery organizations. Once again the approach was initially developed in relation to local authorities, with later variants developed in health, criminal justice, fire and rescue and other services. In all of these sectors, support and intervention or failure and recovery arrangements were established as part of the wider performance-management regimes, by which the state directly intervened to help facilitate the turnaround or recovery of the most significantly underperforming or poorly performing services and authorities.

As with assessment and inspection, prior to the Best Value regime, government action or intervention was based upon failure of individual services such as education, social services or benefit fraud or as the result of a scandal in a particular authority. Although the external auditors could issue Public Interest Reports under the Audit Acts, the history, cost and duration of these investigations, and the cost and duration of previous service interventions, meant the government had to look at an alternative regime. At around the same time the Audit Commission was engaged on fourteen corporate governance inspections and quickly came to the view that some of the authorities they were reviewing were performing so poorly that they were reluctant to wait until they finished their inspections before acting. Consequently, they referred some of the authorities to the secretary of state under the provisions of the 1999 act. As a result, three pilot engagements were instituted with Walsall, Kingston-upon-Hull and Rossendale in July 2002, prior to the CPA regime itself being implemented.

The new approach was to ask three individual members of the DTLR's Local Government Performance Unit to become lead officials and act as chairman of government monitoring boards on behalf of all the government departments with an interest in local government service delivery. These lead officials reported directly to a nominated minister who was responsible for keeping all Whitehall departments informed. The three lead officials chosen were all previously experienced senior local authority officials who had recently been brought into central government as part of the Local Government Modernization Team.

The model that was developed included the development of recovery or improvement plans, complemented by capacity building with the support of

officer and elected-member peers from other authorities and the ability to call on external support and request regular external inspection or assessment from the Audit Commission or other inspectorates (Office of the Deputy Prime Minister 2003a, 2003b). This effectively became the model for local government intervention after the first CPA results were announced in December 2002.

Although this arrangement was initially strongly resisted by both the individual local authorities and the Local Government Association (LGA), the appointment of the first cohort of thirteen lead officials (which included the three that had developed the model), all of whom came from experienced and distinguished local authority backgrounds, and the rapid success of the recoveries in some of the most stubbornly underperforming authorities, meant that the program rapidly gained support and effectively informed all other intervention arrangements in health, criminal justice and fire and rescue services up until 2010 (Jones 2013).

The key features of the strategic state's performance management arrangements within central government and between local and central government between 1997–2010 are summarised in Box 15.2.

**BOX 15.2 THE DEVELOPMENT OF THE STRATEGIC STATE'S PERFORMANCE MANAGEMENT ARRANGEMENTS, 1997–2010**

1. Within central government (i.e., between the center of government and the spending departments of central government)
  - a) Comprehensive Spending Reviews (budget allocations) and Public Service Agreements (performance objectives and targets)
2. Between central and local government
  - a) Top-down performance management regimes (Best Value, Comprehensive Performance Assessments and Comprehensive Area Assessments)
  - b) Central-Local Agreements, negotiated around strategic priorities (Local Public Service Agreements, Local Area Agreements and Multi-Area Agreements)
  - c) Central government intervention in failing or significantly underperforming services (service inspections and interventions, organization inspections and interventions and multiple organizational inspections and interventions)

#### **4. ASSESSMENT REGIMES SINCE 2010**

From the beginning of their tenure, the new coalition government's primary concern has been to reduce public expenditure, and the coalition agreement in May 2010 included a commitment to end the inspection of local authorities by the Audit Commission. In August the government announced the abolition of the commission and this was quickly followed by what became known as the bonfire of the "quangos," or quasi-autonomous nongovernmental organizations, but was actually a cull of nondepartmental government bodies. This process either

abolished, or reduced in size and influence, a lot of the organizations set up as part of the improvement infrastructure by the previous governments. In central government the Chancellor of the Exchequer announced the 2010 Comprehensive Spending Review (CSR) for an extended period of four years but discontinued the system of Public Service Agreements between the Treasury and the delivery or spending departments. These were the agreements through which the CSR targets were established, implemented and monitored. They announced that CAA would cease and the three-year Local Area Agreements would be the last of such agreements. The Prime Minister introduced a new regime known as localism, and it became clear that the governments preference was for sector-led self-assessments and improvements as the basis of a new performance management regime, all of which were welcomed by the Conservative led LGA.

In fire and rescue the Department for Communities and Local Government (DCLG) announced a strategic review of the National Fire and Rescue Framework and questioned the need for a national framework at all, although paradoxically they maintained the new Integrated Risk Management Planning process (IRMP), which was the key strategic innovation of the 2004 Fire and Rescue Services Act. The IRMP changed the nature of risk assessment in fire services from an assessment based upon buildings and premises to a more holistic risk assessment based on the risk to people and communities (Murphy, Greenhalgh, and Parkin 2012). Following a statutory public consultation exercise, however, by July 2012 they had been persuaded to change their view and were ready to publish a new national framework for fire and rescue in England (Department for Communities and Local Government 2012). This actually required more regular reporting of performance at both national and local levels than had been the case under the CPA regime and was soon supplemented by a national review of potential short-term efficiencies (Knight 2013).

It was a similar story in the NHS where proposals for a top-down restructuring of the NHS were radically altered, although not completely abandoned, in the course of the longest public consultation exercise ever undertaken by a UK government. This resulted in the Health and Social Care Act of 2012, some parts of which were a clear continuation and development of the strategic approach of the previous government (Murphy 2013), whereas other parts had little strategic coherence (Calkin 2013). However, the government increased the state's intervention powers over health by the creation of the NHS Commissioning Board and, partially in response to the Mid-Staffordshire Hospitals scandals, strengthened the scope and powers of both the Care Quality Commission (CQC), despite widespread criticism of its performance, and, more predictably, MONITOR, the financial scrutiny body for Foundation Hospital Trusts.

A more radical approach has, however, been taken for the police. A forewarning of this appeared in the coalition agreement, which stated, "[W]e will introduce measures to make the police more accountable through oversight by a directly elected individual, who will be subject to strict checks and balances by locally elected representatives," (Her Majesty's Government 2010) and on November 15, 2013, the first police and crime commissioners were duly elected albeit with an historically low public mandate. Charged with securing efficient and effective policing, they are

assisted by police and crime panels consisting of at least one representative from each local authority in that area, and at least two independent members co-opted onto the panel. Panels are responsible for scrutinizing commissioners' decisions and ensuring relevant performance information is available to the public. Commissioners and panels effectively replaced the now-abolished police authorities.

## THE DEVELOPMENT OF INTERVENTION SINCE 2010

Since 2010 the coalition government's inspection and intervention arrangements in significantly underperforming services and organizations has again been fractured and inconsistent. In general terms, it has not attempted to assess the evidence of what works as its predecessor did, nor has it looked at alternative options; in fact there has been a notable dearth of the traditional green papers or consultations from the new government. Wherever possible, the coalition government has preferred to adopt a policy-based evidence approach rather than an evidence-based policy approach, although whenever challenged by public or official scrutiny processes, this has invariably had to be amended toward a more evidential approach, as was the case with the proposals for public health under the 2012 Health and Social Care Act referred to previously (Murphy 2013).

At the DCLG Select Committee hearings, which considered the coalition government's abolition of the Audit Commission, both the DCLG and the LGA strongly advocated the sector self-regulation and peer-review approach to performance assessment and the associated, sector-led intervention. This has been the approach adopted since the last local authority intervention by the previous government (Northampton BC) had been confirmed as no longer requiring central government strategic support in April 2009. The government has since maintained this sector-led approach despite the clear skepticism of the DCLG Select Committee (House of Commons 2011) and of academics (Murphy, Greenhalgh, and Parkin 2012): "We welcome the LGA's proposals for sector-led performance management. However, they suffer from the limitation that they are optional and there is no formal mechanism to identify poorly performing local authorities, who may choose not to participate. It remains to be seen how vigorously and effectively they are implemented" (House of Commons DCLG Select Committee).

However it is difficult to unequivocally assess the success of this approach because no individual cases have been subjected to independent external scrutiny, although the intervention in Doncaster MBC, which began in 2010 and is ongoing, has established a public website upon which it posts its reports (Doncaster Recovery Board 2013). The intervention model this commission is using is however remarkably similar to the previous central government model with the lead official replaced by a lead commissioner who was appointed by the secretary of state.

The coalition government's attitude to intervention in the health and social care sector has, however, been somewhat different, partly because of the emergence of the NHS Commissioning Board, with its new role to oversee the NHS as a whole, partly because of the Mid-Staffordshire Hospital scandal (Francis 2013),

and partly because of the continuing financial difficulties some foundation hospitals have found themselves in as a result of being burdened with large and onerous Public Finance Initiative contracts. Both the powers to intervene, and the encouragement from the government to intervene, have increased in this sector, and both the CQC and MONITOR have had their remits expanded and responsibilities increased despite the former, in particular, attracting considerable criticism from both the government and the press (People Opportunities Ltd. 2013).

In fire and rescue services, the position is also somewhat contradictory. Although the government initially proposed to discontinue a national framework, it eventually relented and published a new framework in July 2012 (DCLG 2012a). In relation to intervention it then proposed continuation of the status quo, through continuation of the previous Section 23 intervention protocol in October 2012 (DCLG 2012b), even though this was generally considered by participants and informed commentators to be one of the less sophisticated regimes and predated many of the improvements and new techniques that had been made to other intervention regimes (Murphy and Greenhalgh 2012). Finally, in the police service, it has maintained the responsibilities of HMIC to investigate and assess the performance of the forty-six constabularies and other specialist police forces, but in thirteen parts of the country, it has replaced the police boards with directly elected police and crime commissioners with added scrutiny from new police panels (Home Office 2011).

## **5. POST-2010 FRAGMENTATION?**

In retrospect, it appears from the published evidence of the Audit Commission and other inspectorates, and to a lesser extent from academic research, that throughout the 1997–2010 period, the central state, in cooperation with local public-service delivery organizations, were gradually acquiring the capacities and organization to be more effective at local interventions and were becoming increasingly strategic in these interventions as they became based upon an increasingly robust and comprehensive evidential base and demonstrably effective practice and experience. They also gradually built the necessary infrastructure, organizations and networks to promote continual improvement and generate organizational and sectoral innovations in public-service delivery. The clearest demonstration of this success was contained in the detail of each successive Comprehensive Spending Review, where central government was able to assume greater economy and efficiency savings would be made by local authorities, both individually and collectively, and the Treasury adjusted the annual Local Government Financial Settlement accordingly (Her Majesty's Treasury 2010). In addition, the government also set annual efficiency targets for individual authorities (not to be confused with the previous assumptions) that, although widely resented, were generally and consistently achieved. These were all in addition to the Local Area Agreement stretch targets for tackling key local priorities. The audit and compliance culture that developed after 2005 and the sheer number and complexity of the 'target' regime had within it the seeds of its own demise.



It is ironic that in England at the same time as strategic intervention by the central state was proving effective, the organizational infrastructure and the evidential base upon which it was based was being dismantled. A key part of this loss was the abolition of the Audit Commission, which in addition to its national operational research function had the core responsibility to coordinate central state assessments and interventions in individual authorities or areas. The Improvement and Development Agency for Local Government was radically reduced and consumed within the LGA, and the original proposals for the so-called bonfire of the “quangos” also proposed that the National Policing Improvement Agency should be closed (despite being the host to the national crime database), and various knowledge bases such as the Public Health Observatories scrapped. The governments’ own regional office network was closed, departmental research capacity was significantly reduced and the budget of the Office for National Statistics severely curtailed.

The coalition government appears to be going back to the pre-1997 situation with a preference for the central state determining or setting policy objectives, but not wishing to concern itself with, debate or consider alternatives about how these policy objectives could or should be achieved. In so doing, the coalition government have consistently preferred to put its faith in the market economy being able to develop or innovate to achieve, what are assumed in advance, to be the most appropriate solutions, although at times they accept that the third sector may also have a role to play. However, the capacity to systematically produce and quality assure the evidence upon which public-policy decisions would henceforth be based has generally been sacrificed to meet the short-term financial imperative of reducing public expenditure. Not surprisingly, the central state’s ability to intervene strategically and effectively has been, as a result, consistently compromised.

It is, however, interesting to note that whenever this policy approach has been challenged, most notably by key service-delivery organizations armed with a more robust evidential base, the government has had to consistently back down. The NHS listening exercise was the longest public consultation ever undertaken by a modern British government, yet the government announced its agreement to every single recommendation of the NHS Future Forum on the same day as it received the forum’s second set of reports. Similarly, the police and the fire and rescue services have consistently called for the retention of national databases and the national ‘improvement’ infrastructure that had been developed for their services.

It is very tempting to assume that the common purpose and sophisticated improvement infrastructure that was generated and maintained through the Labour years may have been dependent on a particular set of circumstances or actors unique to England at an historical juncture. However, evidence from as close as Scotland (Scottish Government 2011, 2012) suggests that whereas the detailed nuances of the agenda may have been shaped by English situational factors, the key objectives, concepts and characteristics of the strategic state are more robust and replicable.

It would appear that the demands for more strategic state intervention in local public services in the UK have not abated, and it is the conceptualization and delivery of that intervention that has proved problematic for a coalition government



that wishes to prioritize short-term reductions in public expenditure and neoliberal market solutions to public-service reform. In Scotland the National Performance Framework and the new Single Outcome Agreements from the devolved administration are attempting to build on the earlier English experience and achieve buy-in not only from within the government and public services but also from key organizations outside of the public sector, including the universities (Mackie 2013).

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## Building the next model for intervention and turnaround in poorly performing local authorities in England

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### ABSTRACT

This paper examines the design and implementation of the two recent models or strategies adopted for the intervention and turnaround of poorly performing local authorities in England in the two distinct periods of 2002–2008 and 2011–2015. The first was integral to the Comprehensive Performance Management regimes, while the second was developed under the Sector Led Improvement regime. The intention is not to determine which regime has, or had, the most merit or inadequacies, but rather to synthesise knowledge and identify areas that could be improved as policy and practice moves forward, particularly in the light of the recent general election in the UK. The paper finds that both models have merits as well as weaknesses, dependent upon context and policy priorities. It provides a review of when and where alternative models should be used, and a contribution to the development of the next regime. This, the authors contend, should have a greater emphasis on achieving more appropriate levels of public assurance than the current model is providing.

**KEYWORDS** Corporate intervention; strategic turnaround; performance improvement; public assurance; performance measurement

### Introduction

The external inspection and subsequent intervention in public services by agencies of central government in the UK dates back at least to the inspection of schools under the factories Act of 1833 (Martin 2008) and the establishment of Her Majesty's Inspectorate of Constabulary in 1856 (Murphy 2014). It has of course become an enduring world-wide phenomenon (Beeri 2013a, 2012b, Rutherford 2014). The response to adverse inspection or audit reports has also been a mixture of internal and external actions, advice, and assistance, often to be followed by re-inspection. Together with the increasing demand for economic, efficient and effective public services over the past 30 years, has naturally come the desire for economic, efficient

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and effective action to address substantially underperforming public services or public organisations.

Post 2008 recession, austerity measures introduced by central government in the UK have meant that local public service delivery bodies are experiencing an unprecedented period of change and uncertainty, although these circumstances are not confined to the UK. As the Coalition Government increasingly adopted, applied and prolonged the theory and practice of cutback management between 2010 and 2015, local bodies have had to respond to the demands of reduced financial resources, while faced with an ageing population and rising expectations of public services. These have been accompanied by the introduction of alternative delivery models and hybrid models of governance such as those occasioned by, the introduction of Police and Crime Commissioners, the continuing devolution of powers to Scotland and Wales, the restructuring of Health and Social Care under the 2012 Act, and the creation of new Combined Authorities in Local Government. This comes at a time when, in the name of 'austerity localism' (Lowndes and Pratchett 2012), centralised performance measurement, management and monitoring within the local government sector, has largely been reduced to individual service-based inspection regimes. The pre-2010 performance management regime co-ordinated by the former Audit Commission has been replaced by voluntary, peer review and sector-led mechanisms, which potentially reduce public assurance, and increase the risk that organisational failure will re-emerge within the sector in the future (Murphy, Greenhalgh, and Jones 2011, 2014; Murphy and Greenhalgh 2013, 2014). Although the formal closure of the Audit Commission was finally completed by the end of March 2015, following the enactment of the Local Audit and Accountability Act 2014, its responsibilities had already been emasculated, and its resources significantly reduced, by the time the CLG Select Committee report reported on its demise in 2011 (House of Commons 2011).

The purpose of this paper is to compare the intervention and turnaround regimes that operated in local authorities in England between 2002 and 2008, under the former Comprehensive Performance Assessment regime (CPA), with the current 'sector-led intervention model' (SLI), which has effectively operated since 2011 (LGA 2011); and for which a series of recent evaluations have been published, most notably from the main proponents and developers of the model, the Local Government Association (LGA), (Bennett et al. 2014; Downe, Martin, and Doring 2014a; Downe, Martin, and Doring 2014b; LGA 2012a, 2012b, 2014; Planning Advisory Service 2013; Shared Intelligence 2013a, 2013b). The intention is to synthesise knowledge of the field, highlight areas for further research or investigation and inform policy and practice in this area.



The intervening period between 2008 and 2011 was, to an extent, a transition period within which major restrictions on the financial resources of local authorities were introduced by the new Coalition Government, and, amongst a number of other public bodies, it was announced that the Audit Commission was to be abolished (DCLG 2010a). The closure of the Audit Commission followed one of the longest select committee investigations and reports of the Coalition Government's tenure. This focused on audit and inspection in local public services, which was directly linked to the announcement of the abolition of the Commission by the Secretary of State (House of Commons 2011).

The LGA, which is the representative body that collectively advocates on behalf of local authorities in England was the main proponents of sector-led performance management and support both before, and after, the CPA framework was introduced in 2002. CPA was led by central government, and co-ordinated by the former Audit Commission (Campbell-Smith 2008), which published their final evaluation of the CPA regime in 2008 (Audit Commission 2008).

CPA utilised external inspectorates, external peers and 'change agents' and was often characterised as being a 'top down and centralised' performance management regime. CPA was however a unique era in the performance management of English local government, corresponding as it did, with the introduction of a national and comprehensive system of performance indicators and comparable standards and measures across all local authorities. CPA, allowed a comparison of corporate and service performance to be undertaken across the whole local authority sector for the first time (Audit Commission 2001, 2005).

Following the 2015 general election, and building on earlier reports from the National Audit Office (NAO) (2013a, 2013b), there have been increasing calls for reform and change in the governance, accountability, public assurance and management of local public services (Timmins and Gash 2014; CIPFA 2015; Brown 2014, Murphy and Greenhalgh 2015; Ferry and Murphy 2015).

This paper focuses on one aspect of the performance management regime, namely the intervention and turnaround arrangements for addressing significantly under-performing local public services. More specifically, it concentrates on the corporate, or organisation-wide, intervention arrangements for local authorities, which are generally considered to be the most politically sensitive interventions and undoubtedly had the most significant impacts on public policy, service design and delivery since they were introduced in 2001. It is also an area of increasing international academic interest (Beeri 2012, 2013b).

The paper will therefore very briefly examine the literature of strategic turnaround and intervention before contextualising, and strategically

positioning, the role of corporate intervention. The two regimes will then be investigated to compare and contrast their strengths with a view to informing policy and practice in the future. This need to look to the future, and a desire for continuous improvement, is also a stated concern for the LGA, which recently produced a consultation on the SLI regime (LGA 2015), following the publication of the reports mentioned earlier (Bennett, Allen, Grace, and Martin 2014; Downe, Martin, and Doring 2014a, 2014b; LGA 2012a, 2012b, 2014; Planning Advisory Service 2013, Shared Intelligence 2013a, 2013b).

The more specific focus of this paper is greatly informed by the Bennett et al. report (2014) for the LGA, which looks specifically at comparing three potential intervention approaches (which they refer to as 'self', 'sector' or 'centre') to the turnaround of significantly underperforming councils and attempts to provide an 'ideal model' for the future. Our purpose is not to contradict the basic thrust of this and associated reports (on the contrary we support a substantial amount of it), but to respond positively to their initiative, and to build upon or refine some of their analysis, conclusions and recommendations, so as to help inform more economic, efficient and effective interventions in the future.

## Literature

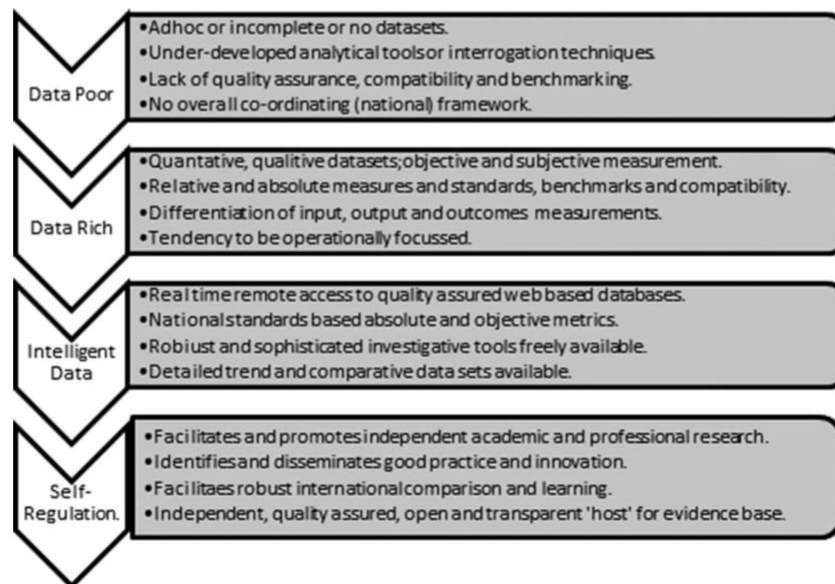
This paper builds on studies of corporate intervention, turnaround and recovery in local authorities, many of which focussed on the early years of CPA (Turner et al. 2004; Boyne. 2004; Jas and Skelcher, 2005; Turner and Whiteman 2005; Wilson and Moore 2007). Writing later, Beerli (2009, 2012, 2013b), Douglas, Jenkins, and Kennedy (2012), Jones (2013) and Murphy, Greenhalgh, and Jones (2014) take an ex-post, longitudinal view of the CPA era, triangulating corporate assessments with reflections from senior practitioners and regulators and allowing the themes emerging from previous studies to be developed. This information complements the substantial evidence presented to the select committee (House of Commons 2011) and the Audit Commission's series of national reports (Audit Commission 2001, 2009). All, report favourably on the process and concluded with useful lessons that, in many cases, were adopted by both national and local government when developing the future generations of local authority performance regimes under Comprehensive Area Assessment (CAA) and SLI.

Unsurprisingly there is less academic literature evaluating the current SLI regime because of its contemporary nature. Many of the studies that have been undertaken, have either been produced or commissioned by the LGA (Bennett, Allen, Grace, and Martin 2014; Downe, Martin, and Doring 2014a, 2014b; LGA 2012a, 2012b, 2014, 2015; Planning Advisory Service 2013; Shared Intelligence 2013a, 2013b). However, the authors consider there is

sufficient evidence emerging to begin to make comparisons and draw out some lessons for the future development of the intervention regime.

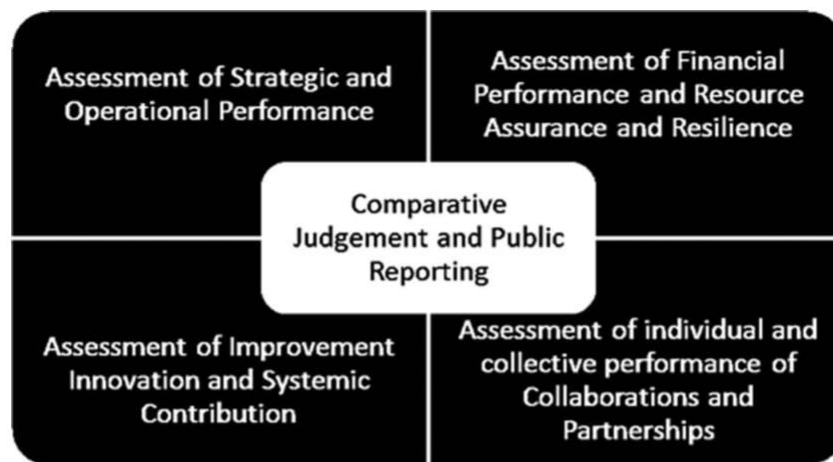
### Contextualising corporate intervention

A high-level generic model, for designing and assessing the strategic, operational and financial performance regimes in locally delivered public sectors and services, has been identified from the current and previous performance management regimes for local government and other locally delivered public services in England. It builds upon, but extends, previous performance management regimes and frameworks, particularly CPA, CAA, and the more recent SLI regime, as well as individual service models. It also identifies the key areas for addressing corporate interventions. It is complemented by an assessment of the current state of maturity, and level of sophistication, of the 'evidence base' currently available for assessing corporate performance as assessed against the generic typology shown in [Figure 1](#). This high-level indicative typology was developed contemporaneously with CPA and was used to scope 'fitness for purpose' of contemporary and subsequent intervention regimes for locally delivered services from 2002 to 2009. It has also been used in subsequent academic papers (see Murphy and Greenhalgh 2013).



**Figure 1.** The four-stage development of the evidence base for a performance management regime for locally delivered public services.





**Figure 2.** The domains of potential interventions.

The generic model differentiates four conceptual areas of interest or 'domains', which are shown in simple terms in [Figure 2](#) but comprise:

- An assessment of strategic and operational performance of the organisation.
- An assessment of the finances and resources and their assurance and resilience.
- An assessment of the individual and collective performance of collaborations and partnerships the organisation is strategically involved in delivering.
- An assessment of the organisation's improvement and innovation and its contribution to systemic improvement in its services or sector.

These domains need to be addressed in any strategic turnaround or corporate intervention.

The remainder of this paper will consist of a brief summary of the lessons learned from the CPA interventions and the more recent SLI interventions, that are largely summarised by Bennett et al. (2014), followed by a brief discussion and some conclusions and recommendations for further enhancing the regime.

### **Local authority corporate intervention under CPA**

In a recent study by one of the authors into the nature of strategic turnaround within English local authorities during the CPA, Jones (2013) identified a number of underlying causes of corporate failure and subsequent recovery approaches adopted by improving local authorities, which can be used to help

evaluate the usefulness of CPA as a mechanism for identifying and transforming poor performances. Taking a longitudinal view of 23 case study local authorities, across the whole of the CPA period, the study undertook an in-depth analysis of the archival record of corporate inspections and performance reports, as well as key informant interviews with senior officers within turnaround authorities and government lead officials (who played a key role in brokering improvement either through direct intervention or support).

It is important to recognise that CPA did not occur in isolation and was in fact part of a package of scrutiny and performance regimes that had developed and evolved under the Labour government of the early 2000s. [Figure 3](#) shows how CPA connected with other initiatives during this time, and [Figure 4](#) demonstrates the level and extent of scrutiny extant during this time, of which CPA was one, albeit significant, element.

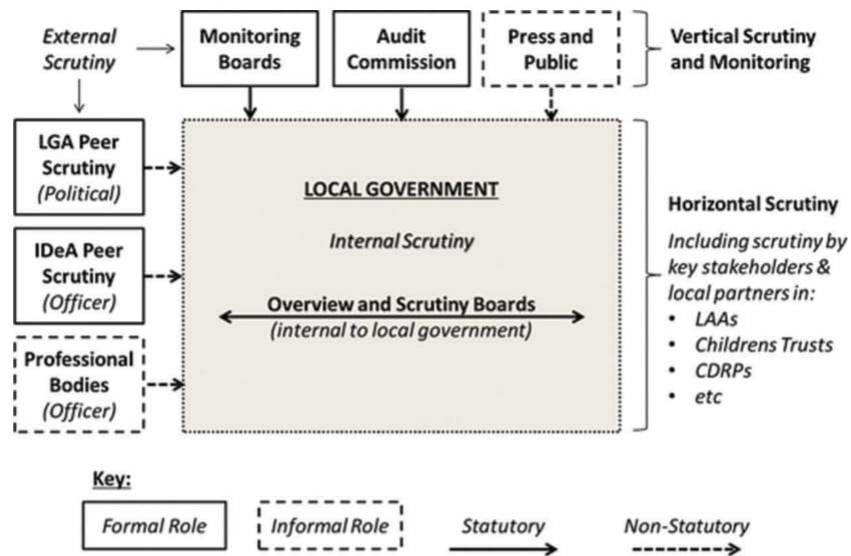
It can be seen that external scrutiny during this time was a mix of statutory/non-statutory and peer and professional assessment. In truth, there was a lot of it and it is easy to see why CPA (and its replacement CAA) in particular, becoming a relatively easy political target as being over-bureaucratic and costly (House of Commons [2011](#)). However, in the context of turnaround and improvement, CPA did provide a useful and necessary vehicle for identifying poorly performing councils, some of which were described by a 'Lead Official' leading the case study interventions (all of whom, at least in the early days, were senior ex-local authority officers) as 'undeniably unacceptable to any of the three party political leaderships (Conservative, Labour and Liberal Democratic) of the LGA, the Audit Commission, the former Improvement and Development Agency (IDeA) or the government' (Jones [2013](#)).

	Concepts	Ambitions	Initiatives	Local Delivery Plan	Delivery Mechanism
2000-2002	Modernisation	Community Engagement	Best Value	Local Public Service Agreements (LPSAs)	Local Strategic Partnerships
2002-2008	Continuous Improvement: - Services - Corporate	Community Leadership	Comprehensive Performance Assessment (CPA)*		
2009-2010	Continuous Improvement: - Area Based - Multi Agency		Comprehensive Area Assessment (CAA)**	Local Area Agreements (LAAs)	

\* Original CPA methodology 2002-2004. "The Harder Test" methodology 2005-2008

\*\* Replaced CPA in 2009. Abolished by Coalition in 2010.

**Figure 3.** Factors affecting Local Government between 2000 and 2010.



**Figure 4.** Scrutiny processes acting on Local Government.

The costs of the CPA Intervention model were also far lower than previous peer-based initiatives from the former IDeA, in for example the London Borough of Lambeth, or the previous alternative of undertaking from the inspectorates of a series of service interventions, such as the Education intervention in Leicester City; interventions that followed the issuing of Public Interest Reports by external auditors; or the high profile intervention in the London Borough of Hackney in 2000 (Campbell-Smith 2008; Audit Commission 2002).

Jones (2013) identified a range of underlying causes of poor performance present in failing councils at that time, namely:

- lack of corporate capacity and capability;
- lack of strategic leadership skills;
- denial of the problem;
- insularity and lack of self-awareness;
- abnormal factors, incidents and events;
- multiple and major service performance failings;
- poor stakeholder management;
- poor external collaboration;
- poor prioritisation; and
- poor financial management.

There is clearly some overlap and considerable similarity between these causes and the findings of other studies (Bennett et al, 2014, 8, provides a



summary of these). However, of key concern to this paper is the finding that the problems associated with poor performance were exclusively internally driven and stemmed from poor leadership and governance in terms of failing to recognise that organisations were poorly performing in the first place (Jones 2013). Indeed, the problem was so inherent in poor councils that some even misread voluntary inspections and LGA arranged peer reviews prior to the first CPA inspections, considering themselves to be good and therefore taking no significant action to improve, when in fact they subsequently were assessed as poor or weak after formal inspections under CPA.

This is not to say that all poorly performing councils were in denial or misread the well-intentioned signs. Indeed, at least two councils, Coventry and Bury, following initial peer assessment, took pre-emptive action a year in advance of the first CPA inspection to remove the incumbent Chief Executive, and in the former case the council leader. However, this tended to be the exception rather than the rule and it was not usually until after a CPA corporate inspection that senior personnel changes (officer and elected representatives) occurred.

Jones found that CPA itself was the key trigger event that prompted the process of turnaround, and without its visible and inescapable scrutiny and comparison, change would not have occurred, a point that was recognised by all of the local authority officials interviewed for that study. This is not to say that those that underwent turnaround disliked CPA, and it is important to recognise that there were different levels of intervention in place ranging from the draconian to the supportive (ODPM 2003a, 2003b; Beer 2012). The key question posed by lead officials during the initial review of failing councils was if the council had the 'will and the where-with-all' to get itself out of trouble. If it did, then the accompanying regime, which included peer assessment and peer support, was generally supportive and the lead officials left as soon as the council was on a demonstrably sustainable recovery trajectory. There was therefore a recognition of the need for 'self-improvement' and the need for sustainable recovery under CPA, which is also a major finding of the recent studies into the previous and current performance frameworks from Bennett et al. (2014) Downe, Martin, and Doring (2014) and others.

It is also clear that as CPA and related inspections built up an individual organisational and collective body of robust evidence, the issue of 'denial' gradually receded as coercive and mimetic isomorphism spread (Di Maggio and Powell 1991). In fact, the range of improvements experienced under CPA (Bennett, Allen, Grace, and Martin 2014; Jones 2013) included developing a better understanding of roles and relationships between officers and elected officials (especially in terms the inter-relationship between them), the introduction of new people and structures as well as strategic processes

including the prioritisation of resources and performance management. They also included improvement in so-called 'external facing' approaches, such as gathering intelligence and working with others. Significantly, these changes collectively brought about an increase in self-awareness that became increasingly important in the sustainability of successful turnarounds.

As assessed against the typology for the evidence base of performance management regimes shown in [Figure 1](#), CPA was data rich, using information from a variety of sources and weighting this to form the overall assessment. It also increased the transparency and visibility of this information through the routine publication of inspection reports and assessments by the Audit Commission. Similarly, a range of tools and techniques, were developed appropriate to the elements within the assessment in which they were used, e.g. external inspection reports from regulators, peer assessments and finance and audit inspections. The network of lead officials working with the Audit Commission and IDeA-commissioned peer assessors collectively provided a substantial co-ordinating framework aimed at ensuring consistency of approach and open, robust reporting. CPA also introduced for the first time the assessment of a range of strategic and corporate processes through 'key lines of enquiry' looking at collaborative working and engagement, leadership and governance arrangements and capacity as well as the way that internal and external scrutiny and challenge was undertaken and embedded. Finally, through an assessment of ambition and 'direction of travel' (progress) it also raised the profile of the need to be focussed on the real and not merely the perceived needs of a locality in its wider context.

Jones (2013) and Beerli (2012) have shown that despite the centralist nature of CPA, it was not wholly top-down and unsupportive. Indeed, the intervention process could, where appropriate, be a light touch affair. However, the strength of CPA was in its trigger capacity, and this was largely due to the comprehensive nature of the evaluation, its collective and mutually supportive use of expert agencies to provide an evidence base, and the sanctions that went with it in terms of transparent and public reporting.

The compulsory nature of CPA also ensured that poorly performing councils were identified and the reasons for this poor performance were articulated, 'surfaced' and addressed. Given that a key finding of most of the earlier studies (Turner et al. 2004; Jas and Sketcher 2005; Turner and Whiteman 2005), is that poor councils initially fail to recognise the need to engage with comparative exercises and do not perceive themselves to be poor (something which changed in councils during CPA), demonstrates this was a key strength of CPA. Clearly only a small minority of councils were failing and to some other councils CPA was considered an unnecessary



burden but the question remains, without the external and independent scrutiny offered by CPA, would there have been an increasing scope for poor councils to slip through the net, only coming to light when it was too late? This is especially poignant during the period of austerity when councils are embarking on radical and therefore relatively risky strategies of redesign and realignment. It also raises the issue of transparency and public assurance, which we will return to later in this paper.

### **Local authority corporate intervention under sector led improvement**

As mentioned earlier, this part of the paper is heavily dependent on analysis of a number of recent reports sponsored by the LGA, and in particular, the studies by Downe, Martin, and Doring (2014), which is an evaluation of the LGA's Corporate Peer Challenge (CPC), and Bennett, Allen, Grace, and Martin (2014), which is an appraisal of three alternative approaches to corporate turnaround, namely self-improvement, sector-led improvement and centre-led improvement. The study by Bennett, Allen, Grace, and Martin (2014) is built upon a literature review of the CPA era and detailed case studies of the Doncaster and Wirral interventions, since the general election of 2010.

This paper compares interventions under CPA with the corporate peer challenges under SLI. At this stage, it is important to note two things, CPA and Central Government Intervention was developed and supported by the previous government under CPA, but at each stage of CPA (and its successor CAA) there was greater involvement and support provided by the local government sector collectively, i.e. they were progressively moving towards SLI. However, as the select committee reports show (House of Commons 2011) after the general election of 2010, both the new Coalition Government and the LGA (which were by this time, both dominated by the Conservatives) clearly supported and embraced SLI.

Second, in addition to other primary research, the LGA study had access to the first 40 CPC reports and studies of the CPA literature (Bennett, Allen, Grace, and Martin 2014), while our analysis had access to only the CPC reports that have been published on the LGA website (a minority of reports issued to date). Our analysis compares this material with a document analysis of 23 primary case study reports and material, previously in the public domain, but no longer publically available following the abolition of the Audit Commission and the transfer of only part of its archive (and the capacity to interrogate that archive) to the National Archives. This was supplemented with interviews and participant observation from former lead officials (including one of the authors) who were responsible for 20 intervention cases.



Bennett, Allen, Grace, and Martin (2014) suggest that there are four broad stages that characterise successful turnaround:

- Triggers that help overcome denial and accept the need to change, which can come from challenge, persuasion, compulsion and/or threats.
- Formulation of an effective recovery strategy.
- Retrenchment and stabilisation and action, monitoring and capacity building.
- An exit strategy when confidence is restored, performance management embedded and ownership or responsibility is resumed.

'But understanding what achieves turnaround in particular situations involves further lessons under five major headings' (Bennett, Allen, Grace, and Martin 2014, 7), all of which were included in the study by Jones (2013) and one of which is the focus for this paper, i.e. 'self, sector or centre, which is the best approach and what are the conditions for success'. Bennett et al. suggest that there is a clear value hierarchy to turnaround, if other things are equal (original author's emphasis), namely self-improvement, sector-led improvement and only, as a last resort, central government led intervention. The authors would agree with this value hierarchy, as would the overwhelming majority of people interviewed for our own studies (government officials, auditors and improvement professionals, managers and politicians involved in the case studies).

Bennett, Allen, Grace, and Martin (2014) later accept that both sector-led and centre-led approaches can effect turnaround and that there is no 'one best way' capable of achieving it. They do however conclude that '... an approach that supports self-led turnaround and after that favours SLI, is more consistent with a 'localist' philosophy than one based on central government intervention. It also potentially brings practical benefits in terms of cost, disruption and sustainability' (2014, 43). The localist philosophy (as a broad approach) is not however too dissimilar to the devolutionist aspirations of the previous labour government or the subsidiarity principle established in article 5 of the Treaty on European Union, which suggests that problems should be dealt with at the most immediate (or local) level consistent with their solution. The issue of whether it brings practical benefits in terms of costs is an issue, we will return to later in this paper when we also consider some other perspectives, such as transparency and public assurance.

Bennett et al. (2014) having helpfully explored the optimisation of self- and sector-led improvement also provide an 'ideal model' for the improvement of landscape, which accepts that even under optimal conditions for self-improvement and SLI, the backstop of central government intervention is likely to need to remain.

Therefore, they suggest the agreement of a protocol to be applied to those situations where there is sufficient evidence-based concern about the conduct or performance of a council. They do not acknowledge them, but equivalent protocols were rapidly developed and issued to lead officials (after consultation with the LGA and the Audit Commission) under CPA (ODPM 2003a, 2003b), while equivalent protocols for example in Fire and Rescue interventions have been produced as a result of Section 24 of the Fire and Rescue Services Act during the CPA era, as well as a revised protocol in 2012 under SLI.

Although the authors of the two reports (Bennet et al. 2014; Downe, Martin, and Doring 2014) are far more nuanced and sophisticated in their considerations and conclusions, the LGA in its final report on the evaluation of the SLI conclude that:

‘an independent evaluation of SLI compared to central government intervention, for turning round a council that is visibly failing, concluded that a sector-led approach is better in supporting councils in their improvement journey all else being equal (LGA 2014) (current authors’ emphasis).

### **Moving forward: some conclusions and recommendations**

The purpose of this paper was to appraise and compare the intervention and turnaround regimes that operated in local authorities under CPA with the current regime under SLI, in order to synthesise current knowledge on the subject and inform future policy and practice. The two regimes have therefore been examined to compare and contrast their strengths, and to identify potential weakness in order to help develop policy and practice in the future.

In doing so, it is useful to remember that although the intervening period was largely a transition period, there were undoubtedly valuable aspects, particularly from the Comprehensive Area Assessment and Total Place initiatives, that were recognised by both central government and local government and the deliverers of local public services in other sectors, as well as by those who represent them collectively, their professional institutions and their regulators (LGA 2010; Hayden et al. 2010). These lessons however, tended to revolve around improvements in collaborative working and partnerships, the development of national and local data, and information and intelligence that led to improvements in the local and national evidence bases available to all parties, of which the development of Joint Strategic Needs Assessments was an obvious example. There was however less progress made in the areas that are the focus of this paper, namely the performance management regime for local government as a whole and the efficiency and effectiveness of the intervention regimes for poorly performing councils and other local service delivery bodies.



We believe that our research for this paper, the earlier work by Jones (2013), and the work sponsored by the LGA, particularly the report from Bennett, Allen, Grace, and Martin (2014), have far more upon which all parties and commentators can agree on than they would disagree. Bennett et al., suggest that critical to any strategy is:

‘... the recognition of the factors and circumstances that are unique to each poorly performing local authority, and that the design of the intervention therefore accounts for these features as contextual factors that need to influence and support intervention processes.’ (2014, 10) and

... ‘What is critical is an authoritative voice capable of formulating and implementing a credible strategy, which properly understands why turn-around is needed, and how those problems can be connected with a well-resourced and effectively managed strategy of engagement’ (2014, 11).

This echoes the New Labour government’s mantra of ‘what matters is what works’ from the early days of corporate intervention under CPA. In the first rounds of intervention under CPA, all lead officials and chairs of Government Monitoring Boards were former Directors or CEO’s of local authorities, although towards the end senior civil servants, regional office officials, auditors and others, without that background and experience, were sometimes appointed. It also reflected the more subtle changes in the Audit Commissions approach to designing its frameworks. This drifted from a clear focus on facilitating rapid improvement in Local Authorities, to much more of a ‘compliance’ based approach as auditors rather than inspectors reported to monitoring boards. A ‘tick box’ and bureaucratic mentality also re-emerged in the middle to late years of CPA, after reductions to the Commission’s financial support from central government were included in the Comprehensive Spending Review of 2005 (Campbell-Smith 2008).

The current research has however highlighted, *inter alia*, some key areas for improvement, some of which are confirmations of areas and issues highlighted in earlier literature, and some of which we believe are new.

The operation of collecting, analysing and using information for this study has itself highlighted a significant deterioration in the national evidence base. The availability and ease of accessing performance information; the adequacy of the tools and techniques for interrogating and quality assuring its content; and the reduction in the systematic support infrastructure for improvement and innovation built or reliant upon it has all contributed to this deterioration (Ferry and Murphy 2015). This is largely as a result of the closure of the Audit Commission, the IDeA and related improvement agencies in Health, Police, etc. and the reduction in budgets of those that survived. One particular key aspect for this study was the failure to keep the Audit Commission’s comprehensive organisational archive publically available and in one place, including its archive of individual authority reports and the incalculable corporate memory loss that went along with it.

Research for this paper also highlighted the loss of a range of previously sophisticated tools and techniques to interrogate the evidence base. Neither the National Archives nor the LGA website are an adequate substitute for the previous inter-active Audit Commission and IDeA websites, and we are left to wonder why this invaluable archive wasn't transferred, in total, to the NAO. The NAO were clearly identified early in the process by the Secretary of State as the intended guardians for ensuring the future financial assurance and co-ordination of public audit. It would have been particularly useful for the Secretary of State's proposed army of armchair auditors (DCLG, 2010b).

A comparison of the current state of the evidence base for local authority performance against the developmental model outlined in Figure 1, would show that the evidence available in 2010 (up to the announcement of the abolition of the Audit Commission), was undoubtedly improving and equated to category 3, on the typology. However, rather than moving forward, and perhaps being fit for purpose at some future point for a self-regulating regime, the evidence base has in fact deteriorated to, at best, a 'data rich' category 2 state.

This points to the second area that this research has highlighted where 'other things' have not 'remained equal' for local government improvement (whatever approach is adopted), namely the accountability and transparency of the information available for the financial assurance and the performance management of individual authorities and local government sector collectively (Ferry and Murphy 2015). The LGA's final evaluation report (LGA 2014), points to 'stronger local accountability' and supports this with subjective evidence from opinion polls; the self-interested views of senior members and officers about accountability in their own authorities, and the 'increased confidence among government departments and their inspectorates in the theory of SLI and local accountability since the LGA 'baseline' interviews of 2012 – although it notes that they wanted to see more evidence of it working in practice.

This contrasts with our own evidence and experience. From an admittedly small sample of senior and middle managers from local authorities (circa 65), i.e. those who undertook the performance management modules in our postgraduate part-time courses over the past 5 years. For their assignments, these students assess and compare two performance management regimes and not surprisingly, often look at CPA and SLI since they have personal experience of both. They are asked to look at the regimes from the perspective of the public interest rather than from the interest of central or local government. They generally considered that there was more merit in the previous regime than in the current regime seeing the latter as more partial, opaque, voluntary and far poorer in terms of quality assurance and, more especially, accountability transparency and public assurance.



Finally, all the evidence points to a need for an open, transparent, robust and independent appraisal of the costs and benefits of alternative forms of intervention, and the likelihood of sustainability of the different approaches in particular circumstances. Although the authors no longer have access to the assessments, they are aware (from personal involvement in one case), that such a high level appraisal of CPA costs were undertaken in 2001 when DETR were responsible for the local government sector.

Bennett et al. (2014, 16) state 'it is important to note that a variety of commentators have concluded that central interventions can be relatively cost effective even taking into account the associated collateral and non-financial costs'. Ministers at the time of CPA found that the services that the public were having to endure (in some cases for some considerable time), and for which they had no choice about paying, were so unacceptable, that expediting their improvement called at that time for a more radical and sometimes more coercive or directive approach. The alternative of extending the pre-existing local government peer improvement programme was not acceptable on economy, efficiency or effectiveness grounds and more radical action was considered necessary.

More recently, the issues in Rochdale and Birmingham, suggest SLI may not be adequate in all individual cases, and the recent report from Transparency International (2013) on corruption in UK local government, suggests a more systematic response needs to be complemented by a more robust intervention model than the one currently in place.

This paper has provided a contribution to the review of alternative intervention models and made suggestions as to when and where the different approaches should be used. Our findings acknowledge that both CPA and SLI have merits and weaknesses depending on the context and policy priorities. However, the evidence base used by the latter was more partial not least because, there is a reduced level of public access to quality assured public data and information relating to local authority performance.

This study highlights the need for a more comprehensive analysis and appraisal of both the CPA and SLI regimes than is currently available. Such an analysis would facilitate the development of a future regime that is more balanced, proportionate and cost effective, while providing efficacy across a range of circumstances, and in so doing would provide a more appropriate level of public assurance.

### **Disclosure statement**

No potential conflict of interest was reported by the authors.

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# Public health and health and wellbeing boards: antecedents, theory and development

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health and well-being; public  
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## Abstract

The 2012 Health and Social Care Act transfers responsibility for public health in England from primary care trusts to local authorities. This article traces the theoretical and policy antecedents of the proposals and highlights some key changes since their original conception in the 2010 public health white paper. It suggests that the development of health and well-being boards and their objectives can best be understood by viewing them through the theoretical prism of public value or new public service theory and concludes with some recommendations for their implementation and development.

## INTRODUCTION

The 2012 Health and Social Care Act transfers responsibilities for public health in England, at the local delivery level, from primary care trusts to local authorities as of 1st April 2013. To facilitate and enable this change, 152 health and well-being boards are being established in every part of England as the primary multi-organisational governance arrangement to implement delivery, facilitate public reporting and assure the continuing public accountability of public health services in the future.<sup>1</sup>

This article traces the theoretical and policy antecedents of the current proposals and highlights some key changes to the proposals since their original conception in the 2010 public health white paper.<sup>2</sup> It looks at their theoretical and practical development and draws from some recent research that looked more specifically at the development of the boards in practise by examining ongoing arrangements in the city of Nottingham and the county of Nottinghamshire.<sup>3</sup>

## LEGISLATIVE AND THEORETICAL BACKGROUND

In order to understand the legislative and theoretical background it is helpful to trace the antecedents of the current proposals through two parallel sets of policy and delivery programmes in UK public services since the late 1990s. The first of which is the public health policy agenda itself.

Throughout the period of the Labour administrations in the UK from 1997 to 2010, the previous government increasingly acknowledged both

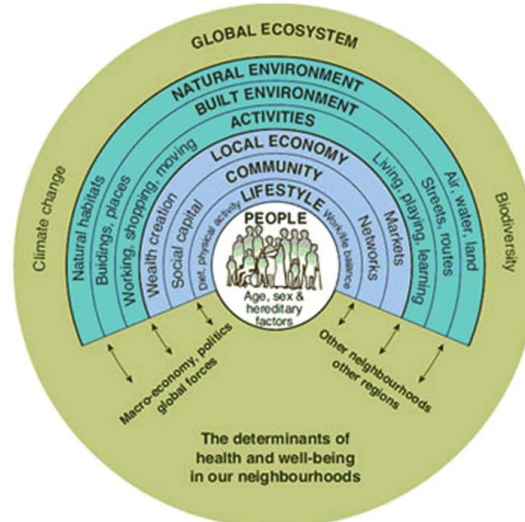
the need to tackle the social determinants of health (see Figure 1) and the long-term need to integrate the delivery of health and social care in the light of the UK's ageing population.<sup>4</sup>

The second policy agenda relates to the previous government's attempts to tackle or mitigate long-term, social, economic, environmental and often intractable problems within local communities, sometimes called the 'wicked' issues. These are issues that in the past have not been amenable to single-agency resolution or mitigation. They have therefore increasingly been approached on a multi-agency and essentially collaborative basis, by a combination of public, private and third-sector agencies operating to a common purpose, organised around a collectively agreed or adopted, and explicitly 'public' strategy.

## The public health agenda and increasing health inequalities

Throughout the period between 1979 and 1997, and subsequently, a number of reports and studies have documented the continuing public health and health inequalities challenge.<sup>5-9</sup> It is also well documented that between 1997 and 2005, the Labour governments' investment in health care generally, and the National Health Service (NHS) in particular, led to sustained improvements in the all-age all-cause mortality rates for all classes and across all communities. The issue that the government still recognised, however, was that the richer communities and sectors of society were improving their longevity and quality of life at a greater rate than the poorer sectors, not least

Figure 1

**The wider determinants of health**Source: Barton and Grant (2006)<sup>5</sup>

because they had more of the wherewithal to respond to public health messages and make changes in their lifestyle and as a consequence health inequalities and disparities continued to grow, as the 2006 local government white paper acknowledged.<sup>4</sup>

The reduction of health inequalities and the desire to integrate health and social care were therefore a prominent objective in many Local Area Agreements (LAAs)<sup>10</sup> and were subsequently reflected in the 2007 Local Government and Public Involvement in Health Act. In 2008 the World Health Organization's investigation into the social determinants of health published its much-anticipated final report<sup>11</sup> and in February 2010 the Marmot Review published its recommendations for the future of public health,<sup>12</sup> three months before the general election brought the coalition government to power. The latter report was subtitled 'a strategic review of health inequalities in England post 2010'. It is this policy and legislative discourse that formed one of the two key antecedents to the recent 2012 Health and Social Care Act.

### The development of multi-agency responses

If the policy antecedents help to explain what the 2012 Act is trying to do (and why it is worth doing), it is the 'how' question that generates the second theme of the recent reforms and in particular the 2012 Act's intentions for the new health and well-being boards. The ageing demographic, spiralling costs of health and social care, continuation of poor health outcomes for some groups and individuals within our communities, and the persistence of health inequalities clearly constitute a 'wicked' issue, that is a long-term and seemingly intractable issue that has not been amenable to single-agency resolution or mitigation and therefore has increasingly been approached on a multi-agency basis.

Since the Crime and Disorder Act 1998, the Health Act of 1999 and the Local Government Act of the same year, the previous government sought to tackle these issues through multi-agency partnerships and collaborative action. The Crime and Disorder Reduction Partnerships, Local Public Service

Agreements, Local Strategic Partnerships (LSPs), Children's Partnerships, LAAs and the Total Place initiatives were key staging posts in an increasingly complex, sophisticated and generally successful response<sup>13</sup> to these seemingly intractable local problems by what Parker and Gallagher have termed the development of the 'collaborative state'.<sup>14</sup> In terms of public management theory, these initiatives can best be understood through the theoretical prism of the increasing development and application of public value or new public service theory from its original neoliberal setting in the USA<sup>15</sup> to the UK, Canada, Australia, New Zealand and European contexts today.<sup>16</sup>

Throughout all of these initiatives, both in terms of policy intentions and their delivery or practice 'on the ground', health and social care have been encouraged to increasingly integrate around common objectives articulated in co-produced plans or strategies, based primarily upon community or population outcomes.<sup>17</sup> The final incarnation of the LAAs all contained health and social care themes, overseen by health and social care committees or panels of the LSPs, while the 13 Total Place pilots or pathfinders attempted to tackle particularly difficult or outstanding multi-agency issues or new innovations. Although the new Secretary of State for Local Government quickly announced the termination and abolition of Total Place and LAAs,<sup>18</sup> the latter are three-year programmes of action, some of which will only terminate in 2013. In other words the organisational infrastructure of LSPs and health and social care committees were still in place when the 2010 public health white paper<sup>2</sup> was published and many were still in place when the 2012 Act was passed. They are the foundations upon which health and well-being boards are being built in practice.

### HEALTH AND WELLBEING BOARDS – FROM PROPOSALS TO ENACTMENT

The coalition government was elected in the general election of May 2010 and published its white paper 'Equity and Excellence: Liberating the NHS'<sup>19</sup> shortly



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after it came to power. There was no consultative green paper and precious little forewarning of the proposed extent of the reforms from either the Conservative or Liberal Democrat election manifestos<sup>20,21</sup> or the coalition agreement.<sup>22</sup> The negative response from both the public and stakeholders led to the government announcing the unprecedented 'listening exercise' in April 2011, to be overseen by a Future Forum panel of health experts, health workers and patient groups.<sup>23</sup> The listening exercise closed in June 2011 and received around 15,000 website responses and approximately 750 letters. It produced its first report on 13th June 2011<sup>24</sup> and the government's response to the report was published on 20th June 2011, together with some briefing notes on amendments to the Health and Social Care Bill on 27th June 2011.

On 10th January 2012, the forum sent its second set of reports<sup>25</sup> to the Secretary of State for Health, together with a series of recommendations that sought to improve the quality of patient care and achieve better patient and community outcomes. The forum concluded that integration should be defined around the patient, not the system, and that patient outcomes, incentives and other drivers within the system need to be aligned with this overriding objective. The forum recommended that the new health and well-being boards should drive local integration, through a whole-population, strategic approach that addresses local priorities. This time the government responded to the report on the same day (10th January 2012) and accepted all of its recommendations. It published its updates to the bill, which was by then going through parliamentary procedures, and after more than a year of debate and several last-minute attempts to overturn or delay the legislation, the bill was passed at the end of March 2012, albeit with several last-minute changes.

Since the Act was passed, the Department of Health,<sup>26,27</sup> the Local Government Association<sup>10</sup> the NHS Confederation<sup>28</sup> and the Kings Fund<sup>29</sup> have continued to issue a series of guidance notes and advice designed to facilitate or assist in the implementation of the new boards.

Previous and ongoing exploratory research has also looked at the early implementation of the boards in practice in one part of the country.<sup>3</sup> This article is an attempt to illustrate the changes made to the proposals and suggest that the theoretical or conceptual confusion evident in the white paper and the original bill have gradually been clarified (although not completely eradicated), from the current proposals. It also argues that the roles, responsibilities and operating environment in which the new boards will exist are best understood by adopting a new public service theory approach rather than trying to understand them from the vantage point of public choice or new public management. It highlights the reducing influence of the marketisation, commercialisation or privatisation of the particular parts of the health care reforms relating to public health and the work of the health and well-being boards – which is not necessarily the case in other parts of the reforms. In so doing it will draw attention to the reducing influence of the Secretary of State and the increasing influence of the emerging NHS Commissioning Board. This may have been expected and anticipated as the policy turned from proposals and legislation to implementation and delivery, but some key incidents or milestones accelerated this changeover.

Figure 2 attempts to illustrate or capture the theoretical, conceptual and political changes that occurred from June 2010 to March 2012. It also highlights three notable incidents that did not of themselves cause significant changes to the government's proposals, but that do illustrate the strength of public interest and concern over the proposals as they were developed over the period prior to the coalition government reshuffle of September 2012 when the previous Secretary of State was replaced with the present incumbent.

### PUBLIC AGENCY, PUBLIC CHOICE OR PUBLIC VALUE THEORY?

There are three broad explanatory theories in public management that are often seen as a spectrum ranging from a fairly straightforward relationship of top-down

influence between politician and public manager to greater reciprocity and complexity in the relationship.<sup>30</sup> Each will be appropriate at certain times and in different places in illuminating the complex subject that is the practice of public management.

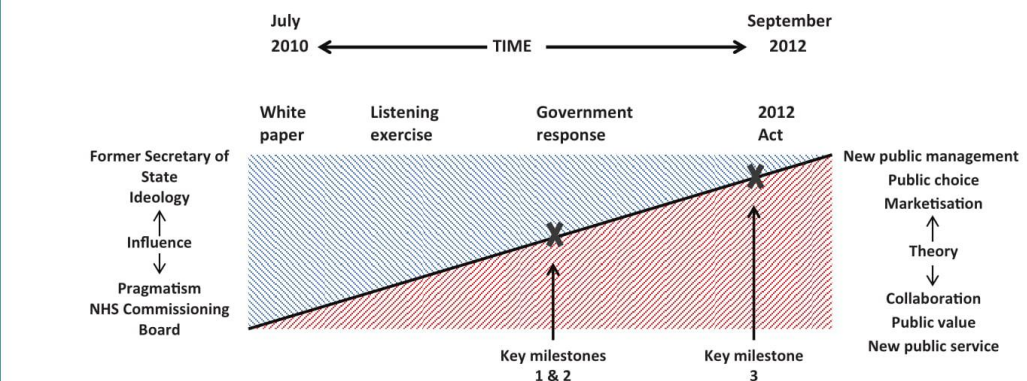
Public agency or principal agent theories regard governance structures as simultaneously enabling and constraining the actions of public managers. In simple terms, politicians create governance structures in a top-down fashion and hold managers accountable for mandated results. Politicians are the primary drivers of change, and they control public managers as agents through constitutional powers such as monitoring, finance and legislation. Public managers' actions reflect the mandates (spelt out in pre-election manifestos) of elected local and national politicians.

New public management or public choice theories emphasise a more agile, responsive or innovative approach to governance, extolling the responsiveness of the private sector and the market. Governance structures are the product of ongoing competition and compromise. The public interest is no more than an aggregation of individual self-interests but public managers are not mandated by politicians; rather they are constrained, supported or vetoed by elected representatives through a complex process of negotiation. However, as Hughes<sup>30</sup> points out, their flexibility can also conflict with popular preferences around the provision of services and changing demands of accountability to the public.

Public value and new public service theory<sup>5,16</sup> draws on ideas around democratic citizenship, community and civil society and focuses increasingly on governance with citizens, communities of interests or populations at the centre. Co-producing policy and systems of delivery with key stakeholders and the public, managers have to help build a shared notion of public interest and not merely aggregate individual preferences. Policies and programmes that effectively meet public needs are achieved through collective and collaborative processes that emphasise the

Figure 2

## The public health debate explanatory model



Source: Author

importance of citizens over customers and people over productivity. Public managers are accountable to a much wider set of demands rather than just the market, as they must also respond to statutory and constitutional law, community values, political norms, professional standards and citizens' interests.<sup>30</sup>

#### PRIVATISATION AND COMPETITION ON THE BASIS OF PRICE, OR COLLABORATION AND COMPETITION ON THE BASIS OF QUALITY?

The change in this aspect of the debate is most easily discerned by examining the dialogue around the introduction of competition into the NHS. Even the most casual perusal, let alone any textual forensic analysis, of the collective speeches of the previous Secretary of State for Health will reveal that throughout 2010 and the first half of 2011 whenever he was referring to increasing competition into the NHS, he was referring to increasing *price* competition in the NHS and expanding the role of the market. Competition has always been a part of the NHS but it has generally taken the form of patient-centred quality of care. Doctors generally want the best or the

most appropriate care for their patients and investigate the provider market to find it. As the Nicholson Challenge<sup>31</sup> and the Quality, Innovation Productivity and Prevention programme make clear, this can drive up standards of care and drive down costs. However, it was only late in the listening exercise that the former Secretary of State claimed that it was competition on the basis of quality of care that he was advocating and not competition driven by price. The national newspapers saw it differently and the headline in the *Financial Times* the next day was unequivocal: 'Lansley U-turn over NHS price competition.'<sup>32</sup>

#### THE INFLUENCE OF NEOLIBERAL IDEOLOGY AND THE CREATION OF POLICY-BASED EVIDENCE AS OPPOSED TO PRAGMATISM AND THE CREATION OF EVIDENCE-BASED POLICY

In addition to this Damascene conversion over competition, there were two other incidents that changed the dynamic and influence of two of the key figures in the NHS reforms. One concerns a Loughborough rap artist and the other a nurse at the Annual Congress of the

Royal Colleges of Nursing (RCN) in April 2012. These two figures respectively contributed significantly through the release of a rap song on YouTube<sup>33</sup> and the asking of a rather well-disguised question to the former Secretary of State at the Congress.<sup>34</sup> As a result, they both became instant 'celebrities' within the NHS community and among campaigners wishing to amend the governments' proposals. The 'Lansley Rap' went viral on release and featured on the national news and *Newsnight* before being withdrawn from the BBC website the next day and forbidden to be played on NHS computers. At the RCN, the former Secretary of State became drawn into a conversation with a nurse in the audience who, apparently, wanted to congratulate the government on its approach to crime and the reporting of crime by the public. Having gradually drawn the Secretary of State into this conversation, she finished by saying that she wanted to report a crime, namely that somebody had stolen half of her pension and she did not know who had done it. All of which, including the Secretary of State's aghast reaction, was caught on national television. These two very public



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incidents helped to undermine the credibility of the Secretary of State and increased the influence of the NHS Commissioning Board, which was advocating a more pragmatic approach to implementation.<sup>35,36</sup>

### CONCLUSIONS AND RECOMMENDATIONS

If the interpretation and analysis in this article is correct, then the drafting of secondary legislation and the development of advice and guidance relating to implementation, delivery and the future operating environment for public health and for health and wellbeing boards should be predicated on the principles of public value. The health and well-being strategies should be focused on the development of community or be population based and therefore explicitly public strategies, as defined by Mulgan.<sup>17</sup> They should include an agreed local vision based upon a clearly articulated common purpose and they should be implemented through multiple-agency collaboration while exercising

appropriately robust horizontal scrutiny to complement existing vertical and external scrutiny exercised by the government, the NHS Commissioning Board, the Care Quality Commission and Monitor. The responsibility for implementation (similar to the duty to cooperate in the 2007 Local Government and Public Involvement in Health Act that produced the LAAs) should be placed upon both the local health community and the key local public service deliverers that significantly affect the wider determinants of health at the local level.

The policy and implementation proposals, if they are to be sustained, need to be complemented by a continually improving joint strategic needs assessment (JSNA) and robust evidence base, allowing real-time, remote and open access with built-in quality assurance mechanisms. The JSNA itself should be embedded in a wider community resource such as the Insight Nottingham website.<sup>37</sup> This was originally developed in Nottingham for the LAA but is now used for a much wider range of research,

delivery, education, evaluation, good practice and diffusion activities.<sup>3</sup> New techniques for collaborative or network-capacity building, innovation and individual and collective organisational development and infrastructural support will also be needed. In these circumstances the growing literature and experience that draws on social network analysis<sup>38</sup> and wider partnership working for service improvement are clear pathways to explore.

### DISCLAIMER

This manuscript was written and accepted prior to 1st April 2013, and all conclusions were made based on information correct at the time.

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# Sport, physical activity and the establishment of Health and Wellbeing Boards in Nottingham and Nottinghamshire

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This paper examines the emergence of Health and Wellbeing Boards in Nottinghamshire and the City of Nottingham and explores the implications for sport and physical activity. At the time of writing the transfer of responsibilities for public health and the establishment of Health and Wellbeing Boards in both the City of Nottingham and within Nottinghamshire County Council are considered to be relatively advanced by the Strategic Health Authorities, the respective local authorities and by the boards of the two Primary Care Trusts. “Shadow” Health and Wellbeing Boards have been established in both authorities and they have been meeting regularly for several months. Public health and commissioning staff have also been successfully relocated and new strategies and priorities are starting to emerge. Nottingham and Nottinghamshire have traditionally acknowledged the role of sport and physical activity to the wider determinants of public health and given a relatively high priority to the contribution that sport and physical activity can make to their preventative health and early intervention agendas. This paper looks at the transition to Health and Wellbeing Boards to assess how the role of sport and physical activity may be changing and to identify opportunities for its contribution to policy and practice in the future.

It examines both the theory and practice behind the emerging governance arrangements, the strategic objectives and priorities, and the developing evidential base for future policy and delivery within the two areas.

**Keywords:** sport, physical activity, health and wellbeing

## INTRODUCTION

The Health and Social Care Act 2012, *inter alia*, encourages better integration between health and social care and transfers responsibilities for public health at the local delivery level from Primary Care Trusts (PCTs) to local authorities. To facilitate and implement these developments it proposes the establishment of Health and Wellbeing Boards as the primary multi-organisational governance arrangement to oversee delivery, public reporting and accountability. The Health and Social Care Act received

royal assent in March 2012 and the proposed Health and Wellbeing Boards assume their responsibilities from April 2013.

The Act requires the new Boards to encourage health and care commissioners to work together to advance the health and wellbeing of the people in its administrative area. Although the provisions of the Act will commence in April 2013, National Health Service (NHS) organisations, local authorities and other key stakeholders, to a greater or lesser extent, have been actively preparing for the changes, since the proposals were first introduced in the Department of Health’s (DoH,

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2010a) White paper entitled "Equity and excellence: Liberating the NHS" in December 2010.

This paper examines the background and experience of the emerging Health and Wellbeing Boards in Nottingham City and Nottinghamshire County Councils, and in particular explores the implications for sport and physical activity. Nottingham and Nottinghamshire have traditionally recognised the role that sport and other physical activity can play in the wider determinants of public health and have previously invested in sport and physical activity as part of their preventative health and early intervention programmes. At the time of writing, the transfer of responsibilities for public health and the establishment of Health and Wellbeing Boards in both the City of Nottingham and within Nottinghamshire are considered to be relatively advanced by the Strategic (Regional) Health Authorities, the respective local authorities and the two local PCTs. 'Shadow' Health and Wellbeing Boards have been established in both authorities and have been meeting regularly for some months. Public health and commissioning staff have also been successfully relocated and new strategies and priorities are starting to emerge.

By undertaking this exploratory research within two areas previously acknowledged for their innovation and good practice, it is anticipated that some recommendations and advice can be developed for both policy and practice and help to optimise the contribution that sport and physical activity can make to the public health agenda and to the health and wellbeing of citizens and communities. The following research question and sub-questions were, therefore, adopted to focus the research.

What is the potential role of sport and physical activity in the new public health system envisaged by the Health and Social Care Act 2012?

- a) What is the nature and scope of the Health and Wellbeing Boards' role within the emerging public health system?

- b) What is the nature and scope of the Health and Wellbeing Boards' role in practice as emerging in Nottingham and Nottinghamshire?
- c) What is the potential role for sport and physical activity within these scenarios?
- d) What lessons can we draw for sport and physical activity in terms of future policy and practice?

## BACKGROUND, CONTEXT AND LITERATURE REVIEW

### What is the Nature and Scope of the Health and Wellbeing Boards' Role Within the Emerging Public Health System?

In order to be able to advise on the optimisation of the strategic positioning and practical contribution that sport and physical activity can make to this new agenda, it is necessary to understand the policy and legislation and the theoretical and practical landscape in which it is developing. This is particularly important in relation to both Health and Wellbeing Boards as eventually formulated by the Act and for sport and physical activity because in both of their cases, their recent antecedents have included some theoretical and conceptual confusion (Murphy, 2013), although the research shows considerably less confusion in practice as it has been developed in Nottingham and Nottinghamshire.

As eventually formulated, the provisions of the 2012 Act in general and the proposals for Health and Wellbeing Boards in particular can best be interpreted or understood through the Public Value or New Public Service Theory, that has developed since the mid-1990s originally in the USA but increasingly in Europe, Australia, North America and the UK (Bennington & Moore, 2011; Moore, 1995; Williams & Shearer, 2011). However, during its early development in the UK, there was considerable confusion with some of the earlier proposals and interpretations from the DoH and the

Department of Culture Media and Sport (DCMS) appearing to emphasise Public Choice Theory and New Public Management concepts rather than Public Value or New Public Service Theory. This was notable in the recent public health white paper (DoH, 2010a) and in the publicity and debate generated by the unprecedented and extensive “Listening exercise” (DoH, 2010b). Similarly although some early policy for the development of sport and physical activity from the last government was based upon early application of Public Value (Cabinet Office and DCMS, 2002) later policy tended to be theoretically confused (Central Council for Physical Recreation, 2009; DCMS, 2008) with both policy and delivery increasingly dominated by the London Olympics.

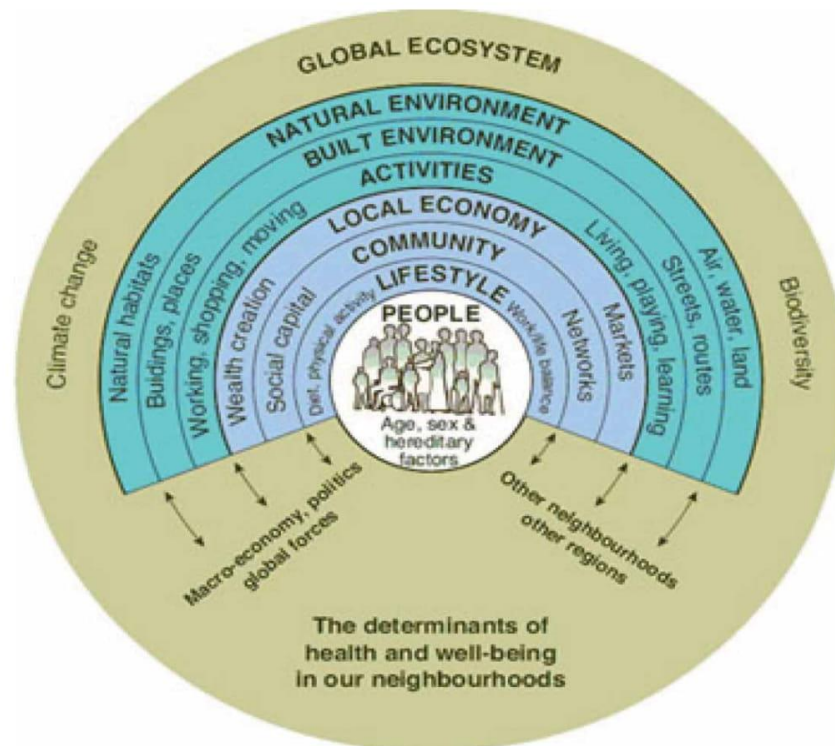
Public health policy, the development of Health and Wellbeing Boards and the role of sport and physical activity, however, clearly have their recent policy and theoretical antecedents in the wider determinants of health agenda and the development of inter-organisational collaboration for addressing complex community issues (sometimes referred to as “wicked issues” because of their persistence and resistance to single agency resolution or amelioration) of the 1999 Health Act through to the 2007 Local Government and Public Involvement in Health Act.

The World Health Organisation defines “health” as “a state of complete physical, mental and social wellbeing... not merely the absence of disease or infirmity” and in the UK the term health and wellbeing has increasingly been used to describe this more holistic view of our ambitions for individuals and local communities – see Figure 1. However, since the 1980s in parallel with this desire to see longer and healthier lives there has been consistent evidence of unacceptable and continually increasing health inequality within the UK (Acheson, 1988; Barton & Grant, 2006; Black, 1980; Whitehead, 1987). This culminated in the last government commissioning the Marmot review of health

inequalities (Marmot, 2010) which provided the evidential background and momentum for the subsequent public health white paper (DoH, 2010a) and the most recent public health outcomes framework (DoH, 2012a). The local evidential base for improving public health and reducing health inequalities had already been established by the statutory Joint Strategic Needs Assessments (JSNAs) of local areas required by the 2007 Local Government and Public Involvement in Health Act (DoH, 2012b; NHS Confederation, 2011).

The recent development of inter-organisational collaboration for addressing complex community issues has its origins in the 1998 Crime and Disorder Act, the 1999 Health Act and the 1999 Local Government Act, with the latter introducing the concept of best value and the requirement for local authorities to facilitate the continuous improvement of local public services. Various collaborative partnerships for tackling deep rooted “wicked” issues were gradually developed and these were generally facilitated under the umbrella of Local Strategic Partnerships (LSPs) which subsequently established their policy and priorities and then co-ordinated their delivery activity through three-year Local Area Agreements (LAAs) negotiated with the government. For the purposes of this paper it is useful to note that health issues, objectives and targets featured prominently in all forms of the LAAs and in the parallel strategic partnerships for children’s and adult services. Not surprisingly, sport and physical activity therefore featured just as often in the health and social care theme or “block” of the LAA as it did in the children’s services block. At the time of the 2009 LAA refresh 82 out of 149 LSPs had included targets around National Indicator NI8 “the percentage of adults engaged in sport and active recreation” and most LSPs (adopting the emerging nomenclature of the wellbeing agenda) had developed Health and Wellbeing Groups or sub-committees to co-





**Fig. 1.** The Wider Determinants of Health and Wellbeing  
Source: (Barton & Grant, 2006).

ordinate the relevant parts of the LAA often under the leadership of the PCT.

### METHODOLOGY AND METHODS

This paper is based upon exploratory research rather than evaluative or analytical research to which the author has adopted a critical realist perspective (Bryman & Bell, 2011). The focus has primarily been on two inter-related case studies for both theoretical and practical reasons which are explained below.

#### The Nottingham and Nottinghamshire Case Studies

The following were examined: the successive versions of the two LAAs for the areas,

together with the two JSNAs (Nottingham City Council and Nottingham City NHS, 2012; Nottinghamshire County Council and Nottinghamshire NHS 2012), the corporate and service plans and documents and external inspection reports under Comprehensive Performance Assessments and Comprehensive Area Assessments (Audit Commission, 2012). These demonstrate that Nottingham and Nottinghamshire have traditionally acknowledged the role of sport and physical activity to the wider determinants of public health and given a relatively high priority to the contribution that sport and physical activity can make to their preventative health and early intervention agendas. Both

JSNA's contain extensive evidence from the Active People Surveys (Sport England, 2012) and from the annual Health Survey for England (NHS Information Centre, 2012). This was confirmed by a comparison with the equivalent documentation for the other seven LSP/LAA areas of the East Midlands undertaken as part of this research. In addition, they compare very favourably with the latest national good practice advice issued by the DoH (DoH, 2012b) and the former Improvement and Development Agency (IDeA, 2010, 2011) which is now known as Local Government Improvement and Development (LGID). Their respective Directors of Public Health have been actively involved in the DoH's public health policy development, and they are recognised within health community for good practice and innovation with both receiving numerous awards for their work in this area, most recently in the 2012 British Medical Journal Awards (British Medical Journal, 2012).

Nottingham City is a core city with a unitary local authority while Nottinghamshire has a two-tier system of local government. Both received particularly challenging budget reductions in the coalition government's Local Government Financial Settlement 2010–2014 with significant reductions required in their annual budgets. The councils have Health Overview and Scrutiny Committees for their individual areas and a shared joint Health Overview and Scrutiny Committee that, *inter alia* scrutinises the activity of Nottingham University Hospitals Trust, which is the fourth largest Acute Hospital Trust in the country, and Nottinghamshire Healthcare Trust, which is one of only three Mental Health Trusts in the country that provides the full range of mental health services.

From the more practical viewpoint of facilitating the primary research and access to key documentation and personnel, Nottingham City NHS and Nottinghamshire County NHS were chosen because the author is a non-executive member of both of their NHS

boards and is a member of the board of the Nottinghamshire PCT cluster.

The methods adopted for the research, therefore, included participant observation and enquiry, together with document and website reviews and a series of semi structured and more informal interviews with key participants from both PCTs, both local authorities and other key stakeholders over a period of approximately nine months. The author had regular access to all key stakeholders throughout the study.

## FINDINGS

### **What is the Nature and Scope of the Health and Wellbeing Boards' Role in Practice as Emerging in Nottingham and Nottinghamshire?**

It was clear that in both case study areas the emerging Health and Wellbeing Boards were being established to take the central role in overseeing and driving the public health agenda in their respective areas. Both councils have been early adopters of the need for action and have reacted to the opportunities and challenges of the transfer of responsibilities, well in advance of the royal ascent being given to the act. In both cases, the board is being Chaired by a senior member of the political executive and, in addition to the "shadow" Director of Public Health, both of the councils Chief Executive Officers (CEOs) and Deputy Chief Executives have been closely involved in advising both the transition projects and the emerging boards. A joint Director of Public Health will report directly to the CEOs and both councils have adopted a "building not re-inventing" attitude to the emerging governance arrangements, effectively dissolving the former Health and Wellbeing Committee (or equivalent) of the LSPs and appointing the core of these bodies to the new shadow boards with the new chairman. The new Chief Operating Officers and clinical chairs



of the emerging Clinical Commissioning Groups have been included in all cases together with the CEOs of the Nottingham Universities Hospital Trust and the Nottinghamshire Healthcare Trust. Both the transition groups and the shadow boards have met on a number of occasions with terms of reference, working protocols, delegation arrangements and other governance infrastructure being rapidly put in place with regular reporting to the parent PCT Boards.

Good progress with these practical arrangements, however, disguises the different policy positions of the two councils. For very understandable political reasons, labour-controlled Nottingham City Council wished to maintain a public policy position of opposing many of the provisions of the 2012 Act and therefore did not wish to formalise any of the practical preparations until the passage of the act was assured. However, at the same time it took a very practical view of the need for advance preparations if (contrary to their preference) the Act was passed rather than abandoned. Their position was, therefore, explicitly communicated to the PCT and the public health team from the very start, and this research confirms that good informal and formal working relationships were maintained throughout the period of the coalition governments "listening exercise". As and when the Act was passed, the informally agreed arrangements were rapidly formalised and progress with the transition programme has remained on schedule to meet the requirements of the Act.

Conservative controlled Nottinghamshire County Council were, in contrast, strong advocates for the proposed changes from the date of their first publication, and wished to expedite the changes and, in effect, act as a local pathfinder for the new arrangements. They, therefore, established a very challenging timetable to their transition project at the very start, with the Leader of the Council chairing and leading

the transition group. They also formalised preparatory arrangements as soon as possible. However, they also took a very pragmatic view of the interconnectedness of the two health communities and the need for the exporting organisations (i.e. the PCTs), and the new clinical commissioning groups, to be in a suitable position to effect the transition. As a consequence all parties, councils PCTs and key stakeholders have maintained open communications and mutually supportive positions to their respective transition programmes throughout the process to date. They also have been assiduous in keeping the Strategic Health Authority and the emerging NHS Commissioning Board informed of their respective policy positions and with progress "on the ground" and at the time of writing, the potentially contentious transference of budgetary provision has not as yet been a source of any significant dispute.

The reason both areas were able to achieve this was attributed in the primary research to the strong relationships developed between PCTs and the local authorities in the previous LSPs, Children's Trusts and Safeguarding arrangements. This was evident in the robust reciprocal challenge and scrutiny (accountability) arrangements that had developed in the two areas, allied to mutual respect (between officials and between acknowledged political opponents) and individual and collective acceptance of responsibility. In particular respondents from all parties repeatedly drew attention to the overlapping health scrutiny arrangements that had been developed across the two councils and PCTs under previous legislation, which complemented the internal scrutiny arrangements of the individual councils, but also embraced many of the same health service providers such as the secondary care providers, the mental health providers and the community service providers.

All members of both emerging boards and their principal advisors interpreted the

health and wellbeing responsibilities that they were obliged to develop and implement in characteristic Public Value or New Public Service Theory terms, in that they saw their organisations pursuing public strategies rather than organisational strategies, which conforms to Mulgan's (2009) definition of "the systematic use of public resources and powers by public agencies to achieve public goals or objectives" (p. 20). They also saw their programmes being implemented by a collective community of interest or network of responsible public agencies rather than an individual organisation. In theory and practice both boards are developing strategies and programmes on the evidential base of their recently refreshed JSNAs (DoH, 2012b; NHS Confederation, 2011a, 2011b, 2011c) and they are building directly on the policies, objectives and priorities of the former sustainable community strategies of the previous LSPs such as the Nottingham 2020 Plan (One Nottingham, 2012). In particular both give central prominence to the community wide goal of continuing to reduce health inequalities across their respective communities, and the Quality, Innovation, Productivity and Prevention (usually known as QIPP) challenge of the DoH and the NHS (DoH, 2010a; Murphy, 2012).

The areas that the research identified as potentially needing clarifying, improvement and/or reinforcing in the new arrangements tended to be around external structures and parties. Respondents were concerned at the potential loss of common external auditors following the abolition of the Audit Commission, the forthcoming relationship with the new Local Office of the NHS Commissioning Board and whatever arrangements would emerge for the new local and national Healthwatch organisations intended to replace the existing Local Involvement Networks (LiNs). It was clear (and universally accepted) that external and robust scrutiny arrangements were essential to the future operation of the boards but respondents

wanted to see mutually supportive and innovative relationships develop, explicitly with public service improvement and the dissemination and promotion of good practice at its core, rather than a top-down monitoring and compliance culture developed in the past by some regulators.

### **What is the Potential Role for Sport and Physical Activity Within These Scenarios?**

The potential for sport and physical activity to contribute to health and wellbeing and to various other objectives in the community strategies, LAAs and local service delivery plans initiated by the previous government were significant and wide ranging although often unquantified (Coalter, 2007). As well as contributing directly to Sport, Leisure and Cultural Service objectives and targets, the potential range and scale of the contribution that both sport and physical activity could make is indicated by their inclusion in all four blocks or themes of the various generations of the LAAs. An example of their interdependence and potential contribution to other agendas, in this case, the Adult Social Care agenda is shown in Figure 2 taken from an IDEa report (IDEa, 2010), although sport's contribution to reducing anti-social behaviour or school attainment levels could equally have been used.

Sport and physical activity featured in almost as many children's and young peoples programmes (not least because of school sports proposals), as they did in health and wellbeing themes, and their contribution to the "Safer and Stronger Communities", and "Economic Development and Regeneration" themes was widespread (LGID, 2012). In practice, however, few academics or practitioners would argue that this potential was fully exploited, despite the sometimes heroic efforts of the former IDEa and others to gain greater awareness and recognition for their potential contribution (IDEa, 2010, 2011; Ruiz, 2004).





**Fig. 2.** Culture and Sport and Adult Care Contributing to Each Other's Improvement  
Source: (IDeA, 2010).

At the local level in Nottinghamshire, however the potential contribution of sport and physical activity was recognised in all versions of the Nottingham City and County LAAs and in both of the JSNAs from their inception, and they retained this high profile throughout. Both of the JSNAs contain specific sections with detailed evidence dedicated to physical activity and both LAAs had stretching targets for National Indicator NI8 (the level of adult participation in sport and active recreation). Sport and physical activity featured prominently in both community strategies and there is considerable evidence of programmes of activities and initiatives

within local government and health, to help meet their aims. This compares favourably to the national profile where 82 out of 149 LAAs contained a stretch target for NI8.

However, despite this relative prominence, the research for this paper revealed a very consistent message of an opportunity missed to fully appreciate and exploit the potential of sport and physical activity to the wider wellbeing agenda. There was a consistent view that the sector could have achieved more in terms of setting and meeting priorities and targets and this contributed to a pronounced and disappointing pessimism about future prospects in the



new era of austerity. This was primarily ascribed to the pace and extent of change within the NHS, to the restrictions on public expenditure and the lack of a convincing evidential base. It should, however, be noted that the field research for this paper was undertaken prior to the London Olympic Games, and any feel good factor which may alleviate this pessimism.

#### Current Concerns and Future Prospects

The principal issues or concerns about prospects for the future could be identified, and were generally fairly consistently referred to across respondents from the local authorities, the health service commissioners and providers and the key public and third sector stakeholders. They ranged from very high-level issues such as the quality and prominence of sector leadership, and the scientific academic culture of clinicians

authorities in terms of the delivery of local community needs and aspirations. The loss of the improvement infrastructure provided by the IDeA, the Cultural Improvement Partnership East Midlands, and others, was highlighted by the leisure and sports community, and the discretionary nature of sport and leisure services was seen as a potential weakness in the current era of austerity when the distribution of public resources would be inevitably more limited and contested. Few respondents felt the DCMS fully understood the needs of the future wellbeing agenda nor how to support practitioners in delivering it, although they were also critical of support provided under the previous government. Respondents acknowledge that both the DoH and the NHS Improvement and Innovation Trust were aware of and appreciated the contribution that sport and physical activity could make to health and wellbeing, but they recognised that this

Monitor) and concern over the lack of information about the operating model for the new national and local Healthwatch services that are due to become the champion of the patients and public voice in the NHS and replace the existing low key LINKs established in 2008.

The third major concern was the potential loss of resources from the public health service to other parts of the health service or to other services within the local authorities portfolio. This arose from two principal considerations. The first concerned the potential loss of clinicians, allied professionals and support staff from public health to other parts of the NHS, essentially because other parts were either going through the NHS reforms at an earlier stage, or were clearly remaining within the NHS (with less perceived effect on future job security, pensions, promotions, etc.), and would not be subject to the close political control that is evident in local authorities. This had resulted in a demonstrable loss of staff in both public health services in Nottingham and Nottinghamshire including the loss of the highly experienced and well regarded Director of Public Health for the city. Public health professionals were generally viewed as being primary responsible for driving the preventative health agenda, where sport and physical activity was widely acknowledged as having a clear role and contribution. A relative weakening of their role and resources available could undermine or under exploit the contribution of sport and physical activity.

The second issue, particularly early on in the process, was the concern that some of

NHS, 2012; Nottinghamshire NHS, 2012). However, it was recognised that no long-term assurances were capable of being given on this issue.

The final group of issues worth highlighting were widespread concerns around the maintenance and management of the evidential base upon which future decisions would be dependent both locally and nationally. Despite, the future of JSNAs being assured within the new reforms (DoH, 2012b), and both areas having dedicated and detailed physical activity sections in their JSNA (Nottingham City Council and Nottingham City NHS, 2012; Nottinghamshire County Council and Nottinghamshire County NHS, 2012) these concerns persisted. One issue was a simple concern over the stewardship, promotion and dissemination of national evidence of good practice and or new discoveries or techniques relating to the sport and physical recreation sector. This was clearly associated with the governments dismantling of the LAA infrastructure, and reductions in the public service improvement infrastructure available to local authorities (such as the Audit Commission Research capacity, the IDEa Knowledge database, the IDEa community of interest network and the National Advisory Unit for Culture and Leisure Services).

A second issue was a much more subtle anticipated shift in the nature of research and information and the evidence likely to be collected in the future, together with the evaluative techniques to be adopted to assess this future evidence base upon which decisions would be made. This issue needs a more detailed investigation than is



based on Quality Adjusted Life Years were seen as disadvantaging preventative programmes and interventions using sport and physical activity. Research and evaluations into the short-term impact and/or long-term effects of sport and physical activities were not seen as routinely utilising these “scientific” techniques.

The knowledge and sophistication of evaluative techniques in the sector was generally considered underdeveloped when compared with other sectors within the two JSNAs, not least because of the difficulty of linking sporting interventions with quantifiable improvements to the quality and length of life. An examination of the seven other JSNAs within the East Midlands confirmed that this was not unrepresentative and the level of use and sophistication of the application of techniques such as Social Impact Assessments (Barrow, 2000) or the Social Return on Investment (Scholten, Olsen, & Galimidi, 2006), which are highly appropriate for epidemiological research was surprisingly under-represented and underdeveloped in all nine JSNAs in the East Midlands.

## CONCLUSIONS AND RECOMMENDATIONS

### What Lessons Can We Draw for Sport and Physical Activity In Terms of Future Policy and Practice?

Although this paper is primarily based upon exploratory research with all the attendant inadequacies, the primary and secondary evidence suggests that both the theoretical development of the background policy and legislation, and the practical preparation and development on the ground in Nottingham and Nottinghamshire are best understood through the theoretical prism of Public Value or New Public Service Theory (Bennington & Moore, 2011). Thus the nature, scope and role of the new Health and Wellbeing Boards within the new public

health system envisaged by the current Health and Social Care reforms are best understood and their future strategy and operations best anticipated by applying this form of theoretical analysis and interpretation.

In practice both of the Nottingham and Nottinghamshire communities of interest centred around the public health agenda in the local areas have unequivocally adopted a pragmatic approach to the NHS reforms and the new organisational landscape that is emerging. This is clearly being built upon existing policies, objectives, strategies and governance arrangements established under the previous governments system of LSPs, community strategies and LAAs, rather than attempting to build wholly new policies and structures. These arrangements emphasise the several and mutually collective responsibilities for local public services based upon the centrality of the community or public interest as articulated in a series of public strategies or programmes, with the public citizen or the community at the centre rather than the ambitions of individual organisations (Goss, 2007; Mulgan, 2009; Murphy, 2013).

In theory these circumstances should in the past have facilitated sport and physical activity to contribute significantly to the public health and health and wellbeing agendas through various channels such as the community strategies, LAAs and local service delivery plans initiated by the previous government, and therefore have allowed respondents to take an optimistic view of the sector's contribution in the future. However, the (admittedly limited) research for this paper suggests significant under-delivery against this potential in the past, and considerable pessimism about the sector's potential to command resources and deliver services and impacts in the future. While some of these concerns are clearly speculative, at this stage, the research does suggest some real barriers

or inadequacies are developing and that some of these could be addressed or mitigated by the sector if appropriate action is initiated.

Finally, it is possible to suggest some recommendations that would facilitate the development of the sectors contribution and enhance the strategic positioning of the sector within the post-Olympic policy environment, the new public health system and the emerging health and wellbeing policy and delivery agenda. Although considerable additional detailed research may be necessary to confirm some of the broad conclusions articulated above, the particular issues highlighted during this research that require attention include, high-level issues of national and local policy and leadership; the need for robust and effective scrutiny and governance arrangements; continuous improvements to both the local and national evidential base for sport and physical activity, and the development, use and dissemination of appropriate research and evaluative techniques that not only demonstrate the contribution of the sectors' activities, but are also acknowledged and accepted by the health and social care research and decision making structures.

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# Accountability and transparency: Police forces in England and Wales

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## Abstract

Between 2010 and 2015, the UK's Coalition Government introduced directly-elected Police and Crime Commissioners to oversee English and Welsh police forces, and also required every force to publish a range of performance and financial information online. Together with the fact that front-line policing services have not been outsourced or privatised, this suggests that strong 'downwards' mechanisms exist through which residents can hold their local force to account. However, the new arrangements are significantly more complex than their predecessors, because many more actors are involved – several of which assume the role of both 'principal' and 'agent' in different accountability relationships. As a result, there is a substantial risk that the public do not have a clear understanding of roles and responsibilities, which makes it more difficult to hold officials to account for their actions. Such findings highlight how direct elections do not necessarily make public officials more accountable, and therefore have implications for other jurisdictions and sectors.

## Keywords

Accountability, transparency, police and crime commissioners

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## Introduction

England and Wales, like most advanced democratic countries, have a combination of territorial or locally based police forces and more specialised forces. The latter specialise in more complex and serious levels of crime and predominantly operate on a national basis. They include the National Crime Agency, which deals with serious and organised crime, and the National Counter Terrorist Security Office, as well as forces such as the British Transport Police and the Civil Nuclear Constabulary, which operate in particular areas, sectors or services. This article focuses on how recent reforms have changed the nature of accountability arrangements for the 43 territorial police forces in England and Wales that are controlled locally and deal with the vast majority of crimes, such as robbery, burglary, arson, theft and assault. It does not relate to the special police forces, nor to Scotland or Northern Ireland, where similar, but different, public assurance regimes have developed.

The article begins by exploring the conceptual nature of accountability, before analysing the evolution of various regimes that aimed to monitor financial and operational performance and provide public assurance in the police service. These regimes expanded under the New Labour administrations from 1997 to 2010, but were radically reformed by the Conservative-led coalition government that held office between May 2010 and May 2015. It shows how these reforms sought to improve ‘downwards’ accountability to citizens by introducing elected Police and Crime Commissioners (PCCs) and giving the public greater access to data about the activities of their local force as part of the government’s ‘transparency’ agenda. Crucially, however, the changes have resulted in police accountability arrangements becoming more complex and opaque. Indeed, the article will discuss two recent cases that highlighted how both residents and local policing organisations have struggled to understand how roles and powers are distributed within the new system. This suggests that accountability *principals* may not be sufficiently informed to hold *agents* to account effectively. By extension, it increases the risk of ‘mistaken identity’, in which one actor is held responsible for the actions of another.

## Accountability and transparency in public services

Whilst recognising that excessive monitoring can harm decision-making and operational performance, it has been argued that accountability helps to ensure ‘good governance’ and democratic control (De Fine Licht et al., 2014; Mayston, 1993). Traditionally, accountability has been associated with a ‘higher authority’ calling an individual or organisation ‘to account’ for their actions and having the power to levy sanctions for misdemeanours or malpractice (Jones, 1992). This model is based on the idea of a two-way relationship between the *agent* (which acts) and the *principal* (on whose behalf the agent is supposed to act), and which theoretically can hold the agent to account for its activity (Mayston, 1993; Mulgan, 2000).

The identity of the principal influences the direction in which accountability is exercised: it may be *upwards* (to a higher authority), *downwards* (to citizens or a community), or *horizontally* (as part of a contract or partnership that has been agreed for mutual benefit).

Traditional Weberian bureaucracies have relied primarily on upwards accountability, because hierarchical management structures help senior decision-makers to control service delivery – and Parliament, the media and voters can then ultimately hold ministers to account for policy and performance. However, New Public Management (NPM) reforms have transformed these arrangements in many developed countries, by separating policy-making from delivery and fragmenting departmental structures. Proponents of these initiatives argued that, amongst other things, they would enhance accountability by clarifying responsibilities and encouraging a greater reliance on performance and financial management (Talbot, 2004). In reality, however, they have meant that politicians no longer have direct control over a range of public services and therefore do not always consider themselves accountable for their performance (Considine, 2002). Instead, outsourcing and privatisation have resulted in accountability being exercised increasingly ‘horizontally’ through contractual relationships with suppliers and partners – rather than ‘upwards’ through departmental bureaucracies to ministers or ‘downwards’ to the public (Bovens, 2005).

Most countries have shied away from the explicit outsourcing and/or privatisation of front-line policing (although South Africa is a notable exception, see Schönteich, 1999, 2004). For example, although the UK is often held up as a trailblazer in NPM reforms, public forces are (still) the monopoly provider of state-funded policing and crime prevention services in England and Wales. Nonetheless, in recent decades they have been subjected to managerial reforms that sought to improve performance and deliver operational ‘efficiencies’ (Gilling, 2014). For example, forces were required to measure and publish a range of data related to crime statistics, community safety and expenditure from the mid-1990s onwards – reflecting a broader trend that led to UK public services becoming ‘probably the most “performance-reported” in the world’ (Talbot, 2000: 63). Furthermore, from 2012 onwards each force has been headed by a directly-elected PCC, who is responsible for priority-setting and governance. This suggests that policing in the UK now contains three ingredients that should help to deliver ‘downwards’ accountability to voters: traditional Weberian bureaucracy, easily-accessible information about the organisation’s performance and financial management, and a directly-elected official in charge of operations.

Transparency is often viewed as a pre-requisite of accountability, because it gives the ‘principal’ access to potentially valuable data relating to their ‘agent’ (Hood, 2010) and dissuades government from acting inefficiently or oppressively (Birkinshaw, 2006) – particularly in contexts where public auditing processes may be underdeveloped or ineffective (Ferry and Eckersley 2015). This is somewhat simplistic, however, because genuine accountability is contingent on the type and accessibility of data that are published, and whether recipients are able



to understand them, access channels for complaint and enforce penalties in the event of malpractice (Etzioni, 2014; Ferry et al., 2015; Heald, 2006; O'Neill, 2006). In other words, the quality and type of data that are made available, as well as the capacity of their audience to analyse and understand them, may determine whether the principal can use them effectively for accountability purposes (Heald, 2012). As this suggests, transparency does not always increase public accountability and the two concepts are certainly not synonymous. Nonetheless, in order to hold agents to account, principals do need to be able to access information about their activities, so that they can highlight any potential wrongdoing and enforce sanctions accordingly.

### **Accountability and transparency of police forces**

The above discussion has not addressed one key question head-on: who is the 'principal' in the accountability relationship with police services? In other words, on whose behalf do forces seek to prevent and solve crime – and, by extension, to whom should they be accountable? As with any state-funded service, the answer should ultimately be the public – after all, police forces in the UK receive funding through local Council Tax precepts and need to respond 'downwards' to local priorities and communities. At the same time, however, 'upwards' mechanisms mean that forces are required to acknowledge and implement ministerial initiatives, and they receive a significant proportion of their funding directly from central government. In other words, they are accountable in different directions and to different agents (National Audit Office, 2015a).

This article will set out the arrangements for police accountability before the 2010 election, before examining the impact of reforms introduced by the Conservative-led Coalition and subsequent Conservative Governments in the period since then. In particular, it will focus on how the introduction of directly-elected PCCs and data 'transparency' requirements set up English and Welsh police forces as being *prime suspects* for strong 'downwards' accountability to the public. However, it will also show how these reforms actually made accountability arrangements more complex than was previously the case, due to the increasing number of actors and institutions that operate as principals or agents in these relationships. Indeed, because these arrangements have become increasingly complicated, neither the public nor those directly involved in accountability arrangements (including the PCC or Chief Constable) are always clear about the role that each actor is supposed to play in holding forces to account. This could result in cases of mistaken identity (where an actor is deemed responsible for something that is beyond their control or remit) and have a detrimental impact on public confidence in the police. In other words, the article will highlight how introducing a directly-elected element into public services does not necessarily improve accountability – something that has wider implications outside policing.

Since the article focuses on contemporary phenomena, we adopted an explanatory case study methodology (Yin, 2014) to examine the changing nature of accountability

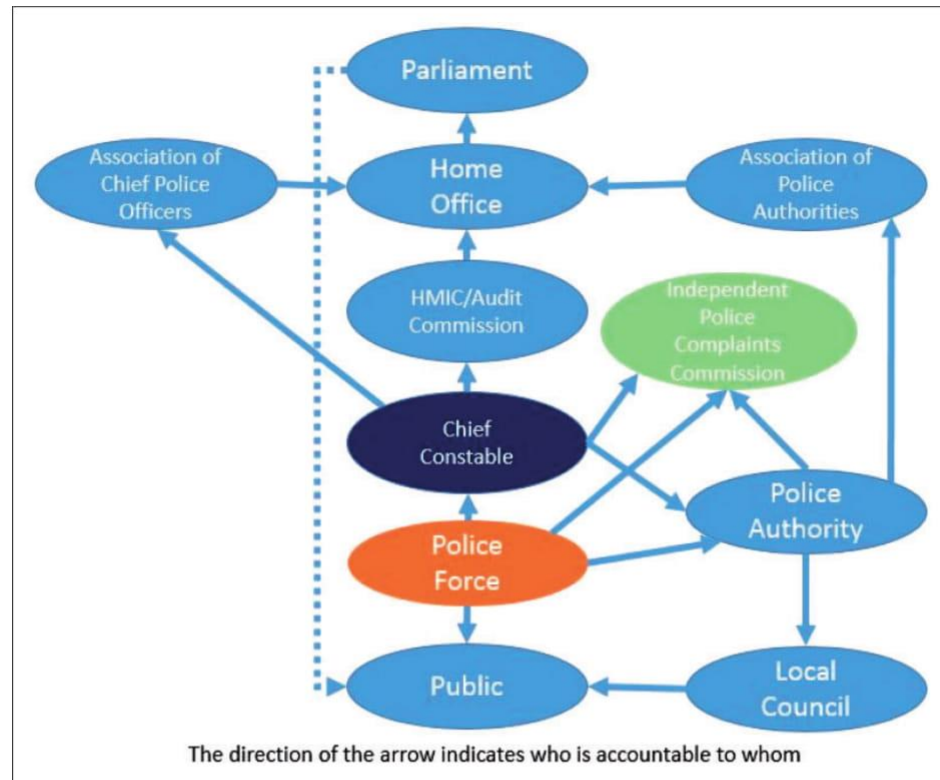
relationships in the English police service. This involved studying publications from government departments and audit bodies, as well as ministerial speeches and the media, to identify the objectives behind the recent reforms and how the public has responded to them. In particular, we analysed a number of high-profile clashes between PCCs and Chief Constables, and reports into how they sought to respond to perceived scandals. These events provided a very useful insight into how accountability relationships within policing had changed after the introduction of PCCs.

### *Pre-2010*

In 1964, the UK Government introduced separate police *authorities* to oversee police forces, thereby replacing a system of council-led oversight through committees. These authorities were made up of both nominated local Councillors and appointed members, and they had a statutory role to oversee the activities of each force. For example, they were responsible for setting local policing priorities, recruiting senior officers, monitoring performance and expenditure and ensuring that Chief Constables balanced both national and local priorities (House of Commons, 2010). This reform meant that police authorities formed a key part of national 'tripartite' arrangements that also involved the Home Office and the Association of Chief Police Officers. Together, these three agencies sought to co-ordinate policy-making and join-up inter-agency service delivery, whilst remaining autonomous and focusing on their own functional responsibilities. Their position within the wider landscape of pre-2012 organisations is included in Figure 1. This arrangement sought to ensure that policing would not become too political (because no government minister was directly in control of forces), and that professional officers could concentrate on their day-to-day operational duties, although concerns about the accountability of forces to local communities persisted. In other words, a set of vertical principal-agent relationships developed, in which police authorities held the service to account locally, but senior officers also liaised with ministers and civil servants to address more serious and organised crime that transcended the geographical territories of individual forces.

The situation began to change from the 1990s onwards, after forces were required to report their performance against a set of central government indicators. This initiative was begun by the then Conservative Government, and overseen by the Audit Commission, an arms-length body responsible for overseeing the activities of local authorities including the police. The ministerial indicators covered response times to emergency calls, crime levels, detection rates, the number of officers per head of population and total force expenditure (Audit Commission, 1995, 2009). In addition, forces were subjected to efficiency and effectiveness assessments from Her Majesty's Inspectorate of Constabulary (HMIC), which reported to the Home Secretary. As a result, there were a number of mechanisms to strengthen 'upwards' accountability between the police, ministers and Parliament.





**Figure 1.** Pre-PCC police accountability arrangements.

Source: authors' own interpretations.

PCC: Police and Crime Commissioner.

After taking office in 1997, the New Labour Government continued with this approach and expanded the range of indicators against which police forces were assessed. Between 1998 and 2010, every iteration of Public Service Agreements, which sought to link central government funding to the delivery of ministerial priorities, included various Home Office and Treasury targets relating to police performance (Cabinet Office, 2009). Reflecting a continuing concern with police accountability as well as performance, these objectives cascaded down to police forces through performance management regimes such as Best Value and Comprehensive Area Assessment throughout New Labour's time in office (Barber, 2012; Campbell-Smith, 2008; Fisher and Phillips, 2015; Grace, 2006; Joyce, 2011; Murphy, 2014; Raine, 2008; Sullivan and Gillanders, 2006).

Additional central initiatives strengthened 'upwards' accountability even further. Ministers set up a new specialist improvement body, the National Policing Improvement Agency (NPIA), together with whistleblowing and scrutiny arrangements through a new Independent Police Complaints Commission. Individual parts of the service, such as the Crime and Disorder Reduction Partnerships

(CRDPs) and Safeguarding Boards, were also subject to specialist assessments and appraisals and a range of intervention arrangements to address underperformance.

The system did undergo some further changes during the late 2000s (such as a 2008 decision to replace the Police Performance Assessment Framework with a single indicator to measure public perceptions (Gilling, 2014)). However, ministers stuck to the basic principle that central targets would help to improve policing and local accountability. This meant that inspection bodies were producing unprecedented amounts of performance information that were all publically available, annually reported and could be interrogated by freely available web-based tools and techniques. Since this was done in response to ministerial targets, rather than local priorities, it strengthened 'upwards' accountability between police forces and central government. At the same time, ministers used special grants and the potential of extra freedoms to incentivise forces to perform well against these targets, whilst doing relatively little to enhance 'downwards' relationships with local communities. Figure 1 sets out how these accountability arrangements operated in practice.

### *The Coalition Government*

In 2010, the incoming Conservative-led Coalition Government began to implement a policy of 'austerity localism' (Lowndes and Pratchett, 2012) which gave local public bodies more freedom to decide their own priorities, in a period where public expenditure was severely restricted. As part of this agenda, ministers moved rapidly to dismantle New Labour's 'upwards' reporting performance regime for local public services, including the police. Indeed, within less than six months the coalition government had abolished the following institutions, systems and arrangements:

- The Audit Commission, together with Comprehensive Area Assessment and Local Area Agreements (which had monitored local government performance and financial management);
- The tripartite arrangements to encourage policy co-ordination between the Home Office, the Association of Chief Police Officers and the Association of Police Authorities;
- Public Service Agreements and central-government imposed performance management structures (although multi-year spending reviews were retained);
- The regional network of Government Offices, which co-ordinated CDRPs and negotiated Local Area Agreements with local public bodies;
- The NPIA, which was replaced by a new College of Policing with a reduced budget;
- Police Authorities, which were replaced by PCCs and Police and Crime Panels (PCPs).

In spite of these changes, however, a number of 'upwards' reporting mechanisms remained in place that inform residents of how forces are operating. For example,

the National Audit Office assumed overall responsibility for ensuring police forces were subjected to external audit (although private accountancy firms actually undertake the work), and HMIC and the Independent Police Complaints Commission continue to operate (even though the former has new management and leadership). In addition, HMIC can still conduct value for money studies of individual forces and undertake thematic reviews of value for money across the police service. Although HMIC has considerable discretion as to what it reports to the public, it does make the results of every value for money report and benchmarking exercise available online. Indeed, following the appointment of a new Chief Inspector in 2012, the inspectorate has been prominent in developing a sector-led regime that is very similar in structure, content and tone to the frameworks for organisational and cross agency assessments that the Audit Commission developed to monitor local government performance in the 2000s (HMIC, 2014). Furthermore, the Home Office increased HMIC's budget to fund a new programme of force inspections under the Police Effectiveness, Efficiency and Legitimacy (PEEL) framework (HMIC, 2016), which aims to provide a regular comprehensive assessment of organisational performance. Finally, the Home Secretary has retained the power to intervene in 'failing' or significantly underperforming forces, and to direct HMIC to investigate and report on any issue involving the police. As such, there is an emerging landscape of more standardised and hierarchical accountability mechanisms within the police service, albeit on a smaller scale than before 2010.

At the same time, ministers argued for a shift towards 'downwards' mechanisms in order to help local residents hold their forces to account. This formed part of the overall agenda of encouraging 'sector-led' improvement regimes for the delivery of locally based public services (DCLG, 2011; LGA, 2011, 2015; Murphy and Jones, 2016). For the police, this meant that individual forces were (theoretically) able to set their own objectives in response to local priorities and community needs, and could thereby begin to focus more on 'downwards' accountability as a result. Notably, because front-line policing remained under the direct control of public bodies, accountability mechanisms had the potential to be much clearer and more 'vertical' than in local government services such as social care or waste management – where 'horizontal' contractual relationships with suppliers, and collaborative arrangements within partnerships, are increasingly common in the UK (Eckersley et al. 2014; Ferry et al. 2015).

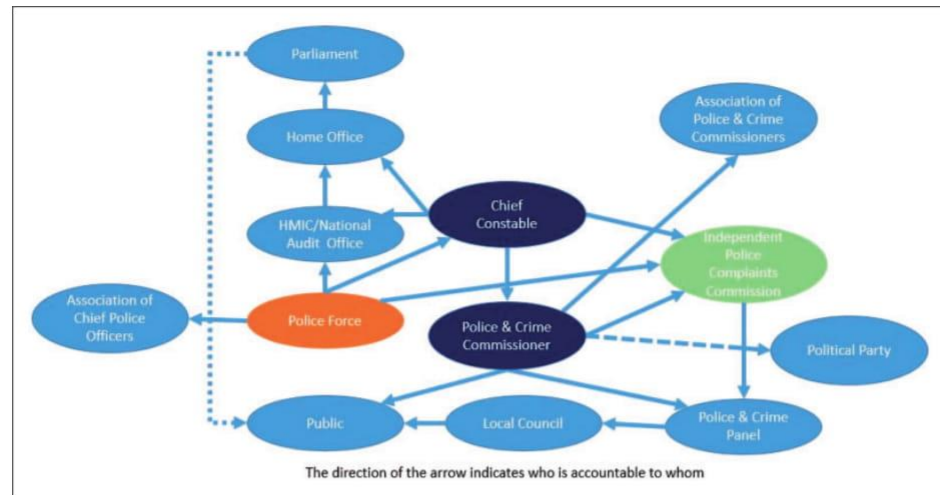
Furthermore, the Home Secretary required police forces to publish various datasets online in the Police Reform and Social Responsibility Act 2011. They include the force's total budget, expenditure on any items exceeding £500, revenue sources, grants made for crime and disorder reduction, salaries of senior employees, copies of contracts exceeding £10,000 and details of severance payments. These data inform a Home Office website that contains information relating to crime and policing costs in their locality and compares this to other areas of a similar nature. On announcing these 'transparency' initiatives (Prime Minister's Office, 2011), ministers argued that they would allow the public to assess the performance of the local



force much more easily, and enhance ‘downwards’ accountability to local residents as a result.

Most notably, in 2012, ministers introduced elected PCCs, which provided a direct link between forces and their local residents. Studies of mayors in local government have found that the presence of a directly-elected official at the apex of a public body can give that organisation greater capacity to achieve its objectives, since he or she has more authority to implement their policy programme (Eckersley and Timm-Arnold 2014). Working on this basis, supporters of PCCs argued that local residents should be able to discern whether an elected PCC has delivered on their manifesto much more easily than the police authorities that preceded them, and hold them to account accordingly. Indeed, as Lister and Rowe (2015) argue, PCCs were introduced explicitly to improve public accountability, and in response to the lack of public awareness of police authorities and their activities. These individuals are now responsible for ensuring local policing needs are met in all forces outside London (where this task is undertaken by the elected Mayor). Therefore, together with the data transparency requirements and the fact that forces still resemble Weberian bureaucracies because front-line policing has not been contracted out, this suggests that the arrangements for police forces in England and Wales now contain a number of factors that make them a prime suspect for relying more on ‘downwards’ accountability mechanisms.

Nonetheless, the legislation also means that PCCs are partly accountable to the Home Secretary, because it requires them ‘to provide for the national strategic policing requirement’ (Raine, 2015: 99). In addition, other changes meant that the ‘tripartite’ governance structure was replaced with a ‘quadripartite’ arrangement, because they also led to the creation of PCPs, which are supposed to provide overview and scrutiny of PCCs and hold them to account ‘horizontally’ between elections. PCPs comprise local councillors and independent members, but (unlike the former police authorities) they do not have an accountability relationship with chief constables. Furthermore, other actors (including the public, the PCC’s political party (in those cases where he or she is not an independent), community safety partnerships, criminal justice boards and other criminal justice providers) are also now involved (see Figure 1 for simplified illustration). Perhaps not surprisingly, PCCs have prioritised their relationship with the public (Caless and Owens, 2016; Lister and Rowe, 2015), and the Police and Crime Panel (Lister, 2014) and therefore we can assume that these elected officials are seeking to enhance ‘downwards’ accountability between the police and local residents. Nonetheless, it is important to note that an increasing number of organisations are involved in overseeing and delivering the police service, and several of these bodies operate both as principals and agents in these relationships – not least PCCs themselves. Therefore, in spite of the democratic rhetoric that accompanied the reforms, it is crucial to note that they have complicated the nature of police accountability considerably (Raine and Keasey, 2012; Raine, 2015). Indeed, as Figure 2 shows, the new accountability landscape is far from simple.



**Figure 2.** Post-2012 PCC accountability model.

Source: adapted from Raine, 2015: 99.

PCC: Police and Crime Commissioner.

The Policing and Crime Bill 2016 will introduce a number of additional reforms that aim to increase the public's ability to hold forces to account even further, but may just make the situation even more complex. For example, it would change the way in which complaints about the police are handled and officers are disciplined, extend freedom of information legislation to the Police Federation (the staff association for front-line officers), and strengthen the Independent Police Complaints Commission (UK Parliament, 2016). It also allows PCCs to assume direct responsibility for fire and rescue services within their jurisdictions, which would reduce the amount of time they can devote to holding the police force to account.

As we have seen, therefore, the accountability arrangements for police forces in England and Wales are a little more complicated, and it is too simplistic to argue that straightforward 'downwards' (or indeed 'upwards') relationships predominate. Indeed, as the next section shows, forces have responded to controversial events in ways that highlight the complex and uncertain nature of these new procedures. In other words, the reforms have increased the risk of *mistaken identity*, because an increasing number of actors are involved as principals and/or agents in their accountability relationships with each other and it is not always clear who is responsible for a particular task.

### How the new arrangements have worked in practice

Several cases have highlighted the lack of clarity around how accountability relationships involving key policing actors should operate. In 2013, for example, the Chief Constable of Gwent Police announced suddenly that she would take early



retirement, before telling a committee of MPs that she had been forced into this decision due to ‘menacing and bullying’ treatment by the PCC (House of Commons, 2013: 20). Notably, neither the Chief Constable nor MPs on the committee knew whether the PCC had the power to push her out in this manner, and this vacuum was ultimately filled by the courts, after the Chief Constables of two other forces challenged decisions by their PCCs to suspend and not renew their contracts respectively. The courts ruled that the suspension of Neil Rhodes, Chief Constable of Lincolnshire Police, was unlawful – but they upheld a decision by the PCC of Avon & Somerset, Sue Mountstevens, not to renew the contract of her Chief Constable, Colin Port (Laville, 2013). In other words, the exact nature of these accountability relationships, and the extent to which PCCs are at liberty to hire and fire Chief Constables, remains somewhat unclear – and neither elected officials nor the public have determined the criteria on which these decisions should be based. In a parliamentary report in 2013, the Home Affairs Select Committee highlighted this lack of legal clarity:

The legislation is silent on the grounds for suspension where the decision does not relate to conduct, nor does the Home Office provide guidance on how it might be applied, or what safeguards should be taken into account to ensure any suspensions are fair and proportionate. In the same way . . . , the 2011 Act permits a commissioner to “call upon the chief constable of the police force for that area to resign or retire”, but again is silent on the grounds upon which they may be required to do so. (House of Commons, 2014: 25)

The Committee asked the Home Office to clarify this legal situation, but it remains to be seen whether the 2016 Bill will achieve this, as a number of amendments have been proposed by the government and the bill has moved back the House of Lords for further consideration. Nonetheless, the Committee found that many PCPs were unsure of their exact role, thereby highlighting how the new arrangements were complex and confusing even to those actors that had some responsibility for ensuring accountability (House of Commons, 2014). Since citizens are almost certainly less well-informed about the accountability arrangements than members of the PCP, it is highly unlikely that ‘downwards’ mechanisms will be sufficient to hold agents to account for their activity.

Another notable case concerned the abuse of over 1400 children in Rotherham. In August 2014, an independent inquiry confirmed that multiple failings in local child protection services led to the abuse continuing for many years after suspicions first arose (Jay, 2014), and senior officers in the local authority and safeguarding agencies resigned as a result. However, Shaun Wright (the PCC for South Yorkshire, and formerly the elected Councillor in charge of children’s services in Rotherham) refused to step down initially, arguing that he was best placed to address the problems identified by the inquiry. Although the Police and Crime Panel passed a vote of no confidence in him, PCPs only have the power to suspend a PCC if he or she is charged with a criminal offence that carries a maximum prison

sentence of longer than two years (BBC News, 2014). This meant that he could have remained in post until the next PCC election – even though he was also suspended as a member of the Labour Party after the inquiry was published. Eventually, following pressure from the public, the media, Home Secretary, Chair of the Home Affairs Select Committee, relatives of abused children and even the Prime Minister, Wright did resign several weeks after the report came out (Travis, 2014). Although he did step down in the end, this case highlights how the Byzantine accountability relationships that have developed within English policing since 2012 cannot address every eventuality or potential scandal. The new arrangements also make it more difficult for citizens to understand how responsibilities are distributed across the policing landscape and – by extension – hamper their ability to hold PCCs to account.

In addition, as with other local services, the interrogation of financial and performance information became more difficult between 2010 and 2015. This is due to a reduction in research and evaluation capacity from within the Home Office and the abolition of the Audit Commission and NPIA. Similarly, the abolition of police authorities led to a loss of knowledge and experience (both from elected members and analytical support staff), and the new arrangements will take time to recover these resources. For example, PCPs are now responsible for scrutinising and monitoring the performance of PCCs, but these bodies have not necessarily drawn on the resources of the now-defunct authorities (LGA/Centre for Public Scrutiny, 2011; LGA, 2013). As such, there is much less capacity within the system to analyse and interpret activities in order to inform horizontal and upwards accountability procedures. Similarly, transparency initiatives will not improve the situation if residents have neither the resources nor the inclination to analyse the datasets that public bodies make available – as the parallel case of English local government suggests (Eckersley et al., 2014; Ferry et al., 2015).

Furthermore, the new arrangements for ‘upwards’ accountability remain somewhat confused and overlapping, with a plethora of ‘agents’ to whom forces should report and an unclear division of responsibilities. For example, although the 2014 Local Audit and Accountability Act gave the National Audit Office (NAO) the right of access to both the Home Office and PCCs, only HMIC can inspect police forces and make a judgement on their efficiency and effectiveness. Overall, the complex and changing organisational landscape (NAO, 2014), together with the attendant accountability and transparency arrangements, have led the NAO to raise concerns about the assurance of value for money in police services (NAO, 2015a, 2015b).

Even more significantly, there was considerable scepticism amongst politicians and the wider policing and criminal justice community about the value of introducing PCCs in the first place. Together with high levels of public confusion and disinterest, this scepticism culminated in turnouts of less than 15% for the first PCC elections in November 2012 (Lister and Rowe, 2015). Shortly afterwards, the Independent Police Commission (established by the Home Secretary under the former Chief Commissioner of the Metropolitan Police Lord Stevens),



recommended that the ‘significantly flawed’ model should be abandoned (IPC, 2013). When such a low percentage of residents express a preference for a PCC candidate, it raises serious questions about the legitimacy of the post and whether mechanisms such as direct elections would actually make officials more accountable. Although an increased percentage of voters did participate in the next round of PCC elections (in May 2016), this was probably because they coincided with elections to local councils in England and the Assembly in Wales – and even then only three English PCC contests had turnouts in excess of 30% (BBC News, 2016). Furthermore, many more of the successful candidates represented a political party compared to 2012, which complicates the accountability relationships even further in these areas (see Figure 2).

There is some evidence to suggest that ‘downwards’ accountability is improving. Recent studies of PCCs have found that they focused most of their efforts on building their rapport with the public, despite the fact that they were also involved (as either agents or principals) in four other accountability relationships within policing (Caless and Owens, 2016; Lister and Rowe, 2015). This has paid off to some extent, as the public has become increasingly likely to correspond with PCCs, and they almost certainly have a higher public profile than former members of police authorities (Lister and Rowe, 2015). Nonetheless, the roles and responsibilities of various actors involved in monitoring forces remain unclear, and the public does not yet vote in large numbers for a democratically-elected official in charge of local policing. As a result, it is difficult to argue that the recent reforms have made the police significantly more accountable to local residents.

## Conclusions

Overall, the new accountability arrangements for policing in England and Wales are more complex than their predecessors. In particular, although forces may be more responsive to communities than the police authorities that they replaced (and this is at least partly due to the introduction of directly-elected PCCs), it is far too simplistic to argue that they are now subject primarily to ‘downwards’ accountability mechanisms. For example, despite the abolition of centralised targeting frameworks, the new PEEL programme (a centralised performance monitoring framework) and the continued power of the Home Secretary to intervene in the governance and management of forces mean that ‘upwards’ accountability structures remain very robust.

More importantly, however, because many more actors are involved in the new accountability arrangements, and several of them assume the role of both ‘principal’ and ‘agent’ in different relationships, it is not always clear how roles and responsibilities are distributed across this landscape. As a result, there is a substantial risk that the public do not have a clear understanding of roles and responsibilities under the new arrangements, which makes it more difficult for them (and the statutory bodies) to hold officials to account for their actions. In fact, instead of clarifying and accentuating downwards accountability to local residents,

the reforms have actually made accountability relationships more opaque. As a result, they have increased the risk of a case of mistaken identity when the public tries to pin down an individual or organisation as being responsible for any particular activity.

More broadly, this article has lessons for other jurisdictions and sectors that are looking to reform their accountability arrangements. Although direct elections may appear seductive as a means of strengthening the ‘downwards’ link between public officials and citizens, they do not necessarily simplify accountability procedures. As the South Yorkshire case demonstrated, such initiatives may need to be accompanied by additional oversight or intervention mechanisms to prevent individuals subsequently perceived to be unsuitable from remaining in post. However, as the number of actors involved in accountability relationships increases, so too does the complexity of these arrangements – and, by extension, the risk of mistaken identity when attributing responsibility to a particular organisation or individual.

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# PRACTICE INTERFACE

## Fire and rescue service reconfiguration: a case study in Nottinghamshire

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### Abstract

**Purpose** – The purpose of this paper is to evaluate the practical implementation of the Integrated Risk Management Planning process through its application within the Fire Cover Review project in Nottinghamshire, in order to identify good practice and recommendations for improving the process and its implementation.

**Design/methodology/approach** – The paper takes the form of an in-depth case study over an 18 month period using participant observation, documents analysis, interviews with key stakeholders and the response to a public consultation exercise.

**Findings** – Recent public expenditure restrictions manifestly influenced and contextualised the attitude and response from the public and all key stakeholders to the project. It was the first consultation undertaken by the Service which was also significantly affected by the internet and social media. The open and transparent approach adopted reduced misinformation and promoted ownership and accountability of the project, from both the Service and the Authority.

**Originality/value** – The paper is the first comprehensive review of the reconfiguration of services undertaken during the current financial crisis and in the context of the new coalition government's public sector policy.

**Keywords** United Kingdom, Public services, Government policy, Fire services, Performance management, Integrated Risk Management Plan, Service reconfiguration

**Paper type** Case study

### Introduction

Ever since their establishment in 1947, fire services in the UK, have become increasingly proactive in preventing fires and reducing risks to people and property rather than merely responding to fire and other emergencies as quickly as they could. The Fire and Rescue Act 2004 acknowledged the wider functions and responsibilities that services had gradually undertaken, redefined their roles and renamed them fire and rescue services (FRSs). While FRSs are still required to respond to fires, emergencies and other incidents their primary aim is to reduce and mitigate risks to individuals and communities so as to “bring about improved community safety, and to make a more productive use of fire and rescue service resources” (ODPM, 2003, par. 3.28).

In order to do this, Fire and Rescue Authorities (FRA) in the UK are required by the Act and the National Framework (DCLG, 2008a) to produce a local integrated risk management plan (IRMP) that sets out the authority's strategy for reducing the commercial, economic and social impact of fires and other emergency incidents.





This replaced the previous system based on National Standards and incident response times. It requires each FRA to produce a publicly available IRMP covering at least a three-year time period which, *inter alia*:

- is regularly reviewed and revised and reflects up to date risk information and evaluation of service delivery outcomes;
- demonstrates how prevention, protection and response activities will be best used to mitigate the impact of risk on communities in a cost effective way; and
- provides details of how Fire and Rescue Authorities deliver their objectives and meet the needs of communities through working with partners (DCLG, 2008b, p. 13).

Although the new coalition government, announced a strategic review of the National Framework it made it clear that it intended to retain the IRMP process and any reconfiguration of local services would continue to be based upon its application. Any significant changes or service reconfigurations must therefore be based upon a comprehensive contemporary risk assessment of the area affected, using nationally accredited and approved models of risk assessment applied to robust and reliable local data and information sets.

The recent economic downturn and the medium-term reduction in public finances in the UK has required all FRAs in England and Wales to re-examine their existing services and activities. Whilst the decision to undertake a comprehensive Fire Cover Review (FCR) in Nottinghamshire actually pre-dated the current financial crises and political changes, at local and national levels, the need for significant budget cuts undoubtedly made the review more challenging for the service and more politically sensitive for the authority.

The Nottinghamshire FCR has four stages:

- (1) a comprehensive re-evaluation of the existing service and prevailing risk assessments across the county based upon the Fire Services Emergency Cover Toolkit (FSEC) (ODPM, 2006) supplemented by tools, techniques and information recommended by independent consultants;
- (2) the development, testing and appraisal of alternative options for changes to the service;
- (3) a public consultation and engagement exercise on the proposals for service reconfiguration; and
- (4) the authority's changes to the future deployment of services.

### Stage 1: the evidential base

As part of the IRMP process the government provided a suite of analytical tools and techniques via computer software called the FSEC. This allows each fire service to undertake a risk-based assessment of their area using a common approach that has been tested and independently validated. NFRS supplemented the toolkit with the latest and most appropriate analytical tools and information available for the project and constructed a new evidential base that enabled them to undertake a robust, comprehensive and detailed review of the individual and community risks across the county (Murphy and Greenhalgh, 2011). It found that the configuration of services and deployment of resources had largely arisen from the historical remit and previous objectives for the service. As a result the data, information, standards and benchmarks

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upon which the previous risk assessments were based were no longer “fit for purpose”. This resulted in a less than optimal pattern of resource deployment for either current needs or anticipated future patterns of risk across the county.

The historical standards and former national indicators, were based primarily on incident response times, now largely superseded. The risk assessment data for Nottinghamshire was therefore cleansed, updated and supplemented, to meet the requirements of the FCR. These improvements were greatly facilitated by significant developments to the mapping and computer technology available to the service and the development of the FSEC toolkit[1]. The current exercise would not have been feasible without this new technology.

### Stage 2: reconfiguration options

The evaluation of the policy options, not surprisingly found that, in a period of financial constraints and reduced resources, decisions on service reconfigurations became overtly politically contested and continued to generate considerable public interest. This meant that finalising the proposals for the public consultation stage took longer and was more difficult than anticipated despite the urgent need for productivity improvements and efficiency savings resulting from the financial crises (Murphy and Greenhalgh, 2011).

NFRS produced its report on the evidential base for the review, and the development of options, in February but it was not until June 2011 that the Fire Authority produced its conclusions (NNFRA, 2011a). This is partially explained by the fact that the review produced a large number of recommendations or potential improvements to many parts of the service across the county and that these recommendations had many interdependencies and multiple consequences, depending on the mix of recommendations. However, throughout this period a number of campaigns by stakeholders and pressure groups, mostly based around individual fire stations, also became increasingly politically active (*Nottingham Local News*, 2011).

In June the chief fire officer (CFO) presented three draft strategic options to the Authority for changes to the configuration and deployment of services and resources across the county. As his report explained:

Although many communities will view their local fire station as being “their” provision, the reality is that in terms of a county-wide service, management has to take a holistic view. It is therefore not feasible to present to the Fire Authority a series of recommendations, or indeed options, around individual units. The reality is that for every action there is a consequent reaction in the provision of fire cover. Changing the availability of one appliance or station will have a knock on effect to the next nearest appliance or station. This is why it is so important to consult fully on any changes (Nottinghamshire Fire and Rescue Service (NFRS), 2011, p. 3).

The CFO presented three options “packages” and identified a preferred option. All three options had over 30 (often inter-related) parts to their “package” and to assist the decision the CFO broke these recommendations into three categories for each of the three options. Thus potential recommendations or changes involving “management capacity” were differentiated from proposals or recommendations for “stations and appliances” and from other “supporting considerations”. This latter dealt with issues such as the non-uniform staff structure, consequential training requirements, review of the estate and changes to the Fire Control Centre. The Fire Authority based the public consultation exercise on a variant of one of these options (Nottinghamshire and City of Nottingham Fire and Rescue Authority (NNFRA), 2011b).



**Stage 3: public consultation and engagement**

The consultation exercise was the largest ever undertaken by NFRS with an unprecedented range of activities, levels of interest and number of responses. It was advised and assisted by independent consultants, Opinion Research Services (ORSs), who are accredited by the government for the implementation of public consultations arising out of the IRMP process.

The consultation exercise commenced on 1 August and was originally intended to run for a period of 12 weeks, to finish on the 23 October 2011. However, the Authority decided to extend the consultation period by a further three weeks due to the unprecedented level of interest, and the volume of representations being received.

By adopting a wide ranging, inclusive and open approach to the public consultation, the FRS and the Fire Authority reduced the risk of future challenges to the process and decisions from judicial review. Judicial review challenges have been both successfully and unsuccessfully lodged against the IRMP process as well as the content of reconfiguration proposals in the past, and the Authority were anxious to avoid the unnecessary expense a challenge would bring.

**Methodology***The evidential base and option development*

NTU were appointed as independent consultants on the FCR with a remit to review the adequacy and objectivity of the evidential base and to provide assurance as to the process undertaken by NFRS. Their approach to the consultancy was from a functionalist perspective with the relationship between the client and consultant being considered as an arms-length, contractual and independent relationship where the needs of the client come first (Werr and Styhre, 2003). The consultants investigated the background policy and technical guidance developed for the IRMP (DCLG, 2008b), to establish an understanding of the multivariate factors affecting the analysis of risk across Nottinghamshire and therefore factors and data to be examined within the FCR. In addition to the legislative frameworks and the national standards and requirements, further key mutually interdependent variables and factors creating and responding to risk across the county were identified.

The authors advised and appraised all three successive versions of the community profiles and the final versions of these documents are all now publically available within the publications section of the Nottinghamshire fire and rescue service web site. To arrive at a complete assessment it was also necessary to investigate and coordinate risk assessment and the deployment of current and future resources across the county's boundaries. This was particularly important in Nottinghamshire's case because of the existence of several stations and services situated close to the county boundary but located within the jurisdiction of other FRAs.

*Public consultation and engagement and benchmarking*

The methodology adopted for the analysis of the public consultation stage had two key elements:

- an analysis of the responses received to the NFRS consultation and engagement; and
- a comparison of the process used by other FRSs in the IRMPs.

NFRS presented their proposals in three policy "packages", namely proposals for "stations and appliances"; "managerial capacity" and other implementation or

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“consequential considerations”. They also identified and analysed the response in relation to four key stakeholder groups namely “the general public and individuals”; “businesses”; “key delivery partners” (such as the police and the local authority); and “representative groups” (Figure 1).

The benchmarking took the form of ethnographic content analysis exploring underlying themes in the documentation available to the public via organisation web sites.

In the UK each FRS is clustered into one of five national “family groups”, derived from a “nearest neighbour model” i.e. those services being “most similar” in terms of geographic and demographic areas (CIPFA, 2011). NFRS is within family Group 4 and the authors have used this group as the sample for establishing the comparative analysis in terms of the IRMP process, the level of detail provided to the public and the consultation process undertaken. All but one of the 18 FRSs in Group 4 has a publically available, and easily accessible, IRMP documentation.

### Findings and analysis

#### *Stations and appliances*

The formal consultation document (NFRS, 2011) concentrated entirely on stations and appliances although the public meetings and other initiatives also discussed other issues. Not surprisingly stations and appliances were the subject of the vast majority of responses from the public. Similarly the high level of rumour and misinformation generated by the review was also overwhelmingly related to these issues, although concerns were alleviated when accurate information was made available through the NFRS web site or at the formal consultation meetings. However, as the external consultants ORSs concluded:

[...]it is hard to escape the conclusion that there is in fact relatively little opposition to the Fire Cover Review's draft proposals across Nottinghamshire. This impression is reinforced by NFRS' experience in its local meetings and on-street information events across the county – and confirmed by the outcomes of the questionnaire survey – in which seven out of nine proposals were approved by absolute majorities (ORS, 2011, p. 9).

Key partner responses were also generally supportive. In the prevailing financial environment key stakeholders across the emergency services and in the local strategic partnerships (LSPs) tended to embrace the changes and perceived the reconfiguration as an opportunity to rationalise publically owned property or as a catalyst to reconsider the configuration of their own related services. This is in contrast to previous changes which generally resulted in objections.

There were surprisingly few responses from businesses both before and after the extension of the consultation period, despite the extra attempts to engage this sector. It is interesting to note that NFRS is already actively examining how engagement with this sector can be improved for the next IRMP review. Finally, the representative bodies

**Figure 1.**  
Responses to the  
consultation

	Public	Business	Delivery partners	Representative groups
Stations and appliances				
Managerial capacity				
Implementation issues				

took a defensive stance to their members' vested interest. The response from these bodies predictably depended upon whether the proposals affected whole-time stations and appliances or retained staff stations and appliances.

#### *Managerial capacity*

The public were generally unaware of these issues and only tended to comment after an interchange with a "formal" representative of the service. They were however generally supportive when they were informed that managerial capacity would be reduced disproportionately over frontline capacity. "At least you've got your priorities right" encapsulates the universal response.

As these proposals potentially impact upon emergency preparedness, integrated response and collaborative working, one might have expected a critical reaction from key delivery partners. However, these key stakeholders, acknowledged the shrinking resource envelope, recognised the robust process adopted and had few comments and virtually no criticisms. Similarly the representative bodies took very little interest in these proposals even though they potentially affected some of their members. Similarly the business community were not interested in these issues, their overriding consideration being the potential impact on operational response times and level of risk to their individual premises.

#### *Implementation issues or consequential considerations*

These issues were ultimately undeterminable at the consultation stage of the process since they were entirely dependent upon the outcome of the consultation and subsequent decisions. They are essentially matters that need to be addressed as part of the implementation of the revised service reconfiguration although the amount of change will differ according to the option chosen. These proposals covered issues such as service structure, estates management, training, the impact on the Emergency Control Centre and amendments to rotas and duty systems.

The public were generally unaware or uninterested in these proposals and there were few comments from delivery partners or the business community. The only significant issue raised by the former was the future of the regional Fire Control Centre and this was largely due to a misunderstanding relating to how this had been funded and which agency would be responsible for future liabilities. The representative bodies however took a keen interest in the potential human resource impact of these implementation matters.

Figures 2 and 3 summarise these findings.

#### *Benchmarking*

Unlike Nottinghamshire, the vast majority of the FRSs were specifically highlighting the reduction in public funding as the prevailing factor for reviewing the fire cover in their area. NFRS were undertaking a strategic review motivated by a desire to achieve

Level of interest		Level of support	
Strong	☺☺☺	Support	√
Medium	☺☺	Neutral	↔
Weak	☺	Oppose	x

**Figure 2.**  
Responses to the  
consultation



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the optimal pattern of resource deployment and to mitigate significant risks in the short, medium and long terms. Part way through the process, it had inevitably to deal with the financial restrictions but this was not its *raison d'être*. Had NFRS or the Fire Authority wished to adopt a strategy driven by cost reduction, then they would have chosen the option specifically designed around such a strategy presented as one of the alternatives by the CFO rather than the one they pursued. When evaluating the process it was also apparent that NFRS's open and transparent approach contrasted with the more limited approach to information sharing that characterised most of the other on-going IRMP exercises.

*Overarching findings.* The early publication on the unrestricted part of the NFRS web site, of data and evidence used to arrive at recommendations and decisions, reduced early speculation and suspicion among key stakeholders. Unions and local pressure groups demonstrably changed their positions and tactics part way through the consultation as a result of this information being in the public domain. Details of when further information would be publically available also helped "manage" the pre-publication speculation and reduced the number and impact of campaigns based upon deliberate misinformation, rumour or gossip. Although it did not completely eradicate all misinformation a number of these campaigns stopped expanding and some fizzled out when potential adherents accessed the publicly available data and information – often changing their position and advising the NFRS of the misinformation (Murphy *et al.*, 2011).

The debate and responses to the consultation were conducted through a much wider range of communication channels than has ever been the case in the past. This resulted from the proliferation of new communication channels and the easier access and increased use of mobile technology and the internet. A number of "campaigns" were established around individual proposals for changes to services and/or the retention or closure of stations. Some groups established web sites for the purpose of campaigning and generating responses (Nottingham Local News, 2011). Similarly, some of the representative bodies specifically created web sites encouraging people to respond to the consultation, although they were not formally part of the consultation exercise and were unsolicited by either the NFRS or the Fire Authority. The representative bodies inevitably had vested interests and objectives, some of which were different to those of the NFRS, the Fire Authority and to each other.

The early release of detailed information on both the process and the evidential base was generally welcomed and proved effective. The decision to produce a "package" of proposals, and to make explicit the interdependencies between proposals, were these exist, rather than a series of individual proposals, undoubtedly led to a more considered and informed response to the FCR than to previous NFRS consultations.

**Figure 3.**  
Responses to the  
consultation

	Public	Business	Delivery partners	Representative groups
Stations and appliances	☺☺☺ √	☺ ↔	☺☺ √	☺☺☺ X
Managerial capacity	☺ √	☺ ↔	☺☺☺ √	☺ ↔
Implementation issues	☺ ↔	☺ ↔	☺ ↔	☺☺☺ X

The use of independent consultants for quality assuring the evidential base and the consultation process was generally acknowledged to have improved the process in terms of its objectivity. The Fire Authority members, the senior management of the service, the project team and key stakeholders also acknowledged the reassurance and increased confidence in the process that resulted from these appointments. They regarded the appointment of the independent consultants as not only good practice but an extremely cost-effective use of their resources. It also mitigated the prospect of judicial review and ensured they met their duty of “Best Value”. The only reservations were amongst some members of the Fire Authority who retrospectively questioned the use of the public engagement consultants after they received the feedback from the consultation process which contradicted their understanding of local views within their constituencies.

### Conclusions, lessons and recommendations

NFRS were able to develop a comprehensive evidential base that enabled them to undertake a robust and detailed review of the individual and community risks at various levels across the county and its boundaries. This required constant refreshing and updating as patterns of risk changed and new techniques and information become available. The quality assuring of the evidential base and the systems and processes adopted by the project team was critical to the efficient, effective and economic operation of the review and the confidence of key stakeholders in the outcome. The FSEC toolkit, the use of independent consultants and robust comparative data were all important components of this quality assurance regime.

The general era of austerity and the constraints on public expenditure manifestly influenced and contextualised the attitude and response of the public sector delivery agencies and the business community, within the key stakeholders, and to a lesser extent the public and representative bodies. The level of detail provided and the transparency of the process undertaken was far greater than any previous exercises undertaken by NFRS. It also appeared to exceed the exercises reviewed in our comparative analysis. This was largely due to the proactive approach adopted by NFRS, the timing of the review and the comprehensive nature of its scope.

The service may not have anticipated the success of this strategy but retrospectively it is clear that it was highly successful and widely appreciated. This approach facilitated a clear distinction between the roles of the Service and the Authority. Coincidentally this anticipated the roles for the service and the authority envisaged by the recent *Open Public Services White Paper* (Cabinet Office, 2011). Under this new regime FRSs will be treated as “commissioned” and the government has indicated the need to separate purchasers from providers in these services with open commissioning and “credible independent accreditation bodies”. Commissioners will be held to account by users and citizens while providers will be held to account through a combination of “mutually reinforcing choice, voice and transparency”. NFRS and NNFRAs implicitly adopted these roles during the course of the review and effectively demonstrated how they could work in practise.

### Note

1. For its risk mapping, Nottinghamshire used the more sophisticated Merseyside FRS model rather than the earlier Lancashire FRS model.



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# Performance management in fire and rescue services

Pete Murphy and Kirsten Greenhalgh

*This article contributes to the strategic review of the 46 fire and rescue services in England and Wales. It examines the previous performance management regime and presents the authors' proposals for a new, more efficient and effective regime. Although targeted at England and Wales, the article will have relevance to other services and to fire services internationally.*

**Keywords:** Fire and rescue services; national framework; performance management.

This article reviews performance management regimes used in fire and rescue services (FRSs) and suggests a new revised performance management regime for the FRSs. The article:

- Explains the historical context and the development of the performance management regime for FRSs.
- Identifies the key components and/or 'tests' for a new regime.
- Suggests which organizations nationally and locally in England and Wales should be responsible for developing and implementing the proposed framework.
- Identifies areas for further research or detailed policy and methodological development.

An initial literature review for this article concentrated on two primary sources. The first was the official documents published by the government, the Audit Commission and other parties as part of the development and assessment of the various performance management regimes from the introduction of Best Value to Comprehensive Area Assessment (CAA) and World Class Commissioning. The second was a review of the coalition government's emerging policy for public sector reform as developed in policy papers and formal speeches delivered by ministers since the general election, culminating in the publication of the *Open Public Services* white paper (Cabinet Office, 2011).

Our research focused on a document analysis of previous performance management regimes supplemented by formal and informal surveys and interviews with senior officers and members of the FRSs, academics and other interested parties from both the FRSs community and practitioners and policy-makers from other public services. The document analysis used secondary information but secondary information used for the purpose for which it was originally collected.

All secondary information is or was in the public domain—some of the earlier reports have now have been moved from official websites to the national archives.

## From Best Value to CAA

FRSs were designated Best Value organizations in the Local Government Act 1999 (together with organizations in the health, local government and criminal justice sectors), which required them to make provision for the continuous improvement of their services. In 2008, the Labour government, the Audit Commission, and other regulators of local public services, collectively published the arrangements for the generation of performance management regimes for health services, local government and the criminal justice system focused around new CAAs (Audit Commission, 2008). These required the individual and collective assessment of the performance of public services across a local administrative area. Area assessments, based around the delivery of local area agreements (LAAs) and other collaborative partnerships were therefore complemented by organizational assessments of specific services such as FRSs.

The Comprehensive Spending Review (CSR) for 2009, originally scheduled for July, was postponed due to the forthcoming general election and a 2010 CSR was therefore published in October 2010 by the incoming coalition government (Treasury, 2010). Shortly after taking office, the coalition government also announced the termination of CAA (DCLG, 2010a) and the abolition of the Audit Commission, with the transfer of its external audit responsibilities to the National Audit Office (NAO) and private sector auditors (DCLG, 2011b). Public Service Agreements (PSA) and LAA targets were also to be scrapped (Cabinet Office, 2011).

The next part of this article reviews the previous performance management regimes for

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FRSs. It identifies chronological, but overlapping, phases of development and suggests which elements should be retained and/or improved and which elements should be omitted and/or replaced.

#### **The first assessments of fire and rescue services**

The duty of Best Value introduced in 1999 resulted in very few significant service reviews within the 46 FRSs in England. However, the period between 2000 and 2005 was a period of major sectoral upheaval. The 'Bain' review (2002) resulted directly from a national dispute. This dispute had been fuelled by the government's desire to 'modernize' and 'regionalize' the service, and the employers' collective desire to introduce new arrangements for national negotiations over pay and conditions. The dispute was originally sparked in July 1998, when the national employers sent a letter to the employees' informing them that the employers were seeking a more flexible negotiating framework for the service (Burchill, 2004). This was coincidentally the same day the government published the white paper on *Modern Local Government: In Touch with the People*, which introduced local government modernization (DETR, 1998).

The dispute essentially revolved around the general principle of devolved determination of pay and conditions. It quickly became synonymous with 'modernization', and eventually resulted in new national negotiating machinery when it was formally resolved in June 2003, nearly five years after it started. During this time the responsibility for the FRSs was transferred from the Home Office to the short-lived (2001–2002) Department for Transport, Local Government and the Regions and then to the Office of the Deputy Prime Minister in May 2002. By the time that the Bain review was published in December 2002, the Best Value regime in local government was also about to be supplanted by the more robust Comprehensive Performance Assessment (CPA), although the first iteration of CPA did not include assessments for FRSs. The Bain report (p. ii) was, however, very clear about the need for the service to change:

*We did not realize until we started this review just how much potential for reform exists in the current fire service. We were surprised at the extent to which the fire service has fallen behind best practice in the public and private sector... The fire service needs to be changed from top to bottom and every aspect of its work reformed to bring it into line with best practice at the start of the 21st century.*

Between 1998 and 2004, the wider local government modernization agenda, including the introduction of national performance indicators, the Best Value regime and the CPA were undoubtedly significant drivers of change across local government. However, in the FRSs the 'distraction' of a long-running dispute, the strength of the organizational culture, and the partial and weak application of the new performance management regime, meant that this impact was much more muted than in the rest of local government.

Outside of the service, it was not widely appreciated that the first CPA methodology did not address the operational parts of the service, but only assessed the performance of the 'back office' non-operational parts, despite the fact that it is clear that the dominant organizational culture derives from the uniformed or operational parts of the service. The assessment (see figure 1) was therefore effectively a service appraisal of back office functions rather than a corporate appraisal, and it did not cover operational services or emergency preparedness.

The national dispute dominated the period up to 2005 because, even after its resolution in 2003, it was immediately followed by the introduction of a new integrated development system for staff, Integrated Risk Management Planning (IRMP) for the services and the introduction of regional management boards. It was these initiatives that tended to dominate the post-dispute 'modernization' agenda at the personal and organizational levels, rather than the need for continuous improvements under Best Value or the new performance management regime. In contrast to the local government regime, there was also a greater delay in the post inspection publication of FRS reports by the Audit Commission. This tended to further diminish the impact of their publication because FRSs were afforded greater time to both respond to any findings in the reports and argue that any criticisms within the reports were 'historical' and/or diminished by the passage of time. Within the operational parts of the services the relative ambivalence to performance indicators (PIs) was further compounded by the fact that 'arbitrary' targets for some of its key performance indicators (KPIs), such as the target of 15% of all operational firefighters to be women by 2009 (ODPM, 2004), were universally regarded as unrealistic.

#### **CPAs**

By 2004/05, there was general agreement between central and local government, the Audit Commission and the other inspectorates that a radical review and updating of the local



government CPA regime was required. Unlike the introduction of Best Value and the first iterations of CPA, the general principle and desirability of a new version was relatively uncontested. By 2005, it was generally accepted, albeit grudgingly, that CPA had generated substantial quantitative and qualitative improvements across local government services as well as significant efficiencies in their running costs (Martin and Bovaird, 2005). Nevertheless, all parties considered that it could be significantly improved and there were clearly lessons to be learned from the implementation of the county council and single tier CPA; from the district CPA and from the previous round of fire assessments, as well as from performance management regimes in other sectors such as the police, education and health. The Office of Public Service Reform had produced 'Inspecting for Improvement' (OPSR, 2003) and the 2005 CSR, and associated PSAs for Whitehall spending departments, had signaled a move to a new set of national objectives for the public sector focused on local outcomes within communities, rather than inputs or output measures for individual public services. It had also highlighted the growing inequality in the benefits delivered by public services.

At this time there was no real debate as to which organization would develop the new methodology, albeit within very firm parameters established by the government (ODPM/Treasury, 2005). It would be the Audit Commission operating in a new altogether more collaborative and consultative way, working closely with both central government

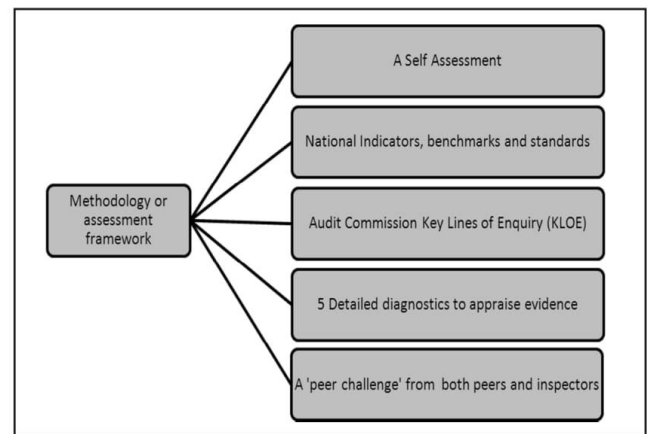


Figure 1. FRS assessment methodology. Source: Audit Commission.

and local government, in a process later characterized as 'co-production' or 'co-design' of policy and delivery. Thus, in 2005, *CPA: The Harder Test* was published (Audit Commission, 2005), which included within its new methodology a specific service assessment for the FRSs (see figure 2).

It was also clear from new methodology that the new assessments would be assessments of the whole services, and would therefore include operational services and emergency preparedness. From 2006, a FRS assessment was included in the overall framework for CPA for the 13 councils with sole responsibility for FRS in their area. The same methodology was also applied to the (then) 32 other 'combined' FRSs and to the London FRS.

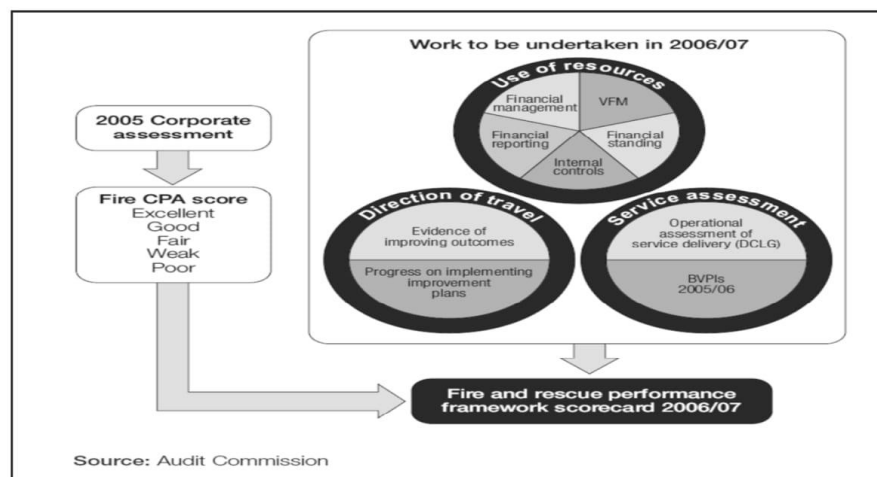


Figure 2. Fire and rescue methodology 2006.

CPA for FRSs was essentially built on the principles and processes in place for CPA in local government, but also addressed some issues specific to fire and rescue authorities. The overall CPA category was determined by a corporate assessment which comprised self-assessment, peer challenge and a standard set of 'key lines of enquiry'; supported by detailed diagnostics based on national standards and benchmarks, and key performance indicators for the service, that were then combined to enable judgments to be made.

The corporate assessment was made up of three overall questions which were subdivided into nine themes, and five diagnostic or assessment frameworks were used to assemble the necessary evidence and test performance against these themes. Finally, the appointed external auditors provided an opinion on the annual accounts and assessed the arrangements for the financial aspects of corporate governance in a manner similar to the system applied to local authorities and NHS trusts (Audit Commission, 2008).

#### CAA

In 2006, the white paper *Strong and Prosperous Communities* (DCLG, 2006), announced that CAAs would replace the CPA in 2009, although a new methodology and common assessment framework for the 'use of resources' element would be implemented from April 2008. This financial assessment would be the same for all key partners from the local strategic partnerships (LSPs) delivering the LAA, namely local authorities, primary care trusts, police authorities and fire. Similarly in health, 'world class commissioning' would assess how well the PCT was leading and managing the local health service providers in their administrative areas (DH, 2007).

The CAA consisted of an area assessment of the impact or outcomes being achieved collectively by public services in the geographical area of the local authority, and an individual organizational assessment of the key local public service providers delivering the LAA. This group included the FRSs and specific organizational assessments were developed by the Audit Commission for use in 2009/10 based upon two equally weighted assessments, the second of which had three sub-elements. The managing performance appraisal was a corporate appraisal of all functions. The use of resources consisted of managing finances, governing the business and managing resources (figure 3). CAA was implemented in 2009/10 and organizational

assessments were carried out on the 45 FRSs with the results published on the Audit Commission's dedicated 'One Place' website (Audit Commission, 2010).

#### The coalition government

After only one year of operation the CAA was discontinued by the coalition government, although the use of resources assessment remains in place. Since May 2010, the government has issued a number of policy papers and formal speeches (DCLG, 2010a, 2010b), in relation to the FRS, culminating in the *Open Public Services* white paper (Cabinet Office, 2011) and its response to the DCLG select committee report on Audit and Inspection (DCLG, 2011b), and the new National Framework (DCLG, 2012).

The first key speech (DCLG, 2010c) was delivered by the Fire Minister in June 2010 in which he invited FRSs to join him in a strategic review:

*I am asking my department to seek out the sector's best ideas, your new thinking and your experience to join me in a strategic review of the sector, government's role in it and the future of the service, including whether or not we need a national framework...to what extent does central government have to be involved directly in the running of the service...to be clear about what needs to be done at the national level...does centrally handled mean centrally driven?*

At that stage the minister also established some other parameters and general principles for the review. He made it clear that central government would have to provide assurance over the response to national emergencies and national and local resilience arrangements. The IRMP process, the retained firefighters system and fire prevention and community safety initiatives would also remain. However, he made it clear that the coalition government expected FRSs to do 'more for less...stopping activity that no longer needs to be done' and he announced the abandonment of national diversity targets and the end of national guidance on recruitment and development. He promised greater financial autonomy for both local authorities and FRSs in the CSR 2010.

#### A new performance management regime

In order to develop the new performance regime it is necessary to review the current position of the development of the key components of any performance management

regime. The fundamental questions are:

- Are there clear aims and objectives to determine what the service is trying to achieve?
- Is there a comprehensive robust and accessible evidential base to facilitate evaluation of performance or can one be reasonably assembled or developed within a reasonable timescale?
- Are there robust analytical tools and assessment techniques available to ensure effective appraisals?
- Are there clearly identified roles and responsibilities for individuals and agencies; are these roles realistic, and are the people or organizations designated to perform them capable and credible?

#### *Aims and objectives*

The *Open Public Services* white paper identified five principles underpinning the government's approach to reforming public services and drew a distinction between three alternative groups of public services and the coalition government's intentions towards them. *Individual or personal services* are used by people on an individual basis. *Neighbourhood services* are services defined as being provided very locally on a collective rather than an individual basis. Finally, *commissioned services*, whether commissioned by central or local government, are services that the coalition government believe cannot be devolved to individuals or communities. In commissioned services, the coalition government said it will look to separate purchasers from providers; introduce open commissioning and establish credible independent accreditation bodies. Commissioners will be held to account by users and citizens while providers will be held to account through a combination of mutually reinforcing choice, voice and transparency mechanisms depending on the service being provided. External audit and inspection will ensure that commissioners and providers meet relevant standards and have the necessary financial controls in place. FRSs are not specifically mentioned in the white paper, but it is clear from the National Framework that they are being treated as a commissioned services (DCLG, 2012a).

Three types of potential performance management regimes can be drawn from earlier policy statements:

- Services where there will be clear or strong 'guidance' from central government as to

what it expects from delivery organizations contained within new national frameworks or regimes. These services include the NHS, safeguarding for adults and children, education and the police. In these services, independent external regulators and inspectors roles have been strengthened or given a higher profile. Examples include HMIC in criminal justice, Ofsted in education and the Care Quality Commission and Monitor in health.

- Services provided on behalf of central government that have some statutory elements, but are largely locally delivered. Here hybrid performance management regimes will have national indicators and assessments existing in parallel with other elements designed at local discretion. Examples include the courts, probation, prisons and regulatory services such as health and safety, and building control.
- Services provided at local discretion with little or no statutory obligations, or services which will be subject to a much looser central government control and/or much greater local discretion. Examples of these services include culture and leisure services, waste, local transport and housing.

The government anticipates a 'hybrid' form of public management regime emerging for the FRSs (DCLG, 2011b).

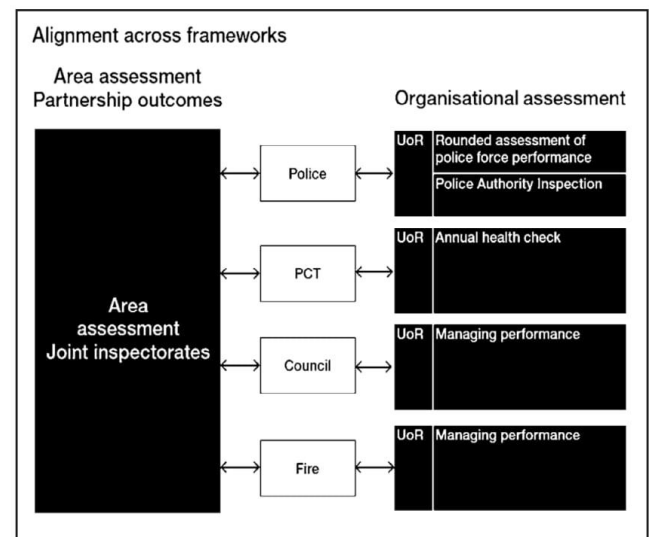


Figure 3. CAA methodology and framework. Source: Audit Commission.



#### *Creating and maintaining the evidential base*

*Open Public Services* (Cabinet Office, 2011) contains proposals for improving the collection, development and accessibility of public service performance data. The authors have previously identified four stages in the development of data and information and its use in maturing performance management regimes (Murphy and Greenhalgh, 2010). These are summarized in figure 4.

The general view, from the key stakeholder research, is that the FRS sector is currently somewhere between the 'data rich' and 'intelligent data' stages of the model. For comparative purposes, examples of databases that are equivalent to stages three and four above include the DWP research and statistics service (DWP, 2011) at national level; the regional public health observatories (APHO, 2011) at regional level, and the Nottingham Joint Strategic Needs Assessment at local authority level (Nottingham Insight, 2011).

The previous performance framework for FRSs assessed performance data through five diagnostic tools supplemented by an assessment of the efficiency with which services use public money and assets (the Use of Resources assessment), and an assessment of whether and how quickly organizations were improving and had potential to improve. This latter included an assessment of the quality of leadership of the FRSs and the Fire Authority.

The coalition government's response to the DCLG select committee (DCLG, 2011b) implicitly assumes that a comprehensive, robust and accessible evidential base to facilitate evaluation

of performance exists or could be assembled or developed within a reasonable timescale. The assumption also underpins the Fire Futures work that was commenced in July 2010 (DCLG 2010b, 2011a) and is reflected in the Chief Fire Officers Association evidence to the select committee (CFOA, 2011a).

#### *Analytical tools and assessment techniques*

The third requirement is for a set of analytical tools and techniques assembled into a performance assessment regime that is fit for purpose, economic and efficient to implement and commands the confidence of all key stakeholders. Previous research pointed out that the performance management regime in FRSs was introduced and developed later than other parts of the public sector but learned valuable lessons from the implementation of these earlier initiatives (Murphy and Greenhalgh, 2010, 2011). The principles and key components of the 2008–2011 FRS national framework were widely supported. It was the detailed application of the framework in practise that generated some opposition from within the service and this was more often from politicians than officers. Research for this article supports the view that the publicly-voiced opposition to local performance management regimes, such as CPA, CAA and fire CPA generally exaggerated the costs and underestimated the benefits of these regimes.

The conclusions of earlier research (Murphy and Greenhalgh, 2010) have generally been confirmed and a 'hybrid' performance management regime is starting

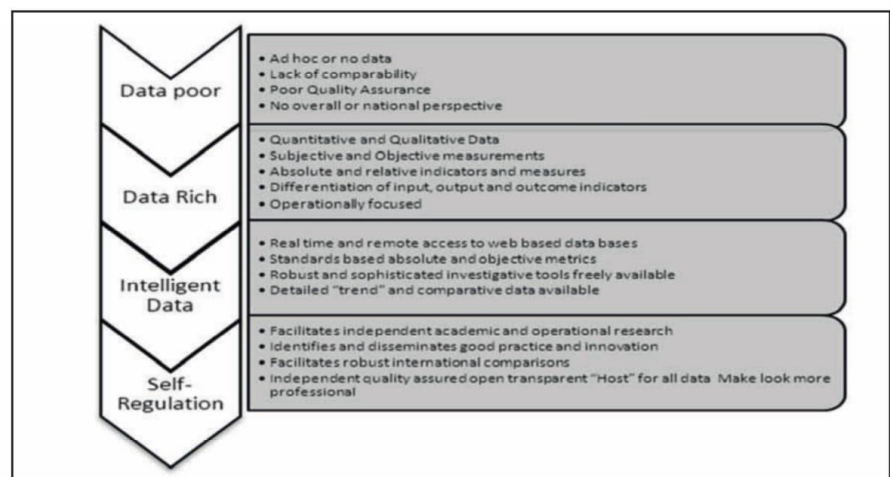


Figure 4. The four stage development of performance data. Source: Authors.



to emerge under the banner of the Fire Futures programme. However, some of our earlier recommendations now need to be refined or updated in the light of the abolition of the Audit Commission and the recent publications from the DCLG (2012a, b).

#### **Key tools and techniques for a new framework**

*An online system for self-assessment and submission of evidence:* This would be similar to the systems used for the world class commissioning assessments and authorization of the new clinical commissioning groups in the NHS (DH, 2011). This is the most economic and effective way of capturing basic localized information.

*Analysis of key documents:* Key documents currently include IRMP documents, strategic and improvement plans. An assessment of governance, performance management and community engagement arrangements would also be required.

*Performance against national and local indicators:* These should be quality assured, robust and accredited standards and benchmarks publicly available from a independent 'host' organization, such as the Fire Service College.

*Peer review, inspection and challenge:* Biannual or three-yearly onsite appraisals conducted by an independent panel. The panel to include, for example, a chief fire officer; a chairman or senior member of a fire authority; a member of another emergency service; an inspector with recent FRS operational experience and an independent expert drawn from key stakeholders.

*A use of resources or financial appraisal:* The model produced for CAA was widely supported and has been retained and updated across all public services. It will become the responsibility of the newly appointed external auditors when they supersede the Audit Commission.

*A public reporting system:* This should be independent of government, organized by the external host institution with predefined annual reporting dates.

*Research and evaluation:* To commission and publish academic and operational research into the efficiency and effectiveness of the regime and to capture and disseminate innovation and good practice.

To create and maintain credibility within the FRS, the appraisals should cover all aspects of the FRS including operational and non-operational functions, control room efficiency and the effectiveness of key partnerships and collaborations. It should also include evaluations of both the FRS and the Fire Authority.

#### **Roles and responsibilities**

The final key requirement is clearly defined roles and responsibilities for major stakeholders in the new framework. These organizations need to take ownership of the appropriate parts of the new regime and to be held to account for delivery. The authors' previous papers reached a series of interim suggestions on the allocation of roles responsibilities (Murphy and Greenhalgh, 2011); they are refined and updated below in the light of recent policy and/or organizational changes.

*A co-ordination unit:* Based at the Fire Service College, but sponsored by all key stakeholders with a multi-agency strategic steering group ultimately responsible for co-ordinating and delivering the new regime.

*The peer review:* The FRS sector collectively should be responsible for organizing and accrediting peer review and the external challenge elements of the regime.

*Self-assessment and other documentation:* The creation and collection of all self-assessment and other documentation, the accreditation of standards and benchmarks, the maintenance of a dedicated website and the public reporting of all evidence and judgments should be the collective responsibility of all key stakeholders delivered through a multi agency steering group and the Fire Service College.

*Innovation and improvement:* The dissemination of good practice, the encouragement of innovation and improvement and the publication of guidance and advice should be the joint responsibility of Local Government Improvement and Development, the Fire Service College, CFA, and the Institute of Fire Engineers.

*Challenging of underperformance:* New arrangements for challenging underperformance should be developed and agreed between key stakeholders (Murphy and Greenhalgh, 2012). These are based upon the principles outlined in the section on

'Intervening in the case of institutional failure' in the white paper (Cabinet Office, 2011).

#### *Resilience and emergency planning*

The new government should make it clear how it intends to assure itself of National and Local resilience and emergency planning and how this can be effectively integrated into the new regime.

#### **Conclusions**

FRSs in England and Wales significantly improved their performance as a result of the CPA regime, but the potential is there to improve services and make further productivity and efficiency gains.

The authors have previously contended that a new performance management regime can be delivered, which reduces the burden on FRSs, but improves the quality assurance offered to the government and the general public (Murphy and Greenhalgh, 2010). The new regime should be built on tools and techniques from previous regimes, rather than creating new mechanisms. A number of tools, techniques, standards and benchmarks need revising and updating. Similarly, after the policy and institutional changes in the UK since the general election 2010, the roles and responsibilities of key stakeholders need re-articulation, commitment and leadership from both the government and the FRSs at national and local levels. The recommendations contained in this article include amendments and refinements to the authors previous recommendations for a new national framework; it signposts a clear way forward for the sector for a new performance management regime.

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## CHAPTER 6

# Fire and Rescue

*Peter Murphy, Kirsten Greenhalgh, Laurence Ferry, and  
Russ Glennon*

**Abstract** The supposed ‘success’ of Theresa May’s police reform has justified the ‘model’ for recent reform of the Fire and Rescue Services. Fire and Rescue Services entered the period of the coalition government on an improving and accelerating service delivery trajectory, albeit still trailing the other services. The coalition government’s ‘austerity localism’; aligned to financial constraints turned this direction of travel on its head. By 2015 and 2016, both the NAO and PAC were demanding significant regime change in the service. Since 2015, there have been improvements to accountability and transparency, (it would be difficult not to act and act decisively, given the inadequacy of previous arrangements). More recently differences between promises and implementation, ambitions, and delivery are beginning to appear.

**Keywords** Fire and rescue • Reform • Accountability • Governance  
Police fire and crime commissioners

## INTRODUCTION

The government is in the process of enacting reforms to the fire and rescue services (FRSs) modelled on the policing reforms (referred to in Chapter 5 of this book) via provisions in the *Crime and Policing Act 2017*, which received royal assent in January 2018. The FRSs have, like all public services, experienced austerity localism (Lowndes



and Pratchett 2012) and a performance management, governance, and assurance regime similar to the one imposed on local government. This has recently been deemed inadequate and in need of urgent and extensive reform (Lewis 2017; May 2016). Unlike the other services, major reforms in FRSs can be anticipated in the future rather than experienced during 2010–2015. This chapter will nevertheless use our evaluative framework to describe the implications for FRSs.

This chapter will first focus on the changes in governance, accountability, and public assurance arrangements for FRSs in the years between 2010 and 2015 which resulted from long-term austerity and uncertainty within UK public services. It will then move on to focus on how recent national government reforms have changed the nature of accountability arrangements. The chapter begins by providing some background to the economic and political landscape with a chronology of events and then moves on to discuss the public assurance, accountability, and transparency arrangements.

### *Political and Economic Landscape*

The outcome of the 2010 general election, a hung parliament, resulted in a coalition between the Conservative and Liberal Democrat parties. The UK had been suffering from the impact of the global financial crisis, beginning in the USA in December 2007, with the recession officially starting in the second quarter of 2008.

In spite of the recession, the FRS annual budget for 2009/2010 was the second of three relatively generous financial settlements from the government. However, the government, the Audit Commission, the Local Government Association (LGA) and the Society of Local Authority Chief Executives (SOLACE) were all advocating prudence for local authorities in their short- and long-term budgetary planning. Local government authorities and fire and rescue authorities (FRAs) had therefore been preparing for significant reductions in future financial settlements for some time before the axe finally fell. The three main responses from local government and FRAs between 2008 and 2010 were to change priorities, cut expenditure, or build up reserves; in many cases all three responses were employed (Audit Commission 2008, 2009, 2010; Ferry and Eckersley 2011, 2012, 2015; Lowndes and McCaughie 2013). By the time the coalition government came into power both the FRSs



and their local authority colleagues had, in terms of service delivery and financial management, become very robust and resilient organisations (Walker 2015; Jones 2017).

In June 2010 the new chancellor, George Osborne, delivered his emergency budget and his 'accelerated plan to reduce the deficit'. The intention was to reduce the 'long-term structural deficit' within the length of the parliamentary term, with 80% of savings being derived from public expenditure reductions and 20% from increased growth. This was one of many economic and social targets that the coalition government failed to achieve and led to even more stringent targets for locally delivered public services. FRAs started the 2014/2015 financial year with, on average, 33% less in government funding than four years earlier and with predictions of a further 10% cut in the 2015/2016 financial year (LGA 2014).

Contextually, it needs to be noted that there was a radical shift in policy between the previous administration, which had invested more in public services, and the coalition's economic policies and their significant reductions in public funding. At the same time the devolution agenda, which transferred powers to Scotland and Wales, resulted in diversification of both organisation and service delivery within FRSs across the UK. In Scotland, the governance and structure of the service changed radically with the merger of 8 FRSs into one single service whilst in England these remained relatively untouched. However, accountability, performance management, the services' collaboration with service delivery partners and human resource management issues all changed and became more complex.

## THE CHRONOLOGY OF EVENTS

In his speech at the Harrogate Fire Conference in June 2010, after just over a month of the coalition government administration, the new Fire Minister, Bob Neill, claimed that there was 'significant scope to find efficiencies in the way FRSs operate', and that an 'overly bureaucratic system' had developed with 'too much central government prescription' based on national standards and targets. He therefore challenged the service, collectively, to take responsibility for the sector, and join him in a 'strategic review' of the sector and the national framework (Murphy and Greenhalgh 2011a). He acknowledged that the government would have to provide assurance about responding to national emergencies and the

adequacy of national and local emergency resilience arrangements but expected FRSs to deliver ‘more for less’. In return, there was a promise of greater financial autonomy and the abandonment of national diversity targets and national guidance on recruitment and development (Neill 2010).

Significant changes were revealed almost immediately. The Chancellor unveiled his plans to curb public spending and the so-called ‘bonfire of the QUANGOs’ (*The Guardian* 2012), abolishing over a hundred non-departmental public bodies, as part of his emergency budget. The Secretary of State for Communities and Local Government, Eric Pickles, announced plans to abolish the Audit Commission and terminate Comprehensive Area Assessments (CAA), Local Area Agreements (LAA), the National Indicator Set and the ‘era of top-down government’ (Pickles 2010a, b). However, the emphasis on prevention, protection and community safety, and the requirement for Integrated Risk Management Planning would remain.

As a response to the planned abolition of the Audit Commission and its role to ‘protect the public purse’, the Local Government Association were promoting sector-led improvement and regulation as a replacement for CAA as suggested within the LGA publication, *Taking the Lead* (2011a). In December 2010, four *Fire Futures* reports were published as a result of a wide-ranging sector-led independent review identifying, ‘a series of options for the future of fire and rescue provision in England’ (Ministry of Housing 2011). These reports addressed the fire sectors role, efficiency, accountability, and work with other emergency services but were rejected. The government’s response to the *Fire Futures* reports was to say that it did not intend to control and direct the way in which FRSs were delivered but would support options which aligned with its emerging policy for public sector reform and the localism agenda.

Whilst the official select committee report on the abolition of the Audit Commission was not published until July 2011, the announcement of plans to abolish the commission in August 2010 by Eric Pickles pre-dated this report by almost a year. Unsurprisingly the vast majority of Audit Commission staff quickly found alternative employment and the Select Committee acknowledged the subsequent inevitability of the commission’s abolition by the time of its report, with the formal closure taking place on 31 March 2015. However, the select committee nevertheless asked its witnesses whether they supported the abolition. It is interesting to note that Peter Holland (then Chief Fire Officer



of Lancashire FRA) responded on behalf of the Chief Fire Officers Association (CFOA), saying that whilst there were caveats, the commission had on balance been beneficial to the service and should be retained and reformed, rather than abolished (House of Commons Communities and Local Government Committee 2011).

Shortly after this, the coalition government's proposals for public sector reform and the ambition to ensure 'everyone had access to the best public services' were published in The *Open Public Services White Paper* (Cabinet Office 2011) on 1 July 2011 with the declaration that, 'the old, centralised approach to public service delivery is broken'. There was recognition of the difference between public services and that a one-size-fits-all policy would be inappropriate. The white paper therefore drew a distinction between three types of public services and the governments' intentions towards them: individual or personal services used by people on an individual basis; neighbourhood services defined as being provided very locally on a collective rather than an individual basis; and commissioned services—whether by central or local government—that cannot be devolved to communities or individuals.

Whilst the FRSs are not specifically mentioned in the white paper, the fourth national framework (DCLG 2012) that followed made it clear that FRSs were henceforth to be treated as commissioned services, with the FRA being the commissioning authority. In addition to the separation of commissioners and providers, there would also be open commissioning and credible independent accreditation of providers to ensure accreditation of what works. Clear mechanisms of accountability were required to ensure that:

[C]ommissioners are held to account by users and citizens for creating choice and choosing providers who offer high-quality, cost-effective services; and, secondly, that providers are held to account by commissioners and service users. (Cabinet Office 2011)

The accountability of providers would be managed through a combination of mutually reinforcing choice (alternative providers within the marketplace), user engagement or 'voice', and transparency mechanisms (the public as 'armchair auditors' furnished with more publicly available data and information). External audit and inspection would also be employed to ensure that relevant standards are met and the commissioners and provider have the necessary financial controls in place.

In a busy year for the Communities Secretary, he also announced the closure of the Government Regional Offices (DCLG 2010), formerly the hosts of Regional Resilience Forums, established by the *Civil Contingencies Act 2004*. These regional offices compiled and reviewed regional risk registers, co-ordinated Local Resilience Forums and community risk registers, and linked with national resilience arrangements, including the national risk assessment (Cabinet Office 2015) particularly at times of national or widespread emergencies. The loss of this key part of the infrastructure was particularly exposed in the winter floods of 2013–2014 (Murphy 2015b), and by the outbreaks of avian influenza (‘bird flu’) in February 2015.

In the period between the 2010 general election and July 2012, the rhetoric of austerity was pervasive throughout public services, including FRSSs. The aims to reduce the size of the state and the structural deficit resulted in proposals for severe reductions in public expenditure accompanied by the introduction of market mechanisms to reform public services. The DCLG, under Eric Pickles, was, as one would expect, a zealous implementer of these policy changes and all services within the department’s portfolio suffered the consequences.

### *The 2012 National Framework and the Knight Review*

As mentioned above the fourth National Framework for FRSSs was published in 2012 with an open-ended duration. In his ministerial foreword, Bob Neill stated it would:

Continue to provide an overall strategic direction to FRAs, but will not seek to tell them how they should serve their communities. They are free to operate in a way that enables the most efficient delivery of their services. ... Ultimately, it is to local communities, not Government, that FRAs are accountable. (DCLG 2012)

He ‘acknowledged the proficiency and experience of FRAs’ and allowed them ‘freedom and flexibility to deliver the services for which they are respected and renowned without being hampered by Whitehall bureaucracy and red tape’ (DCLG 2012).

The 2012 Framework was addressed exclusively to the Commissioners of the service, the FRAs. Its remit was restricted to England, following administrative devolution in Scotland, Wales, and Northern Ireland.



In an attempt to avoid overstepping boundaries following devolution, any reference within the framework to responsibilities arising from the Civil Contingencies Act 2004 was referred to as ‘national’ roles and responsibilities of both the government and the FRSs. Ironically there was a lack of clarity in these ‘national’ roles.

### NEW ARRANGEMENTS FOR DELIVERY, PERFORMANCE AND PUBLIC ASSURANCE

The abolition of the Audit Commission and its performance frameworks, and the introduction of sector-led improvement, moved the performance management of public bodies from a panoptical to a synoptical approach (Eckersley et al. 2014). This comprised sector-led improvement and a new regulatory system, with public sector bodies responsible for their own performance and accountability at the local not national level (LGA 2011b). This new approach required both local government and the fire and rescue sector to take a greater role in their own regulation and performance in order to improve public assurance, accountability, and transparency, with transparency at the fore (Cabinet Office 2011).

New public assurance, accountability, and transparency arrangements were introduced to support the government’s public service reform plan (Cabinet Office 2011) and arrangements for commissioned services delivered under the 2012 National Framework. Throughout this period the Department of Communities and Local Government retained responsibility for FRSs.

As stated in Chapter 1, the original National Audit Office report (Ferry and Murphy 2015), from which this book emerged, examined ten related concepts in terms of their application to the overarching process of accountability. That analysis corralled these concepts into four groups and compared the ‘state of play’ in May 2015 with the situation in May 2010. The analysis produced indications of the quality, quantity, scope, and maturity of the prevailing arrangements for public and stakeholder assurance. However, whilst each of these areas provides a piece of the jigsaw puzzle, it is only when they are viewed as a whole that a more comprehensive overall judgement of accountability and public assurance can be made.

## ACCOUNTABILITY AND TRANSPARENCY

The Secretary of State for Communities and Local Government was accountable to Parliament for the overall stewardship of FRSs whilst the accountability for the stewardship of the resources allocated to the (then) 46 FRAs and the Permanent Secretary to the DCLG oversaw providing assurance that grants are properly accounted for, and ensuring regularity, propriety, and value for money.

The fourth Fire and Rescue National Framework for England (DCLG 2012) defined the roles and responsibilities of local FRAs with each individual FRAs overseeing the policy and service delivery of a FRS. The day-to-day command of the FRS was the responsibility of the chief fire officer (CFO) who was accountable to the FRA. Funding came from business rates, a levy on council tax, and fees and charges from services provided, such as training, through the Local Government Departmental Expenditure Limit. Financial controls included clear responsibilities around expenditure, financial duties and rules for prudence in spending, internal checks for compliance, and external checks by an independent auditor.

*The Local Authority (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012*, which also apply to FRAs, were intended to introduce greater transparency and openness into council and authority meetings. Members of the public can only be refused admission in limited circumstances and they must be able to access documents that relate to meetings and executive decisions. In addition, an FRS is required to make a range of datasets available to the public in accordance with the DCLG's *Code of Recommended Practice on Data Transparency* (more often known as the *Local Government Transparency Code 2014*), including, *inter alia*, publication of annual accounts, senior employee salaries, councillor allowances and expenses, copies of contracts and tenders, and grants to the voluntary and social enterprise sectors. It must also make available policies, performance and external audit, and details key inspections and indicators on fiscal and financial position.

Since 2010, the FRS performance management regime, including arrangements for assessing value for money, have been focused around the LGA sector-led improvement approach (see chapter 3). As a result of mounting concerns about the adequacy of this approach, the NAO

undertook both a Local Government study, and a Value for Money study (NAO 2015a, b) which were followed by a Public Accounts Committee report (House of Commons Public Accounts Committee 2016b). These all identified ‘gaps in this localised system’ and demonstrated significant inadequacies in financial and performance management, value for money and public assurance. They also led to calls for the restitution of an independent fire service inspectorate (Murphy and Greenhalgh 2014). The previous inspectorate had been replaced by the Audit Commission and then subsequently a ‘chief fire service advisor’ within DCLG, this inspection responsibility was then transferred to a civil servant, subject to the civil service code and answerable to the department before then transferring to the Home Office in 2016.

The NAO report and subsequent calls for the restitution of an independent inspectorate implicitly acknowledge the oversimplification of the relationship between accountability and transparency, claimed by the then Secretary of State, Eric Pickles, i.e. that greater transparency was the same as greater accountability<sup>1</sup> or that losses of accountability were adequately compensated for through improvements in transparency. In earlier chapters, we have built upon Hood’s (2010) seminal paper, and its application to public services (Ferry et al. 2015), as a means to demonstrate that the relationship between accountability and transparency is complex, overlapping, and situationally dependent and that each can exist separately to each other in both theoretical and practical senses. The NAO and Public Accounts Committee reports clearly show that by 2015 the contemporary arrangements for both accountability and transparency in FRSs had become unacceptable.

### EVIDENCE, INFORMATION, AND ANALYSIS

The availability, analysis, and transparency of data, and particularly performance data, by independent researchers/armchair auditors had also become increasingly difficult after 2010 (Ferry and Murphy 2015). Previously, the Audit Commission collected and published national performance statistics, making them publicly available on interactive websites. The abolition of the Commission resulted in national reports being made available through the National Archives. However, no other data

<sup>1</sup>This statement from the Secretary of State is no longer available and was later corrected and ‘updated’ on the governments websites on 8th May 2015 (DCLG 2015a).



or information, including local reports were transferred, and no other central repository was established or used. The proposal by the coalition government to outsource the collection, analysis, and reporting of the government's fire service statistics by the DCLG (2015b) has yet to be implemented. The governments fire statistics, together with financial and performance databases from CFOA and CIPFA, do allow for investigation and analysis of expenditure and some performance information, but the latter two were only available by subscription. Furthermore, the fire peer challenge and operational assessment commissioned by all 46 FRSs in England and Wales, or the fire authorities' response to the assessments were initially published on the LGA website but were withdrawn by the LGA in 2015 and only a minority are available on fire authority websites.

Consequently, since the Audit Commission's abolition, there has been a significant loss in audit capacity only partially compensated for by the operational research at the NAO. The historical paucity of independent academic research capacity in the management of fire and rescue relative to other services compounded this lack of independent scrutiny (Wankhade and Murphy 2012).

### GOVERNANCE, LEADERSHIP, AND STRATEGIC ALIGNMENT

The *Bain report* (Bain et al. 2002) identified the 'lack of leadership throughout the service at the political, institutional and operational levels'. Between 2003 and 2010, central and local government, local FRSs Chief Officers, and the Audit Commission sought to re-establish collective sector leadership and to facilitate performance improvement, innovation, and service delivery. The *Fire and Rescue Act 2004* and the *Civil Contingencies Act 2004* prompted a period of gradual acceptance of and engagement with increasing strategic alignment through joined up policy and delivery, improved performance management, and investment in infrastructure and system support. The development of tools, techniques, systems, and interventions were behind developments in the equivalent health and local government regimes, but were rapidly progressing and generally considered to be ahead of FRSs worldwide (Murphy and Greenhalgh 2018).

Since 2010 this collective leadership has fragmented, with significant loss of capacity and coherence, accompanied by a loss of collective vision thereby compromising strategic alignment (Ferry and Murphy 2015; NAO 2015a, b). The coalition government significantly reduced its own



role with the fourth National Framework proposing a ‘hands off’, light touch and self-governing model for local FRAs and for the support and intervention regime. As in previous periods of FRS history (Raynsford 2016), leadership and collective responsibility had largely been left to CFOA, and there emerged a clear risk to individual and collective aspirations for efficiency and value for money (Knight 2013; Murphy 2015a; NAO 2015a). Under the coalition government, FRSs and FRAs were driven, in both theory and practice, by short-term cutback management.

Fire Services respond to short and long-term emergencies with the other blue light services on a day-to-day basis. The FRA’s role is to finance and equip the response to incidents and emergencies, and to enable the service to collaborate and deliver strategic and operational efficiencies. In general, the emergency services already had mature, efficient and effective cross-organisational emergency planning, resilience and interoperability capability at an operational response level. This has improved continually since modern emergency services were established after the Second World War but particularly after a series of major emergencies and disasters in the 1980s and 1990s that included the Bradford and Kings Cross fires. National interoperability has similarly improved since the *Civil Contingencies Act in 2004*, as major emergencies have become more numerous, complex and diversified. Paradoxically, regional emergency planning, regional intelligence and co-ordination and response capacity was actually reduced when the government abolished regional resilience forums and regional government officers in 2012.

### REPORTING, SCRUTINY, AND INTERVENTION

Strategic advice and guidance to ministers, civil servants and fire authorities on structure, organisation and performance were provided by the chief fire service adviser in the DCLG. The annual financial reporting mandated through the *Local Audit and Accountability Act 2014*, together with statistical returns to parliament, the secretary of state and other regulators or agencies, were the only reporting requirements for individual FRSs.

The differentiated responsibilities of FRAs and FRSs that arose from the commissioner/provider split and scrutiny arrangements following the open public services white paper and the 2012 Framework were largely exercised at the local level through local government structures, regulations, and practices. However, there is no demonstrable

evidence that this change made any significant impact in practice, and no discernible impact on either the amount or quality of scrutiny by FRAs. Inter-agency and collaborative working arrangements are to an extent ‘horizontally’ scrutinised in local resilience forums but these are relatively recent and therefore untested in their ‘scrutiny’ role.

FRSs are able to benchmark expenditure and budgeting through CIPFA’s interactive financial database and its interrogative tools. However, in terms of external scrutiny, FRAs and FRSs had considerable discretion to determine what is reported to the public. Their reports and the data behind them are variable and provide little opportunity for meaningful comparisons across organisations, as Murphy and Greenhalgh found in a previous survey for Nottinghamshire FRS and more recently in the report for the NAO (2015b).

FRAs and FRSs were still subject to the duty of Best Value, and the secretary of state had broad intervention powers delivered through the *Local Government Act 1999* and the *Fire and Rescue Services Act 2004*. Within these acts are powers to obtain information or to take action in any circumstances where central government may wish to have an investigation or assessment. This could include a major fire incident investigation or where serious concerns exist regarding the discharging of functions or even corporate failure. The Secretary of State is required to have regard to the updated *Protocol on government intervention action on FRAs in England* (DCLG 2013) although this has not been used to date.

### ASSESSMENT OF ACCOUNTABILITY ARRANGEMENTS 2010–2015

In the report commissioned by the NAO, Ferry and Murphy (2015) assessed the quality and effectiveness of accountability and public assurance provided across locally delivered services. They found that in FRSs, accountability and transparency were generally poorer in 2015 than in 2010. The performance management regime was fragmenting, the evidence base was diminishing and the improvement infrastructure and support available to fire services had suffered significant losses in both capacity and capability. In addition, major capital funding arrangements remained inflexible and expensive, and financial and resource planning was generally short-term and compliance dominated. As Knight (2013) had found earlier, and the NAO came to suspect (NAO 2015a, b), potential inter-agency efficiency gains were not being captured, still less maximised.

2010	Red	Red/ Amber	Amber	Amber/ Green	Green
Accountability/ Transparency					
Information/ Interrogation					
Governance/ Leadership/ Alignment					
Reporting/ Scrutiny/ Intervention					

2015	Red	Red/ Amber	Amber	Amber/ Green	Green
Accountability/ Transparency					
Information/ Interrogation					
Governance/ Leadership/ Alignment					
Reporting/ Scrutiny/ Intervention					

Fig. 6.1 Fire and rescue services: Public Assurance 2010–2015

To illustrate the historical and sectoral changes and the relative positions of the various services, Ferry and Murphy (2015) produced a series of diagrams that showed the level of public assurance and the likely risk to achieving value for money. The position for fire and rescue is shown as Fig. 6.1. The green rating represented best available practice plus known achievable potential improvements as existing in 2010, and the red represented unacceptable or poor performance. Whilst fire services had been a relatively poorly performing sector prior to the *Fire and Rescue Services*



*Act 2004* and the performance assessment regimes of New Labour, it had started to improve, initially between 2004 and 2005, and at a rapidly accelerating rate from 2006 to 2010 (Murphy and Greenhalgh 2018). Unfortunately, between 2010 and 2015 this trend reversed, and the picture deteriorated to the extent shown in Fig. 6.1 at 2015.

The NAO inherited responsibility for oversight in April 2015 after formal closure of the Audit Commission on 31 March. By 5 November 2015, (ironically ‘Bonfire Night’<sup>2</sup> in the UK—a high-pressure date for FRS), the NAO had investigated and published their report on the financial sustainability of the FRSs. This contained some searing criticisms of the contemporary performance of the service and the state of public assurance. Most criticism was levelled at the government and the DCLG in particular for its inadequate leadership and oversight of the service. The DCLG was criticised for the inadequacy of its evidence and failing to test or challenge the effectiveness of the local systems to which it has delegated accountability, regulation and oversight.

On 5th January 2016, the Prime Minister confirmed that ministerial responsibility for fire and rescue policy would transfer from DCLG back to the Home Office from whence it came in 2001. This was even before the Public Accounts Committee’s subsequent investigation based on the initial NAO report (House of Commons Public Accounts Committee 2016a).

In her last speech as Home Secretary in 2016 (May 2016), Theresa May referred to a ‘*fire and rescue landscape still beset by poor governance and structures*’ and a ‘*service that requires further reform to improve accountability, bring independent scrutiny and drive transparency*’. She announced that she would be tabling amendments to the *Policing and Crime Bill*, which was then part way through its parliamentary process, in order to strengthen the inspection powers that were to be included in the *Fire and Rescue Services Act 2004*. This would introduce a rigorous and independent inspectorate regime, improve collaboration between the blue light services, and improve standards and the evidence base on which local and national decisions were taken.

As we reported in Chapter 5, the creation of this ‘rigorous and independent inspectorate regime’ for FRSs soon became ‘an extended

<sup>2</sup> Bonfire night is the annual celebration characterised by bonfires and fireworks on the 5th November aka Guy Fawkes night. Guy Fawkes was a member of the Gunpowder Plot who attempted (unsuccessfully) to blow up the Houses of Parliament in 1605.



reincarnation of HMIC renamed Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS)' reporting to the Home Office and taking directions from ministers. In fact, the proposed new arrangements show remarkable similarities to the PEEL police service inspections regime (HMICFRS 2017; Murphy et al. 2018). Similarly, the government's proposal for the improvement in data and information services for FRSs, is to establish a website similar to [www.police.uk](http://www.police.uk), thus helping the public 'to assess the performance of their local service...and...unleash armchair auditors to scrutinise and do their work on how their service is operating' (Home Office 2017), despite the apparent lack of evidence that this had worked for the police, or indeed local government.

The other fundamental issue for governance, accountability, and assurance from the 2017 act is the promotion of the role of police and crime commissioners (PCC). This enables PCCs to assume responsibility for local FRSs and become police, fire, and crime commissioners (PFCC). The role was enhanced on the basis of the assumed benefits that have accrued to police services. As an election manifesto commitment and a personal initiative of the prime minister, the government clearly expected this initiative to be widely adopted and enthusiastically embraced. At the time of writing only one PFCC has been approved, to take over the previously troubled Essex FRA, although there are six more applications pending on the home secretary's desk.

## CONCLUSIONS

As with police services, since 2015 there have been clear improvements to accountability and transparency in FRSs, although it would be difficult not to act and act decisively given the inadequacy of previous arrangements and the coruscating reports from the NAO and the PAC. Depending on the impact of the PFCCs and the new inspectorate, together with related proposals for information management, there may be further improvements as a result of the reports. Whether this will amount to the level of comprehensive and sophisticated accountability and assurance that the public have a right to expect of emergency services facing ever more complex challenges is too early to say. The DCLG allowed oversight and assurance of the service to fall into such a parlous state, that once the government was confronted with the problem it had to act. However, the scale of operational efficiencies and the risks

to the public highlighted by the NAO are still unclear; the government itself acknowledged that this could not be effectively measured by the previous system. Finally, there is the issue of continued disinvestment in the service as further reductions in public expenditure are planned up until 2021. As the Grenfell Tower disaster has shown (Hackitt 2017) FRSs are facing rapidly changing and ever more complex challenges, and they are trying to do so within a planned resource envelope that is diminishing.

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## 13 A Comparative Appraisal of Recent and Proposed Changes to the Fire and Rescue Services in England and Scotland

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### Introduction

Scottish firefighters and fire brigades have been an integral part of the fire services in the UK since James Braidwood established the first municipal service in Edinburgh. He was the first to develop systematic methods of controlling and fighting fires rather than simply (and sometimes chaotically) responding to individual incidents (Ewen, 2010). Braidwood went on to establish the London Fire Engine Establishment in 1833, which was the precursor to the Metropolitan Fire Brigade of 1866. As Taylor et al. (2018, p. 191) acknowledge,

from the early 19th century to the end of the 20th there was little to differentiate the scale scope and nature of the service in Scotland from those south of the border, as the Edinburgh ‘model’ was adopted by in all the great Victorian cities, such as Glasgow, Manchester, Liverpool, Birmingham, Leeds and many more.

The heart of the early 21st century modernisation of the fire service by the New Labour administrations and the subsequent development of policy and service delivery was the Fire and Rescue Services Act 2004 and the Civil Contingencies Act 2004. These two acts were developed and came into force at the same time. Scotland actually had its own Fire and Rescue Services Act of 2005, but this is almost identical to the English Fire and Rescue Services Act 2004 in terms of principles, objectives and the extensive changes to policy and practice that followed the commencement of the act.

At this time, both systems changed the basis for their assessment of risk from a system based primarily on evaluating risks to premises, buildings and property to a system based upon evaluating risks to people and communities (Bain et al. 2002). Amongst other things, the act introduced an Integrated Risk Management Planning process (IRMP) together with Integrated Risk Management Plans, which by statute have to be produced and regularly updated in both countries. Although a great number of changes have subsequently happened to the fire service in both England and Scotland, the

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one thing that has not changed in either service since its introduction is the requirement to assess risk based on an IRM process and the requirement to produce an IRM plan.

### Financial Resources

Both regimes and administrations have also been subject to the same severe financial constraints under the coalition government's macro-economic approach to 'austerity' (Blyth, 2015; O'Hara, 2015; Schui, 2014). This was a UK-wide policy that has been operationalised at service and local levels through successive financial settlements and short-term cutback management.

Although the policy of cutback management (Wilks, 2010; Scorsone and Plerhopes, 2010) was intended to be 'short term' and originally intended to address the 'structural deficit' in the UK's finances, it has persisted since the emergency budget and the governments' Spending Review of 2010. Cutback management is usually a short-term policy response to major spending shocks or crises, last seen in the UK in the 1980s. It is questionable whether it is an efficient or effective policy in the short term; there is no doubt that it is an inefficient long-term economic policy. It has been implemented in the UK through a series of short-term sub-optimal adjustments instead of through a coherent and robust long-term strategic approach. The result has been an increase in the national debt, which exceeded £1.5 trillion at the end of the 2015–16 financial year (HMT, 2018a).

The government's long-term single departmental spending plans are laid out at the Spending Review 2015 (HM Treasury, 2015) for the period 2015 to 2020 (Home Office, 2016a). These plans described the new governments' objectives and are intended to ensure that each government's department's plans and spending reflected the priorities of the 'whole of government' priorities. The departmental expenditure limits for the Home Office in England and for Scotland are shown (in cash terms and in billions) in Table 13.1. They effectively show a medium-term reduction in cash terms, and a greater reduction in real terms, for public services in both countries, both recently and in the foreseeable future.

Although these departmental plans were updated in December 2017 (Home Office, 2017a), together with the latest annual 'supply', estimates presented

*Table 13.1 Resource (DEL excluding depreciation) 2015 Spending Review Departmental Expenditure Limits (HM Treasury p. 77).*

<i>Departmental Expenditure Limit</i>	<i>2015–16</i>	<i>2016–17</i>	<i>2017–18</i>	<i>2018–19</i>	<i>2019–20</i>	<i>2020–21</i>	<i>Cumulative Real Growth</i>
Home Office	10.3	10.7	10.6	10.6	10.6	*	–4.8%
Scotland	25.9	26.1	26.3	26.3	26.5	*	–5.0%
Wales	12.9	13.0	13.1	13.2	13.3	*	–4.5%



to the House of Commons by HMT in April 2018 were still based upon the 2015 Spending Review, and the latest 'Spring Statement' in March 2018 (HM Treasury, 2018b) made no new spending announcements.

Thus the 'resource envelope' upon which the fire and rescue services is dependent in both countries in the period from 2010 to 2018 and in the foreseeable future up until 2020/21 is remarkably similar. It is contracting.

## **A Watershed**

The common approach to policy and the delivery of fire and rescue services changed radically after the election of a Conservative-led coalition government in England in May 2010, and First Minister Alex Salmond launched the Christie Commission on the Future Delivery of Public Services in Scotland (Scottish Parliament, 2011a).

The latter was to examine how Scotland's public services could be delivered in order to secure improved outcomes for communities across the country. The following year, the Scottish National Party won the May 2011 elections to Holyrood with an overwhelming majority. The Christie Commission produced its report with the chairman Dr Campbell Christie urging the government to "act quickly and decisively", claiming that "the way forward is clear, and it is now essential that the Scottish Government exercises its leadership by initiating a fundamental public service reform process" (2011, p. vi).

The period from 2010 to 2015 then saw considerable changes to public policy and management as well as service delivery across the whole public sector throughout the UK. Nowhere was it better exemplified by the respective changes in the two fire and rescue sectors. The next three sections of this chapter will therefore compare changes in the policy development, service delivery and public assurance arrangements in England and Scotland, before drawing some conclusions in the final section.

## **Policy and Leadership**

The fundamental differences in the policy approach to fire and rescue services was almost immediately apparent from the first policy documents published after the respective elections in 2010 and 2011. Both governments proposed new legislation and initiated consultation exercises. These resulted in new legislation and the issuing of new national frameworks for fire and rescue services based upon competing visions of public services. Policy development at both national and local levels changed and has continued to contrast between the two countries.

In Scotland, the Christie Commission had focused on how to secure improved outcomes from public services. The Scottish government was urged to show leadership and "act quickly and decisively" to improve public services.

Before the end of 2011, and admittedly benefiting from all party general support, the Scottish government had published a consultation on the future of the Scottish fire and rescue services (Scottish Government, 2011a), an



initial options appraisal report on possible structural reform (2011b) and an outline business case (Scottish Government, 2011c) for the creation of a single national services. The latter, to be through the amalgamation of the eight existing services and the national training centre, had quickly become the preferred option.

These were followed by the 2012 Police and Fire Reform Act (Scotland), which required the establishment of a single national service by April 2013, when a national policy framework (Scottish Government, 2013a) and a new governance and accountability framework for fire and rescue services (Scottish Government, 2013b) were also published. In retrospect, it is clear that the Scottish government took an immediate grasp of fire and rescue service policy and sought to develop it in an open collaborative manner reminiscent of earlier calls in England for the co-production of policy.

This practice of collaboratively producing policy with the services and organisations that have to deliver the policy, and allowing significant time for public consultation and reflection upon representations received, is one that has endured into the latest round of national policy. At the time of writing this chapter, the Scottish parliament are in the course of undertaking 'Post-legislative Scrutiny of the Police and Fire Reform (Scotland) Act 2012' (Scottish Parliament, 2018); Audit Scotland (2018) have published an update of their audit report on the first two years of the fire and rescue reforms (Audit Scotland, 2015), the Scottish FRS are consulting on their future strategy (SFRS, 2018) and HMI Fire Service Inspectorate, partly motivated by the Grenfell tragedy, have completed a national Fire Safety Enforcement Inspection (HMFSEI, 2018).

What emerges from all of this activity is not only the continuing difference in their policy content and underlying principles but also the difference in the way the processes are being conducted.

The open, consultative, inclusive and reflective process in Scotland contrasts with the equivalent in England. In England, independent third parties find it difficult to contribute to the process, consultation periods are as limited as statute allows and key national policy documents such as a draft new national framework (Home Office, 2017b) are published to a "silent fanfare of absent publicity" (Murphy and Glennon, 2018, p. 22), to be followed almost immediately by a national framework (Home Office, 2018) that has taken a minimal amount of notice of the limited response.

In their analysis of the period up to 2015, Taylor et al. (2018) noted that the early initiatives reflected a strong orientation towards notions of public value, new public service theory and traditional interpretations of public service (2018, p. 194), where the users of public services are seen as citizens with responsibilities as well as rights, rather than 'customers' of services. They also give the impression that the public's voice is valued, heard and acted upon.

The latest policy documents embrace and further embed these notions as the government attempts to operationalise the next stage of service reform and build on the approach adopted over the reforms to date. Scotland, at least in terms of its fire and rescue service, has witnessed a successful start

to its transformation project that has demonstrated individual and collective leadership within a strategic and holistic approach to the service (Taylor et al., 2018; Audit Scotland, 2015, 2018).

Board and management display mutual respect, a constructive tone and genuine shared ownership of issues.

(Audit Scotland, 2018, p. 5)

Finally, at the local level, policy development, partnership working and community working continues to be effective (Audit Scotland, 2015, 2018; Taylor et al., 2018).

The SFRS has successfully maintained effective relationships at a local level through local senior officers (LSOs) who liaise with the 32 Scottish councils and community planning partnerships. The council officers and councillors that we interviewed during our audit consistently said that they valued the enthusiasm and contribution of the LSOs very highly, particularly in relation to their community work on prevention and protection.

LSOs lead the development of local fire and rescue plans for each Community Planning Partnership. These plans are more tailored to local risks than previous plans and are focused on improving outcomes for local people, such as better home safety.

(Audit Scotland, 2018, p. 23)

In England, policy development took a different turn from the moment the new fire minister in the coalition government announced a strategic review of the fire and rescue sector and the government's role within it (DCLG, 2010). A new policy regime for public services that has been described as 'austerity localism' (Lowndes and Pratchett, 2012) was established by the Localism Act 2011 and the Open Public Services White Papers (Cabinet Office, 2011, 2012). This was a return to the notions of new public management, neoliberalism and the advocacy of greater exposure of public services to markets and price competition. The emergency services were no exception.

The national framework for fire and rescue services that followed (DCLG, 2012) included a significantly reduced role for the government in policy development and support for the delivery of fire services (Murphy and Ferry, 2018). This was accompanied by a significant loss of capacity and coherence in the sector, which compromised strategic alignment at the national level (Ferry and Murphy, 2015; NAO, 2015a). The government also abolished the Audit Commission and most of the 'improvement' infrastructure, losing significant amounts of data and intelligence in the process (see also Chapter 9). At the local level, it introduced a 'light touch' self-governing model for local fire and rescue authorities and implemented a commissioner/provider split with the fire and rescue service.



The result was effectively an abdication of individual and collective leadership by the government, with only limited and unplanned restructuring of service delivery, as only two pairs of county service amalgamations took place at the local level despite continuous policy encouragement. By the time of the general election in 2015, the system was in disarray and quickly became unacceptable to both parliament and the government.

In 2016 the Public Accounts Select Committee had reported,

The Department for Communities and Local Government has not had a strong understanding of the capacity of individual fire authorities to absorb further reductions through efficiency savings, or of the impact of reducing fire prevention work. By not providing more active support and guidance, the Department exacerbated the risk that fire authorities would miss opportunities to improve value for money . . . There are weaknesses in the local scrutiny by fire authorities which raise concerns about their operational performance and safeguarding value for money; this is more serious because of the lack of an external inspectorate.  
(2016b, p. 3)

The government announced that responsibility for fire and rescue services would henceforth be transferred to the Home Office, and in one of her last speeches as home secretary, the future prime minister admitted,

fire and rescue landscape are still beset by poor governance and structures (they are) a service that requires further reform to improve accountability, bring independent scrutiny and drive transparency.  
(Home Office 2016b, p. 2)

Mrs May's proposed solution was to adopt the approach that she had previously taken to the reform of the police services with the introduction of police and crime commissioners who would now ('subject to a local case being made') be encouraged to take over governance and policy responsibility for local fire and rescue services. She therefore announced that emergency amendments would be added to the Policing and Crime Bill, then at third reading in the House of Commons, accepting and incorporating all of the recommendations of the PAC report.

Chapter 9 describes in more detail the introduction of police and crime commissioners and the resultant changes in the organisational landscape in England that resulted from what became the Crime and Policing Act 2017.

To examine how policy changed, we need only look at the new national framework for fire and rescue services (Home Office, 2018) that was published after the act. We have of course already commented on the process adopted and the limitations of the consultation arrangements. What the framework includes and what it excludes are both instructive.

There is no mention in the minister's foreword or in the introduction to the National Audit Office or the Public Accounts Committee reports that drew attention to inadequacies in the sponsorship, leadership, financial control

and infrastructural support for the service. There is also no explicit mention of the long-term planned future reductions in financial support. The new framework is, however, very clear that the government's overall policy approach has not changed.

The National Framework will continue to provide an overall strategic direction to fire and rescue authorities, but Whitehall will not run fire, and fire and rescue authorities and their services remain free to operate in a way that enables the most efficient and effective delivery of their services, drawing upon their considerable skills and experience to best reduce the risks from fire.

(Home Office, 2018, p. 4)

The framework re-confirmed that the basis of policy development would remain the IRMP process. Similarly, it confirmed that the role of national government in the national resilience arrangements is to identify any gaps in provision. It remains the responsibility of fire and rescue authorities to assess all foreseeable risks that affect their communities—whether they are local, cross-border, multi-authority and/or national in nature, from fires to terrorist attacks—and to address any gaps.

While the act and the framework clearly acknowledge the services' contributions to wider social policy issues and wish to encourage wider collaborative working, both the act and the framework are primarily concerned with changes in the arrangements for public assurance and service delivery rather than public policy.

## Service Delivery

There are a number of characteristics or issues relating to service delivery through which we can compare the two countries: management and performance, ways of working, the priority afforded to protection and prevention as opposed to reactive services, and of course, the governance and delivery structure.

The clear contrast in the service delivery structure is the simplest to describe in the two countries since it has already arisen in both this chapter and in Chapter 9.

The amalgamation of services, primarily to achieve economies of scale and make more sophisticated specialist services and appliances universally available, had been a recurrent feature in both countries, since 'modernisation' at the turn of the century.

John Prescott, the politician most responsible for the Fire and Rescue Act 2004 and the Civil Contingencies Act when he was secretary of state and deputy prime minister, was often accused of trying to apply his regional agenda to all public service reform, and the fire and rescue service was no exception. His project to replace 46 local fire control centres with nine purpose-built regional centres was a particular disaster that became a political albatross (NAO, 2011; PAC, 2011) for regionalisation long before and



after the scheme had to be abandoned. The coalition government, however, remained committed to encouraging voluntary amalgamations. So much so that in 2015 Lyn Brown MP, then shadow fire minister, published a consultation about the future of fire services in England that was based explicitly on three options for the horizontal integration and amalgamation of services (Brown, 2015).

As we know from Chapter 9, this did not happen in England. In Scotland, however horizontal integration across the sector had all-party support in principle and ultimately resulted in the creation of the Scottish fire and rescue service, which is the largest service in the UK and the fourth largest in the world.

There are, however, three aspects of service delivery that have remained constant across both countries, although even in these areas minor differences are starting to appear. The first is a firefighting establishment with a mixture of service personnel consisting of whole-time and part-time (or 'retained') personnel and volunteers. The second is the deployment of this personnel via the 'watch' and station structure, and the third is the need for collaborative working both across the emergency services and more widely with key partners such as local authorities.

These three aspects reflect almost universal characteristics of fire services across the globe. Although both countries share these characteristics, the approach to flexible rostering of personnel, the use and retention of stations and other premises and the nature of their collaborations is starting to change because of policy differences.

Scotland is effectively implementing a resource- or asset-based strategy—valuing its assets and attempting to optimise its use of available resources while evaluating inputs, outputs and outcomes against the creation of both public and private value. England, as the new national framework (Home Office, 2018) and the new inspection proposals demonstrate (HMICFRS, 2018), is implementing a financially led strategy, through a shrinking resource envelope, allied to evaluating services and initiatives against the financial return on investment primarily (but not exclusively) in the short term. Scotland is essentially retaining assets and estate and seeking to make better use of them, often in collaboration with the other emergency services. England is actively rationalising and disposing of its assets and estates, where possible, to meet financial targets.

The second emerging difference results from the balance of investment within the respective services and countries, in terms of investment in national and local 'protection and prevention services' on the one hand, and fire response services on the other.

Both countries acknowledge the importance of maintaining fire protection and prevention services, and overall, both services are subject to approximately the same level of reducing resources. However, in terms of proportionate reductions, the overall balance tends to favour investment in emergency response in England, while in Scotland it favours the protection and preventative services because of alternative service and financial policies between the two countries.

In terms of collaborative working, the service in England is clearly moving towards much closer collaboration with the police in particular, although the government was so concerned about the extent of collaboration across the emergency services that it introduced a statutory requirement to collaborate in Chapter 1 of the Policing and Crime Act 2017.

In Scotland, collaboration between the government, the SFRS, the emergency services and other key stakeholders such as the local authorities has been relatively successful and is considered to be improving. The geographical co-terminus boundaries between police, fire and ambulance services in Scotland undoubtedly help collaborative working at the strategic level, while coterminous boundaries with local authority areas clearly assist operational collaboration.

Finally, we are able to compare the management and performance of the two services, as both have been subjected to extensive external independent scrutiny and review over the last eight years, not least by their external auditors (NAO, 2015a, 2015b; Audit Scotland, 2015, 2018) but also by their respective parliamentary scrutiny arrangements (PAC, 2016; Scottish Parliament, 2011b, 2018).

In terms of both financial and service performance, the contrast is surprisingly stark.

While Scotland has been characterised as having strong financial management with a 'good approach to long term financial management' (Audit Scotland, 2018, p. 5), in England the NAO (2015a, 2015b) found significant inadequacies in financial management and value for money, which were reiterated by the PAC (2016) and acknowledged by the government (Home Office, 2016b).

In Scotland, the auditors initially reported that the Scottish government and the Scottish fire and rescue service managed the 2013 merger of the eight fire and rescue services effectively and that there was no impact on the safety of the public during or as a result of the merger. There were no additional funds to help with the merger but, nevertheless, in the first phase from 2013 to 2015 the performance of the Scottish fire and rescue service improved and was continuing to improve (Audit Scotland, 2015). By 2018 the auditors were still positive if more cautious; "the SFRS continues to deliver emergency and prevention service while progressing a complex and ambitious programme of reform" (2018, p. 1). Audit Scotland was, however, by this time *inter alia* calling for an increase in the pace of reform, the introduction of well-developed performance management systems and more robust monitoring evaluation and reporting of the impacts of community safety activity.

### Public Assurance

In Scotland, there is a comprehensive system of parliamentary and governmental scrutiny over the fire and rescue services. The government appoints an arms-length independent board, who are responsible for the corporate governance of the SFRS. The senior management of SFRS reports to the

board, and they in turn are accountable to the Scottish government through the Department of Community Safety who are, *inter alia*, responsible for 'delivering fit-for-purpose police and fire services'. The external audit is the responsibility of Audit Scotland, who now audit 224 public bodies including the Scottish parliament central government bodies, the 32 councils and the 23 NHS bodies.

Parliamentary scrutiny in Scotland is largely based on the Westminster system, which is a model of scrutiny through a series of all-party backbench select committees that largely mirror government departments. The fire service in Scotland is scrutinised primarily by the Local Government and Communities Committee but, as in England, can be called upon by other select committees. In addition, Scotland also has a Public Audit and Post-legislative Scrutiny Committee. This committee scrutinises the performance of the Scottish government and public bodies, considers issues arising from their accounts and specifically reviews the implementation and effectiveness of recent legislation. As mentioned earlier, the Local Government and Communities Committee is currently scrutinising building regulations and fire safety in Scotland, largely as a result of the Grenfell Tower disaster (Grenfell Tower Inquiry, 2016), while the Public Audit and Post-legislative Scrutiny Committee is investigating issues arising out of the 2018 Audit Scotland update of the Scottish FRS (Audit Scotland, 2018).

In England, since 2016, the Home Office has been responsible for the fire and rescue services. However, the minister of state for policing and the fire service, in his foreword to the new national framework, states that the national framework will continue to provide an overall strategic direction to fire and rescue authorities. 'Whitehall will not run fire', thus signalling a continuation of the policy and practice that was evident from 2010 to 2015 under the previous Department of Communities and Local Government (Home Office, 2018).

The Home Affairs Committee and the Public Accounts Select Committee provide parliamentary scrutiny, although both of their remits are much wider than that of their Scottish counterparts. Fire and rescue services are therefore a much smaller part of their respective portfolios. For example at the time of writing, the Home Affairs committee has 14 ongoing inquiries, none of which involves the fire and rescue service, while the PAC has 29 ongoing inquiries with the only one affecting fire and rescue a review of the process for replacing the 'Airwave' emergency communication system.

Fire and rescue authorities in England can appoint their own auditors, who cover the authority's financial statements and the assessment of value for money under the Local Audit and Accountability Act 2014. The act only applies to England, where the audit of organisational performance has increasingly relied on the development of the concept and practice of 'armchair auditors' or interested members of the public taking direct evaluative interest in services rather than regular public assessment and reporting from professional auditors. There is now considerable independent research to question the effectiveness of this reliance on 'armchair auditors' (Ferry and Murphy, 2017; Ferry et al., 2018).



In a speech shortly before she became prime minister, Mrs May promised to put in place the right framework of institutions and processes to ensure operational integrity, as well as greater accountability and transparency for the fire service (Home Office, 2016b). She referred in particular to the lack of an independent inspectorate, a regular audit of performance and the limited available data on performance over time or between areas.

External independent inspection of the fire and rescue service was terminated on the announcement of the abolition of the Audit Commission. The Audit Commission had taken over independent inspection from Her Majesty's Fire Service in 2007. Between 2007 and 2018, England was the only country in Europe without an inspectorate. Scotland had retained Her Majesty's Fire Service Inspectorate for Scotland throughout.

Shortly after the Policing and Crime Act 2017 received royal assent, the minister (Brandon Lewis) announced further details about the new inspectorate (Home Office, 2017c). He said that a new 'suitable' inspectorate for fire and rescue services would be modelled on Her Majesty's Inspectorate of Constabulary (HMIC), and that, like HMIC, it would have a focus on efficiency and effectiveness.

It would have the power to undertake joint inspections with HMIC and thematic inspections as well as organisation inspections and service inspections. Like HMIC, it would report to government through the Home Office. The home secretary has the power to commission and direct inspections and the chief inspector's annual report will be presented to parliament via the Home Office.

Emerging as Her Majesty's Inspectorate of Constabulary and fire and rescue services, it was established in April 2018 with a chairman and board inherited from its predecessor the HMIC.

Any ambitions for robust independence were further deflated with the publication of the consultation on the new inspectorate's proposed inspection framework and initial programme of inspections (HMICFRS, 2017). Emulating the practice adopted by the Home Office with the national framework, it was published in the week immediately prior to Christmas in 2017 (Murphy and Glennon, 2018). Following a minimal statutory consultation process that took little notice of the limited representations received, it was quickly followed in March 2018 by the formal framework (HMICFRS, 2018).

In Scotland, the chief inspector (HMFIS) is appointed by Order in Council and operates independently of ministers and the SFRS.

The purpose of the Scottish Inspectorate is to "give assurance to the Scottish people and to Scottish ministers that the Scottish FRS is working in an efficient and effective way and to promote improvement in the SFRS" (Audit Scotland, 2016, p. 1). The inspectorate has to have regard to "the principles of public focus, independence, proportionality, transparency and accountability" (Audit Scotland, 2016, p. 2). By statute, the chief inspector has a duty to make 'independent' determinations and is obliged to collaborate and align the work of the inspectorate with key stakeholders such as Audit Scotland, the Ombudsman and the Procurator Fiscal Service.



The Scottish Inspectorate is conceptualised and established as part of the scrutiny arrangements of governance rather than being part of the government. The new HMICFRS in England is clearly conceptualised and strategically positioned closer to the government. Although it is too early to judge in this case, history suggests that the more independent an inspectorate is, the more robust open and effective the scrutiny it provides.

Mrs May's speech in 2016 also drew attention to the limited available data on service performance available to the government, key stakeholders, collaborators and the public. Some would regard this as a tacit acknowledgement of the failure of the armchair auditor initiative. The loss and degradation of performance data and intelligence has been an issue since the announcement of the demise of the Audit Commission. It was further exacerbated by the closure of the Improvement and Development Agency and a range of non-departmental public bodies that were part of the so-called Bonfire of the Quango's (Ferry and Murphy, 2015; NAO, 2015a; Murphy et al., 2018). As a result of these changes, there was a huge loss of publicly available data, intelligence and historical knowledge and an irreplaceable back catalogue of individual reports and inspections. In addition, the tools and techniques, capacity and capability to analyse and interrogate this information was also lost.

## Conclusions

In retrospect, it appears somewhat ironic that the policy priority in Scotland of improving public services and in particularly improving outputs is consistent with the policy emphasis in England prior to the 2010 general election. Horizontal integration to achieve economies of scale and greater efficiencies were an ambition of the New Labour administrations. Indeed, some of the changes in Scotland might well have emerged as a logical next stage or at least a policy option had the general election not intervened.

Similarly, the ambition to integrate local policy objectives, and align organisational activities, across locally delivered public services, for example via Local and Multi Area Agreements, was a characteristic of previous Labour administrations. These initiatives were soon abandoned in England after 2010 but found further expression in Scotland through Single Outcome Agreements and community planning. At a more general level, this appears to reflect greater active involvement from central government in service delivery. Scotland also appears to have a more reflective and responsive approach to policy development and service delivery, not least in terms of 'ownership' of issues.

Changes in the structural and organisational landscape in both countries is the most visible contrast between the two countries in terms of service delivery. It will be interesting to see whether the emerging contrasts between estates strategies, the balance of investment between preventative and reactive services and the alternative approaches to collaboration continue to widen and if so, what impact this has on service management and performance. What surprised the authors of this study is how little evidence there appears to be of mutual learning between the respective regimes.

The crucial issue is how well the services are performing, how efficiently they are spending the public's money and ultimately how safe their communities are as a result.

The current evidence may be limited, but the findings of our investigations tend to favour the approach in Scotland. And this is the case even if you allow for competing objectives.

It is clear that England has financial management and expenditure targets as its central priority. Yet, in terms of value for money and financial targets (which are equally challenging in both countries), it is Scotland that appears to have been more successful to date. Whether the changes emerging from the Crime and Policing Act 2017 and the new national framework in England have a positive or negative impact on this comparison is a matter for a future study.

Finally, in terms of public assurance, we found clearer lines of accountability between the government and the service; more and more focused parliamentary, national and local scrutiny; and more robust and effective frameworks for inter-agency working in Scotland than exist or are emerging in England.

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## Working Paper 7.

### Developing a model to facilitate evaluation of performance regimes and national frameworks.

#### Introduction

Performance regimes, periodically assembled into national frameworks, have become increasingly popular with successive governments in the UK since the New Labour administrations of Tony Blair and Gordon Brown. Since the advent of joined-up government introduced by the modernisation agenda of the first New Labour administration, governments have attempted to embrace a more strategic approaches to policy and delivery of public services (Murphy 2014). They have produced documents that includes central government policy supplemented by advice, guidance and sometimes new regulation on how public agencies should deliver the services either in conjunction with central government agencies and/or with other stakeholders. These have increasingly been accompanied by revised arrangements intended to improve accountability and transparency and ultimately public assurance. Nowhere is this more evident than in Fire and Rescue Services where 5 successive national frameworks have been issue since the 2004 Fire and Rescue Services Act (ODPM 2004, DCLG 2006, 2008, DCLG 2012, Home Office 2018).

National frameworks, and regimes, attempt to bring policy development, service delivery and public assurance into a mutually supportive, coherent and joined-up approach. They are defined as

“the context, the parameters, the agencies and the relationships operating within the three domains of policy development, service delivery and public assurance in public services or sectors”

(Murphy *et al.* 2018).

This paper will develop a conceptual model to show how the different parts of the frameworks are configured and interrelate.

Although the totality of the current legislation affecting Fire and Rescue Services is set out in Table 1 below, there are three strategic legislative requirements that are key priorities for the leadership and management of fire and rescue services, that together also form the basis for evaluating performance frameworks. The three statutory requirements relate to all locally delivered public services within Local Authorities, Health and Social Care, the Police and Fire and Rescue Services. They are part of the legislation but clearly are not all of it.

1998	The Crime and Disorder Act
1999	The Local Government Act
2004	The Fire and Rescue Services Act
2004	The 2004 Civil Contingencies Act
2005	Regulatory reform (fire safety) order
2006	Safeguarding Vulnerable Groups Act

2010	Equalities Act
2010	Building Regulations Act
2012	Public Services (Social Value) Act
2014	Local Audit and Accountability Act
1974, 2005, 2015	Health and Safety Acts
2017	The Policing and Crime Act

Table 1: Fire and Rescue Services Legislative requirements. (Source: Author).

These services, and the individual organisations that deliver these services, are required, individually and collectively, to facilitate continuous improvement, to provide value for money and to deliver more accountable and transparent public assurance arrangements. These requirements form the basic foundations for the review and evaluation of existing frameworks and any review of proposals for the replacement of whole frameworks or significant parts of frameworks.

The conceptual model has been used as an analytic tool in order to evaluate individual frameworks, parts of frameworks or successive versions of frameworks. This model provides a coherent overview and can be used to facilitate future evaluation of changes to frameworks or their constituent parts. It is shown in Figures 1 and 2 below. The next sections will describe its contents and how they relate to each other.

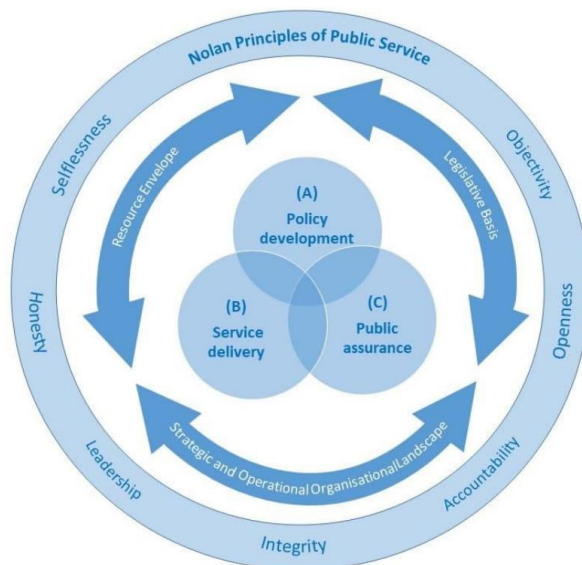


Figure 1. National Frameworks: A generic model. (Source: Murphy & Lakoma 2018).

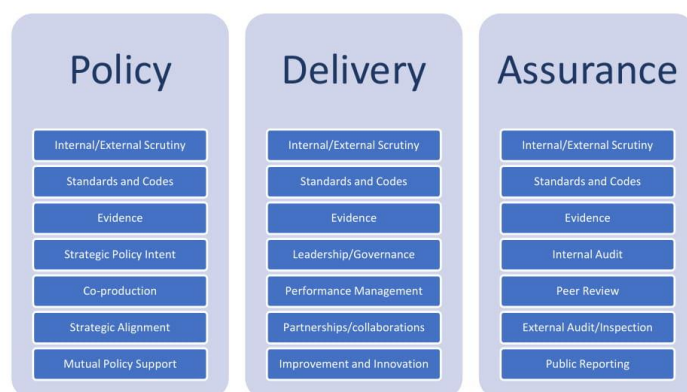


Figure 2: The three core domains of policy, delivery and assurance. (Source: Murphy & Lakoma 2018).

### The core domains of policy development, service delivery and public assurance

Since the introduction of national frameworks for performance measurement, management and monitoring and in order for them to be comprehensive and effective such frameworks have made provision for agents and activities in the three interconnected 'domains' mentioned above. These three domains are shown at the conceptual core of Figure 1, and their contents are shown on Figure 2. They are:

- **The policy or policy development domain** – which determines the objectives of any policy, whether national, regional or local; but also identifies what the parameters to its development are and whether delivery is feasible and realistic?
- **The service delivery domain** - which determines how the service is to be delivered and ideally how its delivery is to be optimised, continually improved, sustained, innovated and constructively monitored; and
- **The public assurance or regulatory domain** which shows how the public is to be provided with re-assurance that the money taken from them to finance the policy prescriptions and the strategic and operational delivery of the service, is justified and provides value for money.

Joined-up policy development and policy making, is particularly important in services, such as the emergency services, that have mutually inter-dependent responsibilities to the public at national, regional and local community levels (Kozuch and Sienkiewicz-Malyjurek 2014, Sienkiewicz-Malyjurek 2017). Efficient and effective service delivery is also equally interdependent at local, regional and national levels; and the objectives of the assurance and regulatory arrangements need to transcend all emergency services to address wider community or public goals and objectives such as public safety and security rather than prioritise narrower individual organisational goals and objectives.

These three inter-connected domains, which are illustrated in more detail in Figure 2, clearly have areas of overlaps and some of their individual aspects or components are common to more than one domain for example in fire and rescue all three domains use a (more or less robust and quality assured) evidence base, many of the elements of which are also common to all three domains. They

also have some aspects that are specific to an individual domain, such as a strategic policy intent, performance management or external audit and inspection. These three core domains also inter-relate with the three broader parameters that make up the the first circle that surrounds them, namely resource availability, authorising legislation and the organisational landscape. At the same time all aspects and activities in both the core domain and in the parameters need to adhere to the principles, values and behavioural norms in the outer circle which are the values and behaviours by which public service is conducted in the UK.

## Values, behaviours, the public interest and the nolan principles

The definitive overarching assumptions for any public service framework is the public interest and the values and/or principles that are enshrined within public service. In the UK, this is currently relatively simple to identify since anyone who works as a public office-holder or a direct or indirect employee of the public sector in the UK must adhere to the seven principles of public life known as the 'Nolan Principles' (Committee on Standards in Public Life 1995). These cover selflessness, integrity, objectivity, accountability, openness, honesty and leadership. They are shown in Figure 1 as the large outer circle and defined in Table 2 below. In developing any policy initiatives or arrangements for service delivery, ministerial legislators and officials must adhere to and promote these principles in their work. The principles operate across and throughout any public activity, and across and throughout any public service context. Public service principles are not unique to the UK but the Nolan Principles are universal to UK public services.

Standard	Description
<b>1. Selflessness</b>	Holders of public office should act solely in terms of the public interest.
<b>2. Integrity</b>	Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.
<b>3. Objectivity</b>	Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.
<b>4. Accountability</b>	Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.
<b>5. Openness</b>	Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.
<b>6. Honesty</b>	Holders of public office should be truthful.
<b>7. Leadership</b>	Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Table 2: The Nolan Principles (1995. p 1.)



In addition to these values and the core domains, there are a number of situational or contextual constraints that act as the strategic parameters to the development of service frameworks and other policy/service/assurance regimes. Most national policy documents and frameworks (for example the five National Frameworks for Fire and Rescue Services published since 2004 (ODPM 2004, DCLG 2006, 2008, 2012, Home Office 2018) attempt to cover these situational issues at the start of the documents as they ‘set the scene’ for any proposals that follow in the main body of the policy or framework. They generally include the legislative basis that provides the authority and legitimacy for the proposals; the current or revised strategic and operational organisational landscape that the service operates within; the resource envelope deemed to be available and the timescales (short, medium and long-term) that the framework is expected to cover. These key contextual components are shown in the second circle on Figure 1.

### **The resource envelope**

Since 2010 the three Conservative led administrations have implemented macro-economic strategies generally known in policy, practice and academia as the policies of ‘austerity’ (Blyth 2013, Atkinson 2015, O’Hara 2015, Schui 2015). This policy response has been exemplified by successive reductions in public expenditure on public services whether these services are delivered directly by central government and their agencies, or more locally by local government, the NHS, the Police or the Fire and Rescue Services. As the coalitions programme for government stated in 2010:

“The deficit reduction programme takes precedence over any of the other measures in this agreement, and the speed of implementation of any measures that have a cost to the public finances will depend on decisions to be made in the Comprehensive Spending Review” (HMG 2010, p.35).

Periodic macro-economic medium term spending reviews were initiated by the first New Labour administration but were also embraced by its successors of all political persuasion. Although the form and extent of reductions in financial support from central government may have varied, and individual services may have experienced varying impacts across time and geography, successive governments since 2010 have instituted continuous reductions in the aggregate of public expenditure for public services through a series of government Spending Reviews and associated financial statements (HMT 2010, 2013, 2015, 2017, 2018, HMT/DWP 2013). Thus, what Whitehall often refers to as the ‘resource envelope’ for public services generally and for Fire and Rescue Services in particular has been reducing substantially in real terms. Fire and Rescue Services also raise revenue locally through the council tax precept and there are some minor services or activities that they may be able to level charges or fees. Council tax rises have however effectively been capped for some time and the gearing system for increases ensures large increases are impractical. In practice, particularly in the short term the resource envelope acts as a parameter to the policy development, service delivery and public assurance arrangements for fire and rescue services.

### **The legislative base and the analytical lens**

The New Labour administration of 1997-2001, introduced two initiatives as statutory requirements on public services and redefined the way that a third, ‘value for money’, was to be determined. The first was to re-introduce the concept of multiple and several organisational responsibility for tackling long-term deep-rooted social, economic and environmental problems and issues that had clearly

been adversely affecting local communities for some time and were proving increasingly problematic despite government policy and action to mitigate their impact. These had become generally known in academic and practitioner literature as the “wicked” issues or problems (Rittel, and Webber 1973).

Wicked issues are not amenable to effective action on the part of a single agency (whether government or non-government) but require concerted action on the part of multiple agencies to address them or mitigate their impacts in a systematic and coordinated way. The first statutory application of multiple and several organisational responsibility in the New Labour era was the 1998 Crime and Disorder Act, which established Crime and Disorder Reduction Partnerships between the police, local authorities and other interested agencies in every local authority area of the UK (Phillips *et al.* 2002). Fire and Rescue Services have been active participants in these partnerships since their inception and these partnerships are now more commonly now known as Community Safety Partnerships.

The second innovation which later became known as the ‘improvement agenda’ (DETR 1998), was to require public bodies to facilitate continuous improvement across all of their services and activities, rather than just be subject to the local political dictates of their governing boards or authorities. This was first introduced in the Local Government Act 1999, which *inter alia*, required local authorities to seek to achieve ‘Best Value’. Best Value also changed the obligation on public services to achieve value for money in that value for money was henceforth to be assessed by the 3 ‘e’s of economy, efficiency and effectiveness by which they commissioned and delivered services and activities to the public (DETR 1998). The two new concepts and the revised concept were translated into statutory requirements are still extant at the time of writing despite prophecies of their demise (Glennon 2017). For a short time, under Gordon Browns administration, ‘equality’ and ‘sustainability’ were added to the 3 ‘e’s but subsequent governments have reverted in practice to the 3 ‘e’s.

In developing national policy for public service improvement the New Labour administrations attempted to integrate central government policy development and its delivery or implementation through a system of Public Service Agreements which included delivery targets for individual Whitehall departments (HMT 1998b). These were initially linked to the ‘Spending Reviews’ that provided successive rounds of central government funding via Departmental Expenditure Limits to individual Whitehall departments. In effect the centre of central government comprising HMT, the Cabinet Office and the No10 Strategy Unit, negotiated increasingly sophisticated delivery targets (which might be input, output or increasingly outcome based targets) with the individual ‘delivery’ or spending departments (Departments of Health, Transport, Education, Work and Pensions, Home Office, Ministry of Justice etc) in exchange for central government funding. This Public Service Agreement system rapidly developed into a system that determined individual department objectives and targets complemented by multi department cross government objectives and targets

This new ‘joined up’ policy approach was complemented by a parallel attempt across Whitehall departments to link up policy making and service delivery through the development of the theory and practice of co-production and co-delivery of public services with their main external delivery agents, be they local authorities, the police, the NHS or non-departmental public bodies (HMG 1998b, Cabinet Office 1999). Thus consultation, became one of the original four ‘C’s of Best Value namely Compare, Consult Competition and Challenge (DETR 1998) through which local authorities needed to develop their strategies and policies and sat alongside the 3 ‘E’s of economy efficiency and effectiveness by which they assessed their service delivery. Local delivery was shaped and influenced by Local Public Service Agreements, and successive rounds of Local Area Agreements which were predicated on multi-agency working at the local community levels. Although the Conservative led administrations since 2010 formally abandoned LAAs, the requirement for multi-

agency collaboration among local delivery organisation was enshrined in later legislation such as the 2012 Health and Social Care Act, which Health and Wellbeing Boards and more latterly the 2017 Crime and Policing Act.

This more collective and collaborative approach to policy development and public service delivery was also complemented by a system of internal and external audit, and measurement and monitoring of performance intended to ensure costs were reduced and the quality of services improved (Martin 2006, Ashworth et al. 2010). This 'improvement agenda' was therefore facilitated by the creation and strengthening of external inspection, auditing, regulation and assurance bodies, primarily designed to provide greater accountability and transparency of public service performance and financial conformance to assure the government and the public, at the same time as facilitating, driving and encouraging public service improvement (Davis and Martin 2008, Ashworth et al 2010).

These initiatives and the attempt to generate a more mutually supportive and coherent programme of improvement were known as the New Labours' Public Sector or Public Service Reforms. Essentially these were multifaceted baskets of reforms across policy development, service delivery and public assurance. They operated at national and local levels under the New Labour administrations, although they also included the devolved administrations for Scotland Wales and Northern Ireland and often had regional components within England (Cabinet Office/DTLR 2002, House of Commons Library 2003). The statutory obligation has remained throughout the UK, although since 2010, it has been given greater prominence in the devolved administrative areas than in England. As indicated in the quote from the 2010 coalitions programme for government, successive administration have consistently emphasised the austerity programme over the improvement agenda although both remain statutory obligations (Glennon 2017). The impact of these two contrasting strategies in Fire and Rescue Services is available in two recent comparative studies (Taylor *et al.* 2018, Murphy *et al.* 2019), which tend to support the Scottish approach as the more successful.

## **The strategic and operational organisational landscape**

The periods between 2004 and 2010 and between 2010 and 2017 in England saw widespread significant changes in the organisational landscape of Fire and Rescue Services other than in the number of fire authorities or Services, which remained relatively constant but for a few horizontal amalgamations. However parts of the painstakingly constructed performance management and improvement infrastructure, and the arrangements for public assurance that were built by the New Labour administrations were washed away by the incoming coalition government and its response to the 2008-10 recession built on a policies of austerity-localism and sector led improvement .

Between July and September 2010, the incoming Coalition Government announced that it would abolish the Audit Commission, abandon Comprehensive Area Assessment, terminate all commission inspections, decommission Local Area Agreements and transfer external audit of public bodies to the private sector audit firms (Murphy, 2014). The Audit Commission was formally closed on the 31<sup>st</sup> March 2015, although in reality it had only a skeleton staff and vastly reduced capacity to operate from 2012. The Local Government Association had closed the Improvement and Development Agency and its Leadership Centre while Fire Service and Emergency Planning colleges were sold to Capita and Serco respectively. A new national framework was issued (DCLG 2012) and a policy approach that had remarkable similarities to the benign neglect of the pre New Labour Home Office (Murphy and Greenhalgh 2013, Raynsford 2016), took root.

The baleful regime at the Department of Communities and Local Government under Eric Pickles resulted, five years later in a series of reports that effectively castigated the service and the sector for poor leadership, lack of knowledge and information, inadequate performance management, loss of accountability and transparency and failure to protect the public as much as it could and should have done (NAO 2015, Ferry and Murphy 2015, Murphy 2015 PAC 2016), more a case of malign than benign neglect. As a result policy responsibility was passed back to the Home Office and Mrs May, expedited her latest reforms.

Co-production and collective responsibility for policy development had already moved towards organisational responsibility via Fire Authorities and accountability to citizens as a result of the 2012 national framework (DCLG 2012). This was in parallel with Fire Authorities in theory having more freedom and flexibility but in practice being heavily constrained by spending cuts and restrictions on raising local revenue. The process for developing the 2018 framework under the Home Office was the antithesis of open, consensual, joined-up evidence-based policy making. Lip service was paid to statutory obligations such as public consultations, as timescales were minimized. All responses resulted from either Police and Crime Commissioners or from the Fire and Rescue sector. The inadequacy of the evidence base had been further confirmed by the Hackitt review (Hackitt 2017) and whilst a new central body for standards, codes and regulations and a dedicated website for information had been promised, at both of these were in the early stages of development.

The organisational landscape of service delivery in England became more complex with the introduction of discretionary Police, Fire and Crime Commissioners. Unlike Scotland or Northern Ireland which have single services answerable to the devolved administration (when not suspended in Northern Ireland), and London and Greater Manchester which have directly elected mayors, the remainder of England have either county, combined or metropolitan fire authorities or one or other Police Fire and Crime Commissioner models. The previous momentum to encourage larger delivery units, and hence achieve economies of scale has changed direction. Most, if not all, Fire and Rescue Services are actively pursuing collaborations with the police particularly around back office functions and their common estate. This is a result of the statutory obligation for collaboration agreements anticipated in Chapter 1 of the Policing and Crime Act 2017. It remains to be seen whether pressures to amalgamate will reemerge or disappear as there are clearly still economies of scale, organisational efficiencies and consequent resilience of larger services to capture.

Finally in terms of public assurance, accountability and transparency, but also potentially in terms of service improvement, the role and responsibilities of HMICFRS appears crucial. For HMICFRS to be effective they, like all authorities and agencies they will need a more robust evidence. They will need to be strategically positioned in the organisational landscape of the sector. They will need key stakeholders such as the promised Standards Board, the revised Building Regulations, the internal and external auditing arrangements to be arranged so as to be mutually beneficial to teach others work and objectives. They will need to develop satisfactory relationships with key stakeholders in the policy development and service delivery domains, as well as relationships with the legislators and the resource providers.



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## Emergency Services Working Papers

This working paper is part of other working papers published by Nottingham Business School, Nottingham Trent University, which address the issues of service delivery, policy development and public assurance of Fire and Rescue Services.

### Working papers to date comprise:

Murphy, P., 2017. Working Paper 1. *The implications of the Crime and Policing Act 2017 for fire and rescue services*. Nottingham: Nottingham Trent University.

Murphy, P., Glennon, R. and Lakoma, K., 2018. Working paper no 2. *Fire and Rescue National Framework for England: Government (Home Office) consultation*. Nottingham: Nottingham Trent University.

Murphy, P., Glennon, R., Lakoma, K. and Spencer, T., 2018. Working paper no 3. *Proposed fire and rescue service inspection programme and framework 2018/19: Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services consultation response*. Nottingham: Nottingham Trent University.

Murphy, P., Lakoma, K., Glennon, R. and Spencer, T., 2018. Working paper no 4. *Protocol on Central Government intervention action for fire and rescue authorities. Annex A: of the 'Fire and Rescue National Framework for England' Government (Home Office) consultation*. Nottingham: Nottingham Trent University.

Murphy, P., Lakoma, K. and Glennon, R., 2018. Working paper no 5. *A 'model' national framework for fire and rescue services in England*. Nottingham: Nottingham Trent University.

Lakoma, K., Toothill, A. and Murphy, P., 2019. Working paper no 6. *A review of integrated risk management plans in fire and rescue services: stage 1*. Nottingham: Nottingham Trent University.

These are all available on the Fire Sector Federation's intranet and on the Nottingham Trent University's Institutional Repository (IRep) website (<http://irep.ntu.ac.uk/>).