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Assessing Policy Success and Failure: Targets, Aims and Processes

Introduction

Academics, politicians and commentators have frequently expressed concerns about the quality of policy making and implementation by governments (for example, Clarke 2014). Indeed, there has been considerable interest in this field, reflected in ongoing debates about the role of evidence and expertise (Davies et al. 2000; Nutley et al. 2007; Rutter 2012), the ability of Parliament to scrutinise legislation effectively (Brazier et al. 2008; Fox and Korris 2010; Russell and Gover 2017), and how to assess the success and failure of policies (Bovens and 'Hart 1996; McConnell 2010a; King and Crewe 2013; Raynsford 2016; Dunlop 2017). With regards to ideas of success and failure, McConnell (2010a) has made important contributions to the debate, highlighting that at times judgements can be rather abstract, subjective and can vary widely across different spheres of government activity and across countries. Yet ideas of policy success and policy failure unsurprisingly remain ubiquitous. Whether for policy makers, the media or the general public, it is very difficult to be 'for' policy failure and 'against' policy success. McConnell (2010a, 2) suggests that: 'The word 'success' is pleasing to the eye and comforting to the ear. It is a 'feel good' word that neatly captures human beings' desires to achieve goals and attain happiness.' Nevertheless, while claims of policy success are common, as McConnell (2010a, 29) notes, as a subject 'it is rarely tackled directly and systematically'.

This article argues that in some instances a clearer picture of what might constitute success or failure can be developed by considering the intentions of policy makers, an idea broadly similar to Marsh and McConnell's (2010, 571) conception of 'programmatic success' (see

also, McConnell 2010a). Drawing on the literatures noted above, and using, in particular, two case studies from the United Kingdom Parliament, the introduction of the national minimum wage, and the expansion of Academy schools, the article highlights the value of using a framework that focuses on identifying the stated aims of a policy and whether they are met. It suggests that in doing this, consideration be given to aims (relatively broad goals), targets (specific outcomes that might be relatively easily measured) and processes (procedures or mechanisms intended to enable aims and targets to be achieved). While reflecting the challenges of identifying relatively objective measures as noted by many commentators, the article contributes to considerations of the frameworks against which policy success and failure can be judged, in particular in relation to an apparently simple question: what were the stated aims of the policies and were they met?

Theorising Policy Success and Failure

McConnell (2010a) highlights the relative paucity of academic research into policy success, discussing four earlier studies that had explicitly focused on it, by Kerr (1976), Ingram and Mann (1980), Bovens et al. (2001) and Prasser (2006). In contrast, there have been many studies that have focused on policy failure, including those by Bovens et al. (2001), Bovens and 't Hart (1996), Dunleavy (1995), King and Crewe (2013) and Moran (2001 and 2003). However, while a fairly consistent element of studies in this area has been the recognition that whether the aims of a policy have been met is an important aspect in judging its success, it has, perhaps surprisingly, also been fairly weak. This is one of the key aspects of assessing success and failure that this article seeks to bring more to the fore.

Policy Success

While concentrating largely on the challenge of finding a workable definition of 'policy' and what constitutes 'public', Kerr's article, 'The Logic of "Policy" and Successful Policies', argues that there are 'formal conditions which must be considered, regardless of context, for any policy to be evaluated' (Kerr 1976, 352, emphasis in original). She also suggests that it is important that the conditions should be general and applicable to 'any policy'. However, the view that 'a policy that does not fail is successful' (Kerr 1976, 362) is rather simplistic, and, as discussed below, McConnell (2010a), in particular, takes a significant step forward by proposing a spectrum from 'complete success' to 'complete failure'. Nonetheless, Kerr usefully discusses how a policy might succeed, or not fail, if it could be 'implemented', 'effective' or 'normatively justifiable' (Kerr 1976, 359). Indeed, she considers several theoretical examples, with success or failure in each of the three terms possible, so that from her perspective, for example, a policy could be successfully implemented but might still fail to be justifiable in the eyes of the public. In terms of effectiveness, Kerr suggests that a policy might be judged by whether or not its goal or purpose has been fulfilled, seeing this in terms that 'we would consider the policy to be ineffective as an instrument for achieving the goal' if it was not met (Kerr 1976, 360). However, as this article emphasises, it is important to be able to clearly identify the goals or purpose of a policy before it is possible to consider whether or not they have been achieved, and this is not always straightforward.

An emphasis on recognising aims was evident in Ingram and Mann's, Why Policies Succeed or Fail, with Nagel noting in the introduction to that book:

'There are a variety of ways of classifying post-adoption policy failures. One dimension is in terms of the subjective intent of the decision makers versus the objective reality. In terms of intent, a policy is a success if it achieves its goals and a failure if it does not. In terms of reality, a policy is a success if its benefits minus its costs are maximised or at least positive, regardless of whether the benefits or costs were intended' (Nagel 1980, 8, emphasis in original).

These are important points. However, we again encounter the problem of success or failure, with no space in between. Indeed, a focus on the intent of policy makers might suggest that if the benefit that is achieved is unintended, or the intended outcomes are not achieved, whatever positive outcomes the policy leads to, it is hard to see how it can be viewed as 'successful'. A particularly significant contribution to understanding policy success was made by the book Success and Failure in Public Governance (Bovens et al. 2001). It examines case studies from six European countries across five policy areas, tracing particular policy tasks and challenges, and takes a more nuanced view of 'success', recognising that there are a variety of factors, temporal, political, spatial and cultural, that may affect judgements, and that assessments of success may vary for different people and at different times. The more recent contributions in this area by McConnell and the Institute for Government, which to some extent builds upon his approach, are discussed below.

Policy Failure

The literature that has focused on failure is more substantial than that concerned with success. However, it has frequently been principally concerned with examining established policy failures and explaining them, rather than closely analysing the aims of a policy and the

perceptions of failure. Bovens et al. (2001) and McConnell (2010a) highlight the appeal, and also some of the problems, of focusing on failure, with the former noting, for example, that: 'Great planning disasters make for great reading, but they are unreliable as the sole source for a study of the general state of contemporary governance' (Bovens et al. 2001, 10). In one of the best-known discussions of this subject, Bovens and 't Hart analysed twenty-six cases of what they believed were 'clear-cut policy fiascoes' (Bovens and 't Hart 1996, ii) across a range of Western liberal democracies and a variety of policy areas. They sought to contribute to ongoing political debates about the desirability and feasibility of government action, and to look empirically for reasons why policies might fail. They argue that if the reasons were more case-specific than general, then that might help support arguments for government action, countering neoliberal critiques of state intervention. They also argue that, over time, more and more policies have been implemented by governments, and that, almost inevitably, more policies have gone wrong. In addition, great expectations of the ability of governments to solve problems were bound to be disappointed, so that: 'Our analysis suggests that the alleged ubiquity of failure is as much a product of social expectations and political ideology as it is due to substantive failures in public service delivery' (Bovens and 't Hart 1996, 154).

More recently, King and Crewe examined The Blunders of our Governments (2013) in the United Kingdom over a thirty-year period. They differentiate 'blunders' from other forms of policy failure, such as 'policy disappointments' or mistaken judgements. For them, blunders totally fail to achieve their objectives, waste very large sums of public money or cause widespread human distress, are eventually abandoned or reversed, and were foreseeable and avoidable. They suggest that blunders in the UK tend to share common problems, occurring for both structural reasons, such as a lack of deliberation and accountability, and behavioural reasons, including ministerial hyper-activity, cultural disconnect (the failure to recognise the

values and assumptions of those affected by policies), and operational disconnect (the failure to take account of issues of implementation), on which there is also a substantial literature (for example, Pressman and Wildavsky 1973; Lipsky 1980; Matland; 1995). As with much of the literature here, while there is a thread within their work that relates to the explicit aims of policies, for the most part it is a small aspect of their wider analysis, with a blunder occurring when a government adopts a course of action and, largely or wholly due to its own mistakes,

> 'either fails completely to achieve those objectives, or does achieve some or all of them but at a disproportionate cost, or else does achieve some or all of them but contrives at the same time to cause a significant amount of 'collateral damage' in the form of unintended and undesired consequences' (King and Crewe 2013, 4).

As with Kerr's (1976) work, this suggests that a policy could be judged as a 'blunder' or failure even if its aims had actually been met, because the costs were high and/or not normatively justifiable to the public. Of course, such assessments are to a considerable extent likely to be subjective and to vary over time. Therefore, while King and Crewe identify examples of egregious policy failures that clearly need to be properly understood, there may be significant value in an approach that focuses on whether a policy can be understood as a success or failure in terms of its aims and how the outcomes compare with them. Indeed, while there have clearly been many policy failures, and indeed 'blunders', by British governments, and some definite successes, most policies are likely to lie somewhere between these two extremes. Given these different treatments of failure (and equally, success), Howlett has argued that 'different aspects and types of failure are often poorly specified and incorrectly juxtaposed' (Howlett 2012, 545), and that this has limited theory-building in

relation to understanding the reasons for policy success and failure. It is the aspects and specification of success and failure that this article seeks to contribute to.

Policy Success and Failure: A Continuum?

As noted above, in recent years, McConnell, in particular, has taken the literature on policy success forward, most significantly in Understanding Policy Success (2010a). He argues for three dimensions of policy success: process success, or the process of policy formation; programme success, with assessments judged upon outcomes and evidence; and political success, in particular, in relation to the capacity to govern. These are helpful distinctions, but are different from the approach taken here, with programme success perhaps being the most similar. Aspects of McConnell's 'spectrum from success to failure' (McConnell 2010a, 55) are also useful for this analysis, such as the ideas of 'durable' success, where policies, by and large, 'do what they set out to do' (McConnell 2010a, 58) and are quite resilient, 'conflicted' success, where there is a high level of contestation between supporters and opponents, either because the policy departs significantly from its original goals, or because it is intrinsically controversial, and 'precarious' success, where policies 'operate on the edge of failure' (McConnell 2010a, 61), with 'major shortfalls or deviations from original goals' (2010a, 61) and conflict over the future of the policy. 'Failure' occurs when a policy does not achieve the goals that its proponents sought and 'no longer receives support from them' (McConnell 2010a, 62). McConnell also recognises that success and failure of the process, programme and political dimensions of a policy may be assessed as being at different points on the spectrum, and that there may be apparent contradictions, so that a successful process may still lead to a failed policy, for example (see also McConnell 2010b).

Unsurprisingly, therefore, McConnell suggests that assessing success and failure may be a complex process, with judgements affected by a variety of 'complicating factors', such as success for whom?, the partial achievement of a goal, unintended consequences, success that is greater than planned, difficulties in isolating the policy effect, what would have happened if the policy had not existed, dealing with hidden agendas and a lack of evidence, short-term versus long-term assessments, spatial contexts, multiple objectives, and contradictory objectives (see also Marsh and McConnell (2010) on assessing programme, political and process success). While all of these are clearly likely to affect assessments of success or failure, for this article the latter two are of greatest relevance as they concern the identification of the intentions of a policy, and, as discussed below, even that may not be straightforward. In 2016, McConnell produced a somewhat modified definition of 'failure', intended to be able to accommodate some of the methodological challenges and questions discussed above, suggesting that: 'A policy fails, even if it is successful in some minimal respects, if it does not fundamentally achieve the goals that proponents set out to achieve, and opposition is great and/or support is virtually non-existent' (McConnell 2016, 671). Again, however, such a measure reflects at least two types of judgement, achievement of goals and political acceptance.

The Institute for Government has also undertaken work on policy success (Rutter et al. 2012). Drawing to some extent on McConnell's framework, they use a definition of success that reflects policies achieving or exceeding their initial goals, becoming embedded and surviving a change of government, representing a starting point for subsequent development, or removing an issue from the immediate policy agenda. These concerns, and their application to six policies, represented another step in the more rigorous application of ideas of success. There is also a substantial related literature on evaluation (for example, Nutley et

al. 2007; Palfrey et al. 2012), with the approach taken here being most similar to results-based or before and after evaluation, although Pawson and Tilley (1997) have argued that from a realistic perspective that evaluations should be concerned not simply with whether a particular outcome has been achieved, but what works for whom in what circumstances. However, given that this article focuses on whether legislation can be assessed as working as governments suggest, while these broader perspectives are noted and recognised, they are of less direct relevance than in some policy evaluations.

Methodology

This article seeks to build upon ideas from the existing literature, as discussed above, but to contribute to the consideration of success and failure by focusing explicitly on how they might be judged in the policies' own terms (in this case two pieces of legislation) rather than making broader or more abstract judgements of success or failure. Such an approach, which is close to Bovens and 't Hart's (1996) 'programmatic' evaluation, may help avoid, or at least reduce, the significance of some of McConnell's (2010a) 'complicating factors', such as questions about success for whom? and issues of counter-claims; it also helps highlight further the challenges associated with identifying the aims of policies, as discussed in greater depth below. While it does not necessarily negate the political dimensions of evaluation (see for example, Bovens and 't Hart 2016), it may help reduce them in at least some respects.

Clearly, one of the first questions that any project concerned with policy success or failure must consider is what exactly is meant by 'policy'? An extensive literature has developed that addresses such issues (e.g. Hogwood and Gunn 1984; Birkland 2010; Knoepfel et al. 2011), but even in much of the literature addressed above it is, perhaps understandably, not

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entirely clear what is being considered. Here, in order to provide a basic platform upon which to develop ideas of success or failure, the focus is on policy as legislation. While this clearly does not encompass the variety of meanings that have been ascribed to policy, it does help to reduce the challenges associated with determining whether or not something is or is not a policy, or, for that matter, what 'the policy' is. Given that Parliament is the principal arena in which government proposals, in bill form, are subject to scrutiny, and, in turn, receive legitimacy, there can be far less doubt that what is enacted there, as opposed to what may emerge from many other fora, is official 'policy'.

A second challenge, closely related to the first, is assessing what the aims of a policy are. While this might appear straightforward, even with legislation, as discussed in relation to the case studies below, this is not necessarily so. This reflects McConnell's (2010a) identification of issues such as multiple and even contradictory objectives of a policy. A third issue that requires consideration is what exactly is meant by 'success' or 'failure'. As discussed here, the concern is much less with broad, external judgements of whether a measure has 'succeeded' or 'failed', and instead with the narrower and more precise examination of success and failure as they might be assessed against the aims of and claims by the government as legislation proceeds through Parliament.

The empirical analysis that underpins this article was influenced by the approach taken in Law in the Making, which tracked five pieces of legislation as they proceeded through Parliament (Brazier et al., 2008), albeit in greater detail than is possible here. There are also some similarities with the approach taken by the Institute for Government in their 'policy success reunions', which drew extensively on input from those involved in six policy areas (Rutter et al., 2012). This article uses two significant pieces of legislation as case studies

against which to test the proposed framework: the National Minimum Wage Act 1998 and the Academies Act 2010. These were flagship policies of newly elected governments intended to have significant impacts on key domestic policy areas, and represent different types of legislation and different periods of political control. Each also reflected considerable preparatory work done by the parties, including when in Opposition, and each was foreshadowed in a general election manifesto. Although not of any real significance for the arguments in this article, in terms of the general debates about policy success and failure outlined above, at the time of writing, the National Minimum Wage Act has been widely seen as a 'success' (for example, Rutter et al., 2012), while judgements about the Academies Act might be viewed as being more affected by McConnell's (2010a) 'complicating factors', and might therefore more frequently be placed in his category of 'conflicted success'.

There were three broad aspects to this research, the first two of which form the basis of this article. First, the aims, claims and predictions of potential policy outcomes prior to and during the passage of each bill through Parliament were identified: in the bill itself, any amended versions, and the final act of Parliament; parliamentary debates during the passage of the bill, as captured in Hansard; and through in-depth interviews with those involved in the passage of the legislation, including politicians, special advisors, civil servants and others (nine for the Academies Act, eleven for the National Minimum Wage Act). Second, a framework was developed to allow the recording of predicted outcomes against actual outcomes to provide a basis for its application to other legislation, and potentially other forms of 'policy'. Finally, consideration was directed to how the aims and predictions might be compared with the evidence available on outcomes from a range of sources including official statistics, evaluations by government departments, and assessments by academics and outside organisations; other official scrutiny, such as select committee hearings and questions and

answers in Parliament; and the detailed interviews with those involved in the passage of the legislation, outlined above.

While this approach enabled a more focused, limited and directed assessment of policy aims, and thus conceptions of success and failure, than has been adopted in much previous research, it nevertheless faced some of the same challenges outlined earlier in the article. For example, short-term judgements about a policy may differ from longer-term assessments, while policy outcomes may have an uneven geographic impact. Also, given the generally partisan nature of politics in the United Kingdom, it would be surprising if judgements of success and failure were not affected by political and ideological positions. Furthermore, correlation, of course, does not equal causation, and it is usually difficult to trace particular outcomes back to a specific piece of legislation. Finally, while this framework may help us more in understanding whether or not an aim was successfully met, like others, it tells us little or nothing about why this might be the case. However, many of these problems are most likely to be associated with the third aspect of the research, which falls beyond the coverage of the bulk of this article.

Assessing Success and Failure

The discussion that follows makes clear that even when looking at something as clearly appropriately defined as 'policy' as legislation, and even 'flagship' legislation – which has been subject to considerable forward planning and highlighted in an election manifesto, in addition to being interrogated during its passage through Parliament – attempting to be specific in identifying the aims of a policy in order to attempt to judge whether or not they have been successfully met, is not always straightforward. Some bills may lack clearly

defined aims altogether; others may have a wide range of claims made in relation to them that are difficult to pin down; and some may reflect a variety of different aims on the part of those responsible for producing them. Indeed, some legislation may be underpinned by aims that go unstated in public and only emerge later on, if at all. The number of categories that such claims could fit into is great. For example, relevant points might include whether the claim is implicit or explicit, specific or non-specific, measurable or general. Nonetheless, if the claims of governments can be identified, it may be useful to differentiate between 'targets' and 'aims', with the latter category containing a subset that might be termed 'processes' because of their nature. These are discussed below.

Targets

In some respects, targets are perhaps the most straightforward features to identify, and might include some of the following qualities: specific outcomes mentioned by ministers or in official documents; having one or both of two clear elements – measures and timeframes; it being possible to judge reasonably objectively whether or not they have been met; and the potential for the extent of achievement to be measured by collected data on outcomes and comparing it with intended measures or timeframes. Interestingly, in the two Acts examined here, despite the considerable work that had been done by the parties prior to introducing the legislation, it is difficult to identify any particular claims that might fit into this category. Nevertheless, the category should not be dismissed, as it is possible to identify ministers making firmer assertions in some areas. For example, the Climate Change Act 2008 placed a duty on the Secretary of State to ensure that the UK's emissions of greenhouse gases for the year 2050 are at least 80 per cent lower than in 1990, while, at the third reading of the Welfare Reform Bill in 2012, the then Secretary of State, Iain Duncan Smith, stated that:

'Some 2.7 million households will be better off as a result of the universal credit and almost 85% of the gains…will go ultimately to the bottom 40% of people in the income distribution' (HC Hansard, 15 June 2011).

Aims

While targets are relatively specific, aims would be likely to have some of the following characteristics: more general claims made by ministers or in official documents; not having particular measures or timeframes specified; normally being explicit, but where evidence is strong, they might be viewed as implicit; being measurable, at least to a degree, by collecting data on outcomes and comparing it to a reasonable measure or timeframe, although that may not always be straightforward or even possible; and with judgements about whether or not they have been successfully met likely to be more subjective than for targets. In the case of the pieces of legislation examined here, while targets may be scarce, the identification of such aims is relatively straightforward. For example, as noted below, during the passage of the Academies Bill ministers claimed that standards would rise (although were not explicit enough about what was meant by this for them to be deemed as targets), that schools and teachers would gain greater freedom, and that new providers would be able to run state schools. Similarly, during the passage of the National Minimum Wage Bill, ministers asserted that it would tackle poverty pay, that competitiveness would not be harmed, and that unemployment would not increase. There is also a third, and somewhat different but important category, which might be seen as a subset of aims, which we have termed 'processes'.

Processes

Processes are seen here differently from McConnell's (2010a) view, which entailed a much broader interpretation of 'process', including, for example, constitutional legitimacy and coalition-building (which Bovens and 't Hart 2016) suggest comes close to political assessment). For present purposes, processes can be understood as procedures or mechanisms that enable targets and aims to be achieved. They can therefore be seen as an integral component of success and failure in facilitating the fulfilment of aims and targets. This category would reflect features such as: important processes, procedures or changes to them, introduced or encouraged by the bill; it might be possible to judge fairly objectively whether the process has been successful; a potential measure or timeframe may or may not be specified; and change could be measured by collecting data on outcomes and comparing it to a reasonable measure or timeframe. For example, for the National Minimum Wage Act, a key process would be the establishment of enforcement mechanisms, while for the Academies Act they would include the new set of arrangements introduced which were intended to make it easier for schools to convert to academies.

Policy as Legislation: Targets, Aims and Processes

Individual bills, as with other types of policy, are likely to have different characteristics, and it should be possible to identify targets, aims and processes for each, which would be likely to vary significantly across measures. For example, Act X might have four targets, one aim and four processes (perhaps being quite prescriptive about how change will be achieved), while Act Y might have three broad aims and one process (perhaps being more permissive about how change will be achieved). Categorisation in these terms might potentially be quite

subjective. As Bovens et al. have described it: 'A study of success and failure in governance is inevitably also a study of politics' (Bovens et al. 2001, 10), and judgements are likely to be affected accordingly. There could, for example, be disagreement about whether certain claims by governments are aims or targets, while our case studies show that there are also likely to be some issues that cannot be captured cleanly at all, not least because they may be addressed in general terms, or because they may involve other policies and policy areas, such as the relationship between capital for school buildings and the establishment of free schools, or between approaches to employment and unemployment and both the national minimum wage and levels of benefit payments. In addition, bills and other policies, as with those considered here, are frequently described by ministers as being part of a package of measures, and therefore attributing aims and targets to them may not be straightforward. There will also be considerable variation within the individual categories, as between claims that are more or less specific or general, those which can easily be measured and those which cannot, and those that are explicit or implicit. However, even the act of considering these issues can help in identifying the anticipated outcomes of a measure, and consequently how and to what extent it may be judged as successful.

Having identified the targets, aims and processes associated with a policy, it should be possible to take each individually and assess the extent to which they have been met, adding a further degree of nuance to assessments of success and failure. Indeed, for many policies, and perhaps for much legislation in particular, as with the Acts considered here, there is likely to be some freely available information on which to base such judgements. Clearly, as highlighted in the discussions of policy success and failure above, some subtlety and flexibility is likely to be required in making such judgements. At first glance, a simple pass/fail judgement might appear appropriate where a government has established a specific

target to be met within a particular timescale, as with Labour's aspiration announced in 2001 to halve child poverty by 2010 and to eradicate it by 2020. However, a government might come very close to meeting a target but fall just short, in which case 'failure' might not be the most appropriate judgement. Even with a measure such as the national minimum wage, which requires employers to pay it, the chances of getting complete compliance by all employers may be slim, so that achieving 100 per cent success is unlikely, and again a judgement of failure may not be entirely justified. As Bovens and 't Hart have suggested, treating all instances other than 'delivery-and-results-as-planned' as failures 'seems overly harsh and hardly helpful' (Bovens and 't Hart 2016, 654). Equally, if some of the problems associated with low pay were to remain as a result of changes in employment practices, a judgement would have to be made about the extent of success. Perhaps even more problematically for assessments of success or failure, even for policy as legislation, specific ends may not be spelled out. It makes sense, therefore, to use some sort of scale for judging success, and McConnell's (2010a) continuum provides a potential starting point:

Success – Durable success – Conflicted success – Precarious success – Failure

However, while useful in many respects, as discussed earlier in this article, this continuum can be seen as actually measuring somewhat different characteristics, so that a policy that could be seen as wholly successful in achieving its stated (and even unstated) aims, could still be identified as having conflicted success, as it does not become generally accepted; indeed, there are many policies that have persisted for considerable periods of time, including nationalisations, privatisations and the abolition of the death penalty, that have arguably never been completely accepted. As a result, while not dismissing McConnell's scale,

another, with a somewhat different emphasis, and with slightly different points along the spectrum, might be useful, for example:

Complete success – High success – Moderate success – Low success – No success

Assessments of each target, aim and process could then be made against such categories, as we indicate below. Although the approach set out here is intended to be indicative, and the examples provided are necessarily limited, it does illustrate the ways in which such evidence could be applied to assessments of the success or failure of a policy, perhaps alongside the other associated judgements identified in the work of authors such as Kerr and McConnell, including high costs and political acceptance (or contestation).

The Case Studies

As outlined above, the two pieces of legislation were scrutinised for evidence of any statements or claims. This section therefore briefly outlines the legislation and the aims, claims or predictions made by those responsible for its passage through Parliament (see Table 1), although, as the analysis shows, in both cases identifying any relatively precise measures against which judgements might be made is far from straightforward. Given this framework, and despite the uncertainties associated with much policy making (see Nair and Howlett 2017), it would then be possible to come to some judgements, as illustrated below.

Table 1 about here

The Academies Act 2010

The Academies Bill, a much shorter and less detailed measure than the minimum wage legislation, was introduced in May 2010 and had a swift passage, receiving royal assent at the end of July. It was seen as an important piece of legislation that would help define what the new Coalition government wanted to do and reflected a number of commitments in its Programme for Government (HM Government 2010). The Bill sought to enable all maintained schools to become academies, and to allow for the opening of more free schools, largely by removing the requirement to consult with local authorities. In general terms, its aims, as expressed by ministers, were that standards in schools would rise (ministers observed that England's position in international league tables of academic performance needed to improve, and that the attainment gap between rich and poor was unacceptable); and that it would give teachers 'greater freedom over the curriculum and allow new providers to run state schools' (Queen's Speech 2010). The government also presented arguments about the importance of professional autonomy for teachers and heads, with the associated claim that the Bill would contribute to improving standards.

It may be too soon to pass definitive judgement on the Academies Act. However, given the significant increase in the number of academy schools, with around 6,700 operating in September 2017, and of new providers (gov.uk 2017a), it might be suggested that aim C and process A could be described as having 'high success', although during the passage of the Bill ministers emphasised the permissive nature of the legislation, and declined to put forward target numbers, while the more mixed picture of the growth of free schools, with 470 in operation in September 2017 (process B) (gov.uk 2017b), and schools' and teachers' freedom (aim B) (for example, Lupton et al. 2016; Mansell 2016; Public Accounts

Committee 2015**),** might be seen as 'moderate success', and the lack of evidence on the educational performance of academies compared with other schools (Education Committee 2015; Ofsted 2016; Worth 2014) might indicate 'low success' for aim A.

A key point for aim A, and one which all interviewees accepted, was that no measurable definition of 'rising standards' had been established in the first place. Ministers argued during the passage of the Act that it was only one part of creating the conditions for educational improvement, and other reforms did follow, but it was not spelled out which 'standards' would rise nor how that might be measured, let alone what changes would lead to particular improvements. Possibilities might include examination results, England's position in international league tables such as PISA (Programme for International Student Assessment) and TIMSS (Trends in International Mathematics and Science Study), pupil behaviour, parental demand for new schools, reduced youth employment and the number of children receiving free school meals who go on to Oxford and Cambridge. Also, as one critical interviewee noted, it would have to be demonstrated that things had changed because of improvements in the new academies, and not just across all schools, and it may not be easy to disaggregate the two. Another, more sympathetic, respondent also acknowledged that while it might be possible to tell if the system improves overall, it may not be possible to know for certain that it was these changes that led to the improvements. In the case of the Academies Act, the specific kind of success looked for in this article, in the sense of the original aims being realised, may therefore be difficult to find due to both the lack of specific aims from the government at the time and the challenges of establishing cause and effect relationships.

The National Minimum Wage Act 1998

The National Minimum Wage Bill was published in November 1997 and reached the statute book eight months later. It sought to introduce a national minimum wage in the United Kingdom for the first time, and to give a statutory basis to the Low Pay Commission. These were clearly overall goals. In addition, as it progressed through Parliament, ministers argued that the proposal was essentially right and just, and if set at the correct level, the minimum wage would bring real economic benefits, could reduce the cost to the public purse of benefit payments, and could improve levels of productivity and investment. Our analysis shows that there were no specific targets set out, but that there were three more abstract aims or claims associated with it. These were: 'tackling poverty pay', which was at the centre of the government's thinking; in addition, the government asserted that the introduction of a national minimum wage would not lead to a rise in unemployment, and that competitiveness would not be harmed. Interestingly, these arguments highlight that the aim of a policy can be that something might not happen, rather than only something that will occur as a result of a policy.

The passage of time perhaps makes it easier to make judgements about the National Minimum Wage Act. It has long been seen as one of the most significant achievements of the 1997-2010 Labour governments (for example, Rutter et al., 2012), although growing awareness of the emergence of the 'gig' economy and the use of zero-hours contracts might be seen as having reduced its impact in the medium to longer term. Interviewees for this project, from across the political spectrum, almost unanimously agreed that it had been very successful. In large part this success was viewed in political terms: the minimum wage was now accepted by all of the main parties (reinforced by the introduction of the national living

wage following the Conservative's 2015 budget) and appears unlikely to be reversed in the foreseeable future. From other perspectives, although 'low' pay has not disappeared, the minimum wage did significantly reduce 'extremely low' pay, and it did not cause unemployment or inflation in the way that critics had suggested it might. Some interviewees felt that this was because it was (deliberately) set at a relatively low rate initially, while others felt that the true effects could not be known until the minimum wage had been operating for some time. A small number noted that increasing casualisation and the growth of the 'gig' economy were having a negative impact on some low paid workers, to which might be added the growth of zero-hours contracts, and these could perhaps be seen as having reduced the impact of the Act in the medium to longer term. The policy was also presented as a good example of how to instigate meaningful change: by working with as wide a group of people and interests as possible, involving them, and taking on the arguments of those you disagree with but investigating important points, while maintaining the principle of what you are seeking to achieve. There was significant praise for Ian McCartney, in particular, the Minister responsible for introducing the measure, Margaret Beckett, the Secretary of State for Trade and Industry, and the Low Pay Commission and its chair, Sir George Bain, who were seen as contributing by smoothing the passage of the Act and assisting significantly in its implementation. Overall, this would suggest something akin to McConnell's durable success.

However, with regards to the focus of this article, the key question, as discussed further below, is: to what extent does this perceived success relate to the original aims of the introduction of the Act? Certainly, up to 2010, wage inequality reduced, with the biggest improvements being 'in the lowest-wage segments of the labour market, consistent with an impact of the NMW' (Butcher et al. 2012, 21), so that aim A could be seen as having had 'high success', while similar judgements could be made about competitiveness (aim B) (Low

Pay Commission 2009) and the impact on unemployment (Department for Business, Innovation and Skills 2010a), while the ongoing failure of some employers to pay the national minimum wage and the need for the introduction of a 'tougher enforcement regime' (Department for Business, Innovation and Skills 2010b), might suggest that 'moderate success' would be appropriate for process A.

Conclusion

While a considerable literature on policy 'failure' has developed over time, more recent work, particularly by McConnell, has helped to provide a stronger basis for the assessment of both failure and success. However, as Marsh and McConnell (2010, 581) note, 'whatever dimensions of policy are being considered, there are significant complexities involved in assessing success', and there remains considerable scope for the further development of ideas in this area. This article has used legislation as a form of policy to develop a clearer picture of how the extent of success (or failure) might be measured by applying the ideas of 'targets', 'aims' and 'processes' to a policy, rather than more general assessments of achievements. In addition to legislation, such an approach may be particularly applicable to some other forms and areas of policy, as with public health, where governments may be more likely to establish more specific outcomes (Baggott 2012). As noted earlier, despite legislation being a fairly clear indicator of policy, and despite the considerable work undertaken by the parties prior to these measures being introduced to Parliament, the case studies also help highlight some of the challenges involved in identifying particular aims, targets and processes. Nevertheless, the approach set out in this article suggests that it is possible to further refine assessments of the relative success of a policy, and that this framework therefore has considerable potential utility. Indeed, the application to the two case studies suggests that these ideas can help

produce a more nuanced understanding of how and in what ways policies have been successful, or otherwise.

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