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Budgeting and governing for deficit reduction in the UK public sector: act three ‘accountability and audit arrangements’

Abstract

This paper explains how the UK central government has changed accountability and audit arrangements for local government in England, whilst retaining its approach to setting annual budgets within the context of multi-year Spending Reviews. It highlights how dismantling the institutions and processes that monitored outputs and outcomes for spend, such as Public Service Agreements and Comprehensive Area Assessment, meant that top-down accountability became focused overwhelmingly on financial *conformance* rather than organisational *performance* for local government. Supplementary reforms to increase the transparency or “visibility” of public administration, and thereby enable greater bottom-up accountability, have resulted in a performance assessment system that is neither rigorous nor standardized. The overall result is a weakening of local accountability arrangements.

Keywords: local government, central government, accountability, audit, budgeting, public sector

50 word summary

Since 2010, reforms to monitoring arrangements for English local government mean that central audits no longer cover operational *performance* – instead they focus almost exclusively on financial *conformance*. These reforms have weakened local accountability because they obscure the potential impact of austerity cuts on service outputs and outcomes.

Introduction

In this journal, Ellwood (2014) has recently highlighted the significant changes to audit and accountability arrangements for public services in England (including Local Government) as a result of the Local Audit and Accountability Act 2014. Indeed, since 2010 the UK Government (a Coalition of Conservatives and Liberal Democrats) has dismantled and replaced much of the previous arrangements for accountability and audit in English local authorities.

This article analyses the impact of these reforms on English local authorities in the context of the UK Government's wider approach to budgeting and governing in the public sector. It uses a theatrical metaphor to illustrate how this approach constitutes three separate “acts”, each of which are separate but nonetheless need to be considered together in order to understand the overall arrangement:

- Act 1 is the Spending Review that sets out a planning framework for income and expenditure levels over the medium term as part of multi-year planning (Ferry and Eckersley, 2011).

- Act 2 is the annual Budget that enables detailed policy choices with associated financial impacts and implications (Ferry and Eckersley, 2012).

- Act 3 constitutes the accountability and audit arrangements that afford confidence in the assurance and transparency of external communication and internal management practices. These arrangements also provide reassurance in the competence of those charged with governance; financial conformance in the stewardship of public funds; and enabling performance in service delivery (Ball, 2012).

In times of uncertainty there may also be a prologue to the Acts in the form of an emergency Budget (Ferry and Eckersley, 2012).

This article focuses on Act 3 of budgeting and governing — the accountability and audit arrangements – and concentrates on the local government context¹. In terms of accountability, the audit has been a traditional technology to build confidence in stewardship of public funds and value for money (Hopwood, 1984; Power, 1997; 1999; Humphrey *et al.*, 2011).

In the UK, the New Labour government that was elected in 1997 introduced an extensive set of top-down arrangements for accountability of local government that led to a significant increase in public auditing. These fitted into the wider context of Comprehensive Spending Reviews, which provided multi-year frameworks for public expenditure between 1998 and 2010. Within these frameworks the annual Budget was used to assess financial stewardship, but at the same time spending decisions had to be linked to outputs and outcomes by Public

¹ In a previous issue of this journal, Ellwood and Garcia-Lacalle (2012) discussed the implications of reforms to these arrangements for NHS Trusts.

Service Agreements (PSAs), through which the Treasury held central government departments to account in performance terms. Each department then sought to ensure that its related agencies, non-departmental bodies and local authorities focused their attention on delivering the objectives set out in its PSA by setting them specific targets that (theoretically at least) would help to contribute towards desirable outcomes. The Department for Communities and Local Government introduced various performance management frameworks (Best Value, Comprehensive Performance Assessment (CPA) and Comprehensive Area Assessment (CAA)) to monitor English local authorities in this regard. The Audit Commission, the audit body for local authorities in England, conducted annual assessments to determine whether individual local authorities were delivering central government objectives, and produced various reports and scorecards alongside their judgements (Seal and Ball, 2005; Woods and Grubnic, 2008; Abu Hasan *et al.*, 2013). Authorities were also encouraged to benchmark with one another in order to share “best practice” and stimulate improvement through a competitive process – something that most of them engaged in for reasons of external accountability (Bowerman *et al.*, 2001).

The hierarchical targeting approach has endured in some areas – most notably the health sector – as a means of ensuring that central policies are implemented. However, the coalition government dismantled many of the performance accountability frameworks for local authorities, including PSAs and CAA, shortly after taking office in 2010, and also abolished the Audit Commission that oversaw the whole system. Ministers put forward several reasons for these reforms, including a belief that the Audit Commission had “lost its way” by focusing too much on local government improvement rather than financial audit, and an assumption that the changes would save money in a time of austerity (Ellwood, 2014; Timmins and Gash, 2014). In addition, ministers espoused a desire to give councils the

freedom to develop their own performance frameworks as part of its ‘localism’ policy, and promoted the idea of a ‘Big Society’ that could assume responsibility for some of the functions previously undertaken by the state. This new approach was illustrated by the Localism Act 2011, which granted local authorities a “general power of competence” (and thereby enabled them – for the first time – to carry out any activity that they consider to be in the interests of the locality), and also gave voluntary organisations the right to bid for greater control over public services (HM Government, 2011).

The result was that only the Spending Review was retained to manage annual budgets, alongside a financial audit of local government with some value for money studies (which were overseen by the National Audit Office). Although ministers have devolved responsibility for operational performance management to councils, they have maintained their tight control over local government finance since the 2010 election. Local authorities are still heavily dependent on central government for funding, statutorily required to deliver a range of public services and have to agree a balanced budget every year, in spite of the scale of austerity measures. Indeed, it is notable that ministers have asked authorities to freeze Council Tax, the only significant source of revenue over which they have any theoretical control, in every financial year since the 2010 election – and any authority that wishes to increase its Council Tax by a level that ministers feel is “excessive” now needs to finance and organize a local referendum and gain binding approval for its decision.

From a top-down accountability perspective therefore, local government is now assessed on financial *conformance* alone – there is no hierarchical provision for monitoring outputs or operational *performance* (Ferry *et al.*, in press). In other words, auditors focus on whether councils adhere to their statutory requirements to deliver balanced budgets (local public

service *inputs*) rather than the extent to which they deliver high quality operational *outputs* or *outcomes*. In place of the performance monitoring arrangements, the Government introduced a number of bottom-up accountability mechanisms, ostensibly to give citizens greater access to information through data transparency, and thereby help them to hold local public services to account more directly. As O'Neill (2006), Eckersley *et al.* (2013) and Etzioni (2014) have pointed out however, “transparency” initiatives of this nature often reduce accountability because non-expert citizens are unable or unwilling to analyse the sheer volume of data at their disposal – and it may also be difficult to access channels for complaint and redress.

The paper will now briefly review literature on accountability for public sector budgeting and governing, before considering the UK Government’s accountability and audit arrangements for local government through an explanatory study.

Public sector accountability

This paper draws on public administration aspects of accountability theory in accounting research to consider budgeting and governing in central and local government arrangements in England. It illustrates how central government have shifted from centralized top-down accountability arrangements for local government performance (using the Audit Commission) towards an ostensibly bottom-up approach based on data transparency and direct contact with citizens. This is important because it has implications for what data is visible and to whom (Hopwood, 1984) and therefore changes the relationship between the organisation that is held to account (the “agent”) and the actor on whose behalf it operates (the “principal”) (Mayston, 1993). Notably however, central government has retained its hierarchical control over financial conformance, since local authorities are still required to deliver statutory services and set balanced budgets – despite significant cuts in their funding –

and the National Audit Office has taken on responsibility for this, as well as more generally assessing value for money in local public services.

In recent decades, the UK government has relied on New Public Management ideas for shaping public service policies and programmes in improving delivery (Hood, 1991; 1995). These include marketisation, privatisation and the Private Finance Initiative / Public Private Partnerships, which were undertaken in the name of greater efficiency, value for money and accountability (Broadbent and Guthrie, 2008; Hopwood, 1984; Lapsley, 1999; Shaoul *et al.*, 2012; Sinclair, 1991). Although most scholars agree with the objectives of these reforms (Broadbent and Guthrie, 1992; Lapsley, 1999), they have questioned the extent to which they have been achieved (Broadbent *et al.*, 2003a; 2003b) and highlighted how democratic accountability is reduced when state officials have less direct control over public services (Pollitt, 1986; Funnell, 2000; Letza and Smallman, 2001). Indeed, Lapsley (2009) specifically targeted New Public Management for its shortcomings, questioning the applicability of private sector performance criteria for the public sector and arguing that the agenda has failed to deliver its proposed benefits. In particular, he argues that it has resulted in an entrenched ‘audit society’, which may mean organisations become too focused on compliance and devote their resources to those activities that can be measured – to the detriment of other priorities. Tragically, these fears proved to be well-founded in the case of Mid Staffordshire NHS Trust, where managers focused overwhelmingly on meeting central targets to help their hospital achieve “Foundation” status and patient care was severely neglected as a result (Francis, 2013).

An underlying issue is also the difficulty of protecting the public interest when public goods and services are delivered by a third party (Broadbent *et al.*, 2003a; 2003b). Contracts have

been used to formalize third party roles in public service delivery (Broadbent *et al.*, 2003b; Hood, 1995; Lapsley, 1999), and they represent the government's legal right to ensure public accountability is not compromised. However, the complexity of many public contracts, as well as their extremely lengthy time-frames, gives incumbent providers over any potential challengers (Broadbent *et al.*, 2003a; 2003b; Demirag and Khadaroo, 2008) and exacerbates the lack of democratic accountability (Pollitt, 1986).

Sinclair (1991) defines public accountability as “a more direct answerability to community” (p.222) that involves activities such as answering to the public concern about how government programmes are designed, and ensuring that public money is spent effectively and in accordance with appropriate governance safeguards against corruption. In the local government context, this “community” should be interpreted as local residents – the “principal” who are served by the “agent” (the council) in Mayston's (1993) terms. This suggests that residents should be given access to relevant information about their council's activity and performance, as well as the opportunity to initiate changes through the ballot box if this information indicates poor performance, financial incompetence or a lack of effective governance. As such, we can see how auditing offers potential as a top-down accountability technology, in terms of governing economic and social life (Radcliffe, 1999). For example, Funnell (2011) suggests the auditor performs a crucial independent role to uphold trust in public administration.

Nevertheless, some have questioned whether accountability is too important to be left to accountants and auditors (Radcliffe, 2008). Keeping with this, it has been suggested that data transparency could lead to a new era of bottom-up accountability that enables a generation of armchair auditors (albeit non-professionalized and fragmented) to exercise more

comprehensive democratic oversight of public spending (Pickles, 2011). Indeed, it was only after the *Daily Telegraph* began publicising details of MPs' expenses in 2009 that a number of senior politicians were held to account over their use of public money, and five parliamentarians eventually ended up in prison for abusing the system (BBC News, 2013). At the local level, media organisations and pressure groups such as the Taxpayers' Alliance have also used public spending data to raise questions about how public bodies are allocating their resources (see for example Sinclair and Taylor, 2008).

These issues of accountability theory are considered next in the context of recent announcements on arrangements for national budgeting and governing in the UK that have implications for local government in England.

Analysis

Acts 1 and 2: The Spending Review and Budget

In June 2010 the Chancellor gave an 'emergency' Budget speech only six weeks after the Coalition government came to power. This was the prologue of what was to come concerning the nature and level of public debt, and associated need for deficit reduction through initial spending cuts and tax increases (HM Treasury, 2010a).

Following on from this emergency Budget, the October 2010 Spending Review provided a framework for reducing public expenditure levels between 2011/12 and 2014/15. In terms of austerity management, the Spending Review set out the longest prolonged reductions in public spending since the 1920s (HM Treasury, 2010b; Ferry and Eckersley, 2011; 2012) and was the UK's first attempt at multi-year financial planning in a time of austerity. This is a difficult undertaking, since revenue streams from taxation are uncertain and spending plans

therefore need to be flexible, and there is an overriding requirement to reduce the public deficit (Hood 2010; Pollitt 2010).

Subsequent annual Budgets need to be considered in the context of this Spending Review, which set out a framework of rules for financial decision-making in forthcoming years. In addition, the government was reluctant to further upset the financial markets by announcing major changes to fiscal policy. However, the Spending Review was sufficiently flexible to allow Budgets to respond to emerging developments, such as slower than expected economic growth, and initiate changes to try and address these issues (Ferry and Eckersley, 2012). Throughout this period however, the government's overwhelming priority has been to reduce the size of the public deficit.

Act 3: Accountability arrangements

Any changes to the relationship between the Spending Review, annual Budget and associated arrangements would have implications for accountability in English local government, partly because they could alter the scope of activities that should be incorporated into any accountability exercise or process. For example, if the prime aim of the government is to reduce expenditure, the extent to which public bodies (including local government) have been able to keep within reduced budgets should also be the overriding focus of any audit exercise.

Traditionally, and more so since the formation of the National Audit Office (NAO) in 1983, accountability in the UK public sector has focused on financial conformance as a minimum, through an annual financial audit of Whitehall departments that is supplemented by value for money studies (Dewar, 1991). Until the 2010 election, the approach became progressively more centralized with further top-down pressures, and focused increasingly on operational

performance alongside financial conformance. For example, under the New Labour Government this was expressed in the form of Spending Reviews for multi-year planning, within which annual Budgets had to be set (Ferry and Eckersley, 2011; 2012); PSAs that linked funding to department outputs and outcomes; and departmental capability reviews that assessed management competence for delivery.

In particular, the creation and use of PSAs in the context of resource allocation was a key part of each of the New Labour Government's Comprehensive Spending Reviews. These PSAs were cascaded down from Whitehall to the relevant 'delivery' organisations such as local government in the form of specific objectives that would contribute to the overall aims of the parent department. For example, both the CPA and CAA frameworks required English local authorities to report on their progress against a range of indicators that (theoretically at least) monitored how well they were delivering outcomes on behalf of central government. The Audit Commission carried out these very detailed assessments and judged the performance of local authorities against these targets on an annual basis.

On taking office, the Coalition government's rhetoric of localism and the 'Big Society' suggested that they wanted less of a top-down approach to performance management (DCLG, 2010), and devolving the ability to develop their own frameworks chimes with Sinclair's (1991) idea that councils should be more answerable to their communities. In addition, the climate of austerity meant that incoming ministers were keen to transfer responsibility for deciding on financial cutbacks to the local level, as well as reduce the cost of performance monitoring systems (Ferry and Eckersley, 2011; Lowndes and Pratchett, 2012; Timmins and Gash, 2014). The October 2010 Spending Review and March 2011 Annual Budget provided potential technologies to do so, although not without significant risks, by allowing the

Government to reduce spending on the audit and accountability structures that were previously in place for local authorities, and encourage a new bottom-up approach to develop. It therefore retained the Spending Review (and its associated Departmental Expenditure Limits) and the annual Budget that concentrates on financial conformance, but set about dismantling much of the architecture (including the Audit Commission and CAA) that had assessed in much detail whether local government delivered desired outcomes. Although the Audit Commission's responsibility for overseeing local authority financial audits was transferred to the NAO (and the NAO has also taken on the role of undertaking high-level value for money assessments of local public bodies), its hierarchical detailed performance monitoring function simply disappeared.

To replace these structures, the new government introduced a number of reforms to stimulate accountability from the bottom-up, in keeping with its rhetoric of 'localism' and the 'Big Society'. Most notably, its drive for increasing the 'transparency' of public administration, which builds on the Freedom of Information Act 2000 and previous 'open government' initiatives, has resulted in the publication of vast amounts of data relating to public bodies. Although in practice this has weakened, rather than strengthened accountability (Eckersley *et al.*, 2013), ministers nonetheless stressed the importance of giving private citizens, or "armchair auditors", access to information about how their taxes are being spent (Pickles, 2011). For example, every central government department is now required to publish details of tenders or contracts worth over £5,000, and HM Treasury's mammoth Combined Online Information System (COINS) database, which lists over 24m financial transactions involving government departments, was published online in June 2010 (Curtis, 2010). In addition, all local authorities in England have been asked to publish details of each transaction worth over £500, as well as the salaries of senior staff and other lines of data.

As indicated above, although these initiatives may appear to improve the transparency and accountability of public bodies, the reality is very different (Eckersley *et al.*, 2013, Ferry *et al.*, in press). Most obviously, processing and analysing these huge gigabytes of data will require significant resources and expertise, which will be beyond the vast majority of ordinary citizens (see also O'Neill, 2006; Etzioni, 2014). As a result, the public will be less aware of how well their local council is performing, and therefore less able to hold local officials to account. Crucially, these reforms have coincided with the deepest reductions in public expenditure for nearly a century. This means that there will be no expert assessment of how service outputs may deteriorate due to funding cuts, and therefore reduces the amount of evidence that critics of the Coalition Government's austerity policies can use to support their arguments.

Nevertheless, for now at least, the Local Audit and Accountability Act (2014) formalizes the end of the Audit Commission for England and Wales and heralds new audit arrangements (more akin to a private sector model) for local authorities. This was initially touted by the Coalition Government to generate (potential) cost savings and to deal with political suggestions that the Audit Commission had lost its way. However, such views have been challenged by preliminary scrutiny from an ad hoc parliamentary committee in 2013 (HC696), which suggested that not only were these changes unlikely to save any money but they would also challenge the integrity of the audit system itself. In particular, the legislation was criticized for abandoning a key founding principle of public audit, namely that public bodies must not be allowed to choose their own auditors (Ellwood, 2014). More importantly for the purposes of this article however, the Act confirmed that future local authority audits

would be overseen centrally by the NAO and focus solely on financial management; the previous national frameworks to monitor council performance in detail were not replaced.

Conclusions

This paper has investigated the changing nature of accountability and audit arrangements for English local authorities in the context of national budgeting and governing in the UK. In particular, it has considered how the government has changed accountability practices through reducing top-down monitoring of outputs and outcomes, and ostensibly replaced it with a more bottom-up approach that chimes with ideas of the Big Society and localism. In contrast to their decision to devolve performance monitoring functions, ministers have maintained a top-down approach to overseeing financial conformance, in that councils are still heavily reliant on central funding, are required to set a balanced budget every year and undergo annual audits that focus solely on financial competence. In this way, the Spending Review and annual Budget are still subject to formal and professional scrutiny through financial audit.

However, audits no longer assess performance in terms of what outputs and outcomes have been achieved, nor the competence of public bodies in policy and service delivery. PSAs and departmental capability reviews previously met this need for central government, and Audit Commission-led inspections performed a similar function for local authorities. Now that this architecture has been dismantled, the Coalition government has narrowed the domain of formal accountability, so that it focuses on financial budget aspects. In place of formal performance assessments, ministers have introduced bottom-up channels for accountability, facilitated through the transparency agenda, which increase the amount of data that are publicly available. Although ministers claim that this will enable citizens to hold public

bodies to account without the need for intermediaries such as the Audit Commission, in reality these reforms will only obscure the negative impact of funding cuts on public service performance. This is because these data will be very difficult for the everyday citizen to process and analyse (Eckersley *et al.*, 2013), meaning that local accountability is weaker, rather than stronger, as a result.

In this context, we support Ellwood's argument that the Local Audit and Accountability Act (2014) has significant implications for autonomy, governance and accountability of public services, and we support her call for a much more robust debate. Indeed, as reported by Thatcher (2014), the chair of the Public Accounts Committee Margaret Hodge Labour MP for Barking recently stressed at the Chartered Institute of Public Finance and Accountancy (CIPFA) Annual Conference that,

"We need a commission looking at whether public audit remains fit for purpose right across the public sector or whether or not we should think about the arrangements we have to protect the taxpayers' interest."

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