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Building a
stronger
public
accountability
system for
New Zealanders





Building a stronger public accountability system for New Zealanders

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Auditor-General's overview

E ngā mana, e ngā reo, e ngā karangarangatanga maha o te motu, tēnā koutou.

Public accountability is about public organisations demonstrating to Parliament and the public their competence, reliability, and honesty in their use of public money and other public resources.¹ In our 2019 discussion paper, *Public accountability: A matter of trust and confidence*, we questioned whether the way public organisations are currently held accountable met the expectations of an increasingly diverse, dynamic, and connected society.

This discussion paper builds on that question and explores in more depth how well New Zealand's public accountability system is working in practice. People who worked in the public sector told us that, although the system had strengths, it was not working as well as it could. In many ways, the public accountability system has become too inwardly focused and disconnected from the public. It is seen by many as compliance-driven and provides little useful information about what is important to Parliament and the public.

There are reforms under way that might change that. These reforms include an increased focus on supporting well-being, new mechanisms that the public sector can use to address complex societal challenges, and new requirements to improve how public organisations work with Māori and to reinforce the spirit of service to the communities they serve.

In my view, improved public accountability should sit alongside improved performance as a driver for any public sector reform. Without appropriate focus on both, there is a risk that changes might improve the way public services are delivered but still fail to earn the buy-in and trust of New Zealanders.

The way we think about public accountability needs to change. Long-term stewardship of New Zealanders' well-being needs to be valued as much as short-term management of current issues. Equally, how public organisations behave should be as important as the services they deliver. Public organisations should value their relationships with communities as much as their relationships with Ministers.

The public sector needs to better communicate to Parliament and the public what it does, why it does it, and how it contributes to the outcomes that are important for New Zealand.

¹ Office of the Auditor-General (2019), *Public accountability: A matter of trust and confidence*, Wellington
Adapted from O'Neill, O (June 2013), "What we don't understand about trust" (video), www.ted.com.

More transparency and improved reporting would be helpful. However, to provide effective public accountability, public organisations need to understand what is important to Parliament and the public. I therefore would like to see the public sector:

- prepare a vision and strategy for how they will be accountable to Parliament and the public;
- tailor, integrate, and align public accountability information so it is more meaningful to the public;
- broaden and strengthen the channels for discussion, debate, and feedback about performance; and
- consider how to address poor performance in a way that provides appropriate incentives to improve.

The public accountability system needs to change to meet the expectations of Parliament and the public. However, it is important to keep the features of the public accountability system that serve us well.

I encourage Parliament to consider how it can champion and advocate for change to ensure that the public it represents gets the accountability it deserves.

I will continue to monitor the implications of public sector reforms on public accountability and encourage discussions on how to improve it. Effective public accountability is critical to the trust and confidence that the public has in the system of government.

I thank the many individuals who contributed their time and ideas to our work.

Nāku noa, nā

A handwritten signature in black ink, appearing to read 'JMRyan', with a stylized flourish at the end.

John Ryan
Controller and Auditor-General
14 October 2021

Introduction

- 1.1 This is our second discussion paper on the future of public accountability. Our first paper² explained the concept of public accountability, why it is important, how it has changed over time, and the factors that could influence how it works in the future. This paper builds on what we learned and explores how well the public accountability system is positioned to meet the challenges and opportunities of the 21st century.
- 1.2 How well the public sector meets the expectations of Parliament and the public is fundamental to building and maintaining trust and confidence. As the public service³ implements the Public Service Act 2020 and continues with other reforms, there is an opportunity to ensure that the way the public sector is accountable continues to be relevant to Parliament and the public.

Why we carried out this research

- 1.3 We think that an enduring and trusting relationship between the public sector and the public requires effective public accountability. In our first paper, we found there was an increasing gap between what the public expects of the public sector and what the public perceives the public sector provides. In our view, the reasons for this are not just related to the delivery of public services. How well the public sector assures the public that what they do and how they do it is meeting the public's wider expectations of competence, reliability, and honesty is also a contributing factor.
- 1.4 As a result, we questioned whether our current public accountability system is operating in a way that will meet the expectations of the public today and in the future.
- 1.5 Whether real or perceived, this gap can have real-life implications. For example, in discussing the various public accountability concerns underlying Brexit, one researcher observed that people “might feel empowered as consumers ... but disempowered as citizens”.⁴
- 1.6 Understanding what the public expects of the public sector is a fundamental first step in reducing this gap. However, a recent Pew Research Centre survey of 34 countries (not including New Zealand) found that about two-thirds of people

2 Office of the Auditor-General (2019), *Public accountability: A matter of trust and confidence*, Wellington.

3 Under the Public Service Act 2020, the public service refers to departments, departmental agencies, interdepartmental executive boards, and ventures. Crown agents and other state service organisations are also subject to parts of the Act, for example, when setting out public service principles and values.

4 Wright, T (2019), “Democracy and its discontents”, in Gamble, A and Wright, T (Eds.), *Rethinking Democracy*, the Political Quarterly Publishing, at page 9.

believe elected officials do not care about what people like them think. This was a main reason for their dissatisfaction with the idea of democracy.⁵

- 1.7 In New Zealand, surveys on trust in the public sector have produced mixed results. For example, a 2019 survey about Parliament found that members of the public feel that they are, generally, not listened to, and Māori feel less positive (than in previous years) about what Parliament does for them and how it does it.⁶ However, Te Kawa Mataaho Public Service Commission's 2020 Kiwis Count survey results showed that trust and confidence in the public service increased significantly from 51% in the previous year to 69%.⁷
- 1.8 Te Kawa Mataaho Public Service Commission (Te Kawa Mataaho) observed that the significant increase in public trust might be due to the Government and the public service building a more informed and trusting relationship with the public during the Covid-19 response.
- 1.9 The way the Government and the public sector interact and communicate with the public is clearly a key factor in an effective public accountability system. We did this work to better understand how this interaction might be able to be improved, and not just in crisis situations.

What we mean by public accountability

- 1.10 In our first paper on the future of public accountability, we noted that researchers have identified many different forms and dimensions of accountability. These include political, legal, ministerial, democratic, bureaucratic, parliamentary, and social accountability. There are also many concepts related to accountability, such as answerability, transparency, visibility, controllability, responsibility, and responsiveness. Additional dimensions, such as shared, mutual, and collective accountability are also increasingly discussed and used.
- 1.11 However, despite the extensive literature and research on public accountability, there are few agreed concepts, frameworks, or guidance. The overall role of public accountability in supporting public trust and confidence is not well understood.
- 1.12 When we use the term “public accountability”, we mean the way in which all public organisations demonstrate to Parliament and the public their competence, reliability, and honesty in using public money and resources.

5 Wike, R and Schumacher, S (2020), *Democratic Rights Popular Globally but Commitment to Them Not Always Strong: Most say elected officials are out of touch*, Pew Research Centre, page 4.

6 House of Representatives (2019), *Survey of the New Zealand public*, Colmar Brunton, pages 2 and 3, at parliament.nz.

7 Results of the Kiwis Count survey are at publicservice.govt.nz. The latest quarterly survey as of July 2021 shows trust in the public service sits at 63%, down slightly from last years 69%.

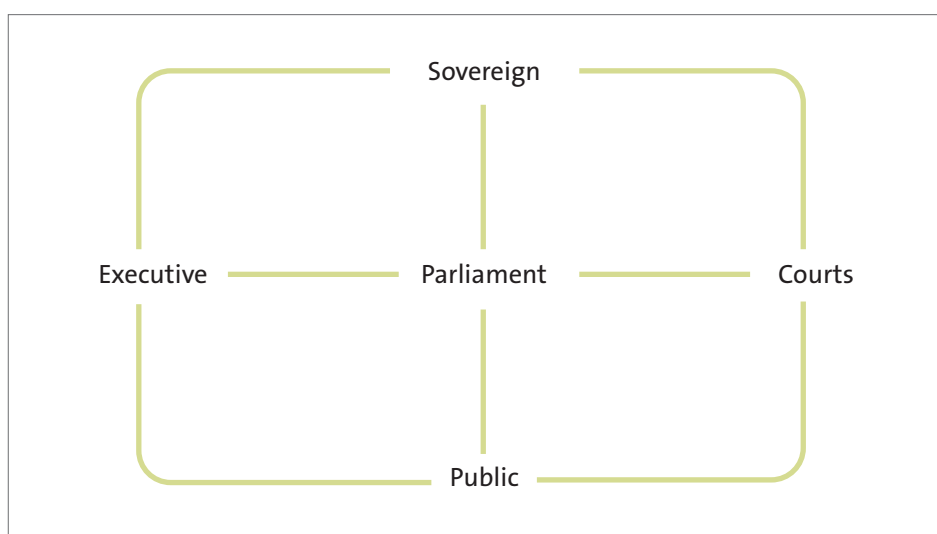
The public accountability system

- 1.13 When we use “public accountability system”, we mean the principles, procedures, regulations, institutional arrangements, and participants that support public accountability. The public accountability system underpins every aspect of what the Government and the public sector does every day.
- 1.14 The public accountability system is derived from New Zealand’s constitutional arrangements. In a representative democracy, the purpose of a constitution is to “prevent the government from abusing its power over the people of a nation, and to ensure that the government exercises its power as the people wish”.⁸
- 1.15 New Zealand has a representative of the sovereign as the head of state – the Governor-General. There are three branches of government, with powers distributed between them:⁹
- The Executive, which is comprised of Ministers and the government departments and agencies they are responsible for. The role of the Executive is to decide policy, deliver public services, and propose and administer the law.
 - The Legislature, which is the House of Representatives (which, together with the sovereign, is Parliament). Its role is to make laws, scrutinise the Executive, and hold them to account on behalf of the public.
 - The Judiciary, which interprets and applies the law.
- 1.16 Figure 1 shows the public directly interacting with all three branches. Members of the public interact with these branches when, for example, they receive or are affected by public services, make a submission about a bill or a draft policy, vote, or take legal action through the courts.

8 Palmer, M (2012), “Constitution”, *Te Ara – the Encyclopedia of New Zealand*, at teara.govt.nz.

9 See *New Zealand’s constitutional system* at justice.govt.nz.

Figure 1
The public's relationship with the three branches of government



Source: *Te Ara – the Encyclopedia of New Zealand* at teara.govt.nz.

- 1.17 It is important to note that Figure 1 does not reflect te Tiriti o Waitangi and its place as a founding document in New Zealand. Accountability arrangements related to te Tiriti o Waitangi continue to evolve.
- 1.18 Figure 1 also does not include local government. Local government operates within the legislative and regulatory framework established and maintained by Parliament,¹⁰ but councils are also directly accountable to their communities.
- 1.19 When we use the term “public sector” we mean the public organisations (and their employees) that support the Executive’s accountability obligations to Parliament and the public. The public sector includes public service organisations, other state service organisations, and local government. When we refer to local government it is within the context of their direct accountability to their communities.

The aims of our research

- 1.20 This paper discusses the role and effectiveness of the public accountability system, how it is working in practice, what might need to change, and what the future of public accountability could look like.
- 1.21 In our view, there is considerable value in ensuring that the approach to, and mechanisms of, public accountability remain relevant to Parliament and

the public. This is particularly timely as the reforms to the country's public management and public finance systems are embedded.

- 1.22 This paper will also inform the role of the Auditor-General and how our Office continues to contribute to effective public accountability.

Our approach to the research

- 1.23 To understand how the public accountability system works in practice, we surveyed members of the public and interviewed people who work with the public accountability system. As public accountability is primarily about relationships between people, our work focused on the views of people who experience the public accountability system and/or work with it.
- 1.24 We engaged a research provider to carry out a survey of members of the public. The provider surveyed people of different ages and ethnicities throughout New Zealand. They asked people about their expectations of the public sector and how they think the public sector is held to account and why. The survey took place from August 2019 to September 2019. It involved a combination of five focus group discussions and a New Zealand-wide quantitative survey of 1000 people aged 18 years and older. The quantitative survey had a margin of error at a 95% confidence level of +/- 3.1%.¹¹
- 1.25 We also carried out a series of semi-structured interviews with 37 people who work in the public accountability system. These included public officials (working in both central and local government), members of Parliament, consultants, and architects of the 1980s reforms. We also interviewed representatives from non-governmental and private organisations. Most interviews took place over a four-month period from August 2019 to November 2019.
- 1.26 We wanted to understand the reality of public accountability. We wanted to hear from senior people who work regularly in the public accountability system about how well they felt the system operates today and whether it can meet emerging challenges and opportunities. We wanted to know what these people understood their accountability expectations and responsibilities to be, and how these are managed and realised in their roles as public servants, politicians, and commentators.

11 The margin of error relates only to the quantitative survey. It is an estimate of the range that we expect the overall population result to be within. A margin of error of +/- 3% at a 95% confidence level means that if the same survey was repeated another 100 times with a different sample from the same population, we would expect 95 of those surveys to show results within +/- 3% of the original result.

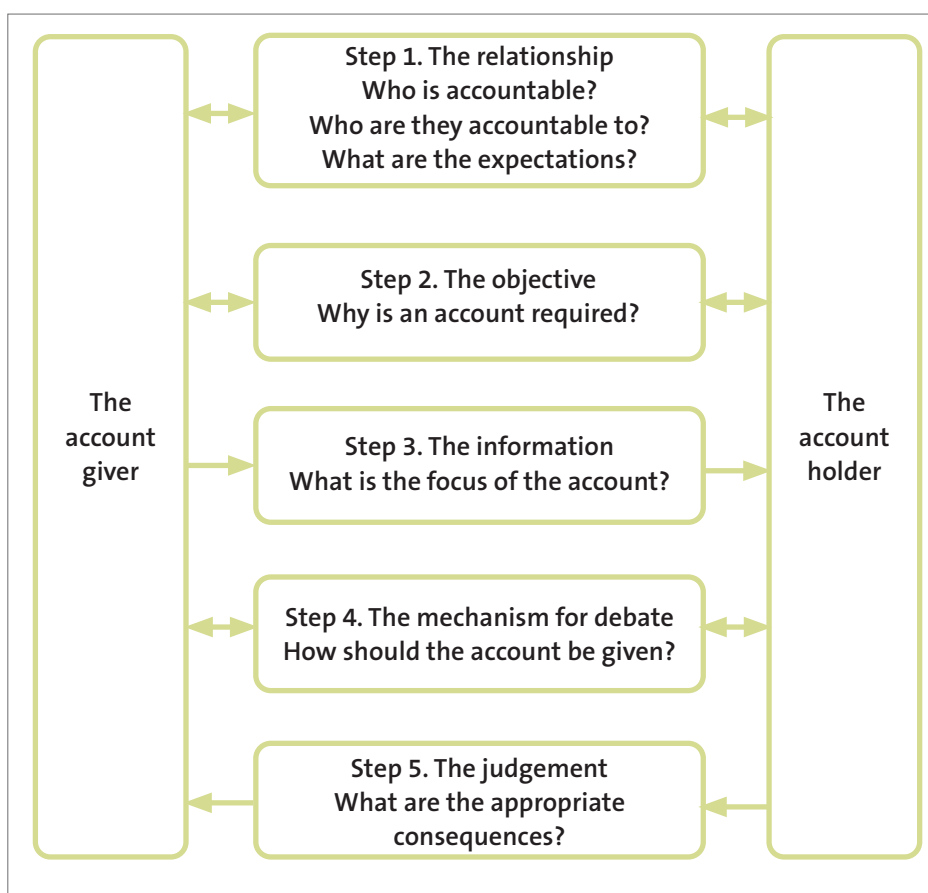
- 1.27 We analysed these views against an evaluative framework comprising five steps that we think are required for public accountability (Figure 2).¹² These five steps are:
- informed **relationships**;
 - a clear set of **objectives**;
 - relevant **information**;
 - convenient forums for **discussion and debate**; and
 - a set of appropriate **consequences**.
- 1.28 It is important that the five steps in Figure 2 align with each other. For example, if competence is important to the accountability relationship (Step 1), the objective might be to encourage improved performance (Step 2). Therefore, more emphasis could be given to performance targets and continuous improvement (Step 3), reporting that performance (Step 4), and the consequences that control any infringement (Step 5).
- 1.29 However, if honesty and integrity are more important to the relationship (Step 1), the objective might be more about ensuring proper behaviours (Step 2), which means more emphasis on, for example, strengthening integrity systems for preventing and detecting fraud or corruption (Step 3), through mechanisms such as probity or integrity reviews (Step 4), with consequences that control infringements but also motivate and model good behaviour (Step 5).

The scope and limitations of our research

- 1.30 In our first paper on the future of public accountability, we discussed the research on the forms, dimensions, and directions of accountability. Much of the research is technical or theoretical. Some areas are also extensive and not easily summarised. This paper is written for a general audience. Although this limits our ability to cover every aspect of public accountability in detail, it does not limit our overall aim.
- 1.31 This paper does not cover judicial or electoral accountability or the role of the media and non-governmental organisations. It also does not cover, in any real depth, New Zealand's constitution or the relationship between Māori and the Crown. When we talk about Parliament and the public, it is to remind the reader that Parliament represents the public and so what is important to the public is also important to Parliament. Parliament remains the primary accountability institution.

12 See Office of the Auditor-General (2019), *Public accountability: A matter of trust and confidence*. We created our evaluative framework by looking at information from Sulu-Gambari, W (2014), *Examining public accountability and policy issues in emerging economies: A case study of the Federal Ministry of Transport, Nigeria*; Bovens, M, Schillemans, T, and 't Hart, P (2008), "Does public accountability work? An assessment tool"; Bovens, M (2005), "Public accountability – A framework for the analysis and assessment of accountability arrangements in the public domain"; Ashworth, R and Skelcher, C (2005), "Meta-evaluation of the local government modernisation agenda"; and Mees, H and Driessen, P (2018), "A framework for assessing the accountability of local governance arrangements for adaptation to climate change".

Figure 2
The five steps for effective public accountability



Source: Office of the Auditor-General.

- 1.32 The Auditor-General does not comment on government policy except when reviewing how well particular policies are implemented (for example, their effectiveness and efficiency). This paper is therefore limited in what it says about the options to improve the public accountability system because these are matters of government policy. Our aim is to draw attention to the challenges and opportunities that the public accountability system needs to address, and encourage discussion about ideas for change.
- 1.33 Finally, although the approach to the research is designed to cover as many perspectives as possible, those interviewed and surveyed represent only a sample of the public and the public sector. One implication of this is that we are limited in what we can say about the accountability expectations of Māori, youth, or other groups in society.

2

The arguments for change

- 2.1 In our first paper on public accountability, we described how public accountability systems have evolved over time.
- 2.2 In this Part we discuss the case for further change. We describe some of the reforms that are proposed or under way, and explore the implications for the public sector.

Increasing public expectations of the public sector

- 2.3 For Parliament to represent the public in holding the Government to account, it needs to understand what is relevant and important to the public. Therefore, effective public accountability needs to start with an understanding of the public's expectations of the public sector.
- 2.4 Members of the public are not just users of public services. As taxpayers or ratepayers, they all have an ownership interest in public resources. This was well described by Te Kawa Mataaho in the title of its 2018 discussion document on the reform of the State Sector Act 1988: *New Zealand's Public Service Belongs To You, The People of New Zealand*.
- 2.5 Changes in technology, global challenges (such as climate change), and a diverse society are all affecting the public's expectations of the public sector. Many public organisations are already aware of these ongoing changes. For example, Local Government New Zealand, in its discussion paper on local government funding, said that New Zealand faces:
 - ... *changing demographic and economic growth, increasing public expectations as well as evolving and new environmental challenges*.¹³
- 2.6 This situation is neither new nor unique to New Zealand and has existed for some time. For example, in 2010, an introduction to an Organisation for Economic Co-operation and Development panel about regaining citizens' trust observed that "growing complexity and citizen expectations are increasing demands on government".¹⁴

¹³ Local Government New Zealand (2015), *Local government funding review: A discussion paper*, Wellington, page 76.

¹⁴ Organisation for Economic Co-operation and Development (2010), *Towards recovery and partnership with citizens: The call for innovative and open government*, page 34.

- 2.7 To understand the public's expectations of the public sector, we carried out various focus groups with people of different ages and cultures, and from different regions. We also carried out a nationwide survey of 1000 participants aged 18 and older.
- 2.8 Of the people surveyed, 86% believed it was important for public organisations to be directly accountable to the public, and 53% were "interested" or "very interested" in learning more about what the public sector did. Many people thought that public accountability was important to building trust in the public sector. For example, one person said, "being accountable is helping us trust in our own public system". Another person said that "public accountability helped improve New Zealand's global reputation as a strong democracy".
- 2.9 Some of those surveyed also emphasised that, in order to be publicly accountable, the public sector needs to:
- understand what is important to people; and
 - take responsibility for its actions.
- 2.10 We were told that understanding what is important to people involves engaging with, listening, and responding to their needs. For example, one person said, "I want to be heard at least ... it is about doing the right things, but also giving people a voice".
- 2.11 For our survey respondents, taking responsibility meant owning up, rectifying mistakes, initiating follow-up actions, and not passing the blame.
- 2.12 Some of those surveyed said that public accountability information needs to consider the diversity of their communities. The survey asked people about the expectations they had of the public sector and the services provided to them. Figure 3 categorises the responses by demographic group. Acting with integrity was important for people aged 40 to 65 years old. Being listened to was important for Māori. Environmental concerns, greater focus on health outcomes, and having enough resources to provide better services were important for people aged 20 to 35 years old.

Figure 3
The range of expectations about the public sector from different demographic groups

Demographic	Key expectations (unprompted)
20 to 35 year olds	<p>Accountability: evidence on how the money is spent, focus on benefit and outcomes, cost-effective; transparent (amount of money spent), and being open.</p> <p>Efficient: move faster on small changes to improve services, government processes are limiting.</p> <p>Communication: feedback on services and changes, provide information, easy to interpret, clear, keep it simple, and good communication.</p> <p>Environmental concerns: more focus on improving the environment.</p> <p>Health: more focus on cancer treatment and access to drugs.</p> <p>Resources: to enable better services.</p>
New migrants	<p>Accountability: evidence on how the money is spent, focus on benefit and outcomes, cost-effective; transparent (amount of money spent), and being open.</p> <p>Service performance: following through/responsive/timely, easy to access, address wait times and call backs, know where you are in the queue, and easy to use.</p> <p>Efficient: move faster on small changes to improve services, government processes are limiting.</p> <p>People-focused: empathetic and understanding. Be proactive, know the public better.</p>
Māori	<p>Accountability: evidence on how the money is spent, focus on benefit and outcomes, cost-effective; transparent (amount of money spent), and being open.</p> <p>Service performance: following through/responsive/timely, easy to access, address wait times and call backs, know where you are in the queue, and easy to use.</p> <p>Communication: feedback on services and changes, provide information, easy to interpret, clear, keep it simple, and good communication.</p> <p>People-focused: empathetic and understanding. Be proactive, know the public better.</p> <p>Honest: acting with integrity.</p> <p>Listen to the people: do not make assumptions, be taken seriously, and do not be bullied into making decisions.</p>
40 to 65 year olds	<p>Service performance: following through/responsive/timely, easy to access, address wait times and call backs, know where you are in the queue, and easy to use.</p> <p>Communication: feedback on services and changes, provide information, easy to interpret, clear, keep it simple, and good communication.</p> <p>Honest: acting with integrity.</p>

- 2.13 Many respondents were interested in learning more about services the public sector delivered and how money was spent in their community. However, information about these services needed to be relevant, convenient, easily found, and accessible. For example, one person said:

Providing information is really important. Making it simple to understand and not because they think people are dumb or anything but at the end of the day if they are using special terminology it will just put people off. You look at it and think I don't understand what it means and walk away.

- 2.14 The matters that people talked about also support our view that, for the public, public sector performance is important, but it does not meet all the public's expectations. Not only does the public expect the public sector to provide services in an efficient, reliable, and responsive way, but it should also act, and be seen to act, with respect, integrity, openness, and honesty. For example, one person said:

... [a]ccountability isn't just that you have told me you are going to do something and you do it, but it is [also about] looking after the interests of everybody who relies on that service.

- 2.15 When asked how public organisations could better communicate what they do, the top two responses were to use a one-stop government website and national and local newspapers. Out of seven possible ways that public organisations could communicate what they do, annual reports were at the bottom of the list – only 29% of respondents said that annual reports were useful.¹⁵

- 2.16 Overall, the findings from the survey suggest the public does believe public accountability is important and they want the public sector to understand what is important to them.

Changes in the public sector and proposed reform

- 2.17 In the 1980s, many saw public organisations as inefficient, unresponsive, and increasingly ineffective. Therefore, the Government introduced major reforms to increase the financial control and performance of public organisations. Researchers have described these reforms as having a particular focus on competently managing public resources with economy and efficiency as a criteria of success instead of other factors, such as honesty, fairness, reliability, and resilience.¹⁶

- 2.18 It is generally accepted that these reforms have served the public sector well in the last few decades. However, the public sector is increasingly facing new

15 The other ways included social media, organisation websites, face-to-face communication, and information at local community libraries and venues.

16 Hood, C (1991), "A public management for all seasons?", *Public Administration*, Vol. 69, pages 11, 12, and 15.
Brown, P (2021), "Public Value Measurement vs. Public Value Creating Imagination – the constraining Influence of Old and New Public Management Paradigms" *International Journal of Public Administration*, pages 1,2, and 8.

and different challenges and opportunities, many of which require a long-term, integrated, and collective response.

- 2.19 Many of these challenges and opportunities are already here, including a changing natural environment, a more diverse and connected society, and the need to continue strengthening the relationship between Māori and the Crown. People we interviewed mentioned these challenges as well as others, including an ageing population, mental health issues, inequalities and inequities, support for immigrant communities, and managing scientific innovation.
- 2.20 In response to these complex and long-term challenges, various reforms and other changes are shifting the way the public service and public sector think and operate. We summarise some of these changes below.

The Public Service Act 2020

- 2.21 The new Public Service Act promotes a modern public service that is more joined-up and citizen-focused. Acting with a spirit of service to the community is one of the central objectives of the Act. As Te Kawa Mataaho states, “[s]implify put, it means placing New Zealand and New Zealanders at the front and centre of how we in the Public Service think, organise ourselves, and operate”.¹⁷
- 2.22 Supporting this objective, section 14 of the Public Service Act requires the public service to take responsibility for developing and maintaining its capability to engage with Māori and to understand Māori perspectives. Section 12 also requires the public service to proactively promote the stewardship of its long-term capability, assets, information, and systems. As Ayto has previously observed, a:
- ... stewardship responsibility sends a signal that departments can no longer just be passive, working only on those matters that their minister has deemed to be of interest or priority... [they must also] ... ensure New Zealanders obtain the best long-term benefit from the resources or assets for which they are stewards.*¹⁸
- 2.23 In line with the principle of stewardship, Schedule 6 of the Public Service Act requires periodic and publicly available “insight briefings” about long-term trends, risks, opportunities, and policy options. Schedule 3 also requires regular briefings on the state of the public service. This might include how well the public service is promoting stewardship and acting with integrity (with workforce diversity and inclusiveness in mind). These briefings and the information within them reflect some of the wider and different attributes of public service success that are increasingly important to a modern public service focused on intergenerational well-being.

17 State Services Commission (2017), *The Spirit of Service: Briefing to the Incoming Government*, page 2.

18 Ayto, J (2014), “Why departments need to be regulatory stewards”, *Policy Quarterly*, Vol. 10, Issue 4, page 27.

- 2.24 Boston, Bagnall, and Barry recognise this shift in the focus of the public sector and make the observation that “if Parliament is to scrutinise the performance of the executive, assessing departmental stewardship in its various forms must be a core feature of such oversight”.¹⁹

Public finance modernisation

- 2.25 The Treasury believes that a stewardship approach to the public finance system is necessary to support New Zealanders’ intergenerational well-being through a more modern, agile, and joined-up public sector.²⁰ Talking about this new focus and what the Treasury is working on to modernise the public finance system, the Minister of Finance, Grant Robertson, highlighted three areas of focus:²¹
- Changing the framework for measuring success and embedding well-being as a priority across the public sector.
 - Changing the financial management framework to increase flexibility, encourage collaboration, and support and enable a more strategic focus – including changes to the appropriation system and a different approach to planning and reporting.
 - Rethinking the approach to the Budget to focus on existing as well as new spending and the challenges and trade-offs needed to improve well-being for the public.

The review of Parliament’s standing orders

- 2.26 Parliament’s Standing Orders Committee recently reviewed Parliament’s processes, procedures, and practices and published a report of the review. The recommendations and amendments from the report, in part, reflect practices that developed during the initial response to Covid-19 and a desire for Parliament to maintain its “legitimacy in the eyes of the public”.²² There is a general focus throughout the report on encouraging more public understanding, engagement, and input into parliamentary processes and activities.²³

19 Boston, J, Bagnall, D, and Barry, A (2019), *Foresight, insight and oversight: Enhancing long-term governance through better parliamentary scrutiny*, Institute for Governance and Policy Studies, Victoria University of Wellington, page 23.

20 See speech from Struan Little (2018), “Taking a Stewardship Approach to the Public Finance System”, at [treasury.govt.nz](https://www.treasury.govt.nz).

21 See speech from Grant Robertson (2019), “Bringing Wellbeing into the Public Finance Act”, at www.beehive.govt.nz. Some of these points were also reinforced in a speech by Grant Robertson on 18 February 2021 to the Institute of Public Administration New Zealand, at www.ipanz.org.nz.

22 Standing Orders Committee (2020), *Review of Standing Orders 2020: Report of the Standing Orders Committee*, pages 4 and 5, at [parliament.nz](https://www.parliament.nz).

23 Standing Orders Committee (2020), *Review of Standing Orders 2020: Report of the Standing Orders Committee*, pages 21, 23, 26, 29, 30, 44, 45, 48, and 54, at [parliament.nz](https://www.parliament.nz).

- 2.27 The report recommended several changes to Parliament's rules and practices. These changes increase expectations for Ministers to be held to account by Parliament and select committees²⁴ – for example, select committees now scrutinise sectors as well as individual public organisations. The report also recommends encouraging alternative engagement practices that can reach a wider range of New Zealanders and gather more relevant information through, for example, surveys. A Petitions Committee was established to deal more effectively with public requests for Parliament's consideration of matters that are important to them.²⁵
- 2.28 The House of Representatives adopted the amendments and recommendations of the Standing Orders Committee. The recommendations came into effect with the dissolution of Parliament in September 2020.

The 2019 amendments to the Local Government Act 2002

- 2.29 The 2019 amendments to the Local Government Act 2002 reinstated a focus on community well-being for council decision-making, planning, and reporting. Councils must consider the four aspects of well-being (economic, social, cultural, and environmental) when making decisions and planning about how their activities will contribute to the desired outcomes for their communities.²⁶
- 2.30 Councils' long-term plans have to describe the outcomes they seek for their community, how their activities will contribute to these outcomes, and any significant negative effects their activities will have on well-being. Their annual reports must identify any positive or negative effects of their activities on well-being.

Other reforms

- 2.31 Other opportunities for change could include the reforms under way to help improve water service delivery, the management of natural resources, the provision of tertiary education, and the health and disability system.

The implications of these changes

- 2.32 The full implications of these changes remain to be seen. However, it is likely that they will affect many of the relationships, objectives, and information that underpin effective public accountability.

²⁴ Standing Orders Committee (2020), *Review of Standing Orders 2020: Report of the Standing Orders Committee*, pages 24, 40, 43, and 44, at parliament.nz.

²⁵ Standing Orders Committee (2020), *Review of Standing Orders 2020: Report of the Standing Orders Committee*, pages 29, 30, and 48, at parliament.nz.

²⁶ See Controller and Auditor-General (2019), *Insights into local government* and Part 1 of the Local Government (Community Well-being) Amendment Act 2019.

- 2.33 Many of the challenges and opportunities that the public sector faces will directly affect the well-being of communities. As a result, communities will increasingly need to become contributors to, and co-owners of, solutions or responses.
- 2.34 Recent research into Italy's response to Covid-19 supports this view. The research identified five different stages of accountability as Covid-19 progressed. During the early stages of Covid-19, the Italian government was responsible and accountable for the response. During the last two stages, citizens became more responsible. This greater sense of "shared responsibility" was an important part of managing the longer-term effects of the pandemic.²⁷
- 2.35 Initiatives such as the Policy Project²⁸ are already encouraging better engagement with communities when designing and developing policies. There are also plans under way to enable central government agencies to work in a more joined-up way to support regional and local government priorities (see Part 4). Many of these priorities are aimed at meeting the needs of more diverse and changing communities.²⁹
- 2.36 Some public organisations are already working to maintain longer-term and more trusting relationships with their communities. For example, the New Zealand Qualifications Authority is collaborating with iwi and with other education organisations to focus on Māori and Pacific students achieving equitable outcomes in STEM-related³⁰ NCEA (National Certificates of Educational Achievement) subjects.³¹
- 2.37 The New Zealand Qualifications Authority told us this means co-designing initiatives and solutions that meet the needs of iwi. Close engagement is the first step to understanding iwi aspirations and expectations. Information is then shared to assist them in developing solutions and responses that support what they want to achieve for their whānau. As part of maintaining a longer-term trusting relationship, the New Zealand Qualifications Authority is accountable to both the Ministry of Education and the iwi it is partnering with for this initiative.

27 Andreaus M, Rinaldi L, Pesci C, Girardi A (2021), "Accountability in times of exception: an exploratory study of account-giving practices during the early stages of the COVID-19 pandemic in Italy", *Journal of Public Budgeting, Accounting & Financial, Management* (ahead of print), at Part 5.

28 The Policy Project is an initiative from the Department of the Prime Minister and Cabinet that seeks to promote good policy design and development across government.

29 Cabinet paper (June 2019), to the Cabinet Government Administration and Expenditure Review Committee *Joined-up approach to the regional arm of government*, at publicservice.govt.nz.

30 STEM stands for science, technology, engineering, and mathematics.

31 New Zealand Qualifications Authority (2020) *Te Kōkiritanga 2020–2023*.

- 2.38 New types of working arrangements in the public sector will also require new accountability approaches. The Cabinet paper establishing the joint venture to reduce family violence and sexual violence discussed what success would look like for the joint venture. To be successful, it was noted that the joint venture would need strategic leadership, sustained commitment, a collaborative mandate and function, an integrated approach to contracting and service delivery, a citizen focus, responsiveness to family and whānau needs, and to partner with communities and be accountable to the public and Parliament.³²
- 2.39 For public organisations seeking to achieve positive wellbeing outcomes, being accountable for their achievement is as much about demonstrating how collaborative, forward thinking, citizen focused, and inclusive an organisation is, as it is about the economy, efficiency, and effectiveness of delivery.
- 2.40 In the next Part, we discuss what people working in the public sector told us about how well the public accountability system operates in practice.

³² Cabinet paper (September 2018) *Leadership of Government's collective efforts to reduce family violence and sexual violence*, pages 5 and 16, at justice.govt.nz.

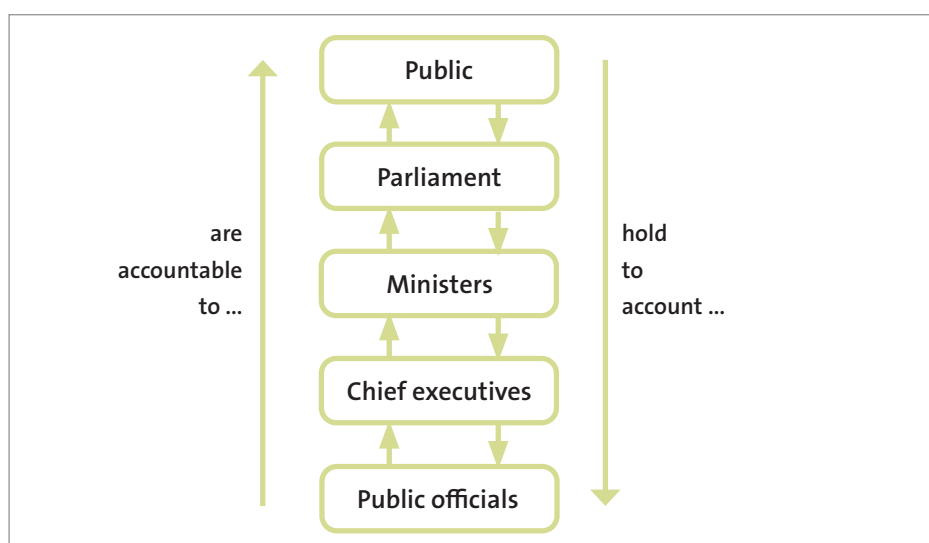
How well is public accountability positioned for the future?

- 3.1 Although our current system has served the public sector well, increased public expectations and public sector reforms provide an imperative and an important opportunity to consider whether improvements can be made.
- 3.2 This Part draws on interviews with senior public sector leaders, as well as other research to discuss how well positioned the current public accountability system is to meet the public's increased expectations.
- 3.3 In our view, achieving effective public accountability relies on five essential steps:
- developing well-informed relationships;
 - setting clear objectives;
 - agreeing meaningful, appropriate, and accessible information;
 - establishing the right forums for discussion and debate; and
 - agreeing a set of relevant consequences that encourage the right behaviours.

Are there well-informed relationships?

- 3.4 Our current public accountability system is derived from our constitutional arrangements and is based on the United Kingdom's Westminster "chain" of accountability (see Figure 4).

Figure 4
The Westminster chain of accountability



Source: Adapted from: Stanbury, W (2003), Accountability to citizens in the Westminster model of government: More myth than reality; Roy, J (2008), "Beyond Westminster governance: Bringing politics and public service into the networked era"; and State Services Commission (1999), "Improving accountability: Setting the scene".

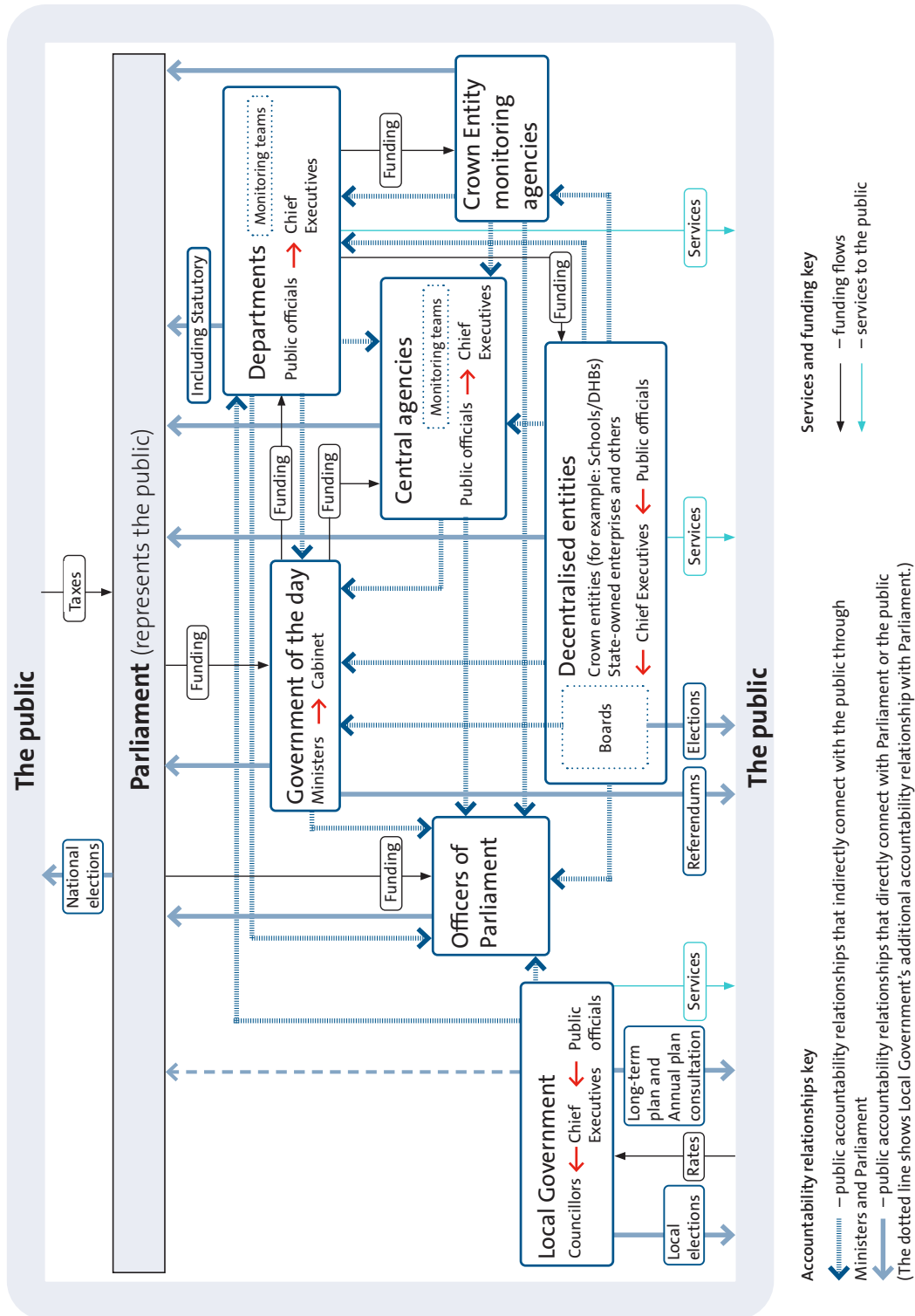
- 3.5 Figure 4 shows that the chain of accountability starts with the public official's accountability to their chief executive and ends with Parliament's accountability to the public. The chain provides a clear set of well-defined accountability relationships for holding to account those responsible for delivering public services that:
- are controllable through individual organisations;
 - are easily and clearly defined; and
 - have few external influences.

A complex network of accountability relationships

- 3.6 As the management and delivery of public services and outcomes have expanded and changed over the last few decades, the traditional chain of accountability has become increasingly complicated with lots of moving parts. It has also become more complex; that is it involves many inter-relationships that can be difficult to understand and predict. New and different ways of organising, funding, delivering, governing, and monitoring public services have contributed to this. Figure 5 shows the various accountability relationships in the public sector today. The larger arrows in Figure 5 show which organisation is accountable to which.
- 3.7 Figure 5 also shows the complexity of these accountability relationships. Taken as a whole, it is a somewhat entangled network of multiple institutions, roles, relationships, and expectations. For example, decentralised public organisations (such as universities, district health boards, and schools) have many different accountability relationships, including relationships with their chief executives and Boards. Each of these accountability relationships have different objectives, expectations, information, forums for debate, and consequences.
- 3.8 Gill, in discussing specific relationships between Ministers, the State Services Commissioner, and chief executives in 2011, also observed a:
- ... far more complex reality than a simple principal-agent model ... it suggests a world of multiple principals, with ministers facing different imperatives from departmental chief executives.*³³

33 Gill, D, et al (2011), *The Iron Cage Recreated: The performance management of state organisations in New Zealand*, Institute of Policy Studies, Victoria University of Wellington, page 107.

Figure 5
Mapping the public accountability system



Source: Office of the Auditor-General.

- 3.9 Because of the public accountability system's Westminster origins, there is a strong emphasis on indirect lines of accountability to the public through Parliament. Many of these lines are based on how funding is allocated to appropriations rather than on how and to whom public services are delivered. Local government has a more direct accountability relationship with its communities. Even so, local government operates within the legislative and regulatory framework established and maintained by Parliament.
- 3.10 Although Figure 5 is complex, it still does not include:
- the accountability relationships related to te Tiriti o Waitangi;
 - the many other accountability relationships with related organisations and institutions, including the judiciary, the media, the New Zealand Police, the Serious Fraud Office, subsidiaries, council-controlled organisations, departmental agencies, the Head of State, professional institutions, international institutions, and the private/non-governmental organisation sector;
 - collaborative working arrangements between public organisations, such as the Joint Venture for Family Violence and Sexual Violence;
 - information transfer mechanisms, such as the Official Information Act 1982, reporting, and complaints; and
 - informal or as-required relationships that arise from time to time (for example, public sector consultations about proposed policies with the public).

Relationships are not well understood and are challenging

- 3.11 Many public sector workers we spoke to found their accountability relationships complicated and disjointed. One person said, "I don't think public servants are held to account in any logical fashion". Another said, "[t]he system ... is clunky, it is siloed ... from out there it appears that there is no talking between the parties".
- 3.12 Many of those who worked outside of Wellington, including in local government, did not feel they had a constructive or informed accountability relationship with central government. One person said, when talking about complying with central government accountability requirements, "there's so many branches of government and parts of this organisation are effectively accountable to different parts ... the government is like this great hydra". Another person said, "I think Wellington just blocks ... every inch of the way". Many who worked in regional areas of New Zealand considered their accountability relationship was primarily with their communities. They took pride in maintaining strong local community ties.
- 3.13 For some, the rigid public accountability processes were a barrier to collaborative relationships and adaptability. When talking about the public accountability system's ability to respond to community needs, one person said "it can't be a

cruise liner with a one-size-fits-all, there has to be, in my view, some adaptability but it's very, very hard to break that model." Another person said, "we continue to say ... the community needs to change to fit the system as opposed to ... this system isn't actually working".

- 3.14 Several people we interviewed observed that Māori still lacked representation in the public sector, particularly in local government. Recent legislative changes have made it easier for councils to establish Māori wards³⁴ to encourage greater Māori participation in local government.
- 3.15 When talking about the Māori/Crown relationship, it was described as based more on the specific rights from Te Tiriti o Waitangi rather than the partnership that underlies it. One person said "[t]he Westminster approach is not aligned with the Māori approach to accountability – for Māori it is about the relationship not the rights".
- 3.16 Other research has highlighted sometimes uninformed and difficult relationships across the public sector. For example, in 2020 the New Zealand Productivity Commission (the Productivity Commission) reported on the many insights it had from inquiries into local government. One of the report's observations was:
- A recurrent theme across the Commission's inquiries has been the poor state of relations between central and local government. This failure arises from a lack of understanding of each other's roles and of the constitutional status of local government.*³⁵
- 3.17 The findings from interviews carried out by the Productivity Commission in 2017 also highlighted the value of developing collaborative, rather than adversarial, relationships. Collaborative relationships were seen as more effective in holding organisations to account for their performance in the state sector.³⁶
- 3.18 Some public officials we interviewed identified challenges to building informed relationships with the public. These included:
- some of what the public sector does is complicated to explain;
 - the public sector cannot always meet everyone's needs;
 - there might be privacy or security implications regarding some information;
 - some expectations might be more important than others; and
 - the public can be ill-informed or uninterested.
- 3.19 These challenges need to be considered. However, care is needed to avoid what researchers have referred to as "a vicious circle in accountability". This is where,

34 Māori wards and constituencies establish areas where only those on the Māori electoral roll can vote for the representatives.

35 New Zealand Productivity Commission (2020), *Local Government Insights*, page 14, at productivity.govt.nz.

36 New Zealand Productivity Commission (2017), *Efficiency and Performance in the New Zealand State Sector: Reflections of Senior State Sector Leaders*, page 14, at productivity.govt.nz.

particularly in complex or high-risk situations, “the lack of public participation is justified by the lack of competence, and the lack of competence is perpetuated by the lack of participation”.³⁷

3.20 For many people, the relationships that underpin effective public accountability do not appear to be well established, maintained, or informed. At times, they also lack proper community representation and can be confusing and fragmented. Given the complexity of the public accountability system and the multiple (and sometimes conflicting) accountability arrangements and expectations involved (see Figure 5), this is not surprising.

3.21 The people we interviewed suggested some improvements, including focusing on what communities want and building better relationships between central and local government.

Are there clear objectives?

3.22 Everyone we interviewed who worked in the public sector recognised public accountability as a fundamental part of what they do. However, there was less clarity and consistency in the responses about why they think public accountability is important.

There is a lack of understanding about the public accountability system

3.23 People we interviewed considered being accountable to the public as a privilege. They also identified many strengths in the public accountability system, including good budgetary and financial controls, accrual accounting, strong checks and balances, and good public consultation at the local government level.

3.24 However, one-third of the people we interviewed who worked in the public accountability system said they did not have a clear understanding of it. Of the people who said they understood the system and its objectives, many explained it in a narrow way and focused on what it meant to their own individual roles and responsibilities.

3.25 One person said, “[w]e seem to have lost what accountability means and if you lose that, and I mean lose it with the public ... no one believes you anymore”. Another said:

It is impossible to measure good performance or behaviour across the system because of the woolly definition of public accountability. I don't think anyone really knows what it means.

37 Kerueillant, M and Lorino, P (2020), “Dialogical and situated accountability to the public. The reporting of nuclear incidents” *Accounting, Auditing and Accountability Journal*, page 3.

There is little agreement about the purpose of public accountability

- 3.26 People we interviewed who worked in Wellington said the purpose of public accountability was largely about delivering better services, outcomes, and oversight. Many of them said that public accountability was important for improving public sector performance and parliamentary scrutiny. Therefore, they talked a lot about information, forums for debate, financial performance, and service delivery. One person talked about a strong accountability focus on financial performance, funding, and control, noting that “in terms of short-term delivery and accounting for the money and resources we have some really good accountability mechanisms”.
- 3.27 Many of the people we interviewed who worked outside of Wellington had a different perspective. They talked more about public accountability as fundamental to developing and maintaining good relationships with their communities and other regional bodies. Therefore, they talked about the importance of behaviour, maintaining a good reputation, and ensuring that moral and ethical matters were well managed.
- 3.28 One person said that, for Māori, there were two main purposes:
[O]ne is obviously for your financial governance [and] management, getting outcomes. But there is also that accountability that you have to front ... to your people to account for your overall stewardship of your role, not just the money.
- 3.29 When we asked who public officials are accountable to, we received a variety of answers. These included Parliament, the public, particular communities, Ministers, central government departments, and Boards. One person said, “everyone actually!”
- 3.30 There was little evidence of a clear and common understanding of public accountability, why it was important, and who it was for. Given the complexity of the public accountability system, this is not surprising. This lack of a common understanding might also explain why three-quarters of the people we interviewed who worked in the public accountability system thought the way the public sector is held accountable was not working as well as it could.
- 3.31 Although various objectives were discussed, many were specific to people’s roles. The people we interviewed were not always clear or confident about what the public accountability system was intended to achieve. This was sometimes the source of confusion about respective roles and responsibilities for accountability arrangements across the system. Some people we interviewed suggested there could be improvements to public accountability. However, people did also stress that it was important to maintain the system’s strengths, such as strong financial controls.

Is the information used appropriate?

- 3.32 The people we interviewed spoke extensively about public accountability information. Many public sector workers felt that the accountability information they were asked to provide was not appropriate for different audiences or relevant in explaining what they did and the difference they were making.
- 3.33 People talked about having to provide information only once a year and that it was too complex, mainly quantitative, and not always focused on services or outcomes. One person said, “financial information ... [is important] ... but I think there are some pretty huge gaps in terms of ethics and conduct”. Another person thought that performance measures were used mainly to support what management wanted and not what readers of the information wanted, saying “departments use performance measures ... for support not illumination”.
- 3.34 Many people we interviewed from regional New Zealand questioned the relevance and importance of accountability information requested by central government. One person said, “they’re doing 10 reports a day for one kid ... what is being done with all these reports?”
- 3.35 What people said to us about the appropriateness of accountability information is consistent with other research, including:
- our survey results (see Part 2), which showed that in order to be more accessible and relevant, accountability information needs to consider the views of the different communities receiving it;
 - interviews carried out by the Productivity Commission in 2017, which observed that:
*... accountability and performance requirements administered by central agencies are excessive ... [and while] ... designed with the intention of driving better performance, the requirements too often imposed excessive compliance costs for little benefit;*³⁸
 - a 2019 report by the Productivity Commission, which found that:
*... the current performance-reporting requirements on local authorities, including the financial and non-financial information disclosures, are excessively detailed, inappropriately focused and not fit for purpose;*³⁹ and
 - our 2019 report on councils’ long-term plans, where we described council long-term plans as “long and complex”. We suggested a review of the content of long-term plans should be carried out “to ensure that they remain fit for purpose as planning and accountability documents”.⁴⁰

38 New Zealand Productivity Commission (2017), *Efficiency and Performance in the New Zealand State Sector: Reflections of Senior State Sector Leaders*, page 19, at productivity.govt.nz.

39 New Zealand Productivity Commission (2019), *Local Government Funding and Financing*, page 112, at productivity.govt.nz.

40 Office of the Auditor-General (2019), *Matters arising from our audits of the 2018-28 long-term plans*.

- 3.36 Furthermore, in our work on improving performance reporting, we show that reported performance information is not always properly explained or used appropriately.⁴¹
- 3.37 Although the comments in our interviews were varied, they collectively revealed a general sense of concern about the extent, relevance, and usefulness of accountability information. One possible reason for this, is the lack of clear and common objectives for public accountability across the public sector.
- 3.38 Many people we interviewed said there should be a greater focus on information about what is achieved with public money across sectors and the whole of government.

Are there the right mechanisms or forums for discussion and debate?

- 3.39 Most people we interviewed recognised that a public organisation’s annual report was the main way of carrying out its public accountability obligations. However, many also saw annual reports as compliance driven, not convenient or accessible, and did not easily support public feedback or debate. People spoke about annual reports as being overly technical and difficult to understand. One person, talking about the relevance of these documents noted, “one size does not fit all”. This was a common view.
- 3.40 Dormer and Ward, in researching accountability and public governance in New Zealand, observed that:
- ... governments, and individual government agencies, often publish significant amounts of information that is neither read nor understood by those to whom they are accountable.*⁴²
- 3.41 The people we interviewed who work in central government said Parliament and select committees were important forums for public accountability. However, some also noted that members of Parliament did not always have enough time or resources, or access to the right skills and advice. One person who attended select committees said “I think we get challenged ... but I am not sure we get challenged in the right way.”
- 3.42 These comments about select committees were consistent with other research on improving long-term governance in Parliament. Researchers have found “important aspects of the existing parliamentary scrutiny arrangements are inadequate”.⁴³ The 2020 report from the Standing Orders Committee also referred

41 Office of the Auditor-General (forthcoming), *The problems, progress, and potential of performance reporting*.

42 Dormer, R, and Ward, S (2018), *Accountability and public governance in New Zealand*, unpublished research paper.

43 Boston J, Bagnall, D, and Barry, A (2019), *Foresight, insight and oversight: Enhancing long-term governance through better parliamentary scrutiny*, Victoria University of Wellington, Wellington, page 12.

to data that suggests the number of inquiries initiated by select committees has been trending downwards for at least the last 10 years. The report noted that “subject Select Committees are not scrutinising the Government to the extent expected, and thus are not entirely fulfilling their purpose”.⁴⁴

- 3.43 During our interviews, various comments were made about the effectiveness of the Official Information Act 1982 as a mechanism for transparency. Some viewed this as a strong mechanism while others saw it as weak. There was a similar difference of opinion about the use of social media. Some consider social media a positive opportunity and others consider it an undesirable challenge. There was a general view that the relationship between public officials and the media could at times be problematic.
- 3.44 Some of the people we interviewed who worked outside Wellington mentioned using different and more direct approaches to demonstrating accountability to the public. These included, for example, road-shows and other more tailored reporting. One person working in the education sector said that because reporting to parents was not meeting their needs, they worked with parents, through newsletters, meetings, and surveys, to create a new reporting approach that “revamped the report form based on [what] these parents wanted and ... to me that’s accountable”.
- 3.45 There were many comments about the approaches used to communicate accountability information and whether these approaches encouraged the right level of discussion and debate. People we interviewed found that complying with one-size-fits-all accountability requirements, such as annual reports, meant they were not always relevant or well understood. People, particularly those who worked outside Wellington, were exploring other more direct and tailored approaches to presenting and discussing what they did.
- 3.46 Suggested improvements from those interviewed included being more transparent about what went well and what did not, and using different ways to communicate.

Are the judgements and consequences appropriate?

- 3.47 There were relatively few comments in our interviews about the judgements and consequences in accountability relationships. For people who did comment on this, consequences were seen as an important part of achieving the objectives of public accountability. Some people commented that consequences were at times unclear and inconsistently applied. Others said that, to be useful, consequences needed to be meaningful and relevant. One person said, “we have got to have some real sanctions and they have got ... to be meaningful”.

⁴⁴ Standing Orders Committee (2020), *Review of Standing Orders 2020: Report of the Standing Orders Committee*, pages 21 and 22, at parliament.nz.

- 3.48 Much of the research about consequences and public accountability discusses two things:
- punishment after an event has occurred; and
 - motivation or stimulus before an event has occurred.
- 3.49 Deciding on the appropriate type of consequence usually depends on the level of trust between the account holder and account giver and the objectives of the accountability arrangement. Choosing the wrong type of consequence can be significant. It can lead to a lack of openness, poor decision-making, and a culture of risk aversion and blame.
- 3.50 Interviews carried out by the Productivity Commission in 2017 noted one state sector leader as saying:
- Accountability and performance requirements are generating “hard” performance measures ... but there are no consequences for good or bad performance against those measures.*
- 3.51 People interviewed by the Productivity Commission indicated that those with monitoring responsibilities were often too quick to take a punitive approach, which created an adversarial rather than collaborative relationship. The Productivity Commission also observed that:
- ... many interviewees spoke of enforcement too often being undertaken by staff who lacked the needed experience and skills, who applied a tick box, one-size-fits-all approach, and who sought to “catch out” and punish state entities. There tended to be a presumption of bad faith held by central agencies with respect to the behaviour of agencies.⁴⁵*
- 3.52 The findings reinforce the importance of having appropriate consequences to any public accountability relationship and to the overall culture of an organisation. However, in practice, it appears little attention is given to the right consequences. At present, they remain largely punitive and, at times, can be inconsistently applied.
- 3.53 In the next Part, we consider how the public accountability system could change to better meet Parliament and the public’s needs.

⁴⁵ New Zealand Productivity Commission (2017), *Efficiency and Performance in the New Zealand State Sector: Reflections of Senior State Sector Leaders*, pages 14, 19, 20, and 42, at productivity.govt.nz.

4 Building a better system of public accountability for New Zealanders

- 4.1 From our interviews, we heard a general frustration about the public accountability system not working in the way that it should. The people we spoke to indicated that the system is complicated, cluttered, inflexible, and not widely understood. Although there are strong centralised institutions and processes, these sit in a large, complex, and somewhat entangled accountability network.
- 4.2 In this Part, we consider how the public accountability system could more effectively respond to changing public expectations and new challenges and opportunities. Although our discussion is not intended to be exhaustive, we hope that it provides a starting point for further discussion about how the public accountability system could better meet the needs of the public.

Improving public sector relationships

- 4.3 In our view, the need for the public sector to establish better and more informed relationships with the public is of central importance to building an effective public accountability system. Knowing what the diverse (and sometimes inexact and conflicting) expectations that the public has of the public sector is the first step in being accountable to Parliament and the public.
- 4.4 The complexity and challenges of the multiple relationships in the public accountability system will also require careful management. From the perspective of Parliament and the public, these complexities can make the public accountability system seem obscure, incoherent, and difficult to engage with or participate in.
- 4.5 So can the increasing complexity of the public accountability system be managed? How does the public sector better connect with the public? Importantly, can the public sector develop more informed relationships with those groups who have lower trust and confidence in the public sector?
- 4.6 We discuss some ideas that could help answer these questions.

Recognise and manage public accountability as a complex system

- 4.7 The public accountability system is complex and characterised by multiple and connected relationships, interdependencies, and uncertainties (see Figure 5). As the public sector operates more as stewards of New Zealanders' intergenerational well-being, this complexity will increase.

- 4.8 These complexities will make decision-making more difficult and could affect organisational and system performance. To lead well, senior leaders need clarity about what they are accountable for but this is becoming more difficult where their leadership involves:
- collective and individual responsibilities;
 - uncertain and uncontrollable outcomes; or
 - multiple accountabilities to different Ministers, Boards, Parliament and others.
- 4.9 As McKinsey observes, complex systems should not be seen “as a problem to be eliminated but as a challenge to be managed”.⁴⁶ The public accountability system will require active management to ensure that current and new working relationships are organised in a logical way and aligned to support the public accountability system’s objectives.
- 4.10 In Part 5, we discuss the need for a clear vision and strategy for public accountability. A clear vision and strategy might help manage an evolving and complex system. This could involve reviewing and rationalising the existing relationships and arrangements, simplifying difficult processes, or developing more relevant ones. It might also mean supporting those who work in the public accountability system to understand its various relationships, interdependencies, and uncertainties.
- 4.11 The public accountability system will always involve multiple relationships and expectations. However, the evolving nature of these relationships and expectations are creating new questions and issues that will require careful thought.

Better regional networks to support parts of the public accountability system

- 4.12 Many of the public services that central government provides are delivered by decentralised public organisations. These organisations include district health boards, universities, and schools. Currently, how these organisations account to Parliament and the public for their services and outcomes can have little to do with what communities receiving the services or experiencing those outcomes think.
- 4.13 As Figure 5 shows, many of the public accountability relationships follow lines of funding rather than relating to services or outcomes. This was sometimes confusing for the people we interviewed, particularly those outside of Wellington who work more directly with the public.
- 4.14 In our view, the public sector might be missing the opportunity to use these closer community relationships to both inform Parliament about what communities

⁴⁶ McKinsey and Company (2010), “How do I manage the complexity in my organization?” *Insights into Organisation*, page 3.

think and demonstrate competence, reliability, and honesty to those same communities. Having a two-way flow of information could help build more informed relationships and provide a foundation for more effective public accountability.

- 4.15 To some extent this idea is already being tested. In Part 2, we noted that there are plans to enable central government agencies to work in a more joined-up way to help support and deliver regional and local government priorities. This initiative focuses on the Government working more effectively to deliver its objectives in the regions. Part of this initiative was to publish regional profiles and public sector priorities to “articulate what the public service is doing in a region and provide a platform to open discussion with local government, Māori and stakeholders”.⁴⁷
- 4.16 The Cabinet paper outlining this joined-up approach also suggests more thought is needed about the accountability arrangements to support this initiative.⁴⁸ We agree. Some relevant questions about accountability arrangements to consider include:
- what the accountability arrangement is intended to achieve;
 - who is accountable;
 - what is the most relevant information;
 - what assurances are required; and
 - what consequences, if any, are appropriate to encourage a more joined-up and community-centred way of working.
- 4.17 The Well-being of Future Generations (Wales) Act 2015 could also offer some insights about how to develop closer relationships across different arms of government. The Act sets out seven common well-being goals for national government, local government, local health boards, and other specified public bodies. It also requires all public bodies to take an integrated approach to ensure that their well-being objectives are aligned and that impacts on other organisations are understood, particularly where they could be detrimental.⁴⁹
- 4.18 The reforms from the Well-being of Future Generations (Wales) Act also provide some lessons to learn from. For example, the Act established Public Services Boards as local mechanisms for setting relevant objectives and monitoring performance. One researcher observed that adding and not aligning the functions

47 Cabinet paper (June 2019), *Joined-up approach to the regional arm of government*, page 10, at publicservice.govt.nz.

48 Cabinet paper (June 2019), *Joined-up approach to the regional arm of government*, pages 4 and 9, at publicservice.govt.nz.

49 Welsh Government (2016), *Shared Purpose: Shared Future Statutory guidance on the Well-being of Future Generations (Wales) Act 2015*, (SPFS 1), pages 3 and 17.

of Public Services Boards to existing accountability systems caused a range of issues and limited commitment from some communities.⁵⁰

More support for agencies to understand the accountability relationship between Māori and the Crown

- 4.19 The Public Service Act specifically recognises the public service's role in supporting the Crown's relationship with Māori under te Tiriti o Waitangi.⁵¹ Section 14 of the Public Service Act requires public service leaders to develop and maintain the capability of the public service to engage with Māori and to understand Māori perspectives.
- 4.20 During our interviews we were told that, for Māori, accountabilities under te Tiriti o Waitangi are fundamental. We were also told that the attributes of public trust and confidence – competence, reliability, and honesty – are consistent with important aspects of tikanga.
- 4.21 In 2018, Te Arawhiti, a Crown agency, was established to help develop and maintain effective and enduring relationships with Māori across government. Supporting Te Arawhiti and other public organisations to better engage with Māori will enable Māori perspectives and expectations to be embedded in the public management, public finance, and public accountability systems. This could contribute to a stronger and more enduring relationship between Māori and the Crown.
- 4.22 New Zealand is not alone in grappling with these issues. Canada's Constitution Act 1982 deals with the existing rights of indigenous peoples. The Act recognises that indigenous leaders should be fully accountable to their members and clients for all decisions and actions under their jurisdiction or authority.⁵² There are different accountability mechanisms for self-governing communities, including representative assemblies, citizenship committees, Elders' councils, and Clan Councillors.⁵³
- 4.23 In our view, better understanding of what it means to be accountable in te ao Māori will be important to an enduring and informed relationship between Māori and the Crown.⁵⁴

50 Dormer, R (2018), Unpublished research on the Welsh reforms.

51 See the Explanatory note in the Public Service Legislation Bill.

52 For information on the Canadian Inherent Rights Policy of 1995 and the Government of Canada's Approach to Implementation of the Inherent Right and the Negotiation of Aboriginal Self-Government, see canada.ca.

53 For example, see section 8.1 of the Constitution of Little Salmon/Carmacks First Nation at lscfn.ca or section 7.11-12 of the Constitution of Selkirk First Nation constitution at selkirkfn.com.

54 As part of our 2021/22 work programme, we will be exploring some perspectives from Māori about what effective public accountability looks like. This might include comparing and contrasting Māori perspectives on accountability with other perspectives.

A clearer set of objectives

- 4.24 If the public accountability system is to be relevant, it should be responsive to the needs of the public. According to the results of our survey, the public is interested in what the Government and the public sector does. People want to know that the public sector is not only competent in providing services efficiently and effectively, but it also acts in a way that is responsible, responsive, respectful, honest, and inclusive.
- 4.25 Changes in public expectations, and in the public sector, might mean changes are needed in public accountability objectives. Providing an account to Parliament and the public is not just about demonstrating what public organisations spend, manage, and deliver. It is also about demonstrating how these organisations work to serve the public in a way that builds long-term trust and confidence.
- 4.26 So how does the public sector retain the important parts of the public accountability system while developing objectives that reflect the increasing expectations of the public?
- 4.27 We discuss some ideas that could help answer this question.

Prepare an overall public accountability vision and strategy

- 4.28 In our view, a vision and strategy for effective public accountability would help clarify the public accountability system's objectives and guiding principles. It would help give assurance to Parliament and the public that the public accountability system is well founded, cohesive, and aligned with what is important for the public.
- 4.29 A vision could include values or aspirations for public accountability. For example, improving public trust and confidence, improving parliamentary scrutiny, and improving public sector decision-making.
- 4.30 A strategy could describe how to achieve these aspirations and what is needed to clarify and support the public accountability system and its connections with the public management and public finance systems.
- 4.31 Insights could be found by looking at the private sector. For example, one New Zealand company we spoke to maintains the trust of its customers through a constantly evolving trust strategy and roadmap. The company acknowledges the "symbiotic relationship" that it has with its customers, which starts with understanding what needs to be achieved together.
- 4.32 Having a generally accepted vision and strategy could help those working in the public sector better understand and appreciate the relevance of public

accountability in their work. The strategy could consider the complexity of the public accountability system and its long-term future in a more holistic way.

- 4.33 A public accountability strategy could have principles to guide how good public accountability is considered and implemented. For example, citizen-focused principles could include relevance (being aware, interested, and understanding what is important), responsiveness (being reliable, respectful, honest, and authentic), and accessibility (being inclusive, engaging, and receptive).
- 4.34 The Public Finance Act 1989 has eight principles for responsible fiscal management. These principles include, for example, prudent debt management, prudent fiscal risk management, fiscal strategy sustainability, and effective and efficient management of Crown resources. They provide a common foundation for considering and implementing good fiscal management throughout central government.
- 4.35 Section 12 of the Public Service Act also sets out a range of principles to assist the public service in supporting the current and future governments. These include:
- free and frank advice to Ministers;
 - fostering a culture of open government; and
 - promoting long-term stewardship.
- 4.36 Developing a set of guiding principles might also provide a way of maintaining a shared focus on what is important for public organisations as they attempt to manage multiple and sometimes conflicting accountability expectations.

Providing more relevant and appropriate information

- 4.37 To be relevant and appropriate, accountability information should give Parliament and the public assurance about how well their expectations are being met. Accountability information that is relevant to the public should help Parliament hold the Government to account on behalf of the public.
- 4.38 Our research suggests that meeting the public's expectations for accountability will require demonstrating different indicators of competence, reliability, and honesty that are more tailored, accessible, timely, and relevant. This might mean that information about public sector behaviours (for example, acting with integrity and openness) and how we work (for example, collaboratively, sustainably, and inclusively) will become as important as information about the effectiveness and efficiency of what is being delivered.
- 4.39 How do public sector organisations develop and organise indicators of success to help assure Parliament and the public instead of confusing and overwhelming

them? Can the public sector involve Parliament and the public more directly in establishing appropriate indicators of success?

4.40 We discuss some ideas that could help answer these questions.

Incorporating a wider set of attributes

4.41 Annual reports are the main way public organisations currently describe and demonstrate what they do. Annual reports contain information that has been carefully prepared and audited. However, this information is not useful for all audiences.

4.42 Incorporating a wider range of attributes that reflect public sector competence, reliability, and honesty could make accountability information more relevant and useful to different audiences.

4.43 The Public Value Framework developed by Her Majesty's Treasury in 2019 could offer some insights.⁵⁵ The Public Value Framework's goal is to change how a department thinks about, plans for, and reports on "value for money". Instead of just focusing on quantifying inputs and outputs and observing the relationship between them, the framework also focuses on improving the public value of public money. This includes how organisations:

- pursue and monitor their overall goals;
- manage their financial inputs;
- support long-term sustainability; and
- engage citizens and users to understand their needs and gain their support.

4.44 Guidance on the framework recognises that engaging with citizens and demonstrating that engagement will be new and challenging for most public organisations. However, it is critical to creating public value and demonstrating that public money is spent well.⁵⁶

4.45 At a whole-of-government level, more regular and integrated accountability information that demonstrates a wider set of public sector attributes and priorities would help Parliament and the public understand what the public sector does and the difference it is making. For example, the financial statements of Government could be accompanied by performance information that provides insights into the impacts and outcomes the Government is achieving.

4.46 Incorporating these wider attributes into forward-looking studies and reviews would also help Parliament and the public to understand and plan for future challenges and opportunities. For example, the Treasury has already started

⁵⁵ Her Majesty's Treasury (2019), *The Public Value Framework: with supplementary guidance*, atgov.uk.

⁵⁶ Her Majesty's Treasury (2019), *The Public Value Framework: with supplementary guidance*, page 33, atgov.uk.

thinking about how its Living Standards Framework could be incorporated into its long-term view of the Government's fiscal position.⁵⁷

- 4.47 Effective consultation with the public (such as the process led by Statistics New Zealand to develop the Indicators Aotearoa New Zealand database of well-being indicators⁵⁸) could help ensure a well-informed and generally accepted report or presentation of performance. One of the people we interviewed told us that involving the public in co-developing a reporting process and format could be an important part of effective public accountability. Recent research suggests that more meaningful and useful accountability information can be achieved through co-producing measures with stakeholders.⁵⁹

Creating the right forums for discussion and debate

- 4.48 Today, there is an increasing emphasis among researchers on approaching accountability “as a dialogue between stakeholders on a given subject, rather than the simple reporting of a result to be taken at face value and judged as such”.⁶⁰
- 4.49 For accountability information to be properly discussed and debated, different ways of presenting information are necessary. We think there is value in a more proactive approach to engaging communities and seeking their feedback.
- 4.50 Most public organisations today use their websites and other social media to communicate directly with the public and their stakeholders on operational matters. Public organisations can also use these particular channels to provide accountability information and interact with the public.
- 4.51 However, presenting information online can be challenging in a world where information and disinformation is everywhere. Maintaining public trust and confidence might require different approaches to providing information so people can have confidence in it. These approaches could include the use of integrity, ethical, or social audits.⁶¹
- 4.52 How does the public sector create the right forums for discussion and debate in a way that meets the needs of Parliament and the expectations of different communities? How can Parliament's limited capacity be used more effectively in

57 The Treasury (2016), *He Tirohanga Mokopuna: 2016 Statement on the Long-Term Fiscal Position*.

58 Statistics New Zealand (2018), *Indicators Aotearoa New Zealand – Ngā Tūtohu Aotearoa*, consulting with New Zealanders, at stats.govt.nz.

59 Yang, C and Northcott, D (2019), “Together we measure: Improving public service outcomes via the co-production of performance measurement”, *Public Money and Management*, Vol 39:4, page 253.

60 Kerueillant, M and Lorino, P (2020), “Dialogical and situated accountability to the public. The reporting of nuclear incidents”, *Accounting, Auditing and Accountability Journal*, page 1.

61 Social auditing has been described as the process of evaluating, reporting on, and improving an organisation's performance and behaviour and measuring its effects on society.

its scrutiny role? Can technology provide alternative channels for more public participation?

- 4.53 We discuss some ideas that could help answer these questions.

Strengthening parliamentary scrutiny and engagement

- 4.54 As discussed in Part 2, the Standing Orders Committee reviewed Parliament’s processes, procedures, and practices. There was a particular focus on maintaining “legitimacy in the eyes of the public”⁶² and encouraging more public understanding, engagement, and input.
- 4.55 Parliament could support more effective public accountability by requesting more relevant and accessible information from the public sector. In Canada, the Government has a “GC InfoBase”, which is a web-based interactive tool that summarises complex, whole-of-government data into simple visual stories. “GC InfoBase” was created in 2013 in response to a request from the Canadian Parliament for better access to information on government finances and to meet public demand for simpler government reporting.⁶³
- 4.56 Boston, Bagnall, and Barry observe that New Zealand has a small Parliament compared with many, similar-sized, democracies. Therefore, members of Parliament are sometimes “stretched thinly” across multiple committees.⁶⁴ Some of the people we interviewed also suggested that Parliament’s ability to effectively scrutinise the Government and the public sector can at times be limited because of Parliament’s capacity and capability. To strengthen its representation and scrutiny role, Parliament could consider using technologies to improve public participation.
- 4.57 Insights could be gained by looking at an online platform called vTaiwan, which was created in 2014. Although its potential uses are still being explored, it provides a place where government ministries, elected representatives, scholars, experts, business leaders, civil society organisations, and citizens can discuss specific topics and proposed legislation on a large scale. According to the website, the platform helps lawmakers implement decisions with a greater degree of legitimacy by bringing together people from various backgrounds to “engage in rational discussion on national issues”.⁶⁵

62 Standing Orders Committee (2020), *Review of Standing Orders 2020: Report of the Standing Orders Committee*, page 5, at parliament.nz.

63 The GC Infobase is at tbs-sct.gc.ca.

64 Boston J, Bagnall, D, and Barry, A (2019), *Foresight, insight and oversight: Enhancing long-term governance through better parliamentary scrutiny*, Victoria University of Wellington, Wellington, page 71.

65 The vTaiwan project page is at infovtaiwan.tw.

- 4.58 In Spain, a similar online platform called Decide Madrid provides a place for the public to participate in decision-making.⁶⁶ Madrid residents can propose new laws and residents can vote on the proposals. The platform also supports citizens participating in public sector budgeting and other consultation processes.

Strengthening the agencies that support accountability

- 4.59 Although the current public accountability system for central government is centred on Parliament, it operates and is supported by many different agencies. These include boards of Crown entities, separate monitoring agencies, monitoring teams in departments, central agencies, and Officers of Parliament.
- 4.60 All public organisations, including local government, will have some accountability relationship with one or more of these agencies. How they operate, what methodologies they adopt, and the scope of their mandate can have significant implications for the effectiveness of the public accountability system as a whole.
- 4.61 Once again, insights could be gained by looking at the Well-being of Future Generations (Wales) Act. The Act's focus on achieving well-being outcomes means a different way of working for public organisations, particularly in integration, prevention, involvement, collaboration, and long-term thinking. These new attributes of well-being success require new ways of gaining assurance and oversight over that work.
- 4.62 The Welsh Audit Office has developed a new set of audit tools to assess the well-being aspirations of public organisations. Furthermore, a Future Generations Commissioner was established to, among other things, review public organisations' annual reports on well-being. Public services boards were introduced to develop useful relationships with communities, and local overview and scrutiny committees were set up to review the decisions and actions of those public services boards.
- 4.63 The Public Service Act and other proposed reforms will change aspects of how the public sector works and what information is important to demonstrate its success. How agencies monitor public organisations and spending will need to reflect these changes.
- 4.64 The approach, form, and timing of the assurance provided by these agencies might also need to be more customised and tailored depending on whether the attention is on, for example, individual or collective performance, compliance, or other valuable concepts, such as integrity.

66 For more information on *Decide Madrid* see decide.madrid.es.

Appropriate judgements and consequences

- 4.65 During our interviews, we heard that consequences are the “elephant in the room” for those who work in the public sector. However, for Parliament and the public, consequences can also be seen as the final, and sometimes the most fundamental, step in public accountability being carried out.
- 4.66 What the most appropriate consequences are will depend on the objectives of the accountability arrangement and the intent and impact of the outcome on the parties involved. For example, the private sector company that has the trust strategy and roadmap we noted earlier in this Part (see paragraph 4.32) told us that a central part of the trust strategy and roadmap is that consequences arising from any failures are expected, accepted, and learned from.
- 4.67 The Public Service Act enables chief executives to work together towards a common outcome through, for example, interdepartmental executive boards. Chief executives therefore could be individually and jointly responsible to various Ministers. What consequences, if any, should apply, what will trigger them, and how they will be imposed are important questions when considering whether the accountability arrangement will motivate the right collective behaviours and outcomes. Working towards common outcomes will most likely involve a network of partnerships with stakeholders outside of the public sector, including communities. Therefore, the executive board might seek to hold itself accountable in some way to those other stakeholders.
- 4.68 What consequences should apply when outcomes, working relationships, and accountabilities are shared? How will these be balanced against traditional individual accountabilities? Should these consequences be punitive, motivational, or both?
- 4.69 We discuss some ideas that could help answer some of these questions.

A focus on what went wrong rather than who caused the problem

- 4.70 A consequences framework that focuses on what went wrong instead of who caused the problem could be more useful to balance “punitive” and “motivational” consequences.
- 4.71 Punitive and motivational consequences are not mutually exclusive. Punitive consequences might be appropriate for parties that are self-interested, in full control, or carry out reckless or malicious actions leading to an adverse outcome. However, where parties have a shared goal, control of that goal is unclear, or where an outcome occurs because of unintentional error, then more motivating or learning consequences, such as a public acknowledgement, an independent review, or an expert intervention, might be appropriate.

- 4.72 Insights could be gained by looking at how the aviation sector uses a “just culture” framework to provide a more consistent, open, and fair approach to what consequences apply from certain behaviours and intentions. For example, Figure 6 shows the Civil Aviation Authority’s range of consequences (responses) arising from certain behaviours.

Figure 6
The Civil Aviation Authority’s “just culture” framework of consequences

The framework is about how best to respond to different behaviours with the type of response dependant on the behaviour itself and the intent of the decision made.

Behaviour	Description	Response (options)
Human error	Unintentional (e.g. slip, lapse).	Console Remedial action
At-risk	Knowing deviation from a rule, procedure, or standard practice. Aware of risk, though believed to be insignificant or justified. Intentional action but unintended outcome.	Coach Remedial action
Repetitive at-risk	Choice to continue to deviate from rule, procedure, or standard practice.	Remedial action Punitive action
Reckless	Conscious disregard of substantial or unjustifiable risk. Intentional action with probable outcome (though individual might overestimate own control).	Punitive action

Source: Civil Aviation Authority, see aviation.govt.nz.

- 4.73 A consequences framework could also assist with identifying the appropriate response to shortcomings in competence, reliability, and honesty. For example, a lack of honesty might result in a more punitive consequence than a lack of competence or performance because the impact on trust and confidence is likely to be greater.
- 4.74 An appropriate framework could also provide more clarity and understanding and, in doing so, encourage people to be open about failure as much as success.
- 4.75 Rethinking the role of an audit within such a framework could be another way of encouraging the right behaviours and outcomes when providing assurance about the stewardship of more complex, intractable problems or in times of urgency or crisis. Our Office has used a few real-time audit approaches. For example, instead of one single set of findings at the end of the audit, a series of staged findings can be given to the audited organisation. This allows the organisation to use

those findings in a more timely way and for the audit to convey the progress an organisation has made rather than only highlighting deficiencies. An example of this approach was our assurance of the Government's gun buy-back scheme in 2019, where we provided insights to the New Zealand Police on the effectiveness and efficiency of the scheme as the work was being carried out.

- 4.76 Considering and agreeing on an appropriate set of consequences is the final step in establishing effective public accountability. If done correctly, it should encourage the people involved to be more transparent even when failures occur.
- 4.77 In the next Part, we consider the future of public accountability and what change could look like.

The future of public accountability

- 5.1 Part 4 showed how public organisations here and internationally are exploring ways to improve their connection, engagement, and, ultimately, accountability to citizens and other stakeholders.
- 5.2 In this Part, we recap what we have found and consider what long-term success could look like for a more citizen-centred public accountability system. From this perspective, the future of public accountability might be found in its responsiveness, relevance, and accessibility, more so than in its processes, structures, or institutions.

What have we learned so far?

- 5.3 Our research suggests that the public accountability system is not working as well as it could. Although it is not broken, in an increasingly diverse, dynamic, and connected society, the public accountability system can seem narrowly focused on what is important to the public sector, rigid in its processes and the way it is applied, and disconnected from the public. Other research and commentary also supports this view.
- 5.4 Our findings suggest that, for many in the public sector, public accountability might be losing its relevance. Increasingly it is seen as an inconvenient and compliance-driven process.
- 5.5 Public accountability must put New Zealanders front and centre. It needs to provide clear processes that allow Parliament and the public to easily understand what the public sector does and, more importantly, engage with that information and act on it.
- 5.6 Greater transparency and reporting will not be enough to provide effective public accountability if the underlying processes do not:
- start with an understanding of what is important to Parliament and the public through more effective accountability relationships;
 - reflect a clear and agreed vision and strategy for effective public accountability;
 - provide the flexibility to tailor, integrate, and align accountability information in a way that meets the expectations of Parliament and the public;
 - broaden and strengthen the channels for debate and discussion with Parliament and the public; and
 - use consequences that are clear, understood, fair, and provide appropriate incentives or sanctions.
- 5.7 The current public accountability system is built on a set of principles that include a strict principal/agent relationship, transparency, efficient use of information,

and contestability.⁶⁷ An effective public accountability system for the future might require other more citizen-focused principles as a guide. These could include being responsive, relevant, and accessible to Parliament and the public.

A more responsive, relevant, and accessible public accountability system

- 5.8 A more responsive and relevant public accountability system relies on informed relationships between the public service, Parliament and the public.
- 5.9 A more responsive public accountability system might include:
- public organisations seeking a two-way engagement with Parliament and the public about what success looks like in managing the current sector-based reforms (see Part 2), and how Parliament and the public would like to be kept informed about progress;
 - more mutual or shared expectations and objectives between the public and the public sector. For example, this could happen where there is co-development and co-ownership of outcomes with communities and sharing responsibility for the outcome's progress;⁶⁸
 - a wider range of public accountability objectives reflecting what is important to Parliament and the public – for example, objectives that not only help deliver services or outcomes but also promote good public sector behaviours, participation, involvement, and collaboration (see Part 2); and
 - public organisations seeking to better understand Māori values and perspectives and proactively embedding them, including in how they hold themselves accountable.
- 5.10 A more relevant public accountability system might include:
- public organisations describing, analysing, and presenting accountability information in different ways so it is more meaningful and useful to particular stakeholders;
 - regular, integrated, and independently assured whole-of-government reporting on government priorities and the opportunities and challenges for supporting intergenerational outcomes in the short, medium, and longer term;
 - co-ordinated and tailored analysis and scrutiny that supports Parliament and the public in understanding the competence, reliability, and honesty of public organisations, sectors, and the whole of government through investigations, evaluations, reviews, and monitoring;

67 The Treasury (1987), *Government management: Briefing to incoming government, Volume 1, chapter 1*, page 48.

68 In our 2018 report *Sea Change – Tai Timu Tai Pari: Creating a marine spatial plan for the Hauraki Gulf* we highlighted the benefits (and challenges) of taking a stakeholder-led collaborative approach to planning for a healthy, productive, and sustainable future for the Hauraki Gulf/Tikapa Moana.

- a different set of independent assurance products that provide Parliament and the public with confidence to use a broader range of information for accountability and decision-making purposes. This could include integrity or social audits; and
 - a framework for consequences that provides clear guidance for decision-making that the public sector and the public understand, and which reflects the intent and impact of what could occur.
- 5.11 A more accessible public accountability system means that Parliament and the public have the means, and are actively encouraged, to discuss and debate what information is presented and are listened to. It is about public organisations being clear, open, inclusive, engaging, and receptive.
- 5.12 A more accessible public accountability system might include:
- more proactive management and guidance to minimise complexity and increase the public accountability system's alignment with the systems of public finance and public management;
 - greater awareness and understanding of the public accountability system by Parliament and the public about what it is designed to achieve and the principles that guide it;
 - clear, relevant, and timely coverage of progress on complex challenges combined with opportunities for public discussion, debate, and feedback;
 - using regional agencies and local government to better understand what communities expect from policies once they are implemented and how they would like to be kept assured and informed about progress;
 - greater use of technology and new or enhanced institutions to support parliamentary scrutiny and improve public participation and involvement; and
 - different methodologies and review processes by monitoring agencies that consider, for example, how well public organisations are accountable to Parliament and the public.

The opportunity and challenge

- 5.13 Changes to the way the public sector operates have already begun. In the last few years we have seen a new Public Service Act, well-being amendments to the Public Finance Act 1989, and amendments to the Local Government Act 2002 (reinstating the focus on economic, social, cultural, and environmental well-being in councils' decision-making processes). The Treasury has also proposed a programme to consider wider public finance reform to support system stewardship, and Parliament's 2020 Review of Standing Orders seeks to encourage more public understanding, engagement, and input into parliamentary processes.

- 5.14 The changes in the public sector all point to an ongoing and substantial shift to meet the public's expectations. This shift is not just a focus on wellbeing outcomes, it involves the public sector acting as stewards for complex societal challenges. For reform to be successful, long-term stewardship needs to be as important as short-term management, relationships with communities need to be as important as relationships with Ministers, and how the public sector works and behaves needs to be as important as what is delivered.
- 5.15 The opportunities for change discussed in this paper will require a fundamental shift away from what is important for the public sector and towards what is important for Parliament and the public. It will require public accountability to be thought of as a system separate from, but aligned with, the public finance and public management systems. It will also require public organisations to reconsider how they currently meet their accountability obligations.
- 5.16 Finding the right balance for an effective 21st century public accountability system will be challenging. Simply adding new accountability arrangements to existing ones will not necessarily work. It will likely increase the complexity and cost for public organisations. When discussing reform in New Zealand's performance management system, Gill noted that the "addition of new features to an already cluttered system without removing other components ... is likely to make system performance worse".⁶⁹
- 5.17 Balancing the essential features of the public accountability system with changes that are needed to meet the expectations of Parliament and the public could also create tensions about what to focus on – for example, between performance or behaviours, effectiveness or efficiency, punitive or motivational consequences, and control or flexibility.
- 5.18 Providing effective public accountability is fundamental to the long-term success of the public sector and to maintaining the public's trust and confidence in our representative democracy. The current, largely one-size-fits-all approach to public organisations' performance, is important but no longer enough. Public accountability will need to demonstrate a different set of attributes, in different ways, and to different audiences.
- 5.19 Parliament could advocate for this process of change to ensure that the public it represents gets the accountability it deserves. As Botsman has observed, "there's plenty of trust out there. It just isn't where it used to be".⁷⁰

69 Gill, D, et al (2011), *The Iron Cage Recreated – The performance management of state organisations in New Zealand*, Institute of Policy Studies, Victoria University of Wellington, page 519.

70 Botsman, R (2017), "Trust in 2030 – from institutions to individuals", World Economic Forum, Annual Meeting of the Global Future Councils, 10 November 2017.

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