

Protecting the Legacy of Reform: Triennial Reviews and the Management of Public Bodies

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In 2010 the UK coalition government undertook a programme of public bodies reform which, to date, has seen more than 220 bodies abolished. Despite this progress history has shown that protecting the legacy of public bodies' reform is far from simple, as public bodies tend to re-emerge or new quangos are created. In this context this paper examines past review mechanisms for controlling the number of bodies and considers the lessons they offer for a new initiative, triennial reviews, created by the Coalition Government in 2011. Drawing on a rich seam of interviews, observations and documentary analysis gathered in cooperation with the Triennial Review Team within the Cabinet Office, this paper explores the first two years of the triennial reviews process. It argues that on current evidence triennial reviews risk becoming an administrative burden rather than a dynamo for reform.

The reform of public bodies has been an ongoing objective of government. Under the Thatcher, New Labour and the current Coalition Government ministers have sought to rein in the number, expenditure and remit of public bodies to reduce the size of the 'quango' state. And yet the public bodies' landscape remains resilient. Whilst numerous reviews have been conducted and changes to quangos have been made, these bodies continue to play a central role in delivering services, regulating public sector activity and offering advice to government. This creates an uneasy tension as politicians both rely upon such organisations and at the same time condemn them. Whilst an interrogation of attempts to construct a 'bonfire of the quangos' can tell us much about government relationships with quangos and the challenges of governance (Hood, 1980) it is the simple argument of this article that such moments do not fully account for governments' attempts to monitor and control quangos. Accordingly this article directs attention to the episodic review mechanisms established by successive UK governments to protect the legacy of reforms and regulate and monitor the public bodies' landscape.

In an era of complex, multi-level governance in which politicians have limited political capital with which to pursue and implement reform agendas a detailed understanding of how politicians can entrench review mechanisms capable of managing public bodies is of particular value. This article therefore examines previous attempts to facilitate episodic reviews and explores the lessons that they offer for a new tool, triennial reviews, established in 2011 by the Coalition Government. Drawing on a wide-ranging programme of interviews, documentary analysis and meeting observations conducted in partnership with the Cabinet Office, this article presents the first detailed examination of triennial reviews – reflecting back and forward to evaluate the likely success of this initiative in securing the legacy of public bodies reform. In the analysis which follows attention is paid primarily to Non-Departmental Public Bodies (NDPBs), the classification of public bodies currently subject to triennial reviews. This includes bodies with executive, advisory and tribunal functions, but excludes executive agencies, non-ministerial departments and special health authorities.

In considering this initiative this article catalogues different forms of review, considering triennial reviews and its predecessors quinquennial reviews, landscape reviews and light-touch reviews. As such this article offers the first detailed historical study of episodic reviews and delineates the barriers which such reviews can encounter. Attention is paid not to the outcomes and consequences of specific reviews, but rather to the form and process of each mechanism; considering the design and implications of different episodic reviews. Based on this analysis it is argued that although episodic reviews can alleviate the need for periodic reviews (Table 1), their ability to do so is affected by four factors: salience, resource, scope and side effects. Specifically, it is argued that triennial reviews display many of the traits seen to be detrimental to previous reviews' ability to deliver ongoing change and that whilst certain departments appear to have embraced this initiative triennials are unlikely to deliver ongoing cross-governmental reform.

In structuring this article attention is first paid to the recent history of public body management, outlining the different forms of review mechanism used to monitor NDPBs.¹ Second, the episodic forms of review preceding triennial reviews are discussed in detail, highlighting common challenges and difficulties to produce an evaluative framework with which to examine triennial reviews. The third section applies this schema to evaluate the triennial reviews conducted in year 1 and 2 within five departments; the Department of Environment, Food and Rural Affairs (Defra), the Home Office (HO), the Ministry of Justice (MoJ), the Department for Business, Innovation and Skills (Bis), and the Department for Culture, Media and Sport (DCMS). The successes and challenges of triennials hitherto are examined to evaluate their capacity to secure the legacy of the 2010 reform programme and deliver ongoing change. Finally, the conclusion turns to reflect upon the lessons which can be drawn from triennials about the challenges of governance and reform.

The History of Public Body Reviews

Triennial reviews stand in a well established tradition of reviewing and culling public bodies, but remarkably little has been written about the different types of mechanism used to conduct this process. Whilst analysis of periodic reviews has predominated three types of review can be identified as detailed in Table 1.

Table 1: Types of Review Process

Type of Review	Examples
Ongoing	<i>External:</i> NAO Audits; Parliamentary Scrutiny <i>Internal:</i> Corporate Plans, Quarterly Performance Returns, Annual Reports, Framework Agreements
Periodic	Pliatzky Review; Maude Review
Episodic	Quinquennial Reviews; Landscape Reviews; Triennial Reviews

At the first level NDPBs are regulated through a range of ongoing review mechanisms conducted both externally by bodies such as the National Audit Office (NAO) and internally by government. These processes are vital for holding bodies accountable as:

¹ This analysis draws on documentary sources obtained with cooperation from the Cabinet Office. It should be noted, however, that access to documents was not always readily available as Government Archives do not contain all iterations of public bodies guidance produced since 1999.

‘Departments must have sufficient information to assess cost effectiveness and make evidence-based decisions when allocating and prioritising resources to NDPBs. Departments also need reliable and timely data on performance where NDPBs are the main vehicle for delivering departmental objectives and make a significant contribution to Public Service Agreement targets’ (NAO, 2010, p.4).

The NAO provides an external check on public body performance; auditing accounts and providing a cross-governmental evaluation of public body management (for example see NAO, 2000). Whilst internally departments request data on financial and performance measures and conduct regular meetings to ensure that bodies are operating effectively. In large part information is provided to departments in the form of Corporate Plans, Annual Reports, Framework Agreements and Quarterly Performance Returns. These texts include data such as the finance cost as percentage of running cost, Human Resources cost per employee, and percentage of spend with third-parties routed through established contracts (NAO, 2010, p.22). In addition the Treasury and Cabinet Office have, since 2010, introduced a range of additional requirements aimed at increasing accountability and transparency. Departments now have to report how much officials are paid, every line of government spending above £25k and every contract worth over £10k (for more see Flinders and Tonkiss, 2013). Through these means it becomes possible for departments to monitor public bodies and detect problems over time.

At the second level public bodies experience periodic reviews designed not to consider operational effectiveness, but rather the value and need for the organisation itself. Such reviews are usually initiated by governments after an election or in the wake of a scandal and place significant pressure upon bodies to justify their role and need for independence. Recent examples include the Pliatzky review conducted in 1979-80 which aimed to monitor and reduce the size of the public bodies’ landscape, and the Blair administration’s 1998 paper *Quangos: Opening up the Doors* which committed the government ‘to reducing the number of NDPBs’ (Cabinet Office, p.5). In 2010 the Coalition Government embarked on a similar review process undertaking a survey of the public bodies landscape by subjecting NDPBs to an ‘existential question’ focused on whether the role fulfilled by the body was actually still needed, and then, if a positive answer was returned, whether the appropriate organizational form for that function existed. In this process they asserted that NDPBs would only be maintained where:

- (1) They undertook a precise technical operation;
- (2) There was a need for impartial decisions to be made about the distribution of public monies; or
- (3) There was a need for facts to be transparently determined, independent of political interference.

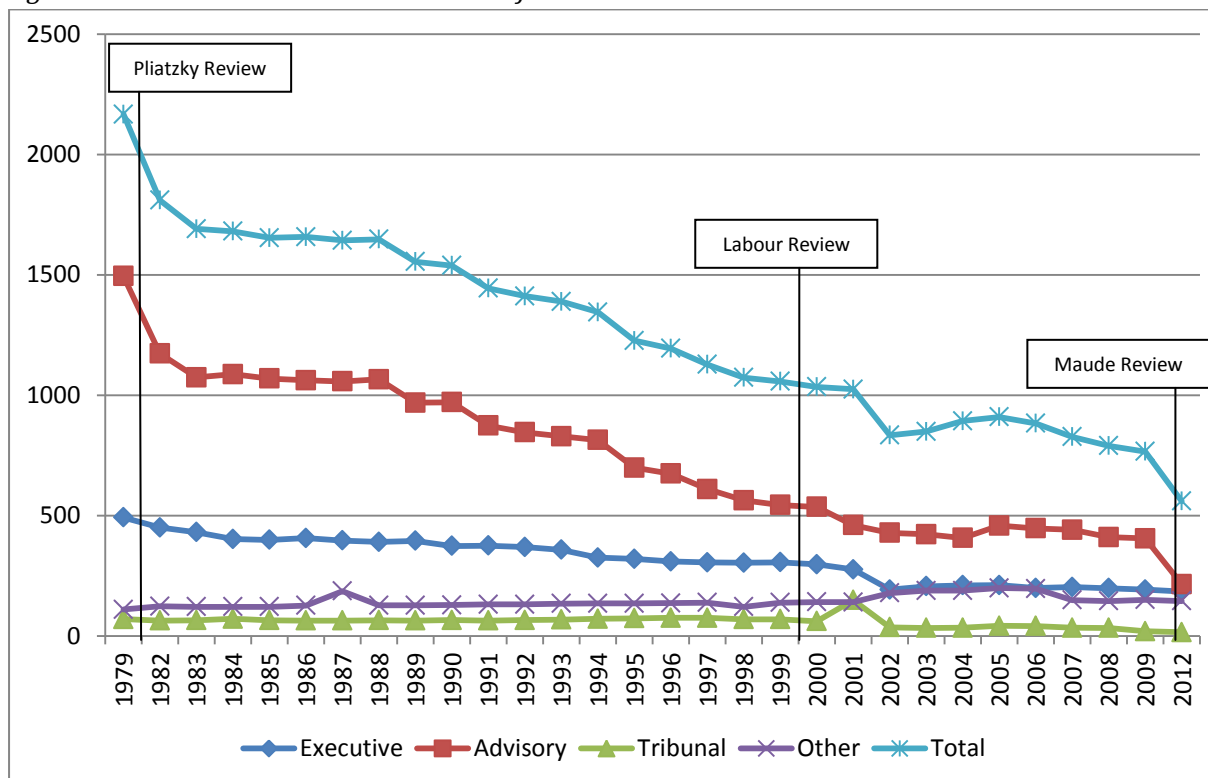
Such reviews are relatively infrequent, as shown in Figure 1 below, and usually claim to have reduced the number of public bodies (for example see Cm. 7797, 1980; Pliatzky, 1992; Cabinet Office, 2012). However, as Figure 1 reveals these mechanisms have not obliterated the quango

state and in many ways the figure understates their role because, as the Public Administration Select Committee reported:

‘there is a constant flow of new bodies which start life, change their status and merge with others...Some are designated as NDPBs and are included in official lists, some lurk as ‘other bodies’ in departmental corners, no doubt doing good and necessary work, but not very transparent or accountable’ (2003).

These off-stage bodies, created beyond the NDPB classification scheme, reveal that periodic reviews often inspire a form of ‘bureau-shuffling’ where functions and bodies are altered rather than abolished (Dommett and Flinders, 2013). As such whilst periodic reviews can deliver change, they do not always secure substantial reductions in the size and remit of the public bodies’ landscape.

Figure 1: Total Reduction in the Number of NDPBs



At the third level are reviews established to examine the operation and existence of individual public bodies. This form of review was initiated in 1981 following the Pliatzky report’s assertion that ‘fringe bodies should not be allowed to continue indefinitely in set ways without a fresh look being taken from time to time at the need for their continued existence and at the success or otherwise of their form of organisation and method of operations’ (Cm.9979, 1980 p.21). Quinquennial reviews, landscape and end-to-end reviews and light-touch reviews fall within this category and were created to either protect the legacy of a reform programme or to react to an increase in public body numbers. In 2011 triennial reviews were created to protect the reduction in numbers secured through the 2010 reforms and to further monitor and alter (by reductions, mergers and changing organisational forms) public bodies. In examining the

likely success of this initiative this article now turns to consider the challenges encountered by previous review mechanisms.

Quinquennial, Landscape, End-to-End and Light-Touch Reviews

Quinquennial reviews were created in 1981, but attention in this article is paid to the substantially updated guidance produced by the Labour Government in 1999. This update presented 'a radically new approach to the way in which Government Departments should review Agencies and executive NDPBs so that they deliver better services to the public, [are] easily accessible and simple to use' (Cabinet Office, 2003). It was advised that reviews should be conducted at least every five years to provide an 'opportunity to make a step change in the delivery of Central Government services to the public' (Ibid) and to give consumers, staff, trade unions and parliament (through the relevant select committee) the chance to comment on the work of the body (Clark, 1997). They were seen to be 'a major component of a programme of continuous improvement based on five principles: challenge; compare; consult; compete; and collaborate' (Ibid.) and were underpinning by three aims:

1. 'To ensure that NDPBs are subject to regular and challenging review, taking into full account the views and needs of their customers, staff, and other stakeholders;
2. To ensure that the right structures for these bodies are put in place, so that they deliver the Government's agenda effectively, and work in an efficient and integrated way; and,
3. To provide a strong focus on improving their future performance, including the scope for more partnership working, and better use of technology' (Cabinet Office, 1999, p.22).

Quinquennials adopted a two part structure. The first aspect considered the organisational options for the body, examining:

'whether the function is required at all, and if it is, whether an NDPB is the best option for its delivery. This reflects the Government's aim of keeping the number of NDPBs to a minimum. If abolition is dismissed then reviews should consider all other options including the status quo, privatisation, market testing, contractorisation, rationalisation or merger. Each of these options should be assessed equally on its merits' (Ibid., p.22).

The review therefore did not simply focus on whether to abolish, alter or keep an NDPB (or Agency) but considered a wide range of measures to assess each organisation. Having completed stage 1 analysis reviews either took steps to alter an organisation or to conduct a 'forward looking examination' on how to improve performance (Ibid.). As such reviewers considered the aims and objectives of bodies, their performance targets, their responsiveness, evidence of partnership working, their use of new technology and their governance and reporting arrangements.

Quinquennials were designed to maximise the opportunity for independent scrutiny. Reviews were conducted by either an independent member of departmental staff, individuals with

public sector backgrounds (including retired civil servants, prominent members of relevant professional associations and local government officials), academics or external consultants. This broad recruitment strategy was designed to give reviewers 'sufficient standing and expertise to win the respect of the Agency or NDPB being reviewed', ensuring that reviewers would have the personal capital to recommend sweeping changes when deemed necessary. Larger reviews were also advised to adopt an external scrutiny board to examine progress, however departments were provided with no extra resource to fund these provisions or the review itself.

The value of quinquennial reviews as a whole has been highly contested. Whilst on the one hand their ability to increase the parent department's understanding of their bodies' work, to strengthen relationships between sponsors and public body managers, and to reinforce positive changes in culture were praised, even documents citing the value of quinquennials acknowledged a range of failings. Officials argued, for example, that quinquennials produced only 'modest changes in the organisational structure of agencies to support greater efficiency and/or greater stakeholder involvement in the agency' and were seen to result in only limited changes to the agency's Framework Document. Elsewhere it was argued that they were of limited interest to Ministers (Limb, 2001), induced 'a period of uncertainty that tended to have negative effect on staff morale' and had 'not always been robust in their dismissal of arguments as to whether functions should be abolished or delivered outside government' (HM Treasury and the Prime Minister's Office of Public Service Reform, 2002, pp.15-16). Chief executives labelled the reviews 'bureaucratic and inflexible, with a damaging impact on organisational morale and hugely distracting of management time and energy' (Ibid., p.36). Even the Public Administration Select Committee criticised quinquennials, arguing that departmental administration meant that reviews failed 'to provide challenge to ministers on decisions to set up and retain specific bodies. In addition, they did not assess how departmental practices might be inhibiting public bodies' effectiveness' (2010). These critiques were encapsulated by the view that 'an estimated £5 million per annum is spent on quinquennial reviews, yet there are few examples of the quinquennial review process itself producing significant business change. More often, although sometimes linked to quinquennial reviews, major change is the result of political initiatives or individual organisations' business re-engineering' (Ibid., p.37).

In light of these critiques in 2002 the government review *Better Government Services: Executive Agencies in the 21st Century* recommended that: 'departments should replace organisation-specific quinquennial reviews with end-to-end reviews of the business processes needed to achieve specific outcomes: strategic policy, legislation, operational processes and delivery' (HM Treasury et al, 2002, p.11). This reflected the ongoing perception that 'it is vital that agencies are subject to external review and challenge and [that] there are obvious benefits in the principles of the quinquennial review process' but diagnosed a weaknesses with quinquennials 'in the practice and in the separation of delivery from other aspects of the overall picture' (Ibid., pp.36-37). Accordingly the Cabinet Office Minister Douglas Alexander reported to the House of Commons that: 'The Government no longer require quinquennial reviews of executive agencies and non-departmental public bodies. Because our focus is on the effectiveness of delivery of public services rather than on individual structures, Departments are now being asked to look holistically at the contribution that agencies, NDPBs and others make to achieve their delivery objectives' (Hansard, 2003, Column 677).

In their place departments established 'landscape' reviews and 'end-to-end' or 'business' reviews. Landscape reviews were designed to address the need for better strategic alignment of objectives, improved targeting of services and customers and better governance arrangements across a department's entire delivery 'landscape'. Having conducted a one-off high level evaluative review departments were encouraged to conduct end-to-end or business reviews, a further one-off in-depth study of a specific outcome from policy making through to service delivery. The need for end-to-end reviews was identified at directorate level in departments and aimed to achieve a specific benefit or make a particular improvement. By focusing on one policy area it was felt that departments could 'assess the effectiveness of the business processes involved in achieving specific outcomes [as] [b]y starting with outcomes rather than organisations, departments can identify the processes and behaviours needed and assess the capabilities and capacities available, in order to support them and to address any shortfall' (Cabinet Office, 2002, p.37). As such end-to-end reviews examined the extent to which structures and processes were effective in contributing to specific departmental outcomes.

Whilst helping to facilitate a more holistic study of government's ability to deliver programmes this form of review was critiqued because 'small NDPBs would generally fall outside these proposed review processes' (Cabinet Office, 2006, p.1). In response the Cabinet Office updated its guidance *Public Bodies: A Guide for Departments* in 2006 to specify the scope of 'light-touch' reviews of smaller NDPBs. In presenting this guidance the government restated its commitment to 'quality and continuous improvement' arguing that as part of this 'it is important to regularly review whether individual NDPBs continue to be the best way to deliver the services for which they are responsible and if they are, how delivery of these services can be improved in the future' (Ibid., p.2).

Unlike quinquennials light-touch reviews no longer contained 'a rigid requirement for departments to carry out these reviews every five years nor is the centre stipulating any other minimum period between reviews' (Ibid., pp.1-2). Rather it was stated that because 'NDPBs remain accountable to their sponsor department and Minister, reviews should be carried out with sufficient frequency to give the department confidence that the NDPB is delivering high quality services, efficiently and effectively' (Ibid.). The guidance directed departments to consider 'whether the function is required at all, and if it is, whether the existing NDPB model is the best option for delivery'. If NDPB status was confirmed as most appropriate the review then looked at 'how services and functions could be provided more effectively in the future, and whether the current accountability arrangements are appropriate given the role and risks associated with the NDPBs work' (Ibid., p.2). The guidance as a whole was designed to be 'intelligent and proportionate', allowing departments to tailor reviews to their specific needs (Ibid., p.2).

In many ways light-touch reviews were similar to quinquennials (see Table 3) as departments were directed to consider how the NDPB contributed to wider departmental and government objectives, how they linked with other organisations, how they had performed against aims, objectives and targets, how customers and other interested parties viewed the NDPB's role, and whether there were examples of good practice. In addition a focus on performance, partnership working, the use of technology, customer views, freedoms and flexibility and corporate governance were in evidence. Whilst overlaps are clear, unlike quinquennials there

was no imperative to perform reviews and in a number of cases (notably the Youth Justice Board) bodies were not reviewed for over ten years. The failure to conduct these reviews allowed the public bodies' landscape to proliferate and arguably gave rise to the 2010 Maude review discussed above.

Although episodic reviews have delivered positive outcomes, in this article attention dwells on their failure hitherto to secure and/or effect substantial change in the public bodies' landscape. In exploring why this outcome has emerged it is possible to identify a number of contributing factors identified in the evaluations above that offer lessons for triennial reviews (see Table 2).

Table 2: Problems evident in historic review mechanisms

	Problem	Description
1.	Saliency	Lack of ministerial and departmental interest in reviews can result in limited change
2.	Resource	Reviews need to be conducted by independent figures who have the authority and expertise necessary to recommend changes
		Reviews tend to be inflexible or place a heavy burden upon public bodies and departments
3.	Scope	Reviews have a tendency to miss small bodies, making it hard to review the entire landscape
		A compulsion to review can produce tick box analysis, whilst non-compulsion allows departments to neglect reviews
4.	Side Effects	Reviews have the potential to dampen staff morale and create instability within bodies

Evaluations of past reviews reveal the need for a strong commitment to reform from departments and ministers if change is to be secured, for appropriate resourcing and scope, and a sense of proportionality. It also reveals the potential negative side effects of episodic reviews and the need for departments to counteract anxiety and instability within bodies. Having recognised these problems this article now turns to examine triennial reviews and their capacity to overcome these challenges.

Triennial Reviews

Triennial reviews were established to ensure that 'never again will the quango state be allowed to spiral out of control' (Maude, 2011) by compelling 'the Cabinet Office and Departments [to] carry out a full review of the purpose and expenditure of each quango every three years' (Maude, 2009). They therefore drive forward the government's quest to produce a public bodies' landscape which is 'smaller, more efficient and will cost less, offering better value for money to the public' (ibid). However, they only occur for NDPBs as Executive Agencies and non-ministerial departments are currently exempt from this process.

The guidelines for triennial reviews lay out a two stage review process which focuses on 'whether a function is required and, if it is, whether it should exist at arm's length from Government' (Maude, 2011). Departments are instructed to consider, first, 'the key functions of a NDPB, how these contribute to the work of the NDPB and the sponsor department, and whether these functions are still needed', turning (where a positive initial decision is reached) to consider 'whether a NDPB is the most appropriate delivery model' (Cabinet Office). The

second stage of the review then considers ‘the body’s control and governance arrangements’, contemplating whether they accord with recognised principles of good corporate governance (Maude, 2011).

The guidance specifies that reviews need to be proportionate, timely, challenging, inclusive, transparent and value for money, involve stakeholders and notify the relevant Parliamentary select committee (Cabinet Office, 2011). Reviewers are to be recruited from beyond the sponsorship team (with support from Cabinet Office) and departments can, where appropriate, appoint a Challenge Board to oversee and offer advice. Additionally reviews can be conducted simultaneously or combined with ongoing reviews where appropriate.

The format of triennials therefore overlaps to a considerable extent with quinquennial and light-touch reviews as detailed in Table 3. However, unlike these prior modes of evaluation triennials do not direct attention to the performance of bodies in Stage 2, rather it is the governance and control arrangements which are studied.

Table 3: Comparing review mechanisms

	Quinquennial	Landscape and End-to-End	Light-touch	Triennial
Frequency	Every 5 Years	One off reviews	Departmental Discretion	Every 3 Years
Resources	No extra resources	?	No extra resources	No extra resources
Format	2 Stages	Policy focused review	No formal structure but based around two sets of questions	2 Stages
Consideration of abolition, merger or other reform	Yes	No	Yes	Yes
Analysis of Organisational form and function?	Yes	No	Yes	Yes
Analysis of performance?	Yes	Yes	Yes	No
Analysis of stakeholder views?	Yes	Yes	Yes	Yes

In proceeding with reviews departments have followed a three year timetable drawn up in consultation with the Cabinet Office. 31 bodies were initially identified for review in 2011-2012 but this number increased to 62 after the inclusion of, amongst others, 35 probation trusts. By May 2013 9 separate reviews had reported covering a total of 21 bodies (given the 13 Veterans advisory and pensions committees), with 7 reviews covering 41 bodies left to report. 29 reviews covering 35 bodies are scheduled for year two and 62 reviews (and bodies) are scheduled to occur in year three. However, this programme is by no means fixed as a range of timetabling pressures have resulted in delays and re-scheduling, and not all 560 NDPBs are listed, indicating that many reviews will occur after the initial three year cycle.

As the second year of this review process begins to draw to a close it is possible to assess triennials' response to the challenges outlined above. To do so this article analyses reviews within five government departments (Defra, HO, MoJ, BiS and DCMS). Interviews with civil servants, public body representatives and challenge board members, and observations of the triennial reviews network were coded to identify the issues highlighted in Table 2. Although focused upon a limited number of departments, the range of organisations considered includes executive, advisory and tribunal NDPBs which differ in size, remit and budget, allowing generalisations to be drawn from these cases to discuss the triennial review process as a whole.

Salience

The triennial review process initially concentrated on small, often advisory NDPBs in order to allow both departments and the Cabinet Office to trial, monitor and adjust the process. Yet across departments the attention paid to, and according salience of triennials differed. Some departments pledged to ensure that reviews were 'not just a tick box' but facilitated 'proper policy thinking about the purpose and roles of the bodies and whether we still need them at all' (Interview 5). Accordingly they devoted significant resources to triennials; creating teams dedicated to their implementation and/or producing their own 'very comprehensive' guide for triennial reviewers (Interview 5). Yet this approach was not universal. As one interviewee reported 'ministers are kind of interested...it's just Francis Maude that's really interested and the other ministers are "yeah that's lovely, but I've got all this to do as well"' (Interview 10). In this regard triennials were not always uniformly integrated within the departmental landscape leading to different degrees of interest in and engagement with this process.

This trend was evident in fluctuating levels of political and ministerial interest. Whilst some reviews were prefaced on the belief that there was 'a degree of unfinished business' from the 2010 review which motivated early triennials and led to 'a big expectation building around what the review was likely to do' (Interview 2), other departments reported the impression 'that it doesn't matter what you do in the review, if the minister doesn't want to get rid of the body, it's probably not going to go' (Interview 10). From this perspective triennials often lacked the political interest and departmental motivation which appears from previous episodic review mechanisms to be a key aspect of success. Even where interest has been present it has often limited rather than advanced the review as political expectations have guided the form of analysis undertaken. As one interviewee commented we're 'under a huge amount of pressure to come up with the answer 'let's mutualise...'' (Interview 13). Such interest can often pose problems for departments and reviewers, undermining the apparent independence of the process.

These differences in departmental engagement indicate that triennials' capacity to deliver change is likely to be, at best, uneven. Whilst those departments devoting resource and time to triennials could be considered more likely to produce change an assessment at this stage is not possible because no structural changes have yet been enacted by triennial reviews (although a number of recommended changes to governance arrangements have been made). A fuller assessment will be possible in time but there are indications that departments are beginning to redirect attention away from triennials. As one interviewee argued, whilst the initial triennial review process was useful 'It would certainly, I think, be unnecessary in my view, to go into it in the same sort of depth and utilisation of resource' in future reviews (Interview 9). Another

interviewee commented that ‘next time I think we’ll probably just tick the boxes’ (Interview 13). In this sense there is a possibility that latent interest will dissipate, reducing the apparent salience of reviews for departments and ministers in a manner likely to affect their ability to deliver change.

Resource

A second issue cited in evaluations of earlier episodic review mechanisms revealed difficulties arising from a lack of expertise amongst reviewers, and an according need to recruit credible, authoritative reviewers capable of recommending change. The triennial guidance stated that reviewers must be recruited from outside of the body’s sponsorship team, but no provisions were made for recruiting reviewers with seniority or expertise. In the first two years departments have recruited individuals often with a view ‘literally to fill a vacancy’ (Interview 5) and have reportedly been ‘pretty desperate to find somebody who would do it’ (Interview 9). Many of the reviewers have been junior civil servants (below Grade 7) and whilst this provides ‘a good opportunity... [for them] to put into practice some of the project-management skills [they have]...learnt but not actually had a chance to do in practice’ (Ibid.) reviewers consequently lack expertise and authority. Indeed one interviewee reported “I am reasonably minor, I’m afraid. I don’t have any real clout’ (Interview 10). This is problematic because, as one interviewee reflected, ‘in order to really get the value of this you have to know the business, and a bunch of amateurs can’t get to know the business quickly enough, so you have to be guided. Somebody’s got to have an idea about what would make things better’ (Interview 13). From this perspective it appears that triennial reviews are perpetuating failures identified in previous episodic review mechanisms, with only a few cases adopting a more senior or experienced reviewer.

In addition to reviewer capacities triennials also raise resourcing issues concerning the detrimental impact that data collection requirements place on departments and public bodies. Evidence from triennials suggests that such requirements and the prescriptive approach taken by the Cabinet Office towards review reports is encouraging bureaucratic rather than efficient and effective reviews.

Triennial Reviews introduce an additional administrative layer into the management of NDPBs as the Cabinet Office guides and signs off all reviews (and their reports). Rather than performing a passive role the Cabinet Office has imposed a set of reporting requirements which have, in many cases, resulted in lengthy report writing and sign off processes. In numerous instances departments have been called on to supplement review reports ‘to include literally all of the answers to all of the questions they [Cabinet Office] required’ (Interview 5), and have been told “that’s a lovely executive summary, now can we have the rest of it please” (Interview 10). Departments therefore perceived that even for small bodies the Cabinet Office expected ‘a pretty thorough investigation and the findings to be written up at some length’ (Interview 9), compelling reviewers to author longer, more prescriptive reports. In many cases these requirements were seen to be disproportionate. As one interviewee asserted, ‘it costs £400 a year to run this thing and we’ve got a STS that’s been working on it for months, so the review’s cost more than this body’s cost in the last few years’ (Interview 10). Elsewhere the format was deemed overly rigid, with one interviewee arguing that the Cabinet Office’s guidance constituted ‘a straitjacket put on us’ (Interview 9). Whilst departments accepted that ‘you do need to tick the boxes...[as] if you don’t tick the boxes, it

[the review report] fails' (Interview 13), a number of interviewees were dissatisfied with the process. Indeed one interviewee stated of the consultation requirement:

'it doesn't really matter the quality of engagement with stakeholders. Cabinet Office just weighs the numbers, so talk to as many people as you can. Everything that comes out of this is incredibly superficial. In order to get Cabinet Office approval, you do not, they don't care about the substances, all about the form and you got to do it by the numbers, you got to talk to lots of people - evidence! - nobody cares whether the quality of engagement was useful or not.. But we will try to make it useful' (Interview 13).

Accordingly a number of interviewees asserted that the success of triennial reviews was secured in spite of, rather than because of Cabinet Office guidance because it inspired a 'tick box' review that was perceived as 'a waste of everybody's time' (Ibid.).

At a further level there are concerns over the 'one size fits all' nature of reviews. The diversity of the public bodies' landscape is well established but triennial reviews adopt a uniform approach, requiring information on pre-defined measures from all bodies regardless of their differences. This is seen, at times, to have created an overly bureaucratic review mechanism. As one interviewee reported: 'it's pretty odd really to say that a committee that has sort of half a civil servant supporting it...plus some people doing something for nothing every once a month, requires the same review process as Companies House or ACAS or the research councils' (Interview 11). Some interviewees developed this point to question the very value of triennials across the board, as whilst they were seen to have use for some bodies, many interviewees argued that 'it was so unlikely that there was ever going to be any will' to abolish a body that the review was 'a little bit superfluous' (Interview 12). In such cases it was felt that it would be more appropriate for 'the people responsible for the policy area to kind of just challenge them to justify its continued existence' (Interview 11) rather than engaging in the lengthy triennial process, especially when bodies did not fit 'neatly into the Cabinet Office scheme for a sort of imaginary straightforward public body' (Ibid.). In this sense the resource required to conduct triennials was often seen to be disproportionate to the outcomes achieved. Although many bodies found the data demands less extensive than expected, departments frequently described the review process as 'too onerous' (Interview 2), raising questions about the benefits of deploying the significant resource required to conduct triennials. Such concerns indicate that triennials are in danger of becoming tick box exercises which whilst resource intensive are by no means guaranteed to act as a dynamo for reform.

Scope

A further critique made of episodic reviews cites their inability to capture all public bodies and ensure a regular, comparable review is undertaken. In part the triennials process has addressed these problems as they forced departments who had 'lost control of some of the organisations we funded' to conduct reviews, and encouraged them to analyse bodies in a way that 'was never really looked at before' (Interview 12). However, despite these advantages triennials are not seen to be a comprehensive vehicle for analysing public bodies as they do not apply to all forms of public body. Whilst there are indications from the Cabinet Office that triennials may be rolled out to Executive Agencies, newly created bodies such as mutuals,

charities and private sector companies which lie beyond the NDPB classification are not subject to review despite many deploying functions previously conducted by quangos. This discrepancy means that triennials will only offer a partial report of quasi-autonomous governance, and as such will not provide the overarching analysis seen to be lacking in earlier episodic reviews.

In addition departments' experience of operationalising reviews shows that their scope is not being realised, with both departments and public bodies judging the three year cycle to be both unrealistic and undesirable. Internally there have been problems in timetabling reviews despite the element of compulsion to review before 2015 and within 6 months. Finding a convenient point at which to conduct a triennial has posed a major challenge for departments because at any time there 'might be an act that's coming through parliament' (Interview 10) or an appointment that needs to be made to the board – events which require triennials to be postponed. Indeed, one interviewee reflected that they were 'not convinced that we're going to be able to review many of them [public bodies]. Certainly not until the end of the year because there's so much going on' (Ibid.). In addition completing the report in the required timeframe has been hindered by delays in the sign-off process caused by Parliamentary recesses and the availability of ministers and Departmental Management Boards (Interview 12). Such scheduling difficulties suggest that despite the intention for three yearly reviews, many departments will not have examined all of their bodies by 2015.

For many this timeframe is not even seen to be desirable. Interviewees routinely commented that a three yearly process would be 'quite tricky to do...[because] It's quite a commitment to do a piece of work like this' (Interview 5), especially 'in the same sort of depth and [with the same] utilisation of resource' every three years (Interview 9). Or they expressed the sentiment that in 'Three years, you're not really gonna have had any recommendations embedded long enough there for there to have been any impact, so three years is a silly time scale for a significant body with significant changes. But a tiny body - like the Low Pay Commission - we could do it every three years, but the answer would be exactly the same in three years time. So yeah, three years is silly' (Interview 13). As such it appears that the scope of reviews is highly contested, brining the comprehensiveness and value of triennials into doubt.

Side Effects

Finally, the above analysis highlighted a tendency for episodic reviews to damage relations between bodies and departments by prompting anxiety and instability. This poses difficulties for the internal management of public bodies, but also has potentially negative implications for the triennial review process because any review mechanism is contingent upon positive relationships. As experts on their own remit public bodies are often the only actor capable of providing the data required in review processes; a point attested by the many public body staff who have been seconded to help draft sections of the triennial review reports. The Cabinet Office offered no formal guidance on how to minimise negative effects from triennials despite evidence of disquiet. One interviewee noted that the reviewed body had been 'very nervous, very very skittish actually' whilst others stated that bodies 'were very nervous about the intentions and you know what might be driving behind it, quite suspicious of things' (Interview 12). Departments have made concerted attempts to address these concerns, taking steps to 'reassure them as much as possible that there was no hidden agenda, it was exactly what it said on the tin. That all public bodies had to be reviewed every three years and this was

just their first review and there was no underlying aim that we were trying to get to' (Ibid.). But reviewers have differed in their approach, with some telling bodies the likely outcome of the review, others reassuring staff that they 'cannot conceive of a world in which there will not an arm's length function divvy-up' (to indicate that jobs are likely to survive) (Interview 13), and yet others refusing to share any information about the likely outcome. Where information has been shared concerns have lessened, but a number of bodies have remained convinced that reviews were 'about imposing a particular agenda' rather than exploring options (Interview 2). Accordingly it appears that although departments are aware of the need to gain cooperation from bodies, they are not adopting a uniform approach, resulting in discrepancies in the application of the triennials process.

Analysis

From the above analysis it is clear that triennials are exhibiting many of the challenges identified with previous review mechanisms but that the departmental landscape is by no means uniform. This complicates the process of predicting the likelihood of future reforms as whilst some departments and ministers are engaging, many others are not and have accordingly devoted little resource to triennials. As one interviewee asserted:

'Some departments... just seeing the sheer level of people they put into these things. It must be lovely, having challenge groups with lawyers, senior people on them, I can't imagine ever getting a group like that to come together. I'd love to be able to, and obviously that's what I'll try and do for our next ones, but having that kind of dedicated resource, they're lucky they can do that' (Interview 10).

The issue of resource is paramount because only with resource can departments move beyond a 'tick box' exercise to conduct a more wide ranging review with the authority and scope to recommend significant change. As one interviewee noted:

'The way [the department] does this is we all do it in our spare time and it's voluntary alongside everything else, which, with hindsight, is a ridiculously stupid way of doing it if you wish to achieve real, serious reform. One of the reasons I suspect why there isn't a lot of reform...is, if basically you've got a bunch of people doing it in their spare time, they're not gonna have a lot of time to go into a huge amount of detail and spend a huge amount of time considering it' (Interview 13).

In such circumstances reforms are unlikely to emerge, limiting the opportunities for change. In a climate of budget austerity where departments' resources are being incrementally curtailed there are indications that the resource devoted to triennials, even in currently well resourced departments, will diminish, further hindering the possibility for reform. This point has implications not only for the time devoted to triennials and to maintaining good relations with bodies, but also for the seniority of staff recruited and the opportunity to conduct thorough rather than bureaucratic, tick-box reviews. If the success of reviews is dependent - as one interviewee reflected - on 'the ambition of the department' then the wider climate of government is likely to undermine triennials' capacity to deliver ongoing change (Interview 6).

On this evidence the success of triennials is in doubt but there are indications that the Cabinet Office and departments are working to counter these challenges. In establishing a cross-departmental triennial reviews network and implementing internal lesson learning procedures the government has sought to spread best practice and maximise the effectiveness of this initiative. Such activities can help to counter the difficulties identified above and facilitate a culture in which triennials are not tick-box exercises but rather fundamental reviews designed to deliver change. Yet, it is unlikely that such changes alone will ensure ongoing success because departmental interest, adequate resources, appropriate scope and minimal side effects are not the only relevant variables. Politics is also a powerful consideration as evident in one review where the initial report conclusion was overturned by ministers dissatisfied with the outcome. Such occurrences indicate that even where steps are taken to minimise administrative and cultural difficulties political objectives can intervene. This makes it challenging to predict the future outcomes of these reviews, but on current evidence it appears that triennials will face significant difficulties in bringing about ongoing change to public bodies across the departmental landscape.

Conclusion

The historical analysis conducted above reveals the complexity of enacting and securing public bodies reform. Despite an array of different review mechanisms successive governments have faced difficulties in their attempts to alter the public bodies' landscape. In part these derive from problems with the salience, resourcing, scope and side effects of reviews – traits which are seen to have prevented ongoing reform through previous episodic reviews. Triennial reviews replicate many of these problems and as such are likely to face challenges in effecting ongoing change. Yet, of more immediate interest in this conclusion are the lessons which the above analysis offers about the complexities of governance and reform.

Reform agendas are a perpetual feature of governance as successive governments aim to alter the dynamics of the state to reflect their priorities and ideological preferences. And yet, despite ongoing change very little attention is paid to evaluating the success of reforms, or capturing the institutional memory and learning arising from such processes. As one public servant reflected 'institutional memory is short, and the movement of people in the civil service leads to a lack of expertise in many of the technical questions that need to be solved' (Public Chairs Forum, 2011, p.13). This dynamic fundamentally damages governments' ability to effect change without replicating previous mistakes, hindering their ability to deliver reforms efficiently and effectively. The Coalition's Civil Service Reform Plan take steps to tackle these difficulties and has outlined plans for departments to 'identify the key posts that would benefit from a greater stability of tenure' (HM Government, 2012, p.22) and to create policy based on 'what works' (Ibid., p.17). Whilst such measures will help to tackle some of the difficulties analysed above, the reform programme continues to pay little attention to the need to evaluate current and historic mechanisms *within* departments to ensure that processes such as episodic reviews are serving their purpose and delivering change. Without innovation in this area government will continue to replicate past failures and accordingly struggle to effect ongoing change through processes such as triennial reviews.

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