

What is Shared Accountability?

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Introduction

Recent discussions of government accountability have been dominated by media reports of expensive lunches, excessive travel, and promotions and pay increases for friends and acquaintances of a few senior officials. While these issues certainly require Parliament's attention, there is a risk that they will overshadow the "other debate" over accountability—how to hold government to account for how well it governs.

For instance, the success in coordinating responses to crises such as the SARS outbreak, the Mad Cow scare, the wildfires in BC and the blackout in Ontario demonstrate how effectively governments can work together when they must—and how much better they perform when they do. Solving tough problems often requires a multi-partner approach. So why don't governments collaborate more?

In fact, there are concerns that the **collaborative approaches** needed to support such efforts can blur traditional lines of ministerial accountability. Some analysts even fear that too much collaboration could undermine government accountability altogether.

This paper, the third and final volume in our series on accountability¹, considers what a collaborative model of accountability—so-called "shared accountability"—might look like, how it might work and what impact it would have on ministerial accountability.

From Shared Decision-Making to Shared Accountability

In Chapter Nine of the 2002 Report of the Auditor General of Canada, accountability is defined as "a relationship based on the obligation to demonstrate, review, and take responsibility for performance, both the results achieved and the means used in light of agreed expectations."

In the traditional view, accountability is tied to how authority to act on the public's behalf is delegated through government. Authority flows from citizens, through Parliament to the minister, and then downward from the minister to the deputy minister of a department. In turn, accountability flows back up system, from the deputy minister, to the minister, to Parliament, and ultimately

¹ "Results Reporting, Parliament, and Public Debate: What's New in Accountability?" and "Accountability for Learning" are available on the Crossing Boundaries website at:

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to citizens, who pass on their authority and hold governments to account through elections. In theory, this model has the virtue of making it clear who is ultimately responsible for the department's business and for decisions affecting it, namely, the minister.

So, in a parliamentary democracy such as Canada, ministers are the main link between Parliament or the legislatures and the public service. When ministers are questioned in Parliament, they must answer for the actions of their officials, and on behalf of their government. If ministerial accountability is the cornerstone of parliamentary democracy, *answerability* is the basis of ministerial accountability.

But what happens when officials start working together across departmental or intergovernmental boundaries, or with non-governmental service providers? Can or should individual ministers continue to be responsible to Parliament for the results of initiatives launched by multiple partners? Who is in charge when decision-making is shared?

In posing this question, it is worth noting just how often governments today are involved in joint decision-making arrangements. Committees and councils of all sorts are common. For instance, they exist within governments as executive councils, between governments as councils of ministers or officials, between government and civil society as roundtable organizations, and between government and citizens as citizens' assemblies. In addition, governments have formed all sorts of partnerships with community groups and businesses, as they experiment with new ways to provide services and build public infrastructure.

The examples not only show that decision-making is already being shared, but that it is a relatively common and easy thing to do. Skeptics say, however, that sharing accountability is more difficult. They worry that, if too many parties share responsibility for a project, it will be too easy to shift the blame around if something goes wrong. They have a nagging sense that, if everyone is accountable, then no one is accountable—that, while partners may be willing to share success with one another, they may be less willing to share blame. History certainly provides evidence to support this view. But does shared accountability really blur what were once clear lines?

The Structure of Shared Accountability

The Auditor General treats shared accountability as a complex arrangement that includes three kinds of accountability relationships:

- Accountability between the partners;
- Accountability to the joint initiative's coordinating body—these are accountabilities that go beyond contractual commitments between partners, and must be managed by an entity such as committee or council with oversight responsibilities for the project; and
- Accountability between each partner and its governing body—from government to Parliament, community group to its members and businesses to their board of directors.

In this view, shared accountability implies that the partners are not only accountable to one another and to the body that coordinates the partnership; each one also remains accountable to his or her governing body for the results of the partnership. We would add that, in a collaborative arrangement, this third relationship should be viewed as more fundamental than the other two. As a result, it can trump them in certain circumstances.

The point is critical for understanding how shared accountability works. It implies that, while a minister can **delegate** authority, this does not **divest** him or her of the ultimate responsibility to answer to Parliament for its exercise. In our view, a collaborative arrangement is a form of delegation. The minister thus remains responsible for the decisions that flow from it, the resources it uses, and the results it achieves.

Nevertheless, such arrangements do change the **scope** of a minister's responsibility for the decisions and actions that flow from the partnership. In brief, the minister is not responsible for

About this Series Policy, Politics & Governance

Over the last decade, governments in OECD countries have been experimenting with "new tools," ranging from Internet technologies to community partnerships. They could greatly improve government and democracy. But it is increasingly clear that these tools change how modern governments work, what they do and how they make decisions. Learning to use them well will require experimentation and careful analysis from the public service. It will require informed debate, strong leadership and good decision-making from politicians. This series is dedicated to exploring the issues from both points of view.

KTA Centre for Collaborative Government

The KTA Centre for Collaborative Government is a Canadian public interest research organization. Its mission is to promote more effective management of the interdependence between government departments, levels of government or government and the private or third sectors. The KTA Centre advances public dialogue and research on public management and governance through a Canada-wide network of associates. The KTA Centre for Collaborative Government is a division of Kaufman, Thomas & Associates, Inc.

every initiative that a council launches from within the parameters of a collaborative arrangement. Council members share that responsibility. **But the minister is responsible for setting reasonable terms and conditions around the delegation.** We can make the point more clearly through an example.

Sharing Decisions and Sharing Accountability—An Example

The Federal Interlocutor for Métis and Non-Status Indians Division (FID) at the Privy Council Office has been working to develop a model for coordinating federal departments to serve the needs of urban Aboriginal Canadians. According to the most recent Census data, almost 50% of Canada's Aboriginal population lives in cities. As a group, they experience higher rates of violence, substance abuse, disease and unemployment than other populations.

Aboriginal Canadians have not been well served by past efforts to develop a coordinated strategy to address their situation. The current state of urban Aboriginal programs illustrates this point. The federal government spends over \$270 million on urban Aboriginal programs, but is doing so through 22 federal departments and agencies and some 80 programs. The result is a patchwork of programs and services whose lack of coordination is as frustrating to the regional officials who must deliver them as it is to the communities who try to access them.

In 1997 the FID began working with other key agencies and departments through the Urban Aboriginal Strategy (UAS) to see what could be done to improve co-ordination. The UAS involved community groups, provincial, municipal and federal governments. As a first step, they agreed to integrate the narrower objectives from a range of separate programs within a single, overarching policy goal or "mission," which was to:

close the gap in life chances of urban Aboriginal people and the mainstream population.

This overarching goal or mission allowed FID to view previously unconnected program objectives, such as those aimed at homelessness, illiteracy or substance abuse, as converging on a common goal. It provided a point of departure for a discussion of coordination or greater alignment between programs.

Although it was a step in the right direction, officials quickly realized that it did not take them far enough. In particular, the "terms and conditions" around program access remained an obstacle. The problem is that each program has its own set of terms and conditions that determine who is eligible for the program. But the "T&Cs" between different programs can, and often do, conflict. For example, a homeless Aboriginal person could fail to qualify for a federal program related to homelessness just because he or she has qualified for a provincial one, even though the two may serve quite different needs.

In effect, T&Cs put a straightjacket on programs so that there is very little flexibility to combine different programs in innovative ways to address a complex situation or special needs. Instead, every program must be accessed on its own, often very narrow, terms. This makes coordination all but impossible.

In an effort to break through the policy silos, the UAS departments used the overarching goal as a basis for developing a set of "horizontal" terms and conditions. They reasoned that, if the new set could be substituted for the T&Cs of existing programs, it would harmonize access and allow clusters of programs to be blended or integrated in new ways.

The UAS treats such experiments as pilot projects and establishes them through a Memorandum of Understanding (MOU) between the participating departments. In essence, the MOU defines a collaborative arrangement in which departments, provinces, municipalities, and community organizations agree to work together. It lays out their various responsibilities and sets out a funding framework for the pilot. As a rule, each department contributes to a fund by pooling a portion of its urban Aboriginal program budget. The MOU also establishes a role for community-level representatives in developing the pilot.

So the MOU not only moves governments in the direction of shared decision-making, it also addresses concerns over lost or blurred accountability. It does this through three steps:

- 1) the partnership council as a whole will be assessed for the contribution it makes to the overall objective of "closing the gap in life chances;"
- 2) the partners must set specific program-like objectives and performance measures for the pilot so that the partnership council can be assessed for the effective management of its resources; and
- 3) each minister whose department is involved will be held accountable for the quality of the collaboration agreement itself, including its suitability to achieve its objectives.

If successful, this model should go some distance to satisfying the skeptics. It shows that a minister whose department is participating in a pilot would still be able to account for his or her programs in much the same terms as before. For example, managers are still required to report on specific program objectives and targets have to be met. The difference is that the specific objectives and targets are arrived at through a negotiation between the partners, who must then agree to be responsible for them.

Presumably, then, the new arrangement neither diminishes nor blurs accountability, although it does distinguish between the different roles of the minister as an overseer and the partnership council as a manager and primary decision-maker. Indeed, it is arguable that the model strengthens accountability through the additional requirement that the pilot must report on its progress toward the overarching goal.

Making Shared Accountability Sustainable

The UAS model thus makes significant progress along the road to horizontal management as well as shared accountability. But there are still questions about the sustainability of such partnerships. One has to do with the funding model.

At present, a significant portion of the funding for pilot projects is "skimmed" from existing program budgets. But managers are still required to meet their existing program goals and targets. It is a questionable way of promoting a culture of collaboration because it suggests that managers do not really need the full complement of their resources to meet their targets. Few would likely agree.

What happens, then, if program managers who are participating in a UAS-type pilot find themselves struggling to meet their primary program targets? This could happen for a variety of reasons. For example, they could be facing budget cuts or they may feel that initiatives launched under the MOU do not put a sufficiently high priority on the goals of their primary program, and so contribute little to solving the problems that these programs were designed to address. In such circumstances, managers may come to see collaboration as a cost rather than a benefit and their willingness to collaborate may quickly disappear.

The UAS model provides no obvious answer to this problem, even though it seems a likely scenario. In our view, the funding model is not sustainable over the long-term. If initiatives such as the UAS are to succeed, they need an adequate source of independent funding. One possibility might be to create a source of funding available only to proposed shared initiatives that might be overseen and allocated by a parliamentary committee or group of ministers.

A second question that should be raised here concerns failure: What happens if the council fails to achieve its goals? Is the minister responsible? The answer is complex but clear.

First, if the terms and conditions of the partnership are reasonable, the minister should not be blamed for the council's failure to fulfill them. The council should be held to account for its own failures, not the minister. Who would determine if the terms and conditions are 'reasonable'? In part, this should be a matter of public debate and Parliament should be a key forum for such discussion. In addition, the Auditors General of various governments who were involved in such arrangements would have a role to play in monitoring the use of funds provided to the council by their respective governments.

Second, although the minister should not be blamed for the council's own failures, he or she is still answerable to Parliament for it—that is, the minister must report to Parliament on what happened. Third, if the failure is serious enough, the minister is also responsible to take corrective action. At the extreme, he or she may withdraw from the agreement and reassert direct control over his or her share of the decision-making.

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This last point returns us to the three accountability relationships set out by the Auditor General. We said that the third one—accountability to Parliament—could trump the other two in certain circumstances. Now we can see why this is important. From the minister's point of view, establishing a collaborative arrangement in which his or her decision-making authority will be shared with others amounts to a kind of delegation. But as we have already noted, the minister's right to delegate does not include the right to divest him or herself of that authority or the ultimate responsibility for it. This principle provides the ultimate check on collaborative arrangements. It ensures that, if the arrangement fails, the minister always retains the right—indeed, the responsibility—to reassert his or her control.

Conclusion

In conclusion, we agree with the Auditor General's report when it insists that it is not enough for partners in horizontal projects to be accountable to their ministers, to Parliament and their communities. They need to be accountable to *each other*; they must share a commitment to the project, to cooperation, to collective responsibility. All parties involved in a collaborative or council partnership should be made accountable for their decisions by virtue of their entrance into the partnership. The group is thus made to stand together on all decisions they make through an agreed to decision-making process.

In turn, the minister should be accountable for ensuring their ability to achieve the desired outcome. Though providing sufficient funding would certainly be a part of how this is done, the principal lever would be by guaranteeing that the structure of the council and its decision making process meet a high standard of integrity and fairness, so that all parties involved have the opportunity to influence the decisions for which they will be collectively accountable. Critically, the elected overseers of such arrangements should have the authority to reassert control if things go awry.

Such an arrangement might end up looking like a self-regulating organization, whereby the partners are empowered to make their own decisions, but may have this authority taken from them if the council proves to be incompetent or, at worst, corrupt. This way, accountability could be shared amongst partners, but in case of wrongdoing, the relevant minister or group of ministers would still be answerable.

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