

## PORTUGUESE LOCAL GOVERNMENT: EXPLORING ALTERNATIVES OF SERVICE DELIVERY

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### **ABSTRACT**

*Nowadays, Local Governments have a heavy burden of dealing with much of the services with added value to citizens. Their competences kept on growing at the expenses of central government responsibilities' cope with all these challenges, local governments use several mechanisms to deliver public services to their citizens. In this paper we analyze New Public Management (NPM), and post-NPM as mains reform paradigms with impact in the governance alternatives.*

## 1. Background

Lasts decades were a challenging Era for Public Administration, in particular to the service deliver process. New Public Management and Governance paradigms brought to daylight, alternative mechanisms to the traditional hierarchy. In fact, hierarchic mechanisms were, for a long time, considered as the most natural and efficient way to manage large organizations in a stable environment (Weber, 1947; Alexander, 1995; Beetham, 1991; Blau & Meyer, 1971; Verhoest, Peters, Beuselinck, Meyers, & Bouckaert, 2004; Eliot, 1991; Grandori, 1997; Araújo, 2003). Based on a line of command that flows top-down, formal and clear lines of communication and using planning and regulation as the main management tools, this mechanism was a common pattern among public organizations. However, hierarchic mechanisms were confronted, since late 80's, with a hostile external environment. NPM first (using market type mechanisms and the introduction of management tools from the private sector) and Governance later (with ideals of collaboration partnerships and sharing risk-taking) presented all new strategies to Public Administration delivery public services process. In this paper, we seek to analyze Portuguese's local governments alternatives to deliver public services. In fact, local governments in Portugal no longer assume, through authority, the provision of all public services. They combine different strategies of coordination, using both market completion and network collaboration. The path of the internal evolution begun with the simple hierarchic organization composed by municipal services, then moved forward to municipalized services (a more autonomous and flexible configuration) followed by the ability of local government to create their own local enterprises (Tavares & Camões, 2007). By the end of the 1990s, local governments began contracting with external actors to provide public services. Their option was to contract-out public services making use of market price mechanisms and market competitiveness. More recently, local governments preferred a more collective action approach, through the creation of inter-local government associations or a less competitive partnership with a non-profit actor (mostly on social services). In all, we identify several organizational configuration alternatives to deliver public services divided in: in-house solutions, corporate sector, private agents, networks. Our purpose is, using a qualitative approach, to compare the managerial impacts of each of these alternatives through New Public Management and Governance paradigms.

## 2. Public Management Reform Challenges

Hood (1991) introduced an idea of a global movement of administrative reform that combined public choice, management school and new institutional economics, the New Public Management. This international movement, based on a general dissatisfaction with the welfare state fiscal and managerial burden, wishes to make public administration more efficient and more appropriate to the actual information age (Gray & Jenkins, 1995, p. 76; Lane, 2000). NPM is also consider to be a reaction to the perceived weakness of the traditional bureaucratic paradigm of public administration (O'Flynn, 2007, p. 354).

New Public Management is based on the introduction of market type mechanisms and the adoption of private management tools to solve the problems of public administration. It promotes the competition between suppliers of public goods and services in the expectation that it will lead to an improvement in services quality and that will reduce costs (Hartley, Butler, & Benington, 2002). In the perspective of Denhardt and Denhardt (2000, p. 550), the New Public Management intends to infuse the notion that the relation between the citizen and the public service is very similar to the one that occurs in the market, having to be dealt within a very similar way.

In Hood's paper (1991) NPM is presented as a seven dimensions analysis paradigm of reform (Table 1). A concern for the financial control is denoted through the reduction of the expenses, the professionalization and decentralization of public management as well as is emphasis for the public sector institutional rearrangement.

**Table 1. The New Public Management**

<b>Doctrine</b>	<b>Meaning</b>	<b>Justification</b>
1. Professional Management	Public Manager with freedom to act	The Responsibility needs managers perfectly identified
2. Performance Measures	Definition of performance Indicators	Responsibility and efficiency
3. Output Control	Expenses and rewards linked to performance	Focus on achievements not in process
4. Fragmentation of Public Units	Creation of more flexible and decentralized units	Use of contracts between public units and private ones
5. Competition in Public Sector	Liberalization of the use of contract mechanism	Rivality make lower cost
6. Use of Private Management Tools	Freedom to punish inefficiency and reward effectiveness	Better Management seizing market opportunities
7. Discipline in Management	Cut back in cost and raise of productivity	Need to do more with less

Font: Adapted Hood 1991

To Pollitt (1990: 134), the performance improvement with quality standards and economy of costs sought by the New Public Management, can be substantiated in eight elements:

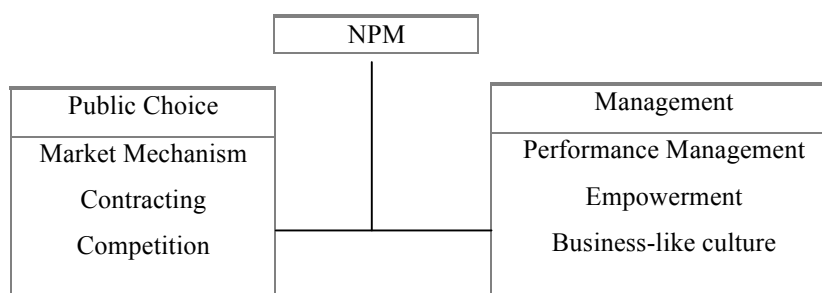
- a. Reduction of costs through a bigger transparency in its production;
- b. Desegregation of the public sector and introduction of a new type of organizational relations: the contracts;
- c. Separation of responsibilities between the financial promoter and the producer of goods and services;
- d. Introduction of market mechanisms;
- e. Decentralization of the authority;
- f. Introduction of performance measures;
- g. Introduction of a new logic in the management of the human resources, with more similarities to the techniques of the private sector;
- h. Bigger emphasis in the quality of the service.

Despite the fact of NPM changed Public Administration, some academics accused NPM to be “old wine in new bottles” allegedly for being a renaissance of old Taylorist ideas. Others find very hard to accept its neoliberal identity, its simplicity of solution based on private management tools and on the use of contracting-out. They also argue that NPM has an internal incoherence and does a microeconomic analysis of State Functions (Lane, 2000). Nevertheless Huges (2006) argues that we can't deny that Public Management is changing towards efficiency and quality. Under whatever denomination, Huges (2006) typifies 13 dimensions of change in public management. At first, public administration has now, a Strategically Vision, defining political priorities through an analyzing alternative resources; A more Managerial Approach, emphasizing the capacity and autonomy of the management; A Stress on the results, controlling of achieved objectives when comparing with the established; A Financial Management Improvement, based on a reduction of costs and economic and financial viability; More Flexibility Managing Human Resources, introducing private solutions in public servants; Increasing Organizational Flexibility, modifying o organizational configuration to better suite service delivery; More competition in public administration environment; Contract based relationship with the massification use of contract as a way to improve control and efficiency; Entrepreneur Spirit importing and adapting private management tools in public management; A Better relation with Politicians, knowing

the necessity of a better compatibility of Political and managerial agendas; Better relation with the citizen, focusing on citizens needs and transforming the citizen from a passive actor to an integrant agent of the administrative reform; Separation between Producer and Financier establishing clear separation of roles clarifying responsibilities and fields of specialization; And finally, a reexamine of what the government job, analyzing and reflecting the State functions and what we expect it to do.

In our paper, we will analyse Portuguese Local Government alternatives to deliver public services through both management and public choice approach. As earlier sustained by Hood (1991) NPM manage a cohabitation of this two opposite paradigms (Table 2):

**Table 2. Paradigms underneath NPM**



Public Choice theory believes that governments were unresponsive, inefficient, monopolistic, and unable to reach formal goals. The actual *status quo* implies politician's action captured by interest groups and self-interest bureaucrats. In order to perform an actual reform, a re-organisation is needed in de service delivery scheme. Thus, the responsibility for the production of public goods and services (planning, financing, production, distribution and control) is divided and broken down into two separate units (Ostrom & Ostrom, 1971). The Collective Consumption Units responsible for the promotion of public goods, that is, responsible for planning, controlling and finance service delivery (normally performed by governmental actors). The others, Units of Production would be responsible for the effective production and distribution of goods and services that the governing bodies decided to promote. Between the two, it would be necessary to establish a contractual relationship necessary to define the terms under which the service will be provided, paid and distributed throughout the population. In opposite, a more managerial approach will argue the need to transform management processes rather than the introduction of market mechanism. Under this paradigm, public sector institutions need to play all new attention to stakeholders rather only to

shareholders. A more customer-orientation is needed based on higher quality services. Internal processes tend to be more business-like, trying to establishing a managerial culture. According do this, an entrepreneur leadership provides a systematic and explicit definition of objectives, performance indicators, measurement and control systems.

We can sum up arguing that NPM induces economic markets as a model of relationship; a separation between policy implementation and delivery; an introduction of performance based contract and deregulation (Kaboolian, 1998). Using Diefenbach, (2009, p. 894) investigation we identify the basic assumption and core elements of NPM used on our paper (table 3).

**Table 3. Basic assumption and core elements of NPM**

Area	Element
<b>1. Business environment and strategic objectives</b>	Market Orientation
	Customer-orientation
	Increased efficiency
<b>2. Organizational structures and process</b>	Decentralization and re-organization of organizational units
	Standardization and formalization of strategic and operational management concepts
<b>3. Performance management and measurement systems</b>	Measurement and monitoring system
	Performance indicators
<b>4. Management and managers</b>	Management positions
	Primacy of managers over others activities and competences
<b>5. Employees and corporate culture</b>	Empowerment and entrepreneur spirit

Font: Adapted from Diefenbach, (2009)

In the first point we focus the transforming environment of Public Administration. Reform agenda tend to consider market solutions as more efficient than hierarchic mechanism. This happens because they strongly believe that market can maximize citizen's freedom of choices, purge inefficiency and promote a better coordination between assets and labour (Hood, 1994; Kettl, 2000; Ferris & Graddy, 1997). Direct provision is seen as a solution that allows public inefficient monopolies, encourage red tape, and restrain private initiative development. The satisfaction of citizens needs become a very stressful item. Treated like costumers, citizens are called to assume a active role in public management, evaluating all sort of services provided by contracted agents (Denhardt & Denhardt, 2000). Next, we have public sector reorganization. Created to a very specific and stable environment, with a defined combination of assets and labour, public institutions have a great deal of difficulties to overcome external

challenges. Public Institutions ceased to be multi-purpose organization to become single-purpose agencies, reorganized with a clearly identified core business. This empowerment, is expected to give greater deal of control, to the public manager, over their organization, Focusing on core activities and defining performance indicators, the objectives become easier to identify and pursue (Pollitt C. , 1990; Osborne & Gaebler, 1992). NPM also typify the use of performance measurement systems at two levels: external and internal. In the first case the use of external agent forced the use of contract between agents, in substitution to formal authority used in hierarchic mechanisms. Performance indicators, audit and inspections framework and quality assessment emerge as a natural solutions to replace the direct control of in-house solutions. At an internal level the reduction of formalities and legal rules allied with less stress on procedures, led to the need of an alternative procedure to guide civil servants. So, Performance indicators are implemented as a guideline to systematically and regularly capture, measure and monitor actions inside public agencies (Julnes & Molzer, 2001; Diefenbach, 2009). As previously stated by Hood (1991) NPM argues the need for hand on professional management. The new public structures, guided through performance indicators, should be managed by contracted managers (instead of being politically appointed) accountable to the objectives defined in the contract. In all, public agencies, as well as public managers, in light of NPM spirit, should acquire a different attitude towards their activities. The time had come to assume a proactive posture sizing every opportunity presented.

In a post-NPM period the number of actors involved in the delivery system process had increased, changing Public Administration complexity. The gradual trend towards specialization and autonomy of administrative units brought an all-new reality where the state's role is to promote inter-organizational, rather than to control their actions (Oliver & Moseley, 2006). Governance paradigm liked to network mechanism protagonise relative stable interaction of several autonomous agents, around a field, where everyone is an interested part. The main idea is to build up a consistent a solution based in the combination of specific competences of several actors, to solve a problem that could be handled if each agent worked for himself. No longer working alone to deliver public services, governments start to create an organizational constellation of partnerships with non-profit actors and other public entities. This Post-NPM paradigm is base on trust, reciprocity and collaboration (table 4).

**Table 4. Networking Principles**

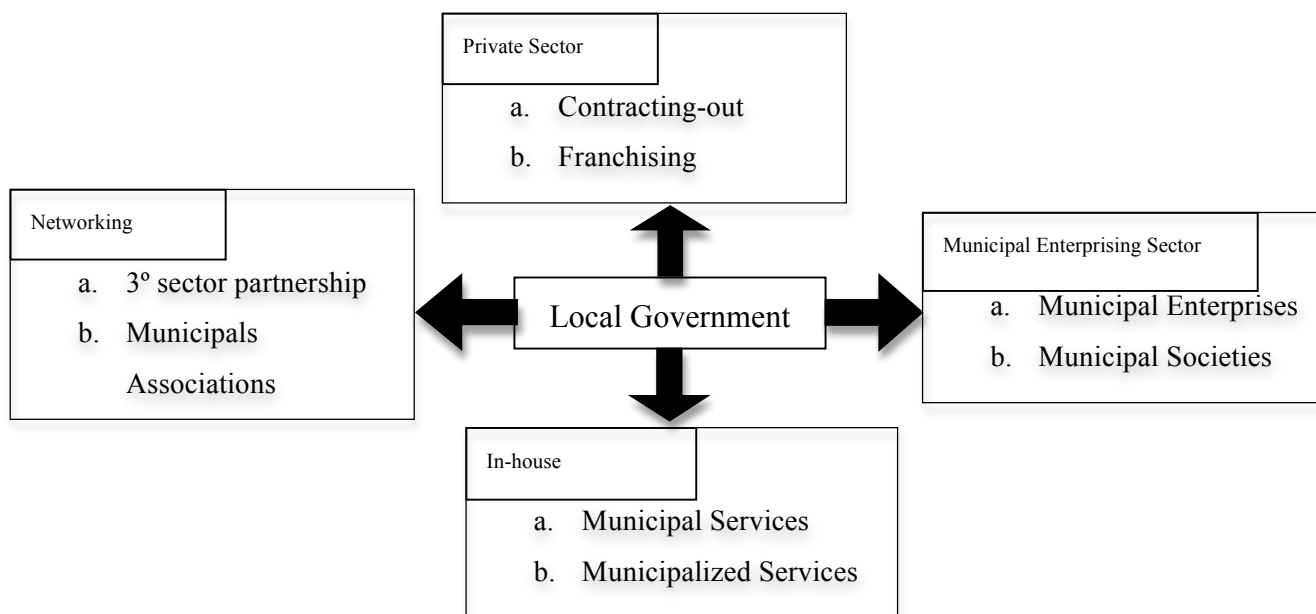
<b>Trust</b>	<b>Reciprocity</b>	<b>Collaboration</b>
Low probability of moral hazard	Benefit are widely spread to all actors active in the network;	Share information, joined decision taking

Source: Adapted from Andresani e Ferlie (2006), Lowndes e Skelcher, (1998) e Powell (1991)

### 3. Portuguese alternatives to service Delivery

Portuguese Local Government have several different organizational alternatives to deliver public services that can be organized into four categories: in-house; contracting-out; municipal enterprising sector; network (table 5).

**Table 5. Governmental Arrangement Alternatives**



We will now, in every alternative, analyse the impact of both reform paradigm (NPM, Governance) within the different governmental agreement

#### *In-House*

Traditionally, local services were delivered only through the use of in-house/hierarchic solutions. The dictatorial regime that lasted until 1974, created a strong organizational culture of centralization and formal control with clear path of communication. Therefore, during the dictatorship, municipalities had limited competencies and operated as an extension of the national government. For a period of almost fifty years, municipalities essentially played a role as units of administration of the state (Opello, 1983), acting as



administrative agencies organizing its activities in-house according to a single structure model. Municipalities developed a bureaucratic administrative structure and direct management of local service delivery. Early after the democratic revolution, with limited functions, municipal governments had only a Secretary and specialized services. Services responsible to prepare decisions and to implement them were structured through hierarchical structures, the so called *Serviços Municipais*, which were divided in sections and repartitions (Oliveira C. , 1996). They had no autonomy to set up their own organizational structure. The structure was defined by law approved by the national government and was uniform to all municipalities. Productive and delivery activities are previously planed and therefore they don't have a strong connection to market needs.

For those services of economic and industrial nature, such as water distribution, electricity, sewage, garbage collection, and public transportation, local governments were allowed to create *Serviços Municipalizados*, under certain conditions established by law (Pereira & Almeida, 1985, p. 214). These services, approved by the Municipal Assembly (deliberative body) had some financial autonomy and an Executive Council, but stopped short of having corporate-like status, since the sole owner was the municipality and they remained integrated in the municipality (Caetano, 1982). Due to their bigger autonomy and specificity, municipalized services, tend to adopt an integration strategy with their environment, producing a grater differentiation in the municipal service delivery scope. The local government goal was to create a governance mechanism that could fit the industrial nature of a specific group of municipal services. Even without having a complete autonomous juridical personality we can state that the creation of municipalized services, started to change organizational configurations as well as the internal relations. A semi-fragmentation occurred allowing to separate and identify financial revenues and expenditures and create a better accountability due to the introduction of professional manager. Although, all of theses changes made, the fact is that everyone has still under the same roof. That is, local government promoted a solution that could give a clear picture of the financial cash-flows, increasing, at the same time, the level of responsibility clarifying the leadership. Nevertheless, local government kept all their ability to control, decide and change executive council decisions.

**Table 5. In-House Solutions**

Area	Municipal Services	Municipalized Services
1. Business environment and strategic objectives	-	More market oriented More Efficiency
2. Organizational structures and process	-	More Autonomy
3. Performance management and measurement systems	-	-
4. Management and managers	-	Personalization of a manager
5. Employees and corporate culture	-	-

*Municipal Corporate Sector*

Since 1998, some specific laws have allowed the creation of Municipal Enterprises (*Empresas Municipais*), responsible for the provision of local services. Municipal Enterprises are agencies with juridical personality and administrative, financial and patrimonial autonomy. They are regulated by the law of public Enterprises and by the commercial society's code. Municipal Enterprises were created with a similar approach to those of the private sector, but with the mission of developing activities under the monitoring of the Local Government. Municipal enterprises have a higher degree of autonomy than municipal and municipalized services. However, some internal operational characteristics show us a different reality from what was expected in light of NPM. When externalising the delivery of public services, local government expect to obtain, through market competition, a more efficient solution. Since both decision of creating a municipal enterprise and transferring it the responsibility of public service delivery is based on a administrative act, without any market interference, we can't argue the use of market type mechanisms. The inter-organizational relations show a deep connection between municipal council and enterprise. In some cases, local government superintendence power allows them a control, very similar to the one obtained with hierarchic power. In other cases, politicians were at the same time, in office and in the enterprises' administrative board, allowing them to fully extend their powers. These facts made superfluous the use of any performance indicators since politician kept their direct control over any actions developed. Nevertheless, an effort was made to accomplish a certain professional management, since the board of Administration has fulfilled with politicians, the management tasks were delegated to an nominated administrator. Here again, no performance indicators were needed since this position is based on politician trust instead of any competition mechanism.

Commercial societies are essentially local enterprises created by local government or with local government following the rules establish to private enterprises. Much of what we have said to municipal enterprises is valid to these commercial societies. We found three types: municipal commercial societies, public commercial societies, mixed commercial societies. The first ones are created exclusively with public funding. Municipal commercial societies have their capital entirely based on municipal financing while public commercial societies are built with both local and central government recourses. In municipal commercial societies, relations with the local government are sustained like in the previous case. Politicians are in office in both sides, taking strategic decision and delegating managerial and operational tasks in an appointed manager. Again, no substantial difference in the use of performance indicators is noted, due to a strong evidence of direct control. The big innovation is that in municipal commercial societies, local government acts as a regular shareholder. There aren't any special powers reserved to local government like in the municipal enterprises<sup>1</sup>. In these cases, the entity created has more freedom and flexibility since it is released from some public controls. Public commercial societies follow the same path that municipal ones, only this time, local government have a partner - Central Government - that holds the majority of the invested capital<sup>2</sup>. In pretty much all that matters, the management model is the same.

In Mixed commercial societies the management model used is quite different. Local Government appears as a minority partner to a private agent. Although the initiative to create this kind of enterprises still belongs to the local government, the fact is that the modus operandi is much closer to market mechanisms. This alternative is mostly use to explore activities with a commercial nature in a competitive spirit with others private agents, already operating. Market mechanism is also present in the private partner selection, on the contrary of municipal and public commercial societies. Local government follow a market consultation procedure to choose their private partner. Since, local government has no supervision powers over this kind of enterprises, besides the regular powers of an ordinary minority shareholder, performance indicators are needed to improve contract accomplishment. Internal procedures are pretty much the same when compared to a private corporation when it come to contracting, managing careers and paid role.

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<sup>1</sup> Nevertheless, the local government is the only shareholder

<sup>2</sup> Mostly used in water supply systems or in urban requalification

**Table 6. Municipal Corporate Sector**

Area	Municipal Enterprises	Commercial Enterprises		
		Municipal	Public	Mixed
1. Business environment and strategic objectives	-	-	-	Market Orientation
2. Organizational structures and process	Fragmentation of Public Services creating agencies			
3. Performance management and measurement systems	-			Used as control
4. Management and managers	Stress on Management but still following political appointment			Professional Managers
5. Employees and corporate culture	-			Entrepreneur

The influence of new modes of service delivery goes beyond municipal corporations. The legislation approved by the national government opened the opportunity for innovative ways to structure local service delivery through contracting out and network partnerships. The use of market type mechanisms and interorganizational forms of joint production is now changing the modus operandi of municipalities. As soon as municipalities were allowed to explore alternative ways to deliver services, a dynamic process began to improve efficiency and service quality, frequently using benchmarking processes. The range of organizational configurations includes traditional, hierarchical type arrangements, market solutions, and network partnerships.

*Private Sector*

In this alternative, local government use market mechanisms to contract out private agents in order to deliver some specific services<sup>3</sup>. The relationship between Local Government and private agents (contracting-out or franchising) are characterized by the absence of an organic relationship/hierarchy between the principal and the agent. The procedures used to choose the private agent, in the previous alternative, are used in this case. Local Government advertises his intention to the market choosing afterwards the best proposal. The nature of the relationship is based on the contract that states duties and obligations of the respective parties. Performance indicators are part of the negotiated contract as an evaluation framework. Decisions taking procedure are no longer constrained by political criteria. Decisions are taken under an efficiency and customer-orientation umbrella by professional managers in order to achieve best service delivery.

<sup>3</sup> In a previous work, we applied transactions cost framework to municipal service delivery. In it we found evidence that local government use market mechanism in services with high service measurability (Rodrigues, Araújo, & Tavares 2009).

**Table 7. Private Sector**

Area	Contracting-Out and Franchise
1. Business environment and strategic objectives	Market Orientation
2. Organizational structures and process	Management Concepts
3. Performance management and measurement systems	Used to evaluate Services
4. Management and managers	Professional Managers
5. Employees and corporate culture	Entrepreneur

*Networking*

Finally, the last set of alternatives deal with mechanisms mostly based on collective action. That is, build on a partnership bases sharing objectives, values, and information facilitating the creation of a network. Instead of following the red tape of market mechanism procedures (selecting the appropriate, celebration of legal contracts, monitoring activities) these alternatives suppose the conscious and voluntary participation of all the actors, based on mutual reciprocity. Whether in an association with other local governments<sup>4</sup> or with non-profit agent, these forms of delivering public services are less based on an NPM paradigm. Actually, the lower level of partner's opportunism led to a management style without the stress noted, in earlier solutions, on market orientation, competition, and performance indicators. The main idea here is to led local government to combine efforts and create a complex and complete solutions to nowadays citizens demands.

**Table 8. Network**

Area	Partnerships with non-profit	Municipal Associations	
		Metropolitan	Inter-Municipal
1. Business environment and strategic objectives		Citizenship	
2. Organizational structures and process		Inter-Organizational Cooperation	
3. Performance management and measurement systems	-	-	-
4. Management and managers	-	-	-
5. Employees and corporate culture		Reciprocity and Trust	

<sup>4</sup> If in a metropolitan region, this association is called as Metropolitan Association, otherwise it is simply a Municipal Association.

#### 4. Conclusion

#### 5. References

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