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Who's afraid of the BEM? The politics of excellence

Abstract

Examines the adaptation and application of the EFQM Business Excellence Model within British policing as a model of performance management.

Keywords

afraid, who, excellence, politics, bem

Disciplines

Arts and Humanities | Law

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WHO'S AFRAID OF THE BEM? THE POLITICS OF EXCELLENCE

Background

The decade of debate about police performance accountability continues without much sign of abating (Association of Chief Police Officers [ACPO] 1998, Audit Commission [AC] 1990, 1991a, 1991b, 1993, 1994, 1996, 1998; Her Majesty's Inspector of Constabulary [HMIC] 1998). The theme of the continuing crusade is simple: democratic accountability and enhanced quality of service will be achieved through managerial accountability.

Having introduced the principles of new managerial theories and addressed police management structures in the early years, the debate has moved on to matters of detail concerning the tools available to police managers and, by extension, tools available to those who have an interest in scrutinizing the police service. PowerPoint presentations and flip-charts across the nation have suffered a veritable rash of management buzz phrases and abbreviations: the three Es, TQM (Total Quality Management), VFM (Value for Money), BEM (Business Excellence Model), PIs (performance indicators), the four Cs and Best Value.

The language of management has gone beyond slick presentations and into statute. Initially the Police and Magistrates' Court Act 1994 [PMCA 1994] established the new style police authorities and the requirement for annual service plans based on objectives, and then the Police Act 1996 [PA 1996] refined the earlier legislation and further defined the tripartite relationship between chief officers, police authorities and the Home Secretary. Also founded firmly in legislation are principles of accountability through annual reports and external inspections. It was against this background that the Business Excellence Model was introduced into British policing. From April 2000, there will be new statutory obligations for local authorities and police authorities to achieve best value as defined by the Local Government Act.

What is the BEM?

The BEM is a template designed by the European Foundation for Quality Management [EFQM] around nine components or criteria of excellence. Assessment using the model identifies both the strengths of an organization and areas for improvement. Its premise is that customer satisfaction, employee satisfaction and beneficial impacts on society are achieved through organizational leadership driving policy and strategy,

people management, resources and processes leading ultimately to excellence in business results (British Quality Foundation [BQF] 1998, 5). The overarching philosophy is one of continuous improvement. The model evolved out of the concepts of TQM and was promoted in Europe before being introduced into the UK where it received the endorsement of the then Trade and Industry Secretary, Peter Lilley in 1992 (for a detailed history see BQF, 1998, Appendix 1). In its most refined state and applied with the greatest possible rigour, the BEM can be used as a basis for achieving internationally recognized awards for quality. At a more basic level, its advocates argue that it diagnoses the health of an organization or any of its constituent units. It focuses the minds of managers on what really matters in achieving good quality results.

Initially intended for the private sector, the model has, nevertheless, been widely adopted within the UK public sector. 55 local authorities are using the BEM in some way in adopting a best value approach (AC 1998, 62). HMIC identified 27 police forces either using the model or seriously considering doing so when producing the thematic report *What Price Policing?* (1998, 155). An updated version taking account of public sector interest, the EFQM Excellence Model, was launched on May 3, 1999 (<http://www.efqm.org>).

In driving the continuous improvement cycle, the model can be used for auditing, assessing or inspection. It is sufficiently flexible to be adapted to suit the circumstances of individual organizations. It can be applied at a corporate level or within individual business units of an organization. It can be applied vertically along lines of command or horizontally across business processes. Its adaptability lies in the fact that it is a tool not a panacea. But therein also lies its danger. Organizations that do not first identify both why they want to use the BEM and how, are destined to misunderstand it and so misuse it.

The BEM and Police Culture

Managers within the police service might be forgiven for being a little battle weary after the multitude of innovations and initiatives foisted upon them in the last decade, some of them less resilient than others. Is the BEM just another fad doomed to being jettisoned in the not too distant future?

This is certainly a possibility, particularly given that the experience of organizations around Europe who have implemented the model and achieved significant business success with it is that the BEM is a long-term investment not a quick fix. It works but it takes time. In a strategic landscape hitherto defined largely in terms of annual service plans and annual performance indicators, accompanied by the attendant short-term expectations such short-term performance measures tend to encourage, patience in relation to performance results requires some courage.

Within the police context successful implementation of the model will depend on an often sceptical organizational culture being

overcome, and command teams having the faith in middle managers to produce real improvements over time rather than sound-bite statistics produced in time for annual PI reviews. Middle managers also have to be in post long enough to be accountable for annual performance, although one of the advantages of the BEM is that it provides an element of continuity otherwise unavailable in a career structure in which managers might move on after 12 to 18 months. The devolution of decision-making and budgets that have so altered the role of police middle management in the last five years will only succeed if there is an associated realization that such responsibility requires encouragement and is not just somewhere else to lay the blame if it all goes wrong.

Effective implementation offers the police service a vehicle for organizational cultural change. Through meaningful planning based on honest self-assessment the prevailing fixed reactive culture can become a culture which is customer focused in its widest sense.

What is 'Best Value'?

The Local Government Bill [LGB], published on November 30, 1998 and likely to receive Royal Assent in the summer of 1999 to take effect from April 1, 2000, sets out the general duty of best value (LGB s.3):

“A best value authority must make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.”

The White Paper, *Modern Local Government: In Touch with the People*, (1998, 64), described best value as follows. An authority

“will seek to provide services which bear comparison ... with the best that is on offer from both the public and private sectors. Continuous improvements in both the quality and cost of services will therefore be ... the test of Best Value. Best Value will be a duty to deliver services to clear standards – covering both cost and quality – by the most effective, economic and efficient means available. In carrying out this duty [authorities] will be accountable to local people and have a responsibility to central government in its role as representative of the broader national interest”.

It is not only local authorities that will have to deliver best value. The obligation is placed upon police authorities also. These bodies will be required to prove that they have measured themselves against the best value model referred to as the four Cs:

Challenge – Why is the authority providing this service or undertaking this function? Is it part of the core business? (LGB s.5)

Compare – Is the service provision improving on past performance? (LGB s.5)

Consult – Is the authority providing what the local people, customers and other stakeholders want? (LGB s.3)

Compete – Is the service being provided competitively when compared against the best that is on offer elsewhere in the public sector and in the private sector? (LGB s.5)

Key elements of the best value regime are the Fundamental Performance Review [FPR], and the Local Performance Plan. The FPR will apply the 4 C's test to 20% of the organization over a five-year cycle. It will identify performance targets, improvement targets and action plans for achieving the targets (Local Government Management Board 1999, 8). Annual Local Performance Plans will then be produced reporting on current performance, publishing the targets and commenting on the means of achieving plans. These Local Performance Plans will have to be integrated with other statutory plans such as Service Plans, Efficiency Plans and Community Safety Strategies (AC 1998, 10).

The plans will be audited and certified (LGB s.7). Local auditors will ensure that the performance and resource information in Local Performance Plans is accurate; that plans have been drawn up, and targets set, in accordance with statutory requirements; and that plans are realistic having regard to available resources (AC 1998, 11). Reports from the auditors (LGB s.7) will be sent to the relevant best value authority and the Audit Commission who have responsibility for carrying out or delegating best value inspections (LGB s.10), and under certain circumstances to the Secretary of State also.

These best value proposals will have significant impact on inspection and auditing roles and procedures.

The Politics Behind the BEM and Best Value

The Cabinet Office is promoting use of the BEM throughout government agencies and departments as part of an overall package including Charter Mark, Investors in People and ISO 9000 (Cabinet Office 1999). The Civil Service College is currently co-ordinating and collating data derived from BEM self-assessments from any public body willing to participate in bench-marking exercises and produces a number of different packages according to customer need (Cabinet Office 1998). Other than government the main stakeholders in the BEM/best value scenario are the AC, HMIC, ACPO and the Association

of Police Authorities (APA).

In the present tripartite arrangement, the Home Secretary sets Ministerial Priorities for the police service and individual police authorities are responsible for securing an efficient and effective police force. Chief officers are required to draft policing plans (PA 1996 s.8(3)) which are then endorsed and owned by the police authority for each police area. Chief officers are accountable to their relevant police authorities and both chief officers and police authorities are accountable to the Home Secretary for the service they provide. Indirectly, they are also accountable to their local communities. Police authorities have a responsibility for consulting their local community to identify local priorities and concerns to set alongside the Ministerial Priorities (PA 1996 s.96; Harfield 1997). The scope of consultation is more closely defined and prescribed in the LGB (s.3) than it is under s.96 PA.

The capacity of the local community for holding to account the police authority and chief officer is limited. Sanction rests with the Home Secretary who has powers to demand specific reports from HMIC (PA 1996 s.40), from police authorities (s.43), from chief officers (s.44) or independent inquiries (s.49) in addition to the statutory annual reports automatically required (s.9) and can ultimately dispense with the services of either the chief officers or the police authority.

HMIC currently inspects individual forces for efficiency and effectiveness on a regular and frequent basis and also conducts thematic inspections across the service (PA 1996 s.54).¹ These reports are an influential source of advice to the Home Secretary and inform government policies for the police (Home Office 1999, 4; Paul Boateng, Home Office Minister, keynote address to the Best Value Conference hosted by Cleveland Constabulary 18.3.99).

The Audit Commission conducts national surveys to promote various aspects of value for money in the provision of local authority services. AC reports in relation to the police service, (some of which have been cited above) have been equally influential in developing management practices in the police service.

The question arises how adoption of the BEM and implementation of the best value regime will alter the tripartite relationship and current accountability.

Arguably the BEM reduces the need for external inspection and auditing because of its emphasis on rigorous self-assessment. It was, after all, devised initially for private sector organizations not subject to the sort of external inspection provided by HMIC or the Social Services Inspectorate. Organizations conduct self-assessments which are used to identify strengths and areas for improvement and can be used for benchmarking both internally and externally. Benchmarking against previous performance within the organization assessing itself and against other organizations are important measures of progress and validation. In its most sophisticated application the BEM process requires external auditing of the self-assessment but this is not essential to the success of

the process and is undertaken mainly in pursuit of quality awards (BQF 1998, 26-33).

The components of the BEM clearly address three of the four C's. The AC argues that the BEM does not address the 'Challenge' component of the best value model (1998, 62), or at least not as rigorously as the AC considers necessary. Instead, the AC comments favourably the best value toolkit used by the London Borough of Newham as an example of good practice (AC 1998, 60, see also 63). The concern of the AC is that slavish adherence to the BEM will divert police forces from the real emphasis of best value. That emphasis will have the force of statute and the contents of best value reviews are specified in the LGB s.5.

Police authorities rather than chief officers have been designated the best value authorities for the police service (LGB s.1). This is a sensible extension of their obligations under the PA 1996 although ACPO sought to have chief officers designated as best value authorities. The APA welcomes this assignment as a step towards redressing what it perceives to be the imbalance in the tripartite relationship; namely that real power lies with chief officers and their close relationship with the Home Office by-passes the APA (Catherine Crawford, APA, Best Value Conference, Cleveland 18.3.99). Chief officers are not only accountable to police authorities but also, through HMIC inspection, to the Home Office.

Under the LGB the AC will have a general power to undertake best value inspections (s.10) and there is provision for criminal sanction against any person who fails without good reason to comply with any request made by an inspector (LGB s.11). What the APA objects to most strongly is the enhancement of the Home Secretary's powers of sanction over police authorities (LGB s.14) and the fact that as best value authorities, police authorities will be subject to external inspection by HMIC on behalf of the AC (LGB s.23).

Police forces and police authorities will thus be liable to inspection by both HMIC under s.54 of the PA 1996 and the AC (delegated to HMIC) under s.10 of the LGB. HMIC and the AC are currently working on a protocol for joint working and are liaising over the design of a best value inspection model (HMIC & AC joint presentation to Best Value Conference, Cleveland 18.3.99). It is the AC to whom reports must be sent on the progress towards achieving best value.

The tripartite relationship has been altered because the police authorities are now answerable through HMIC to the AC and so to the Home Secretary. The Home Secretary's position within the structure is further strengthened through additional sanctions and the AC would appear to have been co-opted as a new partner because of its crucial role in coordinating best value inspections. The Home Secretary will acquire powers (LGB s.14) to direct actions that failing police authorities must take to improve performance and ultimately will be able to send in 'hit squads' to undertake the functions of police authorities that still fail to improve. Given the associated powers of the Home Secretary to alter (or

in theory even abolish) police authority areas under the PA 1996 (s.32), the imbalance of power has shifted still further in favour of central government.

Indeed, given that the Home Secretary has indicated that performance data should be compared at Basic Command Unit [BCU] level within the police service rather than at force level (in order to make more meaningful comparisons between service delivery at local level), the stage seems set for further regionalization of police services as a parallel development to the regionalization of government. Regionalization of police services naturally invites regionalization of police authorities for which a model already exists in the form of the service authorities for the National Crime Squad [NCS] and the National Criminal Intelligence Service [NCIS] (PA 1997, Parts 1 & 2). Alternatively it eliminates the need for police authorities because regional police services could be directly answerable to regional government. But that is in the long-term. For now police authorities will have the responsibility to deliver best value and it is they who face the sanctions for not doing so. Chief officers can probably anticipate a more vigorous relationship with their police authorities as a consequence.

The Role of HMIC

The role of HMIC will alter as a result of best value requirements and their inspection processes are currently under review. HMIC's thematic inspection report *What Price Policing?* advocated strongly (ch. 5) that forces should adopt a business model and much favourable comment was made about the BEM which was cited as the ACPO model of choice. Initially it seemed that the BEM offered HMIC a generic inspection tool that facilitated inter-force bench-marking. Given the threat posed to the role of external inspection it is understandable that inspectors would want to have formal access to the BEM process within forces, perhaps as external assessors to verify internal self-assessment. But there are problems with this approach.

First, the BEM does not address all the issues to be inspected and audited under the best value regime (LGB s.5). Secondly, not every force is using the BEM. Thirdly, the very flexibility of the BEM, which is one of its attractions, means that those forces that are using it are doing so in a variety of ways, and this would make inter-force bench-marking (required under LGB s.6) problematic using just the BEM.

The primary purpose of the BEM is self-assessment and this requires candour on the part of those gathering evidence for the assessment. For that reason many police forces have adopted confidentiality protocols in which assessment scores and specific data remain the 'property' of the divisional commander or head of department and the force command teams are only alerted to force-wide issues in a sanitized form by a central quality unit that collates the self-assessments for that very reason. If external inspections were conducted using the BEM then staff might need reassurance that data supplied in

confidence on a divisional basis would not feature in an external scrutiny and that could conflict with the role of HMIC which is to support the mechanism of public accountability.

None of this precludes HMIC using the BEM as an inspection template because the nine criteria are relevant to good business practice and so are legitimate to use in any case. Indeed, the NCS was provisionally inspected at the end of 1998 and HMIC produced an inspection report for NCS internal consumption using the BEM components as the structure of the report even though the NCS self-inspection regime does not yet include the BEM. But it is the first issue noted above that is of greatest concern.

The BEM and Best Value

The BEM and best value regimes ask different questions of police forces and focus on different outcomes. The former is about *organizational development* and *continuous improvement*. The latter is about *service delivery* and *accountability* for spending public money. Whilst it may be that an organization has to develop in order to become more efficient and less wasteful in spending public money, the two issues are not inevitably connected.

Rigorous application of the BEM will enable forces to become better at what they do. It requires a full understanding of what the core business is, and the processes involved in delivering that core business. It is better that an organization has a full understanding of these two matters, together with activity based costing, before implementing the BEM.

The BEM does not challenge service provision *per se*. It will be for organizations to determine for themselves the nature of their core business, and this questioning of itself constitutes the first of the four C's. Comparing current and past performance is the essence of the BEM self-assessment. Consultation, both internal and external, constitutes two elements of the BEM. The model can then be used to ensure that service is being delivered the best possible way. This will identify areas for improvement that will include areas for efficiency savings and so contribute to the competitive element of the best value model.

The Police Agencies

The NCS and NCIS are constituted under the PA 1997. They report to service authorities rather than police authorities (PA 1997 s.1, s.47). Police staff in these organizations are seconded from territorial forces while support staff are recruited directly. The service authorities are not to be designated best value authorities under the LGB, not least because they do not provide local government functions in the way that police forces do. Nevertheless, local authorities and police forces are stakeholders in NCS and NCIS and both service authorities have a majority of members drawn from APA members.

The NCS and NCIS have been publicly criticized by the APA (Catherine Crawford, Best Value Conference, 18.3.99) for not being

part of the best value regime. In fact the NCS Service Authority, on which the APA is represented, adopted the concepts and principles of best value in June 1998. Whilst not statutorily obliged to participate in best value, the NCS will follow good practice in all areas where it is possible to do so without adversely affecting the provision of specialist NCS services, and will invite external inspection from HMIC. To that extent the NCS will subject itself to much the same rigorous regime that is expected of forces.

Conclusion

A threat assessment for the BEM might conclude that there are obstacles to successful implementation in the police service in three areas.

Within the organizational culture there lies the danger of antipathy towards what may be perceived as another management fad. This has seemingly been overcome in some areas as staff have realized the benefit in self-assessment as a means of consultation with management. If management utilize the BEM only at management or command level then not only will the opportunity to maximize staff consultation be lost, but much significant data concerning service delivery and the nine criteria will also be missed.

Secondly, forces and police authorities are now grappling with the implications of best value. The relationship between utilization of the BEM and the work required to achieve best value will have to be carefully thought through. It would seem unwise to rely solely on the BEM as a tool for delivering all the elements of the four Cs. If this is not fully understood then there is the potential to waste a considerable amount of time and effort. Likewise, the temptation to adapt the BEM to local circumstance may dilute or divert its most effective benefits.

At the wider, political level there are tensions yet to be resolved between the principal stake-holders in local government and the police service. The APA is seeking to reassert the role of police authorities in the relationship with both ACPO and the Home Office. Arguably, the PMCA 1994 stripped police authorities of all their financial responsibilities leaving them with responsibility only for monitoring performance and consulting the community (Loveday 1998, 144). Now police authorities have new responsibilities and face sanctions for failing. HMIC and the AC have to revise and develop their working relationship to ensure compatibility rather than competition. Effective self-assessment and mutual bench-marking (now being coordinated by the Civil Service College) raise questions about the necessity of having an AC and individual public sector inspectorates. On the other hand, specialist expertise and the sheer volume of work anticipated in best value inspections make it attractive to the AC to delegate such actions where possible. The new structures being established by the LGB will strengthen accountability to central government but do not necessarily guarantee enhanced accountability at local level. Defining more closely those who should be consulted will not automatically improve methods

or effectiveness of consultation.

Uncertainty remains in the relationship between BCUs and force organizational structures. Local crime audits and community safety strategies (Crime and Disorder Act 1998, ss.5-6) at the level of district or borough authorities and police BCU structures, raise serious questions about the need for individual force structures (as opposed to regional structures) and are more likely to achieve meaningful consultation than that currently being achieved through police authorities and police-community consultation groups. The BEM is well-suited to implementation at BCU level and, given the confidentiality protocols referred to above, may be seen as a threat to force command structures.

Thus, prevailing internal cultures, confusion over its purpose, and future politics may impede effective implementation of a management tool that has enjoyed much success throughout Europe over the past ten years. Were this to happen both the police, and ultimately the public, would be the poorer for it.

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1. Under s.77 PA 1996 HMIC has a responsibility for monitoring the handling and investigation of complaints against the police.