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# Creating Public Value in the Policy Advice Role A Reflection from the Front Line

As a public servant I live with the tension captured in Richard Mulgan's question: 'How much responsiveness is too much or too little?' (Mulgan, 2008). On the one hand, my job is to be responsive to portfolio ministers and to the prime minister and Cabinet. On the other hand, Westminster conventions of public service imply that I ought not to become over-responsive and merely reactive. The role of a permanent, politically neutral civil service is to be loyal to the government of the day, yet with sufficient independence, knowledge, expertise and experience to influence and shape government priorities and policies, not only to implement these.<sup>1</sup>

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In this article I explore Mark Moore's public value approach as a possible theoretical framework to help manage this tension in ways that are creative, rather than frustrating and destructive. I offer it as a personal reflection 'from the front line', as a stimulus to more systematic development of public value theory in relation to the policy advice role in New Zealand.

#### Creating public value

Moore in 1995 challenged neo-liberal thinking in his US context on three issues:

- the role of government in society: to be more than a regulator, service provider and social safety net; rather, a creator of public value and an active shaper of the public sphere;

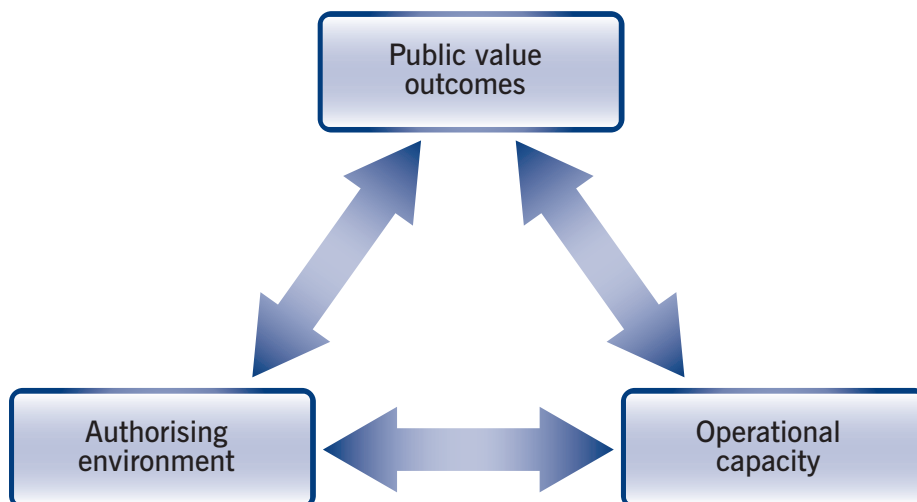
- the role of government managers: to be more than passive servants to political masters; rather, custodians of public value and stewards of public assets, whose role is to help governments discover what might be done with those assets to create public value; and
- the techniques needed by government managers: more than bureaucratic administration; rather, government managers work in partnership with other stakeholders and agents, in ways that ensure policy choices are made in the public interest and that legitimate, animate and guide implementation, in order to improve outcomes for the public (Benington and Moore, 2011, pp.3-4).

The central construct of Moore's framework is the 'strategic triangle' (Moore, 1995, p.71; see Figure 1). Public sector strategy must align three distinct but interdependent processes:

- defining public value: clarifying and specifying public value outcomes in a particular context;
- legitimating and authorising action: creating an 'authorising environment' that builds a coalition of stakeholders from the public sector (primarily, but not only, democratically-elected representatives), the private sector, and the community and voluntary sector, whose support is necessary to sustain action; and
- building operational capacity: harnessing and mobilising operational resources both within and outside the organisation to implement policy and achieve the desired public value outcomes (Benington and Moore, 2011, pp.4-5).

Benington and Moore (2011) have gathered together developments and reflection from around the world in a recent reformulation of the public value approach. Their restatement and edited collection of international perspectives on the public value approach suggests that the framework is relevant not only in Washington, but also in Westminster systems of government (as in Britain, Canada, Australia and New Zealand).<sup>2</sup>

Figure 1: Mark Moore's strategic triangle of public value



Source: Moore, 1995

Benington (2011, p.43) argues that 'public value' can best be understood and achieved within 'the public sphere':

The public sphere can be thought of as the web of values, places, organizations, rules, knowledge, and other cultural resources held in common by people through their everyday commitments and behaviours, and held in trust by government and public institutions.

Public value is what 'the public' values and what adds value to 'the public sphere', but 'the public' is something that is not so much given as made (Dewey, 1927): it is continuously created and recreated within a heavily-contested space where competing interests, values and ideologies collide. A public is more than an aggregation of individual consumer interests (Benington and Moore, 2011, p.10). What constitutes public value in any particular case can only be established, therefore, through a continuing process of public deliberation:

Public value provides a conceptual framework within which competing values and interests can be expressed and debated, in a deliberative democratic process, by which the question of what constitutes value is established dialectically. (Benington, 2011, p.50)

While public value is not created by the public sector alone, Benington argues that public servants have particular

responsibilities as co-creators and guardians of public value:

Because of the focus on outcomes, public value focuses attention on, and is measured over, the medium to long term ... Governments, dictated by electoral cycles, inevitably tend to focus on the shorter term, but public managers also have a responsibility to focus on the longer-term public interest, and to act as guardians of the public sphere in the interest of future generations yet unborn, who lack a voice in current decision-making. (ibid., p.49)

#### Public value and the policy advice role

To date, a public value framework has predominantly been thought about and applied in relation to public management and the delivery of public services. What might a public value approach mean for the policy advice role?

Scott and Baehler (2010, pp.13-15) reference Moore's 'strategic triangle' in defining three broad domains of policy work: strategic policy ('pushing the frontier'), responsive policy ('making the Government's ideas work') and operational policy ('keeping things running'). They affirm that policy is a story about creating public value, and explain:

The link between the Policy Triangle and the Strategic Management Triangle reflects the reality that good governance requires a dense web

**Box 1: Strategies, frameworks, blueprints, roadmaps and action plans, 1999–2005**

Government strategy documents produced between 1999 and 2005 included the *New Zealand Health Strategy* (2000); *Reducing Inequalities* (2000); *Employment Strategy* (2000); *Biodiversity Strategy* (2000); *Pathways to Opportunity* (2001); *Primary Healthcare Strategy* (2001); *New Zealand Disability Strategy* (2001); *Pathways to Inclusion* (2001); *New Zealand Positive Ageing Strategy* (2001); *Workforce 2010* (2001); *Crime Reduction Strategy* (2001); *National Energy Efficiency and Conservation Strategy* (2001); *Youth Development Strategy Aotearoa* (2002); *New Zealand's Agenda for Children* (2002); *Reducing Inequalities in Health* (2002); *He Korowai Oranga: Māori Health Strategy* (2002); *Pacific Health and Disability Action Plan* (2002); *Pathways to the Future: Ngā Huarahi Arataki* (2002); *Youth Offending Strategy* (2002); *Te Rito: New Zealand Family Violence Prevention Strategy* (2002); *Protecting our Innocence: New Zealand's National Plan of Action against the Commercial Sexual Exploitation of Children* (2002); *Tertiary Education Strategy* (2002); *Youth Transition Strategy* (2002); *New Zealand Transport Strategy* (2002); *New Zealand Waste Strategy* (2002); *Towards Sustainable Development in New Zealand* (2002), followed by *Sustainable Development for New Zealand: programme of action* (2003); *Growing an Innovative New Zealand* (2002), followed by *the Growth and Innovation Framework* (2003); *Active Communities: reaching our potential together* (2003); *Te Rautaki Reo Māori: Māori Language Strategy* (2003); *Care and Protection Blueprint* (2003); *National Immigration Settlement Strategy* (2003); *Ala Fou – New Pathways: strategic directions for Pacific youth in New Zealand* (2003); *Education Priorities for New Zealand* (2003); *Skills Action Plan* (2003); *Pacific Workforce Development Strategy* (2003); *New Zealand Cancer Control Strategy* (2003); *New Zealand Injury Prevention Strategy* (2003); *Road Safety to 2010* (2003); *Healthy Eating – Healthy Action* (2003); *Action Plan for New Zealand Women* (2004); *High and Complex Needs Strategy* (2004); *Safer Communities Action Plan to Reduce Community Violence and Sexual Violence* (2004); *Towards an Active New Zealand: developing a national framework for physical activity and sport* (2004); *Framework for the Future: equal employment opportunities in New Zealand* (2004); *Opportunity for all New Zealanders* (2004); *New Zealand Action Plan for Human Rights* (2004); and *the New Zealand Housing Strategy* (2005).

of connections between policy and management functions to ensure that government's activities are effective, efficient, and aligned with society's fundamental values. (Ibid., p.16)

Policy advice thus extends beyond ministerial servicing (drafting correspondence and responses to parliamentary questions and Official Information Act requests, etc.), the

implementation of government policy decisions and the administration of public services. It includes providing advice and developing policy and regulation to address a multiplicity of public issues from the simple to the complex, including so-called 'wicked' issues to which there are no obvious or immediate solutions.

Examples of policy work that does not necessarily or directly concern ministerial servicing or the provision of

services are: public engagement on how New Zealanders care for and protect our children; regulation of the financial services sector; negotiation of Crown apologies and settlement of historic grievances, including Treaty settlements; social marketing to reduce family violence; design of a greenhouse gases emissions trading scheme; measures to reduce the number of young people carrying knives; and regulation of the sale and supply of alcohol, tobacco and cannabis substitutes.

**That was then ...**

I joined the public service in mid-2003, as a senior policy analyst in the Strategic Social Policy Group of the Ministry of Social Development. My first policy assignments involved working on population and sustainable development, investing in child and youth development (part of the *Sustainable Development for New Zealand* programme of action (2003), and *Opportunity for All New Zealanders* (2004).

The early 2000s were the heyday of 'strategies', 'frameworks', 'pathways', 'blueprints', 'roadmaps' and 'action plans'. Box 1 provides an indicative list.<sup>3</sup>

This approach to policy making commonly involved the following steps:

- ministers and/or senior managers identify an issue or problem that will not be addressed unless agencies 'join up' across institutional 'silos';
- a 'lead agency' seeks the co-operation and involvement of other agencies and convenes a 'senior officials' group'; a 'lead minister' may also convene meetings of 'joint ministers';
- officials design a high-level 'outcomes framework', with (utopian) 'desired outcomes';<sup>4</sup>
- officials compile an 'action plan', 'programme of action' or 'roadmap' of 'initiatives' – some attempt is made to analyse interdependencies between agency 'initiatives' in terms of 'intervention logic' (State Services Commission, 2003), but because of resource constraints 'initiatives' are largely 'business as usual', so they do not require additional funding;
- officials and ministers may consult with the private and third sectors and

the public in developing a strategy or action plan, by issuing a draft proposal (*Towards ...*) or discussion document;

- officials design a 'framework' or 'dashboard' to monitor progress against an agreed set of 'indicators';
- officials report to ministers; and ministers report to Cabinet (and to Parliament when legislation requires this) on progress in implementing the strategy or action plan.

'Strategic' policy making was thus characterised by meetings, planning, consulting, publishing, monitoring and reporting. The client for this activity was ill-defined – variously ministers, Cabinet, Parliament and the public. Success was a completed report (an agreed output) that agencies signed out and ministers and Cabinet endorsed, and that (hopefully) improved outcomes.<sup>5</sup> The characteristic mode of operation was *co-ordination* – predominantly within the government sector.

The effort required to produce these strategies was rarely matched by investment in effective implementation, or resulted in measurably improved outcomes. By 2004, Prime Minister Helen Clark had tired of grand designs and no longer wanted to hear the word 'strategy' from her ministers. The language shifted (more 'roadmaps', 'action plans' and 'dashboards'); but the 'strategic' approach to policy development persisted, albeit with grumbles from ministers about policy advisers being insufficiently 'fleet of foot'.

In 2008, in the final year of the fifth Labour government, Clark famously observed that her government did not get its ideas from the public service. Questioned in the House, she stood by her statement: 'No. It is a very blunt answer but it is true. We generate the ideas'. John Key, then leader of the opposition, questioned why government administration had grown under the fifth Labour government, if the government was not getting its ideas from the public service. Clark replied: 'Of course, someone has to work up and develop the brilliant ideas of the Labour Government ...' (*Hansard*, Questions for Oral Answer, Wednesday 12 March 2008).

A shift appeared to have taken place: from public servant as trusted adviser and partner (albeit junior partner) in policy making, to public servant as implementer of policies and programmes developed by ministers and Cabinet.

#### **This is now ...**

The last term of the fifth Labour government (2005-08) and the fifth National government (2008-) have been characterised by a pragmatic, managerial style of political leadership. Politicians have rarely articulated a 'vision' or 'plan' for New Zealand, promoted 'strategies', or invited strategic policy advice (Scott and Baehler's 'pushing the frontier'). Policy

in the interests of the government to do so.

Characteristic activities in this approach to public policy making are: clarify what the minister wants, work out how to make it happen ('just do it'), write the Cabinet papers (to increasingly tight timeframes and consequently with minimal consultation), draft the legislation and implement the policy. The client for this activity is the minister; success is delivering reports that ministers 'like' and developing policies that are agreed by Cabinet and implemented within the directed timeframes. The characteristic mode of operation is *command and comply*.

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ideas have predominantly been generated by politicians and their political advisers, and by 'taskforces', 'working groups' and private sector consultants. Policy advisers are regarded by politicians on both sides of the House as 'back-office' functionaries – their job is to get in behind, align policy work programmes with the government's priorities and implement policy directions agreed by Cabinet.<sup>6</sup>

Consequently, the current approach to policy making commonly involves the following steps:

- ministers generate policy ideas and objectives through a political process external to the public service;
- public servants develop and implement policy as directed by ministers and agreed by Cabinet and Parliament;
- officials communicate and engage with other government agencies, and with the private sector, the third sector and the public only as and when ministers agree that it is

This is admittedly something of a caricature of past and current policy processes. Policy practice in any particular case may not fit either of the approaches I have sketched out here. I also continue to see examples of the 'co-ordinate' style of policy making, but this increasingly doesn't look *smart* – focused on specific, measurable, attainable, relevant and timely objectives. For all my unease with the current command and control, compliance approach to policy making, I share ministers' impatience with utopian 'desired outcome' statements and unwieldy, time-consuming processes of inter-agency co-ordination that do not seem to deliver better results.

#### **Policy under review**

In 2010 the government appointed a committee, chaired by Graham Scott, to review expenditure on policy advice. The committee reported its findings in December 2010 (*Review of Expenditure on Policy Advice, 2010*). The terms of reference

for the review charged the committee with providing recommendations to ensure strong alignment of expenditure on policy advice with government policy priorities. In response, the committee reported that:

The most significant and complex alignment challenge is in relation to work on big policy questions. Our interviews with ministers show that they clearly want agencies to provide advice on current issues and priorities, and place a premium on high-quality advice that is robust and pragmatic, delivered promptly and helps them make decisions. However, there is also a general

system findings reinforced this message. A core theme arising from these reviews is:

*Short-term responsiveness, but limited medium-term view or strategic positioning.*

Agencies tend to be reactive, focusing on the short-term and delivering (well) what ministers ask for today, but this is often at the expense of their obligation to ensure that advice is robust over time, and capability exists to meet the needs of ministers and the public in the future. (Minister of State Services, 2011, p.4)

In light of these findings, how might

servants to engage in creative conversation, co-design and co-production with a range of stakeholders, inside and outside government. What follows is not proposed as a formal analytical framework or staged model for policy development, but rather a set of things to think about (not necessarily in this order) in planning and developing policy.

- *Define the public value we want to create.* What does the public value, and how do we know? What are the social, cultural, economic, political and environmental dimensions of value we want to add to the public sphere? Is this different from what the public needs, wants or desires (Benington, 2011, p.42; Kelly, Mulgan and Muers, 2002; Reich, 1988, pp.5-6)?<sup>8</sup> How can we develop common purpose out of our diverse perspectives? What do we want to change, and why? What are the results we want to achieve?

These questions need to be pursued through open-ended, creative and courageous conversations between ministers, policy advisers and other stakeholders, and with reference to previous political agreements 'enshrined in the legislation that defines public managers' mandates for action' (Moore, 1995, p.106). Policy advisers should bring evidence-based analytical rigour to these conversations (Gluckman, 2011) and a strategic perspective:

Strategic advice, at its best, has depth, looking beneath immediate events and preoccupations, to underlying drivers and trends; it has breadth, adopting a systemic rather than partial focus; and it has reach, identifying and addressing medium-term risks and opportunities (Henry, 2007, p.5).

- *Set a baseline for monitoring and evaluation.* Where are we now? What is the evidence that supports this? Is the problem as we think it is? How would we know whether we have made a difference and achieved better results?
- *Map who is currently doing what, where.* Systematically review previous

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recognition by both ministers and policy advice professionals that, in addition to providing policy advice on immediate issues, the government needs advice over time that helps it resolve large complex issues where there are no obvious solutions (p.27).

It is a core responsibility of agencies to build and maintain the policy capability necessary to serve successive governments. Similarly, agencies have a wider responsibility to invest in maintaining their own institutional memories and in the knowledge management systems that support this endeavour. In this way, agencies maintain their own ability to produce high-quality advice, but also maintain the resources that sustain a public policy community, both inside and outside government (p.25).

A report to Cabinet in May 2011 on the second tranche results of Performance Improvement Framework reviews and

state sector agencies move beyond past and present approaches to policy making and provide advice that is both *responsive* and *responsible*? As Evert Lindquist (2011, p.81) puts it, 'public sector leaders should have well-informed and shared views on public-sector-wide and sector challenges and capability considerations, even if these determinations are contested or not the highest priority of elected governments.'

Bill Ryan (2011, p.119) has similarly commented on the need for a culture change whereby ministers adopt 'a wider institutional understanding of the whole system of government in which they have chosen to work and the wider obligations they should meet', and senior officials take 'a stronger line in asserting their expertise, interdependence and agency'.

### A public value approach to policy development

A public value approach to the policy advice role requires ministers and public

evaluations and analysis of what works, for whom it works and why.

- *Identify interested and affected individuals and groups ('stakeholders')*. Who has an interest in this (inside and outside government), and what is the nature of their interest? What values are important to them? How might we work with them, in order to create and re-create 'the public' and facilitate participatory democracy?
- *Determine scale and scope*. Will doing more of the same (only better) get us where we want to go (i.e. continuous improvement); or do we need to do something different, in discontinuity with past and current practice (i.e. innovation) (Hartley, 2011)?
- *Look for the game changer*. If we need to innovate to create value, what is the bold idea that could be a game changer: i.e. the action or actions that might make the greatest difference to an intermediate objective (rather than a utopian desired outcome)? How strong is the evidence to support a calculated risk on a game-changing initiative? What would it require to implement this effectively?
- *Secure legitimacy and support*. Who needs to give legitimacy and support to this project, inside and outside government, so that it is politically sustainable and can achieve the medium-term results we are looking for? Benington and Moore (2011, p.11) comment in relation to legitimacy that:

Political mandate is one important kind. But so is the law. And so is professional knowledge and technical expertise. And there might even on some occasions be a kind of moral legitimacy created by public managers and professionals reminding society and its representatives of important values that are being put at risk by actions that are politically supported, have legal sanction, and would likely work technically, but fail to protect or promote foundational moral values.

How will we engage with others to build a coalition of interest, and work with others to gain and maintain legitimacy and support? Given inevitable conflict and contestation in the public sphere, who do we need to take with us, and who are we prepared to leave behind? How can citizens be assured that public sector managers are pursuing genuinely public purposes rather than their own selfish interests or odd or untested ideas of the public interest (Moore, 1995, pp.135, 148)?

- *Build operational capacity*. Which is the best sector and agency to lead this project, and why? What do we need in terms of resources (start-up capital, infrastructure, ongoing

and compliance approaches to policy making. The client is the public. Success is better results (added public value). The characteristic mode of operation is *co-creation*.

#### What needs to change

A public value approach to policy making challenges policy advisers to demonstrate value-seeking imagination and initiative and show that we can work differently and do more than politicians have learned to expect from us. It requires us to build capability in three areas:

- holding values conversations<sup>9</sup> and clarifying purpose (primarily, but not only, with ministers and Cabinet);

## Whether the risk is worth taking, and when and how we choose to take it, depends on what we judge to be at stake and to whom we understand ourselves ultimately to be accountable.

funding, staff, skills, technology, etc.) to implement this, and who might contribute those resources? What does the lead agency need other agencies to keep on doing, or do differently, in order to achieve mutually-agreed objectives? How might we devolve decision making to the lowest (most local) possible level? What are the most efficient (light-handed) and effective governance arrangements to support implementation?

- *Monitor and evaluate whether our actions make a difference*: measure the results against the baseline we established in terms of current status, then review and revise as necessary – i.e. learn as we go. Review and renew our purpose (the public value we want to create).

A public value approach to policy making is characterised by respectful relationships, critical thinking, creative conversation, and strategic collaboration. It requires a different set of attitudes, skills and behaviours from co-operation

- (decentralised) co-design and co-production with a range of stakeholders and sectors, in ways that support and build participatory democracy; and
- cultivating and maintaining networks and alliances that secure ongoing legitimacy, support, and capacity for sustainable policy implementation.

Adopting a public value approach to policy development is inherently risky because it challenges existing modes of communication between ministers and policy managers, opens up questions about what is substantively valuable, and depends for its success on significant changes in the operating capabilities of public sector agencies (cf. Moore, 1995, p.102). Whether the risk is worth taking, and when and how we choose to take it, depends on what we judge to be at stake and to whom we understand ourselves ultimately to be accountable.

A public value approach challenges elected and appointed officials alike to look beyond our current context and issues. 'Imbued with the spirit of service

to the community' (State Sector Act 1988), our job is to create public value. This is not a job for central government alone. It requires co-creation with local government, the private sector, the community and voluntary sector, and with individual citizens and their families.

Lifting our eyes above the near horizon does not mean gazing wistfully into a utopian future. It means building consensus and taking action to achieve measurably better results for New Zealand and New Zealanders over the medium- to long term – longer than a three-year electoral cycle; shorter than 'in our ideal world'.

Above all, a public value approach puts people at the centre, rather than power, politics and programmes. It reminds officials, whether elected or

appointed, that we're all in this together – for the common good.

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- 1 On trends and tensions in the policy process in the New Zealand context, see Ryan (2006).
- 2 The applicability of Moore's public value approach to Westminster systems of government has been vigorously debated. For example, Rhodes and Wanna (2007, 2008) think Moore's approach can be useful in operational service delivery to support innovation and continuous improvement, but express concern when it is applied further up a 'ladder of value', if public managers adopt the role of Platonic guardians deciding the public interest. Alford (2008) has replied that Rhodes and Wanna (2007) have misrepresented Moore's ideas and that they appear to be legitimising a disturbing trend towards over-responsiveness to political masters in public administration.
- 3 The list of strategies in Box 1 is indicative and has been compiled from memory and references in *Opportunity for All New Zealanders* (Minister for Social Development and Employment, 2004).
- 4 See, for example, the desired outcome statements for each 'domain' of well-being in the *Social Report* published by the Ministry of

Social Development between 2001 and 2010. Available at <http://socialreport.msd.govt.nz/>, accessed 16 Oct 2012.

- 5 This ambition came with the proviso, however, that the 'intervention logic' was generally insufficient to hold any individual agency or group of agencies responsible for either improved or deteriorating outcomes.
- 6 Opposition leader David Shearer, for example, stated in a speech on 15 March 2012: 'I want to arrive in government on Day One with a detailed plan that will actually achieve a shift to a new, job-rich, high-value economy. We won't be waiting around for officials to give us cautious ideas and suggest a few adjustments. We will be presenting them with detailed and far-reaching policies' (Shearer, 2012).
- 7 Dr Ken Henry (2007), secretary to the Australian Treasury, has suggested that policy advice is *responsive* when it tells ministers what they want to hear; *responsible* when it tells them what they need to hear. Effective policy advisers provide advice that is both responsive and responsible, in ways that gain and retain the confidence of ministers.
- 8 Kelly, Mulgan and Muers (2002, p.4) suggest that the idea of opportunity cost is central to public value. If it is claimed that citizens would like government to produce something but they are not willing to give anything up in return, the public may not, in fact, 'value' it. The cost may be paying taxes or charges, granting coercive powers to the state (e.g. in return for security), disclosing private information (e.g. in return for more personalised services), giving time (e.g. as a member of a school board of trustees or as a member of the territorial armed forces), etc. They conclude (p.31) that 'establishing underlying public preferences about what is valued, and to what degree, will involve reasoned and deliberative processes as well as snap-shot opinion polling/voting'.
- 9 On evidence and values in public policy making, and competencies this requires of elected and appointed officials, see Bromell, 2012.

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