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Devolution and the governance of Cohesion policy: Reflections on changes in accountability

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Abstract

European Cohesion policy has undergone substantial changes in all EU Member States over the past three decades and a new, devolved governance has become a key feature of this policy. Beyond Cohesion policy, the period from the late 1990s to the early 2000s has witnessed more general trends of decentralisation, deconcentration or devolution of competencies from the national to the sub-national levels in many EU Member States, particularly the EU15. Implicit or explicit in many of the discussions about devolution is that by bringing the design and delivery of policy 'closer to the people' it improves accountability. But is this actually the case? A key question is whether the new, devolved institutional framework in which regional policy operates is more or less conducive to accountability. There are several important issues here. First, although research on accountability is substantial, this has been found to be often hampered by insufficient conceptual clarity. Second, whilst the accountability of public policies has been addressed from the perspective of a number of key policies, the accountability of regional policy remains relatively unaddressed. This topic has only seldom been investigated, and assessments have generally focussed on the issues of partnership, inter-institutional relations and additionality, neglecting the key processes through which regional policy is delivered which have fundamental bearings on accountability. Lastly, whilst extensive research has been undertaken on the impact of EU developments on domestic policy-making (e.g. Europeanisation and multi-level governance research), not much has focused on how domestic developments are affecting the implementation of EU policies, notably EU Cohesion policy, on the ground. The paper presents the preliminary conclusions of an ongoing research on the changing accountability of European Cohesion policy in Italy and Scotland, countries which have experienced recent devolution reforms, focusing in particular on the Italian case study of Toscana. It shows that beyond the common rhetoric on devolution, the relationship between devolved governance and accountability is neither univocal, nor unidirectional.

1. INTRODUCTION

Politicians, policy-makers, evaluators, stakeholders and members of the public at large traditionally concern about one key element when dealing with public policy: its effectiveness in meeting the needs of the community of reference. A State is a good State when it effectively identifies its people's needs, formulates adequate responses to tackle those needs, is able to source and mobilise the necessary financial and non financial means

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to implement such responses, when it efficiently delivers policy² and, ultimately, through this, is able to achieve the desired outcomes and impacts, fulfilling its people's desires and aspirations. However, this logical chain of events, whilst clear in principle, is not easy to disentangle in practice.

The subtle threads that link those in charge of devising and implementing policy (politicians and policy-makers) and the policies' recipients and stakeholders (policy-takers), along with the various phases of the policy cycle, are often buried under complex and not-easily-detectable dynamics. The wide-ranging scope of the tasks assigned to contemporary States (embodied by a large number of policies with often blurred boundaries and, not infrequently, conflicting goals); the inherent redistributive character of public policy choices (given the fixed budgets); "the fact that no substantive policy can be assumed to be right" (Oliver 1991); the plurality and diversity of the actors involved in, or touched by, public policy; and, at the same time, the coexisting "substantive, institutional and personal motivations" that inform the policy process (Tarschys 2003) all contribute to make decisions over what the focus of public policy should be, to which goals and by which means both hard to reach and to materialise, and thus, the core issue of policy effectiveness particularly difficult to unravel.

The quest to understand whether public intervention is effective is further hampered by two recent trends: on the one hand, the intervention in policy-making of a plurality of levels of government with different and, not infrequently, incoherent or overlapping remits (Marks et al 1996; Börzel 1999; Bache 1999, 2004), as a number of Countries, progressively introduced decentralisation, deconcentration and devolution reforms; on the other hand, the affirmation of the desirability of involving stakeholders in the phases of policy formulation and delivery, deriving from the perfection of the New Public Management approaches introduced in the 1980s and 1990s (Hood 1991; Dunleavy and Hood 1994; Pollitt and Bouckaert, 2004; Kolthoff et al 2007) and the consequent emphasis placed on the "notions of service and good governance" (Blaug, Horner and Lekhi, 2006; also Denhardt and Vinzant Denhardt 2000). In other words, to serve the citizens, the public sector has to engage with them, for instance through consultations and decentralised decision-making.

It is against this background that, alongside the core issue of policy effectiveness, the concept of accountability has come to the fore across Western democracies and within the EU, both in academia³ and in policy-making⁴. Linked to the concept of legitimacy, the

² In the context of increasing public indebtedness and shrinking public budgets, a key concern is also the value for money of public intervention, i.e. the level of public spending (and related taxation) at which the State can achieve the desired outcomes and impacts.

³ E.g. Day and Klein 1987; Oliver 1991; Mulgan 2000, 2003; Romzek and Ingraham 2000; Harlow 2002; Considine 2002; Gormley and Balla 2004; Held 2004; Mezlev 2004; Blackman and Ormston 2005; Dowdle 2006; Gregory 2007; Bovens et al 2008; Kettl 2009.

⁴ On the policy side, the recent rise in interest on the topic of accountability is testified by various studies dealing with this theme carried out by or for a number of supranational and national institutions. See for instance Demke et al 2006 (study commissioned by the Austrian Federal Chancellery during its European Union Presidency); OECD 2005; Independent Commission on good governance in public services 2004; United Nations 2003; CEC 2001; SIGMA 1999.

notion of accountability has gained increasing prominence over the past thirty years, in response to the transition from ‘legal-bureaucratic’ to ‘managerial’ approaches (Olsen 2003) in public administration, and to the increasingly pluralist character of public policy entailed by the New Public Management paradigm. These trends, and the ensuing new governance, have eroded the traditional, hierarchical/bureaucratic accountability mechanisms (e.g. Dowdle 2006)⁵ and generated a search for new accountability systems.

Like the governance trends which caused its rise, the notion of accountability has spread to policy environments, such as the Italian one (Nicolia 2003), in which this concept was previously largely exogenous. Paradoxically, however, the aforementioned traits of contemporary public policy and new governance trends, whilst having contributed to raising the profile of the notion of accountability and to extending geographically its sphere of relevance, also pose a number of unprecedented challenges to it. This is certainly the case of the recent devolution reforms, many of which are still largely *in fieri*.

The aim of this paper is to investigate the changing accountability of public policy, with particular emphasis on the impact of recent devolution reforms. As part of ongoing research into the changing accountability of European Cohesion policy in Italy and Scotland (countries which have experienced recent devolution reforms), it focuses in particular on the Italian case study of Toscana. The investigation focuses on the implementation of European Cohesion policy, which appears particularly illustrative of the above discussed trends. First, Cohesion policy implemented in the EU Member States involves a plurality of government institutions, drawn from the European, national and sub-national arenas, in line with the “shared management” and “subsidiarity” principles sanctioned by the European legislation in this field. Second, this policy absorbs and aims to address a variety of goals (perhaps too many, in fact) integrating strands of sectoral and horizontal policies (Bachtler and Raines 2002). Third, this policy has a strong and explicit redistributive character (Manzella forthcoming), which leads to implicit or explicit trade-offs between competing policy options, the negotiation of which renders decision-making neither perfectly rational, nor entirely detectable. Fourth, this policy is implemented with the involvement of stakeholders, as required both by the “partnership principle” which underpins policy implementation and by its “place-based” rationale (Barca 2009). Lastly, after a decade of studies on Europeanisation⁶, this paper aims to reverse the perspective, in acknowledgement that influences are often two-way and that the domestic level affects

⁵ Though, as has been observed, the NPM reform agenda was somewhat intertwined with an accountability reform agenda in itself (Mulgan 2003, Mulgan and Uhr 2000). “While the main rationale of the new public management reforms has been to increase value-for-money (efficiency) and to improve the quality of outcomes (effectiveness), some weight has also been given to accountability, both as a value in its own right and as a means of improving efficiency and effectiveness” (Mulgan 2003, 154).

⁶ For a review of different strands of research and interpretations, see Fargion et al (2006).

the specific choices made about the implementation of European policies on the ground, as well as the European policy frameworks themselves.

The paper addresses the following key questions: Have the recent devolution reforms affected the way in which Cohesion policy is implemented on the ground? How have such developments impacted on this policy's accountability? It is organised in 7 sections. Following this introduction, a brief review of the meaning of accountability and of the devolution reforms that have taken place in Italy from the late 1990s to date are provided in Sections 2 and 3. Sections 4 and 5 discuss the changes in Tuscan governance and in the governance and administration of Cohesion policy which have occurred after devolution. These are placed in the context of broader national-level developments (Section 6), before drawing some final conclusions (Section 7).

2. ACCOUNTABILITY

One of the difficulties in researching the accountability of public policy relates to the fact that accountability is a word with multiple meanings. Partly, this is due to the relative novelty of this notion (particularly in non Common-Law environments). Partly, it is due to the increasing popularity of this concept (Mulgan 2000, Harlow 2002, Schmitter 2007, Gregory 2007), accompanied, however, by a conceptual ambiguity and by a use of the term - in policy-making contexts, at least - which is frequently based on implicit or assumed definitions, and thus subject to variable interpretations. This was confirmed by the recent empirical research conducted in Italy for this study, which highlighted a range of meanings attributed to this notion.⁷

Moving from the policy-making to the academic environment, it should be observed at the outset that research on accountability in the field of public policy is extensive, embracing different policy fields⁸ and perspectives⁹. Nonetheless, definitions of accountability, when provided, are often partial or focussed on a specific type of accountability (e.g. political as opposed to administrative). Research on this topic appears to centre predominantly on the characteristics of accountability, focusing on a set of differentiations between types, dimensions or mechanisms of accountability, rather than on the formulation of universally

⁷ On the other hand, the fact that the large majority of those interviewed were able to provide a definition is significant, testifying the permeation of NPM ideas not just within the Italian academic community but also amongst policy-makers and administrators. The definitions formulated by the interviewees can be grouped along three lines, definitions based on: (i) the concept of account-giving on results, procedures or resources; (ii) the concept of "responsabilisation" and shared decision-making; and, (iii) the distinction between electoral and mediated forms of accountability.

⁸ For instance, education, higher education and training; health-care; policing; defence; infrastructure privatisation and regulation; environmental protection, biodiversity conservation and climate change.

⁹ Ranging from the accountability of State, sub-national government bodies and executive agencies, to the accountability of non-profit and non-governmental organisations, of supra-national and international organisations, and of the European Union and its governance.

applicable definitions.¹⁰ There is no less heterogeneity when considering the constitutive elements of the notion. Koppell (2005), for instance, unpacks accountability in five elements: transparency (to give account of actions and performance); liability (to face consequences for actions and performance); controllability (to be subject of controls regarding the alignment of the actions taken to the indications received); responsibility (to adhere to law, rules and norms); and, responsiveness (to deliver ‘substantive expectations’ on clients/stakeholders demands and/or needs) (Koppell 2005).¹¹ Gregory (2007), on the other hand, proposes responsibility, control, prevention and assurance/answerability.

In other words, there is no consensus about a common definition of what the term entails. It is therefore necessary to unravel the core elements that define this concept. Drawing from the work of Mulgan (2003) this is done by exploring the rationale, subjects, content and nature of accountability in the policy observed, as follows:

- *Rationale* - Public accountability, like accountability more generally, stems from two key principles (Mulgan 2003, 12-13): the delegation, principal-agent principle and the affected rights principle.
- *Subjects* - Accountability relates to the interaction of two actors or groups thereof: decision-makers (intended as policy-makers and policy implementers), on the one hand, and decision-takers (beneficiaries, stakeholders and the public at large) on the other (Held 2004, Mulgan 2003). Because of the two principles underpinning accountability discussed above, these two groups of actors have different status: the decision-takers are ‘account holders’ and have rights (the rights to call and hold the decision-makers to account), whilst the decision-makers are ‘accountors’ and have obligations to respond to the decision-takers’ calls for accountability (Mulgan 2003, 11).
- *Content of the accountability relationship* - The relationship between decision-makers and decision-takers, to be one of accountability, has to entail the following elements (Mezlev 2003): (i) the *ability* of decision-takers to inform the decision-makers’ choices, linked to an obligation for decision-makers to take into account such views and preferences; (ii) the *obligation* for decision-makers to give account of the actions taken (or inactions) and of the related outcomes; and (iii) the *capacity* for stakeholders to express dissent, dissatisfaction and request changes to the course of action adopted.

¹⁰ Such as, for instance, between vertical and horizontal accountability (Considine 2002); formal and informal (Considine 2002; Abelman and Elmore 1999); individual and organisational (Demke 2007); or between managerial (including bureaucratic, Hunold 2001) and political accountability (Broadbent and Laughlin 2001). Other distinctions include those amongst external and internal accountability (Mulgan 2003; Romzek and Ingraham 2000; Fuhrman 1999); between economic and legal accountability (Considine 2002); and, between traditional/procedural and performance-based accountability (Zapico Goñi). More sophisticated typologies of accountability can be found in the work of Oliver (1991), Brinkerhoff (2004), Romzek and Ingraham (2000), the most seminal of which is probably the latter, focussed on the distinction between hierarchical (or bureaucratic), legal, professional and political types of accountability - a typology made based on the “source of control (internal or external) and the degree of control (high or low) exerted over public agents” (Roberts 2002, 658).

¹¹ It is interesting to note that like the word accountability, also the words of liability and responsiveness do not have an equivalent in the Italian language.

These steps have been synthesised by Mulgan (2003) as *dialogue, information and rectification*. In the absence of one of these three fundamental stages, the relationships observed amongst decision-makers and decision-takers is not one of accountability.

- *Nature of the relationship* - Lastly, as implied by the above words *ability, obligation and capacity*, the accountability *relationship* is one of “potentiality” (Mulgan 2003, 10). Nonetheless, when the deterrent effect of this potentiality is not sufficient, there need to be enforcement tools to ensure both that decision-makers are punished for undue course (as deterrent for the future) and that the correct course of action is restored (Mulgan 2003).

3. DEVOLUTION

The political and institutional context for accountability in many European countries is in flux. Radical changes have taken place to the allocation of powers and responsibilities, and the constellation of actors involved in policy-making, characterised by the shift from 'government to governance' and the multi-level nature of this latter. This potentially recasts the subject, content and nature of accountability through new dynamics between decision-makers and decision-takers. Italy provides a laboratory for investigating these dynamics, being a country illustrative of a recent evolution towards a federalism by devolution (Ventura 2008).

The main bulk of federalist reforms which are the subject of the present research took place between the late 1990s and early 2000s, when “a progressive, but still uncertain and unaccomplished, dynamic of federalisation” took place in Italy (Baldini and Baldi 2008, 69).¹² First, during 1997-1998 the so-called Bassanini law introduced a major reform of the public administration, re-assigning important functions in the fields of economic and territorial development, and the provision of services and infrastructure to the local authorities (Fabbrini and Brunazzo 2003). The transfer of competences - which was completed in 2003, well after the timetable foreseen by the law¹³ - was particularly significant for regional development, in that at least forty percent of administrative functions related to productive activities were transferred from national ministries to regional and local administrations (Svimez 2001).

Before the completion of this transfer, between 1999 and 2001, further reforms, this time of constitutional standing, were passed, reshaping fundamentally earlier centre-periphery relations. First, Constitutional Law no. 1/1999 introduced the direct election of the Presidents of the regional executives (art. 122(5)) and the statutory autonomy for ordinary

¹² The recent law no. 42 of 5 May 2009 on fiscal federalism is not part of the investigation. It is a framework law and will necessitate a range of implementation laws and regulations before it becomes operational. For a brief description of the content of the law see OECD (2009), 30-31. For a more detailed account and commentary, see SVIMEZ (2009).

¹³ It involved a long process of approval of a series of Decrees of the President of the Council of Ministers, adopted after agreement in the State-Region and State-Cities Unified Conference and in the Bi-cameral Parliamentary Commission for Administrative Reform.

status regions. This was followed by Constitutional Law no. 2/2001 which introduced the direct election of the Presidents also for special statute regions and the autonomous provinces of Trento and Bolzano. Lastly, Constitutional Law no. 3/2001 redrafted the entire Title V of the second part of the 1947 Constitution, dealing with regions and local authorities.

These reforms marked an unprecedented strengthening of the ordinary statute regional authorities: assigning them statutory autonomy; strengthening their executives through the direct election of the regions' Presidents; and, introducing a radical shift in the allocation of responsibilities between tiers of governance, with a much stronger emphasis on regional and local levels of government (well beyond the administrative decentralisation of the Bassanini legislation). The reform reverses the previous perspective in the allocation of competencies, bringing the Italian constitution in line with the approach that is typical of federal States (Giarda 2004).¹⁴ Ordinary regions, moreover, now have the faculty to submit bills to the national Parliament in a bid to extend their range of competences (albeit within limits and strengthened approval procedures, art. 116). Subsidiarity is at the core of the new allocation of responsibilities between centre and periphery, which sees local authorities undertaking functions which were previously assigned to the regions (art. 118).

Lastly, the reformed constitutional text acknowledges financial autonomy to the local authorities (art. 119), by allowing them to define - in terms of both rates and bases - and apply their own taxes. After years of stalling - made up of failed attempts at reform¹⁵ and repeated solicitations by the Constitutional Court¹⁶ - the ordinary framework legislation to implement this last provision was passed by the government in May 2009 (law no. 42/2009). Nonetheless, it will take further time for this framework legislation to become operational, given the need to pass a range of implementation laws and regulations which will touch upon highly controversial issues and will thus require extensive negotiations at national level and with the regions.

The implementation of much of the above reforms (also beyond art. 119) has been slow and difficult, due not least to: the ambiguous and sometimes contradictory character of the reformulated norms; the lack of measures able to balance the new framework of sub-national competences with adequate national coordination; and, crucially, an unclear articulation of the limitations entailed by the concurrent competence (pending an exact definition of the "fundamental principles" mentioned in art. 117(3) (Giarda 2004).

Notwithstanding these limitations, the reform is having a marked impact on the operation of the regional and sub-regional authorities. First, after the approval of the new

¹⁴ The new formulation of art. 117 lists the matters for which the central State has exclusive or "concurrent" legislative competence (for the latter, the regional authorities have legislative competence, but within "fundamental principles" defined by State legislation), referring all non listed matters to the regional authorities (as "residual" competences, a wording not present in the article and introduced by the Constitutional Court).

¹⁵ For instance the proposal passed by the Centre-Right in the XIV Legislature and rejected with popular referendum on 25-26 June 2006. For a comment, see Ruotolo (2006).

¹⁶ De Fiores lists more than ten rulings by the Constitutional Court made between 2002 and 2008.

constitutional text all regions have been engaged in re-drafting their statutes. Second, for the first time in 2001, regional populations directly elected the Presidents of their regional executives (*Giunte*). This has contributed to radically altering the balance of power between regional executives and legislatures, as well as the relative weight of different components within the regional executives (Musella 2009; Di Quirico 2006). Lastly, the sanctioning of the principle of subsidiarity in art. 118 has led to more explicit attention paid to the intra-regional institutional relationships and to the strengthening of the roles of sub-regional authorities and of their dialogue with the regional administrations.

The impacts of these reforms on the governance models established by the regional authorities and, more specifically, on the governance and administration of Cohesion policy (and the associated accountability) will inevitably vary depending on the historical-institutional and political traditions of each region.¹⁷ The analysis to follow will focus on the case study of Toscana, a region which has been at the forefront of Cohesion policy management and a recognised European best practice in this field (Fargion 2006) and one which, for political as much as institutional reasons, has emerged as one with amongst the highest institutional performance in the Italian panorama (Fargion 2006, Pavolini 2008). In particular, the following hypotheses will be tested: first, that the reforms have contributed to strengthen the regional level as the key ‘owner’ of the policy, linking Cohesion policy more organically to the broader regional policy framework, thus separating out the regional authority as the key decision-maker; second, that the reforms have led to a reinforcement of the dialogue and information stages of accountability, but have had no substantial impact on the rectification stage, still much anchored (and perhaps even more so than in past) to the electoral moment. Third, that the evolution of the accountability of Cohesion policy following devolution has not been linear and that the devolution/better accountability equation does not necessarily hold. Lastly, that even in the context of a region in which accountability is in itself a policy objective, accountability still presents important challenges, notably as regards public engagement, stakeholders’ capacities and inclusivity. These hypotheses will be tested by uncovering the changes that occurred after devolution in the Tuscan governance overall and those that occurred specifically in the governance and implementation of Cohesion policy, with particular emphasis on changes which have taken place in the period between the late 1990s to date.

4. CHANGING TUSCAN GOVERNANCE

Of the reforms outlined above it is perhaps the direct election of the President of the regional *Giunta* that has had the most marked impact on Tuscan governance arrangements, generating new dialectics between legislative and executive, within the executive, and between executive and administration. Other changes that occurred after the devolution reforms - albeit not solely linked to these - have included the introduction of a new approach to regional programming, and the strengthening of policy-effectiveness and

¹⁷ As demonstrated by the analyses of Fargion (2006) and Lippi (2006) with respect to Cohesion policy, and that of Pavolini (2008) as regards welfare policy.

concertation procedures. These are important to understand the context in which Cohesion policy is implemented, and are thus discussed in turn in the sub-sections to follow.

4.1 New dialectic between legislative and executive and within the executive

The direct election of the region's President, in Toscana as elsewhere, has led to a "personification" of the relationship between governed and governor. If, as observed by Musella (2009, 101), "the Presidents in 2005 [year of the second election with this system] become the holders of a strong autonomous consensus, gathering consistent quotas of votes which are not referable to the coalition of belonging", this is particularly true for Toscana where the current President, Martini, reached a plebiscitary 57.4% in its second mandate (2005). This personification has had an impact, first and foremost as regards the relative weight between executive and legislative. The *Giunta* still operates based on the Council's endorsement, yet the latitude of the decision-making power of the executive is extremely wide. As a result, the Council's influence on its operation is limited overall (and more limited than in past). The direct election of the *Giunta's* President provides de facto a direct legitimisation of the government programme that he presents to the Council, without the intermediation of the legislative.¹⁸

A second shift linked to the direct election of the President of the regional *Giunta* is the differing relationship that it has generated between this and regional Ministers (*Assessori*). The region's President is not a *primus inter pares* (Fusaro 2007). The government programme, although being defined in agreement with the whole coalition supporting the President's candidacy, is approved before the nomination of the regional *Assessori*. This means that the programme "*is not made through the sectoral mediation of the Assessori*" [TOS7] and that the latter are basically responsible for implementing the President's programme. "The *Assessore* has a role of political transmission to the technical structures and to the territory of the will expressed by the President. And, in fact, he can take him and remove him whenever he wants."¹⁹ [TOS7]. A corollary of this latter shift is the fact that, on key decisions, the *Assessori* are often by-passed, as majors, trade unions leaders, entrepreneurial associations, top managers of large/important firms, etc. tend to interact directly with the President (who might then delegate the competent *Assessore* to deal with the issue). Another corollary of this is the gain of power of the top technocratic level. As observed by Di Quirico (2006), the President is more independent from party games, an independence which he maximises, not least by appointing competent 'technicians'. In Toscana, a small group of top level administrators gained prominence following 2001: the

¹⁸ This sentence from President Martini's 2005 address to the Council is illustrative of this shift: "I shall then illustrate the content of the 2006-2010 government programme. It is a dense text which, as is natural, follows faithfully the content of the electoral programme on which there has been a clear pronouncement of the electorate. 57.4% Tuscans chose Claudio Martini, voted for Democratic Toscana and the connected lists. A larger consensus than in the past. [...] It is clear, thus, that the government programme that I present today to the attention of the Regional Council for approval is not and could not be different than that which has received the support and approval of the electors". The programme, in other words, is 'armoured'.

¹⁹ In line with art. 122 of the Constitution (which also allows the President to choose an *Assessore* from outwith the Regional Council) (Fusaro 2007).

four sectoral and two horizontal Directors General who are in charge of translating the Government's programme into a Regional Development Plan (PRS, *Programma Regionale di Sviluppo*) and the sectoral plans and integrated programmes that deliver it [TOS7]. They, together with the Head of Cabinet, form the so-called Direction Technical Committee (*Comitato Tecnico di Direzione, CTD*)²⁰. The key decisions on the region's policies, programmes and plans are taken by the CTD and it is this body, or the individual Directors General, that the Head of Cabinet calls "whenever there is a thorny issue to solve it" [TOS7].

4.2 A new programming framework: operational, long-term, complex and (prospectively) territorialised

An increasing operationalisation, but also complexity, of the programming system also emerged after the devolution reforms. The programming system of Region Toscana was reformed in 1999 (LR 49/1999) and, following the approval of the new regional Statute, 2004 (LR 61/2004 and implementation Regulation no. 51/R of 2006). As in the past, the *fulcrum* of the programming activity of the regional authority is the Regional Development Plan (*Piano Regionale di Sviluppo, PRS*). It is presented by the regional government to the regional Council who approves it. As has been observed, since the direct election of the Region's President, the plan is the programmatic translation of the political and policy vision of the President and of the government programme that he presents to the Council at the beginning of his mandate. After the 1999 and 2004 regional laws on programming, and in real terms since 2005, this document has acquired a much more marked operational character:

"It is not just a document which sets the programmatic direction, but a programming act of the interventions considered priority throughout the legislature: an implementation instrument of the Government Programme which gives indications of the projects to be included, foreseeing the financial coverage, in the new sectoral multi-annual programming." (Regione Toscana, 2005?)

The PRS, in becoming more operational, has also become increasingly complex - thus contributing to strengthening the role of the administration *vis-à-vis* the political level. It is organised around various thematic Regional Integrated Projects (*Progetti Integrati Regionali, PIRs*) which implement the four strategic programmes indicated in the electoral government programme, and which interlink these with the multi-annual sectoral plans and programmes of the regional budget.²¹ Each year an Economic Financial Programming

²⁰ This is obviously a controversial issue, since within the regional administration this committee is referred to as "the club of mandarins". As noted by the interviewee: "*In practice, the real enemy of the Assessore is the CTD*".

²¹ The sectoral plans are implemented by the sectoral DGs and have established financial resources assigned to them. In the current programming framework, they essentially feed the cross-sectoral PIR (which draw resources from the various sectoral plans relevant to their scope). The sum of the resources allocated to the sectoral plans and that of the resources attributed to the PIRs have thus to match.

Document (*Documento di Programmazione Economico Finanziaria, DPEF*) brings plans and programmes to financial coherence, linking these to the PIRs.

One last development to be mentioned with respect to the new programming framework - and which could have significant implications for accountability - is the territorialisation of the programming system, which is being introduced through the instrument of the Local Development Pact (*Patto per lo Sviluppo Locale, PASL*). The PASL was also introduced by regional law no. 49/1999, but was not launched before 2006-07²². It consists of a list of projects prepared by the provincial authorities in collaboration with local authorities, socio-economic partners and other interest groups, and consolidated in a 'Pact' signed between the regional and each provincial authority, highlighting that, for a certain period of time, those are the priority projects for that territory, on which the regional funding should concentrate. The PASLs do not have resources assigned to them, but projects which are part of a PASL have priority over funding under regional plans and programmes. In some cases, and increasingly, especially for infrastructure projects promoted by public actors, being part of a PASL is a pre-condition for projects to be eligible for support. From the evidence gathered through fieldwork, the key reason for the introduction of this new instrument appears to have been the awareness, amongst a restricted group of regional technocrats within the programming D.G. of the regional authority, of the potential of such an instrument to strengthen the strategic synergy of the projects implemented through the PRS, compounded by a political push towards the end of the 2000-05 electoral mandate²³. Nonetheless, accountability considerations informed the choice to introduce the PASL too: the traditional method of concertation - based on regional concertation tables - was considered partly obsolete and not fully adequate, for instance because of the low representativeness of those sitting at the regional concertation tables. This has led to "an attempt to overcome this, going onto the territory" (with no painless consequences since, as has been observed by one of the interviewees, "this has immediately produced a contrast between the levels of negotiations for the local development pacts and the regional tables [... which] felt that they had been overtaken, thinking that *they* should have approved the PASL." [TOS7]). The PASL are not written in stone and have been subject to periodic up-dating, meaning that there is openness to integrate new project ideas, should the needs and wishes expressed by the territory change. This said, there is also some scepticism amongst regional stakeholders about their effective weight in project selection. One interviewee observed that "in reality the PASL is such a high, strategic instrument that it ends up by not having a real project selection role, but becoming the enormous 'reconnaissance' " [TOS1]. This shortcoming exists, but will possibly be addressed in the

²² The procedures for the approval of the PASL were only approved by the regional *Giunta* in 2006 (*Giunta* deliberation no. 223 of 3.4.2006).

²³ As pointed out by an interviewee, "this initiative was launched, I believe, because it had a pre-electoral flavour, that is: we do a pact with the territory and we make sure that this pact can be taken forward in the next mandate [...] This has then had some consensus because in addition to this, which was the main element, this instrument has held well also in the intentions of the regional staff which were more than correct. Such intentions were to make of this instrument an attempt to systematise (*mettere a sistema*) the priority of interventions on which to concentrate funding. This was not simple neither painless, because it has clearly unhinged those decision-making mechanisms which previously had been more vertical, more left to the autonomy of the various sectors, of the various departments." [TOS4].

next step of the reform of the regional programming system, which should entail the *ex ante* attribution of resources to each PASL.²⁴

4.3 More emphasis on tools enhancing policy effectiveness

As is clear from the above discourse, the programming framework of Toscana which has emerged since 1999 has become increasingly complex, cross-sectoral and multi-level. A further change entailed by the new programming framework is operational, and relates to strengthening of all the processes that support the effectiveness of programming, particularly as regards monitoring and evaluation.

First, a strategic (central) monitoring system was introduced to monitor the progress with the implementation of the PRS. Similar to the approach taken to the monitoring of Cohesion policy programmes, whose influence is evident, the strategic monitoring of the PRS is financial, procedural and physical (based on the indicators outlined for each PIR in the DPEF). Each PIR of the PRS is monitored six-monthly through the filling-in of a '*tableau de bord*' by the competent sectoral offices. These are then summarised each year by the Presidency D.G. in a strategic monitoring report which is attached to the DPEF. The DPEF itself includes, under each PIR, a synthetic summary of the information gathered through this strategic monitoring (though the actual document is more extended). This development provides the Council with evidence and control over progress with the implementation of the region's policies (the Council has to approve the DPEF) and it can thus be deemed as "*a step forward*" [TOS6]. This is not to say that monitoring of public spending was not previously in place in Toscana: a monitoring culture has existed for many years amongst the regional administration, so much so that monitoring is considered an 'obvious', routine activity²⁵. However, monitoring activities were generally sectoral and there lacked a comprehensive framework. The strategic monitoring also includes the monitoring of the PASL and, since 2008, the DPEF also includes a review of the progress with these, based on data transmitted by the provincial authorities. The DPEF and its annexes, as well as the annual strategic monitoring reports, are all disseminated via the Region's website. Therefore, at least at an aggregated level, the information is available to anyone wishing to access it.

A second development is the introduction of a compulsory *ex ante* 'integrated evaluation' for each plan and programme (in addition to the compulsory SEA ex Community Directive no. 42/2001/CE where applicable). This foresees that all regional plans and programmes,

²⁴ According to one interviewee, this could be done in the next PRS (pending the re-election of the current government in next year's consultation), but would present several challenges such as the need, as a general rule, to select projects through calls for tenders (rather than consultations, particularly if projects have to be co-financed); the necessity to negotiate projects with other actors (e.g. the State and even the private sector); and, clearly, the political sensitivity of decisions that formalise distributive choices. Moreover, the operationalisation of this intention would be achieved ideally by concentrating on a few large, strategic projects which of course presents challenges in terms of local and region-wide consensus.

²⁵ An anecdote to testify this was that when many of the current regional plans and programmes were elaborated, the officials in charge would not write that these would be monitored, simply because this was considered obvious [TOS2]. Toscana was also amongst the first regions in Italy to introduce internal audit procedures (Fargion 2006, 130).

and all the negotiated programming instruments in which the region takes part, undergo an *ex ante* assessment on five dimensions of the act assessed: environmental; territorial; economic; social; and human health (gender equality is also considered, as a horizontal theme). Unlike monitoring, it has only been over the last couple of years that programme evaluation has started to become common practice within the regional offices.²⁶ As a result, complying with the above requirement has not been straightforward and has necessitated support from the Region's research institute IRPET, through resources of the regional Evaluation Unit. The focus of the integrated evaluation is on the internal and external coherence of the act and on the assessment of the anticipated effects under each dimension. In a sense, thus, it does not explicitly aim to inform decision-making²⁷. Of interest, from an accountability perspective, is the fact that the regulation also foresees dissemination and participatory stages for the evaluations, particularly, as regards the latter, in the form of concertation procedures.

4.4 Evolving “concertative” tradition and the experimentation of participatory governance

The above-discussed developments should be read in the framework of a region which has for years had a marked concertative tradition and where the principle of “concertation”²⁸ is *de facto* embedded in the common culture of both policy-makers and policy-takers. Policy-making in Toscana has traditionally been participative, based on concertation procedures and on the involvement of key interests from the institutional and socio-economic parties, a circumstance well captured in the literature (e.g. Trigilia 1986, Nanetti 1993, more recently Pavolini 2008) and well summarised in a recent contribution by Profeti (2004). There was consensus amongst the regional interviewees on this aspect.²⁹

This said, a few recent trends can be observed as regards concertation which have taken place over the past few years: first, the institutionalisation of concertative procedures through codification; second, an enlargement of the scope and range of actors involved in

²⁶ Even though it was as far back as 1999 that the programming and control office of the regional Presidency published a “Practical guide to the evaluation of regional interventions”, Regione Toscana (1999) *Guida alla pratica della valutazione degli interventi regionali*, Quaderni della programmazione no. 1, June 2009.

²⁷ Like with the strategic monitoring, this is a recent development, in the sense that the provisions introduced by regional law 49/1999 (art. 16, as renewed by LR 61/2004) could not be implemented before the passing of the implementation regulation in 2006; thus the integrated evaluation was only in practice introduced in 2007, with the plans and programmes of the 2006-10 PRS (Regolamento n. 51 del 2/11/2006, attuativo della legge regionale n. 49/1999, in materia di valutazione integrata di piani e programmi regionali e relazione di accompagnamento). It should also be noted that the ERDF OP 2007-13 was not subjected to this *ex ante* evaluation, given that it had its own EU-driven *ex ante* evaluation which was deemed sufficient, nonetheless the Managing Authority of the OP is also responsible for the Regional Economic Development Plan and this was evaluated according to the integrated evaluation.

²⁸ Concertation can be defined as a strengthened form of consultation where the aim is that to achieve consensus on acts which fall under the competence of the regional executive.

²⁹ As noted by one of the interviewees, “in the Tuscan ambit there is a large tradition of participation, a tradition which has evolved more and more throughout time, but which was born since the birth of the regional authority. The concertation tables, the involvement of economic and social parts, are an element which has always been there, since the creation of the region” [TOS2].

concertative activities; and lastly, the multiplication of the *loci* of concertation entailed by a shift from regional concertation to regional and provincial concertation.

From the mid 1990s, the informal, but well consolidated, concertative approach was codified through protocols of understandings between the regional governments and the involved parties. Subsequently, the institutionalisation of concertation procedures occurred via proper legislation, through the aforementioned regional laws of 1999 and 2004. The latter specify the form that concertation activities should take, who should be involved, and on which acts should concertation be carried out, establishing two concertation “tables” - the Institutional table and the General table - which are called upon to express their views on all acts of the regional executive: laws, plans, programmes (including the ERDF one), yearly economic and financial programming document.³⁰

A second trend is the extension of the actors involved in the concertation activities. Traditional forms of concertation in Toscana, already implemented under the Bartolini presidency (Fargion 2006, 176), were originally based on the interaction between regional authority, institutional partners (provinces, municipalities and mountainous communities) and representations of trade unions and entrepreneurial associations. Progressively, and not least under the influence of European Cohesion policy (Profeti 2006) and the European policies agenda more generally (particularly the Gothenburg and Lisbon agendas), there has been an enlargement of the range and scope of actors involved in both formal or informal concertative activities, to include the third sector, universities and the private sector more broadly (in representation, for instance, of environmental interests).

Lastly, the stratification of the *loci* of concertation entailed by the shift from regional concertation to regional and provincial concertations is also an important trend for what regards accountability. This shift has pivoted around the provincial authorities, which have become facilitators of local-level dialogue amongst stakeholders as a result of the work carried out for the PASL, and thus a better transmission chain between territory and regional government. Instrumental to this, have been the capacities gained by the provincial authorities through the experience of the Integrated Local Development Projects implemented under Cohesion policy (as will be discussed in more detail in Sub-section 5.3).

One final point that should be mentioned as regards the openness of decision-making to stakeholders relates to a recent experimentation of participatory governance. As foreseen by the new regional Statute, in 2007 the regional Council passed a regional law on participation (RL 69/2007) which introduced: a ‘public debate’ on large interventions with considerable potential environmental, territorial, socio-economic impacts; support by the regional authority for local participatory initiatives³¹, through periodic public calls;

³⁰ In addition to the institutional and general tables (the only two to be formalised in regional legislation), there are a variety of sectoral or thematic tables - generally referred to as “tables of concertation and listening” which have more of a consultative function, however, and which are activated by the relevant *Assessore* on need (for instance before the issuing of a call for tenders).

³¹ Under the auspices of the law - at the time in preparation - a new instrument, the ‘town meetings’, were launched in 2006. Since then a few town meetings have taken place both at regional-wide level (e.g. on the very content of the law of participation in preparation, on the regional health plan, on biological testament) and at sub-regional level (notably on the *Parco della Piana*). The

information and training measures for public administrators, associations, teachers and students; and the creation of an Authority for participation with, amongst others, the role of selecting the proposals for public debate and participatory initiatives. The law - which carries a budget of €1 million for each year 2008 and 2009 (allocations for 2010 to 2012 are to be assigned by the relative budget laws) - is intended to be a pilot experience and, as such, is set to expire, subject to renewal, at the end of 2012. Interestingly, the law states that “the participation to the elaboration and formation of regional and local policies is a right” (art. 1), a right which is not restricted to Tuscan citizens but, in line with the Region’s Statute, is accorded to all residents and beyond (other persons who manifest an interest in participating, where the responsible person considers their participation useful). A detailed assessment of the law and of the activities carried out under its auspices - for instance in terms of their impacts - is well beyond the remit of this paper (and probably premature). Nonetheless, the law clearly presents potential for an improvement of accountability and indicates an openness of the Tuscan political system to stakeholders’ involvement in informing decision-making processes. This assessment acquires even more significance if one considers that only another Italian region (Emilia Romagna) pays explicit attention in its Statute to the issue of participation (Chiaramonte and Tarli Barbieri 2007).

5. CHANGING COHESION POLICY GOVERNANCE AND IMPLEMENTATION

Coming to the core subject of this paper, specific changes can also be detected in the governance and implementation of Cohesion policy in Toscana since the introduction of the devolution reforms. Cohesion policy works along 7 year programming periods, and it is in the transition from the last (2000-06) to the current (2007-13) programme period that the most significant changes have occurred. The main changes have been: first, a shift in the positioning of the ERDF programme within the regional programming system; second, a change in the approach to evaluation; third, an evolving role for sub-regional authorities; and lastly, a new approach to communication.

5.1 A different positioning of the ERDF programme in the regional programming system

The most significant change which can be causally linked to the effects of the devolution reforms is the radical shift in the institutional place of the ERDF programme in the Region’s own programming system: whilst up to 2006 the ERDF co-financed Single Programming Documents (SPDs) were stand-alone documents, with their own strategies and priorities, the 2007-13 ERDF Operational Programme (OP) is wholly subsumed under the 2000-06 Regional Development Plan (PRS), of which it is arguably a financing instrument. Already the SPDs of past periods were linked strategically to the PRS but, in the current period, the

meetings entail the invitation of selected actors (randomly chosen amongst target groups) to meet and vote electronically on a series of questions illustrated by professional facilitators.

relationship between the two is one of subordination, since the PRS identifies priorities, projects and the resources (including European Structural Funds) assigned to the latter.³²

This said, the OP has been prepared through a considerable and ‘real’ process of discussions with partners, as requested not just by the European regulations governing Cohesion policy (art. 11, Council Regulation 1083/2006) but also by the regional programming laws (since, as has been seen, concertation has to be carried out for every plan and programme through which the PRS is implemented). In practical terms, however, the concertations have not led to a rethinking of the strategic orientation of the programme, as these are anchored and bound to the wider Tuscan policy framework (even though there have been some adjustments). They have meant, however, that the choices made had to be at the very least discussed, explained and motivated.³³ The concertation procedures, in other words, have served more a function of transparency and information, than one of informing the design of the programme, and this is implicit in the place that the OP has in the hierarchy of Tuscan policy documents. Nevertheless, by highlighting needs that could not be taken into account in the OP, the concertations provided the Tuscan authorities with a more precise perception of the coherence of the government’s action with the needs of regional and local stakeholders (which, in turn, will likely inform future Tuscan policies).

A further change compared to the past programme period, and that relates to the design of the programme, is the choice to name in the programme itself a few key infrastructure strategic projects, which have been pre-selected for financing under the OP. This is a novel development compared to the past SPD, but not an uncommon practice in other European countries. Overall, this choice is comprehensible on many levels, for instance in terms of strategic focus and implementation speed, and is a clear outcome of the new status of the programme within the broader regional programming (and indicative of the importance of Cohesion policy funding for the regional authority to take forward its own strategy). It might present some shortcomings in terms of accountability, however, insofar as, even though the content of the OP was concerted, the rigidity ensuing from this approach “subtracts funds to the septennial debate with the local partnership” [TOS1].³⁴

³² This issue was strongly emphasised in the interviews. “There has been a significant reversal in the framing of the OP that is: before, the SPD was a stand-alone programme, whereas this time, since the programming of the funds has been aligned with the ordinary one, [...] if you take the 2006 RDP there is a table which contains already the ERDF resources allocated to the Regional Integrated Programmes” [TOS6]. “Now there is more integration, in the sense that for the very fact that the PRS is now declined in Regional Integrated Programmes (PIRs), now we know which lines of activity falls under which PIR. Before this connection was not there, it was more, let’s say, a qualitative coherence. Now it is really possible to count [the resources]” [TOS8].

³³ The concertation procedures carried out for the 2007-13 ERDF OP are well summarised in the document itself (*Giunta Regionale Toscana 2007*, 52-57) and have entailed both regional level concertations through the two institutional tables and a series of local level concertation tables, organised by the provincial authorities (as well as one by the Circondario Empolese Valdelsa, also with responsibility over a PASL). These latter documents have led to eleven “Territorial Participation Documents” which were taken into account in informing the content of the OP (and that are available for consultation from the Region’s website). Similarly, a number of observations and written contributions were also received by the Managing Authority, which were also taken into account.

³⁴ As observed by an interviewee, “you could have in any case said that there are some priorities in the rail transport sector for example, and then see what projects emerge [...] if a project is priority it

5.2 A new approach to evaluation

The involvement of stakeholders has changed in the current period not just as regards the stages of programme design, but also with regard to evaluation. For the 2000-06 programme the Managing Authority, in line with DG Regio guidelines³⁵, set up a steering group to inform and oversee the evaluation process. This experience will not be repeated, however. The Managing Authority initially intended to continue to implement an evaluation steering group, but with a limited number of participants, so as to make this a real discussion forum and steering mechanism. However, socio-economic and institutional partners could not agree on a joint delegate to the steering group (as requested by the Managing Authority) and, as a result, the setting up of the steering group was abandoned. Surprisingly, this did not generate any significant opposition from the partners. This paradoxical situation highlights a limited awareness amongst partners and stakeholders of the crucial nature of evaluation, not least as an accountability tool, and an overall lack of interest in this activity, perhaps due to the perceived limited relevance of past evaluation activities. There are thus limitations to the extent to which evaluation at present fulfils an accountability function towards programme stakeholders. One reason to explain this might be the difficulty of communicating evaluation findings beyond evaluators and programme managers.³⁶

This is by no means a reflection on the quality of evaluations *per se* which, in Toscana, has been generally high. From 1994 onwards the quality of evaluation activities and their utility for programming purposes has steadily improved (linked to both changes in the Structural Funds regulations and to a domestic, national-level drive towards evaluation as a programming tool). At present, and thanks to the increased flexibility allowed by the regulatory framework, the Tuscan Managing Authority has opted for a selective approach, evaluating only key aspects or themes which are deemed of particular interest for programming or implementation purposes. Operationally, this has entailed moving away from selecting a single evaluator to follow the programme throughout the period (as was the case in 2000-06), to undertaking different thematic evaluations, carried out by specialists (with thematic, rather than Structural Funds expertise) on the selected topics.³⁷ This new approach entails a more marked plurality than in the past, which renders the lack of partners' involvement, for instance through a Steering Group, a particular weakness, especially since discussions on evaluation in the programme monitoring committee are

will always come up. Wanting to include it in a programme approved by the European Commission gives the impression to want to present to the territory an 'armoured' decision" [TOS1].

³⁵ D.G. Regio (2000) *Working Paper 8: Mid-term Evaluation of Structural Fund Interventions*, Commission of the European Communities, Brussels, 5 December 2000.

³⁶ As noted by a regional official, "it is true that there has been in the past programme period large emphasis on information but we need to work a lot also on the outputs of the evaluation, that is an output that is readable and accessible to everyone, also in the way it is written, eliminating jargon, length, and with more friendly modalities. On this we need to work." [TOS8].

³⁷ An evaluation plan brings all evaluation activities to coherence. More use will also be made of in-house competencies, notably IRPET.

generally marginal.³⁸ The input of stakeholders on this should be more actively pursued, especially in a framework of increased freedom over the identification of evaluative questions than was the case in 2000-06.

5.3 An evolving role of the provincial authorities

Another shift which occurred within Cohesion policy programming - but one which is not as clear-cut - relates to the role of the provincial authorities. During the 2000-06 period, the Tuscan programme (as other Italian programmes) experimented with a new instrument for local development, the Local Development Integrated Projects (*Progetti Integrati di Sviluppo Locale*, PISL). These were essentially packages of interventions, characterised by the added value of their integration, funded by the concurrent contribution of various measures under the 2000-06 SPD, and which assigned a key coordination and even pre-selection role to the provincial authorities. The PISL led to a considerable degree of learning and even empowerment of the provincial authorities *vis-à-vis* their respective territories. In the 1997-99 programme, the provincial authorities had a much less substantial role in the framework of the so-called “park of projects”, which was essentially a mechanism to accelerate expenditure and for which the provincial authorities were simple “*passacarte*”: they invited local partners (mainly local authorities) to submit project proposals which they would then simply pass on to the regional Managing Authority. With the PISLs, instead, the provincial authorities became the key decision-makers on the identification of the projects which would be included in these integrated projects packages.³⁹ This empowerment of the provincial authorities, and their learning through the

³⁸ Evaluation is generally the last point in the agenda. Not a change from the past period but an important point to comprehend the accountability framework in which Cohesion policy operates in Toscana is the role and operation of the PMC more widely. This has been a formal forum and very few actors have a say on decisions (as codified by the committee’s internal regulation). The important decisions on the programme are taken elsewhere, for instance during bilateral contacts between Managing Authority and DG Regio, and in the “technical meetings” that precede the Committee’s meetings (an Italian peculiarity in a European context). Nonetheless, this should not mislead in assessing the actual accountability of the decision-making framework around which the programme revolves. As observed by a Tuscan interviewee, the PMC “*de facto* celebrates issues that have already been agreed in more substantial discussion tables. Clearly, if something has remained undigested on these other tables, the PMC is the occasion for somebody to put on record or disseminate in the press what has not been resolved in the more substantial tables. But one cannot expect that a table that meets twice a year, at a very high level, solves concrete problems. This is done elsewhere. [...] If one looks at the regulations of the PMCs one cannot have a clear picture of how open programming is to external contributions because there are aspects that derive from a stratification of political relationships with the territory; these are aspects that are often managed more in an informal than in a formal manner. It is clear that if the representations of the entrepreneurs have participated a week before in a meeting with the *Assessore*, the *Assessore* has explained a tender in which he has received the fact that a certain type of expenditure has to be eligible otherwise the firms would enter into crisis, or a reprogramming between measures for investments and for research was agreed basically together, then that these [actors] vote or do not vote in the Committee [in the end is scarcely relevant]” [TOS1]. The same applies equally to the voice given to the provincial authorities whereby, as observed by a provincial official, “the provinces are consultative members. We are invited at all meetings, we express our opinions during the meetings, but we do not go further than this. Yet, I must say that - also thanks to the PASL and thanks to the fact that in a way we are those who have built and interpret an opinion of the territory - we are definitely listened to in the concertation meetings” [TOS4].

³⁹ A witnessing by a provincial stakeholder is illustrative of this shift. The relationship between provincial authorities and regional MA in the 1994-96 and 1997-99 period was one of often more formal than substantial concertation, “in the sense that the Province was invited alongside all other

PISLs, has arguably assisted, if not enabled, their role in the PASL, not least by asserting their status as reference points for local municipalities and other partners. However, it should be noted that the experience of the PISL is not being continued in the current ERDF programme, something which is probably the implicit consequence of the new thematic orientation of the programme itself (largely concentrated on R&D&I activities)⁴⁰. This may hold accountability consequences too, given the unclear evolution of the PASL, and goes to show the non-permanent character of governance developments, which can sometimes be easily reversed.

5.4 Information and transparency

One further element to consider when assessing the changing accountability of Tuscan regional development policy relates to the changing weight attached to information activities carried out about the programmes. Three recent trends can be noted in the transition from 2000-06 and 2007-13 programme period: first, the subsuming of the programme's website under the institutional website of the regional authority; second, the re-adoption of a programme complement (even though this is no longer required by the Structural Funds regulations) and, even more importantly, the publicity given to this document through the website; and, lastly, a change in the approach to publicity and communication, particularly through the ring-fencing of a portion of the current OP's communication budget for activities carried out directly by the associations of local authorities.

The most significant qualitative jump, as regards the information activities carried out on the regional development programme, took place in 2000-06 when, in compliance with the then information and publicity regulation (EC Regulation 1159/2000), the SPD implemented a range of information and publicity activities which included a dedicated website. This has been a very effective information tool for all those involved in the programme, as it had: tailored sections for firms, public authorities and other actors; a section on programme management, which included all the relevant documentation on the programme's implementation (including the SPD and PC texts, the minutes of Monitoring Committee meetings, evaluation reports, Annual Implementation Reports etc.); the relevant information on open calls for tenders (maintaining also the information on the closed call for tenders, guaranteeing maximum transparency); and so forth. Virtually any information

stakeholders to the large meetings in which the region fundamentally informed of its forthcoming decisions and made available to all the criteria and the analyses upon which such decisions has been matured; but for the context itself in which the decision was communicated, one could say that the decision-making framework was already defined" [TOS4]. With the PISLs, instead, "it was evident that compared to a request that was three times higher than what the resources funds would allow, and knowing that in any case there would have been a selection by the regional authority, we decided to do this ourselves, to opt for a selection by us, instead of leaving this to the regional officials. So we have built, in total agreement with the local stakeholders, our autonomous methodology for the assessment and selection of the projects. We have done this going through many local concertation tables [...] and this has worked because this mechanisms had a logic to it and it worked, also despite the obvious challenges of authorities or municipalities which had been left out". [TOS4]

⁴⁰ It should be noted, nonetheless, that similar initiatives are proposed for sustainable urban development projects coordinated by municipalities (the PIUSS, *Progetti Integrati di Sviluppo Urbano Sostenibile*).

on the programme could be found on the programme's website, so the site has represented an incredible step forward for accountability to the public. In the current period, a general reorganisation of the Region's institutional website has meant that the webpages on the 2007-13 programme have been subsumed within this website and this initially led to some teething problems (e.g. in terms of rigidity of the structure provided to suit the information needs of the programme). Nonetheless, at present a sub-section of the Region's institutional site provides the exact same information on the new programme as was previously provided by the old site, in a clear and comprehensive manner, thus continuing to fulfil the accountability function mentioned above.

A more significant recent development, which testifies to the weight attached to transparency in Toscana, relates to the re-adoption of a programme complement. Also an innovation of the 2000-06 Structural Funds regulations, the programme complement was an instrument which described in detail all the procedures for programme implementation and delivery, including project selection criteria and procedures. The current regulations do not foresee this document anymore, but many Italian regions are re-adopting it, as it is a useful tool which clarifies and consolidates procedures which often involve a plurality of offices and actors. Not all the Managing Authorities who have drafted these documents make them available to the public, however. The Tuscan Managing Authority does (it is called DAR, *Documento Attuativo Regionale* (Regional Implementation Document)). As observed by an external interviewee, this is "an indicator which for 2007-13 absolutely uncovers the commitment of Region Toscana to information and transparency" [TOS1].⁴¹

Lastly, the ring-fencing of part of the communication and publicity budget for the activities carried out directly by the associations of the local authorities (UPI, ANCI and UNCEM) is intended to enable the identification of communication tools closer to the territory of reference, and thus making them better targeted and more responsive. This is another indication of the more general commitment of the regional authority to a territorialisation of policy-making and implementation, in line with other developments discussed in this review of changes (notably the PASL).

6. THE INFLUENCE OF THE NATIONAL CONTEXT

The above-discussed Tuscan developments cannot be fully understood if they are not viewed in conjunction with broader domestic developments which have occurred in Italy over the past decade (beyond the devolution reforms) and which affect both the way in which regional development policy is implemented in Toscana and the broader accountability framework which surrounds public policy. The most important of these developments was the choice, formalised in the 2007-13 National Strategic Document

⁴¹ "Amongst the regions there is a certain tendency to re-approve the PC under different clothes because it is a programming tool. Not all regions are doing it, but even amongst the regions that have such document, nobody dreams to do such a detailed document as the Tuscan DAR and, most of all, if they draft it, they do not make it available to the citizen on-line. In the DAR one has a document which tells you still, as did the old PC (which, however, did it because of an obligation), the physical person responsible for a procedure, their telephone number, the timetable for the tenders" [TOS1].

(NSD), to implement for this period a unitary regional policy, merging both strategically and operationally, the co-financed and domestic strands of regional policy (the latter funded by the national Fund for Underutilised Areas, FAS, *Fondo per le Aree Sottoutilizzate*). This choice entailed the approval by the regional authorities of a Strategic Regional Document, i.e. the regions' strategic contribution to the NSD, and, subsequently, of a domestic regional policy programming document, parallel to the OPs (so-called PAR, *Programma Attuativo Regionale*, Regional Implementation Programme). The PAR is subject to the same monitoring and evaluation requirements as the OPs, is planned for the same 7-year period and is evaluated based on a joint evaluation plan.

In line with the national commitment to the unitary regional policy, the Tuscan regional authority also elaborated a PAR, approved an implementation document similar to a programme complement for this programme⁴² (also made available on to the Region's website), and set-up a dedicated Programme Monitoring Committee. These activities took time - for instance the PMC for the PAR was only launched in June 2009 - but their impact on the accountability of this side of regional policy is unprecedented. As stressed by a Tuscan observer, "the accountability situation of the FAS was dramatic until 2006. There was a list of projects which was adjusted by the *dirigenti* of the Region depending on urgency; they were closed drawers, pure closed drawers. [...] Now there is a DAR for the FAS and this is a considerable step forward. It does not have the same level of detail of the DAR of the ERDF programme, but it is nonetheless a considerable step forward".⁴³

A further consideration that needs to be taken into account relates to the overall accountability framework attached to regional policy in Italy, characterised by a progressive loss of buy-in from the political class, a disengagement of the national Parliament (testified to by the abandonment of the practice of the periodic reporting of the Head of the Department for Cohesion policy to the Parliament's Commission on Depressed Areas) and a widespread lack of attention from the national press. These points were made strongly in a couple of the interviews conducted both at national and European level [ITA2, COM1] and which have also been mentioned in recent regional policy literature (Viesti 2009). Regional policy in Italy has for a decade - essentially since its re-birth in 1999 - been a matter of a restricted group of *addetti ai lavori*, but there hasn't been a public opinion on this matter or any substantial interest by the press. This is not the result of a lack of accountability of the policy *per se*, but clearly hampers it.

⁴² The selection criteria for the selection of the operations by the Monitoring Committee of the PAR FAS, approved with *Giunta* Deliberation 593/2009.

⁴³ The FAS, since its institution in 2003, has been implemented through Framework Programme Agreements (*Accordi di Programma Quadro*, APQ) signed between the regional authority and the relevant national ministry, yet "the APQ were agreements signed with the relevant national Ministry in which the Ministry would say 'I finance the projects in attachment A', but Attachment A you could change, add, modify, so there the accountability was zero" [TOS1]. It should be mentioned that the unitary regional policy foreseen by the NSRF has been largely dismissed by the current government (which took office in May 2008, almost a year after the approval of the National Strategic Document). Substantial cuts were made to the FAS allocations for the Mezzogiorno, radically altering the overall financial framework foreseen by the National Strategic Document. These cuts, however, did not affect significantly the financial allocations to Centre-North regions where the governance framework anticipated by NSD continues to hold.

7. CONCLUSIONS: ACCOUNTABILITY IMPLICATIONS OF DEVOLUTION

There have been a number of changes in the transition from the old to the current programme period in the governance and delivery of Cohesion policy in Toscana. These changes have to be framed in the context of a broader evolution of the Tuscan governance system which has followed (and, in part, gone hand-in-hand with) the devolution reforms, and which indicate a general commitment of the regional government towards accountability (and perhaps even more towards efficient and effective governance).

The most significant developments in Cohesion policy governance and delivery which have a bearing on accountability are: the new positioning of the ERDF OP in the broader hierarchy of regional programming documents; the new approach taken to evaluation; a shift in the role assigned to the provincial authorities; and a strong-as-ever commitment to information and communication (through a comprehensive website, the publicity given to the DAR, and the ring-fencing of part of communication budgets for associations of local authorities).

These changes are not unambiguous as regards accountability. Going back to the conceptualisation of accountability along the stages of dialogue, information and rectification, it appears clear that, whilst some of the developments discussed reinforce the dialogue and information stages of accountability (especially the DAR and the communication measures implemented to inform the public), others - like the new approach to programme evaluation, the naming of strategic projects in the programme document, the changing role of the provincial authorities and the subsuming of the programme under the broader programming framework - have less clear-cut, and potentially even negative, consequences. An overview of these developments and their implications for accountability is presented in Table 1.

Coming back to the hypotheses put forward at the beginning of the paper, the changes discussed testify that, after the reforms, the regional level - and the regional executive and its President in particular - has emerged as the key decision-maker in Cohesion policy, as this has become more organically anchored to the broader framework of programmes that substantiate the government programme. For accountability, this implies certainly more clarity in terms of who is accountable over the decisions taken, especially in a framework in which concertation is real and important. Notwithstanding the marked concertative approach that characterises Tuscan policy-making (including in the field of Cohesion policy), the ultimate say over policy goals and resource allocation is in the hands of the regional government, represented, for Cohesion policy, by programme Managing Authority. In 2007-13 this appears to be more the case than in past, particularly for what concerns the influence of the European Commission. This is not to say that the decision-making system is rigid: the concertation procedures and the traditional openness of the regional government and administration to stakeholders (through informal contacts as much as through formal concertation) mean that adjustments to the policy and its measures do take place, when deemed relevant.

The second hypothesis was that the reforms have led to a reinforcement of the dialogue and information stages of accountability, but to no substantial impact on the rectification

stage, still largely anchored to the electoral moment. This hypothesis is only partially validated. On the one hand, the electoral moment is now, perhaps even more than in past, the key rectification juncture. The new electoral system brings the decisions on government policies forward to the electoral campaign, and it is at this moment that stakeholders can inform policy choices. The misalignment between the government mandate and Cohesion policy programming period may thus present difficulties in future should, for instance, the regional government change. Smaller scale rectifications - for instance in terms of better targeting of measures (e.g. with respect to project eligibility and selection criteria) or shifts in resource attributions between one measure and another - continue to take place, but largely within a framework of set priorities.

As regards the dialogue and information stages of accountability, on the other hand, the changes detected have less clear-cut implications. Some changes have reinforced both information (already high to start with) and dialogue, whilst others have probably diminished some aspects of the dialogue with stakeholders (e.g. with respect to evaluation, the role of provincial authorities, the pre-identification of infrastructure projects). For this very reason, it is possible to confirm the assumption that the evolution of the accountability of Cohesion policy following devolution has not been linear and that the devolution/better accountability equation does not necessarily hold.

Lastly, the discourse developed above does indeed lead to the conclusion that, even in a context in which accountability is in itself a policy objective, such as in Toscana, there are important challenges to be faced, notably as regards public engagement and inclusivity. The anecdote of the 2007-13 evaluation steering group clearly highlights that, for accountability to be fulfilled, there need be a genuine interest and even civic sense amongst stakeholders. Failing this, any communication effort or any attempt to involve stakeholders in decision-making processes is doomed to fail. The public actor should clearly have a role in facilitating the emergence of such interest and civic sense, but there are other, wider, contextual factors which are also fundamental and that are largely outwith the control of those in government at the regional level (such as levels of education, changing modalities of interest aggregation, degree of engagement - and independence - of the press, general socio-economic context, etc.). The issues of inclusivity and representativeness may also be problematic, as a well-established and functioning concertation system, such as the Tuscan one, may tend to self-preserve rather than evolve, for instance by placing more or less explicit barriers to new entrants (something which the pilot participatory experiences are probably meant to overcome).

One final point, which applies to accountability as much as to other areas of policy-making and implementation, relates to the reversibility of the achievements made. The experience of implementing Cohesion policy in Southern parts of Italy has highlighted that this is a key problem, particularly in circumstances of failing political buy-in. Past studies on Cohesion policy have demonstrated that the political drive in Toscana has been fundamental to the achievements made in the field of Cohesion policy implementation (Fargion 2006). It remains to be seen whether this will continue to be the case in future. It will be in this spirit, therefore, that further evolutions in the implementation of Cohesion policy in Toscana should be observed in the forthcoming years.

Table 1: summary of changes detected and accountability implications

	Main Changes	Accountability implications			
		Dialogue	Information	Rectification	Notes
TUSCAN GOVERNANCE	Strengthening of government programme → direct legitimisation, lack of mediation by <i>Assessori</i>	Key dialogue moved to the pre-electoral stage	-	Clear-cut ownership on policy → for future elections	-
	Strengthening of top level administrators who respond to the President (CTD)	Increased role of technocrats v. politicians in mediation of vertical/horizontal interests	-	-	-
	<u>Increased operational character of Regional Development Plan</u>	- Technicality involved strengthens administration - <u>Informs content of ERDF OP (limiting impact of OP concertation)</u>	-	-	Already in the past this document was made available to the public through the website
	Territorialisation of Regional Development Plan (PASL) and related stratification of concertation activities	Improves dialogue by increasing representativeness and by multiplying discussion for a (increased plurality)	Closeness to the territory increases informal communication opportunities	Periodic revisions offer opportunities for rectification (but impact limited by low operative character)	-
	Strategic monitoring (and related reporting to the Council and publicity arrangements)	Strengthens accountability <i>vis-à-vis</i> the Council	More transparency on government action and performance (but hampered by technicality)	-	-
	Introduction of <i>ex ante</i> evaluation for all plans and programmes	Low impact through concertative approach	-	-	-
	Codification of concertation procedures	Strengthening of dialogue by institutionalisation	-	-	Risk of barriers to new entrants
	Enlargement of types of actors involved in concertation activities	Strengthening of dialogue by increased plurality	-	-	-
	Experimentation of participatory governance	Possible increase in dialogue (but to be seen)	Should increase communication on key themes	-	Effectiveness of these procedures and representativeness of participants to be assessed

	Main Changes	Accountability implications			
		Dialogue	Information	Rectification	Notes
COHESION POLICY	New positioning of ERDF OP in hierarchy of regional programming documents	Dialogue still substantial but not informing OP's strategic direction, stronger direction from MA	-	-	Notwithstanding scope for smaller adjustments informed by stakeholders
	Naming of few strategic projects	Less dialogue, stronger direction from MA	-	-	-
	Selective approach to evaluation, Managing Authority driven	- Potential for increased responsiveness through stakeholders' involvement not achieved (no SG) - Low on dialogue (but no more so than in the past - only the driver has changed → not COM but MA)	No change in information, but from an already high baseline (evaluation outputs made available to public already in 2000-06 and even before)	-	Potential entailed by new approach may be realised in future, as the programme period unfolds
	Unclear evolution of role of provincial authorities	Contrasting trends: 2000-06 empowerment, no role in 2007-13 → potential loss of dialogue (but part-compensated by PASL?)	-	-	-
	Programme website under reorganised regional institutional website	-	No real impact, despite initial sensation of loss of information (rigidity)	-	Qualitative jump in information activities already in 2000-06
	Re-proposition of programme complement	-	Formidable transparency: strong commitment to this	-	-
	Ring-fencing of publicity and communication budget for associations of local authorities	Increased dialogue on most effective communication strategy	Potential for more targeted (and responsive) communication	-	-
	NATIONAL DEVELOPMENTS	Alignment of domestic regional policy to Cohesion policy procedures	-	Increased transparency on FAS	-
Loss of political buy-in (national for regional policy)		-	-	-	No evidence of such loss in Toscana, but Cohesion policy possibly less strategic for politicians than in the mid-1990s (Di Quirico 2006)
Press and low public interest		-	-	-	Is regional/local press more engaged?

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