Managing Local Socialism

Alan Alexander
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1. Is There a Problem about Local Democracy?

Since the election of the Conservative Government in 1979, local government has been under sustained attack from the centre:

- spending has been limited;
- support for local services from general taxation has been reduced from over 60 per cent to under 50 per cent of operating expenditure;
- compulsion has replaced persuasion and discretion in such areas as council house sales and the workings of direct labour organisations;
- the power to set a local tax rate has been limited by rate-capping;
- one tier of elected local government has been abolished in the major English conurbations.

Most recently, the attack has been directed towards the way decisions are made in local government as well as at the decisions themselves.

The Conservative attack, expressed most strongly in the Centre for Policy Studies pamphlet, by Charles Goodson-Wickes, *The New Corruption*, has achieved a degree of official respectability with the appointment in 1985 of the Widdicombe Committee of Inquiry into the Conduct of Local Authority Business. The Government has already legislated, ostensibly in response to the interim report it demanded from Widdicombe, to outlaw 'propaganda on the rates'.

Local government, then, is embattled. How can it be defended against such attacks? What changes need to be made? Is there evidence that the way local authorities are run and the way they make decisions needs to be modernised, modified and improved?

One development is beyond dispute: political parties at local level, especially but not exclusively in urban areas, have been increasingly programmatic and policy-oriented. They come to office in councils with a manifesto and they try to use the existing machinery to implement it. This pamphlet is an attempt to address the management problems thrown up by that development. It concentrates on the experience and problems of majority Labour groups, but many of the issues are raised also by right-wing Conservative councils with a clearly defined manifesto-based programme.

The committee system

Traditionally and historically, British local government has relied upon the committee system of decision making supported by an implementing bureaucracy rather than by a political executive. Such a system of decision making implies the availability of consensus: it assumes that once a committee representative of all shades of opinion, or of all the areas represented on the council, or of all local interests, or of whatever, has been presented with expert advice and recommendations it will reach a unanimous decision on policy and that the policy will then be implemented by the expert bureaucracy which tendered the advice and recommendations.
It is, of course, a very long time since local government in most of Britain actually worked this way. From the middle of the nineteenth century, and increasingly with the rise of Labour as a political and governmental force in the twentieth, party politics and the disciplines associated with partisanship have become superimposed upon a system ill-designed to accept them.

Informally the leadership of controlling or majority parties has become the political executive, at least in the sense of determining the priorities and policies of authorities, but not in their implementation. This last has been left to the apolitical, expert and impartial bureaucracy — the local government officers who constitute the local civil service. This process of gradual and informal change in the machinery has led to an assumption that local politicians are increasingly unwilling to accept and one that most students of the policy process would view with deep scepticism: that it is possible completely to separate policy and implementation. Associated with this unconvincing assumption has been the assertion that it is possible to separate the processes of advice giving and decision making. It is implied that elected members take an informed responsibility for the policies of their authorities and that professional officers also serve by standing and waiting for the requests for advice that come from their political masters. This is, of course, a caricature of the way in which local government actually works.

The survival of the committee system of decision making well into the era of local partisanship was probably the result of the fact that even after local authorities came to be organised on partisan lines, the policy stance of political groups, whether in control or in opposition, was reactive rather than pro-active or initiative. More often than not, political organisation went no further than ensuring that partisans demonstrated a unified response to an agenda generated by the professional officers. In some areas, to be sure, local leadership was sometimes, though seldom continuously, innovatory. The impact of the leadership of Joseph Chamberlain on the planning and rebuilding of nineteenth century Birmingham and the domination by Herbert Morrison of the London County Council after 1935 are early examples of a style of political leadership that has become commonplace, even normal, in the years since the reorganisation of local government between 1972 and 1975. But it was not widespread enough for it to stimulate changes to the machinery of local government as a whole.

The changing role of officers
What was subject to widespread change was the role and position of the professional officers in the processes of local policy making and decision taking. With the triumph of the public health reform movement and the victory of compulsion over voluntarism in the provision of basic local services, local government officers assumed an agenda-setting and initiating role in local government. From about 1880, the relative positions of members and officers were reversed as the local government bureaucracy grew and diversified into many specialisms. This process was assisted by the central government practice of laying obligations on local authorities and of specifying the appointment in authorities of particular officers. This began in 1872 when it became obligatory for councils to appoint a Medical Officer of Health. Even where the appointment of a particular officer was not compulsory, the growing complexity of local administration made it almost impossible for an authority to do without certain kinds of expert advice. Thus, no authority could do without a clerk, whose primary function was the provision of reliable legal advice, and the fact that the clerk was at the centre of the administration led to a steady enlargement of his leadership and advice-giving responsibilities.

At the same time, the abolition in 1882 of almost all property qualifications for election began to bring to urban councils more radical members. As Labour in-
creased its local representation so it began to organise to maximise its impact. It was often Labour that introduced the practice of political groups meeting to consider the agenda before the council met. Then as now, Labour’s unwillingness to accept the procedural status quo was argued by those who already had local power to be politicisation of a process that was somehow neutral and apolitical.

In the thirty years following the Second World War local government services experienced a period of virtually unbroken expansion. Vastly increased expenditure led to a growing concern with the co-ordination and planning of policy, especially in the all- or multi-purpose authorities (principally the county boroughs and the county councils). Decision-making models imported from other fields, especially corporate business and major public service bureaucracies, began to be applied to local government. In 1964, the Government set up two committees to examine the internal workings of local authorities: one on staffing (the Mallaby Committee); the other, the more important, on management (the Maud Committee). These enquiries were in the mainstream of the drive in the sixties to improve and modernise the performance of public sector institutions and their reports in 1967 marked the beginning of a relatively short period during which the whole structure and process of British local government was radically reformed.

From the appointment of Maud and Mallaby through the Royal Commissions on Local Government in England and Scotland to the completion of structural reorganisation in 1975, the emphasis was on the streamlining, co-ordination and improvement of the decision-making processes of local authorities. Generally, therefore, it focused on the role and function of the professional officers: in particular, it assumed an enhancement of the position of those officers who work at the centre of local authorities rather than those who are responsible for the delivery of specific services. To an extent, this emphasis merely recognised the pre-eminent position that had been assumed by the clerk as a consequence of the nineteenth century changes referred to above. But the specific adoption of what became known as a ‘corporate approach’ to the management of local authorities implied a capacity to manage more efficiently not only the implementation of local policy but its formulation.

The zenith of this reform movement came with the publication in 1972 of the Bains Report, *The New Local Authorities: Management and Structure*. Published on the eve of the comprehensive structural reorganisation of local government which became effective in England and Wales in 1974 and in Scotland in 1975, it had an enormous initial impact on the form of decision-making processes in the new county and district councils. There was almost uniform adoption of the three main innovations proposed by Bains:

- the creation of the post of chief executive;
- the establishment of a management team of chief officers;
- the introduction of a policy and resources committee.

Two of these innovations — the office of chief executive and the management team — were clearly designed to improve the impact of professionals on the local policy process. The third — the policy committee — was a recognition of the need to co-ordinate the process of political decision making and to provide a guaranteed point of access through which the joint influence of chief executive and management team could be exerted. It could also be used to provide clear political direction for the authority.

‘Chief executive’ was not to be simply another title for the town or county clerk. In particular, the chief executive was to be the ‘principal policy advisor’ to the council, leading a cohesive team of professionals in preparing policy advice across the whole range of local responsibilities. In the same way, the policy committee, on the analogy of the Cabinet at national level, was to put an end to the incremental decision making that was said to characterise the committee system. It
would determine the broad direction of policy in which the spending departments were to go.

**Partisanship**

These structural changes came at a time when local authorities were increasingly organised on more party political lines than had been the case with their predecessor authorities. There were two basic reasons for this. First, the reduction in the number of local authorities in England and Wales from over 1400 to just over 400 created local government units of a greater average size. The greater size of authorities pushed them towards the sort of policy co-ordination that was most easily achieved through the medium of party politics.

Second, the introduction of a county-based system of local government deprived the towns and cities of their historic independence of the counties and ensured the transfer to county councils of the partisan competition for long the norm in urban areas. Thus partisanship became much more widespread in the new local government system: councils were increasingly organised into party groups with the party holding a majority of the seats constituting the administration, and the other party or parties providing the opposition. (London local government had been reformed in 1964, and partisanship in council politics was in any case well established there. Nevertheless, the qualitative changes in local partisanship and leadership were evident both in the London boroughs and, rather later, in the Greater London Council.)

In addition, there were external factors impinging on local party politics such as the effect on central-local relations of the price inflation associated with the 'oil shock', grass-roots disillusion with the performance of the Labour Government of 1964-1970, and the decision of the Labour Party in 1971 to abolish its list of proscribed organisations. These stimulated an important change in the quality of partisanship in some important and influential urban authorities.

The combination of disillusionment with the Wilson Governments, and the end of proscription in particular, accelerated the rapid radicalisation of grass-roots Labour politics which in turn stimulated the rise of manifesto or programmatic local politics. Such a local politics was impatient with a form of council policy making where the agenda was set by professional officers and where the role of local political leadership was purely reactive, often policy-neutral, and sometimes dedicated to management by patronage.

This was accentuated by the introduction in the Local Government Act 1972 of attendance allowances for members. Despite the failure of the Labour Government to maintain their real value between 1974 and 1979, allowances made it possible for leading members to become full-time councillors, committed not only to the determination of local policy but also to the supervision of its implementation. This trend was confirmed by the decision in 1980 to allow authorities to pay special responsibility allowances to leading members.

At the same time as successive governments manipulated the allocation of central funds in support of local services and sought to contain, and finally to reduce, local government expenditure, the nature of the central-local relationship profoundly altered. From 1973 onwards that relationship became increasingly adversarial, with local assessments of needs challenged and sometimes frustrated by national perceptions of the need to contain public expenditure. Council leaders came to believe that the only way to give expression to the increasingly programmatic politics of grass-roots activism was to oppose the local implementation of national policies. They thus not only confirmed the nature of the new local leadership, they also set a course which was clearly at variance with the predispositions, administrative preferences and professional values of many local government officers.

This change, from a reactive to a pro-active or initiative style of local leadership, presented a clear challenge to the
continued acceptance of the myth of local decision making outlined above. Quite explicitly, the separability of policy and administration was denied. More implicitly, the independence and neutrality of professional officers came into question. The new style of leadership demands a clear understanding of the nature of the relationship between officers and members and it is to that relationship that we now turn.

2. Members and Officers: Differences and Interactions

The committee system of decision making in British local government is aimed at bringing consensus on policy out of the interaction between policy preferences and expert, professional advice. As with any system of decision making, the impact of any participant or group of participants on the content of policy depends upon the resources they bring to the process and on the determination and success with which they use them. It depends, also, on the degree to which these resources and their deployment are regarded as legitimate and upon whether they are accepted as such by others engaged in the process of policy formation.

For the purposes of this part of the argument, the policy process in local government is assumed to be bilateral: there are two ‘sides’ — the members and the officers. In strictly constitutional terms, these two ‘sides’ are far from equal. The members, by virtue of their election by secret ballot, are supreme. The officers, by virtue of their paid employment, are the servants of the members. Members propose, committees and council dispose, officers advise and implement.

This configuration, however, is simplistic: it ignores important differences between members and officers. These differences, which are essential to the accountability of local government, may inhibit the development of a good working relationship. The Bains Report, in its emphasis on the need for a ‘partnership’ between officers and members, assumed that a co-operative relationship would be easy to establish. But the senior local government officers who wrote the report failed to consider the differences. Similarly, those local political leaders who have come into open and sometimes acrimonious conflict with their officers have not adequately recognised that each side has both rights and duties. In both cases the root of the problem has been an imperfect appreciation of the relationship between policy determination and policy implementation. An understanding of that relationship can be assisted by a clear perception of how the two sides differ.
Recruitment processes
The first difference is signalled by the distinction in constitutional status mentioned earlier. The fact that members are elected and officers appointed has important operational consequences for the relationship. These consequences assume an even greater importance where political parties, their elected councillors and their local leaderships take a programmatic, initiative stance in relation to the policies of the local authority. The nature of the difference here becomes clear when the processes of recruitment are examined.

An inevitable consequence of the party politicisation of local government is that political parties dominate the recruitment process for councillors. Local selection committees typically give close attention to the ideological position of potential candidates, especially those who will contest winnable seats on authorities where the party expects to secure a majority. They want to know that those who become councillors are committed to the policy goals set by the local party. So far so good, for such an approach has the advantage of being consistent with the inseparability of policy determination and policy implementation. Problems arise, however, because such a process of recruitment may not give enough attention to the ability of the individual actually to do the job of being a councillor.

A simple example will illuminate the point being made here. Party activists tend to be more concerned about ends than means. They may not, therefore, have a clear understanding of the constraints under which local authorities work. They may not be aware of the extent to which the council to which they wish to be elected is constrained by national legislation and inhibited by central government regulations. They may not know that even the firmest local mandate may be powerless in the face of a determined national government. This factor may, moreover, be of even greater importance where the local political system is undergoing major change, for the change from a reactive to a pro-active or initiative leadership style is often accompanied by the shedding of councillors whose long-term service may have given them an understanding of the workings of the system which they could, in turn, pass on to new members. Some long-serving, traditionalist members may have accepted too easily a narrow, officer-led view of the nature of statutory constraints and the limited scope for local initiative. Such a change in leadership style, moreover, often demands the rejection of established usages.

In this process, members may not distinguish between procedures that are determined by the nature of the local government system and those which are defined by political choice or leadership style. Ideological purity and leadership ability may be no guarantee of a capacity to make an immediate and constructive impact on the local policy process. In short, selection processes in the Labour Party (and in the other political parties, for that matter) are not always designed to choose the best horses for particular courses.

The contrast with the selection and appointment of local government officers is stark. Especially at the chief officer level, the selection process is apparently rigorous, involving advertisement, job specification, person specification, interview and re-interview. These are sometimes supplemented by the use of recruitment consultants or ‘headhunters’, psychometric testing, role-playing and the whole paraphernalia of executive search, often imported from the private sector with little consideration for its appropriateness for local authorities. In addition, members will attempt to import to the selection process judgments about how well an individual applicant will be able to work with the majority party and the degree of his or her ‘commitment’ to its policy objectives. It is not important at this stage to judge how successful these techniques are. What is significant is that they are designed to choose the best individual to fill a particular and clearly specified post.

Underlying the difference here is the
fact that while the member is chosen for his or her ideological stance or commitment to particular policies, the officer is chosen primarily for professional expertise. These differences need to be clearly recognised. If they are not, the expression of a legitimate and soundly-based professional view may be interpreted not as advice on practicability and desirability but as opposition to the substantive content of policy.

Sources of authority
The different processes of recruitment highlight the fact that members are amateurs and officers are professionals. This means that their sources of authority differ. It also means that the policy options for members may appear to be broader and more varied than those of officers.

The authority of members is derived from the ballot box. At a deeper level, their authority derives from the moral strength and power of the democratic process. That process confers the right to decide policy and the duty to be accountable for it.

The authority of professional officers derives from their expertise, professional competence and from the fact that they have been chosen very specifically to do a particular job. They are expected to bring their expertise and competence to bear on the formulation and implementation of policies chosen by the members. The rights of officers are specified only in their terms and conditions of employment. The interpretation of these rights will depend upon the relationship which the controlling group on an authority wishes to establish. Officers, however, may have duties which conflict with the right of members to determine the nature of the relationship. For example, those local government officers who are lawyers are constrained by their position as officers of the Supreme Court and, thereby, have a duty to advise the council on the legality of any action which they propose to take. By extension, this confers a right not to be obliged to take any action which is in itself unlawful. That this is a practical point became clear during the rate-capping rebellion of 1985, when Labour councils which refused to set a legal rate were consistently and publicly advised by their officers that they risked prosecution and surcharge.

Similarly, local authority treasurers have a duty, once a rate has been set, to inform ratepayers as expeditiously as possible of their rate liability. Rate demands are often prepared at the time that members are seeking re-election and thus their preparation and delivery may be politically sensitive. But any attempt by members to use their authority to delay transmission of demands will come up against the treasurer's duty to send them out as soon as possible.

In general, moreover, many local government officers would argue that they owe their ultimate duty to the council as a whole. In practice this may be interpreted by officers as giving them a right to state publicly their professional opinions on the legality, practicability, expense or desirability of policies chosen by members. If officers take this view there is considerable scope for tension and friction between officers and those members who, by virtue of their party majority, are in control of the authority. Such a claim by officers arises very directly from their position as professionals, in very much the same way as a claim by councillors to have a mandate to oppose government policy arises from their position as elected members, legitimised by the democratic process and so made representative of the community to which they are ultimately accountable.

The doctrine of the mandate
Members, however, may attempt to use the mandate as a means of extending their policy options far beyond what can be inferred from the general law and beyond what will be regarded as legitimate by officers. When, for example, the local mandate is interpreted by local political leaderships as giving them a right and a duty to oppose the local government
policies of central government, conflict between officers and members may occur long before anyone contemplates action which is plainly unlawful. In such circumstances, where political action short of illegality is considered by elected members, a clear understanding of the respective roles of officers and members, and of the sources of their authority, may be necessary to avoid public controversy. Until the law was changed to specify a date by which a rate must be fixed, a decision to delay rate-fixing was not unlawful. But where members delayed as a political tactic, their officers would publicly advise against such a course.

The essentially electoral basis of the doctrine of the mandate suggests the third difference between officers and members — the fact that members are transient and officers permanent in their attachment to either a specific authority or to local government in general. For the member, the planning horizon is no further away than the next election; for the officer, it is less distinct, being defined by the light in which he or she sees a developing career. Importantly, also, the shortness of the time horizon for members is not greatly affected by the likelihood or unlikelihood of their party losing power at the next election. In other words, the competitiveness of the local electoral system does not always affect the way elections are viewed, especially where, as is increasingly the case with the Labour Party in urban areas, the controlling group on council defers in the determination of policy objectives to the management committee of the local party. For there, the selection (or deselection) process acts to shorten the planning horizon.

We come here to a potential area of deep conflict — that between a professional orthodoxy which sees a need to plan the policies of an authority over the longest possible period and a political commitment to the regular revision and publication of a manifesto for the authority, determined by the party, legitimised by the electorate and implemented by local government officers.

If such a conflict arises it can be resolved by the incorporation of the corporate plan, rolling programme or whatever any planning document prepared by officers may be called, into the process of manifesto making. Or it can be settled by the adjustment or amendment of any such policy plan in the light of the manifesto published by the party as the basis of its successful appeal to the electorate. Either way, it will be necessary to resolve the differences of outlook that arise from the permanence of officers and the transience of members.

Full-time councillors
The fourth and final significant difference between officers and members is one which is beginning to disappear in many of the authorities affected by the change to programmatic or manifesto politics. Historically, however, officers have been full-time and members have been part-time in their commitment to local government. This difference of commitment was a natural concomitant of the near division of labour that assumed that policy decisions were made by members and implemented by officers. As more and more local politicians become convinced of the impossibility of separating policy and implementation, as they come to believe that the nature and content of policy is affected by the way in which it is implemented, and as they see implementation as an integral part of their policy commitment (in, for example, the field of employment and job creation), they are less likely to accept that these objectives can be achieved without their continuous and full-time commitment to council work.

For local government officers, the involvement of members in the implementation of policy may be unwelcome and threatening, for it calls in question basic tenets of professional orthodoxy. But it cannot be avoided, and some of its implications are considered further in the next chapter. For the moment, it is enough to note that the arrival of the full-time councillor is an obvious way of dealing with the conflicts that arise from
the traditional difference in the commitment levels of officers and members.

Clearly, the major differences between members and officers demand a complex range of interactions if their relationship is going to enable them to decide policies, implement them and be accountable to the public.

Many of the interactions and relationships that currently exist in British local government are intended to cope not only with the differences described here but also with the inappropriateness of the committee system of decision making for a highly politicised local government. The importance of these interactions and relationships will become clear from the discussions of policy implementation and the possible politicisation of the bureaucracy in the two following chapters. There are, however, some general points to be made here.

Leaders and chief executives

The position of leader of the council, usually held by the leader of the majority group (or sometimes by the leader of the largest single group) has become indispensable in highly politicised authorities. And as leaders have become full-time they have begun to act as a political executive, being highly visible, commonly speaking publicly and to the media on behalf of the council and its policies and taking a leading part in the political and administrative management of the authority.

In most authorities, the presence of a leader of the council makes for a natural relationship between the holder of that office and the chief executive, for they are the respective heads of the two ‘sides’ with which the present discussion began. No matter how the tasks of policy making and policy implementation are divided between officers and members, a close continuous relationship, based on mutual trust and confidence, between leader and chief executive is essential to the smooth operation of an authority’s processes of decision making. Such a relationship is not always easy to establish, especially where the prerogatives, rights and duties of each ‘side’ are not clearly understood and respected. It will not work, for example, if the leader seeks to determine the nature of the chief executive’s relationship with other chief officers in the management team or to specify too closely the form of advice that the chief executive will offer and the forum in which he or she will offer it. Nor will it work if the chief executive fails to recognise the reality of programmatic leadership to the extent where he or she attempts to usurp the political leadership’s power to set the local agenda within the broad context of the authority’s statutory duties.

A close relationship will often mean daily contact, especially where the leader is full-time. The relationship may then resemble that between a minister and a permanent secretary. The consultation process will be continuous and will involve both policy decision and policy implementation.

The leader and the chief executive must be clear about their respective roles, especially in regard to the public presentation of council policies. It is entirely legitimate for the chief executive to take the view that the leader should explain and publicly defend both policy and its impact. This may be unwelcome to political leaders, but they may have to accept that it is an essential part of a strongly initiative stance in relation to local policy making.

Two further avenues of interaction should be noted. Some local leaderships have attempted to insist that they be represented on the management team. This is not always successful. It is resented by officers as an unacceptable crossing of the boundary between the professional and the political and it may lead officers to meet privately to discuss council policy before the meeting at which the political leadership is present. It is difficult to know how this could be avoided short of a legally enforceable definition of what constitutes a formal meeting, such as is sometimes employed in council-manager cities in the United States. If things reached such a pass, of course, the relationship would already have deterio-
regulated beyond the point where it was worth restoring.

Finally, it has become commonplace for chief executives, in addition to their continuous relationship with the leader of the council, to attend meetings of the controlling party group. Such attendance, the implications of which are considered in the next chapter, necessitates a redefinition by chief executives of their professional standing, duty and ethics, but it is an inevitable consequence of the increased politicisation of local government. It is also a way of attempting to ensure that local policy making, led by politicians who have a very clear view of what they want to achieve, can be made effective and accountable. And it raises questions of who should be chief executives, how they should be appointed and of whether politicians also need other sources of expert advice. These issues are considered in the next two chapters.

3. Policy Implementation in Local Government

The early years of the reorganised local government system were heavily influenced by the advice on management and decision-making structures contained in the Bains Report. As well as providing a model job description for the chief executive, the Report offered model management structures and committee systems for each of the new classes of authority in England and Wales. (In Scotland, similar advice was offered by the Patterson Report.) Looked at in the light of the increased politicisation that has characterised the system since 1974, these latter models have one startling omission: in none of the charts is there any mention of the controlling party group. In the text of the Report, moreover, references to the contribution of parties to the formulation and implementation of policy in local authorities are cursory and unhelpful, limited to only two paragraphs headed, rather coyly, 'The Political Element'.

The models assumed that the committee system of decision making remained fully operative: if the party group or caucus was considered at all, it was given no greater or different significance than any other source of information, pressure or demand to which councillors were subject. This was to graft a distortion of reality on to a system which was already inappropriate to the political situation in which it had to work. It was also to deprive the party group of some of its legitimacy as a
participant in the local policy process. This led to a great deal of scepticism and cynicism among members about the Bains prescriptions. And these attitudes were deepest among Labour members who saw the management-based recommendations as incompatible with a strongly pro-active, manifesto-based local politics.

Where councils run on partisan lines wish to implement policies contained in a manifesto drawn up by the local party and endorsed by the electorate, controversial decisions are made not in committee but in group meetings. For this reason, any discussion of how policies are implemented must assess the benefits and cost of accepting the high importance of the majority group in the workings of the council.

The discussion in this chapter makes a number of assumptions and is, therefore, directed specifically at those local authorities which have been affected by the change in the Labour Party to a more programmatic, policy-oriented and innovative local politics. It assumes, first, that the authority has a majority controlling Labour group; second, that there exists a manifesto or programme setting out the objectives of the Labour Party in the locality in question; and third, that there are close links between the local Labour Party and the Labour group. It is in authorities where these factors are found that the problems of managing local socialism have raised administrative and political difficulties.

Group decision making

If decisions are made in the usually closed meeting of the controlling party group, a whole range of important issues is raised, about both the internal workings of the authority and the authority’s accountability to the wider public. How, then, do party groups make decisions on local policy?

Private meetings of party groups are not a new phenomenon. In most politically competitive urban authorities they had become a common feature of internal decision making by the beginning of the Second World War. Their increased importance for the functioning of local authorities arises from the change from a reactive to a pro-active political style. Only since reorganisation has it become common for party groups, particularly the controlling ones, to do more than discuss and form views on agenda items presented to them by the officers. Since the nineteenth century, the professionals had carried out the task of local government agenda building, usually in the light of the known policy preferences of the majority. These policy preferences were often no more specific than a general commitment to the maintenance of service levels or the containment of rate levels.

Agenda building now takes place outside the local authority. Much of what a council must do is specified by central government; the way in which it should do it, and the way in which it should exercise any discretion remaining to it, is often specified by the local party and interpreted by the controlling group. Decisions on major items of policy such as, for example, the level of the rate or the level of subsidy to public transport before that decision was made subject to central prescription, are made by the majority vote of the controlling group. In the Labour Party such a decision is binding on members but it may sometimes represent the end of a more complex and sophisticated policy-making process.

Full group, especially in authorities where the controlling party is heavily dominant, may be an ineffective decision-making body. Effectiveness is influenced by size, by the length and complexity of agendas, and by limitations on the duration of meetings. Some groups have responded to these difficulties by setting up a range of sub-committees, panels and working parties. Co-ordinated and supplemented by the group executive, these bodies recommend to the full group the decisions that ought to be taken. In some cases there is effectively a parallel or alternative committee system, which considers documents prepared by the professional officers of the council (sometimes with council officers present) and makes
recommendations to the full group.

As suggested in the previous chapter, the leadership of the group — especially when it is composed of full-time councillors — will have a close working relationship with senior officers, in particular with the chief executive. Details of policy will be discussed across the officer-member line as they arise rather than after the group has reached conclusions.

Finally, when the group reaches the point of decision, the chief executive and, sometimes, other appropriate chief officers, will often attend the group to give advice directly, though not always to participate in the discussion or debate that leads up to a decision.

It can be seen even from this oversimplified description of the group decision-making process that it can be effective in a number of important respects. First, it is well-designed for the process of converting policy demands into policy decisions. The demands are expressed in the form of the manifesto or programme published by the local party before the election. They are legitimised by the democratic process which gives the controlling group, exercising the legal powers of the council, a mandate to convert party policy into council policy.

Since this form of local politics gives great importance to the policy-making prerogatives of the local party and the implementing functions of the controlling group, the decision-making system at council level has to incorporate liaison between party and group. This is achieved by having a number of observers from the local party present at group meetings.

Second, where it is possible to reach agreement between the political leadership and the chief officers that the group and its sub-groups will be provided with officer advice and assistance, this decision-making process provides an effective means of bringing together the political will of the controlling group and the professional advice and expertise of the local government officers.

Third, this process may effectively link policy making and policy implementation. The group, with officer advice, has to work out how best to put party policy into action. It also has to consider whether policies determined by the party are practicable, desirable and likely to work. Local manifestoes, as the Liverpool experience in 1985 suggests, may sometimes pay too little attention to the financial and legal implications of the policies they propose. In such cases, the group ought to consider both ends and means. But its capacity to do so may be compromised by a rigid interpretation of the doctrine of the mandate and an inflexible adherence to the manifesto.

Public accountability

This form of decision making is, of course, a closed one. It is closed because it is a development of the local party system rather than of the local government system and because parties historically and understandably regard their internal processes of decision making as being confidential unless and until they decide that they should be open to public scrutiny. It is this aspect of the processes arising from increased politicisation that has caused disquiet and there is little doubt that it raises important issues of public accountability.

For although group decisions must be endorsed by the council before they can become council policy, a dominant controlling group can effectively exclude opposition members and the wider public from any effective participation in the local council process by the manipulation of standing orders. This is an important issue for public accountability. Surely demands that the public have some knowledge not only of what decisions are taken but also of how they are taken. Councils have almost total discretion in the setting of their standing orders and in the decisions they make about the composition of committees (except in those cases, like the composition of education committees and police committees where discretion is limited either by the need to get ministerial approval for the general shape of the committee or by specific statutory prescription).
It is this unfettered discretion that has allowed some controlling groups to establish committees — most commonly policy committees — composed solely of councillors drawn from the majority party.

It is difficult to see why a party with a working majority on a council needs to exclude opposition members from the formal processes of council decision making. Given the strength of group discipline (not to mention the constant oversight of group behaviour by the local party) in the Labour Party, a group with a majority will have no difficulty in getting its policies adopted. Moreover, once a strongly proactive leadership style is adopted and accepted, it has the effect of further clarifying the role of the opposition councillors: they are there not to contribute to the development of an imaginary consensus that is the underlying expectation of the committee system but to scrutinise, criticise and oppose the policies of the majority. Any system of decision making which denies to the opposition the level of access that will allow it to do its job is indefensible.

Clearly, then, some of the new forms of decision making have the disadvantage of compromising, reducing and in some cases eliminating the rights of the opposition and therefore of the electors whom the opposition represent. The unfettered discretion of councils in making standing orders and designing committee systems has, however, been limited by the courts. In a 1985 case involving the London Borough of Hackney, the High Court held it to be unlawful for a majority to deny to a minority access to council papers. Given the size of Labour’s majority on that authority, it was puzzling that it felt the need to act as it did. For when issues of this sort reach the courts they usually result in restrictions rather than extensions to the powers of local authorities.

**Observers and co-optees**

If a closed system of group policy making effectively renders redundant the formal committee system, this inevitably raises questions of rights of participation in the policy process and of access to and confidentiality of documents. Labour group standing orders specify the attendance at group meetings of observers from the local party. This raises fewer problems than the practice of the co-option of party representatives to group working parties, sub-committees and the like, for it is at this lower level that the detailed consideration of council policy takes place. If no distinction is made between those party members whose presence on the council has been legitimised by election and those who are there by co-option, the value of the democratic process is undermined.

This point applies, perhaps with even greater force, when standing orders are used to allow party members, community representatives and trade unionists to be co-opted to council committees and sub-committees. There is a statutory limitation that no more than a third of the membership of a spending committee may be co-opted. But where a sub-committee is the location of a vital stage in the policy-making process, decisions will not be affected by whether it spends its own money or recommends expenditure from the budget of its parent committee.

A related question is the attitude of local government officers to attendance at, and giving advice to, party meetings attended by party members who are not also councillors. Chief executives sometimes specify that they will attend full group meetings only if there are no non-councillors present. Labour Party standing orders, however, specify that observers from the local party should attend group meetings. That is a fact of life which should not be used by chief executives as a reason for denying themselves the opportunity to give their best professional advice at the point of decision.

Different criteria should, however, be applied to the participation of non-councillors at earlier, more sensitive and more detailed stages of the local policy process. This distinction arises from the fact that whereas party observers are present to monitor the implementation of manifesto commitments, elected members are there to make decisions on behalf
of the voters by whom they have been elected. If there is to be no practical distinction between observers and councillors, or for that matter between co-opted and elected members, the purpose of local elections becomes questionable. However, rather than take the risk that local government officers will deny to the controlling party professional advice at the most important and formative stages of policy making, the Labour Party itself should say clearly that where council policy is effectively determined by the group and merely legitimised by the council, decisions should be made by councillors directly advised by local government officers. Otherwise, it is likely that the internal workings of local authorities will be specified in new legislation, perhaps introduced as a response to the final report of the Widdicombe Committee. This would be a further restriction of an already limited local discretion.

Conflicts of interest?

It is sometimes argued that the routine attendance by officers at party meetings has the effect of blurring the distinctions between officers and members. Clearly, there are circumstances where such blurring can only be to the benefit of the local policy process and so to the public interest. But there is a specific form of blurring which has arisen with the creation of a two-tier system of local government almost everywhere in Great Britain. This is the increasing incidence, most notably in London, of officers of one authority serving as councillors on another.

This phenomenon is especially prevalent in areas where the Labour Party is dominant at both levels of local government and where there is a large number of authorities in a conurbation. It has been argued that this leads to undesirable conflicts of interest and that rather than helping to establish a co-operative and productive relationship between officers and members it may inhibit it. On the other hand, one positive outcome of the introduction of two-tier local government in urban areas was to end the exclusion from elective office at local level of large numbers of citizens, especially teachers and social workers, who were disqualified from election to their employing authority. Conflict of interest would certainly arise if employees of an authority could also be members of it. The seriousness of such conflicts has been greatly exaggerated, however, since some of the potential difficulties could be overcome by careful selection of committee appointments and by strict adherence to the declaration of interest provisions. It would be unfortunate, and inimical to the health and strength of local democracy, if exclusion were extended to prevent local government officers from serving as members of any local authority.

There remain the cases of members whose responsibilities as councillors are very close to their professional concerns: the personnel officer of one authority who chairs the staffing committee of another; the senior social worker or even director of social services who chairs the social services committee in a neighbouring authority; the town planner who is a leading member of the development control committee of another council. Those members who are in such positions will invariably argue that their capacity to do both jobs is enhanced by the very fact that they do both, and it is true that involvement in both policy making and policy implementation may enhance performance. But they have to be aware of allegations of conflict or duality of interest that may arise from the public perception that they are part of the same political network. Where a leading Labour member of one council is appointed to a senior position on another Labour-controlled council, allegations of collusion and malpractice are easy to make. Such an appointment may be said to be in the political interest of both controlling groups in that one gets a sympathetic officer and the other gets a member who will have little difficulty in taking the time off work to commit himself or herself full-time to the job of being a councillor.

The establishment of a good, clearly understood and productive relationship
between particular officers and members may be inhibited by such appointments. The essence of the officer-member relationship is that each side should recognise where its responsibilities begin and end. Leading members ought not to want to do the job of senior professional officers in advising upon and implementing policy. Chief officers ought not to attempt to do the members' job of making policy or deciding priorities. Confusion of roles is much more likely where officers from one authority take on committee responsibilities in another in their own areas of policy and service provision. The nature of the relationship between, say, a director of social services and his or her committee chairman will almost certainly be affected by the fact that the chairman is the director of social services in another local authority. Lines of accountability both within the authority and to the outside world will be confused by such a relationship.

Political parties in general, and the Labour Party in particular, ought to consider carefully the implications of these possible dualities. Any legislative change would be likely to be all-inclusive, for it would be difficult to frame and to enforce any selective regulations. It would simply debar local government officers from election as councillors, thus making it impossible, for example, for a social worker in Lambeth to be a backbench councillor in Kent. It would be much better for the Party to draw up a code of conduct designed to ensure that the public interest and the public reputation of local government and its officers and members were protected while not unreasonably narrowing the range of backgrounds from which elected members might be drawn. As with statutory prescription of decision-making processes, legislation in this area will only further weaken the autonomy and discretion of local government.

**An administrative culture**

Thus far, the discussion in this chapter has concentrated upon the relationships from which policy emerges. It has, in other words, been concerned more with policy making than with implementation. The remainder of the chapter addresses the management problems that may arise during the process of implementation in local authorities controlled by a strongly policy-oriented Labour group. The issue is a simple one, and one that is often raised both within Labour groups and within the wider party: can policy, however effectively it is made in a partnership between politicians and their professional advisors, be effectively implemented by permanent officials?

The links between officers and members, and between policy decision and policy implementation are inevitably and necessarily close in a party-managed and pro-actively led local authority. Where members are full-time, they will be involved to some extent in the implementation of policy, in the sense that matters of timing, incidence and discretion will be discussed with the political leadership on a continuing basis. Local government, however, has a prevailing administrative culture, or value system, whose guardianship rests with the professional officers. That culture is, in a subtle but important sense, regarded by them as part of their conditions of employment and professional ethos and expectations.

The nature of that culture was hinted at earlier when reference was made to the possibility that chief officers might take refuge from the rising tide of politicisation in the assertion that they are servants of the authority rather than of any group within it. Such a position is unacceptable if it is used as a pretext for refusing to advise a democratically elected majority group. If, on the other hand, a local government officer's professionalism and lack of attachment to any one group is expressed in an insistence that lines be kept open to groups other than the majority, this ought to be accepted.

The most effective means of keeping the lines open in this way is to accept that officers may attend the meetings of groups other than the controlling group. The leadership of the controlling group can accept this only if it has established a
relationship of trust and confidence with the chief executive and with other chief officers. It may have to be specified that officers will advise minority groups only on matters that are already on the council agenda, i.e. those actively under consideration. Otherwise, the legitimate right of the majority to set the agenda could well be compromised. Any breach of confidence, for example by revealing to one group the nature of the discussions at another, would have to be regarded as a serious disciplinary offence and it is unlikely that a chief officer who acted in such a way could remain in post.

The concern of local government officers to maintain contact with groups other than the majority is an inevitable consequence of the democratic nature of local government and of the committee system of decision making. Neither officers nor members should be so arrogant as to assume that control of the authority will never change — especially given the electoral volatility of the 1980s which has left over half of the shire county councils without any controlling group. If it does change, officers will have to work either with a new controlling group or without any controlling group at all. In this last eventuality, the simple objective of keeping the council in operation may depend upon the extent to which the chief executive and his most senior colleagues are regarded as able to act as honest brokers.

The protocols of party politics make it impossible for a controlling group publicly to concede that it will ever lose power. Equally, an acceptance that officers will advise the opposition group or groups need not be justified because of the desirability of maintaining relations with a possible successor administration. For, returning to a point made earlier, strongly pro-active leadership of the controlling group has the important side effect of more clearly defining the job of the opposition. And the opposition has a strong claim to professional advice in doing that job, in a complex and multi-purpose agency like a local authority.

Once again, given the capacity of a group with a majority to get its policies through, a desire to obstruct the opposition can only be explained in terms of factors external to the council. It may arise from a wish to prevent the opposition from presenting its policies in the best light to the electorate. If so, it is unacceptable in a democracy and democratic political parties should say so.

Demands by senior officers to be able to advise the opposition, then, are legitimate. The advice they give may have to be circumspect and bounded by the need to maintain confidentiality — especially, perhaps, where the advice given to the majority has been rejected. This must be seen as a consequence of the change to manifesto-based, pro-active leadership. What happens is that the close involvement of officers with the making and implementation of party policy pushes them towards a more aggressive assertion of their professionalism. To put it another way, the more they assist in the implementation of overtly partisan policy, the more they must emphasise their professional neutrality as regards the content of policy. Leading members and controlling groups may have to accept this as the only alternative to a politicisation of the local government bureaucracy, the pros and cons of which are considered in the next chapter.
4. Politicising the Bureaucracy?

When local Labour parties change towards a manifesto-based, proactive stance, the change is often accompanied by an unwillingness to accept that policy can be separated from implementation, or decision making from bureaucracy. Such a position has a respectable pedigree, in both intellectual and pragmatic terms. Those who take it have a realistic, if sometimes imperfectly formed, view of the local government policy process. Difficulties arise, however, when that position leads to the conclusion that if the process of decision making is to be completely politicised to implement the programme agreed by the local party, it will also be necessary to politicise the bureaucracy.

Politicising the bureaucracy is likely to be a difficult and controversial task, for it directly questions the strong administrative culture that has developed in British local government since the end of the nineteenth century. It would also have an uphill task at the bar of public opinion, for despite the widespread and long-standing politicisation of local government, the British press, and particularly the local press, regularly deplores the politicisation of councils and of the policy process (often as cover for opposing policies that are other than Conservative ones). Overly political appointments at officer level attract an even more hostile press on the relatively rare occasions that they can be identified. It is alleged that there is something particularly sinister about politicising the officer side of local government.

Underlying this hostility, of course, is the fear that politicising the appointment of permanent officials may undermine the democratic process by ensuring that even if the temporary politicians are seen off by the electorate, their appointees will continue to impose policies that have been repudiated at the polls. Such a view is naive.

Distinctions need to be made between overtly and covertly political appointments and between the politicisation of the process of appointment to permanent positions at a senior level up to and including chief executive and the creation of new and inherently political posts, the holders of which are to give policy advice only to the controlling group. These distinctions are, of course, more difficult to maintain in practice than in theory, but they provide points of reference for the discussion that follows. Also, it is the marginal cases, those that are difficult to categorise, that raise the most interesting questions about the relationship between radical politicians and the local bureaucracy.

Politisation of the bureaucracy is not as inherently sinister as some commentators (mainly Conservative ones who seem to regard the local government officer as a brake on the undesirable radicalism of left-wing politicians) would suggest. So long as those who take the decisions are regularly subject to the discipline of the ballot box, and so long as those whom they appoint are directly answerable to them, the democratic principles of accountability are satisfied. The difficulty in British local government is not one of principle, but one of practice. A change to an overtly political bureaucracy would signal a more basic change in the nature of British local government than many party activists
have been prepared to admit. Perhaps because of this, strongly pro-active groups have been more likely to approach the 'problem' of the bureaucracy less directly, by seeking in the normal processes of appointment to choose senior officers who appear sympathetic to the controlling group's policies or by appointing policy advisors who will operate in parallel with, and sometimes in opposition to, the permanent local government bureaucracy. The remainder of this chapter deals with these two approaches.

The appointment process
There is no doubt that many strongly manifesto-based Labour groups attempt to ensure that they appoint to senior positions officers who are sympathetic to their policy stance. This is particularly so in the case of chief executives, where local authorities are less constrained than they would be with service professionals, where there is a need to see a convincing track record in the provision of a particular service. From the beginning of the appointment process Labour groups may signal their policy position by including in the advertisement a reference to the authority's socialist policies. Further particulars may include more specific references to the need to work closely with a committed political leadership. The interview process may attempt to elicit the political views of shortlisted applicants. The party political grapevine may be used to supplement formal references in a way which purports to reveal the 'real' views of those being considered for appointment.

Having done all that, however, members may still find it difficult to make a political appointment at, say, chief executive level. Given the democratic basis of British local government, it would have to be on a fixed-term basis since a change in political control would entail the possibility of a change in the office of chief executive. This would import the practice that is common in American cities, where the city manager, in effect, serves at the pleasure of the council; a resignation or dismissal because of a policy dispute with the employing council, far from being a black mark, is often regarded as evidence of the strength and integrity of the individual's professionalism. Such a change would entail the development of an entirely new set of contractual relationships between councils and their senior professionals, and it is unlikely that such a change can be effected piecemeal as a result of the preferences and actions of individual councils. Those authorities which have, for whatever reason, attempted to appoint senior officers on a fixed-term basis have often found that this has seriously restricted the field of applicants, except where they have been prepared, unusually, to depart from nationally agreed salary and conditions.

In other words, the rules of the game, or the prevailing administrative and professional culture militate against the overt politicisation of the appointment process. Covert politicisation, by seeking to establish the political leanings of applicants who offer themselves in response to public and general advertisement, is scarcely likely to be more successful. Most applicants can give the answer that members want to hear and most members, whether they admit it or not, are affected by the prevailing culture and are reluctant to be too openly partisan in the questions they ask. Finally, applicants for senior local government posts are usually realistically self-selecting. An opponent of privatisation is unlikely to offer himself to an aggressively right-wing Conservative authority and an individual who is against the use of local authority money to promote economic development and job creation will not apply for a job in a Labour council committed to that kind of policy stance.

Policy advice
The second sort of politicisation, and one which, like the appointment of special advisors to ministers at national level has alarmed the professionals, is the creation of posts specifically designed to provide policy advice to the controlling group. It is important to be clear about both the
nature of these posts and the reasons why the permanent bureaucracy feels threatened by them.

If the policy process in highly politicised Labour local authorities is seen to run from the creation by the local party of the manifesto, through the legitimation of that manifesto by the party’s victory in an election, to its implementation by the permanent bureaucracy, it is not immediately clear where policy advice to the controlling group fits in.

Policy advice from sources other than the permanent officials is usually required because it is believed that professional officers may attempt to frustrate the policy objectives of the controlling group in the process of implementation. Professional orthodoxy, the existence of a corporate plan for the authority or an established procedure for making formal decisions may raise the suspicions of local politicians. The controlling group may also fear that the officers will use the processes of policy making and implementation to influence the local party on what should be included in the next manifesto.

If those who are appointed to posts of this sort are recruited in a publicly accountable way, which means almost invariably by public advertisement, the local policy process may be improved by bringing to it committed professionals who accept that the post depends on the continuation in office of the controlling group to which it is attached. They will know that by being openly identified with one political party they may be circumscribing their future career prospects. These factors will inevitably act as selection criteria. But issues of legitimate public concern are raised when posts of this sort are not advertised but are filled on a patronage basis within the party.

More difficult problems arise when appointments are not clearly in either of the two categories so far considered. For example, if the party’s local manifesto commitments mandate the controlling group to enter a new service area, it may wish to create new and politically committed posts. Examples include economic development, women’s support groups, police monitoring units and equal opportunities for minorities of various kinds and are usually funded from the discretionary twopenny rate which all local authorities are permitted to raise and to spend on anything that they judge to be in the interests of their area. Here the role of the new officers recruited is not solely advisory, although their policy area arises from the partisan process of policy choice rather from the statutory responsibilities of the authority. However, since posts of this sort arise from the exercise of partisan discretion it is likely that they will not survive a change of control. Nevertheless, the principles of public accountability dictate that the public have a legitimate interest not only what is done by public authorities but also in how it is done. Given the public perception of the Party it would be useful for the Labour Party to make two principles clear: first, that it supports the right of local authorities to be innovatory in this way; and second, that the posts created as a result of the exercise of such discretion should be filled by public advertisement. For if the indispensability of political parties to the process of local government policy making is to be accepted then political parties will have to demonstrate that they accept the right of the public to scrutinise how they discharge their responsibilities.

In the end, of course, there is no way of preventing local authorities from making political appointments unless the process of appointment is removed entirely from the local level. The Republic of Ireland has a Local Appointments Commission with almost unlimited power over the appointment of senior local government officers. That solution, however, is strongly centralising and the Labour Party, both locally and nationally, should beware of acting in such a way as to make it seem attractive as a means of guaranteeing the wider public interest.

**A parallel bureaucracy**

There remain to be considered the apprehensions on the part of professional
local government officers about the establishment of a parallel bureaucracy over which they have no control and no influence. These apprehensions take four distinct forms and if the Labour Party is to be committed to both the appointment of political advisors and the establishment of new posts that blur the line between the professional and the political it will have to take them seriously.

First, local government professionals may fear that any extension of the practice of making political appointments will seriously damage their career prospects. This seems exaggerated, for any such extension would be likely to affect only a small minority of authorities. Also, if appointment to such posts — whether permanent or tied closely to a particular party — is competitive and if the achievements of post holders are recognised, there is no reason to believe that they will necessarily exclude those who hold them from appointment to more conventional jobs. Nevertheless, professionals may still regard application for overtly political posts as entailing some degree of risk.

Second, professional officers may fear that if controlling groups come to rely too heavily or even exclusively on the advice of political appointees, they will make policy decisions on the basis of advice which is incomplete or which is not based on a full understanding of what is possible in the context of, for example, the history of the authority in question. Labour politicians should take such fears seriously and make it clear that although they greatly value the advice they receive from their political advisors, they do not regard it as necessarily comprehensive or exclusive.

Third, and closely related to the previous point, chief officers may feel that the establishment of a parallel and politically appointed bureaucracy will have the effect of reducing or removing their access to the decision makers. Power and influence in the policy process rely upon access, and local government professionals may fear that they will be excluded from direct influence on group leaders, controlling groups and local parties and so be reduced in status from participants in the local policy process to mere implementers of policy made without their involvement. Again this is a genuine and reasonable fear and one which may affect the attractiveness of the local government officer's job and so have an effect on recruitment.

Finally, the creation of a parallel bureaucracy may have a deleterious affect on the general relationship between members and officers. Programmatic Labour politicians ought to beware of this possibility, for it would be important even if they wished unwisely to exclude permanent officers entirely from the process of local policy formation. Policy still has to be implemented and it will be implemented more smoothly and reliably if the relationship between political leaders and permanent officials is a good one. This, of course, is one more example of the inseparability of policy making and policy implementation.
5. Conclusions: A Code of Conduct

The change from a reactive to a pro-active leadership style in local authorities presents considerable problems for a management and decision-making structure ill-designed to accommodate it. Local agendas are set outside the authority. Some are specified by the centre and no-one at local level, whether member or officer, has any control over them, though they may, through the national representation of local government seek to influence their content. Others, more significantly, are made by the local party, legitimised by the electorate in the form of a mandate to a controlling group and converted by the council machinery into local policy. That policy is then implemented, principally by the permanent local government bureaucracy.

It is at the second and third stages — those of the conversion of the manifesto into council policy and of implementation — that difficulties may arise which some commentators have seen as inimical to the health, strength and values of British local government. Indeed, the Widdicombe Committee has undertaken an investigation of the conduct of local authority business. That investigation was prompted, in large measure, by criticism in the press and in the Conservative Party, of the way in which some urban local authorities controlled by democratically-elected, left-wing, manifesto-based, policy-oriented Labour groups were going about the business of implementing the manifesto for which they claim a mandate from the local electorate.

These fears, while not wholly unfounded, have been greatly exaggerated. Some Labour groups have attempted unreasonably to exclude the opposition from participation in the decision-making process, and Conservative groups have, in some less well documented cases, done much the same. It can be shown, however, that such exclusion is not necessary to ensure the implementation of party policy, so long as the party has a majority on the council. But there is no strong case for legislation to specify the way in which local authority business ought to be conducted.

A code of conduct

There is a strong case, however, for the Labour Party preparing and publishing a code of conduct which would supplement and clarify the existing Standing Orders for Labour groups. For there is a degree of public disquiet about the way in which some Labour-controlled authorities are being run. No doubt some of that concern is synthetic, disguising a distaste for the substance of local policy as concern for the health and strength of the democratic system. But there are also genuine reasons to fear that in their zeal to implement socialist policies some local politicians may sometimes give crucial democratic values and processes short shrift.

Such a code of conduct would cover things like:
• the need to establish a clear and productive relationship with the permanent local bureaucracy;
• the importance of specifying very clearly those posts which are attached to the controlling group and which to the authority;
• the desirability of filling posts paid from public funds by competitive public advertisement;
• the need to recognise the rights of the opposition to play a part, even if it is only a critical and scrutinising part, in the local policy process;
• the expectation that the chief executive will advise the controlling group and the acceptability of the chief executive advising the group meetings of other parties;
• the need to ensure that when local government officers become elected members in other authorities, no duality or conflict of interest arises.

None of these principles would in any way inhibit a majority Labour group from implementing a manifesto framed by the local party and supported by the local electorate. Moreover, they would clearly re-emphasise the Party’s commitment to democratic values.

None of this should be left to be imposed by legislation. The specification by Parliament of the way in which local authorities should conduct their internal affairs would be bound to be centralising and would circumscribe the scope of local initiative upon which experiments with socialism at the local level depend. The Labour Party, even in the context of the increasingly centralised state created by Mrs Thatcher’s Government, has been able to ameliorate at local level the worst effects of national policy. It would be a tragedy if its capacity to achieve results of real substance and importance at the local level were to be restricted because an insufficient regard for democratic values was employed as a spurious justification for further restricting the discretion of British local government.
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Local government in Britain is largely structured on a committee system of decision making and a sharp demarcation line between the elected members and the professional officers. Yet events have largely overtaken this model, with increasing demands on local authorities from central government and the development of a pro-active and programmatic approach by political parties at local level.

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