

**PUBLIC MANAGEMENT
REFORM:
SOME LESSONS FROM THE
ANTIPODES**

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*Working Paper 69/00
November 2000*

Abstract

This paper examines the implementation of new public management in Victoria between 1992 and 1999. During this period public sector reform in Victoria was taken further than any other jurisdiction in Australia through the extensive application of privatisation programs, competitive tendering and contracting and private sector management practices. In the process, the Victorian public sector was radically restructured. But despite this record of significant change, the Kennett government was unexpectedly defeated at the 1999 election. The paper argues that while new public management is a powerful tool, it does have political, financial and practical implications. The paper concludes that governments must pay heed to these if they are not to suffer the most serious consequences of all - electoral failure.

PUBLIC MANAGEMENT REFORM: SOME LESSONS FROM THE ANTIPODES

INTRODUCTION

It is sometimes argued that the new public management is an international phenomenon in which the same program started in one country, rapidly spread to others and became a world-wide movement (Hughes, 1998). Although there are contradictory views as to whether it is or is not a general phenomenon, there is little doubt that, over the period 1992 to 1999, the Kennett government in the Australian state of Victoria proceeded as if there were a universal program of managerial reform. Under this approach, the Kennett government borrowed elements of the new public management agendas of, most notably, the UK and New Zealand. Although the latter of these governments is usually regarded as having implemented the most far-reaching of public sector changes, it could be argued that the state of Victoria - a larger entity than New Zealand - went just as far if not further. Almost every public enterprise was sold to the private sector. Competitive tendering and contracting were applied to a considerable proportion of those functions that remained within government. Employment conditions for public servants were significantly changed, with tenure effectively abolished and redundancies and sackings became commonplace. In all this the government maintained it was merely trying to run the state more efficiently and regain the highest credit rating.

And yet, more quickly than anyone thought possible, the Kennett government was thrown out of office. In September 1999, despite polls indicating an easy Kennett victory, there was a big swing to the Opposition Labor Party. Seemingly repudiated as recently as 1992, Labor found itself in government with the support of three Independent members of the Parliament. While there are many reasons for the demise of the Kennett government, it is argued here that its public sector reform agenda, which played such a significant role in the Kennett 'revolution', at least partly contributed to its defeat. New public management is undoubtedly a powerful tool and while some aspects of it worked and worked well in Victoria, others did not. The lesson of the Kennett government, then, is not that new public management should not be attempted. It is that governments should pay greater heed to the implications of new public management - political, financial and practical - if they are not to suffer the most serious consequence of all - electoral failure.

NPM AS AN INTERNATIONAL PHENOMENON

At first glance a feature of new public management is its similarity across nations and the seeming total agreement on the *direction* of reform. The more visible aspects would be the general cuts to spending and privatisation of government enterprises. But there are other, less obvious, similarities - such as changes to budgeting systems, regulations to promote competition and changes to personnel systems.

However, there is some debate as to whether new public management is an international phenomenon or even a phenomenon at all (Hood 1995, Lynn 1996, Lynn 1998). It has been argued, for instance, that different countries have implemented different changes at different times or for different reasons. But although the timetable need not be the same, the underlying principles and theories are the same. Other points - reduction in public service conditions of service, program budgeting, accrual accounting and many others - were identical, although they did not take place at the same time in all countries. The key theoretical changes - management rather than administration, a basis in economic theory, cuts in government functions and privatisation, and widespread use of contracts - have spread worldwide, even if the detailed reforms have varied.

As far as Victoria is concerned, it did appear that the governments carrying out change did so according to prevailing international theories. All the new public management elements were present. As Boston *et al* argue:

Although the rhetoric might have varied around the world, most of the recent efforts at governmental re-invention, restructuring and renewal have shared similar goals - to improve

the effectiveness and efficiency of the public sector, enhance the responsiveness of public agencies to their clients and customers, reduce public expenditure, and improve managerial accountability. The choice of policy instruments has also been remarkably similar: commercialisation, corporatisation, and privatisation; the devolution of management responsibilities; a shift from input controls to output and outcome measures; tighter performance specification; and more extensive contracting out (Boston *et al*, 1996, p.2).

The New Zealand changes described by Boston are remarkably similar to those used in Victoria. All the policy instruments listed were used. The overall aim of improving the effectiveness and efficiency of the public service was the same as were the main methods of returning activities to the private sector through privatisation and contracting. The Kennett government probably did not know that there was some controversy as to whether new public management is an international phenomenon; it just followed the menu set out, proceeding as if there was a manual for re-invigoration of the public sector and through it the entire society.

NPM IN VICTORIA

It is probably necessary to look at what has been argued to comprise new public management and compare the changes in Victoria to these. In 1991, the year prior to the change of government in Victoria that saw Kennett elected, Hood described new public management as comprising seven main points (1991, pp 4-5):

- *Hands-on professional management* in the public sector. This means letting the managers manage, or as Hood puts it 'active, visible, discretionary control of organisations from named persons at the top'. The typical justification for this is that 'accountability requires clear assignment of responsibility for action'.
- *Explicit standards and measures of performance*. This requires goals to be defined and performance targets to be set, and is justified by proponents on the grounds that 'accountability requires a clear statement of goals; efficiency requires a "hard look" at objectives'.
- Greater emphasis on *output controls*. Resources are directed to areas according to measured performance, because of the 'need to stress *results* rather than *procedures*'.
- A shift to *disaggregation* of units in the public sector. This involves the breaking up of large entities into 'corporatised units around products,' funded separately and 'dealing with one another on an "arm's-length" basis.' This is justified by the need to create manageable units and 'to gain the efficiency advantages of franchise arrangements *inside* as well as outside the public sector'.
- A shift to greater *competition* in the public sector. This involves 'the move to term contracts and public tendering procedures' and is justified as using 'rivalry as the key to lower costs and better standards'.
- *A stress on private sector styles of management practice*. This involves a 'move away from military-style "public service ethic"' and flexibility in hiring and rewards, and is justified by a 'need to use "proven" private sector management tools in the public sector'.
- A stress on greater *discipline* and *parsimony* in resource use. Hood sees this as 'cutting direct costs, raising labour discipline, resisting union demands, limiting "compliance costs" to business' and is typically justified by the 'need to check resource demands of public sector and "do more with less"'.

Some of these had been embraced in Victoria during the decade of Labor administration that preceded the election of the Kennett government. Contract employment and performance-based pay, for example, had been cautiously introduced in a climate of heightened expectations regarding managerial and financial accountability. Tentative steps towards the corporatisation and sale of some state-owned enterprises had also been taken. However, despite these changes, the fundamentals of the traditional model of public management remained firmly in place. Under these earlier Labor governments, it was clear that if Victoria were to adopt new public management it would do so both selectively and gradually.

All of this changed dramatically when the Kennett government pursued all the elements of Hood's new public management with a zeal hitherto unseen in Australia. In doing so, the Kennett government took Victoria to the frontiers of public sector reform and provided a template for other governments in Australia to use (O'Neill 1999). Whether the Kennett agenda provided evidence of an international phenomenon can be left aside. If there was an international phenomenon, then clearly Victoria followed it to the letter; if there was not it would be interesting to speculate where the ideas originated from. It is certainly the case that Osborne and Gaebler (1992) was required reading for senior Victorian public servants who wished to keep their jobs following the election of the Kennett government in the same year of its publication.

The Kennett reforms

The best known of the public sector reforms under the Kennett government were the sales of state-owned enterprises. Kennett had inherited a public sector once described - much earlier in history - as constituting the largest and most comprehensive use of state power outside the Soviet Union (Eggleston 1932). Successive governments in Victoria from the end of the nineteenth century onwards had enthusiastically embraced the concept of the state-owned enterprise to correct market failure and to provide the necessary infrastructure for a developing economy. The scope of the Kennett privatisation program was thus considerable. Woodward (1999, p.150) reports that up to 1998, sales of government businesses in Victoria had yielded nearly \$A 24 billion - 'an amount ten times greater than any other [Australian] state.' Functions removed from government ownership included gas and electricity utilities, metropolitan and country rail services, state forests, off-course betting facilities, insurance, a ticketing agency and an aluminium smelter.

Complementing this mass sale of functions to the private sector was a parallel process of contracting out or 'outsourcing'. While governments in Australia had always made use of competitive tendering and contracting, the Kennett government took it to new limits. Under an approach now commonly termed the 'Yellow Pages' standard, the principle of contestability was applied to all government expenditure and service delivery. This meant if a business listed in the Yellow Pages telephone directory could do a task carried out in government, then, *prima facie*, it was contracted out (Kemp 1998). The most controversial aspect of this commitment to outsourcing was the mandating of competitive tendering for local government, changing irrevocably the nature of services associated with that level of government. This started with garbage and parks but was subsequently extended to such sensitive matters as planning permits, maternal and child health services and libraries. The application of competitive tendering and contracting also led to traditional 'in-house' functions within government departments, including personnel management and information technology, being contracted out to private firms. Under binding competition legislation, 'competitive neutrality' meant that there could be no preference for internal providers of government goods and services as against possible outside contractors. A bizarre outcome of this particular policy was that the functions of the Parliament's watchdog on executive expenditure, the Auditor-General, were outsourced to the major accounting firms to widespread public disquiet.

The Kennett government's new public management agenda was also evident in changes it made to the public service, where the concept of a career service was unapologetically jettisoned in favour of a market-based model. All heads of departments and senior officers were placed on fixed term contracts with specified criteria linking pay to performance. The Premier became the employer of the departmental heads, who in turn became the employers of the staff in their departments. The Public Service Board, an independent statutory authority traditionally responsible for the personnel management function of the public service, was abolished. It was replaced by a Commissioner on a fixed term employment contract with far fewer powers. At the same time, barriers to the appointment of 'outsiders' to all levels of the public service were removed as were constraints upon flexibility in classification and remuneration. The explicit intention was to reduce, as far as possible, any remaining distinctions between public and private sector management (O'Neill and Alford 1994).

With these and other changes, the Kennett government sought to realise the seven objectives Hood outlined for the new public management. Hands-on professional management, explicit standards and measures of performance, greater emphasis on output controls, a shift to disaggregation, a shift to greater competition, a

stress on private sector styles of management practice, and discipline and parsimony in resource use were all in evidence in the Kennett era.

THE DEFEAT OF THE KENNETT GOVERNMENT

When the Kennett government sought a third term of office in September 1999, very few thought that it faced any prospect of defeat. The Government had constantly outpolled the Labor Party, which had only recently elected a new leader, Steve Bracks. It thus seemed highly unlikely that Labor would make any significant inroads into the Government's large parliamentary majority. However, on closer inspection, the invulnerability of the Kennett government should not have been assumed. Sitting on the cross benches of the Lower House were two Independents representing rural electorates formerly regarded as part of the Coalition's heartland. Russell Savage, a conservative police officer, had been elected at the 1996 election on a platform opposed to the reduction in government services stemming from privatisations, contracting out and funding cuts. Susan Davies was elected at a by-election in February 1997 on a similar platform. They were joined by a former Liberal member, Peter McLellan, who left his party in 1997 to sit as an Independent as a protest against the Kennett government's plans to privatise the functions of the Auditor-General.

Labor's strategy

Labor's election strategy targeted many of the developments associated with the Kennett government's public sector reform agenda. A separate policy statement for rural Victoria highlighted the impact of public sector reforms on the 'bush', claiming that the Kennett government 'had cut basic services across the board'. The closure of twelve country hospitals, the defunding of rural ambulance services, the sale of the state's 2,000 nursing homes, the closure of 176 country schools, and the shutting down of five regional rail lines were all cited as examples of the government's 'assault on country Victoria' (ALP 1999a). For its part, Labor promised to roll back elements of the public sector reforms by abolishing compulsory competitive tendering for local government, reviewing outsourcing by government departments and agencies, keeping water authorities in public ownership and introducing maximum electricity tariffs across the state.

In addition to its general rural policy statement, Labor promulgated area-specific policies for the large rural centres of Ballarat, Bendigo and Geelong and the region of Gippsland (ALP 1999b, 1999c, 1999d, 1999e). These too focussed on the unpopular aspects of the public sector reforms and their impact upon rural communities.

The election outcome

To almost universal disbelief, the Kennett government failed to attain an outright majority at the election and for some weeks the outcome of the election was in the balance. The Coalition suffered extensive losses in rural Victoria, but only minimal losses in Melbourne itself. Labor gains included seats in each of the areas where it had specifically emphasised the impact of privatisations, contracting out and cuts to government expenditure.

With the death of Independent MP Peter McLellan on the day of the election, it was necessary for a by-election to be held for the seat of Frankston East. Success at this poll was the Coalition's only chance of holding onto government without requiring the support of the Independents who were now joined by another rural Independent, Craig Ingram. However, once again, the government's record of public sector reform became the focus of the campaign. Cuts to police numbers, the closure of schools, and waiting lists at the local hospital were all emphasised. Labor promised more police, smaller class sizes in the early years of primary school, \$12 million to upgrade the local public hospital and to buy back the site of a closed secondary school which had subsequently been sold to developers. When Labor then gained the seat with a large swing, it was apparent that the Independents would determine the composition of the future government.

In order to decide whom they would support, the Independents released a charter for 'stable, open and accountable government' and invited the leaders of the major political parties to respond (Savage et al,

1999). The *Independents' Charter* read in large part as a critique of the Kennett government's new public management agenda. It sought an undertaking that whoever formed the new government would:

- remove restrictions on access to government documents on the basis of 'commercial confidentiality.' (a device used by the Kennett government to prevent public scrutiny of its extensive use of competitive tendering and contracting)
- re-establish the independence of the Director of Public Prosecutions, the Police Commissioner and the Auditor-General (all 'reformed' according to new public management principles by the Kennett government)
- establish a judicial inquiry into the contractual arrangements that surrounded the privatisation of the ambulance service
- accept responsibility for the provision of basic rural infrastructure (roads, rail, water, power and gas) and rural health, education, emergency, environment and human services (much of which had been privatised or contracted out in the preceding seven years)
- establish a multi-party review of contracting out to report whether the practice should continue, be wound down or abolished
- abolish compulsory competitive tendering in local government and
- freeze all proposed privatisation of public assets until a full, independent inquiry reported to Parliament on the social and economic costs and benefits of planned and existing privatisations (Savage et al 1999)

As caretaker Premier, Kennett declined to respond to the charter. In contrast, his opposition counterpart, Steve Bracks, submitted a 15 page response supporting the charter 'in its entirety' (Bracks 1999). With the Independents' support, the Bracks government then assumed office on 20 October 1999.

THE LIMITS OF MANAGERIAL REFORM

In the post-mortems following the defeat of the Kennett government many reasons were advanced for the electorate's rejection of an administration formerly assumed to be unassailable. With the prominent role taken by the three rural-based Independents in bringing about the change of government, the impact of privatisation and budget cuts upon the delivery of government services delivery in country Victoria loomed large. However, other aspects of the government's managerial reform agenda also contributed to the public's disenchantment. These included: the tension between efficiency objectives and service quality, problems in the tendering process, the impact of some managerial changes upon the democratic process, and the failure of some of the reforms to match the expectations created by the rhetoric that accompanied them.

Privatisation

In the main the privatisation of public enterprises in Victoria proceeded with little fuss, perhaps less than would have been anticipated. Few contested the assertions that private management would prove superior to public ownership or that the funds from privatisation were desperately needed to address the state's financial position. However, what the proponents of privatisation failed to foresee was that the transfer of functions to the private sector would create unresolved tensions in the community. These tensions focused upon service quality and accountability, with the level of the tension seeming to vary according to the nature of the service. Health services in particular aroused considerable community anxiety.

To the community, private providers did not necessarily improve upon the standards of public ownership and were not adequately linked to any accountability framework. In these circumstances the government's accountability for privatised services continued. Nowhere was this point more forcefully made than at the election itself where several serving ministers, including the Ministers for Health and Housing, lost their

seats.

Efficiency is not enough

Related to community concern regarding privatisation, was a conflict between efficiency objectives and community expectations for government services. While the community generally welcomed efforts to rein in government expenditure, it was not so wholeheartedly in favour of funding cuts or the rationalisation of service delivery arrangements when this had tangible effects upon local communities. The closure or amalgamation of services was perceived in many cases to be especially adverse to the interests of rural communities.

For example, in the highly sensitive areas of health and education the government's initiatives were dramatic and aimed at improving public sector efficiency. As a consequence of major funding cuts more than 350 schools across the state were closed and 8,000 teachers left the state education system (Spaul 1999). Budget cuts in the health portfolio also led to the loss of 1,400 hospital beds and 10,000 staff (Harkness 1999). When comparisons were made with the education system in other states, Victoria showed it had larger class sizes and the lowest spending per capita. The government's response was that such statistics simply showed Victoria was more efficient. There was some point to this, but there was also increasing community disquiet that greater 'efficiency' in education should be achieved by these means. It was similar with hospitals. Setting up health networks, ostensibly at arm's-length from the government, combined with cuts in funds may have been efficient in the narrow sense, but it also led to examples reported in the newspapers of patients lying on hospital trolleys all day because there were no beds available. This was very damaging in the end, when the by-election in Frankston East, where the local hospital had received even more than the norm in budget cuts, determined the outcome of the election and the fate of the Kennett government itself.

Problems with the tendering process

With the Kennett government's well-publicised commitment to the virtues of the marketplace, it was inevitable that there should be some problems associated with the implementation of competitive tendering and contracting procedures across the public sector. Competitive tendering and contracting had always existed in the public sector, but had applied to a much narrower range of activities. Such knowledge and expertise that there was in the public sector in tendering matters was thus largely confined to those areas. The introduction of competitive tendering and contracting to virtually all areas of government brought special pressures, in terms of both workload and capacity, to bear upon those resources within the public sector responsible for the tendering process.

It was argued that the Kennett government pursued out-sourcing as an end in itself, being driven by more by ideology than practicality (Woodward 1999). One of the earliest initiatives of the Kennett government was to force local government, under Compulsory Competitive Tendering (derived from the UK), to contract out 50 per cent of budget expenditures. This figure was derived arbitrarily and presumably for ideological reasons to drive home the point about private sector superiority. But the efficiency benefits of outsourcing were not always apparent and in order to meet the imposed target more and more sensitive areas of local government were contracted out including building permits and maternal and child health nursing.

Managerial changes affecting democratic processes

A further source of anxiety regarding the public sector reforms concerned the perceived conflict between some of the reforms and the democratic process. There were instances in which well-intentioned changes - if seen purely from a management perspective - conflicted with more widely held values of the democratic process itself. For example, the Kennett government decided that all services required market testing and that government delivery of any service should not be presumed. The subsequent decision to contract out the functions the Auditor-General to private firms attracted widespread condemnation. The community suspected that private auditors would not be as vigilant as an independent auditor, would be more prone to capture by government and would be more intent upon securing the next contract than on finding malfeasance or poor practice.

Other statutory offices were seen to suffer at the hands of the Kennett government. The Director of Public Prosecutions and the Commissioner for Equal Opportunity (who had both been critical of the government in the course of their duties) fell foul of the government and found their roles significantly redefined under the guise of managerial reform. As with the Auditor-General, the community was not convinced that the benefits of these changes would outweigh any disadvantages following from reducing the independence of these functions. The widespread view was that many of the changes to the role of statutory offices had serious implications for the democratic process.

Failure to match rhetoric of public sector reform

While the Kennett government achieved much, it also failed in some critical cases to meet its own stated objectives. In the area of public sector employment, the government was unable to manage the system of individual fixed term contracts it instituted for all senior staff and hoped would eventually apply to all levels of the service. The documentation and monitoring required to maintain this system was simply beyond the resources of the government and its public service. Further, the government was unable to meet the expectations created by its claim that employment in the public sector should mirror as far as possible that of the private sector. Although the pay for senior public servants in Victoria was thought to be more generous than that for public servants in other jurisdictions, the Premier was forced to concede that political and financial constraints precluded public service pay from ever matching that of the private sector (O'Neill and Hughes 1998). The area of performance management was also problematic. Under the Kennett government, senior public servants whose performance was highly rated after an exhaustive process of review frequently received little or no performance pay due to budgetary constraints, with the effect that many were disenchanted with the process.

A limited constituency for reform

A final factor which may help to explain the demise of the Kennett government relates to the limited constituency for managerial reform itself. The government made much of its intention to completely reform the public sector, to shake it out of its complacency and to get the state 'on the move' again. The problem was, in hindsight, that there were very few people listening. For all its bluster the only people who applauded what the government was doing was a small number in the business community. In its pursuit of managerial reform, the Kennett government made a mistake common to putative public sector reformers everywhere - it assumed that the community would share its passion for public sector reform. But as Kennett and his colleagues learnt to their cost, there is no real constituency for public sector reform because as an earlier public sector reformer observed, 'administrative reform excites little interest outside the bureaucracy' (Wilenski 1986, p.175). But where there were few voices in favour of the managerial reforms, there were many against. By September 1999 these had aggregated across the community in sufficient numbers, especially in rural Victoria, to ensure the defeat of the Kennett government.

CONCLUSION

New public management, in a full-blown version by world comparison, was tried in Victoria between 1992 and 1999. Much was achieved through privatisation, contracting, and reducing the size and role of the public sector. But within a few months of Mr Kennett losing the election, the bold experiment was almost forgotten with many of the more egregious changes rapidly reversed by the new government. Compulsory competitive tendering in local government was abolished, the full functions of the Auditor-General were restored and collective bargaining was reinstated to the public service to replace individual employment contracts.

While the reasons for the downfall of the Kennett government are likely to be debated for some time, three possible explanations are offered here. First it could be argued that the political cycle turned away from Kennett. In this view he lost the election due to bad politics and public management was only peripherally involved. Perhaps all governments end in failure so to single out the new public management changes as a major reason for this neglects the wider political reality. There is something in this as there were clearly major errors made during the election campaign and, in a result that was very close, any factor could have finally tipped the balance. However, an undeniably damaging factor for the government was the electorate's

resentment of changes to the delivery of government services following from privatisations, budgetary cuts and other elements associated with new public management. When managerial reforms to hospitals, schools and welfare programs meant that communities had to do without or travel further to receive such services, an electoral backlash was inevitable. That the largest swings against the government were in the usually safe rural areas where the Labor Party mounted campaigns targeting disenchantment with public sector reforms reinforces this point.

Secondly, it could be argued that the experience of the Kennett government demonstrates that the new public management is a flawed program. Many public administration academics argue this, but the case of Victoria does not really show this at all. What it does show is that it is possible to privatise or contract out almost everything, to slash the public service and to manage more efficiently while improving the budget situation.

Finally, it could be argued that in following its program of public sector reform too rigorously and ideologically the Kennett government lost the plot. According to this interpretation, Kennett and his colleagues tried to make government a matter of management and not about politics at all. But in this, the Kennett government made a serious miscalculation. In all democratic systems government is a balancing act not a simplistic menu program to be followed. In the final analysis the management of the public sector needs to assist any government's prime aim, which is to win the next election. Such an end will sometimes necessarily conflict with the best practice in management. Of course, any government has an obligation to manage in an efficient and effective way, but cannot regard this as an end in itself. Not only does political reality get in the way, it must do so.

The Kennett government aimed for a transformation of the public sector in Victoria and in several key areas, most notably in the privatisation of government functions, it achieved this. In other areas, the longevity of Kennett's reforms is more problematic. The Labor administration has signalled a likely retreat from the 'Yellow Pages' approach to competitive tendering and contracting and has indicated it will reverse the spread of individual employment contracts in the public service. But in other respects, the new government's intentions are not clear and it remains possible that much of the Kennett legacy will endure. From this it may be concluded that new public management is a powerful tool, despite all the difficulties it engendered in Victoria. There are, however, political, financial and practical implications for governments when the new public management is pursued with the single-mindedness demonstrated by the Kennett government during its time in office. The lesson of the Kennett government is not that new public management should not be attempted. It is that governments should pay greater heed to the implications of new public management if they are not to suffer the most serious consequence of all - electoral failure.

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