

# TECHNICAL REPORT

## Accountability of teachers

Literature review

Ruth Levitt, Barbara Janta, Kai Wegrich



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Prepared for the General Teaching Council England

The research described in this report was prepared for the General Teaching Council England.

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# Preface

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The General Teaching Council of England commissioned RAND Europe in 2008 to undertake a literature review to inform its thinking and preparations for developing proposals for a new accountability framework for teachers. There are increasing demands to improve the quality and professionalism of public services and increase the responsiveness of the services to their users. Accountability has become a cornerstone of these public sector reforms, and a particularly significant issue in those public services where professions and professionals are central, including schools, health care and social care. The design of accountability arrangements is central to the governance and legitimacy of professionals working in the public services.

The literature review has selectively assessed books, articles and papers drawn from academic research, consultancy reports, government papers and other public sources, looking mostly at significant and relevant items written in English concerning the UK, Europe, Canada and the USA and published in the last 20 years. The references are listed at the end of the report, and the Appendix explains the methodology.

This report contains four chapters. Chapter 1 introduces definitions of accountability; Chapter 2 describes the elements of the accountability process and the characteristics of the five types of accountability generally used in the literature (organisational, political, legal, professional and moral/ethical). Chapter 3 discusses significant issues that arise in designing and using accountability systems, and Chapter 4 outlines some of the implications the GTC could consider.

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## Executive summary

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The General Teaching Council for England (GTC) commissioned RAND Europe in 2008 to undertake a literature review to inform its thinking and preparations as it develops proposals for a new accountability framework for teachers in England. The framework includes, but is not limited to, arrangements operated via the GTC. This report presents the findings of the literature review.

The past 20 years have witnessed major changes in schools and their management and governance, radically transforming school policies and practices and introducing more systems of external monitoring. These changes have both reflected and altered perceptions of teachers' professionalism. An outcome is a greater emphasis on regulatory arrangements and quantifiable measurements of teachers' work. The establishment of the GTC for England in 2000 instituted statutory arrangements for regulating teachers' professional conduct and competence. The accountability relationships of teachers are embedded in their professional practice and conduct. The GTC wants to be informed about an optimal mix of accountability mechanisms that would be able to balance professional autonomy and external control to best serve the interests of the public and the quality of learning.

**Accountability can be a somewhat slippery concept, defined in different ways in theory and in practice, and applied variously in a range of circumstances.**

Accountability is an ethical concept – it concerns proper behaviour, and it deals with the responsibilities of individuals and organisations for their actions towards other people and agencies. The definition adopted for this review refers to research by Bovens (2005). He draws attention to the terms of the relationship between an 'actor' (individual or organisation) and their 'stakeholders'. Stakeholders are those with a particular interest in the work of the actor (including the actor's conduct, perceptions, attitudes and the outcomes of the actor's activities). According to Bovens accountability can be defined as the methods by which the actor may render an account (i.e. justify their actions and decisions) to the stakeholders and by which the stakeholders may hold the actor to account (i.e. impose sanctions or grant permissions).

**Accountability arrangements are of great interest and significance for the office-holders, their superiors and the wider public because they deal with professional autonomy and external control: two powerful features of all working relationships.**

Autonomy and control are especially relevant to mass public services that rely on the expertise and experience of trained professional workers. Levels of autonomy or control in any given circumstances will reflect the level of trust that exists between the actor and their

stakeholders. Where trust is relatively low, managerial controls are likely to be stronger. Where trust is relatively high, professional autonomy is likely to be stronger.

**In the literature five types of accountability are generally recognised: organisational, political, legal, professional and moral/ethical.**

Each type of accountability has its own methods of working. Organisational accountability works through the superior/subordinate relationships that define actors' authority and responsibility; political accountability relies on democratic institutions and processes to hold actors to account. Legal accountability works through the courts and other judicial institutions to protect rights and redress wrongs. Professional accountability is promulgated through codes of conduct or practice and systems of regulation designed and operated by peers. Moral or ethical accountability relies on the internalised values to which actors voluntarily adhere.

**Regardless of type, accountability arrangements consist of three stages.**

The three stages of accountability are: (i) defining accountability to whom or for what, (ii) informing the stakeholders, and (iii) judgement, which can lead to affirmation or sanctions.

**Accountability arrangements are presumably designed to lead to positive benefits but they can also have negative effects.**

The main positive aspects of accountability described in the literature are: democratic control, maintaining and/or enhancing the legitimacy and integrity of public governance, performance enhancement and support, plus a catharsis function when investigating cases of failure, error or wrong-doing. Negative aspects of accountability result when inconsistencies in the accountability arrangements produce perverse incentives and outcomes. This so called accountability dilemma occurs when factors intended to improve performance and outcomes have the opposite effect, or emphasise some elements of performance at the expense of other elements, with unacceptable consequences to some stakeholders. Accountability overload is a further factor that the literature deals with, showing the dysfunctional effects that may occur if desired performance improvements are undermined. Overload comes from having too many evaluation criteria in play simultaneously, and/or too many stakeholders each with their own requirements for reporting, with which the actor is expected to comply.

**A gradual shift to more horizontal accountability in the public services is reported in the literature.**

Horizontal accountability is a shift away from the traditional superior/subordinate relationships towards multiple, lateral relationships. Horizontal accountability is seen as widening and opening up the mechanisms for stakeholders to hold actors to account, and also making accountability a more transparent process. The New Public Management of the 1990s has contributed to this by developing a more contractual style of working relationship between service commissioners and service providers.

**The growing importance of cross-sectoral working and modifications to professionals' roles and expectations pose a number of challenges to the bodies responsible for regulating professionals.**

The literature finds that regulators do not yet put comparable emphasis on identifying or promoting more universal, cross-sectoral public service competencies. The other very significant change that accountability systems have to deal with is alterations to the structure of the workforce. Unqualified or less qualified assistants are being employed to undertake front line services, partly to relieve professionals of some of the less specialist workload, and partly to increase the capacity of the services as a whole. The issue for accountability arrangements is how to regulate unqualified support staff and hold them to account, where the services have up to now relied on professional staff.

**The trend to de-professionalise teaching is noted in the literature.**

The term de-professionalisation occurs in the literature in reference to these several changes: to the autonomy of professionals, the introduction of more external controls, performance measurements and monitoring, and moves to achieve greater transparency in accountability, particularly through the exercise of consumer choice.

**The challenge to those redesigning accountability arrangements is to combine the strengths and minimise the weaknesses of different accountability types and methods.**

The literature suggests some ways to assess whether autonomy and control are in the desired balance, by focusing on three objectives of accountability (democratic control, acceptable use of public resources, and promotion and encouragement of continuous improvement). These aspects can be assessed by asking questions that are presented in the final chapter.



## 1.1 **Context and objectives of the study**

The establishment of the General Teaching Council for England (GTC) in 2000 created a professional and regulatory body for teaching in England. Acting in the public interest, GTC is responsible for contributing to improving the standards of teaching and the quality of learning, and for maintaining and improving standards of professional conduct among teachers.<sup>1</sup>

The GTC is undertaking a new phase of work to develop comprehensive proposals for the professional accountability of teachers. The work builds on the GTC's recommendations for a radical overhaul of the assessment regime. The GTC intends that the new accountability arrangements should "... more effectively support teachers to provide high standards of teaching and facilitate the meaningful accountability of teachers for their contribution to the educational outcomes for children and young people".<sup>2</sup>

In order to inform its thinking and policy development, and to facilitate debate with the stakeholders and policy makers, GTC commissioned a review of accountability literature, focusing on the meaning and interpretation of accountability, looking at the public sector and public services, including internationally relevant evidence, and also drawing on research from outside the public services.

This study places the GTC's issues in the wider context of current debates about accountability in the public services. It indicates current ideas about effective conditions for professional accountability under competing accountability mechanisms, and draws attention to the topics of cross-sectoral and integrated workforce accountability.

## 1.2 **What is accountability?**

Accountability is an ethical concept – it concerns proper behaviour, and it deals with the responsibilities of individuals and organisations for their actions towards other people and agencies. The concept is used in practical settings, notably in describing arrangements for governance and management in public services and private organisations. The term is often

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<sup>1</sup> [www.gtce.org.uk](http://www.gtce.org.uk)

<sup>2</sup> GTC *Research Brief. The accountability of teachers: a literature review for the GTC*, February 2008, p. 1.

used synonymously with concepts of transparency, liability, answerability and other ideas associated with the expectations of account-giving.

As a consequence, various actors involved in discussions on accountability often have different perceptions of this concept. The literature on accountability reflects these many different perspectives. Discussion tends to focus on one or other element of accountability, and this has influenced the course of the debate on accountability.<sup>3</sup> The term is extensively used in discussions of educational reform among educational policymakers, but apparently remains somewhat unclear and incoherent.<sup>4</sup>

### **Bovens' definition**

In the interests of semantic clarity, we have used a definition of accountability for this study that draws on Bovens' (2005) research on public accountability. According to his analysis, accountability can be defined as:

A social relation in which an actor feels an obligation to explain and to justify his or her conduct to some significant other.<sup>5</sup>

This is a widely accepted, generic, non sector-specific definition that can be adopted in a broad range of social contexts. That simply defined relationship contains a number of elements – actors - involved in a process of the account giving. It includes an individual or organisation who needs to render an account to its stakeholders being responsible for its conduct.

### **Achieving accountability in practice**

Achieving accountability in practice requires clear identification of and engagement with the actors who would be held accountable for their performance. Accountability relations consist of elements of deliberation or debate; this means that actors report to and are assessed by a specific person or an agency, and are required to justify their actions and their decisions to them. That element of justification involves appropriate reporting mechanisms to adequately monitor and evaluate the performance processes.

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<sup>3</sup> E. M. Ahearn (2000) *Educational Accountability: a synthesis of the literature review of a balanced model of accountability*, Office of Special Educational Programs, U.S. Department of Education.

<sup>4</sup> R. Kuchapski (1998) "Conceptualizing account ability: a liberal framework", *Educational Policy*, Vol. 12, No. 1, pp. 191-202.

<sup>5</sup> Bovens, M. (2005) "Public accountability", in: Ferlie, E., Lynn, L. E. and C. Pollitt, *The Oxford Handbook of Public Management*, Oxford: Oxford University Press; Ramzek, B. S. and M. J. Dubnick (1998) "Accountability", In: *International Encyclopaedia of Public Policy and Administration*, Shafritz, J. M. (ed.), Vol. 1 A-C, Westview Press; :6); Lerner, J. S. and P. E. Tetlock (1999) Accounting for the effects of accountability, *Psychological Bulletin*, Vol. 125, pp. :255-275; ), McCandless, H. C. (2001) *A Citizen's guide to public accountability. Changing the relationship between citizens and authorities*, Victoria B. C.: Trafford; Pollitt, C. (2003) *The essential public manager*, London: Open University Press/McGraw-Hill; Bovens, M (1998) *The Quest for Responsibility. Accountability and Citizenship in Complex Organisations*, Cambridge: Cambridge University Press; Mulgan, R (2000) 'Accountability': An Ever-expanding Concept? *Public Administration*, Vol. 78, No.3, pp. 555-573.

The accountability relationship is not the same as “responsiveness” or demands for or feelings of responsibility, although these elements are frequently included in debates on accountability.<sup>6</sup>

### **Designing accountability arrangements**

The design of accountability arrangements is a long standing concern in public governance in general, and also in the British context, i.e. in the debate on centre-local relations.<sup>7</sup> Today, accountability is at the heart of contemporary approaches to the governance of public services, including teaching. With increasing demands to improve service quality and final outcomes of public services, as well as demands to increase services’ responsiveness to their users, accountability has become a cornerstone of public sector reforms, and a particularly significant issue in those public services where professions and professionals are central, including schools, health care and social care. At the same time, designing accountability regimes became increasingly complex with the shifting of responsibility towards bodies like the GTC, which is a statutory regulatory authority answerable to the public through Parliament.<sup>8</sup>

## **1.3 Accountability and trust**

Academic research and policy reforms in Britain over the last two decades have challenged the view that trust in professionals alone is sufficient for securing the needed improvements to the quality and efficiency of the public services.<sup>9</sup> The introduction of performance-related accountability mechanisms, as well as the exposure of public service organisations to the forces of competition, have been two drivers of reform in those public services. For schools, while target setting and monitoring by an inspectorate (via test regimes and league tables) are said to have contributed to improved ‘performance’, the strong emphasis on measurable performance has also been criticised. In particular, heavy reliance on tangible performance indicators monitored in a hierarchical accountability relationship is regarded as a factor undermining broad professional values and standards.<sup>10</sup>

### **Methods for ensuring accountability**

O’Neill argues that this apparent ‘crisis of trust’ usually means that we need greater transparency so we impose higher standards of accountability. The new methods to ensure trustworthy performance are the formalised agreements and the highly descriptive contracts that precisely clarify office-holders’ responsibilities. In addition, professional

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<sup>6</sup> Bovens (2005), op cit.

<sup>7</sup> Rhodes R.A.W. (1988) *Beyond Westminster and Whitehall. The sub-central Governments of Britain*, London: Routledge

<sup>8</sup> Rhodes, R.A.W. (1997) *Understanding Governance. Policy Networks, Governance, Reflexivity and Accountability*. Buckingham: Open University Press (pp. 21-2); Bovens (1998); King, R (2007) *The Regulatory State in an Age of Governance. Soft Words and Big Sticks*, Houndmills: Palgrave (pp. 87-89)

<sup>9</sup> See for example, Le Grand, J (2007) *The other invisible hand: Delivering public services through choice and competition* (Princeton University Press).

<sup>10</sup> O’Neill, O. (2002) *A Question of Trust: The BBC Reith Lectures 2002*. Cambridge University Press.

codes of practice further define professional responsibilities by applying higher degrees of prescription. She asks whether such accountability arrangements actually support or possibly undermine trust (by imposing complex mechanisms to regulate conduct). There is also uncertainty about whether these high standards deter and prevent deception and fraud.

### **A 'culture of suspicion'?**

She takes it further, and questions whether our trust in these professionals has increased. Or put another way, do we really observe the 'crisis of trust', or is it just that the public is now more likely than in the past to hold an attitude of suspicion? O'Neill argues that the latter is true and that we now observe a 'culture of suspicion' that seeks a remedy in the prevention and sanctions instruments that call government, institutions and professionals to be more accountable. As a result, we impose the greater accountability conditions that facilitate ever more administrative, institutional and professional control. However, the mechanisms of control, monitoring and enforcement designed to support office-holders' work may in fact damage their professional efforts.<sup>11</sup>

### **Tactics for compliance**

Other authors provide evidence indicating that office holders get better at meeting the requirements posed by the monitoring bodies even though these requirements are not necessarily the same as those of the service recipients.<sup>12</sup> It is plausible that in response to higher demands for accountability, professionals organise their work in a way to meet the targets imposed on them and 'score' high in the elements that are being measured and compared in league tables, while not necessarily focusing on these elements that are mostly beneficial for the service recipients. As schools are competing over the number of A-C results at GCSE and top grades in A-level exams their students obtain, the system may encourage (teachers to advise) students to sit exams in subjects that are generally considered 'easy' to achieve higher grades, such as arts subjects rather than sciences.<sup>13</sup> This tactic can help schools to position themselves for a higher ranking in the league tables based on outcomes by grades achieved at the exams. The tactic is not necessarily in the best interests of students, if it narrows their horizons or limits their willingness to learn more demanding subjects, such as science.<sup>14</sup>

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<sup>11</sup> O'Neill, O. (2002) *A Question of Trust: The BBC Reith Lectures 2002, Lecture 1: Spreading Suspicion and Lecture 3: Called to Account*. Available from <http://www.bbc.co.uk/radio4/reith2002/lectures.shtml>, last accessed 04/06/2008.

<sup>12</sup> See: Meyer, K. and K. Shaugnessy (1993) "Organisational design and the performance paradox", in: Swedberg, R. (ed.) *Explorations in Economic Sociology*, New York: Russell Sage; and Thiel, S. Van and F. Leeuw (2003) "The performance paradox in public sector", *Public Performance and Management Review*, Vol. 25, No. 3, pp. 267-281.

<sup>13</sup> <http://www.independent.co.uk/news/education/education-news/official-some-alevel-subjects-are-harder-than-others-857643.html>; [http://news.bbc.co.uk/2/hi/uk\\_news/education/6946728.stm](http://news.bbc.co.uk/2/hi/uk_news/education/6946728.stm); [http://news.bbc.co.uk/2/hi/uk\\_news/education/7174848.stm](http://news.bbc.co.uk/2/hi/uk_news/education/7174848.stm); all accessed 24/07/2008.

<sup>14</sup> Fitz, J. (2003) "The politics of accountability: A perspective from England and Wales", *Journal of Education*, Vol. 78, No. 4, pp. 235-6.



### **What effects do performance indicators have?**

Taking these arguments into account, O'Neill asks whether performance indicators serve to improve the aspects that they were design to measure. In the field of education do teachers primarily serve their pupils and 'render an account' to them, or do the demands of the monitoring bodies and performance indicators take precedence? Are the systems of control imposing the wrong sorts of accountability? O'Neill says: 'Each profession has its proper aim, and this aim is not reducible to meeting set targets following prescribed procedures and requirements'. She continues that we need 'an intelligent accountability that will offer greater accountability without damaging professional performance, (...) real accountability [that] provides substantive and knowledgeable independent judgement of an institution's or professional's work'.<sup>15</sup>

### **Performance management as a safeguard for the citizen**

This position contrasts with the intentions embodied in performance management systems. The key argument is that performance measurement has been the long missing link in accountability relations between delivery organisations and those that are being held accountable for the quality of public services. 'Trust' could and should be a dimension for evaluating the ultimate 'performance' of public services. But the argument is that operational performance management systems are essential for ensuring that the public services do deliver what the citizen is entitled to receive. Because the public services have a chain of accountability that runs from citizens to elected politicians to appointed bureaucrats to delivery organisations (such as schools), performance management is an essential safeguard for the citizen.<sup>16</sup>

The GTC is aware of the wide spectrum of possible accountability mechanisms that could achieve a balance between professional autonomy and managerial control. The GTC wants to develop accountability arrangements that will serve the public and support teachers in doing so.

## **1.4 Structure of this report**

This report consists of three further chapters. In Chapter 2, we explain the main types of accountability and discuss the stages of the accountability process. Chapter 3 discusses the importance of accountability and outlines two important aspects: horizontal accountability and de-professionalization of professionals. That chapter also deals with discussions of cross-sectoral accountability and integrated workforce regulations. Finally, the implications of accountability for teachers are examined in Chapter 4.

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<sup>15</sup> O'Neill, O. (2002) *A Question of Trust: The BBC Reith Lectures 2002, Lecture 3: Called to Account*. Available from <http://www.bbc.co.uk/radio4/reith2002/lectures.shtml>, last accessed 04/06/2008.

<sup>16</sup> Bouckaert, G and Halligan, J (2007) *Managing Performance. International Comparisons*, London, New York: Routledge



In this chapter, we outline five main types of accountability and examine their functions and limitations. We first discuss accountability typologies and then the key elements and stages of accountability processes.

### 2.1 **Accountability typologies**

The academic, research and professional literature provides several typologies of accountability. They include administrative, professional, moral, political, market, legal and managerial.<sup>17</sup> The criteria used to distinguish between these types are based on (i) the form of accountability relationship between particular actors and (ii) the type of data required by these actors to make informed judgements about conduct. The types of accountability each have their own strengths and blind spots. We present here the five types of accountability that are most commonly agreed in the literature. Table 1 provides an overview of these types of accountability.

**Table 1 Types of accountability**

Type	Actors	Mechanism and method
Organisational	Superior and subordinate	Hierarchical/supervisory relationship; rules, standards and targets
Political	Elected politicians	Democratic
Legal	Individuals and organisations	Integrity, “keep them honest”, exercised through courts
Professional	Professionals	Conformity to standards and codes of conduct checked by professional peers, through their institutions
Moral/ethical	Civil society	Ethical obligation and moral responsibilities, internalised values

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<sup>17</sup> Ferlie, E., Lynn, L. E. and C. Pollitt (2005) *The Oxford Handbook of Public Management*, Oxford: Oxford University Press, 2005; See also Rhodes (1988, 404); May, P M (2007) “Regulatory Regimes and Accountability”, *Regulation and Governance*, Vol. 1, No. 1, pp. 8-26.

### **Organisational**

In publicly administered services, organisational or bureaucratic accountability is the most common form. Exercised by superiors through hierarchical relationships, organisational accountability is supposed to secure compliance with some explicit rule or standard, including public service targets. It is worth noting that even when actors have a considerable amount of autonomy in their conduct, they may still feel the pressures of organisational accountability.<sup>18</sup> In the educational context, organisational accountability defines the relationship between schools' organisational characteristics and teachers' empowerment, measured as the experience of individual teachers. Teachers' feedback about schools' organisational practices can inform continuous improvement and organisational learning.<sup>19</sup>

### **Political**

Political accountability is exercised by elected and appointed politicians and is mainly about achieving democratic control. The mechanisms of political accountability are implemented in three dimensions: (1) election of representatives or political parties, (2) ministerial, when accountability is applied indirectly through ministers that are held accountable for every affair in their ministry, and (3) legislation expressed in constitutional or other equivalent documents. Because political agendas and norms are often fluid and of ambiguous character, political accountability assessments are commonly contestable and contested.<sup>20</sup>

### **Legal**

Legal accountability, in which courts and quasi-judicial accountability systems play the central role, is mostly about checking the integrity of organisational and individual behaviour. As Bovens (2005) argues, the importance of legal accountability is increasing due to formalization of social relations and the shift of trust from parliaments towards courts.<sup>21</sup> The public has the possibility of addressing the violation of law through designated authorities (courts) that are formally or legally conferred with specific responsibilities. The delegation of responsibility to independent bodies that are subject to the legal scrutiny based on detailed legal standards, means that legal accountability is the most unambiguous type of accountability.

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<sup>18</sup> Bovens (2005), op. cit.; cf. Hupe, P and Hill, M (2007) "Street-level Bureaucracy and Public Accountability", *Public Administration*, Vol. 85, No. 2, pp. 279-299

<sup>19</sup> Elkins, T. and J. Elliott (2004) "Competition and control: the impact of government regulation on teaching and learning in English schools", *Research Papers in Education*, Vol. 19, No. 1, pp. 15-30.

<sup>20</sup> Bovens (2005), op. cit.

<sup>21</sup> Friedman, L. M. (1985) *Total justice*, New York: Russell Sage; Behn, R. D. (2001), op. cit., p. 568; Harlow, C. (2002) *Accountability in the European Union*, Oxford: Oxford University Press, p. 18; in Bovens (2005) op. cit.

### **Professional**

Professional accountability focuses on conformity to standards and codes of conduct for professional behaviour, checked by peers, through their professional institutions (e.g. in the legal and medical professions). Professionals are bound by the codes of standards and codes of practice set by the professional associations with regard for the public interest. These norms are binding for all members and they need to be implemented in professionals' everyday practice. Teachers' professional accountability is enabled in part through the establishment of a professional regulatory body such as the GTC, which has the statutory duty "to help improve standards of teaching" and "to improve standards of professional conduct among teachers" in the public interest.<sup>22</sup>

### **Moral or ethical**

Ethical or moral accountability has a central place in a professional's conduct. It is based on an accommodation between the competing requirements of individual and collective benefits. Ethical or moral accountability builds on the ordinary moral responsibilities of people as citizens in a civil society and on the established ethical obligations and rights internalised by individuals. Ethical or moral accountability is driven by internal values and often linked to an external code of conduct and formalised by a professional organisation. The main difference between ethical or moral and professional accountability is the degree to which it has been incorporated in the official standards. While professional accountability is binding for members of professionals associations, ethical or moral accountability relies on an informal code of proper conduct.<sup>23</sup> In the case of teachers, they have a commitment towards children and young people, their parents and other stakeholders, to act in the best interest of students to facilitate their effective learning and development. That responsibility is to a great extent based on teachers' own judgement and individual moral values, but is also supported by their professional status derived from being a member of a peer group of that seeks to determine and uphold professional values.<sup>24</sup>

## **2.2 Limitations associated with the accountability types**

Although accountability arrangements are intended to lead to positive benefits, too much accountability or accountability that is inappropriately exercised can have negative effects. The literature indicates that while political accountability is prone to 'scapegoating', organisational and legal accountability carry the risk of facilitating proceduralism and perverse incentives. The blind spot of professional accountability is its lack of responsiveness to organisational or political demands, or to the needs of the service user. In addition, excessive democratic control can develop into an obsession with rules, while strong emphasis on performance improvement can lead to rigidity that fixates on one

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<sup>22</sup> <http://www.gtce.org.uk>, accessed 25/07/2008.

<sup>23</sup> Ferlie, E., Lynn, L. E. and C. Pollitt (2005) *The Oxford Handbook of Public Management*, Oxford: Oxford University Press, 2005.

<sup>24</sup> GTC Research Brief. *The accountability of teachers: a literature review for the GTC*, February 2008, p. 2.

particular aspect of performance.<sup>25</sup> In that context, ‘teaching to the test’ is said to be a consequence of imposing a performance and target regime that carries too strong a drive to prove measurable performance improvements at the expense of the overall quality of the professional work.<sup>26</sup>

### 2.3 Stages of accountability processes

Three stages of accountability can be identified. These are: defining accountability to whom and for what, informing the stakeholders, and judgement. See Figure 1 below.

#### **Defining accountability to whom/for what**

In the first stage, stakeholders define accountability requirements and agree on the scope of accountability. Actors inform stakeholders about their conduct, providing various sorts of data about the performance of tasks, about outcomes, or about procedures.<sup>27</sup>

#### **Informing the stakeholders**

In the next stage, stakeholders stake their claims to hold the actor to account. Stakeholders can determine their scope of this accountability by asking actors to give further details and explanations of their actions and behaviours, in order for the stakeholders to understand how the actors seek to legitimise or justify their conduct.

#### **Judgement (leading to affirmation or sanctions)**

The third stage constitutes a judgement decision on the actor’s conduct. When the result of the conduct assessment is positive, the actor can expect affirmation of his or her actions from the stakeholders. The consequence of a negative judgement may be the introduction of sanctions. The ultimate punishment, in cases of professional misconduct, may be dismissal and loss of opportunity to work further in the profession.

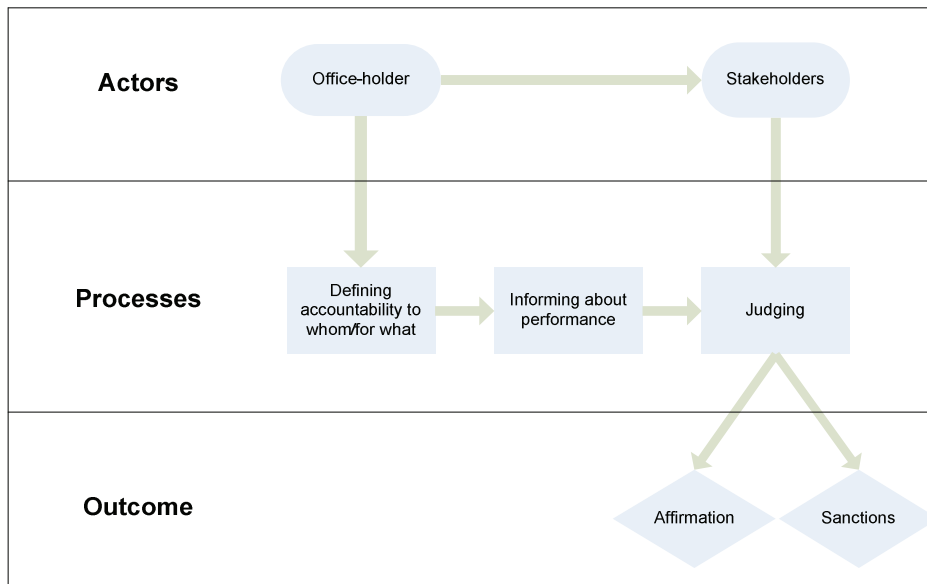
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<sup>25</sup> Bovens, M. (2005) “Public accountability”, in: Ferlie, E., Lynn, L. E. and C. Pollitt, *The Oxford Handbook of Public Management*, Oxford: Oxford University Press; Cf for the general argument, on the effects of performance management Hood, C. (2007) “Public Management by Numbers Editorial”, *Public Money and Management* April 2007 Vol. 27, cf o. 2, p. 89; Hood, C. (2006) “Gaming in Targetworld: The Targets Approach to Managing British Public Services”, *Public Administration Review*, July/August 2006, Le Grad (2007)

<sup>26</sup> Walsh, P. (2006) “Narrowed horizons and the impoverishment of educational discourse: teaching, learning and performing under the new educational bureaucracies”, *Journal of Educational Policy*, Vol. 21, no. 1, pp. 95-117; Menter, I., Mahony, P. and I. Hextall (2004) “Ne’er the twain shall meet?: modernising the teaching profession in Scotland and England”, *Journal of Education Policy*, Vol. 19, No. 2, pp. 195-215; Bovens (2005), op. cit.

<sup>27</sup> Bovens (2005):184-185.

**Figure 1 Accountability process**



Source: adapted from Bovens (2005)

## 2.4 Conclusions

The three stages of the accountability process define roles, responsibilities and relationships between actors and their stakeholders. Analysis of any competing and incompatible features of different types of accountability allow reflection about the conceptual characteristics of accountability systems. This, in turn, helps to examine why public accountability is important and assess in a systematic way to what extent particular elements of accountability have been addressed and embedded in a specific accountability regime. That assessment will enable a regulator such as the GTC to build in the particular characteristics of accountability that best reflect its own priorities and method of working. The analysis therefore provides the GTC with a rational basis for assessing which strengths of accountability arrangements it is seeking to include in its own systems and which weaknesses it is attempting to avoid.





## CHAPTER 3 **Accountability issues**

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### 3.1 **Introduction**

In this chapter we discuss the functions of accountability, its strengths and the potential consequences of accountability overload. We also examine a broad range of topics that feed into the accountability discussion. These topics include the growing importance of horizontal accountability. We also note arguments about the de-professionalization of professionals. This chapter explores the issue of cross-sectoral accountability and notes reported benefits and disadvantages of the integrated workforce policy in the education sector.

### 3.2 **Functions and dysfunctions of accountability**

#### 3.2.1 **Five functions of accountability**

The box below lists five functions of accountability, which we discuss in turn.

**Box 1: Five functions of accountability:**

- Democratic control
- Enhancing the integrity of public governance
- Supporting performance improvement
- Maintaining and enhancing the legitimacy of public governance
- Mechanism for catharsis

#### **1. Democratic control**

Firstly, accountability has a role in the democratic control that is exercised by civil society and by individual citizens. Democratically elected representatives are subject to public scrutiny and are judged on their effectiveness and efficiency in serving the public.<sup>28</sup>

#### **2. Enhancing the integrity of public governance**

Secondly, accountability arrangements enhance the integrity of public governance; they strengthen commitment to honesty and appropriate conduct, and encourage consistency of actions.<sup>29</sup>

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<sup>28</sup> Przewoski, A., Stokes, A.S. and B. Manin (eds.) (1999) *Democracy, accountability and representation*, Cambridge: Cambridge University Press; Bovens, M. (2005) "Public accountability", in: Ferlie, E., Lynn, L. E. and C. Pollitt, *The Oxford Handbook of Public Management*, Oxford: Oxford University Press.

### 3. Supporting performance improvement

A third function of public accountability is to support performance improvement that flow from organisational learning and avoidance of unintended outputs or outcomes.<sup>30</sup>

### 4. Maintaining and enhancing the legitimacy of public governance

A fourth accountability function is maintaining and/or enhancing the legitimacy of public governance. Here it works as an instrument ensuring transparency and answerability between elected governors and the public, bridging those two spheres. Accountability also ensures that the public voice is heard, which should underpin the legitimacy of their elected representatives by enabling individual institutions to be answerable to their particular public.<sup>31</sup>

### 5. Mechanism for catharsis

Finally, accountability serves as a mechanism for catharsis. That function is evident in cases of serious misconduct and breach of public trust. Detailed investigation that explores all factors that led to the unacceptable consequences provides an opportunity to acknowledge what went wrong and why, and usually also informs revisions to policies and control mechanisms. This function of accountability may prevent recurrence of errors and help to support better compliance with rules and regulations.<sup>32</sup>

#### 3.2.2 Accountability paradox

The relationship between accountability arrangements and improved performance may not be a linear one: more accountability does not necessarily ensure better quality of work. This so called accountability paradox, as reported by Jos and Tompkins (2004), arises when the interpretation and application of external accountability requirements is the responsibility of specific agencies (such as inspectorates or auditors) whose own performance is judged by the compliance of those whom they inspect or audit.

The auditors' and inspectors' procedures for making judgements about compliance with required standards may be driven by different (and possibly incompatible) imperatives, which are possibly at odds with those of the actors they audit or inspect.<sup>33</sup> However, a positive relationship between accountability and performance improvement is essential for practitioners and inspectors alike.<sup>34</sup>

<sup>29</sup> Rose-Ackerman, S. (1999) *Corruption and government. Causes, consequences and reform*, New York: Cambridge University Press; Bovens, M. (2005) "Public accountability", in: Ferlie, E., Lynn, L. E. and C. Pollitt, *The Oxford Handbook of Public Management*, Oxford: Oxford University Press.

<sup>30</sup> Aucoin, P. and R. Heintzman (2000) "The dialects of accountability for performance in public management reform", *International Review of Administrative Sciences*, Vol. 66, pp. 45-55; Bovens, M. (2005) "Public accountability", in: Ferlie, E., Lynn, L. E. and C. Pollitt, *The Oxford Handbook of Public Management*, Oxford: Oxford University Press.

<sup>31</sup> Aucoin, P. and R. Heintzman (2000) "The dialects of accountability for performance in public management reform", *International Review of Administrative Sciences*, Vol. 66, pp. 45-55; Bovens, M. (2005) "Public accountability", in: Ferlie, E., Lynn, L. E. and C. Pollitt, *The Oxford Handbook of Public Management*, Oxford: Oxford University Press.

<sup>32</sup> Harlow, C. (2002) *Accountability in the European Union*, Oxford: Oxford University Press, Bovens, M. (2005) "Public accountability", in: Ferlie, E., Lynn, L. E. and C. Pollitt, *The Oxford Handbook of Public Management*, Oxford: Oxford University Press.

<sup>33</sup> Jos, P. and M. E. Tompkins (2004) "The accountability paradox in an age of reinvention. The perennial problem of preserving character and judgement", *Administration and Society*, Vol. 36, No. 3, pp. 255-281.

<sup>34</sup> Halachmi, A. (2002) "Performance measurement, accountability, and improved performance", *Public Performance and Management Review*, Vol. 25, No. 4, pp. 370-374.

So if measures to increase accountability are in conflict with established or desired performance indicators they may undermine efforts to improve performance.

### 3.2.3 **Accountability dilemma and overload**

In the research literature, excessive accountability requirements are said to lead to an accountability dilemma,<sup>35</sup> which results from frequent changes to, and or inconsistencies in, accountability definitions. The accountable actor is accountable for both process (how work is accomplished) and outcomes (what happens). Traditionally, accountability in the public sector has focused on processes for which the measurements are relatively clear and objective. However, the dynamic and changing relationship between process and outcomes creates a dilemma. It occurs when accountability requirements for process and for performance are contradictory. Volcker and Winter describe it thus:

Not even the most public-spirited government workers can succeed if they are hemmed in on all sides by rules, regulations, and procedures that make it virtually impossible to perform well. The most talented, dedicated, well-compensated, well-trained, and well-led civil servants cannot serve the public well if they are subject to perverse personnel practices that punish innovation, promote mediocrity, and proscribe flexibility.<sup>36</sup>

#### **Consequences of overload**

Dysfunctional consequences of accountability processes can also occur when there is accountability overload. Although accountability requirements may be intended to improve the efficiency and effectiveness of workers' actions and decisions, they can often impose heavy demands on top of workers' existing work practices.<sup>37</sup> Workers may have to report to several stakeholders and need to inform and justify their actions to various forums. From the public interest perspective, this should increase transparency of activities. But where such reporting is time-consuming and administratively onerous, it may undermine workers' capacity to work in the most cost-effective ways.

#### **Evaluation criteria**

An obligation to report to multiple agencies may also reveal mutually contradictory evaluation criteria,<sup>38</sup> where different stakeholders have significantly different requirements. Unrealistic and unclear accountability requirements may produce performance standards that are inconsistent with the authority's own (and comparable authorities') good practices.<sup>39</sup> These dysfunctional characteristics can undermine efforts to improve performance. Contradictory, unattainable assessment can cause workers to feel overstretched and discouraged from complying with such requirements.

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<sup>35</sup> Behn, R. (2001) *Rethinking democratic accountability* Washington, DC: The Brookings Institute.

<sup>36</sup> Volcker, P. A. and W. F. Winter (2001) in Behn, R., (2001) op. cit.

<sup>37</sup> Bovens, M, Schillemans, T. and P. T'Hart (2008) "Does Public Accountability Work? An assessment tool", *Public Administration*, Vol. 86, No. 1, pp. 225-242.

<sup>38</sup> Ibid. While some evaluators may highlight the importance of costs, other may put more emphasis on the performance quality.

<sup>39</sup> Ibid.

## Implications

As a possible reaction, workers may resort to subversive behaviour that compromises service quality and accountability.<sup>40</sup> In summary, accountability overload is a result of inadequate clarity between performance requirements or the contradictory obligations that they generate.

### 3.3 Horizontal accountability

One of the topics discussed in the accountability literature is the growing importance of horizontal accountability. Traditionally, vertical relationships were the dominant form of accountability and control, with accountability to the public exercised ultimately through ministerial responsibility to parliament. A chain of top-down hierarchical relations characterised the organisational pyramid.<sup>41</sup> In recent years, the rise of multiple agencies with regulatory, inspection, audit and scrutiny responsibilities has encouraged a gradual shift to more horizontal accountability arrangements in the public services. That move has emphasised the administrative and legal aspects of accountability and weakened political accountability.

#### Increased reporting

Horizontal accountability includes greater scope to hold individual civil servants to account. Superiors as well as subordinates can be questioned about their decisions, behaviour and performance. These changing arrangements, involving multiple agencies for representing and protecting the interests of citizens, have placed additional obligations on individuals and organisations to report on their actions.<sup>42</sup>

#### Rise of a contract culture

The literature also suggests that the New Public Management has contributed to the growth of horizontal accountability.<sup>43</sup> Behn argues that administrative accountability has altered in the face of an increasingly contractual character to the relationship between service commissioners (acting in the public interest) and service providers. Public service bodies "...are being evaluated on the basis of targets, performance indicators, and benchmarks which have been laid down in (quasi) contracts".<sup>44</sup> These contractual relationships do involve hierarchical controls insofar as the parties to the contract do not have equal powers.

The terms of the service contract are determined principally by the contracting authorities, to which the service providers have to conform. Some professions, notably those involved in health and education services, possess considerable professional autonomy and knowledge. It is difficult to simply 'translate' their working methods and relationships with service users into the language of contracts and performance indicators.<sup>45</sup>

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<sup>40</sup> Ibid.

<sup>41</sup> Bovens, M (2005) op. cit.

<sup>42</sup> Bovens, M (2005) op. cit.; Pollitt, C. and H. Summa (1997) "Reflexive watchdogs? How supreme audit institutions account for themselves", *Public Administration*, Vo. 75, No. 2, pp. 313-336.

<sup>43</sup> Behn, R. (2001), op. cit.; Pollitt, C. and Bouckaert, G. (2005) *Public management reform. A comparative analysis*, Oxford: Oxford University Press.

<sup>44</sup> Behn, R. (2001), op. cit., pp. 30-32 and 123.

<sup>45</sup> Halachmi, A. (2002) "Performance measurement. A look at some possible dysfunctions", *Work Study*, Vol. 51, No. 5, pp. 230-239; Pollitt, C. (2003) *The essential public manager*, London: Open University Press/McGraw-Hill, in: Bovens, M. (2005) op. cit.; Behn, R. (2001), op. cit.

### 3.4 Integrated workforce and cross-sectoral accountability

The accountability literature also examines cross-sectoral accountability arrangements and the integrated workforce regulations. The literature highlights that the accountability systems function as mechanisms to protect the public and ensure confidence in public services. In recent years, the delivery of essential public services has ceased to be the sole remit of single agencies or organisations, as service delivery is becoming more complex and more reliant on multi-agency working.<sup>46</sup>

In the education context, teachers had been calling for more opportunities to plan and prepare for classes, and as a result a PPA time (planning, preparation and assessment) was implemented within the school week. At the same time, some parents had been raising concerns about needing more personalised support for their children to help them reaching their potential. More teaching assistants were employed in schools to both unburden teachers and provide further learning opportunities for pupils. Some teachers saw this move as undermining their authority and threatening their control in schools.<sup>47</sup>

#### **Every Child Matters**

Cross-sectoral working was emphasised with the publication in 2004 of *Every Child Matters: Change for Children*. The document sets out standards of practice and competence for professionals working with children and vulnerable individuals. It specifies five outcomes for children and young people<sup>48</sup> to promote the achievement of these outcomes. The document calls for effective joining-up of education, health and social care, to break down the organisational boundaries and allow effective partnership working. *Every Child Matters* emphasises the value of skills that people from different professional backgrounds bring; it aims to facilitate an effective dialogue between professionals from various services and organisations working with children. That partnership working relies on information sharing and developing a common understanding of terms across services.<sup>49</sup> The document supports cross-sectoral learning opportunities.<sup>50</sup> *Every Child Matters* also recommends different ways of working, which integrate education, social care and health services around the needs of children rather than providers. This, in turn, “should ensure that multi-disciplinary teams are able to benefit from a wide range of professionals working together, without losing the advantages of those professionals’ individual specialisms”.<sup>51</sup> All these changes introduce modifications to professionals’ roles and expectations.<sup>52</sup>

#### **Regulating the wider workforce**

Alongside *Every Child Matters*, there have been initiatives promoting the regulation of a wider workforce. Numbers of staff working outside the regulated (registered) professions are reportedly

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<sup>46</sup> Department of Health (2004) *Regulation of Health Care Staff in England and Wales: A Consultation Document*, London: DH.

<sup>47</sup> Webb, R. and G. Villiamy (2006) *Coming full circle? The impact of New Labour’s education policies on primary school teachers’ work*, Association of Teachers and Lecturers: London.

<sup>48</sup> *Every Child Matters* specifies five outcomes for children and young people: (1) be healthy, (2) stay safe, (3) enjoy and achieve, (4) make a positive contribution, (5) achieve economic and social well-being. See: Department for Education and Skills (2004) *Every Child Matters: Change for Children*, London: DfES.

<sup>49</sup> Department for Education and Skills (2004) *Every Child Matters: Change for Children*, London: DfES.

<sup>50</sup> Cheminais, R. (2006) *Every Child Matters. A Practical Guide for Teachers*, David Fulton Publishers.

<sup>51</sup> Department for Education and Skills (2004) *Every Child Matters: Change for Children*, London: DfES.

<sup>52</sup> Department for Education and Skills (2004) *Every Child Matters: Change for Children*, London: DfES.

increasing. These workers are not subject to the same assessments of their competence and fitness to practise as registered professionals.<sup>53</sup> The growing number of unregulated teaching assistants and care staff outside the public sector are not subject to equivalent accountability controls even though they provide front line services. Statham and Brand concluded:

Some form of national registration of staff is becoming a concern for employers in all sectors, as a means of charting the status of their staff and their standards of competence... This points to the need for different systems to be put in place which focus on the individual worker rather than solely on the agency...<sup>54</sup>

### **Multi-agency arrangements**

Services that are provided through multi-agency arrangements pose a number of challenges to the bodies responsible for regulating professionals. These arrangements introduce interdisciplinary and cross boundary characteristics to services that were once mainly the province of single, self-contained professional groups. Regulatory authorities in the UK were traditionally mostly organised around defining and promoting the values, interests and competencies of particular professions.

These authorities do not yet put comparable emphasis on identifying or promoting more universal, cross-sectoral public service competencies. The latter might arguably foster greater communication, partnership working and exchange of good practice between workers of different backgrounds and training who now have to collaborate to deliver the services. The new arrangements may also formally make the public interest the primary priority of those services.<sup>55</sup> However, many of the front line support staff do not currently come under the jurisdiction of any regulator.<sup>56</sup>

### **Powers of the regulator**

The body regulating a profession usually stipulates the formal qualifications that individual practitioners need to hold in order to be registered and eligible to work as registered practitioners. Regulatory authorities also declare standards of professional competence and practice that registered practitioners should obey. These standards should protect recipients of the services from incompetent or unlawful practices. The regulator establishes penalties for unprofessional conduct by individuals and systems for investigating such cases of malpractice.

Regulation also functions to establish barriers to entry into the profession by unqualified practitioners, and to maintain and protect the status of these individuals. Cornes *et al.*<sup>57</sup> reviewed various regulatory modes and question whether they improve transparency and accountability and provide better service for public. They conclude that despite a widespread assumption that regulation of professionals is beneficial to the public, there is little empirical evidence as to the outcomes and benefits.

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<sup>53</sup> Statham, D. and D. Brand (1998) *Protecting the public: the contribution of regulations*, in: Hunt, G. (ed.) *Whistleblowing in the Social Services: Public Accountability and Professional Practice*, Arnold: London.

<sup>54</sup> Ibid, p. 212.

<sup>55</sup> Ibid.

<sup>56</sup> Cornes, M., Manthorpe, J., Huxley, P. and S. Evans (2007) "Developing wider workforce regulation in England: Lessons from education, social work and social care", *Journal of Interprofessional Care*, Vol. 21, No. 3, p. 246.

<sup>57</sup> Ibid.

### Comparison of the GTC with other regulators

General Teaching Councils were established in the four nations of the UK as statutory regulatory agencies for qualified teachers. The GTC is a public corporation answerable to Parliament.<sup>58</sup> Some authors interpret the establishment of the GTC as delegation of central power and authority<sup>59</sup> while others see it as a new body for imposing tighter control.<sup>60</sup> Teachers' activities and performance are closely monitored, and central government ministers and officials take an interest in the detail of the curriculum, lessons, teaching methods and examination and test targets and results.<sup>61</sup> This regulatory and monitoring regime attracts a high level of political concern about the competence of teachers.<sup>62</sup>

The General Medical Council (GMC), the independent regulator for doctors in the UK, was established under the Medical Act 1858. It derives its authority in part from its royal charter, granted by the Sovereign on the advice of the Privy Council.<sup>63</sup> The Privy Council appoints the 13 lay members of the GMC (35 members in all) on the advice of the UK Health departments. The Medical Act 1983 gives the GMC four functions: to maintain an up to date register of qualified doctors and control entry to the medical register, to set the educational standards for medical schools, to determine the principles and values that underpin good medical practice, and to take disciplinary action where those standards have not been met.<sup>64</sup> The GMC has recently been prompted to revise its methods and priorities following criticisms of its performance by Dame Janet Smith who led the Shipman Inquiry. She raised serious concerns about the GMC's handling of complaints against general practitioners and other procedures and the revalidation of doctors.<sup>65</sup>

#### 3.4.1 Regulating support staff

Imposing standards on support staff through the requirement of registration may give professional staff the confidence to delegate more skilled work to their assistants.<sup>66</sup> Delegating more responsibility to support staff may encourage those workers to develop their careers and motivate them to obtain additional qualifications and move into professional roles later, if they wish. However, the delegation of responsibility raises a question: who is accountable for the delegated work? Does it still fall within the remit of the regulated professional or does liability

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<sup>58</sup> <http://www.gtce.org.uk/aboutthegtcf/faqs/rolefaq/?view=Print>, accessed 03/06/2008.

<sup>59</sup> Elkins, T. and J. Elliott (2004) "Competition and control: the impact of government regulation on teaching and learning in English schools", *Research Papers in Education*, Vol. 19, No. 1, pp. 15-30.

<sup>60</sup> Merson, M. (2000) "Teachers and myth of modernisation", *British Journal of Educational Studies*, Vol. 48, pp. 155-169.

<sup>61</sup> Cornes, M., Manthorpe, J., Huxley, P. and S. Evans (2007) "Developing wider workforce regulation in England: Lessons from education, social work and social care", *Journal of Interprofessional Care*, Vol. 21, No. 3, pp. 241-250.

<sup>62</sup> Hughes, G., Mears, R. and C. Winch (1997) "An inspector calls? Regulation and accountability in three public services", *Policy and Politics*, Vol. 25, pp. 299-314.

<sup>63</sup> About 900 institutions, charities and public and private companies are incorporated by royal charter; they are now normally "...bodies that work in the public interest and can demonstrate pre-eminence, stability and permanence in their particular field." <http://www.privacy-council.org.uk/output/Page26.asp>, accessed 18/07/08.

<sup>64</sup> <http://www.gmc-uk.org>, accessed 28/07/2008.

<sup>65</sup> The Shipman Inquiry (2004), *Fifth Report - Safeguarding Patients: Lessons from the Past - Proposals for the Future*, Cm 6394, December 2004.

<sup>66</sup> Cornes, M., Evans, S. Huxley, P. and J. Manthorpe (2005) *Lessons from regulation of education, social work and social care. Findings of a review undertaken for the Department of Health*, Social Care Workforce Research Unit and King's College London, University of London, London, p. 13.

shift to the support workers? Furthermore, will these additional responsibilities enhance the status of support workers, or just mean additional burdens for them? How many support staff wish to actively progress their careers, if they must undertake additional training and compulsory registration? Some of these workers may be satisfied with their current arrangements and may not welcome a radical change in their commitments.<sup>67</sup>

### Professional values

Knowing that the care and education systems heavily depend on the support workforce and that the work of these staff is essential to delivery of the services,<sup>68</sup> where should the line be drawn to include and exclude staff<sup>69</sup> from the regulatory requirements? Evidence suggests that the success of regulations is closely linked to professionals' identification with the standards set in the regulations. Much depends on how far the professionals and the regulator share the same set of values.<sup>70</sup>

#### 3.4.2 Workforce models

A workforce-wide model of regulation operates for dental services, where all dental staff regardless of their role and status (dentist, nurse and receptionist) are required to register with the General Dental Council.<sup>71</sup> In social care, Cornes *et al* argue that all social care workers should be included on the register, and the regulatory activity should focus on unfitness to practice monitoring and promoting a “systems” rather than a “bad apple” approach.<sup>72</sup>

#### 3.4.3 Registration limitations

There is also a question about the extent to which compulsory registration prevents abuse and protects the public, and whether registration by a professional body safeguards the public interest.<sup>73</sup> At the moment in the teaching sector, only qualified individuals are required to register with and report to the professional bodies, while the support/assistant workers are directly employed by and accountable to the agencies that employ them. As a result, there is no central control over those who do not hold high standards, who may abuse the system. Cornes *et al.* argue that as there are no preventive measures, workers who are dismissed by one employer may still apply for and take up new posts with a different employer.<sup>74</sup>

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<sup>67</sup> Ibid and Cornes *et al* (2007), *op. cit.*

<sup>68</sup> Bach, S, Kessler, I. and P. Heron (2006) “Changing job boundaries and workforce reform: the case of teaching assistants”, *Industrial Relations Journal*, Vol. 37, pp. 2-21.

<sup>69</sup> Ibid, p. 14.

<sup>70</sup> Lathlean, J., Goodship, J. and K. Jacks (2006) *Modernising adult social care for vulnerable adults: the process and impact of regulation, Regulation of adult social care project, Final Report*, Southampton. Available from <http://www.port.ac.uk/research/rasc/researchworktoday/filetodownload,66759,en.pdf>, last accessed 03/06/2008.

<sup>71</sup> Cornes *et al.* (2007) *op. cit.*

<sup>72</sup> Cornes *et al.* (2007) *op. cit.*, p. 245.

<sup>73</sup> The Bichard inquiry provided evidence that Ian Huntley was known to the police for sexual offence and burglary; however it did not prevent employing him as a school caretaker in a Village College in Soham, where he committed murders. See: Bichard, M. (2004) *The Bichard Inquiry Report*, London: Stationery Office.

<sup>74</sup> Cornes, M., Evans, S. Huxley, P. and J. Manthorpe (2005) *Lessons from regulation of education, social work and social care. Findings of a review undertaken for the Department of Health*, Social Care Workforce Research Unit and King's College London, University of London, London.



### 3.4.4 Training/professional development

Although the regulation of professions is meant to drive up standards as well as protect the public interest, for teachers (unlike in other professions)<sup>75</sup> post-qualifying training or other professional development is not a compulsory requirement for continued registration of ‘qualified teachers’. The GTC encourages teachers to participate in continuous professional development to help them to maintain, improve and broaden their knowledge and skills, and to develop the personal qualities required in their professional lives. However, the primary responsibility for monitoring and assessing the performance of teachers remains within the remit of individual schools and local authorities.<sup>76</sup> Developing a ‘fitness to practice’ approach requires a clear definition of what constitutes the regulator’s and employer’s responsibilities. Cornes *et al* argue that regulatory authorities should only be involved in investigating the most serious cases (as is the case with GTC), while lower levels of misconduct should continue to be handled by employers.<sup>77</sup>

In summary, the main challenge to developing and implementing professional and workforce regulation remains how to design optimal mechanisms that will both protect vulnerable service recipients and at the same time not place too much burden on, or introduce disincentives to, essential front line workers.

## 3.5 De-professionalisation

The trend of de-professionalisation of professionals is also noted in the literature. This may particularly affect those individuals whose regulatory arrangements are mostly based on the organisational and professional types of accountability.

The public services workforce has been characterised by two contradictory trends. On the one hand, there is a tendency among more of the previously unregistered work groups to seek and attain the status of registered professions. Many public service occupations increasingly define themselves as autonomous professional groups who organise and regulate the occupational status and practices of their members by developing educational and training programmes and requirements, and enforcing codes of conduct. The aim of these actions is to enable the group to control and govern itself; and to achieve barriers to entry by selecting members eligible for admission.<sup>78</sup> On the other hand, many traditionally established professions are undergoing a process of de-professionalization.<sup>79</sup>

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<sup>75</sup> In social care, ‘fitness to practice’ is closely linked to evidence of training and development. It is not unproblematic and raises questions about who should bear the financial cost of the training, employer or employee; secondly what level of training is satisfactory to uphold professional standards and maintain public trust. Training and development requirements may be seen by workers as an additional burden and act as a disincentive to enter the profession in the first place. Cornes *et al* (2005) *op. cit.*

<sup>76</sup> In Scotland, the GTCS has suggested that its role should be extended into the area of monitoring and assessment, yet, no actions were taken to put this idea forward. See: Livingston, K. and J. Robertson (2001) “The coherent system and the empowered individual: continuing professional development for teachers in Scotland”, *European Journal of Teacher Education*, Vol. 24, No. 2, pp. 183-94, in: Cornes *et al* (2005), *op. cit.*

<sup>77</sup> Cornes *et al.* (2005), *op. cit.*

<sup>78</sup> Freidson, E. (2001) *Professionalism, The third logic*, Cambridge: Polity; Abbott, A. (1988) *The systems of professions*, Chicago: University of Chicago Press, In: Noordegraaf, M. (2007) “From “pure” to “hybrid” professionalism: present-day professionalism in ambiguous policy domains”, *Administration and Society*, vol. 39, No. 6, pp. 761-785.

<sup>79</sup> Noordegraaf, M. (2007) “From “pure” to “hybrid” professionalism: present-day professionalism in ambiguous policy domains”, *Administration and Society*, vol. 39, No. 6, pp. 761-785.

### Weakening of restrictions

Doctors traditionally had stronger mechanisms for controlling their own work practices. The trend is increasingly to question the autonomy of such professions and introduce more external controls, through managerial, market and consumer-led mechanisms.<sup>80</sup> In that way, professions lose the sole right to control their members' conduct and collective professional affairs. De-professionalization also reflects the professions' loss of monopoly over expert knowledge and exclusive rights to undertake certain work. The general public is gaining access to previously restricted knowledge and practices.<sup>81</sup>

The trend to de-professionalise teaching is noted in the literature.<sup>82</sup> Factors cited include performance measurement and monitoring to achieve greater transparency and accountability, particularly through consumer choice.<sup>83</sup> In the UK, new policies implemented in recent years have aimed at maximizing pupils' attainment as measured in the national assessment tests.<sup>84</sup> <sup>85</sup> This new emphasis may be seen as reflecting the influence of business values and culture on the public services.<sup>86</sup> The rise of the 'new managerialism' has shifted the focus onto measurable outcomes, and arguably narrowed the horizons of education policy.<sup>87</sup>

### Implications for teachers' roles

These trends tend to emphasise the role of teachers as implementers of the specified curriculum rather than initiating more creative activities that would be tailored to the particular needs of individual pupils in the classroom. "Teaching success (...) narrowly defined in terms of efficiency and outputs, as measured by student performance in tests, meeting targets, and doing well in

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<sup>80</sup> See Aucoin, P and Heintzman, R. (2000), op. cit., Macpherson, R., Cibulka, J. G., Monk, D. H. and K. K. Wong (1998) The politics of accountability: Research in prospect, *Educational Policy*, Vol. 12, No. 1&2, pp. 216-229.

<sup>81</sup> Noordelgraaf, M. (2007) "From "pure" to "hybrid" professionalism: present-day professionalism in ambiguous policy domains", *Administration and Society*, vol. 39, No. 6, pp. 761-785; Healy, K. and G. Meagher (2004) "The reprofessionalization of social work: collaborative approaches for achieving professional recognition", *British Journal of Social Work*, Vol. 34, No. 2, pp. 243-260.

<sup>82</sup> Ranson, S. (2003) "Public accountability in the age of neo-liberal governance", *Journal of Education Policy*, Vol. 18, No. 5, pp. 459-480.

<sup>83</sup> Ibid.

<sup>84</sup> Fitz, J. (2003) "The politics of accountability: A perspective from England and Wales", *Journal of Education*, Vol. 78, No. 4, pp. 230-241.

<sup>85</sup> Many scholars observed substantial differences between English and Scottish educational systems. The English 'league tables' regime has been described as having a dysfunctional effect, while a study on modernizing the teaching profession found that the Scottish system is strongly orientated towards professional development, while the English focuses on performance and teacher assessment. The Welsh educational system and teachers' accountability closely resemble the English system, however, some changes have been implemented recently. These new developments place less emphasis on the performance monitoring aspect and encourage more collaborative work. There is no evidence yet on the consequences of this change. See: Menter, I., Mahony, P. and I. Hextall (2004) "Ne'er the twain shall meet?: modernizing the teaching profession in Scotland and England", *Journal of Education Policy*, Vol. 19, No. 2, pp. 195-214; Wiggins, A. and P. Tymms (2002) "Dysfunctional effects of league tables: a comparison between English and Scottish primary schools", *Public Money and Management*, January-March, pp. 43-48; Fitz, J. (2003) "The politics of accountability: A perspective from England and Wales", *Journal of Education*, Vol. 78, No. 4, pp. 231-546; Ouston, J., Fidler, B. and Earley, P. (1998) "The educational accountability of schools in England and Wales", *Educational Policy*, Vol. 12, No. 1&2, pp. 111-123.

<sup>86</sup> Webb, R., Vulliamy, G., Hamalainen, S, Sarja, A., Kimonen, E. and R. Nevalainen (2004) "A comparative analysis of primary teacher professionalism in England and Finland", *Comparative Education*, Vol. 40, No. 1, pp. 83-107.

<sup>87</sup> Walsh, P. (2006) "Narrowed horizons and the impoverishment of educational discourse: teaching, learning and performing under the new educational bureaucracies", *Journal of Education Policy*, Vol. 21, No. 1, pp. 95-117.

school inspection reports” is seen as a factor contributing to the deskilling of the teacher profession.<sup>88</sup> Fitz concludes:

The implications for teachers and other educational professionals is that they have become reconstituted knowledge workers whose primary task is to deliver nationally determined curricular and pedagogic strategies. The creative side of teaching – devising instructional and assessment programs suited to the needs and capabilities of actual students in class – has been considerably diminished. At the same time, a series of performance indicators in the form of examination league tables, school inspection reports, and targets measure their relative outputs and render them both more visible and more accountable to government and parents.<sup>89</sup>

### **Performance culture**

All these elements affect the quality of teaching and limit opportunities of students to acquire knowledge and develop skills. Jeffrey reports that the performance culture has affected the nature of teachers’ professional relationships with their students, their colleagues and with local advisors/inspectors.<sup>90</sup> He argues that the new performance focus creates a dependency culture, marginalises individuality, stratifies collegial relations and de-personalises relations between teachers, parents and advisors/inspectors.

### **Alterations to status of teachers**

Some studies examine how these changes in education policies impact on teachers’ perceived status. A recent report from the Universities of Cambridge and Leicester found that there are still differences between the status of teachers and other professional occupations.<sup>91</sup> The common public perception and valuation of teachers stressed ‘educating’, ‘responsibility for children’ and ‘controlling a class’. Other indicators of professional status, such as ‘expertise’, ‘qualifications’ and ‘nature of work’, were rarely identified as a description of teachers’ work.

In addition, the results of a public opinion survey comparing the status of 16 occupations, including headteachers and teachers, show that there is a large discrepancy between ‘status currently held’ and ‘status deserved’ by educational professionals. Another finding from the survey is that parents consistently rated teacher status higher than did teachers themselves. The importance of raising teachers’ status has been identified as a factor that can positively contribute to recruitment and retention.<sup>92</sup> The possibility of developing a new understanding of the professionalism of teachers, which balances flexibility and accountability, is one of the aims of teachers’ unions and professional bodies.<sup>93</sup>

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<sup>88</sup> Fitz, J. (2003) “The politics of accountability: A perspective from England and Wales”, *Journal of Education*, Vol. 78, No. 4, pp. 235-6.

<sup>89</sup> Ibid, p. 239.

<sup>90</sup> Jeffrey, B. (2002) “Performativity and primary teacher relations”, *Journal of Education Policy*, Vol. 17, No. 5, pp. 531-546.

<sup>91</sup> Hargreaves, L., Cunningham, M., Everton, T., Hansen, A., Hopper, B., McIntyre, D., Maddock, M., Mukherjee, J., Pell, T., Rouse, M., Turner, P. and L. Wilson (2006) *The status of teachers and the teaching profession: views from inside and outside the profession. Interim findings from the Teacher Status project*, Department for Education and Skills, Research Report No. 755.

<sup>92</sup> Hoyle, E. (2001) “Teaching: Prestige, status and esteem”, *Educational Management Administration Leadership*, Vol. 29, No. 2, pp. 139-152.

<sup>93</sup> Webb, R. and G. Villiamy (2006) *Coming full circle? The impact of New Labour’s education policies on primary school teachers’ work*, Association of Teachers and Lecturers: London.

### 3.6 **Conclusions**

In this chapter we presented a broad range of themes that are associated with the subject of accountability. These topics explore a wide spectrum of possible outcomes resulting from the particular accountability make-up. The reviewed literature notes a rise of the horizontal accountability and contractual character of relations between public service providers and recipients. Another trend highlighted in the reviewed sources includes the move towards de-professionalisation of professionals and a slow decline of the professional authority. Some authors also observe developments for a cross-sectoral accountability and discuss the options for the regulation of the currently unregulated support staff that is vital in the service delivery in the sectors of education, social care and social work. All these issues presented in this chapter draw attention to and open a discussion on a wide range of aspects that may inform professional and regulatory authorities' thinking.

#### 4.1 **The accountability challenge**

A key challenge for public services in general and professionals working in schools in particular is how to combine two imperatives: (a) a performance orientation (in the sense of measurable performance against published targets) that satisfies the principal stakeholders, and (b) maintenance or revival of broader professional values. The GTC expressed it thus:

The GTC intends to foster a debate about the proper relationships and balance between these forms of accountability and from this to develop proposals for teachers' accountability that are no longer dominated by the prime requirement to hold individual schools accountable but also incorporate a recognition of genuine moral and professional accountability of teachers. We are seeking to move towards a coherence and balance between the different forms and purposes of accountability, which is acceptable to stakeholders. We will seek recognition for a form of professional accountability that is more influential in supporting teachers' practice than one that is perceived as being limited to compliance with a set of minimum standards.<sup>94</sup>

Some questions that this literature review has explored include:

- How to design professional accountability that satisfies the range of stakeholders who wish to hold professionals to account?
- How to combine the best of different types of accountability mechanisms?
- How to make professional accountability motivating for professionals?
- How to ensure that accountability arrangements do not hinder creativity, innovation and teachers' motivation?
- How to design accountability arrangements that facilitate professional development
- How to avoid 'accountability overload' and perverse incentives?

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<sup>94</sup> GTC *Research Brief: The accountability of teachers: a literature review for the GTC*, February 2008, p. 2

- How to adapt accountability arrangements to changes in the workforce and multi-agency working?

Such questions as these are not simple; nor are answers likely to be found in the form of off-the shelf recipes.

## 4.2 Implications

The literature does nevertheless provide a number of pointers or implications that the GTC might find helpful to consider: we list five here.

1. It helps to be aware of the particular characteristics of the *different types* of accountability (organisational, political, legal, professional and ethical/moral).
2. There are some features of the different types that *compete* or are *incompatible*.
3. Where standards of professional behaviour are enforced by *sanctions* (e.g. exclusion from membership or registration), this mechanism will only work if membership of a professional body or registration is important for the individual's professional career.
4. Where professional standards and criteria are set by peers working as a formal institution outside the hierarchical relationships of service planning and delivery (for example the GTC or GMC), the *legitimacy of their standards* will be judged in part by whether they provide the public with reasonable protection from professional misconduct and negligence.<sup>95</sup>
5. The success of service reforms in education, as in the other professionalised public services, is likely to largely depend on the *active involvement of the professionals* from the policy design stage through the implementation of new strategies and evaluation of the results. Exclusion of professionals from policy planning can demoralise them and have a negative effect on the overall success of the reforms. In recent years the teaching profession in the UK has not felt it has been a stakeholder in the curriculum planning process and the new teaching methods.<sup>96</sup> However, the hierarchical relationships of public service planning and delivery challenge the idea that professionals can be totally self-regulating and self-defining.

## 4.3 Assessing accountability arrangements

The academic literature does not provide many examples of assessment frameworks and methods that can be of a direct use for practitioners. Instead, academics tend to focus on discussions of the conceptual characteristics of accountability systems, their aims and objectives.<sup>97</sup>

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<sup>95</sup> The Bichard Inquiry into the Soham murders and the Shipman inquiry are two very important recent yardsticks, in that they present examples of accountability systems that did not provide sufficient means of ensuring public protection in practice.

<sup>96</sup> Baker, M. (2001) "Accountability versus Autonomy", *Education Week*, 10/31/2001, p. 48.

<sup>97</sup> Compare with: Behn (2001), Halachmi (2002) and Mulgan (2003)

Building on the typology presented in Chapter 2.1, in Table 2 below we present some assessment questions, to help to examine why public accountability is important and how to determine whether it is serving its purpose. The list of questions is indicative rather than comprehensive.

**Table 2 Questions for assessing accountability arrangements**

	<b>Organisational</b>	<b>Political</b>	<b>Legal</b>	<b>Professional</b>	<b>Moral or ethical</b>
<b>Purpose</b>	Secure compliance with organisational rules and standards; effective governance and accountability arrangements provide feedback to increase effectiveness of performance	Popular control and legitimacy by linking office-holders to the chain of democratic accountability	Prevent concentration of power and abuse of authority	Secure conformity to standards and codes of conduct in light of public interest	Builds on the ordinary moral responsibilities of people as citizens and serves civil society through established ethical obligations and rights internalised by individuals
<b>Main assessment question</b>	Do accountability arrangements stimulate a focus on desired outcomes?	To what degree do democratic bodies monitor, evaluate and modify executive behaviour?	Do accountability arrangements curtail abuse of power and privileges?	How are the standards and codes of practice implemented in professionals' every day practice?	To what degree are individuals' internalised values incorporated in official standards?
<b>Additional assessment questions</b>	Do accountability arrangements facilitate open exchange of performance related information?  Do arrangements allow ongoing dialogue about performance feedback?	Do stakeholders focus on actors' conformity to agreed goals?	Do stakeholders possess sufficient investigatory power and authority?  Do sanctioning mechanisms exist that could deter misbehaviour?	How is conformity to standards and professional behaviour assessed by the professional institutions?  What sanctioning mechanisms exist that could deter misbehaviour?	Are actors' own ethical values shared by civil society?

Source: Adapted from Bovens, M., Schilleman, T. and P. T'Hart (2008) "Does Public Accountability Work? An assessment tool", *Public Administration*, Vol. 86, No. 1, pp. 225-242 and Aucoin, P. and R. Heintzman (2000) "The dialectics of accountability for performance in public management reform", *International Review of Administrative Sciences*, Vol. 66, No. 45, pp. 45-55.





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# Appendix: Methodology

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## Obtaining data and information

RAND Europe was commissioned by the General Teaching Council England (GTC) to conduct a literature review study on the professional accountability of teachers with the aim to inform GTC by existing research and evidence which may be transferable to the teaching profession. The research team defined the scope and focus of the study in cooperation with the GTC in the early stages of the project.

Having defined the scope and focus of the work, the project team undertook desk-based research, collecting relevant literature on two broad areas, as specified by the GTC:

- An understanding of the meaning and interpretation of ‘accountability’ in different contexts and from different perspectives.
- Evidence as to the impact and effects of different forms of and systems for accountability.

Research consisted primarily of reviewing articles, research reports and books, drawing on relevant databases such as Web of Science, Google Scholar, ingentaconnect, Sage Journals online and significant journals in the area, for example *British Journal of Education*, *Educational Policy*, *British Educational Research Journal* and the *Public Administration*. We employed the bibliographic search services of the RAND library and University of Cambridge library to identify materials. Research reports and other relevant literature published by organizations, notably specialised government agencies also informed the research. These documents were then used to identify additional literature (‘snowballing’).

## Search terms

The search terms used were: accountability, teacher, education, public service, guideline, code of conduct, code of practice, assessment, achievement, transparency, liability, responsibility, governance, and various combinations of these key words. The criteria for inclusion in the review were papers relating to the interpretation of accountability and its functions, discussion papers on forms of accountability and application of accountability arrangements in the context of public service and professional workers, and relevant policy documents.

## Scope of sources

Our review was limited to studies published in English in the last 20 years, as agreed with the GTC study team. Several literature limitations were identified during the literature review. Firstly, the general accountability literature is very broad so we had to carefully

select sources not to exclude any relevant material, at the same time being focused on the inclusion criteria. Secondly, the literature on the educational policies and accountability in the UK context is mostly focused on the broad subject of the performance assessment regime, and its effect on the overall school work and pressures it imposes on the service providers (teachers), service recipients (pupils) and the broader range of stakeholders (parents, head teachers, other professionals involved in the educational services and the wider public). At the project scoping stage RAND team was informed by the GTC to exclude that part of the literature. Finally, because GTC for England was only established in 2000, we primarily focused on the most recent sources published in the last 8 years. That strategy was employed in order to provide GTC with the most relevant evidence that could be transferable to the current GTC context and to inform the GTC debate on accountability.

### **Reporting**

The research team summarised the research in a series of headlines conveying the key findings emerging from the literature, to present to the GTC in advance of the submission of the final report. The headlines were presented in a PowerPoint presentation and discussed with the GTC. Through the discussion, the RAND and GTC teams clarified their understanding of certain key issues, suggest additional aspects to be covered in the final report and discussed some of the conclusions that could be drawn from the findings. At that stage, the RAND agreed with the GTC project team an outline for the final report.

Following this presentation, the RAND research team completed a draft report, which was shared with the GTC team for feedback, and which also underwent a quality assurance review by two reviewers outside the project's research team, in accordance with RAND Europe's Quality Assurance standards and procedures. Once feedback was received from the GTC and the two reviewers, a final report was composed taking this input into account.