



Regulatory hybrids: Partnerships, budgeting and modernising government

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ABSTRACT

This paper examines the ‘modernising government’ initiative in the UK, and the ‘flexibilities’ – lead commissioning, integrated provision, and pooled budgets – introduced in the Health Act 1999. This policy reform, and the associated tools to operationalise it, placed ideas of cooperation and partnership at the heart of inter-organizational relations in the domain of public administration, and gave prominence to the roles of management control practices in facilitating cooperation. We consider how the ideals of cooperation and partnership were discursively articulated, how professional and administrative boundaries were given visibility in particular legal cases, and what happened when local practitioners sought to make these ideals operable. We demonstrate how cooperation initially emerged as a ‘local’ phenomenon, both prior to and subsequent to the Health Act 1999. We then examine how those delivering services sought to mediate pragmatically between legal and policy injunctions to engage in formal cooperation, and the imperative to provide services across organizational and professional boundaries. Finally, we consider the limits of cooperation across organizational boundaries in settings with strongly developed professional enclosures. The paper draws on both archival material and fieldwork to examine what are termed ‘regulatory hybrids’ – those inter-organizational processes, practices and expertises that are formed from two or more elements that previously existed separately, and that emerge in part out of regulatory or judicial interventions rather than simply the imperatives of voluntary coordination. The paper seeks to build on suggestions for developing the links between the accounting and public administration literatures, and it draws on ‘governmentality’ studies to analyse the phenomenon. This argues for the importance of considering three distinct and interrelated layers or levels of analysis: the programmatic or discursive, the practices and processes to which such discourses are intrinsically linked, and the professional ‘enclosures’ that can emerge in some domains. While drawing on governmentality studies, we also suggest extending them by paying greater attention than is customary in such writings to localised processes and practices. In particular, we propose the concept of ‘mediating instruments’ to explain how management control practices link the larger political culture with the ‘everyday doings of practitioners’.

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1. Introduction

More than two decades of research by scholars of organizations have demonstrated the importance of inter-organizational relationships, and the existence of hybrid or intermediate organizational forms (Eccles, 1981; Granovetter, 1985; Nohria and Eccles, 1992; Powell, 1985, 1987, 1990; Teece, 1996; Williamson, 1979, 1985, 2002).

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During the last decade, accounting scholars have begun to explore the roles of accounting in inter-organizational relations, and within networks of organizations (Baxter and Chua, 2003; Busco et al., 2006; Cooper and Slagmulder, 2004; Dekker, 2003, 2004, 2008; Håkansson and Lind, 2004; Hopwood, 1996; Ittner et al., 1999; Meer-Kooistra and Vosselman, 2000, 2006; Miller and O’Leary, 2005, 2007; Mouritsen, 1999; Mouritsen et al., 2001; Seal et al., 2004; Tomkins, 2001). However, the bulk of this work to date within accounting has focused on the private sector, with little attention paid to inter-organizational relations within the public sector (Brignall and Modell, 2000; Clarke and Lapsley, 2004; Kurunmäki, 1999, 2004; Kurunmäki and Miller, 2006; Lapsley and Wright, 2004; Lehtonen, 2007; Llewellyn, 1991, 1994; Miller et al., 2008; Modell et al., 2007; Northcott and Llewellyn, 2003; Meer-Kooistra and Scapens, 2008). This paper seeks to help remedy this deficit, by considering the roles of management control systems in the context of inter-organizational relations in the domain of public administration. The example we focus on is the ‘modernising government’ policy that emerged in the UK in the late 1990s. This promoted ‘partnership working’ and the use of ‘flexibilities’, including novel budgeting practices, through the 1999 Health Act. We suggest that analysing these reforms illustrates something distinctive about inter-organizational relations and management control in the domain of public administration: the existence of what we term ‘regulatory hybrids’, those inter-organizational processes, practices and expertises that are formed from two or more elements that previously existed separately, and that emerge in part out of regulatory or judicial interventions, rather than simply from the imperatives of voluntary coordination (Kurunmäki, 2004; Miller et al., 2008).

The importance of noting the distinctiveness of such inter-organizational relations is attested by the public administration literature, which for many years has demonstrated that matrix organizations, inter-agency coordination, and complex networks are not only relatively common in the delivery of public services, but likely to increase still further in number and importance (Agranoff, 1986; Bardach, 2001; Berry et al., 2004; Bevir and Rhodes, 2003; Mandell, 1988; O’Toole, 1997; Page, 2004; Provan and Milward, 2001; Rhodes, 2000). Also, whereas networks have been a focus of public policy scholars since at least the 1960s, attention in the past decade has focused increasingly on complex networks and multiple interactions including information sharing across agency and programme lines (Provan and Kenis, 2008; Provan and Milward, 2001). It is important to obtain an empirically accurate picture of such networks, in order to understand the contexts in which the network’s actors are embedded (Berry et al., 2004). As Modell et al. (2007) have argued recently, there is much to be gained by attending to the potential links between accounting and public administration research. While the latter draws attention to a range of public policy issues, including for instance the fragmentation of public service delivery and calls for a new performance management ethos, the former offers the opportunity to build on a substantial body of empirical work on the potential consequences

of management control systems and their varying logics.

This paper seeks to build on these suggestions for developing the links between the accounting and public administration literatures. Specifically, we aim to demonstrate how inter-organizational and hybrid organizational relations have recently been discursively articulated as a public policy objective, how a particular policy initiative has sought to operationalise them through specific management control practices, and what happens when these aspirations come into contact with strongly defined professional groupings and boundaries. The research has been conducted through a mixture of archival study and fieldwork, in an attempt to understand the interrelations between large-scale policy changes and the localised operation of these through particular management control practices. We do not seek to explain the efficacy of the new arrangements, or to identify those characteristics of networks that lead to successful performance outcomes (e.g. Berry et al., 2004). We do, however, point to some possible obstacles to the development of partnership working, most notably the way in which professional ‘enclosures’ can, in strongly professionalised contexts, limit the possibilities for the creation of inter-organizational or hybrid forms.

We employ concepts drawn from the ‘governmentality’ literature to analyse this phenomenon (Foucault, 1991; Miller and Rose, 2008; Rose and Miller, 1992). This rather awkward term governmentality can give rise to confusion, particularly in relation to more contemporary or current notions such as ‘governance’, government and ‘the’ government. It is used here in the sense defined initially by Foucault (1991, p. 102), as “the ensemble formed by the institutions, procedures, analyses and reflections, the calculations and tactics that allow the exercise of this very specific albeit complex form of power” that arose since the sixteenth century. Defined somewhat more broadly, it refers to those forms of indirect means of governing or acting on the behaviours or actions of individuals and groups of individuals, together with the varied ways in which the exercise of such modes of governing are reflected on and articulated discursively. Governmentality studies alert us to the importance of considering three more or less distinct layers or levels of analysis, and their interrelations: the programmatic or discursive; the practices, processes and instruments to which they are intrinsically linked; and the professional or ‘expert’ knowledges through which they are made operable, and which can give rise to ‘enclosures’ in some domains (Rose and Miller, 1992). This approach has been used successfully in accounting research and in many other domains, and we suggest that it can be usefully employed to analyse the emergence of particular types of inter-organizational relations in the context of the modernising government reforms.¹ But, while it has proved fruitful in analysing large-scale shifts in ‘modes of governing’ – for instance in relation to factories, prisons or social

¹ For a review of the scope of governmentality studies, and their application to a wide range of topics, see Dean (1999), Miller and Rose (2008).

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