KEEPING POLITICIANS OUT OF ADMINISTRATION
LGMA CONFERENCE 2012
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“Good judgement comes from experience, experience comes from bad judgement”

Introductions
Part I
• Why do politicians want to get involved in administration?
• Why do we want to keep them out?
• Are there legitimate roles for politicians in some areas of administration?

• Part II
• Who “owns” this issue? Who needs to be part of a solution?
• A local government environmental scan

• Part III
• What is in the tool kit that could assist?
• This will be an interactive dialogue. We can talk about what’s worked for us, but we are hoping the group has good stories to contribute.
Local government politicians have always been prone to getting involved in administration. However, the nature of local government politics has changed over the thirty two years I’ve been involved.

I believe that Councils/Boards are more likely to be problematic in this regard than they once were, and for different reasons.

The extreme cases are rare, but they will always be with us.
Successful first time candidates for local government office generally have no clue about the scope of local government activities or what role they will play. Mostly, they assume they are to apply the “technical expertise” they have gained elsewhere to “managing” the organization.

The electorate tends to vote for candidates they feel are level headed, concerned and capable of making good common sense decisions. The candidates, however, assume they were voted in because of their occupation (ie a mortician). Natural enough, since people tend to define themselves by what they do.
Newly elected local government politicians believe they were elected to manage, but we see them as pretty much lacking the requisite skills and abilities to do so.
However, the politicians see themselves differently

Being elected is pretty ego affirming and politicians can get caught up in believing that they have magically acquired the skills, ability and knowledge necessary to be expert in any matter that comes before them. If they are in that head space, “helping out” administration is just the logical thing to do.
It is not only the politicians that think of themselves as omnipotent. The electorate often does not understand role distinctions or differences in authority between various government jurisdictions.

When members of Council get elected, the citizens tend to think that the Councillors are in charge of everything, and even that they have unilateral powers to solve problems. For sure, they assume the Mayor has a lot more power than he or she actually does.

Councillors are confronted by these unrealistic expectations and try to deliver what the electorate demands.
Sometimes office politics, or the ambitions of more junior staff, provide perverse incentives for some staff to encourage elected officials to get involved in administration.

Many staff members, especially junior staff that don’t always get recognition, are very impressed when the elected community leader comes to seek their advice and input. Some might even want to “stick it” to the senior administrator.

In other situations, more senior staff may see “alliances” with particular elected officials as career enhancing.

Finally, some staff simply lack the techniques or personality to resist an elected official who inappropriately offers them direction or demands their “loyalty and obedience”.

"Watch these old guys—you can learn a lot."

Staff encouragement
A lot of what we do is interesting, meaningful, rewarding and energizing. I still feel that way after 32 years and I’m hoping many of you feel the same way. Even the tasks that may seem tedious and mundane now, were challenging and invigorating the first time around.

Why wouldn’t we expect newly elected politicians to see administrative tasks in that same light?
Society’s view of local politics, and of civil servants working for local government, have changed over the years. Politics are more polarized, and more personalized. Increasingly, the political dialogue has no room for respectful disagreement.

Local government in BC has become more Americanised, and the “Tea Party” or “Ratepayer” perspective more common. That results in less trust of staff, and more emphasis on “taking back control” from the bureaucrats who are seen to be barriers to change.
It is counter intuitive, but true nonetheless, that more and more folks run for local government office because they distrust government and want to see it substantially dismantled.

These anti government and anti bureaucracy politicians will believe they have to get deep into administration in order to at least partially eliminate existing services and programs. They see themselves as outside the system and see those in the system as likely enemies.
Of course politicians from this perspective mistrust staff. There is no attempt to distinguish between the previous Councils who enacted policies seen as disastrous, and the staff who implemented them. Generally, the tea party folk, and their ratepayer brethren, actually see staff as having been more influential than previous elected officials.

Newly elected officials from this philosophy will want to seize control of administration from the bureaucracy, who they see as having mixed the kool aid, or at least having drunk it.
Newly elected candidates from the ratepayer movement tend to be less anti-government than the tea party folk, but just as concerned about high taxes and bad policy. These folks, backed by groups like the BC Chamber of Commerce, Canadian Federation of Independent Business and Canadian Taxpayer Federation, believe that municipal spending is out of control.

The mantra from this movement is “government needs to be run more like a business.” They may not have personal animosity for staff (or they may), but they want to get involved in administration to bring a business perspective they believe is lacking.
Every once in a long while, the citizens elect a Council (or at least a Mayor) who is just a big old whack job! Or a totally self interested individual intent on using their position to further their own personal (often financial) interests.

These folks want into administration because they like to bully people around and staff are handy, or because they think staff are martian invaders, or because they'd like to make sure that inconvenient practices like respect for the rule of law or ethical standards don’t get in the way of their objectives.

So that summarizes various reasons why politicians might want to get involved in administration. The key question is, why do you want to stop them?
It’s not a particularly persuasive argument to a new Council or Mayor to say that best practices literature or the Community Charter say they shouldn’t be involving themselves in administration.

The “rules” are not an end in themselves, the helpful information for Council is the harmful outcomes the rules are designed to prevent.
Just because a new Council advocates for sweeping change, questions the loyalty and trustworthiness of staff, challenges long standing practices, or wishes to reverse many past decisions does not make them the “extreme” case.

Chances are, they believe the life changing experience they are advocating for is genuinely in the best interests of the community.

Generally, if they start off beating up on staff it is only because they mistakenly believe that they have to do that to get where they want to go.
Only the self employed can avoid supervision. Overt supervision may not have been the style of the previous Mayor or Council, and senior staff might have had little requirement to justify their actions on a daily basis. If the new Mayor and Council have a more hands on style of supervision, suck it up.
No matter what a newly elected Mayor, Council, Councillor, Board or Director wants to accomplish, getting involved in administrative tasks is an inefficient way to get there.

Time spent in administration is time not spent in providing leadership, developing better policies, being responsive to the community concerns, and otherwise generally “governing” in the way the citizens expect and deserve.

In situations where a new Council wants to make significant change, the biggest bang for the buck is in the policy and budget making area not in the operational end.

Staff need clear direction and understood lines of authority to function effectively. Multiple bosses and conflicting priorities lead to bad outcomes. This is actually an area where business principles should apply.
ARE THERE CIRCUMSTANCES WHERE IT IS LEGITIMATE FOR COUNCIL TO BE INVOLVED IN ADMINISTRATION?

YES!

- Section 154(1) of the Community Charter
- Access to information, complaint responses
- Oversight and supervision

The Community Charter says that any power that a Council delegates to a municipal officer or employee can also be delegated to a Councillor or Mayor or Committee. For instance, Council could give a Mayor the power to purchase, or dispose of property, or order a traffic control sign be placed, or issue a building permit or occupancy permit, or enter a contract, or enforce a bylaw or pretty much any other power that does not specifically have to be exercised by bylaw.

If a new Council goes this way it might amount to a constructive dismissal of the CAO, and it might not be much fun for staff, but it is fully within Council's rights and powers. The question is “should they” not “can they”.

Councillors and Directors are entitled to know what the corporation is doing, and how, and are in charge of deciding why. Councillors are expected to bring forward the concerns of citizens and ensure these concerns are addressed. Councillors are entitled to require that staff will treat citizens fairly and respectfully and in keeping with policy and can take action to ensure that is happening.
The CAO is normally the point of contact between Council and staff. However, one of the characteristics of Councils that get involved in administration is that they tend to bypass the CAO.

The senior staff team shares a responsibility to promote an effective organization and they need to have a coordinated strategy for addressing a Mayor or Council that wants to get too involved in administration.
It is Council’s problem too. The citizens provide no grace period and have no tolerance for any learning curve.

If Council’s actions are impairing their own effectiveness, the public will soon turn on them, no matter who they voted for.

Council and staff are in this together.
Having a new Mayor who misunderstands their role and wants to bull ahead with their own agenda, overriding administration and the rest of Council is not related to the size of the community. It happens in Pouce Coupe, it happens in Campbell River, and it happens in Toronto.

We have all made a choice to work for politicians and that means we need to accept that sometimes these issues arise.
If your new Council ran on a platform of change (tea party change, ratepayer change or just plain change) and they were elected, then guess what?

It's time for change, this means you, embrace that change.
Nobody like taxes and everybody believes taxes are too high. That includes every Councillor you’ve ever worked for ever will work for, can everybody be wrong?

Just because the new Council thinks taxes are too high and spending needs to come down does not mean they are whack jobs.
We are extremely privileged to work in local government. We do worthwhile and fulfilling work. Our pay is excellent. Our benefits are extraordinary. Our employer is not going to go bankrupt and close down. Most of the community would happily trade places with us if they could.

Just because the new Council thinks staff has it too good does not mean they are whack jobs.
I’m not advocating that staff abandon their responsibility to provide unbiased and potentially unpopular advice, such as that “Council needs to stay out of administration”.
But don’t be this guy.
UNDERSTAND THE LANDSCAPE
LOOK IN THE MIRROR
ATTITUDE IS EVERYTHING

Or this guy
Or this guy.

To build a trust relationship with your Mayor or Council that lets them be comfortable in their roles and stay out of yours:
- Be engaged
- Be positive
- Be respectful
- Embrace change if they desire it
Above all, keep your sense of humour!
Relationship Building: “Be the ball”. Understand Council’s perspectives, you work for them, not the other way around.

Timely and effective orientation: early and often, about them and their roles not staff and its roles.

A team approach: proactively Council proof senior staff. Set aside internal disagreements.

Embrace change: Staff is not in control, coffee shop wisdom aside. Council’s vision is your vision (they are not whack jobs)

Open information sharing: Newly elected may have uninformed opinions. Help them develop informed ones. (captured by the bureaucracy usually just means captured by the facts)
THE TOOLKIT

- Give Council lots of appropriate decisions to make (as many as possible).
- Sometimes the CAO has to go
- Patience

Give Council decisions to make: immediate strategic planning, immediate budget making (line by line if they want), immediate review of policies (one or all) immediate supervision and oversight opportunities.

Sometimes the CAO has to go: tell Council exactly how to fire you, the CAO has a responsibility to stand between Council and staff if it gets ugly, sometimes there can be no peace in the valley until Council has its own person in place.

Patience: avoid panic, keep your sense of humour. Things will smooth out over time.