



## Encyclopedic Dictionary of Public Administration

The reference for understanding government action

# PUBLIC SERVICE CHARTER

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In recent years, public service charters have occupied a prominent place in the public management reform “toolkit” of many countries. Although the reasons for introducing public service charters may differ from one country to another,<sup>1</sup> the central idea behind the development of charter policy is basically the same: to improve the responsiveness and transparency of public services by setting out in a principled way the standards of delivery that service users should legitimately expect. Another commonality is the shared emphasis upon an “administrative charter” format. Despite the resonance of its language with constitutional charters such as the *Canadian Charter of Rights and Freedoms*, a public service charter does not as a rule confer legal rights that are enforceable in the courts.<sup>2</sup>

Confusingly perhaps, the term “charter” can also be found in the nomenclature of the various codes, rules and guidelines designed to regulate the ethical behaviour of public officials. Although some of these charters may have statutory force, others amount to little more than a code of public service values, adopted by the public service itself as a declaration of public servants' commitments to the public, to the government of the day and to a professional public service (Kernaghan, 2006, p. 108).

The remainder of this contribution focuses upon the UK's innovative *Citizen's Charter*, the original version of which was introduced in 1991. At its core is the notion of a contract or “pseudo-contract” (Harlow and Rawlings, 1997, p. 211) between the taxpayer and the consumer of public services on the one hand, and those who provide them on the other, who must be pressured into offering an improved service. The positioning of the apostrophe is significant as it makes clear that it is the individual citizen *qua* taxpayer and consumer who is being empowered: there is little reference in the Charter to the collective voice of service users or to their common membership of a political community (Deakin, 1994). This has led to concerns that the *Citizen's Charter* is one-sided, requiring no reciprocity on the part of the consumer in terms of social or civic obligations (Drewry, 2005, p. 9).

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<sup>1</sup> In some cases the main goal seems to have been to justify rather than improve governmental performance, while in others a major driving force has been pressure from aid donors. The French Charte des Services Publics (1992), for example, has been described as basically a declaration of intent by the French government concerning its administrative reform objectives, an exhortation to public authorities to improve their relations with users. According to a Council of Europe assessment, the charter remains largely unknown to the public and indeed to civil servants themselves (Drewry, 2005).

<sup>2</sup> Although statutory requirements may flow from the charter. In the case of the UK Citizen's Charter, for example, the Local Government Act 1992 contains ‘Citizen's Charter Provisions’ giving a government-appointed inspectorate – the Audit Commission – powers to direct local authorities to collect and publish information relating to their performance standards, and to produce comparative league tables of performance. Some charters may require public service organizations to offer financial compensation to users when particular performance pledges have not been met.

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The distinctive mechanism to bring about improved service outcomes is the granting of non-justiciable public service consumer rights: the right to information, particularly in the form of league tables (i.e., ranking charts) of comparative performance; the right to complain and secure redress; and (where appropriate) the right to individual choice of service provider. There are corresponding new responsibilities on the part of senior managers of public services to set standards, report performance and ensure that appropriate complaints procedures are in place. These new rights and responsibilities are fleshed out in the *Citizen's Charter* in the context of six principles of public service to which public authorities are expected to adhere. These are:

- Standards. Setting, monitoring and publication of explicit standards for the services that individual users can reasonably expect. Publication of actual performance against these standards.
- Information and openness. Full, accurate information...about how public services are run, what they cost, how well they perform and who is in charge.
- Choice and consultation. The public sector should provide choice wherever practicable... Users' views about services, and their priorities for improving them, to be taken into account in the final decision on standards.
- Courtesy and standards. Courteous and helpful service from public servants who will normally wear name badges. Services should be available equally to all who are entitled to them and run to suit their convenience.
- Putting things right. Well-publicized and easy-to-use complaints procedures with independent review where possible.
- Value for money. Efficient and economical delivery of public services within the resources the nation can afford. And independent validation of performance against standards" (from *The Citizen's Charter, First Report: 1992. A Guide*).

By 1997, the *Citizen's Charter* had evolved into 41 national Charters covering the major public services (for example, the Patient's Charter, the Courts Charter and the Taxpayer's Charter); over 10,000 local charters, prepared by local agencies in consultation with service users (for example, doctors' offices, hospital trusts, schools, local authority services and local job centres); an annual Charter Mark award scheme, recognizing excellence and innovation in public service; and regular publication of performance league tables, notably in the fields of education and health services.

Upon assuming office, the Blair government initially re-branded the *Citizen's Charter* as *Service First* (1998) but thereafter charter principles quickly became absorbed into New Labour's more encompassing public management "modernization" agenda, under which the central drive for improved service delivery remained very strong. Charterism has, in a sense, been "hollowed out," as charter thinking has trickled downwards and outwards from the centre to permeate the delivery of public services (Drewry, 2005, p.13).

Putting technical difficulties of measurement and evaluation to one side, it seems fair to conclude that UK-style charterism has succeeded in raising the public's critical awareness of the quality of public services and in pressurizing local managers into improving service delivery, using the same or fewer resources. Indeed, the *Citizen's Charter* has in many ways been a charter for managers as much as for users. Within many public services, the responsibility to set standards has placed an extra lever of influence in the hands of senior management in their dealings with semi-autonomous professionals and more junior colleagues (Pollitt, 1994, p. 11).<sup>3</sup> By the same token,

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<sup>3</sup> As Drewry (2005, p. 328) notes, much of the immediate impact of charters falls upon relatively low paid and/or junior state employees (for example, railway station staff, school teachers, hospital receptionists, front line officers in tax and benefits offices) who have to bear – without extra rewards, and sometimes with little or no extra training – the brunt of complaints and criticisms by "empowered" customers.

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poor performance in the league tables (waiting lists, examination results) may have implications for the tenure and performance-related pay of hospital chief executives or school and college principals.

Given its lack of enforceable rights, it is interesting to note the view of some within the academic public law community that the *Citizen's Charter* has the potential to make a valuable contribution to administrative justice through the setting of standards of good administration and the provision of complaints systems which allow public service organizations to learn lessons and make systemic improvements in the way a service is delivered (Page, 1999). One would not expect public service charterism to have the same sort of impact in countries with a strong tradition of legal protection of citizens against the administration, where the jurisprudence of the administrative courts is likely to have helped to insulate public management reform from a strong “consumer-populist” orientation (Clark, 2000).

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