

Local Government advice MASTERCLASS



Paper 1

Introduction: Communication with “aliens”

Advising decision-makers better

Advice: n counsel, skilled opinion

Chambers Family Dictionary

At NZIER we have been reviewing policy papers for Local Government for long enough to have a grip on what is going on. In that time, we have seen significant improvements – papers are now shorter and tidier – but there’s room for more improvement. Even seasoned paper-writers can hone their skills to produce better crafted material.

To encourage this we are producing a series of briefs for local government officers.

Our target audience is the experienced advisor, but we hope to help all drafters and peer reviewers, plus those signing out papers.

We will be providing material covering three areas:

- Telling a coherent story about advising
- Drawing on experience for best practice
- Providing practical tips and hints.

Breaking new ground

The focus of academic discussions of advising has been on ‘solving the problem’ - on the analysis informing the recommendations for decision.

This series of briefs is different. It is about a crucial step in the democratic process: it deals with **the complications of communicating advice**.

This key process transmits the advisor’s information and analysis to the councillor, and hence supports the decision. It has been neglected as a topic.

For obvious reasons¹ this communication is largely on paper – though a shift to electronic form is clearly next.

This discussion concentrates on written advice (while recognising that it can be supplemented by

oral remarks on occasion). It also takes account of the work being mostly in public.

Focusing on the essential

This first note outlines why advising for decisions is inherently difficult. It sets the scene for the series by explaining the high-level challenges facing local government advisors working to assist their main client: the council (and its committees).

The aim of this paper is for advisors to be aware of why policy advice is challenging and why taking your foot off the improvement pedal can be damaging.

Advisors make the world go round?

We focus our guidance on the way Council officers communicate with local government decision-makers, typically in groups (committees). Advisors are used for many reasons, and we will be talking about this in a future brief.

Our basic assumption is that the daily demands of being a councillor are too great for them to process and resolve their pressing issues unaided. The workload requires teams of officers. They support the decision-making; so, communication between them and the council members is critical.

What sort of communication?

We know that all communication is difficult. The written word is especially hard, as it lacks the normal feedback of oral conversation, plus the typical support of body language.

And councillors are pressed; they must absorb key elements quickly, and without having to re-read. Clear, tight, short papers are gold. It is similar with oral assistance if requested – pithy remarks that cut to the issue are what councillors want.

A typical policy advice process, the council set up separates Councillors and their paid helpers.

¹ As well as being traditional, written material automatically creates a permanent record and is a simple way to communicate when the advisor is not present.

Worlds apart?

New Zealand local government is diverse in make-up. Differences in scale and responsibilities are reflected in the way the rewards support more, or less, time on the job.

Councillors are politicians no matter how much of their time they spend in the formal role. As such, they inhabit the political sphere where voters and their views matter; where different (conflicting) interest groups lobby; and where their actions are accountable. Much of their work (and the papers) is public and may thus affect the next election.

By standing they demonstrate their interest in the office and what it can bring. In general, achieving and retaining this forces them into political mode, which means they care about the effect papers might have on the media and wider public.

Local government advisors though, are council employees. Formally they work for other such employees – typically the council CEO. They operate in a different working environment; albeit it one which overlaps with councillors.

Their background, role and behaviour – even where they live – vary considerably. Officers care more about being the expert advisors councillors seek, supporting their bosses, ticking off their to-do list and avoiding unmanageable risks to themselves.²

This means there are limited common reference points between councillors and advisors. And among both there will regularly be newcomers finding their feet, unsure of nuances and protocols.

And, while no easy ride, this is as it should be: it is the way the system is structured, and how it is supposed to work. Local government advisors are meant to be politically aware, but politically neutral. Nevertheless, making this set-up work is an ongoing challenge to all involved.

There are two groups, driven by different forces and inhabiting largely different worlds; they must find ways of ‘relating’ that work, and go on working. Hence the title of this paper: at times writing Council papers can be like communication between aliens from different planets.

This is demanding enough in general, but add in the complexity of the issues, pressured deadlines and the often under-documented nature of public

disputes, and it means the craft of policy advising is a tough assignment.

LGA adds further challenges

Further complications arise from the requirements of the Local Government Act, which imposes obligations on Council processes. The regime sets a context for the way the decisions are to be taken, with implications for advice. Specifically:

- s77, requirements in relation to decisions:
 - Identify all practical options that will address the problem/objective
 - Assess the advantages and disadvantages (but s79 (1) (b) – extent of evidence required depends upon the issue)
- s77(1) (c), if land or a body of water involved – then consider issues of concern to local Māori
- s78, give consideration to the views and interests of those affected by, or interested in the decision
- s80, identify inconsistent decisions.

So, really good advising is just hard

Features of the job stretch all those doing it. In addition to the LGA requirements mentioned above:

- Many papers are one-offs; though there are standard reports and a grunty issue may evolve over a series of briefs
- Problem definitions and aims are typically hard to agree as there are frequently multiple objectives
- Most advice is lacking certainty – and discussing risk in public is hard and can be counterproductive.
- Identifying key trade-offs is hard, as is showing how they matter and estimating the scale of the effects
- There are different audiences and different purposes to write for.

Complications multiply when each paper – no matter subject, purpose, or audience – needs to be

² We exaggerate and simplify here for the sake of exposition. We know advisors are driven by many things, including a genuine desire to make their part of New Zealand a better

place and to this end to develop great policy – as are Councillors too, of course.

concise, clear and easy to absorb to make it fit for purpose (and will be a public document.)

Empirical research³ showed that officers and councillors were looking for soundly based advice to further a sensible, evidence-based decision.

But we are here to help. We have been working and thinking about these issues for years and this series aims to pass on our experience.

Crafts are learnt as you go: experience is critical

Our references say *a craft is an art, or skilled trade. It also includes a notion of cunning ('crafty').*

Policy advising needs individual responses to individual challenges. Much advice is standardised, but other papers are tailor-made. So, to cover many challenges, many types of advising are needed.

This means a wide-ranging set of skills to address different issues. Building up this toolkit is not easy. And knowing when each approach fits the situation comes typically from seeing it used.

Thus, there is a significant learning-by-doing aspect, which comes best to those who deliberately use experience as the basis of building up their skills.

In the research cited, council staff and councillors were agreed in seeking advice that is practical and useable. Being able to turn this out is a key part of the advice giving craft.

Takeaways and tips

The advisor's task is hard, so policy analysts have endless scope to improve. And good advisors are on the lookout for ways to get better.

Often this may just mean picking up a useful trick from a paper, or copying a new presentation device. The local government policy landscape is awash with advisors – many performing similar roles, with some trying new things. So, **find ways of tapping others' experience** – it is more effective to borrow their good ideas than to make your own mistakes.

Part of the learning cycle is assessing ideas after they have been tried; good practice in a policy shop is to have **informal reviews of advice**. "Post mortems" of process, successes and failures help participants enhance their tool kit.

Get the time allocation right. Too often we see papers with much research and analysis, but poor

problem definition, unclear means of analysis and, most worryingly, muddled recommendations.

Such papers have spent too much time 'cracking the problem' and not enough 'getting the message across.' We have **the 50:50 rule**: spend as much effort on communication as on analysis. Solve the problem *before* typing, rather than *as* you type.

All shops can take advantage of producing for a small number of readers, in a repeat game: the same councillors (especially as committee members) are briefed repeatedly.

So, carry out "market research." Check the reception of types of presentation (do they like charts or tables?) and take the known preferences of the audience into the drafting. If the opportunity arises **experiments can be undertaken** to test ideas under real-life conditions – put up some options.

Further reading

New Zealand – practical

Gill, D (2012) *Improving policy advice: What does the literature tell us about the capability needed for providing value added policy advice?* NZIER working paper 2012/02.

Laking, R & J Yeabsley (2006). *Views from the front line: What local government Councillors and staff say is important about strategic planning and decision-making.* Wellington, School of Government, Victoria University of Wellington.

Wolf, A (1999) *Building advice: The craft of the policy professional.* Working Paper No 7 SSC. (Other papers in this series are still valuable.)

Higher theory

Austen-Smith D (1990) "Information transmission in debate." *American Journal of Political Science* 34: 124-152.

Kartik, N M Ottaviani & F Squintani (2007) "Credulity, lies, and costly talk." *Journal of Economic Theory* 134 (1): 93-116.

Lazareviciute I & T Verheijen (2000) "Organising the delivery of policy advice." Paper prepared for the 8th NISPAcee Conference, Budapest 13-15 April.

Morris S (2001) "Political correctness." *Journal of Political Economy* 109: 231-265.

³ See Laking and Yeabsley (2006).

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