

Flinders Institute of Public Policy and Management
Faculty of Social Sciences



FLINDERS UNIVERSITY
ADELAIDE • AUSTRALIA

GPO Box 2100
Adelaide 5001 Australia

Telephone: (08) 8201 2629
Fax: (08) 8201 2273
Email: colin.sharp@flinders.edu.au

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Title: ***Can Organisational
Governance learn? The
development of 'just'***

D.E.S.E.R.T.s (c) in the form of the Directors' Effectiveness Self-Evaluation Research Tool

Conference Theme: ***Evaluation - What does it actually take?***

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Presenter: **Dr Colin A. Sharp**

**Associate Professor of Management
Flinders Institute of Public Policy and Management,
Flinders University,
GPO Box 2100, Adelaide, SA, Australia, 5001
Phone: -61-8-201-2629; Fax: -61-8-201-2273
Email: colin.sharp@flinders.edu.au**

ABSTRACT

The evaluation of organisational governance of Not-for-Profit organisations needs to first involve the Boards of Directors, with the CEOs or senior managers, as the facilitators of a suitable performance measurement system. The paper draws on Australia research into the *D.E.S.E.R.T. © (Directors' Effectiveness Self-Evaluation Research Tool)*. In various attempts to study organisational governance and the roles of Boards of Directors in evaluation, there were signs of errors or gaps between the espoused theories and the implementation of Board or Governance performance measurement and evaluation, which were not being addressed adequately to promote 'governance learning'. This paper attempts to identify how Boards of Directors might approach evaluation of governance and how to overcome blocks to learning. It is part of an attempt to operationalise Argyris's concepts of organizational learning as a form of governance learning. There appear to be defensive routines which undermine organizational learning by *gaps of explanation* and *gaps of implementation*. The paper suggests the need for further research on Boards of Directors and organisational governance learning. But such research and evaluation is likely to be difficult where such defensive routines are not addressed.

YOU'RE SACKED: King acts on cancer botch-up

The Dominion Wellington NZ, Thursday, 13th July 2000, p. 1

By Karen Howard and Philip Kitchin

'GISBORNE Hospital board members were sacked yesterday after it was revealed that hundreds of patients received false prostate cancer results in the latest in a series of blunders. Health Minister Annette King said she sacked the Tairāwhiti Healthcare board so people could again have confidence in the hospital. ...

It was unfortunate that there seemed to be an impression that the board had not put in place processes to deal with problems over cancer, testing and the re-use of syringes. "I don't believe changing the board will change the root of some issues" she said.'

Lab's standards often borderline

The Dominion Wellington NZ, Friday, 14th July 2000, p. 1

By Karen Howard and NZPA

'GISBORNE Hospital's laboratory was allowed to continue doing its work despite concerns voiced by the crown entity responsible for accrediting it. ...

The mistake was just one in a list of blunders to emerge at the hospital during the past year. ... Mrs King said today she was confident services at most hospitals were of a high quality, despite the latest botch-up in Gisborne. *She warned more problems might yet emerge as the "hooks come home to roost" from a decade of hospitals being forced to focus on making a profit or breaking even.*' (emphasis added).

INTRODUCTION

The headlines from *The Dominion* in Wellington, followed a report from the NZ Health & Disability Commissioner (2001) into the inconceivable health debacle of the Gisborne Hospital. Unfortunately, New Zealand is not the only place to have discovered a scandal reaching from the bottom to the top of a public sector organisation. In the USA the Federal Bureau of Investigation and the Federal Department of Justice have been caught out falsifying crime statistics and arrests (including convictions of terrorists) in response to the budget pressures and the culture of goal displacement in the use of performance indicators (Grizzle, 2002). Let us not forget NASA's failure to learn from the January, 1986 Space Shuttle *Challenger's* explosive lessons (Dooling, 1992) about organisational culture and corporate governance (Argyrys, 1999) which could have been relevant to the failures exposed by *Columbia's* explosion 17 years later, in January, 2003 (see ABC News, 2003).

Such public disasters reinforce a growing negative public perception of Government (Herzlinger, 1996; Nye, Zelikow & King, 1997) which reflects badly on the Boards of Directors of Government agencies. But they also raise doubts about the answer to the rhetorical question: Can Governments learn? (Leeuw, Rist & Sonnichsen, 1994; Rist, 1994). This paper argues that despite the convictions of some such authors, public sector organisations are not likely to fully implement organizational learning theory (Sharp, 1996a, 1996b) while their own Boards of Directors are uncommitted to, or unable to demonstrate, *Strategic Evaluation* (Sharp, 1999).

Organizational Learning

The concept of organizational learning can be defined as:

"... a competence that all organizations should develop ... the better organizations are at learning the more likely it is they will be able to detect and correct errors, and to see when they are unable to detect and correct errors" (Argyris, 1999, p. 1).

Despite earlier cautionary reports (e.g., Argyris & Schon, 1978; Etheredge, 1985; March, & Olsen, 1975), academic attention in the evaluation literature in the 1990's, was focused on whether organizational learning can be seen in public sector organisations (Godfrey, 1993; Leeuw, & Sonnichsen, 1994; Rist, 1994). However, there has been very little research on assessing the relationship between organizational culture (Hampden-Turner, 1990; Osborne & Gaebler, 1992; Sinclair, 1989; 1991) and organizational learning, specifically in the public sector (Rist, 1994). The need for this research is important as organisations in the public sector have undergone major organisational restructuring in various countries (Dunphy & Stace, 1990; Leeuw, et al. 1994; Littler, Bramble & McDonald, 1994; Pollitt, 1995). Also the trend to corporatisation of government agencies globally (see Pollitt & Bouckaert, 2000) is cause for re-stating the question as 'Can *Governance* learn'.

Some of the reasons for this concern are that there is a dearth of evidence and a difficulty of empirically operationalizing the concepts and measuring their effects (Sharp, 1994, 1996a, b, c). Nevertheless, some claim there may be tangible signs of organizational learning in adaptive changes in policy and application of program evaluation results (Owen & Lambert, 1995; Rist, 1994). Certainly Governments have encouraged appropriateness as an evaluative criterion for program accountability (Sedgewick, 1994; Sharp, 1994b) and benchmarking (Sedgewick, 1995; Sharp, 1994a) which may be important tools in establishing the conditions for organizational learning (Rist, 1994). But these may not be the *necessary, nor sufficient*, indicators of the operationalisation of organizational learning theory (Sharp, 1996 a). Other factors, such as changes in organizational culture or the existence of a supportive organizational culture (Hampden-Turner, 1992; Schein, 1992) and appropriate human resource management practices (Dixon, 1994) are also important in establishing that organizational learning can occur. While organisational learning can be seen as an aspect of an organization's culture, the concept of "the Learning Organisation" (Senge, 1990b) should be recognised as an *ideal* type of organisational culture (Baulderstone, 1994). The question of which management and corporate governance practices, such as involving program evaluation (Owen & Lambert, 1995), as well as other systems development techniques, are able to make a significant contribution to the performance identified as organisational learning and organisational governance, is still open to empirical demonstration.

Errors & organizational learning

Argyris (1999) points out that there are at least two types of errors commonly identified in the study of organizational learning. He identified first-order errors, such as operational mistakes or incomplete strategies or assumptions, or the lack of implementation which can ordinarily be detected and perhaps corrected. However, second-order errors are conceptual and systemic rather operational, such as inappropriate designs of organizational processes, including evaluations, that "make people systematically unaware of the behavioral phenomena that underlie the production and reproduction of first-order errors" (Argyris,

1999, p. 7). In this type of error he included: defensive routines, mixed messages, taboos (e.g., undiscussability of errors) games of control and deception, as well as "organisational camouflage". He argued that "reflection on such phenomena and the theories-in-use that underlie them, is essential both to the tasks of explaining the limitations of organizational learning and to the design of interventions that can overcome those limitations" (Argyris, 1999, p. 7).

Evaluation at the operational/program level may help address the first-order errors (Owen & Lambert, 1995; Rist, 1994). But it seems there is a need for *strategic evaluation* at the Board or organisational governance level, to address the second-order errors (Sharp, 1999).

Scope of this paper

This paper takes up the challenge of Argyris (1999), Hampden-Turner (1990; 1992) and others by attempting to "surface the assumptions" (Mitroff & Mason, 1981) and "chart the dilemmas" (Hampden-Turner, 1990) in the emerging errors of organizational governance research. At this stage it is not possible to identify the resolutions to the dilemmas, but it is necessary to identify the problems. The question of whether organizational learning theories are necessary or not for good governance practices and achievement of organisational strategies, cannot be answered at present but it is possible to point out that the existing theories are not sufficient to adequately predict or guide governance practices to achieve assure error free organisational strategies.

ORGANISATIONAL GOVERNANCE

The term *organisational* governance is used here to differentiate from the term *governance* more generally, and specifically from *corporate* governance. Corporate Governance has become associated with the management and control (see Barrett, 1999, 2000; Carver, 1997, 1999b; Donaldson, L. 1985, 1995; Finkelstein & Hambrick, 1996; Turnbull, 1995, 1997) of organisations especially in the private sector under the corporations laws of the country. Governance is often used in the public sector context to mean the Government's legal and political representation and leadership of the polity (cf Barrett, 1999; 2000). For clarity, this might be better termed *polity governance* to distinguish it from the machinery of Government, which includes the *organisational* governance of the public administration. This is not to be confused with Carver's (1999b) *Policy Governance*, which is an attempt to set principles for effective and efficient corporate governance and the behaviour of not-for-profit Boards of Directors.

Changes in Corporations Law

As pointed out by several authors (e.g. Sarre, 2003; Sharp, 1999) in Australia (as internationally) fundamental changes have occurred in the standards, principles, and laws pertaining to corporate governance affecting all organisations through the introduction of the Australian Standard on Compliance (AS 3806 -1998; Fels, 1999) and the changes to corporate law (CLERP, 1997a, 1997b, 1999). These reforms of Corporations Law are emerging as applicable to the public sector and Not-for-Profit or third sector, as they are to the private sector (e.g. see McPhee, 2000; 2001). Two of the important changes are:

- the specification of the duties of Directors, which include evaluation of the performance of the CEO, and evaluation of the organisation's performance, as well as the Board's own performance (see AICD/KPMG, 1998; Sharp, 1999), and

- the CLERP *Business Judgement Rule* (CLERP, 1997a, 1997b, 1999) which indicates the importance of competence as a basis for decisions and delegations.

With relatively few exceptions, which focus on the third sector or not-for-profit organisations (e.g., Green & Griesinger, 1996; McDonald, 1993, 1999; Steane, Christie, & Appla, 1998) the existing research and knowledge in this field is based in the experience of the corporate governance research in the private sector (e.g., Conger, Finegold & Lawler, 1998; Senge, Kleiner, Roberts, Ross, Roth & Smith, 1999). In response to the need for research and information for not-for-profit organisations the term '*Organisational Governance*' is emerging to encompass the issues of strategic direction, oversight of values, due diligence, internal control, measurement and evaluation of organisational, CEO performance and Board effectiveness for all organisations (McPhee, 2000, 2001; Sharp, 1999; White, 1998a).

In Australia, under the CLERP changes in corporations laws, there are clear duties of Boards of Directors to be accountable for the performance (including annual reporting of the financial and non-financial aspects of performance) of their organisation, which include the need to:

- * monitor the performance of the organisation (in relation to the needs of stakeholders/shareholders, and approve the *values* and the strategic plans of the organisation);
- * appoint, and evaluate the competence and performance of, the CEO;
- * ensure that the organisation has the capacity to achieve its objectives and that the staff, to whom they delegate the management of the organisation, are competent to do so;
- * evaluate the performance of their functions as a Board.

In the oversight of the values and ethics of the organisation, the Board of Directors has a strategic function in establishing the performance evaluation framework for the organisation, and of the Board itself (Sharp, 1999).

Although there are variations on the roles and duties of Boards of Directors it is a common premise of corporate governance research and practice that the Board has the primary intent of continuously monitoring and influencing the organisation's performance (e.g., Conger, Finegold & Lawler, 1998; Green, & Griesinger, 1996). However, there is little research or evidence that in fact the competence in, and pursuit of, evaluation of performance by Boards of Directors does really influence the performance of the organisation (cf Agle, Mitchell, & Sonnenfeld, 1999). Similarly, there is little research or evidence about what criteria Boards of Directors *actually* use to evaluate the organisation's performance or the Board's own performance despite the burgeoning advice and consulting industry about what Boards should be doing (cf Conger, Finegold & Lawler, 1998; Green & Griesinger, 1996; McNamara, 1999). Similarly, in Australia, the few surveys of not-for-profit organisations inquiring about their corporate governance have indicated the paucity of understanding of corporate governance and use of measurement of financial and non-financial performance (McDonald, 1999; Steane, Christie, & Appla, 1998).

Elsewhere it has been argued that Boards of Directors need to recognise and apply the competencies of performance evaluation (see AICD/KPMG, 1998; Sharp, 1999; MCPhee, 2000), especially in view of the CLERP Business Judgement Rule (CLERP, 1997a, 1997b, 1999). Taking account of the tendency for decision-makers to use common elements of performance measurement as a basis for comparative evaluation (Lipe & Salterio, 2000), this

paper argues that to facilitate appropriateness and evaluation of organisational governance in the not-for-profit organisations, there is a need for an evaluation framework which focuses on basic elements of performance information. Four models are reviewed which might facilitate attempts to find common performance elements which can link strategy, control and performance with the field of organisational governance in the not-for-profit sector.

The models reviewed here were all established in different contexts. None of them necessarily has all the answers for Boards of Directors facing their evaluation role in the performance orientation of corporate governance. However each has a role to add value to the theory and practice of organisational governance. They can provide the *knowledge* component of the evaluative criteria.

METHODS & FINDINGS

The study draws upon four separate case studies of Not-for-Profit organisations which were known to the researcher through the CEO or Director on the Board, except in one of the four cases the contact person was a consultant who asked the researcher to assist with a governance evaluation, associated with multiple projects and evaluations. The organisations and the 'outcomes' of the research are outlined in Table 1 and described (anonymously) as follows.

Table 1: Characteristics of the organisations and researcher's role

ID) & Type of organisation	Type of Board	Researcher's role vis-à-vis Board	Number of Respondents Interviewed by researcher (% of Board)	Outcome(s) of the research
A) Small Local Community Health Centre	Volunteer Professionals (One User rep.) Incorporated under State Health Act	Teacher to Board Member	2 (33%)	Board decided on its own performance measurement designed by CEO, only asked researcher to comment after.
B) Large Water Catchment Management Board	Professional Managers & Local Govt elected reps. Not formally constituted, but formed to receive state funding for mutually beneficial projects through local Government.	Through consultant reporting to independent state Government funding body.	3 (20%?)	Suspicion of Governance evaluation - highly politicised. Data collection diluted to 2 bland interview questions (because part of contracted evaluation), 6 interviews conducted by consultant.
C) Small Community home-based care service	Volunteer professionals; Incorporated Not-for-Profit organisation	Friend & colleague of CEO; agreement of Chair of Board	3 (50%)	Agreed to organisational governance evaluation, but never completed.
D) Small Community Employment Service	Professionals from associated agencies. Board being formed to incorporate under state Associations Act.	Known to a former Board member	Attended Board meetings (with the 6 Directors, 100%)	Decided on their own re-structure of the Board; did not take advice of researcher. No followup on evaluation.

A) Small Local Community Health

A Director attended a University course on program evaluation conducted by the researcher. That course required a case study, which the Director arranged to analyse for the assignment with approval of the CEO who is a Board member *ex officio*. Subsequently the CEO discussed with the researcher the model of *Strategic Evaluation* and the D.E.S.E.R.T. which his student wished to apply to the Board and Directors of the organisation. It was agreed with the CEO and the Chair of the Board, that the researcher present this information to the Board of Directors. The researcher did give a presentation and offered to assist the Board in applying his research on performance evaluation of Boards of Directors, and the pilot testing of the Director's Effectiveness Self-Evaluation Research Tool. Despite the favourable reception, the Board deferred consideration of this instrument and the researcher's approach. Subsequent followup by the researcher found that it was not accepted by the Board of Directors, and the CEO developed their own self-report questionnaire about performance of the organisation and CEO and Board, to be conducted in house. The CEO subsequently asked for advice on data analysis after the Board completed their questionnaire. The data were apparently inconclusive concerning the questions of the current research.

B) Large Water Catchment Management Board

This Board was essentially a steering committee composed of mostly Professional local Government Managers and some Local Government elected representatives. Although it was not formally constituted, it had been formed to receive state funding for mutually beneficial projects through the dozen local government areas involved in the catchment area. Thus there was a formal requirement to evaluate the projects and the role of the governing body was identified as an essential ingredient in the overall management of the projects. However, it emerged that there was a degree of suspicion of this Governance evaluation, as the 'Directors' saw the process and the results could be highly politicised. In the end, due to various factors, including time constraints and their reluctance to use the format of the D.E.S.E.R.T., data collection on the governance issues in the projects evaluations was diluted to 2 broad interview questions. Instead of the researcher conducting the data collection, 2 interviews of each of the directors of the 3 lead councils were conducted by the evaluation consultant. The 6 interviews were recorded, transcripts were edited by the respondents and the data were sent to the researcher to review and summarise for the overall evaluation report.

The findings of this case study reinforce the uncertainty about the evaluation role of Boards of Directors and the confusion about the responsibility of top management and Directors, as well as elected representatives. Indeed, it was apparent from some comments that there was too little scope given within the Local Government Act and the competing roles of the Directors, to foster a role of governance evaluation. In addition the often politically charged relationships between elected representatives and top managers meant that evaluation was treated with suspicion.

C) Small Local Community home based care service

The researcher was hired to conduct an evaluation of the service for the state Government. The CEO had hired the researcher for a few other evaluations, including when the CEO was head of 2 other organisations. During the course of a contracted evaluation for the organisation, the researcher was invited to present to the Board of Directors, about his research on performance evaluation of Boards of Directors, and the pilot testing of the Director's Effectiveness Self-Evaluation Research Tool. This instrument was presented to a meeting of the Board, and the Directors did agree to be interviewed and to trial the

D.E.S.E.R.T. questionnaire. However, only 2 of the six Directors actually returned the questionnaire and only one was interviewed about the Board's performance and commented on the instrument.

The CEO was repeatedly asked about a followup meeting with the Board, which was agreed in principle. But then the CEO went on leave, and nothing further happened. It is understood that in the subsequent year the Board did not take on its own evaluation, and review of its risk management and evaluation roles, even though this was suggested by the researcher and the CEO, and apparently agreed by the Board.

D) Small Community Employment Service

This was a small community group fostering and advocating employment services for disadvantaged people. It was forming its Board of volunteer Professionals from associated agencies to incorporate under state Associations Act. The researcher was known to a former Board member who invited him to assist in the review of the process. The researcher attended several Board meetings (and discussed his research with the 6 Directors).

Eventually the Board decided on their own re-structure of the association, and did not take the advice of researcher, and did not followup on evaluation of the Board or the organisation's performance.

DISCUSSION

Although not generalisable, it is interesting that in each case the Board of Directors did 'their own thing' with little heed or follow through on the evaluation of their role and performance. This is somewhat surprising, considering they all agreed to the importance of research and evaluation of the role of Boards of Directors in the governance and performance of their organisation. But it may have been a reaction to the complexity of the process proposed by the researcher; it may have been a misunderstanding of the researcher's needs to gather data.

CONCLUSION

Supposedly organizational learning depends on the ability of the organization to detect and correct errors. If the Board of Directors governing the organisation is responsible for the oversight of the purpose and performance of the organisation, then surely organizational learning would be dependent on learning at the governance level of the organisation. If the Board of Directors does not have a method of evaluating its organizational role in relation to the intentions or espoused theory or espoused values of the organisation, then how can we expect organizational learning to occur? This paper has attempted to clarify the evaluation role of Boards of Directors in pilot studies of the *D.E.S.E.R.T. (Directors' Effectiveness Self-Evaluation Research Tool)* instrument in 4 human services organisations in Australia. In various attempts to study the organisational governance of these 4 organisations, and to clarify the roles of their Boards of Directors regarding evaluation, it has been difficult to gain commitment of Directors. Despite the rhetoric of the era of organizational learning, all of the Boards approached had done little to take account of their role in evaluation of their organisation, nor had they reviewed how they might improve their own risk management. There were signs of errors or gaps between the espoused theories and the implementation of Board or Governance performance measurement and evaluation, which were not being addressed adequately to promote 'governance learning'. In an attempt to operationalise Argyris's concepts of organizational learning as a form of governance learning, there were difficulties in gaining enough information, maintaining commitment of Directors to complete the research, and uncertainty about how they understood the problems posed by the research.

There appeared to be defensive routines among the behaviour of the Directors and, in less cases the CEOs, which undermined organizational learning by *gaps of explanation* and *gaps of implementation*.

This preliminary research is not conclusive. But the attempts to identify how Boards of Directors might approach evaluation of governance and how to overcome blocks to learning are heuristic in raising caution about the rhetoric of evaluation in the Boards of Directors.

The paper suggests the need for further research on Boards of Directors and organisational governance learning. But such research and evaluation is likely to be difficult where such defensive routines are not addressed.

It may be one perception that the researcher is suffering from his own 'defence mechanisms' in attributing the difficulties of the research to the Boards of Directors, rather than to the methodology of the research. This may be the view of some, and it may have some validity. However, the pattern of responses of the respondents to the research, suggests there may be more to it than that. It would be premature to offer interpretations and solutions for these problematic results. Rather, it is necessary to chart the research emerging from identifying these issues.

Further Research

By proposing that the development of the self-evaluation of Boards of Directors, might begin with the *Directors' Effectiveness Self-Evaluation Research Tool* there is a danger that the Directors perceive this as a rigid and/or risky and/or complicated process, for which they cannot commit themselves or their Board. How this instrument and the proposed methods are perceived is difficult to discern because the participants often have not followed up on requests for more information, or provided feedback directly about the proposed processes. Future research perhaps should begin without the D.E.S.E.R.T and allow a more participative approach.

As the preliminary research is analysed and extended, it may be possible to identify other key aspects that could be tested to see if they were amenable to operationalise governance learning, and the role of Boards of Directors in evaluation. Especially interesting would be some attempt to operationally test these defence mechanisms. In the extension of the present research the researcher and his students have adapted two types of test of factors affecting organizational learning from Argyris (1999 pp. 46 -47, italics in original) to suit our analysis of the organisational governance and the capacity for the Boards of Directors to learn from their self-evaluation.

In the case of the *explanation* gap we are attempting to apply Carver's (1997a,b,c; 1999a,b) 10 principles as a checklist to test whether the theory-in-use of the Boards of Directors matched the espoused model. This especially interesting in the forthcoming research, as one of the target organisations had been attempting to establish this model, which has been promoted widely as applicable to the Not-for-Profit sector. For the *implementation gap* we adapted the A.V.I.C.T.O.R.Y. model of evaluation utilization (David & Salasin, 1974; Kiresuk, 1994) as a checklist to see the extent to which Boards of Directors' self evaluation may have been implemented, and how it might facilitate governance learning.

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