

COLORADO INTERGOVERNMENTAL RISK SHARING AGENCY COVERAGE LINE

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NINE PRACTICES OF HIGHLY INEFFECTIVE COUNCILS AND BOARDS

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Recently, CIRSA management staff became acquainted with John Carver's Policy Governance® model (Model) for boards of public and nonprofit bodies. This month's column provides some observations about the tough job of governing body members, and some of the ways in which a council or

board can allow its effectiveness to be diminished or compromised. To understand the Model, how it works, and how it is implemented, Carver's book, *Boards*

That Make a Difference: A New Design for Leadership in Nonprofit and Public Organizations (3rd ed. 2006), is highly recommended reading.

For those who've labored in local government for any length of time, *Boards That Make a Difference* will provide some laugh-out-loud moments of self-recognition. It describes a number of common practices that are a drain on the effectiveness of the governing body and

a source of frustration for both the body's members and the staff who serve it.

DO ANY OF THESE PRACTICES RING A BELL?

Spending time on the trivial. As the author describes it, "Major program issues go unresolved while boards conscientiously grapple with some small detail." How many times have you gotten mired in the tiniest detail of a purchasing decision, or the proposed budget?

Foreshortened time horizons. The board's decision-making time horizons should be the most distant of anyone in the organization. Yet, as Carver says, "we find boards dealing mainly with the near term and, even more bizarre, with the past." How many times have the pennies spent in the prior months, as reflected in the "bills for approval" portion of the agenda, received undue attention at your meeting?



Reactive rather than proactive stance.

Is the idea that the board should make proactive decisions, rather than merely react to staff initiatives, completely foreign? Would, as the author says, your board “cease to function” if it were asked to create its own agenda?

Going over what the staff has already done.

“Reviewing, rehashing, redoing,” is what the author calls it. Some boards spend a great deal of their time going over what the staff has already done. But as the author says, “reviewing, rehashing, and redoing staff work – no matter how well – do not constitute leadership”!

Problem-based prescriptions. If you prescribe a specific solution based on the details of a specific problem that has occurred in the past, you may wind up with a “pendulum swing” that creates unintended consequences in the future. As Carver says, “Correcting insufficiencies by looking backward at what they have been simply invites the next, perhaps opposite error. It is like trying to drive down the highway with a firm grip on the rearview mirror.”

Accountability being allowed to leak. Have you established a City/Town Manager or Administrator position? If so, great! But are you still continuing to encourage or allow council/board member interactions with subordinate staff, or subordinate staff members to bypass their supervisors and directly go to council/board members with their issues or complaints? If so, you may be keeping the Manager/Administrator from being able to do his or her job, or you may be interfering in such a manner that you can no longer credibly hold him or her accountable for performance.

Diffuse authority. When the governing body’s and staff’s respective areas of

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responsibility are not clearly delineated, the staff’s knee-jerk response for every issue in a gray area may be, “Let’s take it to the council.” If you allow this, you’ll continually increase your own workload without ever clarifying the appropriate boundaries between council/board governance and staff decisions.

The “Approval Syndrome.” Does your agenda call for the governing body’s approval of documents containing a multitude of paralyzing details (line item budgets, detailed personnel and administrative policies, job descriptions, etc.)? How does this make you feel? The document has already been created, and you’re just reacting to it. Then, to avoid feeling like “rubber stamps,” board members may start nitpicking. But as the author says, “no matter how much intelligence goes into playing this reactive role, it is clearly not leadership.” Moreover, by its approval, the board has been co-opted into assuming ownership of the document, and staff is let off the hook in terms of accountability for the results expected from the document!

The “seductive intrigue of organizational activity.” You know how, when you’re faced with a huge project, sometimes the easiest way to procrastinate is to divert your attention to desk-cleaning or some other trivial task? That’s the “seductive intrigue” that can pull you into involvement in the organization’s internal minutiae. It can be a heck of a lot easier to divert your attention to those details than to grapple with the big issues involved in governing your entity. But governance shouldn’t be about bringing the council/board more knowledgeably into the process of administration. A governing body need not and should not tag along behind management, or try to become “superstaff” in a “conscientious attempt to tag along more professionally.” You’ve got grander things to do as the governing body!

SO WHAT’S THE ANSWER?

Well, no doubt John Carver would say, “Adopt and implement my Model!” Of course, that will require time and effort, an unswerving commitment, and probably the help of a Policy Governance® consultant. In the meantime, here are a few suggestions from *Boards That Make a Difference* to ponder.

• **View yourselves as an extension downward from ownership, rather than an extension upward from management.** As mentioned, your job is not to be “superstaff,” much less “supermanagement.” As the representative body for the citizens – the true “owners” of the community – your job is to exercise ethical and trusteeship responsibilities on behalf of the ownership. Viewed in that light, it becomes apparent that neither the

championing of management decisions, nor substituting your judgment for that of staff, are part of those responsibilities. To be true leaders, you need to “develop a taste for the grand expanse of the larger context,” as Carver says.

▪ **You determine the “ends.” Leave the “means” to the staff.** It’s important to read *Boards That Make a Difference* in order to understand fully what Carver means by “ends.” Briefly, “ends” are the results or outcome to be obtained or the impact to be made, for whom, and at what cost or relative worth. You could call the “ends” the “what and the why.” Everything else falls into “means,” or the “how.” Once you determine the “ends,” give staff the latitude to determine the “means.” After all, they were hired for their skill and expertise in means, weren’t they? Aren’t they in the best position to determine the means? If the governing body becomes involved in means, you may be simultaneously

impairing your staff’s ability to exercise their best judgment, and crippling your ability to hold them accountable for the achievement of the ends. Who’s to blame if you dictated the “how” and the result was a shortfall in achieving the “what”?

▪ **Set appropriate boundaries on the “means.”** Leaving the means to staff doesn’t mean unbridled discretion. We all know that there’s a limit to the idea that “the ends justify the means.” Carver maintains that the governing body’s legitimate involvement in means is to prohibit any means that are imprudent or unethical. But the way to do that is not with a set of *prescriptions* – what must be done. Rather, the right way to do that is with *proscriptions* – what must *not* be done. Why? Well, there aren’t enough hours in the day or enough specialized knowledge on the board to define all the things that must be done. But the board certainly has a legal, moral, and ethical compass. That’s why defining what’s

prohibited as imprudent or unethical is a more effective and efficient means of putting a boundary past which means cannot go.

▪ **Govern yourself before governing others.** Carver recommends that the governing body take the time to design and codify its own processes, including a board member code of conduct. One of the many helpful examples in *Boards That Make a Difference* is a sample code of conduct. Anyone who’s experienced dysfunctional behavior within a governing body knows that negative interpersonal dynamics can destroy the governing body’s effectiveness as well as its credibility with its constituents. But how can a board deal with inappropriate behavior among its own if it hasn’t first determined what constitutes appropriate behavior? With a sound and mutually agreed process, personality need not become the dominant force in shaping issues and dealing with disagreements and confrontations.



WHAT'S THIS HAVE TO DO WITH LIABILITY ANYWAY?

Since this is a CIRSA *Coverage Line* article, you may be wondering what linkage to liability issues justifies its existence on these pages. Well, it's easy to see that the problems identified by Carver as obstacles to good governance are also problems that can lead to increased

liability for elected officials. For instance, if your role in relation to staff's is unclear, how are you or staff going to know what is within the scope of your authority and what is within the scope of theirs? Falling outside the scope of your lawful authority is one of the sure ways to lose your liability protections. And it follows that Carver's approach to good governance also provides excellent risk management suggestions. Both board and staff can flourish within their respective spheres of authority without stepping

on one another, maintain appropriate accountability, and ensure that the work of the public entity will be carried out within the boundaries of prudence and ethics.

CONCLUSION

This article has pulled out bits, albeit helpful bits, of *Boards That Make a Difference* for you to consider. Reading the book is highly recommended, because the Model really makes the most sense when viewed in its entirety.