

Who are we here for?

Joe Saxton looks at the relationships between users, stakeholders and accountability and argues that user involvement in the trustee body is far from the only route to increased accountability

Amidst all the recent hype over user trustees it would be both tempting to believe that involving users was a quick and easy way to improve the governance of a charity (*'a tide of change for greater involvement of service-users in the governance of voluntary organisations has swept across the voluntary sector'* gushed one article in the last issue of Trustee). In reality, nothing could be less clearly the case. At the heart of the debate over user involvement is a debate over how charities are accountable to their constituencies. It is also a debate over how the needs of current users are weighed against the needs of potential users or future users.

The first difficulty about having users as trustees is that they have an inherent conflict of interest between their role as a user and their role as a trustee. Any user who values the services they receive are unlikely – to put it politely - to be happy to be part of a trustee board that votes to get rid of that service. In reality they may fight tooth and nail to keep it. Yet their legal responsibility as a trustee is to pursue the course of action that is best for the charity as a whole – irrespective of their personal involvement.

This issue was best summed up by the senior manager of a small children's charity. 'Our trustees are almost all parents of children who use our services. They became trustees because of their personal interest in the services we offer [largely residential and day care services for children with learning difficulties]. As an organisation we can barely afford to keep some services open. Many of them are in the wrong location but the trustees won't contemplate closure or relocation because their children will no longer get the same services. The development of the organisation is being held back.' Users aren't just disabled people or their friends and family. Users can be farmers, bird-watchers, animal lovers, cancer scientists, ethnic minorities or even the founders of the charity. All can have a conflict of interest and each charity who wants to involve users (or already has users as trustees) need to work out how they deal with that conflict of roles.

The second major issue with involving users as trustees is the conflict with democracy. It is easy to be indignant that user involvement may conflict with democracy but it does. The RNID was very keen to make sure that the majority of its trustees were deaf or hard of hearing. It proved impossible to write this into the constitution. This is for the simple reason that although the vast majority of

the membership is deaf or hard of hearing there is no guarantee that the people they want to represent them will be deaf or hard of hearing. If a constitutional lower limit had been placed on the number of trustees with a hearing loss, it could have resulted in a democratically elected member being ousted in order to make way for a co-opted one!

The solution for any charity to this conflict is not easy. A choice needs to be made between users nominated by trustees and the democratic imperative. Some charities have tried to create a form of moderated democracy. The RSPCA requires candidates for election to the trustee Council to have been members for five years so that they can be seen to have some kind of track record in animal welfare. Mencap has introduced a new constitution with a new national assembly, which is required to have a third of its members with a learning difficulty, and the assembly in turn directly elects seven trustees. The checks and balances in this process effectively 'include people with a learning difficulty at every stage of the decision making process'. Democracy – but not as we know it!

In the pursuit of greater accountability a number of organisations have taken the route of greater openness in governance and management. This can manifest itself in a number of ways; Regional forums where local and national staff as well as trustees are available to present on current and future plans; AGMs with full debate and adequate time; staff and volunteer conferences and even online question time are all ways that accountability and user involvement can be increased.

The debate about user involvement has tended to focus on users in every guise but as members of staff. However users are also staff in a whole range of organisations from disability charities to environmental charities. Often staff –users will have a powerful vision for how the organisation could improve its services. Their views are all too often seen as being rooted in their experiences as staff, not as users.

In the end the involvement of users is simply another way of improving accountability and services. Figure 1 shows diagrammatically the relationship between user involvement and accountability in its wider context. There are pros and cons with all of these strategies outlined below, and it is the role of trustee to decide the basket of routes they will choose to increase accountability, rather than plump for any single option alone.

Publication of non-financial performance targets. One of the biggest difficulties for improving the accountability of any non-profit organisation is deciding what success looks like. Unlike companies, there is no profit-orientated bottom line. Accountability can be greatly increased by the publication of a set of performance targets in the annual report. These could include staff turnover,

number of beneficiaries, amount of media coverage or whatever else the organisation has set as its strategic goals. While many commercial organisations and now Government use these kind of public performance targets, particularly in areas of social responsibility, they remain rare in the charity sector. The downside of performance targets is that they all too often can be manipulated or chosen to look good in the first place. External auditing may well provide a way of increasing the independence and reliability of the figures

Staff, volunteer, donor and user feedback. The simplest and most profound way that organisations can become more accountable is to identify their stakeholders, listen to their views and act on them. Many charities have some form of satisfaction survey for groups such as staff. However it is rare to find organisations where the process is systematic and comprehensive. Even simple activities like access to senior management can be limited to HQ. *'We can't get directors out of HQ'* was the pitiful cry to me of one departmental manager in a large children's charity recently. Professional market research is an alternative approach to getting stakeholder feedback, however it's often more systematic and more impartial it is certainly more expensive. The bigger dilemma is that if feedback is solicited it needs to be acted on. It can be a source of ongoing resentment if there is clear imperative for change amongst users, but the organisation fails to act on it. Witness the difficulties of 'listening Labour' with the recent refinery blockades and the price of petrol.

Users as trustees. Users are trustees in thousands of local and grassroots charities across the UK. For many organisations it would be both inconceivable and impracticable if the people who run the organisation are separated from those who use it. The difficulties arise when an organisation need to react to changing external circumstances, rapid growth or funding difficulties. Those who run the organisation may only do so because of the current services in the existing location. It is for these reasons that the founders of charities are so often unceremoniously dumped as an organisation – they cannot let their 'baby' grow up or let others take up the reins. In larger charities, users need to be far more than simply token trustees, marginalised by the otherwise white, middle-class, paternalistic structures that prevail in some many large charities.

Democratically elected trustees. To paraphrase Winston Churchill *'Democracy is a terrible form of governance. But it's the least bad form of governance there is.'* Too many charities either rely on self-perpetuating oligarchies or have democratic structures which they pursue with studied indifference. In theory democratically elected trustees are an excellent idea. But they rely on a strong field of candidates with a good breadth of skills, voted for by an electorate who distinguish between those who will be good trustees and those who can write good election addresses. In practice this means that democracy will only flourish when it is underpinned by active process to encourage good candidates to stand and

members to vote. In addition, co-opted trustees should always have a place on trustee bodies to provide additional skills and to counterbalance a heavily user-dominated trustee body.

National and regional open forums. The opportunity to listen to, and directly question trustees and directors of a charity is a vital part of accountability. It allows users to put those who represent them on the spot. It is neither an easy or enjoyable experience for those at the receiving end of aggressive questioning, but it is part of the role the leaders of charities should be happy to undertake if they want to be sure that they understand what their constituency expects of them. For many charities, the AGM is the usual format where this kind of interaction takes place. However devolution has brought about a growth in these kind of opportunities in Wales, Scotland and Northern Ireland and it would be extraordinary if a single event in England were geographically sufficient for all users let alone all stakeholders.

There are a breadth of ways in which the voice of users can be heard within a charity. Involvement as trustees is only one of a number of options and by no means the only mechanism or even the best. Almost every user will come with their own 'axe to grind' about how the charity needs to improve its services. In this respect users are no different from the rest of the trustee body. The role of the constitution, the democratic process and the chairperson is to make sure that the trustees as a whole have a balanced set of axes to grind, and with them they are equipped to cut through the jungle of options and opportunities to improve the work of the organisation.