Accounting for the sins of the father

by Gerry Stobo

THE WORD "ACCOUNTABILITY" was uttered continuously by politicians during the recent federal election – so often that I wanted to fly far away where I wouldn't have to hear it repeated ever again. Instead, I now contemplate the "cult of accountability" that has emerged and am considering what it will mean for those in the government contracting business.

While all parties in the recent election professed allegiance to this new-found religion, Conservative Leader, now Prime Minister, Stephen Harper stated it most brightly with his party's proposed *Federal Accountability Act.*

"As Prime Minister, I will lead by example; I will begin the process of fixing the system by legislating and enforcing the *Federal Accountability Act* – a specific, detailed and credible plan to clean-up government. This will be the first thing I do."

This fundamental tenet of the Conservative platform came from the tablet held high by Justice John Gomery's review of the Liberal government's management of the sponsorship program, where a web of unsavoury government and political activities were uncovered. Once revealed, these events were key to bringing about a change in government.

So, why has "accountability" become the mantra for procurement? Partly because governments are some of Canada's biggest spenders, collectively writing cheques for nearly $100 billion per annum. Without someone, somewhere, being responsible or "accountable" for how this money is spent, it's a one-way trip to endless and expensive investigations and judicial inquiries.

On a political level, the term "accountability" has become a tonic used to wash away corruption; it is preached as the answer to every political conundrum. And, where there is any administrative conundrum in government, the solution will undoubtedly call for more "accountability." Are we overreacting? In respect of government purchasing, I think we are.

Most often, purchasing follows an honourable and lawful course, generating good value for Canadian taxpayers. Where problems have occurred, history tells us that the people involved didn't follow the rules – not that the rules themselves weren't sufficient. Moreover, some of the biggest problems were the result of political interference.

While we can't exactly say that these are the exceptions that prove the rule, these exceptions do prove the rules are necessary. And, from my vantage point, these rules have long-existed.

Justice John Gomery noted in his November 2005 report, that there was clear evidence of political involvement in the administration of the sponsorship program; that a veil of secrecy surrounded the administration of the program and an absence of transparency existed in the contracting process; and that a "culture of entitlement" existed among political officials and bureaucrats involved in the program, including the receipt of monetary and non-monetary benefits.

Federal procurement activities aren't the only ones that have been examined recently. Justice Denise Bellamy led the Toronto Computer Leasing and External Contracts Inquiry, completed in September 2005. The chapter headings and sub-headings of her report tell the story: The Ties That Bind – A Small Crack Reveals A Big Problem – Disturbing Calls; An Intimate Relationship By Any Other Name; The Lease For The Councillors' Computers – An Error On Top Of Error; MFP Hires A Hunter – Buying Influence Is No Bargain; Hockey Night In Philadelphia – Caught In A Web Of Lies; Drafting The RFQ – The Catalogue Of Errors… the list goes on; the picture remains the same.

Something went wrong, just as it did in the federal sponsorship program. In both inquiries, accountability, or more particularly, the lack of it, was at the heart of the problems. Responding to these events, politicians boasted as to how they would purge the sins.

According to the proposed *Federal Accountability Act*, the government will review and amend all its contracting rules to make the process free from political interference and appoint a procurement auditor to ensure that all procurements are fair and transparent, and to address complaints from vendors.

Toronto's Mayor David Miller appointed an integrity commissioner, implemented a new administrative structure, proposed a ban on lobbying of all staff on purchasing decisions, promised more use of fairness monitors, and enhanced training for staff on the rules and ethics of purchasing.

Political evangelists promote these measures as a sure route to salvation. However, the good procurement policies and laws already in place in Ottawa and in Toronto were ignored by some key players who had influence over government contracting activities, including people who had no business getting involved. It's not new rules we need; it's respect for existing rules.

New government safeguards will add a new layer of red tape and bureaucratic insecurity to an already heavily rule-bound and sluggish process. Over-burdened and under-funded procurement officers struggling to keep pace with real-time government purchasing needs, already swim furiously to keep afloat in the sea of paper, while also serving their political masters.

More rules serve no one well; not the officials; not the supplier; and certainly not the Canadian taxpayer who picks up the tab for inefficient government contracting.

Accountability is not a formula expressed in new legislative verse, nor is it achieved through the appointment of an ombudsman. Rather, accountability exists in the day-to-day work performed by government purchasers when they follow the ethical standards and policies already in place – standards and policies they agreed to respect the day they joined government.

In my view, government contracting has become a cult of accountability. New commandments and high priests will emerge, but none of these will matter if politicians don't keep the faith and if contracting officials ignore the contracting commandments that have long existed.

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