

Implementation of Merger: Lessons from the Norwegian Welfare Bureaucracy

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ISSN 1503-0946

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UNIFOB AS

AUGUST 2008

Working Paper 11 - 2008

Innhold

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Preface

This paper is part of the ongoing evaluation of the reform in the Norwegian employment and welfare administration funded by the Norwegian Research Council. The paper is part of the sub-project in this evaluation named *Welfare model, governance system and NAV (the Norwegian acronym for the employment and welfare administration)*, headed by professor Tom Christensen. The paper has been presented at the ECPR Standing Group on regulatory Governance Biennial Conference on (Re)Regulation in the Wake of Neoliberalism. Consequences of Three Decades of Privatization and Market Liberalization, Utrecht, 5–6 June 2008. We want to thank Dag Runar Jacobsen, John Halligan and other participants at this workshop for comments.

Summary

This paper aims to contribute to scholarly knowledge about public-sector mergers by analyzing a recent merger in the Norwegian welfare bureaucracy. The merger studied is one of the largest oriented reforms in recent Norwegian public administration history. The government decided in 2005 to merge the employment and national insurance services into a new entity called the Norwegian Labour and Welfare Service (NAV). We examine how instrumental problem-solving in the merger was conditioned by external forces, internal negotiations and cultural features by focusing on the first step in the implementation of the merger – the transition process that took place in 2005–2006. We examine the framing of the transition process, the activation of participants and agendas, and organizing the NAV at the central level. A main finding is that the scope for instrumental problem-solving is most of all conditioned by internal conflicts, to some extent by external control and to a lesser extent by cultural features.

Sammendrag

Siktemålet med dette paperet er å bidra til å øke kunnskapsgrunnlaget om sammenslåinger av offentlige organisasjoner ved å analysere NAV-reformen som er en av de største forvaltningsreformene i Norge. Regjeringen bestemte i 2005 å slå sammen A-etat og Rikstrygdeverket til en ny arbeids- og velferdsetat. Vi undersøker instrumentell problemløsning var betinget av ytre krefter, interne forhandlinger og kulturelle bindinger ved å fokusere på den første del av iverksettingsfasen fra 2005–2006. Vi studerer hvordan omstillingsprosessen ble rammet inn, aktivisering av deltakere og saksområder og på hvordan NAV ble organisert på sentralt plan. Et hovedfunn er at rommet for instrumentell problemløsning ble først og fremst begrenset av interne konflikter, men også til en viss grad av ytre kontroll. Kulturelle faktorer hadde også betydning men var mindre fremtredende.

Introduction

Mergers are a frequent response to charges of inefficiency, ineffectiveness and unresponsiveness and therefore a popular organizational reform strategy in the public as well as in the private sector (Egeberg 2003, Hood et al. 1985, Pollitt 1984, Hult 1987). Nonetheless, scholars of public administration have shown less interest than their private-sector oriented colleagues in understanding the dynamics and effects of mergers (Hult 1987).¹ More scholarly attention to public-sector mergers would presumably benefit public administration policymaking. Currently business strategists and executives benefit more than their government counterparts from scholarly insights into reasons why mergers run into difficulties or fail, and from their observations about the importance of paying attention to the cultural integration, competencies, management information systems and symbols in pre- and post-merger periods (Cartwright and Schoenberg 2006, Stahl et al. 2005). Experience gained from private-sector mergers cannot always easily be transferred to public-sector organizations because there are significant differences between organizations in the public and private sectors (Christensen et al. 2007).

This paper aims to contribute to scholarly knowledge about public-sector mergers by analyzing a recent merger in the Norwegian welfare bureaucracy. The merger studied is one of the largest coordination-oriented reforms in recent Norwegian public administration history. Following years of debate and negotiation, the government decided in 2005 to merge the employment and national insurance services, both a century old, into a new entity called the Norwegian Labour and Welfare Service (NAV)². The NAV was established in 2006 and employs 16,000 people, spends about one third of the state budget and serves practically all Norwegians through the provision of such things as unemployment benefit, rehabilitation allowance, pensions, child benefit and cash benefits. The aims of the reform were to create more jobs and to make the welfare service more user-friendly, more holistic and more efficient. The reform can on the one hand be seen as a 'whole-of-government' initiative intended to increase the capacity of government to address 'wicked problems' that cut across existing policy areas (Christensen and Lægreid 2007). On the other hand it can be seen as an arranged marriage between two formerly autonomous entities. As is usually the case in government, the merger was decided at ministerial level. In fact, one of the parties, the Employment Service, was against the merger while the other, the National Insurance Service, was in favour of it.

In this paper we examine how instrumental problem-solving in the merger was conditioned by external forces, internal negotiations and cultural features such as administrative traditions. This will be done by studying the initial stage of the implementation process. It is well known from implementation studies that the

¹ For an exception see John Halligan's studies of Centrelink in Australia which was established as a one-stop shop multi purpose delivery agency by integrating a variety of social services (Halligan 2004, 2007).

² The reform also included a local partnership with locally based social services, in one-stop shops or local welfare offices, but we will not go into this part of the reform in any depth, simply alluding to it when necessary.

implementation process is often not a neutral, technical process but rather that the political process tends to extend into implementation (Winter 2003). A central issue in the analysis is how much leeway and discretion there was for an active and conscious implementation policy within the constraints imposed by above-mentioned internal and external factors.

To answer this question, we focus on the first step in the implementation of the merger – the transition process that took place in 2005–2006. This stage in a merger tends to be largely overlooked by researchers (Hult 1987). Specifically, we focus on the events that led to the resolution of three key issues: first, how to frame the transition process; second, how to activate participants and agendas; and third, how to organize the NAV at the central level.³ After outlining the transition process, the paper treats it as an explanandum. Our theoretical point of departure is a transformative approach, focusing on the complex contexts in which political and administrative actors operate while trying to further reforms (Christensen and Lægreid, 2001).

The empirical material utilized in the paper stems from an ongoing evaluation of the NAV reform commissioned by the Norwegian Research Council. The data were collected in the period November 2007–February 2008 from document studies and from semi-structured interviews with parliamentarians, past and present ministers, top civil servants in the ministries and in the NAV and interest group representatives, about 50 individuals in all.

Theoretical framework

We do not believe in a one-factor explanation for the implementation of the merger and will distinguish between four perspectives to understand the implementation process. A *hierarchical instrumental perspective* sees the implementation process as a controlled design exercise characterized by instrumental problem-solving. It is assumed that the process is dominated by leaders and selected experts (March and Olsen 1983). Furthermore, the decision-making structure – the structure of participants – is assumed to be dominated by leaders in certain hierarchical positions, and the access structure – the problems and solutions on the agenda – is assumed to be dominated by definitions advocated by a few leaders in positions of authority. It is furthermore expected that political and administrative leaders in the mother ministry will control the framing of the implementation process and the structural model chosen for the NAV (March and Olsen 1976, Lægreid and Roness 1999).

A *negotiative, instrumental perspective* sees an implementation process as a struggle between different actors, groups and organizations, reflecting heterogeneity in the public sector and in the environment (Cyert and March 1963). We pay special attention to internal conflicts between actors within the merged agency. It is assumed that the process is a tug-of-war over who should participate in decisions and how problems and solutions should be framed. In our case the crucial actors will presumably be the mother ministry, with its political and administrative leaders, the leaders of the two involved

³ Thus the paper does not focus on the process leading up to the decision in 2005 to bring about a merger (see Christensen 2008), nor on the merger's effects on the stated goal parameters after 2006 (see Askim et al. 2008).

agencies, and possibly also the leaders of the Association of Local Authorities. We expect those involved to hold different views and for there to be conflicts and negotiations over the framing of the implementation process, the patterns of participants, the problems and solutions identified, and the way to structure the new agency.

The third perspective used is a *cultural* one, which focuses on the administrative traditions of the merged agencies. Public organizations have histories and traditions that are manifested in informal norms and values. Due to path dependency, these norms and values have a bearing on reform processes and effects (Krasner 1988, Selznick 1957, Brunsson and Olsen 1993). One major challenge, seen from this perspective, is to find a way of perpetuating traditions while bringing about gradual change, something that often happens in reform processes. In extreme situations, the historical path is broken and a new one embarked on (Baumgartner and Jones 1993, Kingdon 1984), but most reforms try to modify certain aspects of historical traditions in a less dramatic way in order to fulfil the aims of the reform. According to this perspective, we would expect the framing of the implementation of the NAV reform to be influenced by traditions in the civil service and for cultural trajectories to play a role in activating participants, identifying problems and finding solutions. We would also expect the new structure to retain elements from the old structures of the two merging agencies.

A fourth perspective focuses on *environmental features*. The environment can be divided into types: technical and institutional (Meyer and Rowan 1977, Scott 2003). Both types may further and hinder reforms in public organizations and exert control over the implementation process. The technical environment may direct attention towards certain problems and pressures, such as the need to lower unemployment and to make the existing apparatus for employment and welfare more effective and efficient. The institutional environment is related to myths and symbols about how public administrations should be organized (Meyer and Rowan, 1977). We will analyse what relevance the environment has for the implementation process. We focus on the merged agency, the NAV, while the mother ministry will be treated as an external control body in the NAV's technical environment. We ask: Is there pressure from the technical environment that results in the process being framed in a particular way, in certain patterns of participation, in a focus on certain problems and solutions, or in a certain new agency structure being chosen? We also discuss what influence the institutional environment has on these matters.

In discussing the merger we apply a compound transformative approach (Christensen and Lægreid 2001, 2007). This means that we regard the four theoretical perspectives as complementary rather than mutually exclusive. We see the merger as a complex interaction between different factors: we examine how a consciously designed reform is transformed in the course of the implementation process as it encounters cultural constraints, internal interests and external pressures.

Implementing the merger in the Norwegian welfare bureaucracy

We focus in our case description on three events that took place between the *Storting's* decision in June 2005 to merge the formerly autonomous welfare services and the establishment of the NAV in July 2006. This year-long transition process is of practical importance because this initial implementation stage produced decisions that presumably will strongly influence the NAV's ability to achieve its objectives. Within the transition process we focus our attention on the events leading to the resolution of three key issues: first, how to frame the transition process; second, how to activate participants and issue agendas; and third, how to organize the NAV at the central level, including defining the interface between strategy and delivery. We will also argue that the framing and activation will influence the organization of the central agency.

Background

To help understand the progression and outcomes of these events, we begin the case description by providing some information about the parts of the reform process that preceded the implementation stage and about the organizational entities that were merged as a result of the reform – the Employment Service and the National Insurance Service.

Initial stages of the reform process

The process leading to the *Storting's* decision in May 2005 to radically reform the welfare bureaucracy started three-and-a-half years earlier, in December 2001, when the *Storting* instructed the minority Bondevik II government to give a report on how the welfare bureaucracy could be merged. At the time, responsibility for running welfare services was divided among the Employment Service, the National Insurance Service and local governments that provided social services. We should note that there was a widely shared view among the parliamentarians that the hitherto autonomous entities had failed to deliver upon repeated requests for improved inter-service coordination (Christensen 2008). In response, the government proposed on the basis of a report by an inter-ministerial working group that the welfare bureaucracy should continue as three autonomous entities with responsibility for pensions, employment and social services. The running of employment and social services would be brought together in local one-stop shops (St. meld. no 14., 2002–2003).

The government was heavily criticized for this proposal, since it failed to respond to the *Storting's* request for a merger of the three services. The *Storting* therefore returned the proposal to the government and instructed it to come back to the *Storting* with suggestions for a merged welfare service. The government was thus compelled to start planning afresh. It therefore established an external public commission, consisting primarily of academic policy experts whose mandate was to discuss coordination and merger. However, the proposal the commission came up with turned out to be pretty similar to the rejected proposal (NOU 2004:13); it stated that there should be one

autonomous service for income and employment, one for pensions and rights and one for social services, and that the last should remain a local government responsibility.

By the time the expert report was delivered, a new ministry had been established owing to a ministerial reshuffling. For the first time responsibility for national insurance and employment was integrated in one ministry. The laws regulating the administration of social services by local government also became part of this new super-ministry's portfolio. Merging political responsibility paved the way for a coordinated effort by the ministry to implement the reform.

Being a minority government, the government was disinclined to present the self-assured *Storting* with a proposal that was almost identical to the rejected one. It therefore proposed a partial merger. Responsibility for employment and national insurance services would be given to a new entity led by a central government agency, while social services would remain a local government responsibility. Municipalities would be obliged by law, however, to run certain social services in partnerships with the merged employment and national insurance services in the form of one-stop shops (St.prp. no. 46 2004–2005)⁴. This proposal was accepted by the *Storting*, even though it meant a partial rather than a full merger of the welfare bureaucracy.

The employment and welfare services before the reform

The Employment Service was established in 1916 and was led by the Directorate of Labour (DOL), a central agency. Before the reform, the Employment Service had around 3,800 full-time positions and was represented at all three levels of government – at the central level through the DOL, at the county level through its 18 county offices and at the local level through its 162 local offices. The Employment Service held responsibility for the implementation of labour market policy. Its main task was to help people find new jobs as quickly as possible, by carrying out an active job search, by providing clients with personal advice and by helping them gain qualifications. The service's tasks also included researching the labour market, providing economic benefits and monitoring.

A combination of factors meant that the Employment Service, and the DOL in particular, embarked on the implementation of the NAV reform with a strong determination to leave their mark on the organizational structure and policy orientation of the merged entity. Since labour policies tend to shift with macroeconomic conditions and shifts in government, the DOL was well accustomed to adapting – and at times strategically defending – the service's dimensions, programmes and policies in response to external pressure. Furthermore, the service had gone through a series of reforms during the previous decade, the most radical of which had ended the service's monopoly on job and personnel provision and allowed private companies access to the market for such services. The reforms also involved service diversification, modernization of information technology and changes in top DOL personnel. As a result of this string of reforms, DOL executives had become very aware of the relationship between organizational reform, human resources, priorities and services. The combination of

⁴ Municipalities were required, as a minimum solution, to offer some of their economically oriented social services under the umbrella of the local partnership offices (Fimreite and Læg Reid 2008, Fimreite 2008).

external pressures and reform experience had made the DOL highly conscious of and loyal to the service's mission – getting people into employment. Third, DOL executives saw the NAV reform as a threat to the Employment Service and its mission. They feared that a merger would leave them unable to defend the Employment Service's mission against the far larger National Insurance Service, with its plethora of tasks and objectives and, not least, its rhetorically powerful *Rechtsstaat* principles. As one respondent from the DOL said:

«I had learned that if there is a debate in the public domain between work and rights, rights always win» (civil servant, interview 2007)

Finally, the Employment Service embarked on the merger implementation with a sense of having lost an unwanted and demanding reform preparation race at the finishing line, and it saw the 2005–2006 transition stage as an opportunity to make a late comeback. The *Storting's* placing of the merger issue on the public policy agenda in 2001 was perceived by DOL executives as tantamount to authorizing the National Insurance Service to stage a hostile takeover. Hence, throughout the 2001–2005 reform preparation phase the DOL lobbied first the ministerial working group and then the external expert commission and was initially relieved to see that both advised the government to maintain separate services for employment and pensions. However, come 2005 and the finishing line, the DOL bitterly observed that a new minister, Mr Dagfinn Høybråten, a former director of the National Insurance Service, had rejected the expert commission's recommendations and advised the *Storting* to go through with a merger.

The National Insurance Service was also an old institution, established in 1895. It had about 7,600 full-time positions when the reform started, and it was represented in every county and municipality in Norway. Close to 2 million persons received regular benefits from the National Insurance Service. The service was led by the central agency, the National Insurance Administration (NIA), and its operation was mainly regulated by the National Insurance Act, which had three main goals: to provide economic security via a guaranteed income; to compensate citizens for expenses related to unemployment, pregnancy, maternity, single parenthood, illness and injury, disability, old age and death; and to help people cope on a daily basis.

The NIA did not embark on the implementation of the NAV reform with the same sense of determination and preparation for battle as the DOL. Some feared that a merger could be used as an opportunity to introduce IT solutions that would take the provision of benefit services away from the local welfare offices, and that this would also worsen services to older and not very computer-literate clients. Most NIA executives and NIA staff, however, saw the merger as an opportunity rather than a threat. The NIA's service portfolio was broader than the Employment Service's; the NIA in fact administered several employment-related services, and its staff had over time become increasingly aware that the structural division between the two services hindered them in offering customized service packages to clients. This complexity in types of services and clients meant, moreover, that the NIA lacked the DOL's dedication to a single mission. Furthermore, unlike the Employment Service, the NIA had not been subject to recent reforms of its organizational structure and IT systems,

and NIA executives had not had to adapt to societal mood swings and political whims. National insurance policies tend to be stable across changes in governments and macroeconomic conditions. Finally, the NIA did not enter the transition phase in fight-back mode; NIA executives rightly felt that they had won the 2001–2005 reform preparation process. They had been in favour of merger from the start and were relieved when their former director turned the tables in 2005.

Framing the transition process

Once the *Storting* had accepted the reform proposal in May 2005, the government faced the task of preparing a reform that would involve considerable new legislation and one of the largest organizational mergers ever conducted in the Norwegian public sector, while at the same time maintaining normal levels of service from the soon-to-cease national insurance and employment services. We proceed by showing how choosing an organizational form for the transition process and recruiting a leader for it constituted strategic framing decisions that affected the dynamics and outcomes of the year-long transition process.

The organizational form

The choice of organizational form for the transition was made by the Ministry of Labour and Social Affairs. Key decision-makers there included the minister and former NIS director, Mr Høybråten, and Lars Wilhelmsen, a seasoned ministerial official and former DOL director. Mr Wilhelmsen was asked to organize a transition plan, to supervise the ministry's control over the transition, and to lead the ministry's preparation of the legislative amendments necessary for the establishment of the NAV, the so called NAV Act (Ot.prp. nr 47).

The decision the ministry reached was to establish a temporary agency with directorate status – an organizational innovation in the Norwegian public sector. NAV Interim, as the agency was called, would operate in parallel with the national insurance and employment services from June 2005 until the NAV took over their tasks in July 2006 (Ot. prp, nr. 96 (2005–2005)). In other words, while NAV Interim was planning for their succession one year down the road, the two existing welfare agencies were to go about their business as usual. NAV Interim's tasks included merging the national insurance and employment services at central, regional and local level, and establishing the local NAV offices in partnership with local governments. NAV Interim was given authority over the affected agencies on merger-related issues and was to report to the Ministry of Labour and Social Affairs.⁵ The Ministry was to be consulted on key organizational issues. Important ex-ante guidelines for NAV Interim's work were formulated in the ministry's proposal to the *Storting* (St. prp .no. 46 (2004–2005)), in NAV Interim's approbation document and, not least, in a so-called Overall Plan for implementing the reform from 2005 to 2009 developed jointly by the NIA, the DOL and NAV Interim (NAV Interim 2005). In addition, the frequency of meetings and

⁵ The Ministry was reorganized and changed its name later in the fall of 2005 to the Ministry of Labour and Social Inclusion.

correspondence between NAV Interim and the ministry was generally high, at times taking place daily.

One radically different alternative organizational format for the transition would have been to establish the NAV directly and close down the two existing agencies immediately after the *Storting* had accepted the reform proposal on May 31 2005. This alternative was discarded primarily for instrumental reasons. There was a widely shared view that it would unacceptably disrupt the running of the affected welfare services – services that were important, in many cases vital, to hundreds of thousands of clients. And conversely, it was assumed that the merger preparation would not get enough attention if it took place in parallel with the day-to-day running of services. Policy learning was also involved. The ministry commissioned a report from Statskonsult, a state-owned consultancy, on lessons to be learned from three recent mergers in the Norwegian public sector – mergers that resulted in the establishment of the Norwegian Agricultural Authority in 2000, the Directorate for Health and Social Affairs in 2002 and the Norwegian Food Safety Authority in 2004 (Statskonsult 2005). The report strongly advised NAV reformers to emulate these three mergers' common strategy of starting the merger implementation with an interim process, i.e. a transition between deciding on and implementing the merger. Furthermore, there was a culture-related reason behind the choice of format. The two existing agencies and their leaders were perceived to need some time to interact, to get to know each other and to get used to the idea that their century-old agencies – undoubtedly infused with value, to use Selznick's (1957) terminology – would be terminated. The idea of a merger «needed to mature», as several respondents put it.

A second alternative, closer to the chosen format, would have been to conduct the transition within the ministry. This alternative was discarded for several reasons. An instrumental reason was that the ministry would be hard put to mobilize the capability and capacity necessary to take on the task of preparing a gigantic and controversial merger. And conversely, the merger's magnitude and high profile meant that its preparation would probably steal attention from other pressing issues on the ministry's agenda. A negotiation-related reason why the transition was not located within the ministry was that the two existing agencies were assumed to need a «boxing ring». Before the NAV could become stable and peaceful enough to be able to be trusted with running employment and national insurance services, the existing agencies and their leaders would need an arena where they could settle their differences – differences that had been accentuated and reinforced during the 2001–2005 reform preparation process. A ministerial project would make an unsuitable and inappropriate venue for this potentially challenging exercise. Some respondents viewed NAV Interim's boxing ring function as a problem, but most saw it as valuable:

«[NAV Interim] was on a personal level and more generally an exercise between the NIA and the DOL...for things to calm down and settle» (civil servant, interview).

«There are values, positions etcetera to defend in such a setting, so it was obviously a fortunate side-effect of NAV Interim that many such things could be played out in a slightly closed arena ... and maybe settled there» (civil servant, interview).

«There was a lot of positioning going on [between the DOL and the NIA]. That was maybe OK because it meant that a good deal of the power play was over and done with before we became the NAV» (civil servant, interview)

We should note that the need for a boxing ring made a third alternative organizational format – outsourcing the transition to an external milieu – equally unattractive.

Finally, there was a symbolic reason to locate the transition in a temporary agency outside the ministry. The agency format signals distance from politics and a strong emphasis on neutral expertise. In reality, though, the format places few legal constraints on a ministry's steering ambitions, since agencies, even after some NPM efforts, have their autonomy limited by the ministerial responsibility principle, which also encompasses some of their activities. Choosing an agency format therefore suited the ministry's political leaders well. It allowed them to signal that implementation of the reform was driven by professional experts, and therefore potentially made them 'immune' to criticism, while at the same time they maintained considerable control over NAV Interim's activity.

Recruiting a leader

Based on experiences from previous mergers, Statskonsult (2005) advised the ministry to appoint a leader for NAV Interim as early as possible, to ensure progress, and to make this appointment valid for NAV as well as for NAV Interim, to ensure continuity. The ministry duly decided that the person recruited to head NAV Interim would also head the NAV. Statskonsult's report offered little advice on what qualifications to look for in a leader, however. The ministry decided that the leader would be neither of the two directors of the national insurance and employment services; they would instead be appointed assistant directors. The person the ministry recruited to head NAV Interim was Tor Saglie, an experienced civil servant whose former positions included secretary general in the Ministry of Local Government, director of the University of Oslo and assistant director of Oslo municipality. He lacked experience in the two welfare services concerned, however, and was perceived by most affected parties, including politicians and agency and ministry officials, as «a local government man». Recruitment below deputy director level was delegated to the DOL, the NIA and Mr Saglie.

Choosing Mr Saglie was not controversial, given his experience and reputation. Nonetheless, an obvious alternative to the recruitment of Mr Saglie would have been to recruit the NAV's director from one of the two existing welfare agencies, preferably one of the two incumbent directors. Both would have been more familiar with the involved sector policies and personnel than the «local government man» was. Several reasons spoke in favour of a fresh face, though.⁶ A negotiation perspective highlights two: The ministry feared that if left to fight it out among themselves, the two existing welfare agencies would spend more energy on arguing about how to staff the top NAV positions than on planning a new, improved, merged agency. Furthermore, both the existing welfare agencies intensely feared domination by the other. Appointing NAV Interim's leader from one of the two would have been perceived across the welfare

⁶ The directors of the two former agencies quit rather soon after NAV was established.

bureaucracy as ministerial authorization for that person to dictate the NAV's shape and form. In effect, NAV Interim's decisions would have lost legitimacy and been hard to implement.

«There was a crazed fear that the DOL or the NIA would gain too much influence over the work [of NAV Interim], so they kind of took [the transition process] away from us» (civil servant, interview).

A symbolic perspective highlights a further reason for the appointment of Mr Saglie: It was important for the government to communicate to stakeholders outside the two welfare agencies, above all to the *Storting* and the local government sector, its intent to make the NAV a fresh start for the welfare bureaucracy, not a continuation of old ways under a new name.

«We chose a local government man as leader ... to ensure that [NAV Interim] had legitimacy in the amalgamation phase ... to signal that this is a fresh start, it is not one agency taking over the other» (politician, interview).

Influencing participation and issue agendas

Statskonsult (2005) concluded in its study of former mergers that the composition and number of people involved are critical success factors for an interim organization's ability to complete its tasks. Hence, the formal reform leaders, Mr Wilhelmsen in the ministry and Mr Saglie as the director of NAV Interim, would presumably have to keep tight control on participation to be able to steer NAV Interim in their preferred direction.

Influencing participation

According to our respondents, the reform leaders in fact exercised limited control over participation. NAV Interim's size swelled beyond what they foresaw, and it was only a matter of weeks before new and larger offices had to be found.

«[NAV Interim] started with ten people, with Saglie at the helm, and then simply grew during the winter. ... people stumbled in from the agencies, and in the end we were a couple of hundred» (civil servant, interview).

Furthermore, and unlike the mergers reviewed by Statskonsult, the welfare agencies conceded little control over who they released to NAV Interim. This illustrates a negotiation aspect of the transition. For one thing, unlike in former mergers, where incumbent directors participated only in steering and working groups, both agencies released their directors. Furthermore, there were differences between the two agencies. DOL leaders, who saw the reform as a threat and were intent on 'revenge', recognized NAV Interim as the window of opportunity it was, and released most of their recognized strategists, i.e. most of their top executives. Former DOL and NIA officials agree fully that the DOL was more strategic than the NIA in its appointments to NAV Interim.

«The DOL was far more strategic about who it brought into NAV Interim than the NIA was» (former NIA official, interview).

«It was the cream that went [to NAV Interim]. The rest ... were left to... clear the desk» (former DOL official, interview).

Influencing the agenda

The formal reform leaders' limited control over participation also limited their control over NAV Interim's issue agenda, since participants brought their own agendas, problems and solutions. The reform's partially conflicting goals – more jobs and a more user-friendly, holistic and efficient service – also gave participants leeway. For example, some participants advocated certain solutions, citing user friendliness, whereas others favoured other, incompatible solutions in the name of efficiency. To some extent participants brought personal agendas with them, and the magnitude of the organization, the vast number of problems to be addressed and the limited time available meant that Mr Saglie could not oversee, much less control, everything that went on at NAV Interim.

«Issues ...just ignited ... I think opportunities emerged for action because things went a bit too fast» (civil servant, interview).

«It was pretty chaotic ... what people worked with and what they emphasized was largely person dependent» (civil servant, interview).

Though some personal agendas were involved, to a large extent agency representatives brought agency agendas with them. And again, it is widely recognized that the DOL came into NAV Interim with clearer ideas than the NIA did.

«[The NIA] naïvely thought that one would actually create something in cooperation; that one would start anew to create a new agency. But as it were, [the DOL] had its wishes and plans set beforehand...[the NIA] was less aware of the political game, something the DOL was far more skilled at» (former NIA official, interview).

«[The DOL] had not forgotten its preference for separate agencies for employment and pensions ...Naïvely or not, ...[the NIA] thought it appropriate to enter [NAV Interim] with an open mind. Here we will create something new ... together with the other agency» (former NIA official, interview).

«The employment side had worked a lot on how [the NAV] should be ... while the NIA did not have one single thought. They just waded into NAV Interim» (former DOL official, interview).

In addition to these widely recognized negotiation aspects, there was agreement on both sides of the agency divide that NAV Interim was dependent on key DOL strategists to complete its tasks on time. As mentioned above, the Employment Service – unlike NIS – had accumulated a decade of reform experience. It was seen as imperative for NAV Interim to mobilize the people involved in these reforms.

Representatives from The Norwegian Association of Local and Regional Authorities (KS) were also invited to participate in the implementation process. Their inclusion had several rationales. Instrumentally, including KS broadened the issue agenda and perspectives on problems beyond those initially held by the welfare agencies. For example, KS brought its perspectives on how to construct the local partnership model

between the state and the municipalities (Fimreite 2008). There were negotiation-related reasons for KS's inclusion too. It was believed that the inclusion of a neutral third party could broker the DOL-NIA conflict. Furthermore, there were cultural reasons. Mr Saglie and Mr Wilhelmsen, who both knew the local government sector well⁷, worked in NAV Interim and the ministry, respectively, to reduce state officials' scepticism towards ceding responsibility to local government (Fimreite 2008). Finally, including KS representatives also had symbolic significance. NAV knew it relied on legitimacy in the local government sector to be able to establish the local partnerships, and working out the details of the partnership model without including KS would reduce its acceptance. Moreover, several local government-oriented parliamentarians had a strong stake in the initiation and establishment of NAV, and it was well known that they kept themselves informed about the internal workings of NAV Interim.

Organizing the NAV at the central level

NAV Interim organized its activities in five programs, one of which was called New Service. One of the projects established under this program was to propose an organizational structure for the central-level NAV, i.e. the parts of the NAV that would hold overall, as opposed to functional or geographically delimited, responsibilities. This process took place over a period of four weeks in November–December 2005. The project's mandate was fairly loose, although the above-mentioned Overall Plan (NAV Interim 2005), developed jointly by the two welfare agencies and NAV Interim, provided some guidance. An external consultant was appointed project leader, and the agencies nominated eight further project members. Three models were proposed, each model emphasizing a different specialization principle. After a rapid sounding-out exercise, where the proposals were presented and discussed with agency executives, the unions and the 400-plus agency staff, a unanimous recommendation was issued for a fourth compromise model. To prevent union demands for time-consuming negotiations over the new structure, NAV Interim had the ministry obtain a government resolution on the suggested model. This resolution was passed in December 2005, and from January 2006 NAV Interim could establish new projects to elaborate the organizational structure of the NAV at the central level, based on detailed mandates and premises laid down by the overall model. Two key sub-events are focused on here, namely the process of deciding how to organize the agency and the process of deciding how to organize the interface between strategic and operational functions.

Organizing the agency

The organization model for the agency that was eventually arrived at was a hybrid between process and purpose specialization (Christensen et al. 2007). Below the director, Mr Saglie, five assistant directors were appointed. These were assigned responsibility for (i) county entities and local NAV offices, (ii) specialized units, (iii) the semi-outsourced entity responsible for operative functions – the NDU, (iv) employment policy, and (v) pensions policy. Instrumentally, this appears to be a challenging

⁷ Mr Wilhelmsen spent a decade at the Ministry of Local Government

organizational model. First, the division of the merged agency's responsibility for policymaking between two directors along the pre-reform employment-pensions boundary is not without its problems. Second, the interface between NAV offices and specialized back-offices is a critical success factor for the NAV. It is therefore rather surprising that the NAV's steering of NAV offices and specialized units is divided between two directors. Finally, it is also puzzling that NDU should be represented on the Agency's board of directors.

The outcome of the structuring process can best be explained as the result of negotiations between the DOL and the NIA. The DOL embarked on NAV Interim with three overall objectives, all rooted in objectives it pursued in the reform preparation process. One was to obtain a separate director's post for employment policy, so as to ring-fence the NAV's focus on employment. The DOL representatives' eagerness to separate employment policy from pensions policy was reinforced by their realization that the NAV would be given the task of continuing the NIA's implementation of a demanding pensions reform until 2010. A second DOL objective was to make the primary task of NAV offices activation and employment services, rather than case-processing of pensions claims. The DOL thought the latter should be handled in larger, specialized units. While the reform was being prepared the DOL's preference was to establish a separate pensions agency. When this proved impossible, its second option was to create a separate NAV director's post for specialized back-office tasks and pensions. A third DOL objective was to keep a tight rein at the county level. Experience gained from the Employment service suggested that this was the best way to ensure that national policy would be implemented to the letter at the county level, and that this could be accomplished by appointing a separate director for the counties. The DOL fought consistently for these objectives throughout the 2005–2006 transition process and did not encounter much resistance either from the NIA or from the ministry.⁸ Central actors in NAV Interim, furthermore, perceived it as inappropriate for the ministry to interfere in their planning of the NAV's central organizational structure.

«The ministry tried [to interfere] but then we drew the line. They had no insight into [organization], and did not have the necessary qualifications to discuss and hold opinions» (civil servant, interview).

«It is the agency's task to organize itself, it's as simple as that» (civil servant, interview).

A bi-product of the division of policy areas was that NAV's pension policy group became staffed almost exclusively with former NIA staff, and the employment policy group primarily with former DOL staff. Moreover, when the pension reform is implemented in 2010, the pensions policy group will be practically deprived of tasks.

Organizing the interface between strategic and operational functions

It was eventually decided that the interface between strategic and operational functions would consist of two separate entities. The NAV Agency – the Directorate – would

⁸ As described by Fimreite (2008), ministerial interference was far stronger on organizational issues that touched on the central-local dimension, such as deciding the interface between local and regional NAV offices.

employ about one third of the 1,000-plus people hitherto employed by the central-level DOL and NIA. A separate entity called NAV Service and Development (NDU) would employ the remaining two thirds. NDU would be organized according to the process principle (Christensen et al. 2007) and run NAV's procurement, accounting, human resource management, legal advice service and IT systems. The NDU and the NAV would share responsibility for policy development. The relationship between the agency and the NDU would be a purchaser-provider one, but their inter-organizational ties would remain fairly tight. The NDU would provide services exclusively to the NAV and would be fully funded by the NAV through block and project-related funding, and NDU's director would sit on the directorate's board of directors.

Several instrumental factors explain this outcome. Sheer size, for one. NAV Interim's leaders feared that unless they placed some central functions outside the directorate, it would become a gigantic and unmanageable organization. Policy learning from the welfare services was also involved. The DOL and the NIA had both struggled to separate strategic and operational functions, and both had come to see this as an impediment to long-term strategic planning. The merger was therefore seen by both sides as a window of opportunity to construct an overdue structural split between strategic and operational functions.

«Service-related issues can take up a lot of management attention – attention that should be directed towards producing results and developing an organization... Both the NIA and the DOL had experienced that day-to-day directorate work was impeded because ... daily [operational] crises kept arising and stealing energy» (civil servant, interview).

«These directorates had not been especially good in the old days ... none of them were any good at strategy... We thought that maybe it was possible [through a split] to raise the directorate function to a somewhat higher level» (civil servant, interview).

The specific purchaser-provider model chosen for the split emerged as a result of policy transfer from organizations outside the welfare bureaucracy. An external consultant recommended introducing the model, based on experiences from Telenor, Rikshospitalet University Hospital and the Norwegian Defence Estates Agency. The consultant orchestrated a so-called business process re-engineering process before suggesting a specified organizational interface between strategic and operational functions.

Negotiation factors also played a role in producing the eventual outcome. DOL executives thought that a slimmed-down directorate would segregate employment issues from daily attention-stealing crises arising from processing millions of pensions claims. However, since the NIA agreed, there was little negotiation between these two parties over this issue. Employee unions could have become a challenge, since many employees felt that they would forego status if they were to end up in the NDU rather than in the agency. NAV Interim's leaders handled union opposition skilfully, though, and in the end there were relatively few tasks or responsibilities – or employees for that matter –

that proved difficult to distribute between the two entities.⁹ NAV Interim did not have to negotiate with the ministry about the split. The ministry perceived the agency and the NDU as one entity despite the introduction of a purchaser-provider model.

Employee scepticism combined with an awareness of political attention created a perception in NAV Interim that it was important to maintain the impression that the agency and the NDU were more integrated than autonomous. This symbolic factor partly explains why the NDU's director ended up sitting on the agency's board of directors. A further symbolic factor behind the chosen organizational structure was that by creating a slim NAV agency, NAV Interim's leaders were able to signal to NAV employees and to politicians a dedication to efficiency and a focus on results.

«[The split] was a wise move vis-à-vis politicians, and it was a wise move in relation to...what the reform is about – cut back on bureaucracy and focus on getting people into employment. A clever adaptation, I would say» (interview, civil servant).

«It was a means to avoid discussions with [the NAV's] county directors [about introducing efficiency measures] ... People wanted to show they had managed to increase efficiency at the central level» (interview, civil servant).

Discussion

The major participants in the merger implementation were the mother ministry, the Ministry of Labour, Mr Saglie, who lead NAV Interim, the transition organization, and representatives from the two, century-old incumbent welfare agencies. As employees of NAV Interim these people's actions were clearly affected by their former professional identities and institutional histories. This partly explains why the case bears clear marks of negotiation between the two agencies. Instrumental policy learning and policy transfer also feature strongly, however, as do symbolic action directed towards stakeholders in the NAV's environment. The narrative shows, however, that the specific dynamics, not least the extent to which the mother ministry exercised its authority, vary between the sub-events studied.

Framing, activation and organizing

The first sub-event, framing of the transition process, was tightly controlled by the mother ministry – it bore clear marks of instrumental problem-solving. Organizational framing, developing guidelines and recruiting a leader all drew lessons from other, smaller, mergers in the central administrative apparatus. Drawing on past experience is important for successful mergers (Cartwright and Schoenberg 2006) and fairly novel in the conduct of mergers in the Norwegian civil service (Office of the Auditor General 2005:3). Capacity problems were also a factor that was taken into account; it was thought that the ministry would be unable to take on the task of preparing a gigantic

⁹ A main strategy throughout the implementation process was to involve the unions in regular co-determination processes as well as more informal information meetings and workshops.

and controversial merger in-house. The transformative approach applied in this paper highlights, however, that the ministry's problem-solving was to some extent marked by negotiation and environmental considerations. The recruitment of an «outsider» as leader was due partly to the existing welfare agencies' fear of domination by the other, and partly to the ministry's wish to communicate to the *Storting* and the local government sector that the NAV constituted a fresh start for the welfare bureaucracy. Furthermore, the ministry's decision to frame the transition process by creating a temporary agency with directorate status – an organizational innovation in Norwegian central government – enabled the ministry to signal distance from politics and an emphasis on neutral expertise.

The second sub-event, influencing participation and issue agendas in the transition process, was far less controlled by the ministry and the leaders of NAV Interim than the framing event was. Participation was broad and diverse, and only some of the diversity in participation, such as the inclusion of KS in the process, was intended by the political leadership. The issues discussed in NAV Interim were also diverse, and the ministry's control efforts were tentatively limited to politically salient issues. Of the two involved agencies, the DOL was most aware of the importance of participation and most prepared to put forward specific substantive ideas.

The third sub-event concerned the organization of the NAV at the central level. The main, comprehensive model for the internal structure of the NAV on the central level put forward by NAV Interim was quickly adopted by the ministerial leadership, thereby concluding that part of the process. However, the ministry was much less closely involved in deciding the internal organization of the central NAV agency and the NDU, the delivery unit at the central level.

The perspectives revisited

Merger implementation is almost by its nature a combination of hierarchical control and negotiation. It is therefore not surprising that the transition process studied is characterized by these two features. As for negotiation, and in line with findings in previous studies, the merger has produced new conflict patterns and higher conflict levels because formerly autonomous bodies now found themselves having to work together inside a new agency (Egeberg 1989). The political decision to establish NAV Interim set up an arena for the two formerly autonomous agencies to fight it out. The political decision to bring in a «neutral» leader from outside the two incumbent agencies reflected the tense climate of negotiation and positioning, so it was imperative that the new director should be an independent actor from outside. Participation in NAV Interim and the ideas the participants brought were not very regulated, which created a lot of complexity. Nevertheless, the DOL, which was against the merger, worked harder than the NIA to influence the transition. This was reflected both in the representatives it selected, and in its more systematic pursuit of ideas. The process was made more complex by the political and administrative leadership's conscious decision to include KS, the organization for local authorities, in order to enhance the legitimacy of the emerging local model. Whenever NAV Interim or groups within this organization proposed models for organizing NAV, this triggered a major negotiation process.

Because of the sheer number of groups and affected parties involved a lot of hearings and sounding-out sessions took place. The model for the central structure of NAV was based on complex principles, as was the purchaser-provider split that shaped the NAV's relationship with the NDU. These were arrived at through a process of negotiation, although the DOL seems to have had the upper hand in this structuring.

There are also *cultural elements* in the transition process. Establishing NAV Interim was in many respects an innovation, a new and different way of organizing a merger, but it could also be seen as culturally appropriate, because it gave the agencies more time to adapt to the new reality. It was not easy to break with nearly 100 years of history and path dependency, so the year NAV Interim existed gave the agencies some time to stop and think before embarking on the gradual establishment of the local welfare offices. The administrative leadership and the new director were very aware of this and worked to prepare the two agencies culturally for that challenge. The recruitment of the new director in itself also signalled the importance of cultural values like impartiality and competence.

There are also a number of *symbols* that provide insight into the transition process. Bringing in an outside person as director signalled the importance of experience and that the reform was a fresh start. The inclusion of outside experts in central roles in NAV Interim signalled impartiality and the importance of learning from the environment, particularly the private sector, with respect to management challenges. Bringing in KS symbolized inclusion and endowed the process with legitimacy. And furthermore, involving a wide range of employees in discussing a new structure signalled the value of broad participation and inclusion.

If we sum up the process studied here, it is in many ways a hierarchically conducted one. But it is also a process featuring negotiations and one in which culture, traditions and awareness of the environment played a role. In line with a transformative approach there is a complex and dynamic logic of action.

One dynamic relation is that between culture and negotiation. Existing research is inconclusive about exactly how cultural distance among incumbents affects the implementation of mergers; in a recent review of merger research, Stahl et al. (2005:04) encourage scholars to study how culture matters for mergers and under what conditions it does so. We argue, on the basis of this study, that negotiation between incumbents is a possible manifestation of cultural distance. We furthermore suggest that the chances that negotiation, i.e. cultural distance, will surface in merger implementations are high when the incumbents are institutionalized, when reform goals are ambiguous, and when framing is loose.

A lengthy preparation and transition process may also increase the chances that negotiation and non-authorized agency influence affect the implementation of a merger. Research shows that a merger process is most easily top-down controlled for the first 100 days after its launch (Stahl 2005:405). The NAV reform, by contrast, was very long, with years of transparent preparations followed by a year-long transition. There were authoritative political and administrative controls over the process, but there remained windows of opportunity that actors other than the formal leaders of the process could and did use strategically to bring in their ideas, perspectives and traditions.

Process and effects

The study shows that a merger, even after its launch, remains an ongoing, complex and dynamic process. Strategies, interests, cultural constraints and external forces present during merger preparation continue to affect the reform as it is gradually put into practice. In other words, what happens during the transition phase can also affect the further implementation and adaptation of the reform (Cartwright and Schoenberg 2006). Existing research points to a number of possible effects of public sector mergers – effects we believe are conditioned by what goes on in the early stages of merger implementation.

For example, Egeberg's studies of mergers in the Norwegian central civil service (Egeberg 1989, 2003) suggest that mergers are a source of conflict, because they entail bringing together formerly autonomous units in a new unit. This study shows that while conflicts may be extensive during the transition phase, these need not paralyze the implementation of the merger. One interpretation of the case is that momentum was maintained during implementation, despite conflicts between the incumbents, because one of the incumbents, the DOL, hijacked the process. The chances that such «imperialism» will impede the success of the merger are generally reduced under the conditions present in the NAV case, namely that nobody, not even those who were «hijacked», needed to fear for their job, and because the dominant party was seen to have a more «enlightened» or goal-adapted culture (Stahl et al. 2005:404).

Mergers may also reduce the new entity's responsiveness to elected political superiors, because larger organizations are generally more resistant towards externally imposed control (Hood et al. 1985:66) and because elected politicians are generally less interested in the implementation than in the initiation of reforms. The NAV case, by contrast, exemplifies a high degree of follow-through (Hult 1987) by the ministry during the crucial transition phase; and this was not curbed by the decision to frame the transition using a temporary agency.

Some say structural reforms result in new goals and priorities, while others say structural reforms are merely superficial: they change names and titles at the top, while at the next level down everything goes on as before (Hult 1987, Meyer 1977, Hood et al. 1985). This study shows that a merger of NAV's magnitude will easily be used as a window of opportunity by actors and groups who foster strong preferences for certain goals and structures. Substantial unforeseen changes may therefore occur during the transition period. It is perhaps not surprising that the NAV case should be characterized by such episodic, agent-driven change, since such change patterns are generally prevalent in highly institutionalized settings (Weick and Quinn 1999).

Conclusion

The question this paper set out to explore is how external control, internal conflict and cultural features condition the scope for instrumental problem-solving in the implementation of merger. The short answer to this question, using the experience gathered from the NAV case, is that the scope for instrumental problem-solving is conditioned by all three factors – most of all by internal conflicts, to some extent by

external control and to a lesser extent by cultural features. A more elaborate version of the answer will first and foremost challenge the assumption that the question seems to imply, namely, that there will be rational actors in such a process. The instrumental problem-solver identified here is Mr Saglie, who headed the process. The research question takes as a starting point the notion that his ability to act instrumentally to achieve the goal of establishing a well functioning NAV is constrained. Different actors have taken different approaches to enhance their strategic and rational problem-solving capacity. The DOL took a closed and cunning approach with a pre-set agenda. NIA took a more open approach, while the new director of the NAV apparently had little ambition or capacity to exercise strong steering or control. He appeared to expect an open, inclusive and broadminded process. The most strategic actors seem to be the ministry, which launched the innovative NAV Interim model, and the representatives from the DOL who managed to bring their old preferences/agenda back into the process.

Our description of the process, which has focused on framing, on the activation of actors and issues, and on the organization of the NAV at the central level, identifies a relationship between the various factors that is much more complex than our research question implies. A number of factors interact. First and foremost, the actors taking part in the negotiations and their rationale for introducing issues are important, but so also are the culture and the tradition of the public services involved and the need for symbolic actions to satisfy the environment(s). Rather than a one-factor explanation of the implementation process we have revealed a compound process in which different forces coexist and balance instrumental design, cultural constraints, interests and external pressure (Olsen 2007, Christensen et al. 2007). There is a complex interplay between the different explanatory factors. One example of this is the relationship between instrumentality and culture. Those who led the implementation process tried to use cultural features actively to implement the reform. What we see accords with a transformative approach in which the scope for rational problem-solving is both constrained and enabled by internal interests, cultural constraints and external factors.

A further insight to take away from this study is therefore that the transition phase, the phase between the decision to reform and the establishment of the new entity is a true transformative phase in the way that elements from several perspectives interact to form the new merged organization. One lesson is that this is an ongoing, complex and dynamic process in which strategies, interests, cultural constraints and external forces affect the content of the reform as it is gradually put into practice. It is for future research to decide whether the change dynamics found in the NAV case in its infancy become rarer as the organization becomes more mature.

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