

Administrative Justice and the Control of Bureaucratic Decision-Making

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1. Brief summary of what the research is about.	What is the role of the administrative justice system when it comes to controlling government action? This research explores the idea that courts, tribunals, and ombuds schemes (collectively, redress mechanisms) exercise both <i>ex post</i> and <i>ex ante</i> control over bureaucratic decision-makers. Put another way, the focus is on whether the decisions (and other actions) of redress mechanisms not only correct administrative deficiencies in particular individual cases, but also provide a general means of guiding future bureaucratic behaviour. The research draws on three scholarly traditions in exploring this question: socio-legal work on the impact of redress mechanisms on bureaucratic behaviour and the nature of bureaucratic decision-making; public administration scholarship on bureaucracy, the implementation of public policy, and the idea of control over executive action; and theory and research from organisation studies on decision-making in organisations and organisational learning.	

	Local authority education decision-making was selected as a case study for the empirical investigation of this topic. The focus was on the relationship between redress mechanisms and decision-making regarding children's entitlements in three key areas: admission to schools, home to school transport, and Special Educational Needs. Qualitative interviews were conducted with 45 decision-makers in six local authorities. Interviews with local authority staff were supplemented by interviews with 15 employees in parent support organisations, 8 decision makers working in redress mechanisms, and 2 policy officials. An analysis of reported redress mechanism decisions was also conducted.
2. What are the research questions?	The main aim of the research is to explore the factors responsible for the presence or absence of control by redress mechanisms. It does so by exploring the perceptions of key actors and seeking to understand how bureaucratic decision-makers perceive and respond to the decisions (and other actions) of redress mechanisms.
3. What, if any, outputs so far?	Early findings have been presented at the SLSA conference (April 2014) and at a research seminar at the University of Sheffield (May 2015).
4. What outputs are planned?	A paper drawing on aspects of the research will be presented at a conference on Administrative Justice in Wales and Comparative Perspectives (September 2015). A series of articles will be prepared for publication in the course of 2016.
5. What is the anticipated impact?	The research seeks to influence policy on administrative justice, particularly in relation to the feedback/ learning agenda.
6. Comments / additional information / requests for data or input from the broader administrative justice community	

