GETTING RESEARCH INTO HEALTH POLICY AND PRACTICE

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What is the 'good use' of evidence for policy?

Improving the use of evidence to inform policy involves two key aspects. First is a need to consider what 'good evidence' for policy might be (the subject of a previous Brief, Brief 4). But also important, from the perspective of policymaking, is a second question concerning what the 'good use of evidence' looks like in terms of how evidence can be used in legitimate and acceptable ways within political decision making processes. Indeed, for those wishing to increase and improve evidence utilisation, it is important to recognise that there can be cases where rigorous and policy relevant evidence is rejected in political debates – not because of any technical faults in the evidence, nor due to any failure to address relevant policy considerations, but rather because the process through which it was brought to bear was not accepted as legitimate by the relevant stakeholders.

In this brief, the concept of political legitimacy is explored and applied to processes of evidence utilisation in order to develop a framework to understand what the 'good use of evidence' for policy might look like.

Legitimacy in an evidence-informed policy process

Deriving from political science literature, three elements of political legitimacy can be distinguished: *input legitimacy, output legitimacy,* and *throughput legitimacy.* According to Scharpf(1), input legitimacy refers to 'trust in institutional arrangements to respond to the manifest preferences of the governed' - or 'government by the people', while output legitimacy represents 'effective solutions to common problems of the governed' - or 'government for the people'. Others have added to this the idea of 'throughput legitimacy', which reflects how policy-making bodies work in practice, specifically their efficacy, accountability, and transparency, as well as their inclusiveness and openness to consultation with the public during their operation(2).

These concepts are particularly helpful when reflecting on how evidence might be used to inform policy, including consideration of how *evidence advisory systems* are set up and function within policy arenas.

Such systems can be seen to constitute the formal and informal arrangements that work to structure when evidence is brought to decision makers, by whom, and for which considerations. This may include established advisory bodies or technical working groups, but also includes the rules and procedures in place which shape

At a glance

To ensure the democratic legitimacy of evidence advisory systems:

- Evidence providing bodies must have a formal mandate (e.g. from government);

- Final policy decision-making authority must lie with representatives of the public; and

- There must be public transparency and deliberation in evidence-informed policy processes.
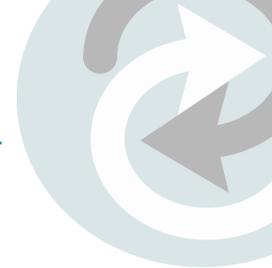
how various stakeholders or interest groups present evidence, and where or when evidence is considered.

Input legitimacy: constructing a legitimate evidence advisory system

Input legitimacy is concerned with democratic representation within the system (government 'by the people'), and is therefore captured within formal system arrangements shaping how evidence informs decisions. There are two key ways in which public representation can thus be considered within these arrangements:

1. *Representation in the designers of evidence advisory systems*

Someone or some group must take responsibility to choose which set of arrangements will be utilised or which responsibilities are allocated to different agencies to provide evidence. Yet, to build legitimacy, these design decisions will need to be made by a political agent with an official mandate to represent the public – undertaking what can be described as a 'stewardship' role in the shaping of institutional arrangements.

2. *Final decision authority represents the people*

Input legitimacy can also be captured by ensuring that final policy decision authority remains in the hands of bodies representative of, and accountable to, local populations. Within evidence advisory systems there

will obviously be a need to rely on expertise and to place some decision making responsibility in the hands of experts. Yet, the historical tension between technocracy and democracy points to a need to ensure that scientific expertise does not displace consideration of the multiple social values in political decisions. Ensuring that final authority over policy decisions lies in the hands of public representatives (e.g. elected officials) can thus serve as a way to draw a firm line between technical expertise serving political needs and technical concerns trumping public values.

Output legitimacy: dealing with bias and irrationality

Leaving final decisions in the hands of political representatives, however, opens the door to so-called 'irrational' decision making, where decisions are made against the indications of evidence (see box below). Yet one way to counter trends towards irrationality would be to simultaneously establish norms or expectations for *output* legitimacy within the use of evidence in policymaking, as this would focus on whether evidence-informed policy decisions actually work to the benefit of the population (representing the idea of government 'for the people').

Output legitimacy therefore requires thinking about how to structure the organisation, rules, and norms of evidence advisory systems to make irrationality (which

'Irrationality' of Policy Makers?

Placing final decision authority in the hands of political representatives can cause particular worry to evidence champions who are concerned with the perceived misuse or disregard of evidence by politicians (see Brief 2). Yet, it must be recognised that democratic choices may not always align with the results of technical evaluations. Nevertheless, there can be particular concern over what is at times termed 'irrational' decision making – where public representatives make decisions based on what they 'feel' to be right, even if this works against their desired goals or the public interest. Whilst frustrating from a technical perspective, it is well understood that individuals hold affinity to particular ideas, including policy choices, because those ideas align with deeply held worldviews and ideologies, rather than because of any evidence. Such irrationality in decision making is a common occurrence; however, research in the cognitive sciences has helped to shed light on when and how it arises (see Brief 3). As such, irrationality in the use of evidence is increasingly predicable and identifiable; which in turns means it is possible to make such instances of irrationality more evident and more transparent within the policy process. This links to the idea of output legitimacy in particular.

can be introduced when ensuring input legitimacy) *less likely* and *more obvious*. Democratic societies may choose to ignore evidence, but a legitimate evidence advisory system could make this harder to do or at least more evident when it does happen. For example, systems can introduce the use of fact-checking structures that require decision makers to think twice about a decision that may instinctively 'feel right' – forcing them to look at relevant evidence they might have initially ignored. Expert advisory bodies may also be established as watchdogs, and given independence and authority to speak out against government decisions felt to be contrary to evidence. Even if such bodies are not final decision makers, their role allows greater scrutiny of potential biased uses of evidence by politicians.

Throughput legitimacy: representation as evidence is being used

Finally, the concept of throughput legitimacy can be applied to consider what is required for acceptance of the evidence-advisory process in terms of its actual functioning. This is important because even if final decision making authority lies with public representatives (as part of input legitimacy), there can still be legitimacy challenges if technical considerations utilised throughout the process of evidence identification, review, and provision do not perfectly align with the goals or values of the public. There is therefore a need for ongoing deliberation or consultation with the public throughout the process of evidence use to ensure public concerns are not unduly displaced in the name of technical considerations. Such public participation may exist in multiple forms; for example, through community advisory bodies, open consultations, consensus surveys, and the like. The need for deliberation is perhaps particularly important, however, when public policy relies on delegation to outside agencies, as is often the case with the provision of scientific advice by expert bodies. In such cases, *transparency* of the process is also necessary to enable the tracking of how decisions are made, by whom, and on what basis.

Discussion: a legitimacy framework for the good use of evidence

The 'good use of evidence' for policymaking can be seen to ultimately reflect the arrangements in place to ensure the legitimacy of the establishment and operation of evidence advisory systems. Taken in combination, the three elements of political legitimacy applied to evidence use can be used to construct a 'legitimacy framework' for evidence-informed policy-making processes, presented in the table overleaf.

Improving the use of evidence for policy-making in sustainable ways will require the establishment of evidence advisory systems that serve to bring robust policy relevant evidence to appropriate points in the decision making process. Yet for these systems to be deemed legitimate, it is further critical to consider aspects discussed in this brief. Evidence advisory systems must be designed by a legitimate representative body, yet decision authority must also rest in the hands of those who are representative of, and accountable to, local populations. However, given the technical nature of evidentiary advice, and the multiple concerns often at stake, it is also likely that there will be a need to instate processes that allow some form of transparency and deliberation with the public throughout the advisory process.

What is the 'good use' of evidence for policy?

A legitimacy framework for evidence-informed policy processes:

Legitimacy dimension	Concerned with	Represented in	Achieved via
Input	Democratic representation within the system.	**Structures** of the evidence advisory system (EAS): - Formal structures – evidence advisory bodies; - established rules – which evidence is consulted, when, and how; - norms of practice – de facto rules and functions.	**Stewardship**: structures developed by a *representative* body with a popular *mandate* to establish the institutional form of the EAS. **Authority**: final decision-making authority lies with democratically representative bodies.
Throughput	Democratic deliberation in the operation of the system.	**Operational processes**: the process and the functioning of the EAS, e.g.: - the choice of evidence; - the application of evidence; -the process through which evidence is used within the EAS.	**Deliberation** - active communication; - public consultation/engagement; - advisory bodies; - transparency rules; - appeals processes.
Output	Scientific fidelity in operation and outcomes.	**Outcomes:** the resultant use of *good evidence for policy* – captured by *appropriateness* (see Brief 4): - evidence relevant to those policy concerns; - evidence constructed in ways useful in relation to decision-makers' goals; - evidence applicable to the local policy context.	**Goal clarification** - explicit identification of policy concerns; - critical reflection on evidentiary needs in reference to policy goals. Applying **quality** criteria for multiple forms of evidence: - unbiased; - methodologically rigorous; - systematic. **Reducing bias** or **making bias more evident**: structures and rules that make bias and irrationality less likely, more evident, and/or open to scrutiny.

References

1. Scharpf F. Problem-Solving Effectiveness and Democratic Accountability in the EU. 2006.
2. Schmidt VA. Democracy and legitimacy in the European Union revisited: Input, output and 'throughput'. Political Sciences. 2013;61(1):2-22.

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