

The Independent Advisory Board for Turkish Social Security Institution: A Policy Transfer Trail from the United Kingdom Case

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Türk Sosyal Güvenlik Kurumu için Bağımsız Danışma Kurulu: Birleşik Krallık Örneğine Dayalı Politika Transferi Denemesi

Abstract

Social security is a policy area requiring technical, bipartisan, and objective expertise and a high level of consultation and consensus with stakeholders for proper decision-making and implementation. For assuring these necessities in the context of social security challenges, the UK government system employs an impartial advisory body. Using this example, this study intends to examine the historical and political backdrop and the implementation of the advisory committee and provide an outline for possible Turkish application. Based on the case study analysis executed in this paper, an obvious need for an independent advisory body in the Turkish social security system has been identified. However, the implementation and boundaries of such a body's independence would directly determine its efficiency and requirement of existence.

Keywords : Social Security, Public Management, United Kingdom, Advisory Mechanisms.

JEL Classification Codes : H55, I38.

Öz

Sosyal Güvenlik sadece teknik, tarafsız ve objektif uzmanlık gerektiren bir alan değil, aynı zamanda düzgün bir karar alma ve uygulama için tüm paydaşların danışma ve uzlaşmasına ihtiyaç duyan bir politika alanıdır. İngiltere hükümet sistemi bu gereklilikleri yerine getirmek için bir bağımsız danışma kurulu kullanmaktadır. Bu makalenin amacı da bu danışma kurulunun siyasi ve tarihi arka planını incelemek ve bu dersten faydalanarak Türkiye için olası bir taslak oluşturmaktır. Makalede uygulanan vaka örneği incelemesine dayanarak, Türk sosyal güvenlik sisteminin bağımsız bir danışma organına ihtiyacı tespit edilmiştir. Bununla birlikte, bu organın bağımsızlığının nasıl uygulanacağı ve sınırlarının ne olacağı, sadece bu yapının verimliliğini değil, aynı zamanda varlığının devamına ihtiyaç duyulup duyulmayacağını da belirleyecektir.

Anahtar Sözcükler : Sosyal Güvenlik, Kamu Yönetimi, Birleşik Krallık, Danışma Mekanizmaları.

1. Introduction

According to the ILO's Social Security (Minimum Standards) Convention (Nr: 102), a social security system should not be managed solely by public administration or government bodies, but social partners and those who are protected should participate in the management of social security administrations or join consultation bodies in these institutions (ILO, 1952). Participation of social stakeholders is critical for refining policies and making systems more responsive to citizens' and clients' needs, not just in systems funded by worker and employer premiums but also in tax-based social security systems (ILO, 2001). On the other hand, independent management and consultation comprehension are critical in social security. To begin with, the systems contain numerous technical elements and intergenerational aspects that must be safeguarded from the influence of short-term political interests. Second, social security policies should address a wide range of needs from diverse interest groups. All parties should work together to develop an agreement that protects the interests of all parties and the government. In this regard, stakeholder autonomy and engagement are critical tools for the healthy and effective administration of social security systems (Alper, 2007).

The use of a non-departmental public body (NDPB) can be a response to meeting the needs mentioned above of the Turkish Social Security Institution by providing it with an autonomous, specialised, participatory, and accessible outside organisation. Because of the history and widespread existence of NDPBs in the UK, as well as the fierce discussions that have raged around them for the past 20 years, NDPBs in the British public government structure give precious lessons for analysing both the problematic and positive sides of these bodies. Making proper analyses is feasible with the guidance of these lessons. Previous the UK governments' efforts in the scope of government service reforms to reduce the number of NDPBs and similar organisations while trying to boost their efficiency, in particular, can be considered a reasonable basis for analysing these types of entities.

The Social Security Advisory Committee (SSAC) is an advisory NDPB tasked with providing social security-related advice to the Secretary of State for Work and Pensions and the Parliament. In addition to the mandatory assessment of proposed social security legislation, the committee aids political leaders and administration in their independent work program or on-demand.

During the public service reform, when hundreds of advisory NDPBs are abolished or merged, the SSAC could continue its existence for the following reasons. First, because of the large volume of legislation and the complexity of their applications, social security has been recognised as a technical field requiring outside expertise. Second, all evaluations on SSAC have emphasised that SSAC's efficiency stems from its complete political impartiality. Third, the SSAC function must be carried out independently of political figures to give credible reports (Department of Work and Pension, 2012).

The survival of SSAC during UK government service reform and its well-regarded operation for decades demonstrate its relevance as a best practice in this field for countries such as Turkey, where the lack of such an agency is criticised. In this context, this article aims to assess the SSAC model for the Turkish system and suggest an independent advisory mechanism for the Turkish Social Security Institution based on the SSAC model's positive and negative aspects. Rather than directly replicating the SSAC structure, emulation of the example and adaptation to the Turkish system based on the receiver's needs is proposed. For this purpose, an interview was conducted with one of the SSAC members to better understand the committee's daily implementation. In addition, the UK's NDPB system has been analysed from a historical and institutional point of view in the first section of the paper. SSAC has also been evaluated in this section as a case study. In the second section, the properties of the Turkish social security system and its institutional structure have been investigated to determine what type of advisory body is helpful for the Turkish system. In conclusion, an institutional structure has been proposed for Social Security Institution.

2. The Independent Public Bodies in British System

2.1. Theoretical Framework and Definitions

Most nations' public sectors have been altered through changes under the banner of modern public administration over the last four decades (NPM). Since the late 1970s, conventional, hierarchical, legalistic "Weberian" public administrations have been partially supplanted by results-oriented public organisations and for-profit private enterprises or NGOs or marketised by the state itself. The NPM reforms have resulted in, among other things, the adoption of private-sector methods in the internal operations of public administrations and the exterior structure of public administrations as quasi-markets (Lapuente & Van de Walle, 2020). On the other hand, it is stated that the NPM has a two-tier approach: at one level, there is a theory/doctrine that defends improving the public sector by adopting concepts, techniques, and values from the private sector; at a higher level, there is a theory/doctrine that defends improving the public sector by adopting notions, techniques, and values from the private sector. Below that, we have more concrete concepts and real actions relating to performance, disaggregation, specialisation, the adoption of market processes and a "client" perspective, and the application of quality-of-service improvements (Pollitt, 2018).

In latest years, private-sector management principles have been brought into the public arena in ways never before seen and in all areas of public policy: from health care and education to transportation, security, and even central bureaucratic functions. The primary premise was that business-like techniques would improve public organisations' efficiency and effectiveness. This notion is especially important when reducing the deficit and public debt is a top priority for governments across the European Union, as it was the last three decades. Whether formally or tacitly, NPM reforms are still a powerful driver for change (Lapuente & Van de Walle, 2020).

Although public administrations have continuously innovated, whether unexpectedly, seldom, or continually, rigorous research of public sector innovation is relatively new; according to recent surveys, there are ten times more studies on innovation in the private sector than in the public sector. Indeed, public administrations are founded on bureaucratic traditions and practices, resulting in a rigid and pyramidal organisational logic. This conventional administrative approach is not conducive to novel ideas and procedures. As a result, encouraging innovation-oriented settings for its development is critical if the public invention is not a casuistic, isolated, and arbitrary process (Criado et al., 2020). With this innovation, six problematic issues in the workings of the public sector were addressed through reforms based on the NPM (Correia & Pereira, 2021).

- Productivity/efficiency, i.e., "how to do more with less".
- Strengthening the market as a cure for the bureaucratic legacy.
- Bringing government closer to citizens, improving the public service provided, and satisfying society's needs.
- Decentralized decision-making.
- Greater competence in the management of public policy by the government.
- Accountability of politicians.

The public sector's innovation has developed considerably and focuses on various factors. In specifically, four forms of innovation have been recognised in the public sector: (1) process innovation, whether administrative or technological; (2) product and service innovation, primarily through new products or services; (3) governance innovation, focusing on developing original ways of addressing social problems; and (4) conceptual innovation, focusing on the introduction of new concepts, frames of reference, or paradigms that aid in reformulating the nature of problems or feasible solutions to them (De Vries et al., 2016).

Based on this background, it can be said that unelected bodies that are free from direct government control, such as independent central banks, economic regulators, and autonomous executive or consultative organisations, have grown commonplace in public administration around the world in the scope of NPM. Governments use them to resolve conflicts of interest between the state and other sectors, allocate resources based on real or false impartiality, and transfer decision-making authority in delicate ethical or technical domains. (Vibert, 2007). According to the NPM, modern states should be task-specific rather than general-purpose, flexible rather than durable, and operate at multiple levels rather than a few. Instead of established hierarchical layers on a few levels, states behave in more complex configurations like marble cakes (Hooghe & Marks, 2003). This transition necessitated the creation of a large number of specialised and independent arms-length bodies centred on important departmental cores that governments directly control. As a result of this system, the public sector has become more complex and fragmented, but it has also reduced the direct control of elected politicians and bureaucrats/civil servants who are selected by politicians and operate under their direct control to some extent. (Dommett & Flinders, 2015).

These bodies have a long history in the United Kingdom, dating back to the 16th century. The number of bodies operating out of hierarchical structures grew as the state's duties grew, especially after the 1970s. In British political history, the widespread use of these bodies has been linked to a preference for flexibility over legal rigidity (Flinders et al., 2014). These bodies' size, effectiveness, accountability, and cost have become contentious political issues. Because of the lack of a clear definition, it has been particularly difficult to assess the success or failure of these bodies. (Cole, 1998). According to Dynes and Walker, governments' autonomous, non-governmental, arm-length, non-departmental (NDPB) administrative and advisory machines, or quangos, could be "*generically describe anything and everything that occupies the terrain between the public and the private sectors*" (Dynes & Walker, 1995: 130). According to a more precise definition, "*quangos are organisations which, as their main task, are charged with the implementation of one or more public policies and which are funded publicly but operate at arm's length of the central government, without an immediate hierarchical relationship existing with a minister or a parent department*" (Thiel, 2004: 176).

NDPB has entire authority over their production process. In this way, they control how their inputs, outputs, and procedures are managed. The focus of political responsibility changes away from management and operational difficulties and toward the establishment and oversight of the NDPB. As a result, politicians' accountability and control methods are restricted. Even if an NDPB is in the public domain, it is not a public organisation due to the mixed administration (Thiel, 2004).

In 1979, the new Conservative government decided to evaluate NDPBs and established a commission chaired by Sir Pliatzky. In his report, he underlined that even if these bodies take roles process of government, they are independent of government departments. He also identified three different types of NDPBs (Report, 1980). The more current definition made by Cabinet Office followed Pliatzky's definition and classification: NDPBs are the bodies that have "*roles in the process of the national government but [which] is not a government department or part of one, and which accordingly operate to a greater or lesser extent at arm's length from ministers*" (Cabinet Office, 2011: 10). In this scope, it is possible to mention three subtypes of NDPB.

- Executive NDPBs: The legal entities formed under the Companies Act have legal personality. They are responsible for various administrative, commercial, executive, technical, and regulatory tasks.
- Advisory NDPBs: They aim to assist political figures and their administrations with unbiased and objective counsel. They have a lower budget and fewer employees than executive NDPBs. An independent advisory body can mainly perform two functions. It operates as an expert organisation in a collection of high-profile specialists who can render high-quality judgments based on their knowledge and skills in a specific field. On the other hand, a consultative organisation creates an independent communication channel for stakeholders and transfers their ideas to the political arena. (Ogus, 1998).

- Tribunal NDPBs mainly deal with relations between individuals and public authorities. In some cases, they act as courts of appeal bodies (Cabinet Office, 2011).

After the Conservative-Liberal Coalition took power, a campaign against NDPBs was launched under the “Bonfire of the Quangos” banner. 901 NDPBs and similar organisations were assessed as part of Francis Maude’s study, and over 150 bodies were abolished, and over 160 bodies were amalgamated into less than 70 entities (Dommett, 2014). Three criteria have been identified based on this evaluation to determine how an NDPB can survive:

- The NDPB should undertake a precise technical operation.
- There should be a need for impartial decisions about the distribution of public money.
- There should be a need for facts to be transparently determined, independent of political interference.

After the “bonfires of the quangos”, according to Flinders and others (2014), the most important alteration has been observed in the relationship between NDPBs and their sponsor departments. The interconnections between them become much more substantial. Sponsor departments have established more stringent policy controls and tighter oversight of everyday operations.

Table: 1
Pros and Cons of NDPSs and Such Bodies

Advantages	Disadvantages
Depoliticising decision-making	High numbers and unpredictable costs
Building public trust in the objectivity	Accountability problems
Increasing managerial freedoms	Enjoying the freedom to produce opinions against governments
Focusing on a specialist function	Achieving the right balance between freedom and control
Accessing external skills and expertise.	Lack of clarity over roles and responsibilities
Justifying unpopular decisions	
Communication channel with stakeholders	

Source: Derived from Gash t. and others, *Read Before Burning*, Institute for Government, 2010.

2.2. Positive and Negative Sides of the NDPBs and Their Roles as Independent Advisory Public Bodies in the UK

Because of the historical and widespread existence of NDPBs in the UK and the intense discussions about them for over 20 years, their use in British public administration structures gives precious lessons for analysing these bodies’ problematic and positive aspects.

A variety of factors has sparked attempts to address the problem of NDPBs. NDPBs can enhance their durability, maintain their expenditure without oversight, and affect reform processes, according to a neoliberal perspective, because of their autonomy from political authority. This point of view suggested that they can act as an undesired and excessive extension of the state under the protection of the independence concept. Because of their large quantity and lack of information on most NDPBs, parliamentary oversight and public

awareness have become almost impossible. (Farrugia & O'Connell, 2008). Even though Francis Maude's review encompassed 901 bodies, he claims that the report cannot capture the full scope of the topic because of the of solid information regarding such bodies (Daily & Hansard, 2010). However, it is also suggested that counting NDBPs and similar organisations is futile due to the many organisations included in these categories. (Flinders & Skelcher 2012).

Since NDPBs and similar organisations' accountability is ambiguous, overlapping, and neglected, with confusing roles and boundaries, and political monitoring is weak and practically impossible for them, it is suggested that NDBPs are harming democracy's quality. From this viewpoint, NDBPs create an environment where elected politicians' powers decrease (Flinders & Skelcher, 2012; House of Common, 2014). Using Hirst's words, these bodies place "*public money and government functions in the hands of unelected persons whose links to the elected bodies that supervise government are tenuous at best*" (Hirst, 1995: 341). On the other hand, the opposite end of the continuum, tied to political control over these organisations, may also be problematic for democracy from a clientelist standpoint. NDBPs can rapidly devolve into domains where governments can exert influence. Relevant politicians usually appoint the main members of NDBPs. Again, many of these bodies, their specialised job requirements, and legislative issues make any form of appointment process oversight difficult. In that sense, it is argued that NDBPs are very suitable areas for nepotism and cronyism. NDBPs can also be utilised to win support from some social groups for policies, such as appointing members of particular groups to boards of bodies, inviting them to consultation mechanisms, or even forming an NDBP comprised solely of certain groups. (Theil, 2004; Farrugia & O'Connell, 2008). In parallel with this view, it emphasised that "*public appointments are not sufficiently transparent, representative, or accountable*" in an official report (House of Common, 2014: 37).

Practical cooperation and collaboration between NDPBs and their sponsoring departments will not be realised unless the roles and duties of the two organisations are clearly defined, and precise coordination mechanisms are established. In British public management, a lack of clarity about NDPBs' tasks and responsibilities and a work division between NDPBs and their sponsoring body cause chronic problems. According to reviews, some NDPBs are unsure about their roles. Furthermore, NDPBs may not have adequate opportunities to participate in policymaking processes, and as a result, they are unable to influence or respond to political agendas (Gash et al., 2010).

NDBPs, on the other hand, have their own set of advantages. When an NDBP is founded, politicians anticipate it to boost the efficiency and effectiveness of policy implementation in a particular area and bring the government closer to citizens by keeping policy implementation at arm's length or enabling social groups to participate in policy development. These bodies provide a more direct and precise channel for social partners' voices to reach the government than its alternatives (Ogus, 1998).

It is suggested that NDPBs are a critical component of modern states. Even if there are some disadvantages, as explained above, these entities are critical for politicians who want to avoid direct responsibility for particular implementations and quasi-judicial decisions. Choosing an NDBP to serve as an executive body entails transferring political obligations and decision-making responsibilities. However, politicians can be held responsible for their policy decisions about transferring power to a NDBP in the first place due to their supervision and regulatory roles (Thiel, 2004). The same situation applies to advisory NDBPs. Politicians can either employ NDBP advice to justify unpopular policy decisions or hide behind the excuse of adopting insufficient guidance to justify their poor policy judgments. Furthermore, because of their public accessibility, the relevant politicians can quickly embrace achievements resulting from an NDBP's advice.

On the other hand, NDBPs allow politicians to deflect blame and transfer responsibility for operational concerns that they cannot address. On the other hand, benefiting from these transfers requires robust and transparent NDBP oversight mechanisms (Flinders, 2004).

According to Shapiro (1997; 289), "creating such an 'apolitical' independent agency is constitutionally guaranteeing rights. It is the announcement by the demos that it does not trust itself and wishes to put certain policy questions beyond its reach". Indeed, by transferring policymaking or consultation mechanisms to NDBPs, topics such as highly value-based judgments relating to history or religion can be relocated from the political to a more objective field. Depoliticising decision-making in these domains can assist in developing public trust by boosting decision independence, credibility, and coherence in areas where political intervention is seen as undesirable or destabilising (Flinders, 2004; Gash et al., 2010).

Another important reason why NDPBs are so commonly employed is their flexibility. On the one hand, the types of relationships that an NDPB has with relevant government departments might range from utterly independent to tighter control without a direct authority link. On the other hand, the accountability process can be classified as either hierarchical or the market style. Again, NDPBs can bring in private or third-party services by providing a legal and financial basis or separating public services from government bureaucracy (Bartelli, 2006).

Last but not least, another advantage of NDPBs is managerial flexibility. It is advantageous in two ways. First and foremost, independence from civil service administrative norms, such as pay and hiring/firing procedures, is critical. Governments can benefit from advisory NDPBs to gain external experience and information at lower costs than a private consultancy or outsourcing the evaluation activities. In this sense, NDPBs are an excellent method to recruit high-profile individuals at a low or no cost and benefit from their experience. Second, NDPBs can provide outside mainstream policies because they are not part of the typical state hierarchical framework. Since these recommendations include objective expert opinions that can be followed throughout the policy-making process and

replies from social partners who can act as intermediaries between interest groups and the government, they can help avoid mistakes that lead to worse failures (Ogus, 1998; Gash et al., 2010; Flinders & Skelcher, 2012).

2.3. A Case Study From UK: Social Security Advisory Committee

Social Security Advisory Committee (SSAC) is an NDBP established and constituted under the Social Security Act dated 1980. It merged two predecessor bodies (the National Insurance Advisory Committee and the Supplementary Benefits Commission) and continued its duties under the Social Security Administration Act 1992. According to the Act, the primary task of SSAC is to give advice and assistance to the Secretary of State for Work and Pension in connection with the discharge of their functions under the relevant enactments (Social Security Administration Act, 1992). SSAC is an independent statutory body that provides impartial advice on social security and related matters. It scrutinises most of the complex secondary legislation that underpins the social security system. There are two main priorities of SSAC. While the first one is to run effective, timely, and impartial scrutiny on draft regulations in social security, the second one is to provide advice to the Secretary of State on social security and welfare (SSAC, 2015a).

SSAC is the UK's only statutory advisory body on social security and associated problems, such as its linkages to the labour market and more extensive social welfare concerns. SSAC does not have authority over industrial injury benefits, war pensions, occupational pensions, or child support. These exceptions, particularly occupational pensions, divide and limit the SSAC's coverage unnecessarily (Member of SSAC, 2016). Its position in mandatory secondary legislation examination is particularly unique. Its draft legislation reports must be responded to and published by the administration before or concurrently with the legislative process (Saunders, 2007). In this regard, legislative recommendations of SSAC are made not just for the Department of Work and Pensions and related ministers but also for the parliament and its members.

Fourteen members, including the chairperson, form the committee after consulting with the Prime Minister, the secretary of state-appointed the chairperson, and members. Every month, on average, all members spend two days on committee business, and they are only paid for their working days (based on a committee decision, the member does not claim travel time payments). Members' genuine working days, according to their opinions, are three days every month. The members are assisted by a secretariat consisting of five staff members and one non-paid advisor from HM Revenue and Customs. One of the secretariat staff works as an analyst and mainly assists in the independent work program of SSAC. The secretariat carries its duties understaffed and overworked (Member of SSAC, 2016)¹.

¹ *An interview was made with one of the SSAC members for understanding daily operations of SSAC and relations between DWP and SSAC in June 2016 in York. For respecting the member's request, the name of the member was not mentioned in the text. For using this footnote, I would like to express my gratitude to the distinguish member.*

The question of why SSAC is utilised for these scrutiny processes rather than DWP's internal mechanisms, such as the law department, needs to be answered. According to the last two Triennial Reviews, all stakeholders, internal and external, have agreed that independent advice and scrutiny are required. It is considered that political neutrality and independence from Ministers and the administration are essential for efficiently performing the duty of oversight. SSAC's legislative advice creates independent challenges that any other mechanism cannot provide, and it can highlight implications, interactions, and unintended consequences of any draft law in the field, thanks to its larger vision (on both DWP and HMRC legislation) and continuity (long term service of 4 to 6 years). Furthermore, these recommendations give the DWP a second chance at extra checks and vital insider information for parliamentarians.

On the other hand, its social partners regard SSAC as a trustworthy and approachable organisation because of its long-standing neutrality. They are more willing to participate in SSAC's consultation meetings. Its independence is SSAC's greatest asset, allowing it to communicate quickly and efficiently with a wide range of stakeholders in the realm of not only statutory scrutiny but also the other responsibilities listed below (Department of Work and Pension, 2012; Stoney, 2015). In this sense, the committee has been evaluated as an excellent intermediary tool between the Government and the customers of the social security system (Ogus, 1998).

Mandatory scrutiny has been a large part of SSAC's operation, and more than 50% of SSAC resources are also allocated for studies on mandatory scrutiny. For instance, during 2014-15, SSAC evaluated 42 packages of regulations and draft proposals that the committee provided feedback on. SSAC required additional scrutiny on five of these legislations and took them as a formal reference. In each case, the report produced by SSAC also contained results of wider public consultation (SSAC, 2015a; SSAC, 2015b). On the other hand, in the 2018-19 period, the Committee considered 15 packages of regulations and draft proposals covering a broad range of issues (SSAC, 2019).

The second part of SSAC's duty is to provide advice and assistance to the secretary of state, whether in response to a specific request or on SSAC's initiative. The secretary of state does not oblige to respond or publish this kind of advice. This advice and assistance can be (Stoney, 2015: 10):

- "Responding to specific requests for advice from Ministers and officials.
- Undertaking its detailed studies as part of SSAC's Independent Work Programme.
- Informally scrutinising regulations exempt from statutory scrutiny, e.g., where regulations are made within six months of a new provision.
- Providing non-statutory advice to HMRC.
- Providing comments on a range of draft guidance and communications.
- Responding to public consultation exercises conducted by Government and others where they believe they can add value".

Ministerial requests for advice may not be separate from the mandatory scrutiny exercises since providing independent advice and scrutiny on draft legislation improves SSAC's ability to produce broader advice on similar themes. Also, from a pragmatic standpoint, utilising the committee's knowledge for purposes other than mandated responsibilities seems logical (Department of Work and Pension, 2012).

Aside from its scrutiny efforts, the SSAC's Independent Work Program, which includes research and reporting activities, has played an important role in SSAC's advisory role. In 2019, two reports, namely "The effectiveness of the claimant commitment in Universal Credit" and "Separated parents and the social security system", have been published under this task (SSAC, 2019). Despite the lack of a more current study, older studies had noted a conflict between independent work programs and demand-driven advisory activities, particularly during welfare and social security reforms when government demand grew (Saunders, 2007). Naturally, the secretary of state and other associated ministers has tight ties to the SSAC chair and some members. As a result, such tensions can be reduced by informal or formal communication (Member of SSAC, 2016).

The success of SSAC is closely tied to its positive and productive relationship with its sponsoring department, DWP. Both sides had specific issues, according to the 2012 study. According to the DWP, some of SSAC's statements were inconsistent with and even adverse to government policies. Furthermore, it is said that SSAC was unable to demonstrate its differences and appeared to be just another stakeholder. SSAC, on the other hand, felt that DWP was overly defensive and did not devote enough time to describing the general contexts and aims of the laws under review (Department of Work and Pension, 2012). According to a 2016 evaluation, both sides have worked hard to improve their relationship. The key objective in doing so was to safeguard the committee's independence. The DWP has begun to share more information regarding draft regulations and their backgrounds with the committee, allowing the SSAC to provide more accurate and efficient advice. SSAC members and the secretariat have held a series of training for DWP and other associated authorities to increase understanding of the SSAC and its functions. Because of this training and improved staff contact between SSAC and DWP high-level managers and relevant ministers, there were no criticisms of relations in the 2012 review (Stoney, 2015; Member of SSAC, 2016). According to the 2019 review, the SSAC's interaction with the ministries has improved formally and through informal channels. The report states that "*We are particularly grateful to the Ministerial team for their willingness to engage with the Committee frequently, whether that be private keep in touch meetings with our Chair or informal private sessions with the full Committee. This serves to help gain an understanding of the respective roles played by both sides and establish the reputation of the Committee as a trusted adviser which strives to provide constructive and supportive advice*" (SSAC, 2019: 13).

3. Needs of Independent Advisory Body for Turkish Social Security Institution

3.1. Current Situation

Turkey enacted comprehensive institutional and parametric reforms in social security in 2006. Under the new Social Security Institution's umbrella, the former three social security organisations have been merged (SSI). In social security, citizens' rights and obligations have been consolidated simultaneously. SSI has grown into a comprehensive and unique institution that provides services to all Turkish nationals and foreign residents in Turkey from all social security branches described in ILO convention nr: 102, except for family benefits.

SSI was designated in its establishment act (nr: 5502) as an autonomous public organisation with its own legal identity and budget, even though it was created as an associated institution of the Ministry of Labour and Social Security. Since its establishment, there has been a controversy about its autonomy. Even though the SSI Management Board was recognised by law as the organisation's highest administrative body and some of its members were elected by stakeholders, there are concerns regarding SSI's administrative dependency, as the board's chair and the majority of its members are government appointees (Alper, 2007). The SSI General Assembly, on the other hand, was established as the institution's highest consultative body by law nr: 5502. The Assembly, which meets every three years, is chaired by the Minister. High-level delegates from associated parties are expected to participate in the Assembly. Even if SSI creates the agenda for each meeting, other stakeholders can add items to it. Although the assembly is an excellent example of social dialogue and a social partner forum, its ability to function as an autonomous consultative body is limited for the reasons given below (Turk-is, 2006; Demir, 2015);

- The efficacy and responsiveness of the Assembly are reduced significantly due to long gaps between meetings.
- The meetings are chaired by the ministers and one-third of the members appointed by the government. This group may act as a block during voting.
- The General Assemblies are not suitable for discussing operational issues and institutional reviews in detail due to high-level participation and deliberations and its specified functions in the law. The majority of the debates have centred on strategic policymaking.
- Instead of written analyses, participants express their views orally. Minutes are prepared by the administration and sent to the stakeholder.
- Even though the conclusions of the assembly should be considered policy priority by SSI, no analyses of the practical outcomes of the findings have been made public. In that sense, it can be said that there are no check mechanisms for real implementation of the assemblies' results.

3.2. The Reasons Behind the Need for an Advisory Committee for SSI

There are no official processes at SSI that can provide independent, regular, and high-level consultations and evaluations based on an integrated approach. On the other hand, these procedures are critical for ensuring the social security system's autonomy for various reasons.

To begin with, Turkey's fundamental social security legislation, the Act of Social Security and General Health Insurance, has been modified far too many times since its enactment in 2006. While the Act originally had 131 articles, 482 revisions have been made by 69 different laws and presidential orders as of 2021. In addition to the changes made to the primary law, numerous changes have been made to Act nr: 5510's bylaws and regulations. As monitored in Table 3, the significant frequency of revisions to a relatively new law harms the system's stability and homogeneity. Table 3 indicates that many amendments have been put into force with other laws and executive degrees. Observing alterations in already modified articles, in particular, results in a significant loss of credibility (Usan, 2016: SSI, 2016a).

Table: 3
Number of Alterations of Law Nr: 5510 since 2006 (Sub-Clause Level)

	Law Number	Number of Alterations		Law Number	Number of Alterations		Law Number	Number of Alterations		Law Number	Number of Alterations
1	5565	1	21	6353	11	41	KHK/681	13	61	7162	1
2	5655	2	22	6385	12	42	6770	2	62	7179	7
3	5754	109	23	6458	3	43	6824	9	63	7194	1
4	5763	4	24	6462	10	44	KHK/690	17	64	7196	1
5	5797	6	25	6486	7	45	7020	2	65	7226	4
6	5838	5	26	6494	1	46	KHK/694	2	66	7256	3
7	5917	3	27	6495	7	47	7061	1	67	7281	2
8	5921	1	28	6518	1	48	KHK/696	1	68	7316	2
9	5951	1	29	6552	23	49	7072	2	69	7318	1
10	5947	2	30	6645	16	50	7073	12		Total	482
11	5951	1	31	6655	1	51	7077	17			
12	5997	9	32	6661	1	52	7078	2			
13	6009	1	33	6663	9	53	7099	2			
14	6111	41	34	6676	4	54	7103	8			
15	6191	1	35	6704	1	55	7143	3			
16	KHK/665	3	36	6728	10	56	7144	1			
17	KHK/666	2	37	6745	4	57	KHK/703	16			
18	6270	12	38	6761	1	58	7146	3			
19	6283	6	39	6774	7	59	7151	1			
20	6322	2	40	KHK/680	2	60	7161	3			

Source: Prepared by the Author via Act of Social Security and General Health Insurance Nr: 5510.

The broad implementation area requires a wide range of use of secondary legislation (Table 4) that may not be scrutinised by the government, administration, or legislatures. It is evident that the current legal system has severe flaws and mandating independent third-party scrutiny of draft legislation could be the answer (Department of Work and Pension, 2012).

Table: 4
Number of Secondary Legislative Documents

Type	Number of Documents
Institutional Regulations	48
Institutional Circular	282
Basis and Procedures	35
Statement Documents	49
Directives	17

Source: <<https://kms.kaysis.gov.tr/Home/Kurum/22620739>>, 27.05.2021.

The second reason is social partners' access to decision-making processes. Even though SSI has stated that maintaining close relationships with all stakeholders is an institutional priority, there is no information about the outcomes of these relationships in the annual reports (SSI, 2016b; SSI, 2018). Although the institution has attempted to benefit from social partners' perspectives by requesting official written opinions or convening ad hoc meetings outside of general assemblies, individual departments usually collect social partners' views for their own specific needs and do not disseminate information internally. As a result, a coordinated system for vertical and horizontal transmission of common knowledge about stakeholder contributions cannot be established. An independent consultation mechanism can help coordinate and facilitate interactions between SSI and social partners.

According to its Strategic Plan for 2015-2019, one of SSI's strategic goals is to improve service quality and capacity. This strategic goal can be considered the third reason. The administration intends to strengthen its local offices while increasing client satisfaction rates to achieve this goal. SSI has outsourced its evaluation of developments to an external company in this field (SSI, 2016a). However, these external evaluations are limited to client surveys, with no mention of assessments leading to process improvements or human capital increases.

In most cases, individual departments attempt to develop separate policies in their respective areas and impose them on frontline offices. This situation adds complexity to the mix and hierarchical pressures on service providers. An independent body's evaluation and consultation process conducted in the country may result in more objective, coordinated, and targeted analyses. It may also provide a more open environment for local office opinions.

The last reason for the need for an independent advisory mechanism is to overcome difficulties caused by the external-internal evaluation dichotomy. As previously stated, SSI is evaluated both internally and externally. Both external and internal evaluation have advantages and disadvantages. In the case of SSI, assessments conducted by governmental external evaluation bodies carry some risks, such as being unaware of particular sensitivities of social policies and institutional structure, limited information about rapidly changing legislation, or insufficient knowledge about the social insurance system. Internal evaluations conducted by SSI departments, on the other hand, are based on historical and institutional facts and contain more accurate information about legislation. It is much easier to establish a link between internal evaluations and implementations. However, evaluators' expectations

about their careers, political interventions and redirections, departmental biases, being evaluators and other duties, and insufficient relation with stakeholders can impair the quality of the internal evaluation (Clarke, 2005). As a third method, SSI outsources its external evaluations to private companies. However, these external evaluations are limited to client satisfaction issues in most cases.

In this context, establishing a mechanism capable of employing a more integrated evaluation approach would benefit SSI. To begin, SSI requires both formative and summative evaluations to improve service quality. Second, the complexity of social security legislation necessitates internal knowledge. Third, its large number of employees, national service network, and complex institutional structure necessitates a high level of expertise in SSI. But at the same time, objectivity and independence become crucial for quality evaluation in this kind of institution with a wide variety of duties and large service networks (Le Menestrel et al., 2014). Furthermore, due to the complexity of social security legislation and conflicts of interest among various parties, any changes in social security legislation and implementations can result in unintended reflections on unexpected areas. Knowing multiple fields of social policy becomes critical in dealing with all the complications of changes in social security legislation (Department of Work and Pension, 2012).

4. Concluding Remarks: Recommendation on Establishment of Independent Advisory Body for SSI

Since the states' inception, policymakers have observed, borrowed, and adopted the policies and implementations of other nations to solve their problems. In particular, in areas such as social policies, policymakers at all levels around the world look to different places/institutions or history to learn from other experiences or find best practices or wrong lessons. The primary goal of this search is to adopt policies that have already been piloted and proven successful in various jurisdictions. According to Page (2000: 2), the policy transfer concept is "the transposition of policies and/or practices already in operation in one jurisdiction to another". On the other hand, Evans proposes that policy transfer tries to make sense of the cross-cultural transfer of knowledge about institutions, policies, or delivery systems from one sector or level of governance to another level of governance in a different country (Dussauge-Laguna, 2012). Knowledge, administrative arrangements, or institutions from other places can develop policies in other countries or areas (Dolowitz & Marsh, 1996). In that sense, the transposition of the SSAC example from the UK to Turkey to establish a new institutional structure and develop new policies can be accepted as a policy transfer based on emulation. However, only borrowing ideas from the outside world in their original form would not be enough for the successful emulation of a policy. The receiver country should adopt policy approaches, tools, and structures for its own conditions (Stone, 2001). As a result, Turkey should rearrange its approach to advisory NDPBs in general and the institutional structure and policies of the SSAC in particular based on its own needs. Within the scope of this understanding, the following would be the main principles of an institutional and administrative structure for an independent advisory body:

- As seen in the SSAC example, SSI's advisory body (as a theoretical abbreviation, SSIAB) should be responsible for providing high-quality and efficient advice to the Minister of Labour and Social Security, the SSI's president, and the parliament on social security issues when necessary. If SSI sponsors SSIAB, there may be more value for money. Because of its expert staff capacity, SSI can lend its experts to the SSIAB secretariat. According to the lessons learned from the SSAC secretariat, SSIAB secretariat staff may be appointed for a more extended period and comprise two personnel groups: analysts and support personnel.
- SSIAB members would represent the administration, social partners (clients of the SSI), and academia. The criteria and job descriptions for the members should be made public. The Minister should appoint the members and chair based on the recommendations of the related parties. Their term of office should be at least four years and should not be about the ministers. The member must be apolitical, but they may represent interest groups that nominate them. If SSIAB membership is an honorary position rather than a paid job, their accountability will be increased. In contrast to the SSAC example, committee members should be compensated for every day spent on committee work, including travel days. Again, all costs of SSIAB should be publicly announced.
- SSIAB's independence should be the first and foremost feature. It should be able to control its production process. As a result, the board must decide on its working methods, resource management, and outputs (Thiel, 2004). In the case of Turkey, political authority can easily influence, intervene in, and even change SSI's internal processes. In this sense, without legislative protection for the SSIAB's production process, the board could quickly lose its independence and become an area that political figures can patronise and direct as they see fit. The only independent advisory body can produce the undermentioned benefits:
 - Production of advice and evaluation based on long-term technical necessities instead of short-term political (populist) inducements.
 - Close and sustainable relations with all stakeholders.
 - Accountable scrutiny process on draft legislations.
 - Being a trustable consultation point for all external partners, including social partners and the parliament.
 - Production persuasive advice that political figures can use for justifying their positions and shifting their responsibility.
- In parallel with SSAC, primary responsibilities should be scrutiny of the draft legislation responded to by the administration mandatorily and providing self-initiative or demand-based advice. Considering that extremely high amendments have taken place in the Turkish system, most SSIAB resources would be used for mandatory scrutiny activities. However, as mentioned in the SSAC example, the advice activities and mandatory scrutiny are connected in most cases. High-level amendments require continuous evaluation of the wide-range effects of changes in the various fields and different interest groups. SSIAB would be the most suitable mechanism for conducting these evaluations by using an integrated

approach by merging the expertise of its members and inside information provided by analysts in its secretariat.

- Apart from these two primary duties, SSIAB should conduct staff training and local office visits. These two types of activities would help increase SSIAB's visibility inside the institution, and, at the same time, they would provide observation opportunities for further evaluations.
- In the UK case, accountability of NDBPs is one of the most controversial issues. Giving independence to SSIAB would lead to a shift in political accountability from managerial issues to supervision. This shift makes available shifting in responsibility. On the other hand, SSIAB's accountability should be guaranteed by internal and external evaluations. SSIAB should publish its working plans, including future targets and annual reports. External evaluation can be made annually or biannually by SSI or external evaluators. Similar to triannual evaluations of SSAC, it should contain different stakeholders' opinions about the board. The external evaluation should be summative and formative. In this way, procedural improvements can become possible, but the existence of the SSIAB can also be justified.
- As seen in the literature review part and external evaluation on SSAC, the relation between an advisory NDPB and its sponsor institution is very important. While the main claims come from sponsor institutions as too low quality or indelicate advice, NDPBs complain about unclear work definitions, lack of information sharing, and inclusion in the policymaking process. To avoid these problems initially, roles and responsibilities should be identified clearly. As observed in the SSAC example, informal communication channels improve the quality of relations between bodies. The exact structure may adapt for SSIAB, as well.
- Although this depends on SSIAB performance, it can be anticipated that SSIAB can pass the three tests that SSAC passed in theory. Firstly, due to the material and personal coverage of SSI being bigger than DWP's coverage, it can be expected that the need for external technical expertise is more significant. Especially when considering a high level of Turkish legislation amendments, the need for additional effort and expertise for scrutiny and evaluations for new implementation becomes much clearer. Secondly, Turkish legislatures and administrators need apolitical and impartial assessments and consultations in social security due to many legislative changes. Lastly, high-level independence is required for an advisory body operating in an environment where political interventions in daily operations are very high.

In conclusion, the benefits of establishing an arm's length advisory body for SSI are obvious. However, independence is the most crucial and essential power and the necessity for these kinds of bodies, as is underlined by one member of SSAC (Member of SSAC, 2016). Without absolute independence from political pressure, the recommended body cannot create a difference in the current structure of the Turkish social security system.

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