

The Compact and the Open Public Services White Paper

Submission by Compact Voice
29th September 2011

Introduction

Compact Voice welcomes the opportunity to respond to the Open Public Services White Paper.

While the white paper asks specific questions, this submission provides a response about the consultation exercise, the context in which it is launched, and makes some comments on the text itself.

This response is divided into the following sections:

- About the Compact
- About Compact Voice
- Response to the Open Public Services White Paper
- Conclusions

About the Compact

The Compact is the agreement between government and the voluntary and community sector (referred to collectively within the text of the Compact as civil society organisations) which sets out key principles and establishes a way of working that improves their relationship for mutual advantage. It considers areas such as involvement in policy design and consultation, funding arrangements (including grants and contracts), promoting equality, ensuring better involvement in service design and delivery, and strengthening independence.

It is also accompanied by an Accountability and Transparency Guide, which outlines steps to take at national and local level if these principles are not followed, including dispute resolution, internal complaints procedures and ombudsmen functions.

Initially launched in 1998, it is in its third incarnation, with the latest version published in December 2010 to reflect policy developments resulting from the change in government, initiatives such as the Big Society, and other legislative developments.

Every government department is signed up to the principles of the Compact, and its implementation across government is overseen by the Office for Civil Society who are based within the Cabinet Office.

As well as the national Compact, most areas in England also have a Local Compact, which interprets the principles set out in the Compact to reflect local need and determination. Local Compacts may cover different local government areas, and might be established in district, county and regional Compacts. Different partners will have developed and signed up to principles contained in their local Compact, and can include representation from councils, healthcare organisations, social care organisations, police, fire, and housing, amongst others.

Following principles established in local Compacts has enabled local communities to benefit from greater involvement in policy design, improved reach and understanding, better commissioning and procurement, and better support for the vital role of voluntary and community sector organisations.

About Compact Voice

Compact Voice represents the voluntary and community sector on the Compact. We are co-signatories on the national Compact, and negotiated its content on behalf of the sector and based on the views and opinions of our members.

Our activities and output are determined both by our membership, currently numbering 2500 individuals and organisations across England, and our board, who include representatives from infrastructure organisations such as NAVCA, NCVO, ACEVO, Volunteering England and others. A full list of our board members is available on our website.

We provide training, support, advice, and information about better working in partnership to both sectors nationally and locally, represent the voluntary and community sector's interests to government, and champion the principles of the Compact.

Response to the Open Public Services White Paper

The Consultation Process

There is a concern that the voluntary and community sector is not being sufficiently considered during the development of policies which impact them. Compact Voice was contacted by number of concerned representatives of local organisations about some of the processes which surrounded the publication of this white paper. They raised concerns about the following issues:

- 1) The launch of this white paper was significantly delayed at a time when local groups and organisations were trying to adapt to a changing policy landscape; the proposals contained in the white paper were offered as providing guidance and support in often difficult times, and yet it was published months later than initially indicated.
- 2) The 'Modernising Commissioning' green paper was launched in December in a non-Compact compliant way. We were informed that this was necessary to contribute to the white paper; however many of our members expressed concern that a breach of basic Compact principles would send a mixed message about OCS' support for the Compact.
- 3) There has been no full response to the 'Modernising Commissioning' consultation, and it is not clear how the white paper has taken on board the issues raised by the sector. Within the text of the document, it is stated that:
"a response to the *Modernising Commissioning* Green Paper will be published shortly, which will focus on access to open markets, reducing bureaucratic barriers and improving commissioning across central and local government;"

However, that response seems to have been in the form of an open letter from the Minister for Civil Society to the sector, which does not provide a comprehensive response or show where the sectors opinions have been considered. This is not in the spirit of the transparency agenda often referred to by this government.

- 4) Some of our members expressed concern that the lack of transparency on how the sector's views were being taken into account could suggest that they weren't being given sufficient consideration. This combined with the announcement of additional engagement exercises, and fewer mentions of the voluntary and community sector than anticipated in the white paper itself have prompted concerns that the government is not sufficiently engaging with, developing or strengthening its partnership with the sector. Others commented that the burden of further consultation and engagement on the same topics - which many have already offered their views on - adds unnecessary burden at a time when resources are stretched.

We encourage any response to this white paper to also include a detailed response to the 400 submissions reported to have been received to the 'Modernising Commissioning' green paper.

Lack of mention of the Compact

We are disappointed that the Open Public Services White Paper makes no reference to the Compact. Government continues to deliver a mixed message on the Compact, with commitment to its principles

supported across the highest levels of government, yet policies announced and proposed which frequently make little or no reference to it.

The proposals contained in the Open Public Services White Paper must make reference to the Compact – in particular to the role that local Compacts have in the design, development and delivery of public services. The voluntary and community sector working in partnership with local government can provide genuine benefits to communities, and the arguments for greater engagement with the sector (as well as previous statements of support from the highest levels of government) have been frequently stated elsewhere.

However, without support for the Compact and its principles, such partnerships may suffer. Recent survey work undertaken by Compact Voice indicated that 88% of local areas – including both the voluntary and community and statutory sectors - agreed that “the Compact is important and that effort needs to be made to implement it in full”, with 60% agreeing strongly. The figure for statutory sector respondents was 82% (90% for voluntary and community sector) indicating that there is a strong cross-sector belief in the importance of the Compact at local level, and that it is a vital tool to help deliver better partnerships and public services.

While there is such strong cross-sector belief in the Compact, the research mentioned above has also highlighted the need for strong leadership on the Compact from both local and national government. When asked to name the three areas of improvement which would have the most impact on their local Compact, “leadership from senior officers in the statutory sector” was the most popular response (chosen by 43%). This choice was even more popular than the need for more resources for the Compact (32%).¹

Government needs to ensure that it makes explicit reference to the Compact in its policies, particularly in relation to policies which have an impact on the voluntary and community sector.

The policy landscape

The white paper states that it “sets out a comprehensive policy framework across public services”. However, the volume of policy documents, guidance, briefings and announcements which have been issued in recent months is overwhelming – while many of them complement each other, often they do not reference each other. It can be therefore difficult to fully understand the policy landscape, particularly as it relates to the voluntary and community sector.

While we recognise that this government advocates an approach which encourages local determination, there are aspects of the policy landscape which should be better joined-up. The white paper makes some efforts to achieve this, but as stated, there are some significant gaps – most notably the aforementioned lack of reference to the Compact and how the role of the voluntary and community sector fits into this landscape.

We encourage government to publish a policy ‘roadmap’ which provides a comprehensive overview of the current landscape. This would help it deliver the transparency objectives it is supporting.

The role of town and parish councils

The white paper makes reference for considering a greater role for town and parish councils in service delivery. However, we are concerned that little detail has been provided about what this might look like.

¹ Further information about this survey can be found on our website at <http://www.compactvoice.org.uk/news/2011/08/16/research-indicates-88-local-areas-support-compact>

Work with bodies such as the Local Government Ombudsman, and our interaction with local Compacts has suggested that in some instances, there are little or no methods of redress for town and parish councils, and if things have gone wrong, or concerns are raised about their performance, sometimes little can be done.

We recommend that town and parish councils be strongly encouraged to sign up to principles in their local Compacts, and that the remit of existing accountability bodies – such as the LGO –explicitly include town and parish councils where they do not already.

Changing or ending funding

We welcome the principles contained in section 4.5, particularly about notice of funding changes. Reference should also be made to the role of the Best Value Guidance, recently published by CLG, which outlines steps which must be followed by local authorities when changing or ending funding relationships. This guidance acknowledges the role of local Compacts, and reasserts CLG's commitment to the national Compact.

We also welcome section 6.31 but again believe there should be reference to the role of the Best Value Guidance and the Compact.

Recently, Compact Voice submitted Freedom of Information requests to local authorities requesting information about their cuts to the voluntary and community sector. The responses we received indicated that over half of local areas were cutting funding disproportionate to the amount that they themselves were being cut.

It is important that mechanisms of redress are clearly signposted to help challenge bad funding practice. We welcome the engagement of the Prime Minister and Deputy Prime Minister with the voluntary and community sector, as described in section 6.31, and would welcome additional information about how local areas will be scrutinised to rank them in this way.

As well as establishing a principle where the Prime Minister and Deputy Prime Minister meet with those areas who are "most supportive of the voluntary and community sector", we believe it would be effective to also meet with those areas who are least supportive to help address any barriers which may be preventing them from developing better partnerships.

We encourage stronger links to accountability mechanisms and existing guidance be made to ensure that the expectations the sector has about fairer treatment are delivered.

Conclusion

We welcome efforts to help ensure that public services are designed and delivered based on local need and best value. We believe the recommendations highlighted above in this submission will further that goal.

The concerns about the context in which the paper was developed should be taken on board for future policy developments. In particular, many of our members have expressed concerns to us that the role of the Compact is not being sufficiently embedded in the policy landscape at national level. Doing so will send a clear message about its importance in helping to deliver better public services.

Tom Elkins
Compact Voice Manager
Compact Voice