The Solihull Partnership's, Solihull's local strategic partnership which includes Solihull MBC, **Response to the Government's Green Paper on Modernising Commissioning.**

Q. <u>In which public service areas could Government create new opportunities for civil society organisations to deliver?</u>

From the Solihull Partnership's perspective potentially all services currently carried out by government and public bodies could be considered to be commissioned out to Civil Society Organisations (CSO). Having said this, the statutory responsibilities and monitoring of the delivery of services contracted out must remain with the commissioning body to ensure the quality of provision meets identified needs as well as improving outcomes for local people and communities.

In order for public bodies to commission out more services to CSO and other independent providers this is unlikely to happen without some 'cajoling' as many will stick to what they know works – traditional approach.

Sub- Question: What are the implications of payment by results for civil society organisations?

Whilst the idea and expansion of payment by results is generally accepted as being a positive move however, there is also a real concern, particularly from CSO, that this might focus attention (unintentionally in some instances) of the commissioners and providers on outputs rather than the improvement of outcomes.

Sub- Question: Should Government explore extending the right to challenge to other local state-run services?
If so, which areas and what benefits could civil society organisations bring to these public service areas?

If The Localism Bill, as alluded to, is likely to give greater 'powers' for CSO and public/local authority employees in the form of **the right to challenge** when they consider a service could be better and more efficiently delivered through a workers co-operative/mutual or CSO then this will assist with the 'cajoling' mentioned above. This could help to bring about the transformation required in public service delivery.

Through this approach services which have been considered exclusively the preserve of local authorities i.e. Registrar Services; Crematoriums; Trading Standards; Licensing and Planning services could be considered as being delivered differently through CSO. The benefits of doing so could lead to the greater involvement and therefore interest of the community. All of this would lead to more civic participation and engagement at a local level and the cornerstone of the Big Society. Bringing on more volunteers through these services will clearly assist with the involvement of local people in local service provision but it could also assist with efficiency drives as well.

Sub-Questions: Are there types of assets whose viability, when transferred to civil society management or ownership, would be particularly dependent on a continuing income stream from service contracts or public sector tenancies?
What are the main barriers that prevent civil society organisations taking over asset-based services?

The assets which come to mind that will be dependant on continuing income streams from public sector tenancies if taken on by CSO are likely to be schools (free schools initiative), libraries, swimming pools, arts centres and leisure centres.

The main barriers which prevent CSO taking over asset-based services is the lack of availability of ongoing revenue streams to assist with the regular maintenance of the facilities and the associated services to be delivered. There is more likelihood for finding one-off capital or project specific funding streams but these won't assist with the situation described here – this sentiment is supported by many local CSO who have shied away from taking on the ownership and/or management of local assets.

Sub- Question: How can we encourage more existing civil society organisations to team up with new employee-led mutuals?

To assist with the formation of consortiums and/or partnerships with employee-led mutuals, these will need to be proactively encouraged through 'incentives' during the commissioning process. Otherwise natural market forces will take over and the competitive nature (and survival instinct) of CSO will takeover which negates co-operation and partnership working in some but not all cases.

Q. <u>How could Government make existing public service markets more accessible to civil society organisations?</u>

Sub-Question: What issues should commissioners take into account in order to increase civil society organisations" involvement in existing public service markets?

Sub-Question: What issues should the Civil Society Red Tape Taskforce consider in order to reduce the bureaucratic burden of commissioning?

Government and local authorities (as well as other public bodies) need to improve the way they publicise, communicate and promote commissioning opportunities to CSO. Furthermore, they must also allow adequate time for the CSO to respond to these opportunities – using Compact principles on consultation etc.

Government and local authorities need to take a far more flexible approach when dealing with CSO during commissioning and/or tendering opportunities without giving them an unfair competitive advantage. An example of this could be the approach to payments if the contract is secured by a CSO so, rather than monthly or quarterly in arrears these could be agreed to be in advance or certainly on time (a practice adopted by many best practice local authorities.)

In order to encourage more CSO to take on public services and their delivery there has to be a stronger local CSO infrastructure support in place to enable this to happen on an increasing cycle. In the main this has to come about through the development and investment in local infrastructure CSO also known as umbrella organisations i.e. CVS type orgs because without the strategic role/direction provided by good orgs of this type local CSO will operate in a fragmented, competitive and parochial manner which is not conducive to consortium or partnership working.

Coupled with the above the capacity of local CSO has to be supported and developed otherwise the groups which already hold contracts are unlikely to be able to take on any more work, as a service provider, new organisations are unlikely to emerge to meet identified need. The capacity building agenda needs to happen in a number of ways including; the sharing and transfer of skills from well developed groups to those which are less developed (appropriate infrastructure needs to be in place to enable this); greater investment in training

and development of paid staff and volunteers; greater assistance and support for those communities of interest and/or CSO which serve the most marginalized sections of our society i.e. BME, Disabled and people with mental health issues etc.

In order to increase the take up of commissioning opportunities by CSO commissioners need to ensure that they market these well and are accessible to all across the sector.

Sub- Question: What barriers prevent civil society organisations from forming and operating in consortia? How could they be removed?

There should be active encouragement through the commissioning process for CSO to work far more collaboratively than they have done so in the past i.e. through consortium type arrangements and formalised partnerships etc. these cannot be left to chance to happen but encouraged through the actual wording/terms contained within a commissioning or tender opportunity. Government and public bodies need to brush up on their understanding of these types of arrangements and be prepared to work with them if they then appear – current practices by public bodies in many areas dissuade CSO from forming consortiums. These partnership / consortium arrangements should stretch across the sectors and not just be confined to CSO i.e. a consortium and/or partnership which includes CSO and a local authority working together to deliver a key service(s).

Making the investment and/or function to support local CSO in the capacity building work a statutory responsibility will assist hugely with increasing the involvement of more CSO in public service delivery.

Government and public bodies can assist CSO throughout the commissioning process, from start-to-finish, by taking a consistent approach (at least within a local authority boundary) to commissioning and the tools they use /complete i.e. having very similar (if not identical with tweaks to satisfy individual requirements of each government dept. or public body) the forms, tender documents, contracts, Service Level Agreements and monitoring templates etc. This coupled with clear and consistent language across the board when talking about commissioning, procurement, SLA, contracts, outputs, outcomes…

Government and public bodies can assist the CSO to take on more public services through commissioning by ensuring that the monitoring of these contracts let, whilst remaining rigorous and robust, are also proportionate to the value of the contract i.e. you would not expect to apply the same level of rigor to monitoring a contract where the value is circa £2,000 pa to one which is for £100,000 pa – all of this is supported by working to Compact and Codes of Practice principles.

Sub-Question: What issues should Government consider in the development of the Big Society Bank, in order to enable civil society organisations to take advantage of public service market opportunities?

In the development of the Big Society Bank government should ensure that infrastructure support type CSO do not get overlooked at the expense of frontline delivery organisations, because without a strong and developed infrastructure behind them there is unlikely to be the growth of delivery orgs we would want to see or expect. Furthermore, by the same token outlined above are the various benefits and advantages of consortium and partnership working to improve outcomes and that these should cut across the sectors. Therefore it would be very helpful if the Big Society Bank does not preclude CSO applying for financial assistance when they are partnered by a public body for specific project(s). This same consideration should apply if an employee-led mutual is looking for financial support.

Sub- Questions: What issues affecting civil society organisations should be considered in relation to the extension of the Merlin Standard across central government?

If the Merlin standard is to be the tool of choice when working through the commissioning/procurement process then it will need to be made much more user friendly than it is currently.

Q. <u>How could commissioners use assessments of full social, environmental and economic value to inform their commissioning decisions?</u>

Sub-Question: What approaches would best support commissioning decisions that consider full social, environmental and economic value?

Government and public bodies must take greater account of the added value CSO can bring / deliver as a part of a contract secured through commissioning process i.e. through the use of volunteers, improving public participation and engagement, acting as the 'voice' of the marginalized and disenfranchised in our society.

Related to the above there should be much more understanding and appreciation of the actual (or true) value of the services being delivered by CSO i.e. this could be compared with the costs of the same service if it had been delivered in-house provision.

To support the above assertions the use of Social Return on Investment (SROI) Tools needs to be encouraged and made the norm however, in order to precipitate their use these must become more user friendly so that both commissioners and the provider CSO can understand what they are portraying or quantifying. Furthermore, are there things the private and business sector are already using which could satisfy this requirement, if so, lets use it and 'lets not reinvent the wheel.'

In order for commissioning priorities to make the difference in terms of improving outcomes, locally commissioners cannot, as they do now in the main, make very parochial decisions without due regard for what impact this will this have on a particular CSO or its relationship/impact with another public body from the same locality. Commissioners need to take a step back and take both a strategic and a holistic view of the decisions they about to take and the consequence of such an action – clear reason for greater joined up /linked commissioning (often talked about but rarely practiced as described here.)

Q. <u>How could civil society organisations support greater citizen and community involvement in all stages of commissioning?</u>

CSO have a major role to play in encouraging and increasing the role of citizen in participation and engagement at a local level in helping to inform decisions as well as re-shape service delivery.

CSO are often more close to the local community and the individual this is even more so when the person in question is from a community of interest we would consider 'hard to access' i.e. disabled people, people with learning difficulties, people with mental health issues, people from Lesbian, Gay, Bi-sexual and Trans communities, people from BME communities etc. CSO are often the route into these marginalized groups/people and without the trust and their proximity to these disenfranchised groups we would not know what the issues were for them.

Government and public bodies can work more closely with CSO to ensure that more innovative, flexible and accessible approaches are employed to access these more

marginalized groups of people. Furthermore, government and public bodies need to move away from seeking the views of those who always speak up…and look for ways to encourage the participation of those who never come forward. We have a duty to understand why certain groups and individuals never come forward and articulate their views, as public bodies we must become far more inclusive in our engagement and consultation exercises and through this better at prioritising for the most in need.

CSO should be empowered, with the support of resources, to reach out to the wider community and not just the immediate client group or membership to understand the needs within a particular area or community of interest. Through this approach CSO will be better placed to state what the priorities for commissioning are for an area and/or a particular section of the community. Therefore commissioners can be far more responsive, based on improved intelligence, to the design of service to be procured and delivered.

Sub-question: What role and contributions could civil society organisations place, through Local HealthWatch, in informing the local consumer voice about commissioning?

Local HealthWatch, for it to work effectively, will need to be the conduit for collating and feeding back to public bodies the concerns of local people relating to health and social care issues and thus helping to improve these services. This will need to happen in conjunction with far more informed commissioning exercises which assists partners in prioritising need.

HealthWatch could also play a significant role in co-ordinating and bringing together local CSO which have a strong interest in health or social care matters, on behalf of their client groups, to share and learn from each other. Through such an approach it could aid with the development of CSO by transfer of skills, knowledge and learning.

Sub-Question: How could civil society organisations facilitate, encourage and support community and citizen involvement in decision making about local priorities and services commissioned?

Sub-Question: What forms of support will best enable statutory partners and civil society organisations to improve their working relationships?

The Compact and the supporting Codes of Practice have clearly demonstrated the benefits, in some local authority areas, on improving working relationships across the sectors. This work should not be allowed to fall by the wayside.

Increased statutory responsibility on the part of local authorities to support CSO will clearly place a requirement to support the ongoing growth and development of these orgs leading to improved public services (on an increasing basis), stronger CSO, improving outcomes, stronger infrastructure and improving capacity – Big Society – working in partnership to solve local issues. However, none of the above can be done without the support of additional resources. This is particularly so for areas where the history of CSO and community development and community action is not anywhere near, the levels of development that it should be at.