

Enabling social action

SECTION D

Commissioning for social action



Department
for Culture
Media & Sport

NEW
ECONOMICS
FOUNDATION

The role of commissioners is to use all available resources to achieve outcomes for people, building on their needs, assets, and aspirations. Commissioners decide how to use all levers and resources to improve outcomes in the most efficient, effective, and sustainable way. There is growing recognition that the strengths and assets of service users, citizens, and communities can contribute a great deal to this process – that social action itself is a local resource which commissioners can both draw on and grow through the commissioning cycle.

Commissioning for social action requires strengthened relationships with providers, changes to service specifications to open up space for social action, and creative approaches to understanding the outcomes that matter to citizens.

In this section, you will find the following tools:

D1 Three ways to commission social action

An overview of the role of the commissioner in enabling social action

D2 Commissioning social action: What changes?

A comparison of conventional commissioning and commissioning which supports social action, highlighting the main differences

D3 Social action at every stage: An annotated commissioning cycle

A tool mapping the changes in commissioning onto the commissioning cycle

D4 Creative methods for gaining insight

A summary of three approaches that commissioners have found useful to gain a rich picture of residents' needs, assets, and aspirations

D5 Social action and procurement regulations

A table summarising key points from a selection of relevant regulations. It shows that, far from restricting social action and a co-produced approach to commissioning, procurement regulations are supportive

These external resources also provide useful content on commissioning for social action:

- [Commissioning for outcomes and co-production – New Economics Foundation.](#)
A comprehensive guide to commissioning, including how to co-produce each phase of the commissioning cycle and maintain an outcomes focus
- [Whole Systems Commissioning – New Local Government Network \(NLGN\).](#)
A vision for how the public sector can work together in partnership and support providers to collaborate through commissioning
- [Doncaster Innovation Fund: Having a Good Day 2015/16 – NHS Doncaster Clinical Commissioning Group and Doncaster Council.](#) An outcome-based commissioning prospectus for commissioning co-produced services for older people, people with physical disabilities, and people who have a learning disability or mental ill-health. Focuses on supporting people to feel part of the wider community by drawing on social action to transform and reimagine day services
- [Community Mental Health and Wellbeing Service Specification – Kent County Council.](#) An outcomes-based service specification for community mental health and wellbeing which embeds prevention, co-production, and building community capacity as service qualities. It uses a delivery model which combines a strategic partner with a delivery network to create more opportunities for arts and culture organisations, local groups, and community assets to be part of the contract

D1: Three ways to commission social action

The role of commissioners is to use all available resources to improve outcomes for people in the most efficient, effective, and sustainable way. Commissioning encompasses – but is distinct from – procurement, which is the legal and technical process of seeking bids and acquiring goods or services from an external source. Commissioning is broader than procurement because it also involves building insight into the needs, assets, and aspirations of local people, defining goals and outcomes, and planning the best way to achieve them. Indeed, procurement is only one possible way of achieving improvements in outcomes.

The most effective way of using all available resources to improve outcomes which people value could be in-house delivery. It may be procurement of goods and services from an external source such as a community organisation, a charity, a social enterprise, or a business. It may be a grants programme. It could be a project to bring together existing resources in new ways, for example by forming a commissioning partnership or connecting the service with local voluntary activity. Ultimately, there is significant flexibility in how commissioners can run the process for which they are responsible.

There are three ways that commissioners can enable social action: through existing services, by commissioning new projects, and by commissioning the conditions for social action to flourish. Commissioning authorities seeking to enable a broad range of activities – across the typology of social action – will most likely include all three of these approaches in their commissioning strategy.

1. COMMISSIONING SOCIAL ACTION THROUGH EXISTING SERVICES

Existing service providers can be required to incorporate social action into their service models, as an add-on (e.g. by creating a volunteering programme) or as a transformational shift in how the service is provided, or how the organisation is run (e.g. by basing the design and delivery of services on the principles of co-production).

This can be achieved through conventional commissioning processes, either when a service comes up for re-commissioning – in which case expectations for social action can be written into service tenders and contracts – or mid-way through an existing contract through contract renegotiations, training and influencing. Social action need not be commissioned externally – it can also be incorporated into in-house services. An example of this is the extensive use of volunteers to provide additional care complementing the work of paid staff at King's College Hospital, or local authorities using volunteers to support families on the child protection register.

The *Social Value Act* can be used to stimulate pre-procurement dialogue between commissioners and providers on how best to increase social value through social action. In addition, the Act can be used as a way for commissioners to value and reward those providers who show a commitment to social value through social action by weighting tender criteria appropriately.

Social action can be commissioned through existing processes. It will require strengthened relationships with providers, changes to service specifications to open up space for social action, and creative ways of assessing social outcomes that are less easy to measure. These are already seen as good practice in commissioning. Achieving a culture shift among commissioners and providers can be a lot harder than changing the procurement paperwork.

2. COMMISSIONING NEW SOCIAL ACTION PROJECTS

Public bodies can commission new activities, projects, or services to meet a perceived gap or need, replace an existing service, or complement existing services.

This can be done through procurement. It could also be achieved through grants, challenge prizes, participatory budgeting, and community chests. As such, this model can accommodate varying distributions of control over the process. It could be expert-led through a traditional commissioning approach. It could be co-produced, with experts and citizens commissioning together (e.g. the Young Lambeth Cooperative). Or, it could be citizen-led through a participatory governance mechanism (e.g. the Queen's Park Parish Council).

One caution about this approach is that it could lead to one-off or short-term commissioned projects that are not sustained beyond the terms of a single contract, and which focus more on innovation and novelty than on sustained community engagement and participation. A number of the experts we spoke with cautioned against short-termism in social action commissioning, arguing that attention needs to be paid to how projects can be sustained through secure funding, robust governance, and a genuine commitment from local councillors and officers.

3. COMMISSIONING THE CONDITIONS FOR SOCIAL ACTION

The first two approaches address ways of commissioning for social action directly. Another way to think about commissioning social action is to consider how public organisations might support the conditions necessary for social action to flourish outside, or beyond, the organisation's control. This approach recognises the intrinsic value of social action as defined and led – more or less from the bottom-up – by civil

society. It has the potential to lead to long-term forms of social action which originate in communities and are sustained by them.

Asset mapping is a helpful tool for researching local opportunities and barriers to social action. This might start with an audit of all social action projects in a local area, paying particular attention to informal groups often below the radar. A local authority could then work with a selection of these groups to commission a tailored package of support to help sustain and grow social action in their area. Such support may involve grants to develop community organising, the opening up of community spaces for people to gather and run activities, infrastructure support to help groups identify and access appropriate amounts of funding, incentives for people to take part in social action (e.g. through time credits systems, awards for volunteering, and promotion of National Citizen Service to young people), and the setting up of websites to support groups to access non-financial resources (e.g. Kirklees' Comoodle website).

D2: Commissioning for social action: What changes?

Commissioning for social action involves addressing some of the defaults of conventional commissioning. Table 1 contrasts the conventional approach with an approach which enables social action. The two extremes can be seen as two poles, with a lot space in between where the majority of actual public sector commissioning practices can be found.

We have found that focusing on outcomes and creating long-term value (across social, economic, and environmental costs and benefits), and working with citizens as equal partners throughout the commissioning cycle opens up options for social action to be part of the resulting activities.

Table 1. Comparison of commissioning approaches.¹

Conventional commissioning – default approach	Commissioning for social action – changed approach
Focuses on buying tightly defined services and activities that are specific to the service: for example, grass-cutting twice a month.	Focuses on commissioning for social, environmental, and economic outcomes – within the service and for the wider community.
Closes down space for social action, because commissioning is highly prescriptive and specifies which activities and outputs should be delivered and what the service should look like.	Promotes innovation and enables social action by moving away from over-specified services and asking providers and people using services to come up with ideas and activities to achieve the outcomes.
Focuses on unit costs and short-term efficiencies which encourages a race to the bottom on price and often represents a false economy. Social or environmental value is seldom assessed or scored during procurement and preventative activities are de-prioritised.	Promotes the creation of long-term value across social, environmental, and economic costs and benefits, and emphasises the importance of prevention, with an awareness of false economies.
Has a poor level of insight into what works and does not. Data requirements are led by needs and deficits, asking only what is wrong with an area or group.	Uses a range of methods to develop insight, exploring needs, assets, and aspirations to build a picture of what works and current strengths, as well as what support is needed.
Is hierarchical and paternalistic: people who use services are not part of planning or delivery, and solely professionals hold power .	Has co-production at its heart: the commissioning process is co-produced with citizens , and it is expected that providers will begin to co-produce their services with those intended to benefit from them.
Is rigid and inflexible: bids for services form the basis of contracts with set activities and outputs. Deviation from these is often considered a breach of contract. Little flexibility exists to adapt to changing local circumstances or ideas.	Is iterative and adaptive: continuous reflection and evaluation creates flexibility for services to be adapted to the interests, needs and assets of local people.
Is competitive and operates in silos: providers are in competition with each other and have little incentive to co-operate or work in partnership. Public sector organisations commission services separately with little awareness of overlapping outcomes and activities.	Is collaborative: promotes strong relationships across and between public sector organisations, providers, user-led organisations, the VCSE, civic groups, and residents. Often involves public sector partnerships, joint commissioning, and opportunities for providers to form alliances or consortia.

1 Adapted from original table in Slay, S. & Penny J. (2014). Commissioning for outcomes and co-production. London: New Economics Foundation. Retrieved from: [b3cdn.net/nefoundation/974bfd0fd635a9ffcd_j2m6b04bs.pdf](https://www.b3cdn.net/nefoundation/974bfd0fd635a9ffcd_j2m6b04bs.pdf)

D3: Social action at every stage: An annotated commissioning cycle

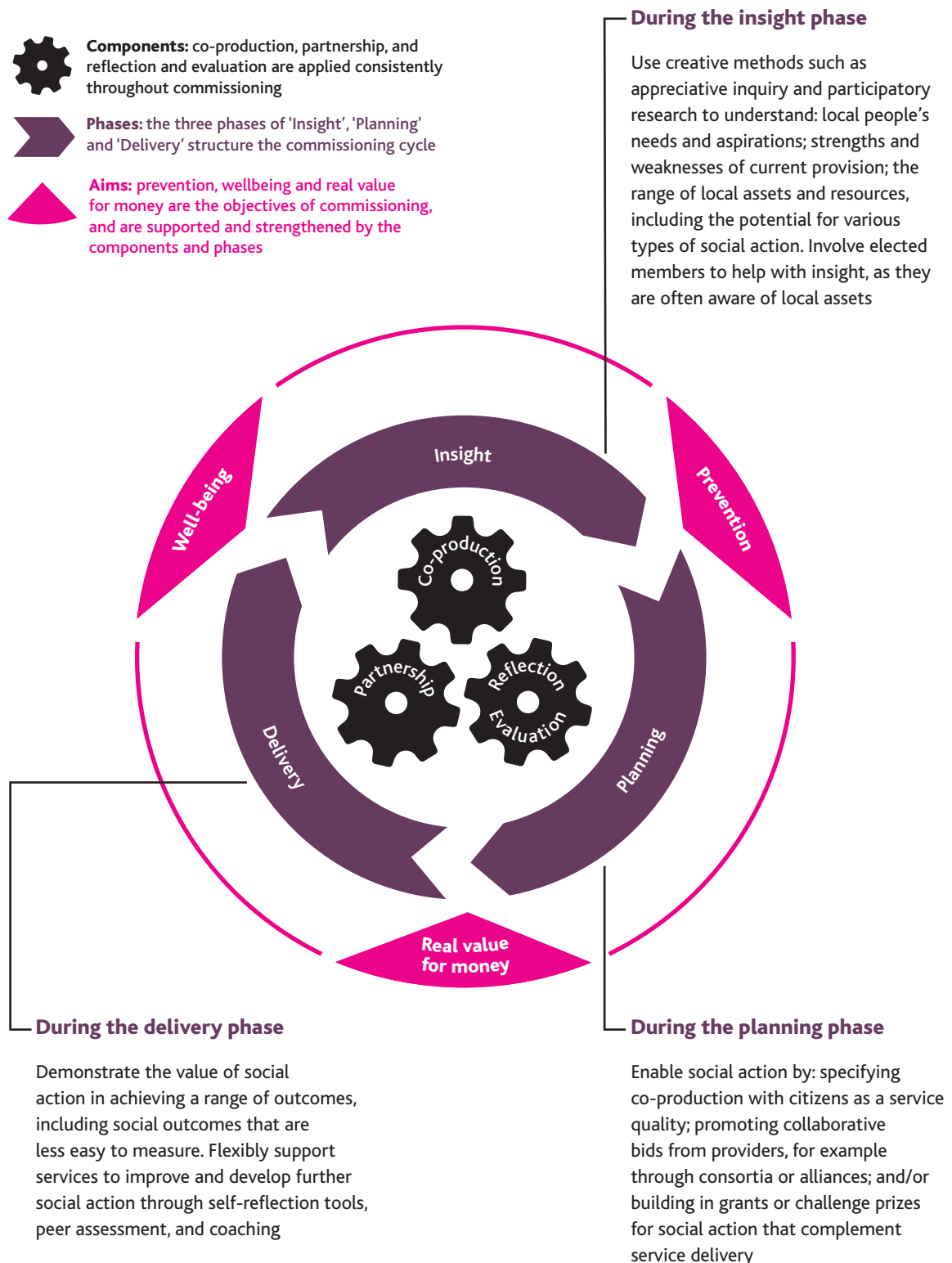
Commissioning for social action requires some changes to the commissioning process, most of which are already considered good practice. We annotate these changes on the commissioning cycle, using the commissioning cycle described by the New Economics Foundation in the guide 'Commissioning for outcomes and co-production' (Figure1).² This cycle is similar to many other recognised commissioning models, including the commonly used 'Analyse, Plan, Do, Review'. The main distinction is that reflection and evaluation are considered a component of commissioning, which is present consistently throughout the process, rather than featured at the end of the cycle.

The three phases of the cycle are:

1. **Insight**, in which commissioners aim to get beyond service data to develop a rich picture of how resources could be most effectively used
2. **Planning**, in which commissioners co-produce the outcomes framework and measurement approach with citizens, work with providers to build their awareness of social action and capacity to co-produce, and make decisions about funding and procurement
3. **Delivery**, in which commissioners monitor social, economic, and environmental value, gather insight to improve and adapt services over time, and co-produce service assessments with people who use the services

² Slay, S. & Penny J. (2014). Commissioning for outcomes and co-production. London: New Economics Foundation. Retrieved from: b3cdn.net/nefoundation/974bfd0fd635a9ffcd_j2m6b04bs.pdf

Figure 1. Annotated commissioning cycle.



D4: Creative methods for gaining insight

Commissioning for social action requires a different level of insight into the needs, assets, and aspirations of local people. This involves going beyond service data to develop a rich picture of how resources can be used most effectively. Commissioners have found useful these three creative methods useful for gathering insight.

1. Appreciative inquiry

Appreciative inquiry is an engagement approach based on three beliefs:

1. In every society, organisation or group, something works
2. The act of asking people questions influences them
3. People feel more confident to journey into an unknown future when they discover and carry forward the best of the past

The appreciative inquiry approach begins by asking what is already working, why is it working, and how can we make it better. It may not be 'services' that people are supported by, but other forms of networks and institutions which commissioners need to understand and engage with. It then proceeds by asking what people want to achieve and what their aspirations are. This helps people to construct a bridge between the best of what already is and the best of what could be. Examples of appreciative inquiry questions include:

- Tell me about a time when you felt proud of yourself
- Describe something you value about your life
- What are the positive aspects in your local area and how do you use them?
- What would you most like to see happen in your local area in the next year?

2. Peer research

Peer research is a way of designing and delivering a research project with the people who would usually be the objects of research. By training peer researchers in social science methods and working with them to set research themes, identify research questions, undertake interviews, and analyse the findings, you start to break down hierarchies and gain richer insights into people's lives and experiences. This can be especially effective in instances where there are cultural or linguistic barriers to understanding people's experiences.

Good practice in peer research involves:

- A clear process, laid out at the beginning. Peer researchers want to know what is expected of them, what they will get out of the process, and when they will be finished. Providing this right at the start enables people to make informed decisions about their participation
- Realism about time frames, striking a balance between having too little time (rushing the process) and taking too long (feeling too open ended with no finish line in sight)
- Continuing support, which can take the form of periodic meetings with the peer researchers to discuss how things are going, emails, telephone calls, or using a private Facebook page
- Letting go of power. To be a researcher is to be in a position of power. Peer research demands that the lead researchers give up their power to a great extent and position their views as those of a member of the group, not as those of its leader

3. Asset mapping

Asset mapping is a way of understanding the existing resources and support that people have access to, beyond conventional 'services'. An asset map is an assessment, often presented as an inventory, of what resources exist in an area that could be incorporated into the support provided by a service. Citizens, elected councillors, and public sector professionals can all participate in asset mapping. It is important to think of assets in the widest possible sense. Not all assets are tangible and easily counted – such as buildings or money, as important as these are. Assets include the skills, expertise, wisdom, time, energy, and relationships of people, associations, and organisations.

These are just three approaches which the commissioners we have worked with have found useful. Many other creative and effective methods for gathering insight exist. To discover further approaches, visit these websites:

- [Participation Compass](#) – a directory of methods for democratic engagement and citizen participation
- [SILK Method Deck](#) – a collection of methods, principles and prompt cards designed by Social Innovation Lab Kent (SILK) to support commissioners, designers and researchers alike to engage creatively with citizens

D5: Social action and procurement regulations

Commissioning for social action requires a level of flexibility and innovation that may seem hard to reconcile with procurement regulations. But this is often more about perception than reality. When commissioners engage early with procurement teams, they generally find that procurement processes are not a barrier. In fact, flexibility and innovation are considered good practice in procurement and are accommodated in the regulations.

Table 2 summarises key points from a selection of relevant regulations. Please note that it does not set out all the relevant rules and is not intended as a substitute for legal advice. It simply shows that, far from restricting social action and a co-produced approach to commissioning, procurement regulations are actually supportive.

Table 2. Procurement regulations.

Legislation	Purpose	Key points	Commissioning for social action	Further reading
Public Contracts Regulations 2015	UK regulation to support a modern, flexible, and commercial approach to procurement based on the EU Public Sector Procurement Directive 2014.	<ul style="list-style-type: none"> • Encourages contracting authorities to break contracts into lots to facilitate participation of smaller organisations. Under Regulation 46, local authorities are required to explain in writing decisions not to do so • Introduces the ability for public sector bodies to reserve certain 'services to the person' for organisations that have a public service mission; who reinvest profits to achieve their objective; and whose structure is based on participatory principles. Competition for certain contracts, mainly in the social and health sectors, can be 'reserved' for organisations such as mutuals and social enterprises meeting certain criteria • Introduces a new Innovation Partnership procedure, intended to allow scope for more innovative ideas. The supplier bids to enter a partnership with the authority, to develop a new product or service • Provides considerable scope to use competitive dialogue and competitive procedure with negotiation in cases where a contracting authority is unable to define at the outset the means of satisfying their needs • Clarifies that contracting authorities can incorporate social, ethical, and environmental aspects into specifications, contract conditions, and award criteria 	<ul style="list-style-type: none"> • Greater use of lots may make it easier for smaller community groups using social action to bid • The new Innovation Partnership procedure may benefit small organisations with innovative proposals, but who lack the resources to develop fully their solutions 'on spec' • Competitive dialogue enables commissioners to be less prescriptive at the outset and to negotiate with providers about aspects such as quality, quantities, social value and environmental impact • Promotes commissioning of mutuals, cooperatives, and other social organisations which 'require the active participation of employees, users or stakeholders', many of which draw on social action 	<ul style="list-style-type: none"> • Crown Commercial Service. (2015). <i>The public contracts regulations 2015: Guidance on provisions that support market access for small businesses</i> • Crown Commercial Service. (2015). <i>The public contracts regulations 2015: Guidance on changes to procedures</i> • Crown Commercial Service. (2015). <i>The public contracts regulations 2015: Guidance on social and environmental aspects</i> • Crown Commercial Service. (2015). <i>A brief guide to the EU public contracts directive (2014)</i> • These guides are available for download at: www.gov.uk/guidance/transposing-eu-procurement-directives

**Care Act
2014**

UK legislation focused on improving people's independence and wellbeing by clarifying the role of local authorities in providing care and support.

- Introduces a new statutory principle of individual wellbeing as the driving force behind care and support
- Emphasises prevention: local authorities and their partners in health, housing, welfare, and employment services must take steps to prevent, reduce, or delay the need for care and support for all local people
- Places a duty on local authorities to ensure that comprehensive information and advice about care and support is available to all when they need it
- Provides people who use services, and carers, with clear legal rights to a care and support plan, aimed at putting them in control of the care and support they receive
- Includes a statutory requirement for local authorities to collaborate, cooperate and integrate with other public authorities e.g. health and housing
- Supports the principle that care and support should be asset-based and connected to existing social action: local authorities commissioning care have to consider what services, facilities, and resources are already available (e.g. local voluntary and community groups), and how these might help local people
- Advises that commissioners work alongside people with care and support needs, carers, family members, care providers, representatives of care workers, relevant voluntary, user and other support organisations and citizens to find shared and agreed solutions to gaps in care provision
- The statutory guidance introduced under the Care Act specifically promotes the use of co-production in developing and delivering preventative approaches to care and support, putting together plans for universal information and advice, and market shaping

- Department of Health. (2014). *Care and Support Statutory Guidance: Issued under the Care Act 2014*. Retrieved from: www.gov.uk/government/uploads/system/uploads/attachment_data/file/315993/Care-Act-Guidance.pdf
- Department of Health. (2016). *Care Act Factsheets*. Retrieved from: www.gov.uk/government/publications/care-act-2014-part-1-factsheets/care-act-factsheets

Public Services (Social Value) Act 2012	<p>UK legislation to help commissioners get more value for money in procurement.</p>	<ul style="list-style-type: none"> Requires consideration of improvements which could be secured through procurement in the 'economic, social and environmental wellbeing of the relevant area' served by the contracting authority Can be used to stimulate pre-procurement dialogue between commissioners and providers on how best to increase social value through services 	<ul style="list-style-type: none"> Commissioners can ask bidders questions about how they will achieve social value that is in line with the contracting authority's strategies and policies. Promoting social action, social connectedness, and prevention can be among these policy priorities Commissioners can weight tender criteria to value and reward those providers who show a commitment to social value, for example through social action 	<ul style="list-style-type: none"> Cabinet Office. (2012). <i>Procurement policy note: Public Services (Social Value) Act 2012</i>. Retrieved from: www.gov.uk/government/publications/procurement-policy-note-10-12-the-public-services-social-value-act-2012
Localism Act 2011	<p>UK legislation to give local authorities greater freedom and flexibility, and communities more rights to make it easier for them to achieve their local ambitions.</p>	<ul style="list-style-type: none"> Includes a 'general power of competence' that gives councils freedom to do anything that an individual can do that is not specifically prohibited Gives communities the power to become more involved in the design and delivery of public services through 'the right to challenge' and 'the right to bid'. Community groups could use these rights to set up and run services 	<ul style="list-style-type: none"> The 'general power of competence' is designed to encourage councils to do creative, innovative things to improve outcomes for local people, without fear that this would not be allowed The community right to challenge is recognition of the valuable role that voluntary and community organisations can play in shaping public services. It prompts commissioners to consider these groups as potential providers which could improve services by bringing in social action Through the community right to bid, the Act enables commissioners to transfer local assets such as community centres, libraries, swimming pools, and village shops into community ownership 	<ul style="list-style-type: none"> Department for Communities and Local Government. (2011). <i>A plain English guide to the Localism Act</i>. Retrieved from: www.gov.uk/government/uploads/system/uploads/attachment_data/file/5959/1896534.pdf Department for Communities and Local Government. (2015). <i>2010 to 2015 government policy: Localism</i>. Retrieved from: www.gov.uk/government/publications/2010-to-2015-government-policy-localism/2010-to-2015-government-policy-localism

Equality Act 2010

UK legislation legally protecting people from discrimination. Covers procurement processes, as these are a public function of public bodies.

Introduces the duty to have due regard to the following:

- Elimination of discrimination, harassment, victimisation, and other analogous conduct
- Advancement of equality of opportunity between those who share protected characteristics and those who do not
- Fostering of good relationships between those who share protected characteristics and those who do not

- Supports an approach to procurement which recognises and responds to the diverse needs of communities, and encourages providers to advance equality and diversity

- Is consistent with co-producing commissioning and incorporating forms of social action, such as peer support, into service delivery which can promote diversity of involvement

- Equality and Human Rights Commission. (2013). *Buying better outcomes: Mainstreaming equality considerations in procurement – a guide for public authorities in England*. London: EHCR. Retrieved from: www.equalityhumanrights.com/en/publication-download/buying-better-outcomes-mainstreaming-equality-considerations-procurement-guide

Part of Enabling social action – tools and resources developed by the
New Economics Foundation in collaboration with the Office for Civil Society.
Available from www.gov.uk

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