

Modernising Commissioning Responses

NEW OPPORTUNITIES

In which public service areas could Government create new opportunities for civil society organisations to deliver?

(a) Sub-Question: What are the implications of payments by results for civil society organisations?

Consultation Responses:

There was a high volume of responses to this question. Respondents were supportive of outcomes based commissioning, highlighting that it would support the productivity challenge and would give providers the flexibility in how they delivered the outcomes.

However, there were significant concerns over a pure payment by results model. Key challenges included:

- Lack of working capital – particularly for small organisations. Linked to the sectors lack of business skills to produce financial models which would work in this system.
- Disproportionate level of risk sharing – with the contracting authority sharing a relatively low levels of risks.
 - This has the potential to increase the price paid by the public sector.
 - Could stifle innovation of new services or delivery methods, with only services which have been piloted receiving financial backing.
 - Could prove a disincentive to provide (particularly small organisations).
 - Additional effect on charities, as Trustees tends to be more risk adverse.
- Time scales – results are often achieved over a longer period than the contract is awarded for.
- Difficult to prove the specific intervention has created the result. This is particularly difficult with multi-agency and integrated services.
- Cherry picking/cream skimming – Providers may pick the service users closest to achieving the result paid for. No recognition of journey travelled by service users, which could adversely affect organisations working with the most disadvantaged.
- Monitoring - Significant monitoring requirement to ensure result has been achieved for each service user.
- Sustainability of provision – Could result in some providers going out of business.
- Over claiming potential results

Respondents suggested a number of ways in which these challenges could be addressed:

- Finance:
 - An element of payment by results and an element of upfront payment.
 - Gradual movement from front-loaded payment to payment by results, testing model and introducing incrementally.
 - Tiered model to reflect size and resources of organisations.
 - Social Impact Bonds.
 - Transitional funding, such as a recoverable loan.
 - Incentivise investors.
 - Develop insurance products against losses.
- Outcomes:
 - Should be defined by communities and service users.
 - Incentivise providers to set realistic outcomes.
 - Independent body to validate outcomes.
 - Measure full value.
 - Incentivise intermediate outcomes.
- Ensure it applies to in-house provision.
- Impact assessment should be carried out on Payment by Results across providers.

(b) Sub-Question: What public services areas could be opened up to more civil society providers? What are the barriers to more civil society organisations being involved?

Consultation Responses:

There was a significant level of response to this question. The majority of respondents felt nearly all service areas would be suitable for provision by civil society organisations, particularly where the relationship between the provider and service user is important. The majority of respondents felt that only areas of national importance and public safety should not be opened up. However, a small number of respondents did not support the opening up of public services. (A detailed breakdown of all service areas mentioned can be provided).

(c) 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?

Consultation Responses:

The majority of respondents felt there should be no limitation to areas, with a particular focus on community based services where services users and communities should have this right. One respondent felt it would be better to define a small number of services not included, rather than identifying what should be included. Some respondents called for the costs evaluation of in-house provision to be made available so potential providers could challenge appropriately.

While supportive of opening up public services, a small number of respondents felt that there was not need to a hard edge mechanism like Right to Challenge.

However, there were a limited number of respondents who had concerns about the Right to Challenge, highlighting:

- Can create instability in some services
- Dealing with the process could take up a significant amount of resources.
- Potential conflict of interest between services users and potential providers.

These respondents emphasised the need to encourage joined up services and to understand the link between different services.

(d) Sub-Question: 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?

Consultation Responses:

There was a difference in opinion among respondents. Some felt that most would need continued income streams, identifying libraries and community centres among this category. Others highlight that it is not about the type of asset but the liabilities and business sustainability (i.e. you could have one asset which is viable, but the same asset somewhere else or under different management may not be viable).

Key barriers identified by respondents included:

- Finance considerations, including lack of working capital, restrictive cash flow (especially where covenants limit the flexibility of use), uncertainty of future income streams, maintenance costs, lack of economies of scale and services which are unsuitable for charging service users.

- Complex tax and trading issues.
- Lack of skills and knowledge.
- Transfer of rundown asset leads to the transfer of a liability (rather than asset).
- Personal risk and liabilities.

A number of potential solutions were proposed, including:

- Co-locate with public sector services
- Local infrastructure organisation could support, train, advise or act as building managers.
- Ensure contract is for a minimum of 7 years and allows for diversity of income streams.
- Community bidders should seek a discount of up to 100% of unrestricted market value of property.
- Renovation and ongoing maintenance should be considered as part of the transfer.
- Need support beyond 'Right' – e.g. loans, incentives to asset owners, outcomes-based contracts paid in advance.

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

Consultation Responses:

Limited responses in relation to this question. Some respondents felt that mutuals were competitor to traditional civil society organisations and their profit motive meant that civil society organisations would not be able to work with them. They also felt that mutuals reinforces the division between professionals and users, resulting in mistrust and lack of transparency in complaints processes.

However, some respondents highlighted how this relationship could be improved. This included:

- Mutuals could be set up within successful civil society organisations.
- Share facts, figures and information.
- Ensure commissioners consider options and score bids on the basis of community and service user involvement.
- Mutuals should have inclusive governance structures and assets locks.
- Networking opportunities and possibly of mutual's could provide training to CSOs.
- Development and provision of a brokerage and mediation services.

(f) Sub-Question: What other methods could the Government consider in order to create more opportunities for civil society organisations to deliver public services?

Consultation Responses:

The majority on responses to this question relate to Chapter 2 and section on the National Programme for Commissioning (Chapter 4 – section G).

MORE ACCESSIBLE

How could Government make existing public service markets more accessible to civil society organisations?

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

Consultation Responses:

Responses overwhelmingly focused on winning contracts, rather than wider involvement in the commissioning cycle.

A small number of respondents felt that CSO should be given an advantage when bidding for contracts. For example, writing specification so that only CSO could win. However, the vast majority of respondents wanted a level playing field approach, rather than preferential treatment. This was reflected in the responses to the 25% quote. Although a small number of organisations supported this approach, particularly in service areas where there is currently very limited involvement of CSO, the vast majority wanted a commissioning environment which would allow everyone to compete equally. The provider who can deliver the best outcomes for citizens would win the contract.

The need to train and develop commissioners was a key theme. These included ensuring commissioners have an understanding of CSO, their needs, capacity and governance structures, and they should be visible to CSO. Commissioners also need to understand their role in market shaping, with respondents highlighting the need for a rich and diverse market to ensure the best possible outcome can be achieved. There was also a call for commissioners to have a greater understanding of key legislation and frameworks, such as EU procurement law and the Compact. Respondents also identified the need to incentivise commissioners to outsource services.

The capacity of CSO themselves was also identified as an issue by respondents. A number of respondents requested guides, tools and/or wider support for civil society organisations. This was particularly important for smaller organisations and linked to issues of scale. Where they do not have capacity – danger national coming in a losing local focus.

Call for accreditation – DH style set up.

A number of respondents indicated that local infrastructure organisations could provide support.

- Scale of contracts – Respondents felt that there is a drive towards increasing the scale of contracts and that this can immediately rule out small organisations from bidding. This was particularly noted in relation to prime contractor models used by the Department of Work and Pensions and the increased move for Local Authorities to jointly commission. Prime contractor models are further explored in section.
- Scope of contracts – In line with response to Chapter 1, respondents wanted a move away from rigid contract specification to a more permission environment which would allow innovation to achieve outcomes. There also called for the use of longer-term contracts in order that providers can really invest in the services they are delivering and have time to demonstrate outcomes.

- Procurement methods – Respondents felt that appropriate procurement approaches where not always used:
 - Overuse - Particular criticism of the use of framework contracts. Respondents believe that this approach freezes providers out of the market for significant periods of time and be difficult for specialist providers to get onto.
 - Underuse - Flexibility available when procuring Part B services and negotiated procedures could legitimately be used more often. There was also a suggestion to use citizen choice, rather than block commissioning.

- Assessment method:
 - Assess the competences and abilities of the management team, rather than simply what they say they will do
 - Enhance the use of references and case studies
 - Demonstrate citizen and service user involvement in services
 - Give value to the use of volunteers (rather than excluding them from bidding)
 - Value local knowledge and community links

- Simplifying and streamlining monitoring and reporting –Due to the holistic nature of support which Civil Society Organisations often provide, they can be in receipt of contracts from a number of different statutory bodies at the same time. Respondents highlighted that is an administrative burden as each funding stream has its own monitoring and reporting regime.

- There were a number of points specifically to relating to finance:
 - The requirement to have three years of accounts and typical procurement 25% working capital to award ratio.
 - Ensure full cost recovery is embedded in commissioning.
 - Role for grants – A number of respondents emphasised that grants should still be used where appropriate.
 - Need mechanism to accurately cost and value in-house services
 - Use favourable payment terms.
 - VAT charges in specific service areas mean organisations are at a competitive disadvantage.
 - Public liability insurance as a barrier

There were a number of points on the role of contracts in supporting and developing social investment market. Please see section [Big Society Bank section] for further information.

(b) Sub-Question: In the implementation of the abovementioned measures, what issues should the Government consider in order to ensure that they are fully inclusive of civil society organisations?

There was significant support from respondents to the measurements already taken by Government to support Small and Medium Enterprises (SMEs) to access contracting opportunities. In particular, they welcomed the joint approach to looking at barriers faced by SME and Civil Society Organisations at the same time. Respondents identified the following measures:

- Pre-Qualification Questionnaire :
 - A significant proportion of contracting opportunities are in the wider public sector and its agencies. Respondents requested that the standard PQQ be extended to cover all public bodies and agencies, in particular Local Authorities. [One query over the legality of standard PQQs to be discussed with OGC]
 - Number and level of questions should be proportionate to level of risk – CSOs have found that PQQ, and other contracting documentation, is extensive even when the contract is for a low risk, relatively small level of funding.
- Contracts Finder
 - As with the above, having all purchasers submit their contract and subsequent all sub-contracts on single portal would be advantageous.
 - Promote Contracts Finders on CSO websites.
 - Should be transparent notification process for contracts ending in 6-12 months time. This would allow time for organisations to prepare and consortia be formed.
 - Questioned link with Supply2Health
- Lean review
 - Promote the use of appropriate procurement methods – Respondents felt that inappropriate approaches were used. For example, highlighting that the flexibility with the Part B services and negotiated procedures could legitimately be used more often.
- Transparency
 - Promote the use of plain English in procurement documents.
 - Make available information held by statutory bodies.
 - Require statutory bodies to provide feedback on unsuccessful bids.
 - Enable review mechanism for sector (and others) to provide feedback to government on public sector contracting authorities.
- Appropriate due diligence (rather than private sector models)

Respondents had conflicting views on procurement timescales. Some felt they should be shorter in order to reduce the overall cost of bidding for services. Others felt that reduced timescales would prohibit consortia bidding and would put additional pressure on smaller organisations. However, in general, respondents requested greater lead in time and market consultation prior to the formal procurement process being initiated, but then shorter timescales from contract notice to contract award.

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

Consultation Responses:

Respondents highlighted a number of issues, many of which are highlighted in other areas of the document, in particular:

- {Simplify and streamline the monitoring and reporting requirements for contracts – Due to the holistic nature of support which Civil Society Organisations often provide, they can be in receipt of contracts from a number of different statutory bodies at the same time. Respondents highlighted that is an administrative burden as each funding stream has its own monitoring and reporting regime.}
- Streamlining procurement – In particular, not using full EU procurement process and timeframes when not required.
- Remove barriers to charities investing in each other.
- Remove barriers to introduction of participatory budgeting.

(d) Sub-Question: How can commissioners achieve a fair balance of risk which would enable civil society organisations to compete for opportunities?

Consultation Responses:

The key point made by respondents is the need for greater transparency over allocation of risk. Some respondents recommended the documentation of risk by both the commissioner and the provider. It was also suggested that Government should produce guidance on negotiating levels of acceptable risk.

A limited number of suggestions were put forward to mitigate any potential risk. These include the development of models which would provide low cost insurance to CSO and that the commissioner could 'underwrite' risks in certain areas.

(e) Sub-Question: What are the key issues civil society organisations face when dealing with TUPE regulations and what could government do, within existing legislation, to resolve these problems?

Consultation Responses:

TUPE was identified as a significant barriers to CSO involvement when opening up public services. The main issues raised by respondents related to transparency of information and the associated pensions implications (as part of Fair Deal Policy). Smaller organisations were particularly effected by TUPE particularly their capacity to accurately reflect risks associated.

Information on TUPE is not available early enough in the procurement process. One respondent highlighted that they only receive information on TUPE liabilities 14 days before the tender was due to be submitted. It would be helpful if bidders had a right to access this information earlier in the process. This would enable them to cost their service more accurately. It was also felt that TUPE makes organisations uncompetitive.

Redundancy costs, not able to include in contract value and barrier to market mobility.

A limited number of respondents felt that TUPE was not appropriate for services and only worked for goods. For example, a number of respondents highlighted that TUPE was used to transfer underperforming staff.

Pensions liabilities, particularly when staff were being transferred from public sector who often have higher levels of pensions than CSO staff, are a key issue. In particular, the reference to broadly comparable pensions.

In addition to points around transparency of information, respondents identified a number of measures which would address some of these issues:

- Regulations on disclosure of information should require disclosure to bidders, rather than the new provider. This could support to disclosure of information at an earlier stage.
- Develop insurance products to underwrite risk.
- Require public bodies to retain high cost liabilities i.e. pensions
- Make available free or low cost legal and financial advice for smaller VCS
- Increase length of contracts to make liabilities worthwhile.
- Fund for VCS including pay and benefits equalization fund

(f) Sub-Question: What issues should Government consider in order to ensure that civil society organisations are assessed on their ability to achieve the best outcomes for the most competitive price?

Consultation Responses:

Limited responses received in relation to this question. However, responses included the following:

- Supportive of Government commitment to consider price not cost.
- Need mechanism to respond to good ideas to solve problems during a contract - possible grants or co-production cycle with a budget held back for funding such agreements.
- Focus should be of effectiveness not erroneous and contradictory efficiency targets.

(g) 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?

Consultation Responses:

There was enthusiasm for the Big Society Bank and the development of a wider social investment market among respondents. A key theme which emerged was the need to get additional resources into the Bank. For example, using the Bank to ensure match funding from the private sector. There was also a call for commissioners to see themselves as social investors.

Respondents felt the Bank needs to be willing to take risks, which will mean that there will be some failure. It was suggested that there should be a portfolio approach, focusing on underdeveloped public service markets. This would support innovation.

A large range of activities were identified; from start-up/pump priming to supporting organisations working within new government rights and priorities. For example, it was recommended that the Bank should offer funding for Social Impact Bonds and support to organisations exercising their Right to Bid.

There was a call for the Bank not only to distribute loans, but to have a development grant element: while ensuring funding supports longer term independence rather than dependency. Others felt that this should be access to capital rather than loans.

There was some disagreement over the types of organisations who should be able to apply. Some felt that it should be restricted to organisational form, i.e. Community Interest Communities. For example, there was a recommendation to create a Social Enterprise Loan Guarantee Scheme and/or a Charity credit rating system. However, others felt that organisations should be able to apply even when partnering with public bodies for specific projects.

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

Consultation Responses:

Respondents saw the prime contractor model and the aggregation of contracts as key barriers to CSO involvement in public service delivery. Barriers highlighted primarily focused on the negotiating and

bargaining power of sub-contractors, in particular their power to negotiate favourable payment terms. The increase on the use of payment by results was seen to reduce this bargaining power further.

In addition, respondents would welcome the following:

- A method for smaller subcontractors to publicise themselves and meet themselves to Prime contractors.
- Prompt payment for sub-contractors

There were limited responses in specific relation to the Merlin standard. However, respondents with knowledge of Merlin felt that it would be beneficial to roll out the standard beyond central government.

There was a suggestion that the Office of Fair Trading or Competition Commission role in making sure larger contracts are not anti-competitive.

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

Consultation Responses:

The main theme was the difficulty in developing a conducive environment for consortia building, which is set within a competitive market. For example, the difficulties when there are pre-existing contracts already in place.

- Lack of defined frameworks – For example, there is a lack of understanding and awareness of Special Purpose Vehicles. Commissioners behaviour can sometimes add to this problem, as they require a lead consortia partner to be identified.
- Timescales are too short – require longer lead and time and notice for contracts. However, acceptance that consortia's built solely for a purpose of a specific contracting opportunity are not likely to be as successful as once developed over a longer period of time.
- Cost – fear of expensive legal arrangements and the additional costs of contract management.
- Governance and legal structures of Charities – Trustee resistance and constitution makes it difficult for them to build consortia.

A number of solutions were proposed:

- Template agreements
- Promote the role of umbrella organisations and local infrastructure bodies in encouraging consortia.

- Fund start-up costs
- Access to professional advice and brokerage services
- Improve incentives to collaborate.
- Messaging – highlight the positive benefits of consortia.
 - Frame as joining up diversity rather than seeking to homogenise.
 - Encourage to work together.

VALUE

How could commissioner use assessments of full social, environmental and economic value to inform their commissioning decisions?

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

Consultation Responses:

There was significant support for the consideration of full value, highlighting the need to focus on value rather than cost.

There was disagreement between responses on the use of Social Return on Investment models of the measure outcomes. Some felt it was very useful and predictive SROI models should be used in tender documents. Others felt that it should be amended or a new approach developed. Criticism focused on complex and time consuming nature of SROI, with respondents focusing on the difficulties small organisations have in using this method.

Some respondents felt that central government should prescribe the method to measure outcomes. Alternative methods recommended included quality accounts, link to well-being work being conducted by Office for National Statistics. Any new method should:

- Should be proportionate, flexible, easy to use and cheap.
- Be embedded in procurement processes – for example it needs to be comparable across bids or could have a specific procurement duty to consider full value.
- Involve or consider services users and communities – for example considering individual journeys (distance travelled by services users) and involvement of communities in scrutiny processes.
- Prioritising value– Some felt it should clarify which value is important (social, environmental or economic); others felt it should prioritise a particular value e.g. social capital over cost, or quantifying the value of contracts to the UK or local economy.
- Address issues of decommissioning.
- Needs to operate across boundary silos.

Some respondents identified additional barriers, including:

- Siloed commissioning – Needs to be a mechanism to incentivise commissioners to think beyond their own budget. For example, a method of trading budgets against benefits between agencies.
- Cost – Quantifying full value can be expensive over time, particularly if it is heavily focused on consulting beneficiaries.

Respondents felt there was a need to up skill commissioners and the sector to identify and measure full value.

Some respondents also suggested that a review of the legislation around 'best price' and 'best value' would be timely to remove the barriers currently to valuing the service input from CSO.

(b) Sub-Question: What issues should Government consider in taking forward the Public Services (Social Enterprise and Social Value) Bill?

Consultation Responses:

Respondents were broadly very supportive of the Bill, with a number of respondents highlighting that it should be strengthened. Additions are amendment proposed included:

- Strengthening of requirement to involve service user in defining value. The current requirement to consider consultation was considered to be too weak.
- Should include social in value in the actual contract, to ensure added value of the sector is recognised.
- 'Relevant to the subject of the contract' should be removed, as it leaves too much room for contracting authorities to say it is not relevant.
- Equality proofing should be added to the Bill.

A small number of respondents supported the measurement of full value, but felt that the Bill conflicted with Government commitments to reduce red tape to Local Authorities.

CITIZEN AND COMMUNITY INVOLVEMENT

How could civil society organisations support greater citizen and community involvement in all stages of commissioning?

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

Consultation Responses:

Respondents felt that it was important the local HealthWatch engage with existing CSO, ensuring that different equalities groups are heard; while also highlights that this should not be the only form of engagement with the CSO. In particular, this should not be the only mechanism for CSO to engagement with GP consortia.

They highlighted that HealthWatch bodies should be independent from local commissioners and should be confident in their ability to commission advocacy services.

(d) Sub-Question: What issues relating to civil society organisations should the Government consider when refreshing the Joint Strategic Needs Assessment Guidance?

Consultation Responses:

JSNA guidance should highlight the role of CSO as a way to involve communities in JSAN. Ensure accountability to communities.

It should indicate that the assessment should be both qualitative and quantitative, building on both the data held by CSO and

This could be supported by including formal representation from CSO on Local Health and Wellbeing Boards.

There was also a call for increased awareness among CSO of the key role which JSNA plays in local commissioning and a request for training and support to be provided to CSO so that they are able to engage.

There was a interested suggestion that JSNA should move to a capacity assessment.

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

Consultation Responses:

A number of respondents emphasised the key role that the sector play in ensuring the voice of the hard to reach is heard. Building on this, it was important that they have a role in need identification. For example, CSO involvement in Joint Strategic Needs Assessments. They felt that community and

citizen involvement in decision making could be part of the quality assurance approach when delivering services.

A slight tension arose in some of the responses, between CSO as providers and CSO as organisations representing service users and communities. Some respondents felt that it was inappropriate for organisations to perform both function. However, the majority felt a balance could be struck and that these organisations can provide a valuable insight. There were issues around engaging in needs assessment and then bidding to provide a service. This could result in the provider being excluded from any commissioning processes.

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

Consultation Responses:

Respondents recognised the vital importance of strong working relationships between CSO and statutory partners. This would require a culture change from statutory partners and CSOs. The incentives to engage need to be considered, particularly when funding is decreasing. Respondents felt there is a need for face-to-face local engagement and this needed to take place on equal terms.

Some respondents requested direct central Government action to address this, including mandatory guidance. Other possible options to improve this relationship included the following:

- Secure funding frameworks.
- Engaging with elected members of local infrastructure organisations.
- Developing a network of local Compact groups.
- Having a single point of contact within the statutory organisations.
- Peer support on improving relationships.
- Funding available locally to develop relationships

(g) Sub-Question: What issues should government consider in the development of the future programme of training public service commissioners?

Consultation Responses:

Responses to this question were broadly in line with responses to Chapter 2 on making opportunities more accessible.

Key elements:

- Improve commissioners understanding of CSO – For example, promoting staff exchanges.

- Improve commissioner's knowledge of different procurement methods – including, myth busting on EU procurement rules, promoting flexibility in requirements under part B services, promotion of competitive dialogue. This should include information on managing conflicts of interests.
- Improve commissioner understanding of market development – this could include basic training on market economics, understanding what drives competition. For example, local commissioners could be trained by economic development professionals.
- Demonstrate ways to engage the community
- Improve understanding of equality issues – how to equality-proof commissioning processes and the importance of collecting appropriate data to identify equality groups in the local area.

There was also a number of overarching messages highlighted:

- Recognised the value of consortia.
- Continued role for grants.
- Importance of allowing providers to make a profit in order to ensure improvement in service delivery.
- The measurement of full value (cross reference Chapter 3).
- Recognised what works in one area may not work in another.
- Promote the role and benefits of using volunteers.

Involvement in the programme should be expanded to include local Councillors and Prime Contractors.

(h) Sub-Question: What can civil society organisations contribute to the roll out of community budgets? What barriers exist to realising this contribution? How can these barriers be removed?

Consultation Responses:

Respondents indicated that CSO could contribute to Community Budgets. For example, improving trust by brokering conversations.

In order to realise this potential, respondents included the need for the following:

- Provision resources to support involvement.
- Appropriate timescales.

- Buy-in from local elected members.
- Build integrated teams.
- Increase engagement from Whitehall, with a clear role for different departments.

Some respondents expressed concerns that community budgets would increase inequality. For example, when services are less popular with local communities (e.g. drug recovery services) and where there are vested interests.

(i) Sub-Question: What can civil society organisations contribute to the roll out of Local Integrated Services? What barriers exist to realising this contribution? How can these barriers be removed?

Consultation Responses:

There was support for the idea of Local Integrated Service, with integration of services being seen as the 'holy grail' of public services. A key barrier was the lack of common respect and trust. CSO could broker conversations to support LIS. Respondents focused on the need for this approach to be bottom up to ensure services were owned by communities and should involve communities of interest, as well as geographical communities.

(j) Sub-Question: What can civil society organisations contribute to the development of Free Schools? What should Government consider in order to realise this contribution?

Consultation Responses:

Respondents indicated that CSO could support Free Schools. For example, to need their obligations to marginalised groups (Special Educations Needs). They also believed that schools could support the local CSO by maintaining a register of CSO who could provide them with support.

There was a call for Free Schools to be accountable to the local community as they are community assets, either through direct community control or through a partnership approach, with formal requirement for joint working.

(k) Sub-Question: What contributions could civil society organisations make to the extension of personal budgets across a range of service areas? What changes do both commissioners and civil society organisations need to make to adapt to an environment where citizens are commissioning their own services?

Consultation Responses:

The majority of respondents felt that CSO could have an active involvement in promoting and rolling out personal budgets, in particular the role they could play in increasing take-up. Another key theme was their role in the provision of information, advocacy and support.

A small number of responses felt that personal budgets were a barrier to CSO engagement in adult social care. The majority, while supportive of personal budgets, felt there was a need for some transitional arrangements to support CSO to make the transition from block contracts to a consumer choice market. For example, smaller organisations in particular will find it difficult to plan service when demand level is unknown. Suggestions included a more gradual shift away from block contracts and capacity building support, for example understanding business models and marketing. Some this transition support should be provided directly by government and other emphasised the role of local infrastructure organisations.

The majority of respondents believed that the use of personal budgets should not be defined by commissioners. For example, personal budget holders should be able to buy services which fall outside the standard delivery models and purchase for providers outside the health and social care sector.

They also pointed out that some support services would only be broad line viable and some support from commissioners would be required to sustain the service. This is important when considering specialist services. Other services would only be viable because of the presence of self-funders.