

Modernising Commissioning Green Paper Consultation

Responses from Staffordshire County Council and Tamworth Borough Council

NEW OPPORTUNITIES

In which public service areas could Government create new opportunities for civil society organisations to deliver?	
Objective: To drive efficiency, effectiveness and innovation in public services by opening more public service areas to civil society organisations	
1. What are the implications of payment by results for civil society organisations?	<p>Volunteer organisations generally need their establishment expenses to be covered and some small thank you provided.</p> <p>I think many providers are nervous of PBR and pilots need to be run responsibly to identify potential flaws in payment models and 'attributable outcomes'. There are real concerns that payment wholly by results could render certain services as too high a 'risk' to deliver depending on how they are managed.</p> <p>Is this Compact compliant? Many organisations need payment in advance to survive financially. Also to help get projects off the ground. Payment on results would disadvantage smaller groups significantly – although this can be built in as long as payments are in advance.</p>
2. Which public services areas could be opened up to more civil society providers? What are the barriers to more civil society organisations being involved?	<p>Litter picking, volunteers do it better but need gloves and disposal bags and a central disposal point that the council can empty at least once a week.</p> <p>Potentially I think many current maintenance services and in particular could be run under an employment creation type social enterprise model, from highways and estates management to ICT support and refuse collection/recycling. Many of these could offer options to re-train unemployed local people on a work placement basis and by generating income from their activities become self supporting.</p>

	<p>Bureaucracy of procurement/commissioning processes Lack of expertise within civil society sector in completing for contracts Disproportionate levels of risk Lack of understanding on part of procurement/commissioning staff with regard to civil society organisations and value they can bring.</p> <p>Health, leisure, care, partnership working, capacity building, volunteering, business links, housing, benefits advice.</p> <p>Barriers – not trained and always ready to run with new areas – workforce needs up skilling. Often no strategic links or ability to complete tenders. Groups can be precious about there own areas and don't always work in partnership.</p>
<p>3. Should Government explore extending the right to challenge to other local state-run services?</p> <p>If so, which areas and what benefits could civil society organisations bring to these public service areas?</p>	<p>Yes. Local people should be allowed to bid for local mowing contracts and hedging and ditching. These are tasks that retired/unemployed people would welcome being paid to do.</p> <p>Yes</p> <p>Yes – if done correctly and transparently.</p> <p>They will do it well as they are motivated to look after their own environment.</p> <p>Great contestability would almost always promote better value solutions.</p> <p>Efficiency and closer to communities. Value for money in some instances.</p>

<p>4. 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?</p> <p>What are the main barriers that prevent civil society organisations taking over asset-based services?</p>	<p>Most village Halls are run locally. They receive minimal support from the local council and rely on their own fund raising efforts to maintain their facilities. If public services to the community are based in the Hall, that will increase the Halls financial viability. The more bookings a hall gets, the less funding support it will need.</p> <p>Not sure</p> <p>Yes – most of the large organisations funded get peppercorn rent and are dependant on contracts from the public sector, most groups do not generate income.</p> <p>A strong ly motivated management committee is important and here again, retired residents are the key. They can provide the experienced folk needed to look after every aspect of the assets activities.</p> <p>No income being generated, lack of trading arm, lack of partnership working, lack of core funding.</p>
<p>5. How can we encourage more existing civil society organisations to team up with new employee-led mutuals?</p>	<p>Local assets that are maintained by volunteers can be greatly helped if employee–led mutuals use them as a base for their activites.</p> <p>Provide sound advice on how to do so (and therefore encourage employees to make the leap from what they will perceive to be perhaps a more secure option.</p> <p>Building trust, training, meetings, sell the benefits for both parties.</p>

<p>6. What other methods could the Government consider in order to create more opportunities for civil society organisations to delivery public services?</p>	<p>Promotion of models where this has been done successfully, some kind of dedicated expertise or support function to assist with this process.</p> <p>In addition to legislative changes to procurement practice, government needs to promote a cultural change within public sector procurement and commissioning. The removal of the specific procurement duties from the Equalities Act has meant that, in practice, there is less leverage to persuade procurement officers/ commissioners of the need to engage effectively with civil society organisations – who are often best placed to deliver services to disadvantaged and marginalised groups.</p> <p>Clear guidance would be welcomed from government to explicitly spell out the expectations on public sector procurement and commissioning, which provides a steer with regard to ensuring we stay within legislative boundaries, whilst opening up opportunities to new, smaller providers.</p> <p>Work with the CVS's to build sector capacity – they need funding to do this and are best placed in this role locally.</p>
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MORE ACCESSIBLE

How could Government make existing public service markets more accessible to civil society organisations?	
Objective: To address practical, regulatory, legislative and cultural barriers to market entry in existing markets, with a particular focus on barriers that affect civil society organisations.	
1. What issues should commissioners take into account in order to increase civil society organisations' involvement in existing public service markets?	<p>Use local media like parish magazines to recruit volunteers. The next best avenue is the free circulation local papers</p> <p>Issues for commissioners to take into account: Provision of service for potentially disadvantaged and excluded groups – often civil society organisations are best placed to provide the most effective service to these groups. Ensuring flexibility of commissioning process to enable civil society organisations to compete on a level playing field with larger competitors. Taking a proportionate approach to risk management to avoid overly burdening civil society organisations.</p> <p>Training and capacity building of the sector. Additional funding Increasing volunteers.</p>
2 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?	<p>Parish magazines are faith based. How does the government get to the other half of society? Free papers again tend to target the higher value properties in an area because that is what the advertisers want. Leaflet drops around social housing may do the trick.</p> <p>Ensure that opportunities are promoted across the full range of civil society organisations – to include organisations which are BME led, LGBT led etc and targeting those organisations which are typically under-represented as paid providers of public sector services (e.g. faith based organisations).</p> <p>Small grants and small pots available.</p>

	Training in tendering. Training in partnership and consortium bids Grass roots pots.
3. What issues should the Civil Society Red Tape Taskforce consider in order to reduce the bureaucratic burden of commissioning?	Keep it simple. Make monthly payments by direct debit and build in a cancellation clause in the event of none performance. Allow funding for core costs and grant giving. Don't establish task forces for the sake of something simple! Feedback from the sector.
4. How can commissioners achieve a fair balance of risk which would enable civil society organisations to compete for opportunities?	Easy community based tasks are not difficult to achieve. Risks are low and management by exception can be built into the process. Proportionate reporting and application dependant on size of commission Fair time limits and training where necessary.
5. 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?	If civil society is to take over any government provided tasks, TUPE will make the whole process very protracted and more likely to make the newest recruits the most vulnerable. Communicating with the relevant organisations and identify issues early on. De jargonise and simplify legislation – TUPE advisors for free or helpline.
6. 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?	Can they do the job? Do they want to do the job? How can they be motivated? Fair and transparent tendering – knowledge of the sector and local issues.
7. 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?	The BSB should pay the direct debits. Loans at a low rate may not be as attractive as grants as many organisations do not generate income – grants are a necessity.
8. What issues affecting civil society organisations should be considered in relation to the extension of the Merlin Standard across central government.	? Don't know enough about this to answer.

<p>9. What barriers prevent civil society organisations from forming and operating in consortia? How could they be removed?</p>	<p>Varying objectives, lack of knowledge of what the other organisations are able to do and want to do.</p> <p>Time and trust – there always needs to be a lead organisation.</p> <p>Build trust and give proper time to build consortia or trading arms.</p>
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VALUE

How could commissioners use assessment of full social, environmental and economic value to inform their commissioning decisions?	
Objective: To enable commissioners to make strategic commissioning decisions on the basis of a full understanding of the social, environmental and economic impact.	
1. What approaches would best support commissioning decisions that consider full social, environmental and economic value?	<p>Use local people for local services. In many instances they are already doing it, but it is not acknowledged.</p> <p>A specific procurement duty in the Public Sector Equality Duty would be useful to emphasise the requirement to consider wider social issues in the procurement of services, in addition to just considering monetary cost. (In the latest consultation on the Public Sector Equality Duty, it appears that the intention is to remove the specific duty around procurement). Although procurement will be covered by the general duty, the removal of the specific duty may give the impression that there are not specific steps that procurement and commissioning need to take to ensure that social value is considered. There is a tendency for commissioners to view the consideration of social value as being 'best practice' rather than being a compulsory part of the mainstream approach.</p> <p>This could create more red tape if we're not careful – organisations already have to complete risk assessments, EIA's and development plans & measure their social value. We must be careful not too overload capacity of the sector.</p>
2. What issues should Government consider in taking forward the Public Services (Social Enterprise and Social Value) Bill?	<p>Do not just reshuffle the cards. Only change things that are not working economically.</p> <p>Talk to the sector first and foremost – do we need a Bill?</p>

CITIZEN AND COMMUNITY INVOLVEMENT

How could civil society organisations support greater citizen and community involvement in all stages of commissioning	
Objective: To enable civil society organisations to support and facilitate the increased involvement of citizens and communities in commissioning	
1. What role and contributions could civil society organisations place, through Local HealthWatch, in informing the local consumer voice about commissioning?	<p>Have no experience of Local HealthWatch, Guessing that it will be expected to find out who in the community is vulnerable and needing help</p> <p>New groups need to feed into locality working and what already exists as consultative groups.</p>
2. What issues relating to civil society organisations should the Government consider when refreshing the Joint Strategic Needs Assessment Guidance?	<p>Volunteers have very different motivations to paid staff. Some tasks are best carried out by paid staff.</p> <p>Including specific guidance on ensuring that a representative range of civil society organisations are engaged with and involved in informing the JSNA (e.g. to include LGBT organisations, BME organisations etc), to ensure that marginalised and potentially disadvantaged voices are heard.</p> <p>Keep it simple, plain English and only key questions.</p>
3. How could civil society organisations facilitate, encourage and support community and citizen involvement in decision making about local priorities and services commissioned?	<p>By getting feedback through the district and Parish councils.</p> <p>They do this where councils are commissioning in the right way already and working in partnership with the sector. For example seats on the Commissioning Board, involvement in consultation.</p> <p>New community budgets might help and participatory budgeting.</p>

	They can be in a position of trust (See bridge between two worlds document).
4. What forms of support will best enable statutory partners and civil society organisations to improve their working relationships?	<p>Volunteer groups need a coordinating figure who can ensure the task does not become too onerous. People will give one day a month happily but if asked to do too much, they will pack it in.</p> <p>Funding, trust, training, communication, building consortiums.</p>
5. What issues should the government consider in the development of the future programme of training public service commissioners?	<p>Do not underestimate the value of rota. Commissioners need to learn how best to arrange them. Commissioners should learn how to show Volunteers that they are valued.</p> <p>Ensuring that principles of equity, diversity and human rights are included as a basis for all training, to ensure that commissioners fully understand the context in which they are operating.</p> <p>Explicitly emphasising the role that civil society organisations play in ensuring that the voices and needs of the most disadvantaged, marginalised and excluded voices are heard and responded to.</p> <p>Providing guidance and clear instruction on how social value can be considered without breaching procurement or commissioning legislation.</p> <p>Utilise the knowledge that is already available – ask the sector for examples of best practice and talk to them about implementation.</p>

<p>6. What can civil society organisations contribute to the roll out of Local Integrated Services?</p> <p>What barriers exist to realising this contribution?</p> <p>How can these barriers be removed?</p>	<p>They need to be encouraged to voice their opinions on the services that they feel they can do better themselves.</p> <p>Fear that the job maybe too much for them. If recruited in numbers and when properly organised, the commitment is then not too onerous and affords the volunteers some flexibility as they can swap duties to suit their circumstances if something pops up.</p> <p>They are the best placed to work with and understand the needs of communities in many instances.</p> <p>Stability and longer term funding.</p> <p>Provide the above!</p>
<p>7. What can civil society organisations contribute to the development of Free Schools?</p> <p>What should government consider in order to realise this contribution?</p>	<p>Free schools need very committed parents . However they will change as their children move on. So however enthusiastic the initial team are, what happens in 5 year's time? Have the governing body been properly established to achieve the correct amount of knowledge, experience and commitment in the long term?</p> <p>Help with training and understanding locally</p> <p>Local need – how many in each area?</p>
<p>8. What contributions should civil society organisations make to the extension of personal budgets across a range of service areas?</p>	<p>Care for the elderly is often done automatically in the community. The only difficult cases are the recluse. A sense of responsibility in the community is worth encouraging.</p> <p>Allowing people more freedom of choice – new organisations may set up according to need, smaller organisations also get a look in.</p>

<p>What changes do both commissioners and civil society organisations need to make to adapt to an environment where citizens are commissioning their own services?</p>	<p>The very old and the very young are not in a position to do this themselves. If a community wants to do something itself, then it needs encouraging but they cannot be forced to do it.</p> <p>This is a big step and would need careful planning and consultation. Are advocates required?</p>
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