

Modernising Commissioning: Green Paper

Consultation Response

From: Faith based Regeneration Network – Civil Society Organisation

Introduction

The Faith based Regeneration Network is a nationwide charity supporting the social action of all faith traditions particularly the nine traditions recognised by government. The Faith based Regeneration Network aims to:

- a) assist the development of good practice in faith based community development, regeneration and social action, by linking practitioners to share good practice and for mutual encouragement
- b) act as a means of communication and contact between practitioners in communities, and those who make and implement public policy, in order to improve the context in which faith based community development, regeneration and social action takes place.

The majority of our members are organisations and projects involved in local faith based social action often in partnership with other civil society organisations as well as statutory services. Commissioning and delivery of bespoke services will become a concern for these local groups who carry a unique relationship of trust with the local community through the long term provision of community services.

This response to the consultation document follows the format of the questions raised in the green paper.

Consultation Response:

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

- a) What are the implications of payment by results for civil society organisations?
 - (1) Civil society organisations will require a level of capital and revenue investment in order to participate if payment is always in arrears.
 - (2) Measuring of results should not be based just on lower costs, quality of service delivery needs to be considered.
 - (3) In order to generate quantity of results a civil society organisation may need to extend beyond its current geographical remit, this could be problematic because of the governing document. This is of particular for a faith based organisation under threat of losing current contracts.
- b) Which public services areas could be opened up to more civil society providers?
 - (1) Those which naturally fall within the concern of civil society organisations.
 - (2) For faith based organisations these will include any service provision for children young people, families, elderly, health, education, policing, environment, employment. There could be a danger organisations bid for services to secure funding but are unable to deliver through lack of knowledge and expertise. There is a danger a civil society organisation will diversify beyond the remit of its objectives.

- ii. What are the barriers to more civil society organisations being involved?
 - (1) Fewer resources with which to compete with others at the commissioning table.
 - (2) Lack of understanding by commissioners of the working practices and values of faith based organisations leading to discrimination.
- c) Should Government explore extending the right to challenge to other local state-run services?
 - (1) If this option is not in place there could be a danger of establishing a two tier system of services, the danger being those delivered through civil society organisations are not considered as important as those run by the state.
- ii. If so, which areas and what benefits could civil society organisations bring to these public service areas?
 - (1) Until it is clear which services will be included it is difficult to suggest others.
- d) 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?
 - (1) Providing due transfer processes are followed existing tenancies should be protected and therefore able to continue.
 - (2) Current income from service contracts would need to be agreed for all parties to secure a sustained service.
- ii. What are the main barriers that prevent civil society organisations taking over asset-based services?
 - (1) Lack of skill and expertise in managing assets.
 - (2) Lack of opportunity to develop appropriate skills.
 - (3) Lack of understanding to assimilate the service with core values.
 - (4) Lack of trust placed in the civil society organisation by statutory bodies.
- e) How can we encourage more existing civil society organisations to team up with new employee-led mutuals?
 - (1) Financial incentives that will enable civil society organisations to take necessary risks in order to develop new partnerships.
 - (2) Clear and shared value base so the objectives of both civil society organisations and mutuals can be met through partnership.
- f) What other methods could the Government consider in order to create more opportunities for civil society organisations to deliver public services?
 - (1) Free and local training to skill up civil society organisations, this could be free at the point of delivery but 'paid back' into a training fund once income levels reach an agreed point as a result of successful commissioning.
 - (2) Bespoke mentoring to support organisations delivering services, financed through the training fund.
 - (3) Time limited shadowing by civil society organisations prior to taking on the running of a service.

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

- a) What issues should commissioners take into account in order to increase civil society organisations' involvement in existing public service markets?
 - (1) Commissioners need to understand the nature of civil society organisations and be willing to accept that service delivery might look different if civil society organisations are involved.
 - (2) There needs to be an acknowledgement that civil society organisations deliver professional services.
 - (3) Civil society organisations are often small and do not have the financial or staff capacity to negotiate in the same ways as larger potential commissioning bodies. However their size may be their unique selling point, and ensure that the services they do deliver are in direct response to local need, and involve local people in bringing about necessary change.
 - (4) Civil society organisations need to believe and demonstrate that they offer the best professional service, and not be treated as a cheap option.
- b) 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?
 - (1) It would be helpful if government could publicly encourage and support those civil society organisations, such as faith groups who are often unfairly disadvantaged simply because their social action stems from faith based principles.
- c) What issues should the Civil Society Red Tape Taskforce consider in order to reduce the bureaucratic burden of commissioning?
 - (1) Simplification of reporting and accounting processes. These need to be robust, but not so complicated and time consuming as to create disproportionate amounts of work for staff. Many civil society organisations will not have staff with a sole responsibility for reporting.
- d) How can commissioners achieve a fair balance of risk which would enable civil society organisations to compete for opportunities?
 - (1) Commissioning applications need to identify and show how risk will be managed.
 - (2) It would be helpful if some support were available to ensure risk management is possible. Civil society organisations are used to living with risk, but may not be used to managing risk in the ways that would be required by commissioning bodies.
 - (3) Commissioners will need to decide the levels of risk against potential improved services over a period of time and monitor these for that length of time.
- e) 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?
 - (1) TUPE regulations may be a new experience for civil society organisations. There needs to be clear understanding about what is required and why.

Local civil society organisations should be able to source their own access to support once it is clear that they will need to do so.

- f) 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?
- (1) Government should look at track records and seek references.
 - (2) Government needs to clearly outline the monitoring requirements and ensure that these include more than just best value for money.
 - (3) Criteria for success need to include things civil society organisations do well such as: local service delivery, understanding local needs and concerns, ability to respect the customer/client for what they offer not just what they need, customer involvement in service delivery and organisational management.
 - (4) Applicants should be encouraged to identify how they will meet the targets sets and what added value they will provide to enhance the service.
 - (5) Contracts should not necessarily go to organisations who provide the cheapest service, but those who provided the best possible service for the customer/client.
 - (6) Contract bids should show full salary and oncosts, demonstrating fair payment to staff.
- g) 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?
- (1) A range of loan systems to meet specific needs in relation to commissioning such as start up funding; training budgets; funding for capital costs.
 - (2) Fair system of loan repayments at low interest rates and dependent on income levels.
 - (3) Opportunities to invest in a Big Society bank to increase shared ownership across sectors.
- h) What issues affecting civil society organisations should be considered in relation to the extension of the Merlin Standard across central government?
- (1) Standards are essential if service delivery is to improve and small to medium delivery organisations are to receive the credibility they deserve.
 - (2) Civil society organisations need to meet quality standard requirements across a range of criteria demonstrating they are fit for purpose.
 - (3) Acceptable quality standard marks need to be published by government and each regarded equal allowing civil society organisations to choose one best suited to its own requirements.
 - (4) Quality standards should be assessed independently of government.
- i) What barriers prevent civil society organisations from forming and operating in consortia? How could they be removed?
- (1) Fear that a consortium will either take over the running of the civil society organisation or out strip it in the market.
 - (2) Fear that the consortia will force the civil society organisation to work in ways not compatible with its governing document.
 - (3) Lack of staff time particularly in small civil society organisations to enable proper working relations across a consortia.

- (4) Many civil society organisations are used to working well in partnerships and have good track records to bring to a consortium. Consortia need to be set up with very clear remits, expectations and boundaries.

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

- a) What approaches would best support commissioning decisions that consider full social, environmental and economic value?
 - (1) In defining value it will be necessary for commissioners to take account of all the 'values' that contribute to well being both for individuals and communities. This will include spiritual value which is described as the impact spirituality – in its many forms - has on well being of individuals. Spiritual value can be a helpful term used to identify the credibility and importance of spirituality alongside other popular 'values'. Spiritual value is not associated with any particular faith tradition. It can be calculated in monetary terms for example in the impact of positive mental health among people who are members of a faith community as a result of the social and worship activities of that community.
 - (2) Valuing groups and individuals will require respect and acceptance of diversity; this should be a clear assessment target in determining commissioners' decisions.
 - (3) It will be imperative that commissioners ensure assessments take account of the needs of disadvantaged groups, ensuring that the needs are met in a way that ensures people can come out of or reduce the disadvantage they face.
 - (4) Added value may need to be interpreted in monetary terms but should not be reduced to purely economic understanding.
- b) What issues should Government consider in taking forward the Public Services (Social Enterprise and Social Value) Bill?
 - (1) The Bill has the potential to ensure fair community involvement in decision making, but if the priority is to reduce costs there will always be a danger that best value ignores the added benefits local civil society organisations bring to service delivery. Best value may need to be assessed over a period of time to ensure that new social enterprises are able to compete for business. New organisations may take between 3-5 years to become established and during that time are very vulnerable to fluctuating markets and bigger competitors. Government could consider strategies and policies for taking on the risk of involving new enterprises alongside long and short term cost reductions.

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

- a) What role and contributions could civil society organisations place, through Local HealthWatch, in informing the local consumer voice about commissioning?
 - (1) It has been proved that engagement with a faith community can reduce poor physical and mental health (B Gail Frankel Perry 1998, A Jewell 2003, de Souza 2009). Faith communities should be encouraged and supported in their social action and practical health benefits measured (eg

- the savings to police and accident and emergency units through the work of Street Pastors)
- (2) Faith communities should be encouraged to contribute to commissioning debates from their knowledge of the local community and experience in reducing inequalities.
- b) What issues relating to civil society organisations should the Government consider when refreshing the Joint Strategic Needs Assessment Guidance?
- (1) Faith based organisations understand the health needs of their communities, particularly those of minority faiths. They are able to raise awareness of health issues, and provide a trusted platform for health professionals to engage with harder to reach groups.
 - (2) Faith communities, through their social action activities provide much needed support services to complement professional health services, such as day care, spiritual care, birth and end of life care. They are able to do this with more attention to cultural and faith needs, and often with more time than health professionals are able to provide, therefore their voice should be sought in any joint assessment consultations.
- c) How could civil society organisations facilitate, encourage and support community and citizen involvement in decision making about local priorities and services commissioned?
- (1) Faith communities have buildings that are trusted places. These can be used for consultation events.
 - (2) Faith communities comprise members who have a concern for community well being and are therefore more willing to contribute to consultations. The voice of an established faith leader is trusted by both the members of that faith groups and the local community.
 - (3) Faith communities have a concern for local priorities because they are directly affected by them because they are and remain local.
 - (4) Faith communities are non-political and as such are safe places for honest debate about priorities.
- d) What forms of support will best enable statutory partners and civil society organisations to improve their working relationships?
- (1) Understanding and respect for the different ways both have of working.
 - (2) Support for those entering into new relationships to create trust.
 - (3) Clear lines of accountability and monitoring of outcomes against agreed targets.
 - (4) A desire to work together to improve services over and above a compulsion to work together to secure funding.
 - (5) Clear understanding about the practical contributions both statutory partners and civil society organisations make to a desired outcome alongside an appreciation of the values that drive the work they do.
- e) What issues should the government consider in the development of the future programme of training public service commissioners?
- (1) Setting and monitoring of targets.
 - (2) Recognition of quality work against objective measures.
 - (3) Ensuring that faith based social action organisations are not unfairly treated as a result of faith values.

- (4) Clear criteria for determining commissioning decisions that do not disadvantage small or newly established social enterprises.
- f) What can civil society organisations contribute to the roll out of community budgets?
 - (1) These groups may be best placed to deliver high quality, value for money services that result in a reduction of disadvantage.
 - (2) Civil society organisations, particularly faith based organisations may be best placed to broker financial agreements because they are seen to be non-political and therefore able to make judgements based on community need not political pressure.
 - (3) Faith based organisations are often trusted to deliver value for money having built a strong local reputation.
- ii. What barriers exist to realising this contribution?
 - (1) Fear that civil society organisations will not deliver.
 - (2) Risk of entrusting services to new organisations.
 - (3) Lack of capital or long term financial security to enable civil society organisations from bidding for work.
 - (4) Fear that civil society organisations will only serve their members. Governing documents should prevent this from happening.
- iii. How can these barriers be removed?
 - (1) Clear understanding about how services will be delivered to meet agreed targets.
 - (2) Trust built through strong values and the recognition of the service currently provided to the community.
 - (3) Reassessment of criteria for bidding that takes account of financial limitations faced by small and local civil society organisations.
 - (4) Clear and well publicised governing documents identifying objects and purposes of the civil society organisation. (Note many faith based social action projects have governing documents independent of the worshipping community to enable them to provide for the whole local community.)
- g) What can civil society organisations contribute to the roll out of Local Integrated Services?
 - (1) Civil Society organisations are often best placed to understand real community need and establish programmes to address needs lifting people out of dependency and deprivation.
- ii. What barriers exist to realising this contribution?
 - (1) Current duplication and confusion about which 'department' to talk to and who to approach to create a manageable partnership to address needs that cross different departments.
 - (2) The amount of time it takes to make any progress in cross departmental working.
 - (3) The different priorities set by departments which can be conflicting when worked out at service delivery level.
- iii. How can these barriers be removed?
 - (1) Establishing one named person to negotiate between departments.

- (2) Establishing multi agency partnerships with powers to deliver services.
- h) What can civil society organisations contribute to the development of Free Schools?
- (1) Faith based organisations have a strong record on managing education programmes and the whole range of schooling opportunities. This experience should be sought by any community considering establishing a free school.
- ii. What should Government consider in order to realise this contribution?
- (1) Government could request evidence that advice has been sought from faith based schools, and acted upon in the application process.
- i) What contributions could civil society organisations make to the extension of personal budgets across a range of service areas?
- (1) Specialist civil society organisations will be able to support and encourage people eligible for personal budgets to understand and receive their full budget allowance.
 - (2) Specialist civil society organisations will be able to deliver bespoke services giving clients choice in how they use their personal budget.
 - (3) Specialist civil society organisations will be able to offer value for money without reducing service provision thus competing in the market and pushing up standards of service delivery.
- ii. What changes do both commissioners and civil society organisations need to make to adapt to an environment where citizens are commissioning their own services?
- (1) Commissioners and civil society organisations need to prepare of the opportunities personalised budgets present and ensure that they are able to:
 - (a) promote high class services;
 - (b) Deliver high class services;
 - (c) Support service users (individuals or community groups) in managing and determining the services they require.

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