

Why involve and what are the outcomes? The Duty to Involve for best value authorities

The duty to involve is part of the Local Government and Public Involvement in Health Bill. The Communities and Local Government (CLG) department commissioned the Young Foundation and the Community Development Foundation (CDF) to pull together initial thoughts on two key elements of the duty – why involve and what are the outcomes.

The following information is based on the views and experiences of local authority practitioners, policy advisors, national VCS umbrella groups and community organisations who attended a workshop on 11 June 2007. It also draws upon the findings of the Young Foundation's Transforming Neighbourhoods Consortium and Neighbourhoods Action Network and CDF's practice experience.

The information covers the following topics:

1. Topics for inclusion in the guidance
2. Challenges to tackle in preparation of the guidance
3. Guidance format
4. What do we mean by involve – key messages
5. What are the outcomes of involvement – key messages
6. Role of elected members

1. Topics for inclusion in guidance

Guidance, or its associated supporting documents, needs to include:

- an expectation of changing culture in local authorities which will see involvement as a way that local authorities do business
- definitions of what involvement is – both minimum standards and excellent practice
- non-prescriptive examples of how to involve in a variety of contexts - participants were keen to avoid confusion akin to that over establishing local strategic partnerships (LSPs) in two tier areas when guidance on LSP formation was first published
- clear evidence of beneficial impact of involvement, tailored to officers, elected members, Voluntary and Community Sector (VCS) organisations and residents, and an indication of the expected role for each
- information on how success against the Duty to Involve (DTI) will be measured, tracked and enforced by the Audit Commission and others
- unambiguous links to other legislation, guidance and duties, including Community Calls for Action (CCFA), Sustainable Community Strategies, Local Development Frameworks (LDFs), forthcoming Planning White Paper etc and the requirements of other agencies e.g. Police, Primary Care Trusts (PCTs)

- links to wider vision of reform – e.g. need for local authorities to understand their neighbourhoods better, gather information at a neighbourhood level, tailor services to meet local need, build democratic capital etc

2. Challenges to tackle in preparation of the guidance

1. Guidance should be about fostering a new culture that embeds engagement as the norm. What support, incentives, capacity building or measures need to accompany the guidance to ensure this is true? How can 'hearts and minds' of the most cynical be won, to ensure a shift in how each local authority 'does business'?
2. Accountability and representation – How do you enable people to be accountable to the people they claim to represent? What resource or procedural implication does this have?
3. The proposed phrasing for involvement discusses 'representativeness'. In a research context this implies a representative sample. Are local authorities to be expected to gather such a sample? If so what support will there be for this? Does this approach devalue the role of elected members? Guidance needs to make clear statements about the value of both democratic and community representation. CLG may need to undertake further consultation about this, reflecting on the findings of the Commission for Councillors.
4. Demonstrating the impact of work in neighbourhoods and the influence engagement has had on services is challenging and the evidence to date is limited (see section 5). How can involvement be measured effectively by local authorities? What signposting or research is needed ahead of the guidance?
5. Local authorities could be better informed by utilising existing data more effectively to understanding their communities. Can local authorities be signposted to best practice? Should local authorities be required to collect information at a local level, for use in tandem with greater engagement?
6. Which parts of the Duty to Involve (DTI) guidance need to guide the Audit Commission ahead of the Comprehensive Area Assessment (CAA) and which parts ought to be guided by the CAA
7. Is there a distinction between 'actively informing' and having information available to people?
8. Involving elected members in the discussion about the DTI has been challenging. There is a need for separate CLG consultation with elected members on the guidance.
9. Guidance needs to be realistic about the challenges if engagement is done poorly – consultation fatigue, burden of over consultation on small VCS organisations, increase in 'tick box' consultation.

3. Guidance format

- Any guidance needs to be produced in clear and unambiguous language - able to be read by officers, members and VCS groups
- CLG should be cautious about what change guidance in itself will achieve. Any guidance should be accompanied by both advice and case studies. Participants also identified the need for significant investment in changing the working cultures of best value authorities.
- Participants were keen to see a multi-layered approach, perhaps using a web based front page as a portal to access further information including detailed legislation, case

studies, rationale, support networks, protocols, peer learning, toolkits, action learning sets, procedures etc. Such a format would also allow the guidance to evolve over time.

- Access to best practice and shared support networks (perhaps facilitated through IDeA) was seen as a priority. Participants were confident they did not need a revised spectrum of options to involve people, and certainly not prescriptive models, but rather the details of practitioners who had successfully overcome complex scenarios and could provide advice.
- The Scottish 'Standards for Public Office' were cited as an excellent example of clear direction for involving local people

4. What do we mean by involve – key messages

- Involvement, in the context of the duty, is already well documented¹ and understood in the sector, and both existing legislation and the Local Government White Paper define the term clearly.
- There are many different methods and approaches to participation² which need to be considered. The ladder of participation³ (inform, consult, involve, devolve) is well known and provides clarity on why best value authorities are involving citizens.
- There is a shifting focus to resident responsibility and involvement (rather than information or consultation) may imply a need for the resident to act locally and play their part.
- There is a need to empower local authorities to have a conversation with residents about certain issues before they are 'formally consulting'. This type of ongoing dialogue and feedback should also be classified as involvement, though it will inevitably be with the engaged, raising issues about representation.
- Involvement demands a lot of time, from people and from organisations. This should not be underestimated. The impact of increased involvement should be noted in the compact between a local authority and the VCS.
- Not everyone will wish to be involved and there is a need for officers and members to be realistic about this and to avoid over consulting.
- There is a need to be clear about the difference between the ability to influence decisions and the power to make decisions.
- Could the guidance suggest that all proposals taken through council or overview and scrutiny be required to state the degree of involvement to date? This would improve accountability and demonstrate how information from consultations is used (especially the affect on decision making).
- The definition of both informing, consulting and involving needs to be the same across all legislation for best value authorities, including guidance and legislation on creating LAAs, the comprehensive engagement strategy, the Statement of Community Involvement in planning etc.
- There is a need for different statutory bodies (or even different departments within a local authority) to share the burden of information collection. Work should be encouraged on data mining so that data only is collected once and is shared effectively.

¹ For further information see People and participation: how to put citizens at the heart of decision making, *Involve* (2005) and IDeA's Connecting with Communities www.idea.gov.uk/idk/core/page.do?pagelid=4450820

² For further information see How local government devolves and why. Part two: developing local strategies, *Young Foundation* (2006)

³ The guide to effective participation, *David Wilcox* (1994)

5. What are the outcomes of involvement – key messages

- **Guidance needs to be clear on the outcomes for:**
 - **local authority service providers**⁴ – cost efficiency, improved satisfaction ratings, better use of public funds, opens dialogue for local authorities to explain decisions (especially why certain options have not been actioned), improved service performance, clearer accountability, better informed authority, builds local capacity, improved effectiveness, creates culture of partnership not hierarchy
 - **elected members** – improve links to democratic representation, improve local profile, link to other functions e.g. scrutiny
 - **residents**⁵ – chance to have voice heard, make connections within community which improves cohesion, builds confidence/skills, improve service delivery to individual, opportunity to keep institutions accountable, greater opportunities to influence, shape and design local services, opportunities to question why decisions have been made
 - **VCS organisations**⁶ – chance to have voice heard, improved opportunities to undertake local delivery, ability to shape and design local services, opportunities to question why decisions have been made, improved relationship between VCS and best value authority
- **Guidance also needs to be clear about the challenges involvement brings:**
 - raised expectations which can't be met
 - public debate which is difficult for institutions to manage
 - need to take action despite public opposition – e.g. reducing car parking spaces for more public transport
 - utilising and valuing usual suspects, without letting their views become dominant
 - cost of increased consultation and involvement, the benefit of which may be greater to the resident than the service paying for the engagement
 - difficulty of co-ordinating consultation across council services
 - the outcomes and benefits of engagement through involvement will be greater than those through informing or consulting – whilst still significant the benefits of informing therefore shouldn't be oversold
- **Guidance needs to make clear the evidence the beneficial impact of involvement:**
 - Evidence of all of these outcomes exists anecdotally or within individual authorities. There is however a need to collate this information to convince more cynical officers, members, residents or VCS organisations.
 - Evidence can be drawn from:
 - the parish planning process⁷ which has shown that involvement in similar exercises increases volunteering, draws down external funding locally, improves advocacy and can lead to behavioural change
 - Neighbourhood Management evaluation⁸ which shows improved service standards, cost efficiency and improved resident engagement

⁴ For further information see How local government devolves and why. Part one: why work in neighbourhoods and communities?, *Young Foundation* (2006) and The potential for neighbourhood involvement in services, *Young Foundation* (2006)

⁵ For further information see People and participation: how to put citizens at the heart of decision making, *Involve* (2005)

⁶ For further information see Developing community involvement in public services in Suffolk, *Young Foundation* (2007)

⁷ Rural evidence paper, *Action with Communities in Rural England* (2005)

- o the success of Statement of Community Involvement around planning, to engage residents and improve understanding and satisfaction with decisions
 - o the national evaluation of the value of a community led approach through New Deal for Communities (NDCs)⁹
 - o the citizen surveys and best value data already collated by local authorities and other bodies
- Guidance could also include evidence on the consequences of not engaging
- **Guidance needs to be tailored to support and convince different audiences:**
 - there is a value in considering the incentives for involvement, as well as the outcomes
 - **local authority officers** – framed in a language of service improvement and efficiency, examples of percentage change or cost savings, explanation of how fits into CAA, soundbites from similar officers in other areas, access to support networks (especially space to think) and further information, clear explanation of fit with LSP. In addition guidance needs to be accompanied locally by a strong message from the Chief Executive and Leader.
 - **elected members** – clarity of lead member role, explanation of how improved resident engagement enhances their understanding/profile/influence, clear links to overview and scrutiny and CCFA
 - **VCS organisations** – clarity of expectations to alleviate fears of enhanced burdens, assurance won't be over consulted (clarity could be brought through comprehensive engagement strategy), clear link to LSP decision making, resources
 - For all audiences there is value in also focusing on the shared objective of 'making better places' – improving services, enhancing cohesion, building influence and engaging with individuals

6. Role for elected members

- The role for elected members in informing, consulting and involving the community needs to be promoted within the guidance – both leading engagement and following up where residents are dissatisfied.
- The White Paper has high expectations for the future role of members. Many members require mentoring and training to take on further community development roles locally (both soft skills such as brokering and action planning, and skills to challenge local views appropriately). The guidance should be clear about the expectations it has of local authorities in this regard and could highlight good practice from different authorities and/or signpost to external support.
- There is a need to rephrase any language from risk to opportunity, outline advantages of engagement to build democratic capital in order to convince members afraid of losing power, influence or profile.
- The difficulties of representation in a two or three tier area should not be underestimated, and should be acknowledged in any guidance.
- Clear links between the DTI and existing member functions such as Overview and Scrutiny Committees and new mechanisms such as CCfA should be contained within the guidance.

⁸ Neighbourhood Management: an overview of the 2003 and 2006 round 1 pathfinder household surveys, *Neighbourhood Renewal Unit* (2006)

⁹ NDC National Evaluation: an overview of change data, *Sheffield Hallam University* (2006)

Many thanks to all those who participated in the discussion seminar

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