

# **Voluntary and Community Action South Bedfordshire**

## **POSITION PAPER ON LOCAL GOVERNMENT REORGANISATION**

### **1. Introduction**

This position paper sets out the context for local government reorganisation in Bedfordshire and, in particular, addresses proposals and arrangements for a new Central Bedfordshire unitary authority covering the geographical area of the current Mid and South Bedfordshire District Councils. It sets out a range of issues on which the voluntary and community sector (VCS) (or third sector) will need to monitor, respond and contribute to, if it is to be well placed to meet the challenges and opportunities of local government reorganisation.

Over the next two years, while planning and transformation takes place, there is a need for us to become involved with the whole process of local government reorganisation, both with the existing local authorities and with the new authority; encourage partnership working and stakeholder engagement; and ensure that the principles of the Compact are maintained during this process.

Voluntary and Community Action South Bedfordshire welcomes the opportunity to be a key partner in the creation of Central Bedfordshire, particularly in relation to future structures and mechanisms for engaging the third sector with the new authority.

### **2. Background**

In January 2007, following publication of the Local Government White Paper in the previous autumn, Bedfordshire County Council presented the Secretary of State with their proposals for a unitary authority based on the shire county of Bedfordshire. Bedford Borough Council also submitted proposals for a unitary authority based on the borough's current boundary, supported by a joint submission by Mid Bedfordshire and South Bedfordshire District Councils for a second unitary authority for 'Central Bedfordshire'.

In 25 July 2007, following a period of consultation, the Secretary of State announced that the Bedford Borough Council proposals would go forward, subject to satisfactory arrangements for the rest of Bedfordshire being agreed. Bedfordshire County Council, Mid Bedfordshire District Council and South Bedfordshire District Council were subsequently invited to submit formal proposals for a new unitary authority covering the rest of Bedfordshire. These proposals were submitted by Mid and South Bedfordshire District Councils in December 2007.

After further consultation by the Government, the Local Government Minister announced, on the 6 March 2008, that the proposals for Bedford Borough and Central Bedfordshire would proceed to implementation. Parliament approved the Bedfordshire (Structural Changes) Order 2008 on the 28 March 2008, confirming that the new unitary authorities will replace the existing councils on 1 April 2009.

### **3. What the Proposals say about the Voluntary and Community Sector (or Third Sector)**

Within the proposals for Central Bedfordshire there are some positive references to the voluntary and community (or third) sector and to communities, including the following (paragraph references given in brackets).

*In common with many growth areas, the social ..... infrastructure deficit is a main concern for local communities (1.31). Outcome based targets will be developed and reflected in the LAA to deliver social infrastructure (2.28). Building new communities of choice with locally accessible social facilities (2.28).*

*Community networks and the third sector as policy drivers (figure 2b).*

*We see a key role for councillors on the frontline in drawing together local talents and resources to form community networks, which would provide much of the grass roots input to both policy making and scrutiny, identifying issues and concerns. .... The community network may revolve around the parish or town council, the residents' or tenants' association, a church or faith based group, a community centre, a voluntary group, or any combination of these (2.34 and 2.89).*

*A key outcome will be the development of positive and constructive two-way engagement through supported community networks that can tap into the local knowledge, enthusiasm and resources of town and parish councils, community and voluntary groups, residents' and tenants' associations (2.62).*

*Partnerships with the third sector and (the involvement of) community networks and the voluntary and community sector as part of the Central Bedfordshire Governance Framework (figure 2d).*

*The Social Care, Health and Housing Overview and Scrutiny Committee will, among its other functions, work closely with the new Local Involvement Networks (2.79).*

*Consultation on whether local councillors should have small, locally-delegated budgets for community works or facilities and pump-priming or match-funding grants for clearly defined projects (2.91).*

*Using the voluntary sector compact, SLAs with third sector organisations and grant aid to community groups; and, in the future, third sector ownership/leasing of assets, as means of acting together and supporting independent action (figure 3a).*

*We recognise that local third sector groups will play an important role in helping to reach specific groups. They may also have an important advocacy role representing the most marginalised and vulnerable (3.15).*

*Central Bedfordshire will ..... support third sector organisations through the application of the principles underpinning the local voluntary sector compact, the use of key partner grant funding agreements and greater encouragement of volunteering (3.16).*

*Central Bedfordshire will also explore and seek opportunities to move beyond our existing working arrangements with the third sector and build on the principles of the existing voluntary sector compact. For example, in addition to providing grant aid we would explore opportunities to support the independent management and operation of assets, and devolving service provision (3.27).*

*The new Central Bedfordshire Council will work with local partners to take advantage of opportunities to increase capacity by working with the public, private and third sectors (4.6).*

*Our Children's Trust arrangements are an essential building block for genuine partnership working .... [with] buy-in from all agencies, including ... third sector partners (A11).*

*To help promote the continued independence of people with moderate or low level needs under Fair Access to Core Services bandings, we will develop long term contracts with third sector organisations to provide access to appropriate community activities as well as a range of low level support schemes, such as befriending, shopping, gardening and community transport schemes (A94).*

*We will use our .... existing links to effectively work with local community groups to maximise the income and thus the independence of people from minority groups (A95).*

*We will ensure a sufficient supply of high quality nursing and residential care from private and voluntary sector providers (A100).*

*Central Bedfordshire would enable a community sports network to develop by incorporating existing school and community resources (A129).*

#### **4. Implementation**

Central Bedfordshire is known as a *Shadow Authority* while it prepares for the transfer of functions from the three existing authorities. It also has a *Shadow Executive* and an Implementation Team of officers from the three existing authorities to oversee the necessary preparations for the transfer of functions to the new authority.

Central Bedfordshire plan to establish, during the transition period, Policy Development Boards on the shadow authority to develop and recommend service plans, budget priorities and performance targets.

Guidance from the DCLG states that it is the responsibility of the Implementation Team to ensure that representatives of key local partners (public, private and the third sectors) are given opportunities to influence the priorities determined by the Shadow Authority.

It is now full speed ahead for the local authorities and their partners to complete their planning, begin the transformation and achieve the reconfiguration of local government by Vesting Day, on the 1 April 2009. This will include the preparation, review and revision of an *Implementation Plan* covering the:

- production and sharing of information
- disaggregating of local authority budgets and establishing a new financial base
- identification and agreement on the transfer of assets and liabilities
- development of new structures
- deciding on priorities for the new authority
- decisions on options for draft service plans
- arrangements for the transfer of services

Some work, such as the merger of Local Development Frameworks and Community Strategies, may extend beyond Vesting Day and could take a further two or three years to complete.

Elections for the new Bedford Borough and Central Bedfordshire Councils, and in some South Bedfordshire parishes, will be held in early May 2009, again in May 2011 and thereafter every four years on the 'all out' method of election. Parish Council elections are also being aligned with those of the new unitary authorities.

The political and managerial structures of the new Central Bedfordshire unitary authority will be closely aligned around the following themes:

- Policy and Partnerships
- Customers and Community Engagement
- Corporate Resources
- Children, Young People and Families
- Social Care, Health and Housing
- Safer and Stronger Communities
- Sustainable Development.

## 5. The Role of the Third Sector in Local Government Reorganisation

The third sector has five key roles it can play in relation to Local Government Reorganisation, as:

1. a **Partner**, working together with local government, other public sector agencies and the private sector to develop responses and solutions to improve the quality of life for all who live, work and enjoy their free time here;
2. an **Influencer** of strategies, policies and delivery plans, based on its experience of working with local communities, its track record of delivery and service user involvement, and a passion for effective outcomes;
3. an **Advocate** for under-represented and marginalised groups, for the third sector (as a whole or for sub-sectors), and for the communities it works with; drawing attention to needs and suggesting ways of meeting them;
4. a **Provider** of services through grants, service level agreements and contracts;
5. a **Builder of social capital**, developing the skills of individuals, voluntary and community groups, and communities; enabling community involvement and supporting volunteering.

## 6. The Role of Voluntary and Community Action South Bedfordshire in Local Government Reorganisation

Voluntary and Community Action South Bedfordshire welcomes the opportunity to be a key partner in the creation of Central Bedfordshire and can offer to assist, facilitate and engage the third sector with the new authority, its partners and strategic partnerships:

### ***Policy and Partnerships***

- consultation in relation to the formulation of new strategies, policies and delivery plans;
- formation of, and representation on, a new Local Strategic Partnership;
- involvement in developing a new Sustainable Communities Strategy;
- involvement in developing a new Local Area Agreement (and any new Multi Area Agreements);
- formation of, and representation on, a new Health and Social Care Partnership Board (covering children and adult services);
- sign up to the Compact by the new authorities and Local Strategic Partnerships;
- developing *opportunities to increase capacity by working with the third sector*;
- developing relationships with, and briefing, new council officers, portfolio holders and members on the sector;

### ***Customers and Community Engagement***

- involvement in designing the delivery of services through *Citizone* and possible inclusion/provision of Voluntary and Community Action services;
- involvement in developing new community networks;
- involvement in consulting on the development of a new community grants scheme;

### ***Corporate Resources***

- development of new procurement and commissioning policies, systems and procedures;
- transfer and/or renewal of service level agreements with VCS organisations and key partners;
- involvement in discussions about, and facilitating, the transfer of assets between authorities and to VCS organisations (The Quirk Review);

### ***Children, Young People and Families***

- formation of, and representation on, a new Children's Trust (replacing the Children and Young People's Strategic Partnership) and its sub-groups;
- involvement in preparing a new Children and Young People's Plan;
- provision and involvement in new voluntary and community sector fora for Children, Young People and Families;
- developing and sustaining an effective commissioning model for children's services;

### ***Social Care, Health and Housing***

- involvement in preparing a new Joint Strategic Needs Assessment for Health and Social Care;
- formation and hosting of a new Health and Social Care Local Involvement Network (LINK);
- provision and involvement in new voluntary and community sector fora for adult Health and Social Care;
- coordination of the VCS Housing sub-Sector in relation to housing issues and delivery of *Housing Options*;
- development of *long term contracts to provide access to appropriate community activities and support schemes* for people with moderate or low needs;

### ***Safer and Stronger Communities***

- formation of, and representation on, a new Community Safety Partnership;
- involvement in preparing a new Crime and Disorder Reduction Strategy;
- involvement in (and leading) *a greater encouragement of volunteering*;
- involvement in developing new leisure, recreation, sport and cultural services;

### ***Sustainable Development***

- involvement in preparing a new Local Transport Plan;
- involvement in preparing a new Local Development Framework (and associated documents);
- involvement in developing new community and social infrastructure (planning, development control, housing growth etc);
- involvement in developing a new economic development strategy.

## **7. VCS Infrastructure Boundaries and Areas of Benefit**

CVS Mid and North Bedfordshire and Volunteer Centre Bedford currently cover the local authority areas of Bedford Borough and Mid Bedfordshire District Council, whereas Voluntary and Community Action covers South Bedfordshire.

Voluntary and Community Action South Bedfordshire strongly believes that the delivery of VCS infrastructure services is best done locally and that a Local Infrastructure Organisation (LIO) should serve and be coterminous with the (district or unitary) local authority area.

The Trustee Board of Voluntary and Community Action is currently in discussion with the trustees and chief officers of other Local Infrastructure Organisations, with a view to agreeing the restructuring of our respective organisations.

We will also need to amend our name and area of benefit in our governing document, and deal with such matters at an Extraordinary or Annual General Meeting.

## **8. Delivering VCS Infrastructure Services across Central Bedfordshire**

Within a restructured LIO for Central Bedfordshire we will need to consider how to deliver effective support services to voluntary, community and social enterprise organisations over an area three

times the size of our current area of benefit. We will need to consider the nature of infrastructure support to be available and the incremental steps needed to achieve this.

There will be implications for where we locate our offices, whether and how we provide future outreach services, staffing levels and structure, and of course funding considerations. Central Bedfordshire will be using the current *Citizone* network of 'one stop shops' in Leighton Buzzard, Dunstable, Houghton Regis (open in 2008), Ampthill, Biggleswade and Chicksands as its public face; there may be scope for including Voluntary and Community Action staff, such as a Development Adviser and a Volunteering Adviser, at each of these locations.

## **9. A Third Sector Assembly for Central Bedfordshire**

There are currently no formal structures for bringing together third sector organisations to consider the range of public policy issues that the sector needs to engage with. There are occasional consultations or networking events run by Voluntary and Community Action; the Bedfordshire Voluntary Organisations Consortium for children, young people and families also provides opportunities for engaging with the Children and Young People's Strategic Partnership; and the Bedfordshire Countywide Partnership VCS Reference Group provides further opportunities for the sector to become engaged. Many of these structures will cease to exist when the local government reorganisations takes effect.

Local authorities will have a new statutory duty to ensure the participation of local citizens, voluntary organisations and community groups. We will seek to work with the Shadow Authority to ensure this becomes a reality.

We will seek to establish new structures within the voluntary and community (or third) sector, which are owned and run by the sector, so that it can achieve elected, skilled and competent representatives able to advocate the needs of service users and the sector, and have a greater influence on key decision-making partnerships. We are proposing to establish a Third Sector Assembly that would be able to:

- facilitate effective community involvement and consultative mechanism(s) with the new local authority and within the sector;
- empower third sector organisations to have a strong voice and an active involvement in influencing the strategic, planning and service delivery decisions that shape the community in which they operate;
- elect or appoint representatives to sit on local partnerships;
- put in place support arrangements for representatives to gather, represent and feed back views to members;
- establish specialist sub-sector networks/forums/groups focussing on, for example:
  - children, young people and families;
  - health and social care;
  - learning and employment;
  - sustainable communities.

We will need to build the capacity of the sector, including small community groups, so that it can become engaged in these fora. We will also seek to ensure that the sector has 'places at the table' of all the local partnerships and fora, Overview and Scrutiny Committees and other structures so that it can influence policy and advocate on behalf of users.

## **10. Local Involvement Networks for Health and Social Care [LINKs]**

The Government is asking all principal authorities (in our case Bedfordshire County Council) to work with local Councils for Voluntary Services and other Local Infrastructure Organisations to develop and implement LINKs from 1 April 2008, with funding provided for the current preparatory

period and the first three years of operation. The County Council's preparation and consultation of these arrangements has not, in our view, taken sufficient account of government guidance on this matter and this concerns us greatly.

We believe there should be two separate LINKs, one for Bedford and one for Central Bedfordshire, established from the start. However, this is not to be the case as the County Council and others have agreed to proceed with the setting up of a single LINK for Bedfordshire. While this has the advantage of maintaining continuity from the previous Patient and Public Involvement Forum; and ensuring that scrutiny and the independent inspection of health and social care services can continue in the short term; we believe that unitary local government will result in changes to the new LINK structures just as they are beginning to embed themselves; with the potential for wasting time, effort and resources.

The County Council has now invited tenders for the appointment of a Host Organisation, which will be responsible for taking forward workable proposals that will:

- identify, stimulate and engage with interested organisations, networks and individuals engaged in health and social care;
- identify a working model for the LINK;
- implement an appropriate model of membership and participation;
- identify the principles for involvement that LINK participants will need to embrace;
- develop outreach work to identify and recruit organisations and individuals to the LINK;
- define models for supporting, capacity building and training volunteers;
- define the draft strategic priorities for the LINK.

## **11. Funding and Procurement**

One very important issue that will affect many VCS organisations is the transfer of resources (including funding for grants, service level agreements and contracts) from the old to the new authorities; we need to be in a position to lobby for existing levels of funding to be transferred and maintained or increased. Key to this will be the identification of all existing funding and Service Level Agreements within the sector and the negotiation and transfer of these.

Guidance from the DCLG states that an existing authority may not enter into, or extend beyond the re-organisation date, any non-capital contract that exceeds £100,000 without the written consent of the new authority, although this is not intended to prevent the legitimate on going business of local government. The Government has advised all authorities to discuss proposals with the shadow authority as early as possible. This will necessitate close liaison between the sector and the relevant local authorities where funding and service level agreements need to be re-negotiated or extended during the lifetime of an existing authority prior to taking effect on 1 April 2009 (i.e. on Vesting for the sector).

Developing new commissioning and procurement policies, systems and procedures, in line with the draft Compact Code of Practice on Funding and Procurement, will be crucial in ensuring there is 'a level playing field'. There will also be a need to inform and enable the sector to understand the new arrangements.

There will also be opportunities for the Shadow Authority to *develop long term contracts with third sector organisations to provide a range of services*; we will seek to involve the sector, and the appropriate organisations, in the design of these services *to increase capacity*.

There may also be the need to identify, negotiate and transfer leases for VCS use of premises and ICT services contracts (as is the case for Voluntary and Community Action at its current Bossard House premises).

## 12. Advising and Involving the Sector in Local Government Reorganisation

Advising on, and involving the voluntary and community sector in, Local Government Reorganisation will be crucial to ensuring that the sector is able to address its concerns, influence policy and take up the opportunities offered. Some of the organisational issues (set out in sections 7 and 8) may also need to be addressed by other VCS organisations working within one or more districts. Local Infrastructure Organisations have a role to support those within the sector who may be faced with such issues.

## 13. Further Information and Contacts

If you would like further information on the voluntary and community (or third) sector's involvement in Local Government Reorganisation, would like to be involved, please do not hesitate to contact the Partnerships Team at Voluntary and Community Action, whose responsibilities will broadly be as follows:

**Director (John Gelder) – Strategic Partnerships**, including unitary authority planning and transformation, Local Strategic Partnership, Sustainable Communities Strategy, Local Area Agreements, Compact, Procurement (lead) and corporate policies.

**Partnerships Officer (Tracey Allen) – Sustainable Communities**, including Safer and Stronger Communities agenda, planning and growth, economic development, social enterprise and all associated procurement;

**Partnerships Officer (new appointment) – Health and Social Care**; including Partnership Board, Children's Trust; children, young people and families; health and social care Local Involvement Network (LINK); housing and all associated procurement.

You can contact us by email to [john@action-southbeds.org.uk](mailto:john@action-southbeds.org.uk) or [tracey@action-southbeds.org.uk](mailto:tracey@action-southbeds.org.uk) or by telephone on 01525 850559.

Further details of the proposals for Central Bedfordshire were published by Mid and South Bedfordshire District Councils in December 2007 and can be found on their respective websites.