

Response to the Open Public Services White Paper

We welcome the publication of the Open Public Services White Paper and the chance to comment. We hope that there will be further opportunities as the overarching aims expressed in the paper are developed into tangible policy objectives and actions. As the voice of 1700 local authority Chief Executives and senior managers across the UK, we feel we can play an important role in shaping this agenda to deliver better, more joined up public services across our localities.

The white paper reflects many of the aspirations of the local government community generally, and our members in particular. The paper sets out some key principles for public service modernisation: choice; decentralisation; diversity; fairness; and accountability. In local government, we recognise these as the principles that we have shared for some time and areas where we have made significant strides, particularly when compared to other areas of the public sector. Community involvement, personalisation, neighbourhood working, empowerment and even subsidiary have been terms familiar to local government for many years and the paper's recognition of these as important for government as a whole is to be welcomed. In addition, recognition that each service requires a different approach is important. The groupings of individual, neighbourhood and commissioned services are also helpful. The approach reflects how many local authorities think about service groupings and indeed how some councils are already structured.

The white paper sets out an extremely broad agenda for opening up public services. It highlights a range of approaches to be used across a range of services and in different local circumstances. Within this, we feel that the role of the strategic local authority should be emphasised. Local government is the local accountable decision maker, and it is right that the paper states that councils have a role as a guarantor of standards. But a council's strategic role is also fundamentally important. This ability to look across services and recognise linkages, conflicts and the whole system consequences of decisions is vital in ensuring public services deliver the best possible outcomes for each locality. The council is close enough to be accountable, and strategic enough to provide choice, diversity and fairness. Local authorities often play the role of facilitator, supporting and enabling individuals and communities to make their own choices. Service broken into small pieces risks losing the strategic overview so it is important local councils retain this and the power to balance competing demands and objectives as a central element of its role. Indeed, local councils are the only bodies able to do this.

The paper highlights the valuable work of local advocates and the role that they can play in the delivery of local services. However, this should not replace the role of the elected representative of that community. Accountability is rightly a key principle of this paper and requires someone or some body to be held to account for their decisions. Local democracy is best placed to balance competing demands for different priorities and bring with it representativeness and accountability.

The white paper places an emphasis on competition and challenge. Local government already reflects this with over 40% of its expenditure spent on external contracts. Councils are already the public sector leaders in commissioning services and expanding the diversity of provision within the voluntary and private sectors.

However, when pushing these boundaries local authorities have come up against barriers to progress. Procurement legislation, TUPE and insurance issues are practical examples of rules and regulations restrict councils in doing even more. Capacity can also be a barrier. Local government has provided a significant amount of support and guidance to local voluntary and community groups to develop this market.



Community development requires the specialist skills that local government can provide, but this takes time and benefits are often only delivered over the long term. This needs to be recognised in the practical delivery of the white paper's ambitions.

On competition, the paper recognises that "whether services are open to alternative provision remain a decision for democratically accountable politicians". We would therefore oppose the creation of an independent body with a remit to consider complaints about the rights for particular organisations to enter specific public sector markets.

However, in an environment where we have an expanding diverse range of providers and increased choice for individuals and their communities, we need to be clear how standards are maintained. Failure in many of our services will have a disastrous impact on the people who receive them and it is important that safeguards are in place. Local government needs the capacity to play both this oversight role but also the power and capacity to intervene where necessary.

There is also more to the relationship between the State and individuals and families than merely the arrangement of services. The development of social capital; the maintenance of social cohesion and the promotion of positive behaviour are all legitimate tasks for a modern post-industrial state. These routinely depend upon trust and credibility and are therefore only possible within a framework of widely accepted local democratic legitimacy. Central Government needs to nurture this legitimacy for local government at all levels and in doing this, find more opportunities to "talk up" local government rather than the reverse.

The consultation paper proposes the publication of performance data across a wide range of areas. We recognise that local services need to be transparent and provide consistent mechanism to support accountability. However, local government does not want to return to a centrally imposed, top heavy national performance indicator regime which imposes new burdens of monitoring and reporting on local resources and diverts energies away from key priorities.

Many of the changes that are outlined across the paper do not require significant regulatory changes or centrally imposed structures. Local government is well placed to continue to take this forward if it can be freed up to do so. The Localism Bill and a wide ranging general power of competence will help, although the current list of exceptions to the power seems a missed opportunity. But progress also requires confidence within local government, and confidence in local government.

Central government, across all departments, needs to demonstrate their trust in local government. As local authorities have opened up its public services, the same principles should apply to central government. As policy is developed across Whitehall the principles of outlined in this white paper should be applied rigorously. It will open public services and deliver better policy.

Government should also recognise that the management of local government is a valuable profession at the leading edge of public sector innovation. Changes such as those set out in this white paper require entrepreneurship, risk taking and confident leadership. The dumbing down of the skills required to lead organisations as diverse and complex as a local authority does nothing for the sector's ability to retain its best people and, in turn, to deliver successful change in the future.

We accept the Government may wish to publish all consultation responses. Indeed we intend to make this response available on the SOLACE web-site.