

Freedom to Lead: Headline summary of responses to the call for evidence

This summary highlights the headline messages that can be identified from the written responses received to the call for evidence issued by the LGA and IDeA in October.

Who responded?

More than 45 responses have been received to date, 40 of which come from local authorities (including Parish and Town Councils, Districts, Counties and Unitaries) as well as groups of authorities, groups of professionals within authorities and RIEPS.

No written response to this call for evidence was received from central government. From the inspectorates, the Audit Commission and the Care Quality Commission both submitted a response.

The appendix contains a list of those that have responded. Further responses are anticipated, for example from the Association of Directors of Children's Services.

General endorsement

Responses generally supported the essence of the campaign, i.e. providing councils with more authority to respond to local priorities, to drive their own performance management, to be freed from excessive regulation and inspection and to take greater collective responsibility for their own improvement. London Councils, for example, observe within their response that:

“The top down LAA target setting process and a first year of the new CAA has progressively heightened operational concerns across London on the burden, consistency and value of public engagement that has been achieved by the current local priority setting and assessment process. This has added to the clear and urgent case seen to review the principles and operation of the local target setting, reporting, inspection and intervention regime.”

Responses also strongly advocated a place-based approach to improving outcomes within an area, including a joined-up approach to priority-setting, performance management and improvement, but also an approach that recognised the legitimate role of the democratically elected councillor in leading change.

The extent of authorities' ambition for change did, however, vary. Whilst some authorities support fundamental changes to governance structures and powers, others favoured adapting current processes.

Local delivery, accountability and governance

A broad consensus appears to exist, at least amongst authorities, that:

- **Priorities:** Local government should be less accountable to central government for its priority setting and performance and more accountable to their own electorate
- **National Indicator Set:** Whilst an NI Set should exist, it should contain fewer indicators, more outcome-oriented indicators and should cover the public sector as a whole. Public sector performance frameworks should be aligned. Also, central government should cease to demand performance data that is outside the NI set. Authorities cited examples of government / regulators seeking information from local government over and above the current NI set. Such examples include CQC seeking data related to the Performance Assessment Framework and DWP seeking housing benefit-related information.
- **Local Area Agreements:** LAAs are currently too bureaucratic, tend to be too central government-dominated and are not always able to sufficiently influence partners' delivery in an area. The district councils that responded also indicated that LAAs were not able to reflect their district-specific priorities
- **Governance models:** Whilst initiatives such as Area Based Grant and Total Place were generally supported, the majority of respondents were in favour of developing new public sector governance arrangements to enable elected members to better lead within their area, to ensure partners are aligned behind locally-established priorities. The County Councils Network, for example, is in favour of:

“A new and much stronger duty to co-operate and greater involvement of local councillors in partner bodies such as health and the police, so that all local public services are accountable first and foremost to the local community through the democratically elected council.”

Leeds support this view:

“Engagement of local partners needs to be strengthened through the route of new governance models that aim to deliver re-shaped and re-designed services to meet citizen & customer needs. These need to be driven further and faster in the context of the economic situation and other social and environmental challenges.”

Newham forward their mayoral system as an approach that leads to greater accountability of public bodies to an elected representative. Newham also call for local government leaders to be given formal powers to set priorities with their police commanders, as well as discuss and assess their performance.

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- **Ring fencing:** Less funds should be ring-fenced for specific uses. Local authorities, with their partners, should be freed up to allocate funds to meet local priorities. (Note: more than one district council expressed the importance of ensuring that funds currently ring-fenced for use by districts should not be lost)
- **Government Offices:** If GOs are to continue to exist, then their role needs to change to that of advocates of local issues within Whitehall rather than Whitehall's advocates at a local level
- **Collecting our own evidence of outcomes:** Authorities generally supported developing a sector or more broad partnership-led approach to collecting evidence of outcomes, so long as such an approach was accompanied by a significant reduction in the level of reporting upwards to government. London Councils cited the development of their London Performance Office and Local Area Performance Solutions (LAPS) project as an example that will deliver greater self-regulatory capability, and observe that "confidence in and appetite for Sector-owned information sharing systems has been significant."

Within their response, the Audit Commission highlight their view that independent reporting to the public on the outcomes being achieved by local public services should be considered key features of any efficient and effective framework for local accountability in the coming decade.

Reducing the burden of regulation and inspection

- **Comprehensive Area Assessment:** A number of those that responded indicated that they supported the aim within Comprehensive Area Assessment of assessing the ability of public bodies within an area to work together to deliver improved outcomes for communities. However points raised on the implementation of CAA included:
 - It has not significantly reduced the burden on authorities, as promised
 - It will not drive improvement and as such will not add value (specific comments included reports being too high-level and not detailed enough for use by partners, but at the same time being too long and meaningless to the electorate)
 - It has not demonstrated greater joined up working across inspectorates. Local authorities would favour further streamlining of inspectorates, possibly into one public sector inspectorate
 - Those district councils that responded do not feel that CAA adds value to them.

The Isle of Wight's response concludes that:

"The CAA didn't tell us anything we didn't already know or that we didn't already have plans in place to deliver."

- **CAA – Abolish or adapt it?** Authorities do differ in their views on whether CAA should be adapted or abolished. Whilst some feel that further radical changes to inspection arrangements would confuse both public sector agencies and service

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users, others would like to see a new, more efficient, proportionate and risk-based system through which inspectorates limit their role to areas such as probity and inspecting services for vulnerable people. These authorities were in favour of the sector, working with partners, developing a more systematic **self-assessment** and **peer-based challenge** process that focuses more on outcomes and innovation and less on process. Camden, for example, state:

“In the context of significant pressures on the public finances it will be difficult for authorities to prioritise engagement with external inspectorates to the degree required by CAA. This suggests that an alternative model is necessary. Many local authorities are examining how they can strengthen their direct accountability to residents through publication of performance and other information. Alongside this peer involvement in improvement can provide more tailored support.”

The Care Quality Commission question whether self-assessment is always effective:

“We have good evidence from the assessment processes of NHS Trusts and local authorities that self-assessment does not always provide reliable and robust data which allows them to be fully accountable to local communities.”

- **National minimum standards:** Authorities were generally in favour of a limited number of national minimum standards where the services in question relate to key national priorities, and where local government was involved in the process of establishing those national minimum standards
- **Communicating partnership performance to local people:** Authorities generally felt that it was their responsibility to work with their partners to communicate partnership performance.

Supporting sector-led improvement

- **Support should be provided through sector-led improvement bodies and not on government field forces.** As with the ‘Setting the Pace’ consultation, authorities highlighted the need for government departments to route any improvement support through the sector-led improvement bodies rather than creating new and fragmented approaches that often takes valuable time and resources away from delivery at a local level. The LGA’s Fire Services Management Committee, for example, support a sector-led approach and consequently question the role of the CLG’s Chief Fire and Rescue Adviser’s Unit in assessing performance:

“The role of CFRAU is to provide strategic advice to ministers, civil servants and FRAs yet there is an increasing tendency for this part of CLG to get involved in issues on the ground.”

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- **Providing support to local partnerships:** authorities were in favour of greater support being provided to the sector from within the sector, through such means as regional programmes, peer-based approaches and the sharing of best practice. However a number of authorities and partnerships commented on the need for better integration of the various public sector improvement bodies. Improvement East, for example, believe that:

“...now would be a good time to open up discussion with our partners in health and the police as to a future pan sector improvement and efficiency partnership.”

- **Support to meet efficiency challenges:** Respondents were supportive of joined up approaches such as Total Place. However a number highlighted the different performance frameworks through which different partners operate as providing a barrier to joint working. Others also pointed to the significant efficiencies that could be gained through streamlining regulation and inspection.
- **Reducing the number of improvement bodies:** There was support for a simplification in the public sector improvement infrastructure, resulting in better co-ordination of improvement support, to aid councils and their partners to access better targeted support that helps them to deliver improved outcomes locally. In addition, there was also support for the principle of devolving a greater proportion of resources to authorities to support delivery.

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Freedom to Lead : Responses to the Call for Evidence received from

Audit Commission

Bath and NE Somerset Council

Barnsley MDC

Camden LB

Capital Ambition

Care Quality Commission

Centre for Public Scrutiny

Chiltern DC

Chorley

CIPFA

Conservative Group Improvement Board, LGA

County Councils Network

Darlington BC

Derby City Council

Devon Strategic Partnership

East Midlands Improvement & Efficiency Partnership

East Riding (Corporate Management Team)

Energy Saving Trust

Gloucester City Council

Gloucestershire CC, with Cheltenham BC, Cotswold DC Forest of Dean DC, Gloucester City, Stroud DC, Tewkesbury BC

Illogan Parish Council

Individual response: Graham Benjamin, Bob Line

Improvement East

Isle of Wight

Kirklees

Leeds, Bradford and East Riding (joint submission)

Leicestershire CC

LGA Fire Services Management Committee

London Authorities Performance Management Network

Newbury Town Council

Newham LB

NHS Confederation

North East Lincolnshire

North West Improvement and Efficiency Partnership

Portsmouth City Council

Redbridge LB

Sandwell MBC

Sevenoaks DC

South West Councils

Standards for England

St Edmundsbury BC

Stithians Parish Council

Surrey CC – Dr Andrew Povey, Leader

Vanguard Consulting – Charlotte Pell

Wychavon DC

Woodchester Parish Council