

CEL Brief guide

Communities in control: real people, real power



Cm 7427¹, a White Paper presented to the House of Commons on July 9th, 2008 by the Department for Communities and Local Government

Introduction

1. This brief guide summarises the local government White Paper '*Communities in control: real people, real power*', published on July 9th, 2008, which describes the Government's current plans to increase citizen control and influence over local government in England, and to encourage greater participation in its working. This brief guide will not examine every single proposal in detail, but it will focus on areas of relevance to the FE and skills sector.
2. The White Paper reflects an ongoing commitment in Government to strengthen the role and legitimacy of local government, and to encourage greater engagement between citizens and their local councils. It builds on proposals made in the Local Government White Paper, *Strong and Prosperous Communities*², issued in late 2006. It also encompasses some structural reforms to local government that have been pioneered over the past decade, such as directly elected executive mayors, and a clearer distinction between the executive and scrutiny roles within local councils.
3. The community empowerment paper also reflects a longstanding Government commitment to devolving power and decision-making to local actors and increasing flexibility at the front line of public service delivery. This trend can also be seen in *Strong and prosperous communities*, the Local Government White Paper that mapped out the earlier stages of the devolution agenda, with an emphasis on fewer central government-set targets and a system of institutionalised partnership working with local stakeholders.
4. In August 2008, the Department for Communities and Local Government (CLG) published a consultation on '*Communities in control*', which will run to October 30th.

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¹ See: <http://www.communities.gov.uk/documents/communities/pdf/886045.pdf>

² See: <http://www.communities.gov.uk/documents/communities/pdf/886045.pdf>

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Why community empowerment ?

5. The Government's purpose in pursuing a community empowerment agenda, in its own words, is *'to pass power into the hands of local communities, generate vibrant local democracy in every part of the country, and to give real control over local decisions and services to a wider pool of active citizens'* (Communities in control, paragraph 1, p. 1).
6. The paper goes on to add: *'We want to shift power, influence and responsibility away from existing centres of power into the hands of communities and individual citizens. This is because we believe that they can take difficult decisions and solve complex problems for themselves. The state's role should be to set national priorities and minimum standards, while providing support and a fair distribution of resources'* (Communities in control, paragraph 2, p. 1).
7. The Government claims to have a strong record on the devolution of power to people and communities. In *Communities in control*, it cites Labour's devolution of power to Scotland, Wales, Northern Ireland and London during Prime Minister Tony Blair's first term. It also notes the introduction of various partnership mechanisms between local councils and the community, such as the New Deal for Communities regeneration projects, as well as elections to NHS Foundation Trust boards and 2008 reforms that require councils to give more attention to citizen petitions (paragraphs 5-6, p. 1).
8. Despite this, the United Kingdom has seen a steady decline in political participation, with a steep decrease in the number of people who hold memberships in political parties and falling turnout at general and local elections.
9. To rectify this decline and re-engage citizens with local democracy and citizenship, the Government, through the Department of Communities and Local Government (CLG) proposes a wide-ranging series of measures, across eight strands of work. These are discussed below.

1. Promoting democracy

10. Although councils have received *'a 45-percent increase in real-terms funding since 1997'* and more autonomy from central government, CLG believes that councils *'should do more to promote participation'* (paragraphs 11-12, p. 2)
11. Therefore Government is introducing new duties and obligations on councils to encourage them to become more responsive to their constituents. There will be a *'duty to promote democracy'* that will require their *'councils promote involvement through clearer information, better trained staff and more visible councillors in the community'* (paragraph 12, p. 2). CLG also wants councils to run campaigns that will encourage increased voter turnout (paragraph 1.48, p. 26)

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12. The Government is extending the already existing *'duty to involve'*. The duty to involve *'requires named bodies to take appropriate steps to involve people in decisions, policies and services that may affect them or be of interest to them'* (paragraph 1.49, p. 28). Local councils and NHS boards are already subject to this or comparable obligations, but the Government intends to extend this requirement to new named bodies, including Jobcentre Plus, Regional Development Agencies and police authorities³ (Ibid., paragraph 1.50).
13. *Communities in control* also argues that *'public bodies should, where appropriate, join up with other organisations to engage people. We will work with local bodies under the 'duty to involve' to identify ways to streamline consultation and engagement. Local Strategic Partnerships (LSPs) have an important role here'* (paragraph 1.53, p. 29).
14. The paper also calls for the creation of a taskforce that will encourage front-line workers in public services to act in ways that empower citizens. This taskforce will include *'a wide range of stakeholders from across local government, public services, staff groups, trade unions, third sector organisations and service users themselves'* (paragraph 1.54, p. 29).
15. The Government will also support voluntary and third-sector organisations in their work as citizen advocates, by establishing an Empowerment Fund to channel monies to them. This will hold at least £7.5 million.

2. Supporting people in becoming more active citizens and volunteers

16. The second element of the community empowerment agenda is to encourage and promote more active citizenship and volunteering activities. The Government notes it is already supporting a charity that encourages young people to volunteer with £75 million. CLG proposes several other measures in this area.
17. The Government has established a review of citizenship education under Sir Jim Rose, a former deputy chief inspector of schools, which will report in March 2009. CLG is also establishing pathfinders for a comparable Take Part programme for adults, *'offering information and training on how to be an active citizen'* (paragraph 2.22, p. 39).
18. CLG is committed to establishing a Communitybuilders Fund, which will provide £70 million to provide *'financial stability'* to third-sector organisations that work in the community. The fund will be delivered by a *'national partner'* selected through a tendering process, and will include £11 million from the Cabinet Office's Office of the Third Sector (paragraph 2.26-2.27, p. 41). This will allow these organisations to make a *'step change'* in the level at which they operate – third-sector groups will, in CLG's vision, be able to bid to run local services, and also to establish social enterprises that will not be *'perpetually dependent on grant funding'* (paragraph 2.28, p. 42).
19. The Communitybuilders Fund will sit beside a Cabinet Office project, the Grassroots Grants, an £80 million resource that provides *'small grants to grassroots groups that have volunteer time as their main resource'*. The fund aims to:

³ The full list of agencies that will be under the extended duty to involve include: the Arts Council; Chief Officer of Police and Police Authorities; English Heritage; The Environment Agency; The Health & Safety Executive; The Homes and Communities Agency (not yet established); JobCentre Plus; Probation Trusts and other providers of probation services; The Museums, Libraries and Archives Council; Natural England; Regional Development Agencies; Sport England; and Youth Offending Teams

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- *'increase immediate grant funding and capacity building support to small voluntary and community groups and organisations (grassroots groups) throughout England'*;
 - *'increase the long term funding available to grassroots groups from community-owned endowments raised from local donors'*;
 - *'improve the sustainability and quality of local grant making by strengthening independent funders throughout England'* (paragraph 2.31, p. 42).
20. The Government wants to *'remove the barriers to commissioning services from faith-based groups'*, though it does not provide a great deal more detail on this point. The Government also intends to publish an inter-faith strategy (paragraphs 2.34-2.35, p. 42).
21. The Government will also support *'innovative'* community leadership development programmes. These will be supplied through the Empowerment Fund (see paragraph 15). CLG will support training more public-sector workers in community development, to provide more resources for local councils and LSPs that make community development a priority. This will involve working with community development networks and *'work with the Academy for Sustainable Communities to ensure appropriate training in community development and community empowerment skills is available to relevant public sector officials, including planning officers, regeneration practitioners, housing managers and a wider range of service providers'* (paragraphs 2.23 – 2.25, p. 39-41).

3. Improving access to information

22. The third segment of the *Communities in control* programme is improving citizen access to information⁴. The Government argues citizens want information to understand:
- *'what services and facilities are available in their local area'*;
 - *'how they can get more involved in their local area'*;
 - *'how their local services compare with those in other areas'*;
 - *'how a complaint they have made is being addressed'* (paragraph 3.7, p. 49).
23. *Communities in control* stresses the importance of placing information online, but notes that this is *'not enough'* as 15 percent of the adult population *'suffer social exclusion and are also unable to use the Internet'* (paragraph 3.11, p. 53). Others simply prefer to receive information through other media. The Government will implement a Digital Equality Action Plan *'to ensure that local communities and all sections of our society can enjoy equally the full range of benefits that digital technologies can bring'* (paragraph 3.13, p. 53), *and will explore ways of strengthening information provision for vulnerable and socially excluded people through Charters for Independent Living'* (paragraph 3.30, p. 59). It will also urge local councils to use all available forms of media to communicate with citizens.
24. CLG notes that the Government already has work underway to improve communication between public agencies and citizens – for example, from 2010, secondary schools will have to report online to parents about their children's behaviour, attendance and performance (primary schools will have to do this from 2012) (paragraph 3.21, p. 55).

⁴ This part of the report is prefaced by a quotation from *'The Hitchhiker's Guide to the Galaxy'*, by Douglas Adams – perhaps a first for a Government White Paper. See page 47.

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25. The Government *'will work with the Local Government Association (LGA) and the Improvement and Development Agency (IDeA) to support local authorities in making information they hold more readily available. We will also work with local authorities to pilot innovative approaches to sharing information, with citizens, community groups and with third parties ... to consolidate, reuse and republish local information'* (paragraph 3.29, p. 58).
26. CLG also pledges to support community media. It will appoint Digital Mentors, which will support groups in deprived areas *'to develop websites and podcasts, to use digital photography and online publishing tools, to develop short films and to improve general media literacy'* (paragraph 3.35, p. 61) and encouraging community radio.

4. Increasing citizen influence

27. The fourth section of *Communities in control*, and one of the most prominent, is the one concerned with increasing the influence of citizens on local government. Many of the initiatives within this section were announced by CLG in press releases prior to the publication of *Communities in control*.
28. The first set of initiatives under this section relates to citizen petitions. The Government states *'Britain has a long-standing tradition of petitioning to express a collective view and put pressure on those in power'* (paragraph 4.2, p. 64). Building on this tradition, the Government will enact a *'new duty on local councils to respond to all petitions, including electronic petitions, relating to local authority functions or other public services where the council shares delivery responsibilities'*. These might ask the council to take a specific action, or call a structural change, like the establishment of participatory budgeting or a referendum on creating a new neighbourhood council (paragraph 4.9, p. 64). A full council debate on a petition will be required if the overview and scrutiny committee of the council decides that said petition did not receive a sufficient response, or if five percent of residents sign the petition (paragraph 4.10, p. 65).
29. Councils will also advocate on behalf of citizen petitions made to other local agencies, like NHS Primary Care Trusts (paragraph 4.12, p. 65). Ofsted has announced that petitions and other citizen feedback will be used to determine the timing of inspections (paragraph 4.13, p. 65).
30. The Government also wants to encourage greater use of participatory budgeting. Pioneered in Brazil, participatory budgeting is a system by which citizens make direct decisions on *'how local budgets are invested and allocated'* (paragraph 4.16, p. 67). There are currently 22 pilot programmes testing out participatory budgeting, and the Government wants the practice extended to every local authority by 2012. It will soon publish a National Strategy on Participatory Budgeting (paragraph 4.18, p. 68). *'The Home Office will support piloting the use of participatory budgeting for local community safety budgets'* (paragraph 4.20, p. 68).
31. The Government will put forward measures that will allow local councils to *'provide incentives for voting in local government elections'*. These *'should not be construed as 'paying for votes'. ... Instead, they should be viewed as an eye-catching method to increase awareness and engagement, especially with young people who have never voted and who might view the process with suspicion'* (paragraph 4.23, p. 70).

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32. CLG wants to see an expansion in the number of neighbourhood and parish councils. These constitute the lowest level of local government, and comprise elected councils (or, in very small parishes, citizen assemblies) that have control over matters like playgrounds, public toilets, bus station shelters, village halls and other public property. There are currently 8,900 of these councils in England, but they do not cover every part of the country.
33. Every community in England has the right to petition to establish such a council, and the White Paper introduces *'a right of appeal to the Secretary of State where a community's proposal for a local council is denied by the local authority'*, (paragraph 4.28, p. 71) while local authorities in general, including some parish councils *'will be able to make certain bye-laws without the need for scrutiny by central government'* (paragraph 4.30, p. 72).
34. *Communities in control* strongly emphasises local authorities *'should include people in developing and commissioning local goods and services'*, especially vulnerable and excluded groups. Features of this engagement would include:
 - *'people taking part in commissioning services, through neighbourhood contracts, participatory budgeting and neighbourhood management'*;
 - *'direct payments and individual budgets for service users so they can decide for themselves what services best meet their needs and manage them'*;
 - *'passing the delivery and ownership of services to people through social enterprises and cooperatives'* (paragraph 4.39, p. 73-4).
35. Local people will also have increased control over the priorities of their local police forces, through a Policing Pledge that will, at the national level, *'set out what each force in England and Wales will deliver for the public, such as keeping people informed about the progress of their inquiries'*, and at the local level, *'set local priorities ... in each area, agreed by people in the neighbourhood'*. Community policing teams will be accountable to local people for their work on the priorities through an as-yet-unspecified mechanism (paragraph 3.23, p.55).
36. The Government is also working to increase participation and engagement among older citizens and with youth. The Department for Work and Pensions is conducting a review of engagement between older citizens and public agencies (paragraph 4.64, p. 84), which will report in the autumn.
37. For the younger citizen, a Youth Citizenship Commission will report on encouraging young people to participate in politics and public life in the spring of 2009 (paragraph 4.66, p. 84). A system will be established to create youth advisers, aged 16 to 21, who will have *'direct access'* to the secretary of state for communities and local government, as well as a Young Muslims Advisory Group and a programme that will allow young people to shadow ministers and other elected leaders, including elected mayors. A national institute for youth leadership will be created, with £6 million in funding; this will work with the Government to develop a youth internship programme that will allow young people to work in councillors' offices (paragraph 4.71-4.74, p. 85-6).

5. Holding local councils to account

38. The fifth section of the community empowerment strategy deals with *'challenge'*, *'how people can hold officials to account through new powers of petitioning, and ways in which we will establish more visible and accountable local leaders by encouraging more powerful elected mayors'* (paragraph 5.1, p. 90).

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39. The overview and scrutiny function of local councils, through which the local executive is held to account, will be strengthened, and the general public will have more access to information and meetings, as well as more influence in suggesting topics that should be investigated. District and county councils may form joint *'area scrutiny committees'* (paragraphs 5.3-5.4, p. 90-1). Local officeholders will be expected attend public meetings where they may be queried by citizens; if local citizens petition for it, local officeholders may be compelled to attend such meetings (paragraphs 5.5-5.6, p. 91).
40. Citizens will also have expanded influence over local policing and health care. Local police will *be held to account for tackling local priorities decided by local people and for meeting service standards set out in the 'Policing Pledge', and 'citizens will directly elect an individual to represent their interests in relation to crime and policing'* (paragraph 5.10, p. 92). CLG is *'encouraging [NHS Primary Care Trusts] PCTs to enhance their accountability to their local communities as they determine most appropriate for their locality, including creating a local membership system or developing stronger partnerships with local government'* (paragraph 5.12, p. 92).
41. The Government also wants more local authorities to adopt a directly elected mayor, arguing that *'elected mayors make it clearer who is responsible for local services, and have the potential to engage more people in politics'* (paragraph 5.14, p. 93). CLG will consult on or enact measures to make it easier to compel a referendum on adopting a directly elected mayor. To increase mayoral power and prestige, there will be *'an expectation that directly-elected mayors, where they exist, would chair the Local Strategic Partnership and, be the new Crime and Policing representative'* (paragraph 5.17-18, p. 94).
42. The new Comprehensive Area Assessments, which from 2009 will be the main way local authorities' performance is gauged, will include measures to evaluate *'the level and quality of public engagement and empowerment ... including how well vulnerable and marginalised groups have been involved'*.

6. Redress

43. The sixth plank in the community empowerment platform is strengthening the ability of citizens to obtain redress for grievances they may hold against the council or public agencies.
44. The most notable measure in this part of *Communities in control* is the Community Contract, which is an agreement *'between councils, police or the NHS with local residents'* in which each signatory agrees to perform certain actions or provide certain services towards a common goal, such as having cleaner streets or lower crime. Local residents themselves are responsible for certain actions under the contracts (paragraph 46, p. 8).
45. To cite one example listed in the paper, the people of a ward in Staffordshire signed a community contract aimed at making the neighbourhood cleaner; to fulfil their part of the bargain, local residents kept community gardens (p. 99). The contracts are already being trialled in a number of local authorities. The contracts *'create a clear set of obligations on the side of communities and the people who deliver their services, and encourage the idea of accountability between people and agencies'* (paragraph 6.10, p. 98).
46. *Communities in control* also suggests creating Community Pledgebanks, to which *'individuals would pledge to provide a certain amount of resource (such as a small sum of money or their skills and expertise), to a central pot that would be used to further the priorities identified in the community contract'* (paragraph 6.13, p. 100).

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47. The Government is also reviewing the jurisdiction of the Local Government Ombudsman⁵, A review on redress procedures is underway, and will report in the spring of 2009.

7. Standing for office

48. The penultimate section of *Communities in control* deals with making it easier and more attractive to run for local offices.

49. For FE, the most important measure in this area is a proposal to create a qualification for councillors. '*The National Census of Local Authority Councillors in England in 2006 found that 42 per cent of councillors would welcome the opportunity to gain a more formal qualification for their work as a councillor; this rate increased significantly for female councillors (44 per cent), those from an ethnic minority background (64 per cent) and younger councillors, aged 25-29 (63 per cent)*'. The Government argues an accredited qualification might thus help recruit more people into local government (paragraph 7.35, p. 115).

50. The qualification would be optional, and would not necessarily involve '*formal learning or teaching time*' or be available at the traditional qualifications levels (Level 2, Level 3, etc.). CLG promises a review into the precise form a qualification should take (paragraph 7.36, p. 115).

51. The central goal of this part of the agenda, of course, is to draw local councillors from a wider range of the population. Only 29 percent of councillors are women, and only 4 percent from minority ethnic backgrounds (compared to 10 percent of the population) (paragraph 7.2, p. 104). To remedy this, the Government has set up a commission under Baroness Uddin⁶ to recruit more women councillors from minority ethnic backgrounds, and the Government *will amend the 'Widdicombe rules' (section 2 of the Local Government and Housing Act 1989) which forbid council workers, above a certain salary band, from being active in party politics'* (paragraph 7.9, p. 106).

52. The Government will also hold a consultation on extending the right to employment leave for people who serve on councils or other public bodies, such as probation boards, and also plans '*an information pack for employers on civic roles, outlining the commitments and also the benefits*' (paragraph 7.30, p. 114).

53. CLG also commits to opening up alternative routes to serving the community aside from being a councillor. Among these is becoming a school governor, as the paper notes that *12 per cent of England's 350,000 school governor places are vacant, with a quarter of places unfilled in some of the poorest and most deprived areas'* (paragraph 7. 24, p. 111).

8. Ownership and control

54. The final section of the community empowerment paper deals with increasing the range of public services that can be provided by or involve social enterprises and community groups.

⁵ See that office's site at: <http://www.lgo.org.uk/>

⁶ See: <http://www.equalities.gov.uk/bame/index.htm>

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55. CLG has already begun pilot programmes that allow certain local authority properties, like community halls and recreation facilities, to be transferred to the control of community groups. CLG intends to create an Assets Transfer Unit, which will *'lead a campaign with local authorities and community groups to step up the number of transfers (either of ownership or management)'* (paragraph 8.7, p. 119). The Government is also consulting on a national framework for Community Land Trusts. A Community Land Trust is an independent organisation that *'owns or controls land for the benefit of the local community'* (paragraphs 8.9-8.10, p. 122).
56. CLG is also signalling a commitment to increasing citizen influence over public agencies, such as Jobcentre Plus and English Heritage, as well as police authorities and health trusts. Although no further education body is included in this list (perhaps because the LSC is to be restructured), it is conceivable that they may be subjected to more direct citizen involvement in future.
57. The Government also wants to expand the role of social enterprises in general and in local government in particular. A social enterprise is defined as *'a business with primarily social objectives whose surpluses are principally reinvested for that purpose in the business or in the community, rather than driven by the need to maximise profits for shareholders and owners'* (paragraph 8.12, p. 122). There are at least 55,000 social enterprises in the UK today, with a turnover of £27 billion.
58. CLG is establishing a Social Enterprise Unit *'that will champion the role of social enterprise models in delivering Communities and Local Government's strategic objectives, by recognising their contribution in areas such as housing, regeneration and creating empowered and cohesive communities'* (paragraph 8.16, p. 125).
59. The Government *'will encourage local authorities to ensure that social enterprises are able to compete fairly for contracts'* (paragraph 8.17, p. 125), and *'will also work with colleagues in other government departments to ensure that procurement processes do not unfairly disadvantage social enterprises in recognition of the particular expertise that social enterprises can bring to bear in the delivery of a range of Government objective'* (paragraph 8.19, p. 126).

Conclusions and implications

60. The community empowerment agenda established in *Communities in control* is the latest expression of the Government's ongoing commitment to transfer more power, influence and decision-making authority to actors at the local level. In *Strong and prosperous communities*, the Local Government White Paper, the Government presented a policy of devolving power to local governments – they would be less subject to direct central regulation, and more free to determine their own community priorities. Local councils would also be obligated to work with other public bodies and institutions in their communities to set these priorities and deliver services.
61. In *Communities in control*, the Government puts forward a companion agenda, in which power is devolved still further from the local council down to the citizenry themselves. The Government sometimes refers to these dual empowerment agendas as *'double devolution'* – the centre bequeathing power both to local government, and then in turn transferring power over local government to local citizens.

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62. The mechanisms established in *Strong and prosperous communities* also play a role in the second devolution agenda of *Communities in control*. There are numerous references in *Communities in control* to the role of Local Strategic Partnerships (LSPs) in carrying forward some of the proposed policies, for example the Empowerment Fund (see paragraph 21). The reformed local government inspection framework, the Comprehensive Area Agreement, also takes into account the empowerment agenda in its measures (see paragraph 42). The emphasis on increasing the role of social enterprises and voluntary groups also meshes with Cabinet Office policies on increasing the role of the third sector in the public services (as illustrated in the Cabinet Office's third sector strategy⁷).
63. Elements of other key Government agendas express themselves in *Communities in control*. Perhaps most notably, the Government's public service reform agenda is intimately tied to the devolution proposals in *Communities in control*. The recent Cabinet Office paper *Excellence and fairness*⁸, the current lead document in this area, identifies three major strands in public service reform, one of which is 'community empowerment', including an explicit commitment to a 'greater say in local services'.
64. This continuing trend towards power and influence residing in the locality is significant for FE and skills, reinforcing the importance of engaging with local planning and decision-making arrangements to ensure the sector plays an effective role in delivering the education and training element of local strategies. There may be a specific opportunity for FE in relation to a qualification for councillors – perhaps to be delivered in conjunction with other partners – and in enhancing delivery of citizenship education, which is already a significant area of provision.
65. The Government's commitment to community cohesion and equalities also comes through in the empowerment agenda, in its drive to include a wider range of demographic groups in office-holding at the local level. FE as a diverse community has a significant contribution to make in terms of community cohesion and equalities and in encouraging its learning community to be more active and engaged in local and institutional policy and decision-making, contributing to revitalising participatory democracy.

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⁷ See 'The future role of the third sector in social and economic regeneration' at http://www.cabinetoffice.gov.uk/~media/assets/www.cabinetoffice.gov.uk/third_sector/the_future_role_of_the_third_sector_in_economic_and_social_regeneration%20pdf.ashx

⁸ See: http://www.cabinetoffice.gov.uk/~media/assets/www.cabinetoffice.gov.uk/strategy/publications/world_class_public_services%20pdf.ashx