

**LOCAL GOVERNMENT AND REGENERATION COMMITTEE
PUBLIC SECTOR REFORM AND LOCAL GOVERNMENT
SUBMISSION FROM CEMVO**

Context of submission

The Council of Ethnic Minority Voluntary Sector Organisations (CEMVO) Scotland is a national intermediary organisation, and strategic partner of the Scottish Government with the aim of building the capacity and sustainability of the ethnic minority voluntary sector and its communities. We have a database network of over 600 EM voluntary sector organisations and community groups throughout Scotland. We deliver a range of programmes including quality management and social enterprise to support the development of the sector, as well as a “mainstreaming” programme that support public, statutory and government sector organisations in improving their approach to the delivery of race equality outcomes.

CEMVO welcomes the opportunity to provide the Local Government & Regeneration Committee with evidence and comments on public sector reform in Scotland, with particular reference to local government. CEMVO provides the evidence and comments from the perspective of being an organisation which continuously engages with the EM voluntary sector and its communities. This enables us to gather vital intelligence about the needs and issues affecting the sector. The overarching interest of CEMVO – race equality in all dimensions of life in Scotland – means that much of our evidence and comments will revolve around the relative progress local government has made towards meeting the specific needs of EM people in Scotland, including meeting the key elements of race relations legislation over the last 3 decades.

Introduction

Through CEMVO’s mainstreaming programme in particular, our role is to help increase and improve dialogue between mainstream organisations and ethnic minority groups throughout Scotland in all areas of service provision and decision making. As such, we believe that any evidence and comment to the Committee on public sector reform should start from an informed evaluation of where work on delivering race equality has reached. In terms of the performance of local government, Audit Scotland conducted an evaluation in 2008¹ and concluded that:

‘Overall, we found that while councils have developed policies on race equality and have developed a range of initiatives, the duty has not yet had a significant impact on the delivery of services or on people from minority ethnic communities’.

Looking at this evidence from another perspective, we are concerned that the concept of ‘Single Outcome Agreements’ (SOA) linked to ‘Community Planning Partnerships’ (CPP) – a key policy across central and local government - is not making ‘a significant impact’.

CEMVO would thus invite the Committee to consider the weaknesses of the “Single Outcome Agreement’ approach in terms of delivering race equality. CEMVO would also

¹ http://www.audit-scotland.gov.uk/docs/local/2008/nr_081113_equalities.pdf

comment that the National Outcomes do not embrace a positive model of delivering equality. The key National Outcome in this context [number 7] states that ‘we have tackled the significant inequalities in Scottish society²’. The absence of any clear and measureable outcomes which embrace diversity means the cascaded targets and indicators become increasingly aspirational and unfocused and lead to no measureable change in the life experiences of the EM communities in Scotland.

In the recently published Scottish Parliament’s Equal Opportunities Committee report on the Spending Review 2011 and the Draft Budget 2012-13, para 78 states ‘.....*there is a lack of definition of “inequalities” relating to specific equality strands. Further, annual reporting of specific equality targets from local to central government is omitted from the national Indicators and Targets*’.

With this in mind, CEMVO offers further comment on the specific strands set out in the Committee’s call for evidence.

Strand 1 – Partnerships & Outcomes

The focus of this strand is to ‘examine the ongoing development of CCPs and the CP process and assess how these could be built upon to support outcomes-based approaches to service planning and delivery in local areas’.

There is currently a confused relationship between SOAs and CPPs in that SOAs through the Concordat between Central and Local Government are taken forward into CPPs while partners collectively have no legal status nor accountability (for example, towards the delivery of race equality). Under Section 19 of the Local Government in Scotland Act 2003, it is possible for the CPP to establish the Partnership as a legally distinct corporate body. This is done by application to Scottish Ministers, detailing what the corporate body will do and providing evidence that CPP members are broadly in agreement. A Ministerial order making power can then be triggered. However, to date, none of the CPPs have chosen to exercise this legal option which leaves enforcement, where appropriate, of the public sector equalities duty as a collective, legal entity, impossible.

It should also be noted that race and other equality groups remain far removed from the formation of the partnerships and their subsequent decision making processes. While “equalities” is technically represented through the voluntary sector representatives, mostly through the local CVS networks, they are far from robustly engaged with, and knowledgeable of the issues facing ethnic minority groups and communities.

This is again our experience of Community Learning and Development. Whilst current guidance identifies one of the national priorities as ‘Achievement through building capacity’ and CLD in general mobilises community and partner assets through the work of CPPs, the lack of monitoring data makes it hard to evidence wide reaching, positive impact on EM communities. We do acknowledge a small number of examples of creative good practice and would suggest these are more widely disseminated. We also look forward to revised guidance from Scottish Government which will hopefully strengthen the links between CLD practice and delivery of duties under the Equality Act 2010.

² <http://www.scotland.gov.uk/About/scotPerforms/outcomes/inequalities>

CEMVO has already in the introduction to this paper suggested that the current approach is not working and so CCPs and the CP process may in fact be more of a barrier to achieving any measureable elimination of race discrimination.

In an attempt to offer some fresh ideas as to how local government can be reformed to ensure that the elimination of race discrimination can be mainstreamed into the work of local government, CEMVO would offer the following:

- Further research urgently needs to be carried out in relation to partnership working, in the shape of community planning partnerships. However, to date, anecdotal evidence suggests that it currently lacks integrity with the EM sector and does not deliver evidence that race discrimination is being eliminated. It remains difficult to find examples of innovative and preventative practice around 'integrated working'. Instead we continue to see models of engagement like one off 'focus groups' continue to be used on a regular basis. These are for the most part reactive, give no real power to community groups involved to change the status quo, and tend to duplicate questions which have been asked over and over again yet whose answers have rarely ever been acted on or implemented.
- This approach pursues the traditional 'needs and experiences' based evidence gathering to help 'them' access services. It attempts at best to discover cultural norms without the accompanying understanding of political and structural barriers to engagement. It is now widely acknowledged that many EM communities have 'needs analysis fatigue' and it would be preferable (in our view) to have as a starting point the question 'what are the rights of the people concerned here and how are these being fulfilled'?
- Most of these Partnership models of working require a fresh start and development of methods which should recognise, value and utilise the expertise and professionalism in our sector. Guidance is again widely available on more effective power sharing arrangements but for this purposes of this exercise, we would emphasise just a selection of the methods outlined such as review groups (a formal group of representatives with expertise in key areas and which can provide this expertise on an ongoing basis); citizens' juries; appreciative inquiry; peer review (which offers support and reflective learning in order to identify long term solutions).
- One such peer review pilot took place in 2009 led by NHS Health Scotland. This launched an innovative model of specialist support and mutual capacity building with the black and minority ethnic community, whereby a team of race equality practitioners from the Black Leadership Network (BLN) were allocated to work with six health boards over a period of six months in order to review policy and practice, act as critical friends and collectively identify practical solutions for improvement.
- We recognise that these models are probably going to be more challenging and possibly at times, even threatening to CCPs but we firmly believe they would be more effective in terms of delivery of outcomes.

- In managing a different approach, central and local government must recognise that capacity in the voluntary and other sectors to take on the responsibilities of power-sharing is still limited. This will require to be resourced, developed and time allowed for a greater number of EM individuals to build their skills and knowledge base so that together we can start delivering services which will, amongst many other things, ensure clear evidence is being gathered to show that discrimination is being both eroded and eliminated. EM organisations are already well placed (and often in a much more informed position than individual, external consultants who parachute in) to provide a lot of the organisational support required in the form of race equality training, evidence gathering etc but in general currently must do this on top of their 'day' jobs. This work should be resourced by local authorities and CPPs if there is real commitment to delivering outcomes in partnership.
- Single Outcome Agreements need to complement other guidance and policy on Outcomes, for example that developed around the Equality Act 2010. It is our experience that there is as yet no consistent understanding of what is meant by 'outcome' or 'mainstreaming' and this inevitably delays implementation with the language itself becoming a red herring which further prevents any real change on the ground.
- In terms of improving delivery of Outcomes, governance and accountability arrangements and other system issues, CEMVO suggests that the current approach would require to change in the ways described and then two further fundamental changes be introduced. A simplification of targets, goals, outcomes and indicators needs to take place. Changes required include using effective partnership models to set person-centred targets; setting fewer but more realistic and achievable targets; using evidence to set the targets; monitoring and publishing progress, and revisiting National Outcomes, particularly in the context of eliminating discrimination, promoting equality of opportunity, and fostering good relations.

Strand 2 – Benchmarking and Performance Measurement

Many of the preceding comments have relevance here. More effective and equitable partnership working is needed within the CPPs. Fewer, clearer, person-centred, stretch targets which will require evidence to show that change has been achieved and which impacts on people and which must amongst many other things lead to the elimination of race discrimination, promotion of equality of opportunity and fostering of good relations.

Public Sector organisations should also consider completing a regular equality benchmarking exercise, whether through using EFQM models or ones that have been specifically developed to focus on equalities, or even engaging / commissioning the expertise of race and other equality specialist groups to help set internal standards and processes that will help inform all areas of organisational performance.

CEMVO further supports the findings of the EOC report mentioned above where it says (para 77): *'However, despite clear outcomes for equalities in single outcome agreements (SOAs), there are no reporting outcomes for local authorities on equalities progress in the National Performance framework, meaning that there is no accountability to the government through SOAs/CPPs'*.

It concludes ‘... we contend that the SG needs to ensure stronger regulation, accountability and equalities reporting from local to central government by incorporating equality measurements in national indicators and targets within SOAs’.

Following this, CEMVO would also like to recommend one further innovation, also based on feedback from a number of mainstreaming events that CEMVO organised and held in 2011. We suggest that consideration is given to establishing a new third-sector body to lead on bench-marking and performance measurement and which is required to work in partnership with the public sector but which also reports directly to government and parliament. A hybrid of Audit Scotland, Health Improvement Scotland, and the various Commissions might offer reformed and refreshed performance management in Scotland, with the clear focus on a flexible model of incremental, year on year improvement for the people who are service users.

Strand 3 – developing new ways of delivering services

CEMVO has some concerns with the allusions in this section of the brief that shared services would create savings. Whilst recognising the need to manage budgets effectively, CEMVO believes that innovation and positive reform and change could be sidelined as a result. Furthermore, it is imperative that efficiency savings are not made at the convenient expense of disposing with specialist equality services, as there is arguably a continued need for maintaining specialist service provisions for diverse communities in parallel with “mainstream” services. We therefore support the EHRC guidance on the need to EQIA all financial decision making as this will best meet the Christie Commission recommendation on greater transparency.

In this particular strand, CEMVO supports the need to switch, over time, funding provision being invested in services and initiatives which aim to prevent such as discrimination rather than spend money in dealing with the results of discrimination.

No matter which ideas are supported, which concepts approved, or direction of travel undertaken, the concepts outlined in previous sections are as essential here as they are there. As a final point, and again in line with the Christie Commission recommendation that ‘*services must be designed with and for people and communities*’, we believe that it is only by involving EM people themselves who are the target of interventions can the public sector change itself before it can in turn seek to positively change the lives, experiences and outcomes for all the people it serves.

CEMVO
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