

Strengthening Local Government: Delivering for People

Response by the Bevan Foundation to the Welsh Government's Green Paper

1. Introduction

The Bevan Foundation is an independent, charitable think-tank that develops solutions to Wales' most challenging problems. We are grateful for the opportunity to respond to the Green Paper on Local Government Reform. This paper supplements our responses to the set questions because we consider that the set questions do not address the fundamental issues.

The views in this paper draw on our extensive work on poverty and inequality in public services, the extensive experience of local government on the board of Trustees, and a round-table discussion held on 5th June 2018 with representatives of people in communities and with various protected characteristics.

2. Crisis in Democracy

The people of Wales have demonstrated dissatisfaction with and disconnection from the established institutions of government at all levels. In Wales people are less likely to be interested in politics or claim to be knowledgeable about politics than in any other part of Britain. They are less likely to vote than elsewhere, with barely 4 out of 10 of the electorate voting in the May 2017 elections. Only 11% feel that they are locally influential, the lowest proportion in Britain, with fewer than 10% engaging with their local council e.g. via consultations. Half the electorate is dissatisfied with how their council relates to them. Local councillors do not reflect the diversity of the electorate and in the 2017 local authority elections in one in thirteen seats candidates were returned unopposed.

This comes at a time when the capacity of government institutions to maintain and improve the services they deliver is constrained by a combination of reducing real resources and increasing demand. The further cuts in prospect are likely to hit hardest those who are least well-placed to make their voices heard, for example because they are already struggling with ill-health or caring responsibilities or to get by on a low-income. The Green Paper recognises the financial pressures, but in focusing on efficiencies and structures but not on engagement, the proposals do not enable the people who will be most affected by cuts to be listened to. Not only is there no guarantee that services will improve as a result of the changes, but there is every likelihood that the disconnect between institutions and the public will get worse.

Instead, we believe that the Welsh Government should aim to strengthen local democracy and through a robust and vibrant system of local authorities it will deliver good government.

2.1. *Transparency of decision-making*

At our round-table discussion, there was universal agreement that people feel disconnected and disengaged from democratic structures, including local authorities, confirming the statistics.

One of the big issues is ... how disengaged people actually are about public services and local government. Engagement and different ways of working should be .. the foundation of how government works but at the moment local democracy feels a little bit 'over there' for a lot

of people. ... It's not clear to them who makes what decision and how they can influence those decisions.

Participants told us that people they worked with did not understand that decisions that affected their everyday lives were being taken by others, let alone that they stood any chance of influencing those decisions.

It's not just that people are not sure how to influence decisions, they're not even aware that decisions are influencing their lives. ... They're disconnected from the fact that somebody somewhere made a decision. ... Their perception is that the decision just happened ... [the changes] just erupted like a mystical plant.

The lack of awareness and lack of power they experienced was compounded by the number of different organisations that took decisions about their lives, from the Department for Work and Pensions to the local authority to the Welsh Government, local further education college and local health board.

We've put on numerous accredited development programmes for our members like 'who's your representative' and most people have about seven! With seven representatives how do you affect change, how do you get your voice heard and how do you make a difference?

You've got community councillors, possibly more than one councillor, two types of Assembly member, an MP, an MEP for now, several Commissioners – where do you go? People ring us with issues and, you know, it's where do they go?

Further complexity was added by joint working, with City Deals in particular being cited as having opaque powers and decision-making structures.

The people in the communities I work with ... haven't got a clue what City Deal means. We're going to have people sitting on the top of [community] looking down at this lovely new City Deal ... wondering how it benefits them?

Even for people who know how to navigate the system, identifying decision-makers in the plethora of public appointments and securing responses from them could be difficult. The suggestion was made that the Welsh Government should establish a publicly-accessible register of all public appointments to increase transparency, but the fundamental issue of a large number of people taking decisions about people's lives remains.

Some members of the discussion groups suggested that the sense of disconnection and powerlessness affected people's mental health, particularly if they saw some groups in society benefiting from changes when they did not.

2.2. Engagement

We acknowledge that some local authorities have made efforts to engage with citizens in their area, but their incidence is patchy and the impact is mixed. Similarly, we acknowledge the potential of a previous proposal to require local authorities to draw up public participation strategies. However, we do not consider that these initiatives address the question of the number of different bodies taking decisions about people's lives. Nor are we persuaded that duties to prepare strategies or to engage would be effective: some organisations feel compliance with the existing Public Sector Equality Duties has been partial and has not addressed the fundamental disconnection that people

experience. Other engagement structures such as older people's forums are perceived to be often tokenistic, bureaucratic and ineffective.

We get frustrated because there's a lot of legislation ... strategies and frameworks but these don't seem to get translated into changes in the ground that affects people's lives ... We just never seem to be able to make any progress.

They've got a series of older people's forums but they put no effort into making them work. You see an older people's forum for the whole of west [city] and there's only four people there! They do absolutely nothing to encourage more people to come ... but they can tick the box on equalities

And even when people did participate in consultation exercises or similar, they often received little if any feedback on the decision itself, which could be buried in pages of committee reports or minutes.

The disconnect between we said this, what happened with our views to make the decision,... the decision still feels like it's made, not behind closed doors, but doors that you have to know where knock to get in

Some participants suggested that consultation often felt tokenistic, and that because consultees were not aware of the whole decision-making process they could feel ignored or rejected if no change resulted.

People have to be clear where the line is and how much power and control they have and what will happen then. If they don't know where that line is, they'll feel 'well, I asked for a new school but it didn't happen so they didn't hear me'.

2.3. Voting

On voting, participants welcomed the extension of votes to 16-year-olds but were not convinced that it was sufficient to increase participation of young people nor did address the lack of participation of other groups of people. For example, there are still significant barriers for disabled people accessing polling stations and most party manifestos are not available in formats other than standard English or Welsh.

To sum up, we are concerned that the proposals in the Green Paper do not address the fundamental challenges of democratic engagement outlined above. Reducing the number of local authorities across Wales does not reduce the plethora of organisations that an individual citizen has to engage with, ensure that local authorities' engagement is effective nor encourage people to vote. We are also concerned that an increase in joint working, whether voluntary or mandatory, could add to the confusion about 'who does what' for citizens and make influencing and tracking decisions even harder.

3. Closeness to the community

Increasing the size of local authorities means that they are inevitably more geographically remote from the communities they are supposed to serve. Local authorities have a role far beyond the simple delivery of services, which is to articulate, represent and speak-up for people in their area. They can generate civic pride, drive local regeneration and co-ordinate and ensure coherence between other public services being delivered in the area. To do this well, they need to have a geographical footprint that reflects how people live and work, as well as their sense of identity.

3.1. Local authorities as place-makers

This vision of local government as an active sphere of government, rather than service-delivery agents, is conspicuous by its absence in the Green Paper and, to a lesser extent, in how local government has operated in Wales to date. By proposing larger, more geographically remote councils the Green Paper's proposals would reduce further the role of local authorities to govern, develop and represent their areas. This affects their basic role.

Citizens are much more likely to give up their time and energy to engage with a body that is relevant to their everyday lives than one which is a remote delivery agent. The proposal to re-invent the old Mid Glamorgan (minus Rhymney Valley) footprint is particularly problematic: it is hard to imagine people in Dowlais having much affinity with an authority that also covers Porthcawl and Llantrisant.

If elected members of larger local authorities are to give adequate time to the oversight of strategic services, then a mechanism needs to be in place to maintain a relationship with locality. The Green Paper envisages a role for Community Councils with more detail in the autumn, but without knowing what the Cabinet Secretary has in mind it is difficult to see how representation will be improved by increasing the size of principal authorities. The introduction of yet another government structure risks increasing confusion and lack of accountability rather than strengthening it.

3.2. Boundaries

We accept that the current local authorities in many places do not reflect local identities or travel-to-work patterns. However, some of the Green Paper's proposals are a top-down convenience that are even more disconnected from how people live and work than the current map, and will only make matters worse.

The very significant upheaval and costs involved in local government reorganisation should only be undertaken if the changes will result in a much better alignment between authorities and communities. This might mean adjustments at the margins (for example to reflect Cardiff's much larger travel-to-work area) or a more radical change (for example to reflect the increase in commuting and travel for leisure and essential services across the Heads of the Valleys). But *any* changes should be to improve the alignment between council and community.

We are also disappointed that the Green Paper adopts a one-size-fits-all approach. Wales is a diverse country with a complex geography. Metrics such as an 'ideal' population size or 'benchmark' electorate per councillor might work in larger towns and cities but simply fail in rural areas and the South Wales valleys. Powys is recognised as a 'special case' but so too should rural areas in West Wales and the communities of the south Wales valleys. If the result is councils of varying sizes, some of which might need different arrangements for some services, so be it.

To sum up, we do not agree that creating larger local authorities will strengthen local *government*, either as bodies that represent and speak-up for their communities or as bodies that understand and are accountable to local people. Further, by continuing to focus on geography the fundamental challenges of local democracy are not being addressed.

4. Role of local politicians

The Green Paper aims to increase interest in becoming a councillor and to increase the diversity of local representatives. It proposes reviewing the number of councillors, valuing their contribution through changing their remuneration, and encouraging authorities to offer more support to

councillors. We do not consider that these proposals are sufficient to address the problems of lack of interest and lack of diversity.

In our view, the lack of interest and diversity stem from deeper issues than remuneration and support.

4.1. Political discourse and practice

There is a weak local political discourse and lack of variation in how politicians ‘do’ politics. As one participant said:

There’s no every day political discourse ... about anything! It should be the first duty of all politicians to provide the opportunity for that discourse, and therefore for civil society to engage with it. We should be challenging politicians ... to reinvent and rediscover that skill and that ability to engage with people. ... It should be a common requirement.

A number of participants said there needed to be much more debate and discussion at community level and that public investment in participation had been too focused on national rather than local-level activity.

What Wales isn’t doing is investing at the bottom level ... The way to deal with disengagement is better public discourse at the localist level – so people understand it is their society, their country

Fostering local energy and engagement will be all the more difficult with ever-larger constituencies because the burden of case-work could well swamp other activities. As pressure on public spending increases, more time will be spent justifying difficult decisions over who gets what and who receives nothing.

Participants mentioned that some local politicians are developing new ways of working with their constituents, for example using social media or employing community workers, sometimes to the considerable irritation of those politicians who stick to conventional methods. Other methods such as participatory budgeting or citizens’ assemblies could also be effective.

There are no proposals in the Green Paper to support new ways of working or greater, local political debate. Indeed, the emphasis on larger bodies and on service delivery risks stifling the little local political discourse that exists.

4.2. Role of Civil Society

Civil society has a major contribution to make to fostering local capacity, engagement and debate and in particular can reach some sections of society more effectively than local authorities (and other public bodies). Most local authorities and other public services already rely on the voluntary sector to support the delivery of services. As austerity continues to constrain the public purse, ever more reliance will be placed on individuals and communities to do things for themselves. This requires both culture change and enabling tools: for example Monmouthshire County Council employs a Volunteer Adviser who provides training and guidance to the third sector on the development and implementation of policy/practice to ensure volunteers meet the essential standards for delivery in their sphere. The role of civil society is also recognised in many public and third sector interventions, from the now-ended Communities First to the Big Lottery Fund’s Community Voice programme.

However the underlying tensions between two different forms of democracy have not been addressed, with the result that much time and energy is wasted in disagreements between proponents and many opportunities for co-operation and learning are lost.

Recognising and supporting local authorities' role not just as a deliverer of services but as the representative and spokesperson of a place, along with effective structures and dialogue would be a start. Neither is addressed in the Green Paper.

4.3. Councillor responsibilities

There were suggestions that the role of councillors could be enhanced beyond being a case-worker, for example by councillors contributing to the decisions of other public bodies that affect his or her patch or co-ordinating constituents' contact with other public bodies.

One participant commented that local councillors have very little power and the role can be 'boring', making it a not very attractive proposition. Another suggested that new or changed government functions should not automatically be located in arms-length government bodies or quangos, but that there should be a presumption in favour of situating them in local authorities.

If local authorities have more responsibilities then they could attract a wider range of councillors. There has been no public debate about which tier of government should deliver what services, but the current division is not necessarily the right one. Consideration should be given to increasing local authorities' role in health, further education and environmental services to name but three, all major local services none of which have democratic representation.

This in turn raises questions about the role of Welsh Government, which should arguably focus on setting standards and monitoring outcomes, rather than delivering services through a growing number of quangos and agencies.

4.4. Diversity

In our discussions, diversity was seen to underlie a lack of interest in politics, and increasing diversity to be key to strengthening local democracy. It was felt that past attempts to improve diversity had not achieved lasting change. The diversity sought needed to encompass socio-economic background as well as characteristics protected by the Equality Act 2010 such as age, ethnicity and disability.

Participants recognised that good councillors invested a very significant amount of personal time and effort and often paid a high price in terms of loss of privacy and being a target of abuse, for modest reward.

From the outside [politics] can seem quite nasty, very tribalistic, very personal – who would want to be involved with that? ... It's not how you would behave in a workplace.

It's often petty, it's often divisive ... it's not good for people on the ground

The question of remuneration was more controversial. One participant commented that the remuneration of other representative roles – such as members of health boards – was not only very much better but also had far better support (e.g. Community Health Councils to deal with complaints) than Leaders of local authorities. Another said that increasing remuneration risked attracting people to stand to improve their careers rather than represent their communities.

Some participants suggested that the solution ultimately rested with political parties who nurtured and selected the majority of prospective candidates. Difficult questions about quotas, attendance requirements and councillor education need to be addressed too.

5. Conclusion

The Green Paper and the consultation questions focus almost exclusively on service efficiencies and boundaries. We understand the acute pressures on local government services and the need to ensure that they are sustainable. However, in our view the underlying challenge is the low level of democratic participation, which contributes to weak governance and which in turn affects performance.

Rather than trying to strengthen local government by making organisations more remote from the communities they serve, local government should be strengthened by creating vibrant local democracies in which authorities are genuinely representative of their diverse people and communities, have a deep understanding of their needs and aspirations, and are held to account for delivery.

Achieving this means developing a shared vision about the role of public services across the board in supporting and serving local communities. There should be a debate about the role of local government in this mix, including what powers local authorities should have, what electoral arrangements are required to ensure they represent the electorate how scrutiny by and accountability to the electorate can be increased, and how to get the right balance between local choices and national standards.

This is a profoundly different approach to that in the Green Paper, and will require a deep and ongoing dialogue with local people, and their elected and civil society representatives. But it is a conversation that must take place if Wales is to have the government – at all levels and for all people – that it needs.

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