

Belfast City Council

Response to the Department of the Environment Consultation Paper: Draft Statutory Guidance for the operation of Community Planning

DRAFT

1.0	Introduction
	<p>The consultation issued by the Department of the Environment (the Department) on the draft guidance for operation of community planning is a welcome step in the ongoing development of community planning within Northern Ireland. Belfast City Council believes that over time community planning will demonstrate that collaboration and joined-up working is the best way to make a positive difference to the lives of local people. Whilst the successful implementation of community planning will rely on strong relationships, commitment and leadership of those leading and participating in the process, a strong legislative basis along with clear statutory guidance will provide an important foundation upon which to build relationships and practice, particularly in the early stages of implementing the new duty. Belfast City Council believes community planning is key to delivery of the Executive’s vision for local government of <i>‘a strong, dynamic local government creating communities that are vibrant, healthy, prosperous, safe, sustainable and have the needs of all citizens at their core’</i> and that the statutory guidance needs to reflect this throughout.</p> <p>Belfast City Council welcomes this important opportunity to comment on this consultation with a view to helping ensure the goals of community planning are met and that a fit for purpose and effective process is implemented.</p> <p>Belfast City Council welcomes that the guidance provides Councils and other organisations a helpful outline of the community planning process. The main elements of the community planning process are covered and the document is helpful in identifying key principles in relation to partnership/governance structures and community involvement.</p> <p>There are however some areas of the draft consultation document that the Council wishes to make comment on and it is hoped the comments provided below will assist the Department in finalising the guidance. Key areas covered in our response include:</p> <ul style="list-style-type: none">• Clarification and strengthening the role of government departments and other key partners, and the important role of the partnership panel• The need for suitable accountability frameworks for all partners• The role of support partners and sectoral representation, including the community and voluntary sectors needs to be considered further in implementing the community planning process.• Need for partnership and governance structures to reflect local circumstances• The guidance could reflect on good practice for application of community planning at a local area level.
2.0	General Comments
	<p>2.1 Identification of Community Planning Partners</p> <p>As highlighted in Belfast City Council’s previous response to the DoE consultation on a draft Local Government (Statutory Partners) Order (NI) 2015, it is important that the appropriate organisations with key contributions to the community planning process are designated as statutory partners from the outset to send out a clear message and requirement for full and active involvement. This will also help establish the shared ownership and responsibility which will be necessary for effective community planning. Belfast City Council’s response to the previous consultation highlighted a number of additional organisations, including elements of a</p>

number of key government Departments that should be included within the list of designated statutory partners.

We are aware that the final Order has not yet been published, and that the final list will impact on the final version of the statutory guidance. Accordingly this response is written in the context of this uncertainty, particularly when addressing issues surrounding the roles and responsibilities of key organisations that may or may not be designated as statutory partners in the final enacted legislation.

2.2 Government departments

The draft guidance explains the roles and responsibilities of Councils, Statutory Community Planning Partners, Departments, support partners and the wider community.

It is noted however that the duties of Council's are framed in strong language, clearly reflecting the legal duties involved, while for other participants (partners and Departments) the wording is noticeably weaker. In particular the mandate provided within the guidance for active participation by Government Departments (para. 3.17 – 3.21) is of particular concern. The guidance suggests departments, when invited to participate, should *'make every effort to respond positively to such requests'* while at the same time pointing out that Councils should *'recognise that departments have responsibilities to their ministers and that is their first priority'*.

Whilst in many cases, strong relationships between Belfast City Council and departments would hopefully result in positive responses to such invitations. Whilst we would agree that those attending CP Partnership meetings to have an "influential senior role, be able to agree to targets and actions and ensure they are implemented" (p. 12) we recognise the resource impact that this may have on the respective participants and their organisations. It will be important to take this into consideration when creating governance arrangements, scheduling meetings etc. to ensure that this is balanced to maximise the benefit to the process for all partners.

Government departments play a key role in supporting delivery at local level and helping to align priorities and strategic policy setting at the regional level. This is particularly important for community planning in Northern Ireland where the government departments actually deliver a range of local services that in other jurisdictions would be delivered by local councils or other statutory partners. There are clear gaps between the range of functions covered by councils and the proposed statutory community planning partners outlined in the draft legislation; for example, roads and transport, skills and employment. This therefore requires a different approach to be taken to the involvement of departments, or parts of departments; and must be focused and driven by the need to involve the services and functions required to achieve better outcomes. Commitment, ownership and buy in from government departments will be required for the community planning process to succeed. This issue also formed a basis of concerns raised in the Councils response to consultation on the Statutory partners order.

Should departments not be designated in the final Statutory Partners Order, the Department should consider other mechanisms to address this issue and/or to demonstrate how the duty on Departments is operating in practice (e.g. Memorandums of Understanding), to ensure that departments can be drawn into the community planning process in a more cohesive manner (rather than relying on good will alone). We therefore request that further consideration is given to how the role of departments can be reflected in both legislation and guidance and would welcome further engagement on this issue.

The Council also recommends that Community Planning should be a key consideration in any future changes to departmental structures.

We would also suggest that the guidance is an opportunity to help ensure the community planning process realises opportunities for all partners in aligning outcomes to better co-ordinate emerging initiatives/plans/proposals of direct relevance to other partners. The guidance could highlight the benefits of using this process as an opportunity for organisations to discuss emerging policy initiatives that impact on other partners at an early stage to maximise the benefits of collaborative approaches.

2.3 Role of the partnership panel

The description of the Partnership panel (P8, paragraph 3.21, and P13, section 5) and the role of members requires clarity. It is not clear who will participate in this and if there is an onus to do so.

Belfast City Council notes that the Partnership panel will be expected to have a key role in building strong links between local and central government. This is referred to within the background section (section 2) of the draft guidance document. Belfast City Council believes the Partnership Panel will have a key role in facilitating effective community planning arrangements between Councils and Government Departments to ensure that the NI Executives vision for local government of *‘a strong, dynamic local government creating communities that are vibrant, healthy, prosperous, safe, sustainable and have the needs of all citizens at their core’* is delivered. This should be clearly reflected within the guidance, to highlight the key requirement for effective engagement between local government and departments, to provide opportunities to create better alignment of the programme for government and regional strategies with local plans and priorities. Belfast City Council considers this of particular importance, and potentially mutually beneficial to central and local government, and essential to maximise the city’s role as an economic driver for the NI region.

We would suggest that the information contained within section 5 on the partnership panel appears slightly isolated between the latter sections of the document and may be more effectively located in this earlier background section to highlight the links between the partnership panel and the community planning process. It would be helpful for the guidance to provide more information on operation of the Partnership panel and how the panel will interface with Councils on community planning issues.

The Council also recommends that consideration also be given as to how a mechanism to enable senior officer level dialogue and collaboration between central and local government officials in addition to the Minister / Member led Partnership Panel might work.

2.4 Roles of support partners and sectoral representation

Belfast City Council recognises the key role that many organisations across the business, voluntary and community sector can play in the community planning process and has been working to ensure participation of such groups in the community planning process.

The guidance makes clear that these sectors have important roles in engagement in the community planning process.

Para 3.27 refers to “hard to reach” groups. We would recommend that this wording be changed to ‘seldom heard groups’ as many such groups would not consider themselves “hard to reach”.

The guidance goes on to prescribe how organisations within these sectors might be invited to be ‘support partners’. The guidance is clear in determining the role of organisational representation. However, while the draft guidance touches on sectoral representation (e.g. para 3.28 in relation to the community and voluntary sectors, and para 3.30 in relation to the business sector) Belfast City Council notes that appropriate structures may not currently be in place to adequately facilitate this at present. It must also be recognised that there is no one size fits all approach to such representation structures. Arrangements for sectoral representation that reflects local circumstances will take time to develop.

In relation to the role of support partners we would suggest that para 3.34 could be modified for clarity – on the one hand it describes support partners’ role as similar to the statutory community planning partners role, on the other explains that their role is completely voluntary. On one hand it suggests they may be invited onto the strategic community planning partnership (possibly raising expectations), on the other suggests that their involvement may be in subgroups or to input at certain stages (limiting expectations). It is not clear how such support partners can be held to account for delivery of actions for which they are responsible.

We would agree that the participation of support partners must be determined in the context of delivery of outcomes. The guidance suggests drawing up an assessment tool to facilitate assessment against clear criterion that reflects the organisation’s role in the delivery of community planning outcomes. Belfast City Council is supportive of this approach and further clarity on this approach would be welcomed. However it is essential that any further guidelines recognise the overriding principle that partnerships need to be aligned to

delivery of outcomes of the community plan and that partnership structures need to reflect local circumstances and needs to ensure focus on delivery.

2.5 Resources

The guidance makes clear that duties of Councils, as lead partner, include making arrangements for Community planning, facilitating and managing the process. At the same time, it is made clear that development of and delivery on the community plan is a shared task. The guidance needs to make clear that community planning arrangements will require support and shared resourcing between partners, particularly as the new duties are not accompanied by any new funding for implementation. For example, Section 4 highlights key work activities that will be requirement including engagement, maintaining the partnership, shared data/evidence bases, and performance management and scrutiny.

Para 4.5 suggests that community planning should become '*firmly embedded into partners managerial cultures, corporate resource and business planning, and budgetary decisions*'. The Department should note that limited availability of resources will constrain the effectiveness and ability of the process to deliver this ambition. The guidance could encourage use of other funding streams/opportunities to support community planning arrangements, however the guidance should make clear that all partners need to help resource this work.

More significantly, the delivery of actions and functions identified in a community plan, in ways that demonstrate collaborative gain, will require more efficient and effective use of resources in ways that tailor services to the needs of communities (Para 2.9 highlights the role of community planning as a 'bridge' to link regional and local resources more effectively). Para 4.5 (referred to above) indicates that all partners should embed community planning into managerial cultures, business planning etc and budgetary decisions. Whilst this is the desired goal for ensuring community planning processes successfully deliver the potential benefits, there will need to be commitment from all partners to this approach. It should also be noted that implementing changes to corporate and budgetary planning approaches (and changing cultures) are likely to take some time. We would suggest that the guidance should be strengthened to provide a clear steer for all partners, including Government Departments to commit to such an approach.

2.6 Partnership structures/governance

The community planning partners together must be able to ensure that:

- a) each district community plan is accountable and influential and carries with it sufficient authority to enable successful implementation; and
- b) that decisions and actions are managed on an ongoing basis so that each district community plan can be effectively delivered and implemented.

However, there is a risk that naming a large number of organisations as statutory partners in the Order will make community planning partnership arrangements unwieldy and unproductive. To ensure a focus on what is needed to make community planning work locally, flexibility is required for each council area to identify optimum partnership structures and levels of involvement. For community planning to be effective, partnerships will need to fulfil two distinct roles – setting the policy direction and managing local delivery. This may mean that different organisations will be involved at different stages or in different ways. However, it is essential that the right people who can make key decisions, in line with the local community planning priorities, are engaged and included within an accountability framework.

Belfast City Council welcomes that the draft guidance does not prescribe a definitive partnership structure for all Council areas, and instead acknowledges that there are a range of operating models/arrangements for strategic partnerships. At the same time however, we note that the language used in the remaining paragraphs of this section (para.s 4.2 – 4.5) is written in the context of a strategic community planning partnership being established. We would recommend these paragraphs be reviewed to convey how such principles should be applied in the context of establishing appropriate structures that are fit for purpose and lend themselves to delivery – form should follow function, rather than applying a prescriptive one size fits all approach.

2.7 Monitoring and Performance Improvement

We would recommend that para. 4.5 when referring to ‘other supporting structures’, should include reference to the need for a co-ordinated approach among partners to ongoing performance management. This is a vital consideration as it will be a challenging task for any Partnership to *“ensure that the development and implementation of community plans becomes firmly embedded into partners’ managerial cultures, corporate, resource and business planning, and budgetary decisions.”* This is an important outcome, however it is challenging in the absence of a clear accountability framework. It may therefore be appropriate for the Department to consider the role of the Partnership Panel in this context and whether there is a need for a regional (outcomes based) accountability framework for community planning, for example, similar to the Single Outcome Agreements arrangements in Scotland.

Paragraph 4.5 – *“A co-ordinated process for evidence collection should be established to underpin the development of plans and that analysis of this evidence is shared across and between organisations....Effective performance management arrangements should be put in place, including arrangements for scrutiny”*. It is important that the guidance makes the link between the evidence base and performance management. It would be helpful if the links and alignment between the community planning and performance improvement duties were referenced much more explicitly here to avoid a possible disconnect. In terms of scrutiny it is assumed that the LGA, as the body responsible for monitoring the performance management arrangements of Councils will perform this function.

The guidance clearly outlines the requirement to publish a statement of progress within 2 years of publishing the community plan and a review of the community plan every 4 years. Paragraph 12.1 – *“The council must publish a statement once every two years on outcomes achieved and actions taken and community planning partners must provide the council with relevant information”*. This clearly highlights the requirement for partners to contribute to this review. The guidance also refers to the ongoing *‘process of monitoring implementation’* (para 12.5) – this ongoing process of performance monitoring between partners will be important to ensure that identification of issues can be addressed in a way that allows early intervention. The requirement for partners to provide information and support these processes should be more explicit. However, we would again highlight the need for any such processes supporting partnership working arrangements to reflect local circumstances and ensure a focus on delivery of outcomes.

It is also important that reporting mechanisms outlined in the Local Government (Performance Indicators and Standards) Order (NI) 2015 align with community planning requirements. Without clear indication of how these reporting frameworks will align, it would be our assumption that Councils themselves will need to take action to align the two reporting frameworks to best meet organisation needs and to fit within existing performance frameworks.

Paragraph 12.3 & 12.4 – How partnerships agree indicators and targets and in particular how partners are accountable for delivery against targets for improvement is critically important. How improvement in respect of strategic objectives in a community plan that fall outside a Councils remit will be monitored and reported, and how partners will be accountable needs to be addressed.

2.8 Sustainable development

Belfast City Council recognises the key potential for economic social and environmental objectives identified through the community planning process to contribute to sustainable development. This link is identified in the draft guidance. Belfast City Council would welcome further engagement with the Department in relation to how the existing sustainable development duties and reporting requirements will align with the community planning process.

2.9 Spatial Planning

The guidance references the legislative links between the community plan and the Local Development plan, highlighting key synergies in relation to community engagement and the data/evidence base. Belfast City Council intends to work to ensure the 2 processes are aligned as far as possible.

Consultation Questions

1. Is the Guidance clear, specific and proportionate?

The Guidance is clear in terms of the duty it ascribes to councils as leading on community planning. Where it is considerably weaker throughout is in terms of ascribing similar duties to partner organisations. In this regard, the wording is not directive enough e.g. the word 'should' is used too many times, for example "departments should engage with councils" or "Departments *should seek* to integrate community planning outcomes..." (p 8) This is weak and would enable departments to avoid engagement and integration with councils when preparing community plans, if they chose to do so because of competing priorities. The draft guidance states that Departments need to "have regard to community plans" (p 8) but again this is not strong enough and could result in the current status quo and silo working.

The guidance needs to make clear that there must be a focus throughout the process on outcomes for communities, and that strong representation and leadership from all partners is required for the process to work. Structures that are fit for purpose to meet the needs of local areas are required rather than a one size fits all approach.

Generally, the guidance is clear in some areas, explaining what is required in aspects of the community planning process, while in other areas simply states broad requirements without additional detail to guide Councils and others participating in the process of how these requirements should be implemented.

Specific aspects where the guidance can be improved relate to the roles and responsibilities of other partners, particularly Departments, role of community, voluntary and business sectors, the partnership panel, resourcing issues and monitoring and performance improvement. We would refer to our general comments outlined above for further detail on areas where the guidance should be improved.

2. Do you feel the guidance will help you implement community planning?

Ultimately for the guidance to be helpful it needs to be set in the context of duties laid down in the Act, while explaining how the various participants must contribute and how the process should operate. In its current form, the guidance heavily focuses on the role of Councils, and needs to be more directive in relation to the roles of other partners, particularly Government Departments identifying how they must engage, and how the Partnership Panel will work. In particular the guidance needs to give clear direction on how partners need to work together within the community planning process, in terms of arrangements for community planning are resources, partnership arrangements, sharing evidence and data, joint engagement, aligning organisations' corporate, business and budgetary planning to community planning outcomes, and how accountability for performance of partners will work.

The guidance highlights in paragraph 2.7 and Figure 1 the role of community planning in linking regional priorities to community planning partnership priorities, to localised/neighbourhood priorities. Whilst we recognise that the focus of the guidance is on the statutory duty to produce a community plan for a whole Council area, guidelines on approaches to local areas/neighbourhoods are not referenced in the document (Local area partnerships are mentioned in relation to structures in para 4.3). Belfast City Council is aware that community planning approaches and best practice elsewhere in the UK often includes application of community planning processes at more local levels. It may be helpful for the Department to consider addressing this issue by referring to best practice examples from elsewhere in the UK.

The draft guidance contains no detailed information on how sustainable development principles should be implemented/applied within the community planning process.

	<p>Additional suggestions in respect of how the guidance can be improved to help implement community planning are provided in our general comments in section 2 above.</p>
<p>3. <i>Do you feel one year is a sufficient time frame to develop a community plan and if not what alternative format would you suggest?</i></p>	<p>Belfast City Council acknowledges that while a one year timeframe is challenging this will be a sufficient time frame to develop an initial community plan (bearing in mind the draft guidance states that the first plan is an interim plan). It will be important that each Council and their partners recognise that the interim plan in its first iteration will not be 100% perfect but will reflect the current situation priorities and relationships. It will take a considerably longer timeframe (as well as significant capacity building work and resources) to achieve the aspiration identified in the draft guidance for all partners to <i>‘ensure that the development and implementation of community plans becomes firmly embedded into partners’ managerial cultures, corporate, resource and business planning, and budgetary decisions.</i> Monitoring, review and reporting of the plan will help ensure that it achieves its outcomes and targets as well as refining collaborative working among partners.</p> <p>Belfast City Council also recognise key drivers for producing an initial plan within this 1 year time frame include the potential to influence the emerging new Programme for Government and other emerging strategic plans of our partners. Whilst recognising a longer timeframe would allow additional time for engagement and building the evidence base, it would be preferable to have an initial plan that links with key regional strategies to build on over the coming years. To this end, Belfast CC is aiming to produce its 1st community plan by April 2016. We would also suggest that a 1 year time frame will help to build early momentum amongst partners.</p> <p>It would be helpful if the guidance could clearly identify what is required within the 1st year timeframe (i.e. what is to be included within an interim community plan).</p>
<p>4. <i>What would you define as a reasonable degree of consensus reached to enable decision making?</i></p>	<p>While the guidance sets out some basic objectives for considering how consensus might be reached, the draft guidance places the onus on Councils to make their judgement as to when this point has been reached. Given the difficulty in defining this, we would suggest it should be for Councils to determine this when agreeing partnership and decision making arrangements at the outset of the process. How consensus is to be reached will depend on the partnership structures that are established and local circumstances and priorities. Whilst we would welcome additional guidance in respect of reaching consensus, some flexibility for Councils to reflect local structures, governance arrangements and circumstances will be required. There needs to be a pragmatic approach to ensure a focus on building momentum and progress on delivery of outcomes.</p> <p>Many different forms and models for consensus based decision making exist within governments and large organisations across the world, some based on full or partial consent and/or agreement, others on majority voting thresholds. The emphasis of consensus building approaches is on participation and involvement to enable partners to consent (or lack of dissent) to the proposals under consideration. Para 11.4 in its current form would indicate that consensus would be reached once all community planning partners agree to the content of the plan. It may be helpful to explore examples of approaches to reaching consensus in community planning processes elsewhere in the UK.</p> <p>We would also point out that the guidelines provided in paragraphs 11.2 – 11.4 could be amended to convey more consistent messages. On one hand the guidance implies that full agreement of all partners is not required to reach the point where consensus has been reached, stating Councils will be required to <i>‘make a judgement as to when a degree of consensus has been reached among partners’</i> and that <i>‘it may not be possible or expected that complete consensus between all partners will be possible on every aspect’.</i> Para 11.3</p>

	<p>also suggests that <i>‘where agreement is not reached initially, then there is an opportunity to revisit an issue later when the community plan is reviewed.’</i> On the other hand, it suggests that full agreement from partners is required before publishing the plan. Para 11.4 seemingly contradicts the earlier statements by stating that Council should ensure that the <i>community planning partners agree to the content and format of the plan’</i>.</p>
	<p>5. <i>Is the guidance clear in respect of equality and good relations duties?</i></p>
	<p>Belfast City Council recognises that equality of opportunity and good relations are central to the community planning process, and welcomes that these duties are clearly referenced throughout the document. Belfast City Council also welcomes that the guidance includes clear reference to the OFMDFM Together Building United Communities strategy, and recognises the important link to the community planning process.</p> <p>We would suggest that the guidance should highlight that advice should be sought at an early stage in the process, from the Equality Commission NI and the Community Relations Council on how good relations and equality can be embedded into the community planning process. This would assist the development of the community plan and future reporting requirements, particularly in relation to S75 duties.</p> <p>The guidance should include specific reference to the Racial Equality Strategy.</p>
	<p>6. <i>Does the guidance sufficiently define partner roles and responsibilities?</i></p>
	<p>As highlighted with our general comments in section 2 of this response above, we are concerned that the partner roles and responsibilities are not sufficiently defined in relation to:</p> <ul style="list-style-type: none"> - Roles and responsibilities of government departments - Roles of community and voluntary sectors - Role of the private sector <p>This is particularly the case in relation to how partners can be compelled to participate (especially government Departments), resourcing of community planning arrangements, monitoring and accountability for performance improvement etc.</p>