

DELIVERING ON THE REVIEW OF PUBLIC ADMINISTRATION

CREATING STRONG LOCAL GOVERNMENT

A Paper Outlining a local Government Preferred Approach

August 2008

Context

1. The Review of Public Administration (RPA) initiated by the devolved Assembly was announced in September 2002. It was subsequently overseen by direct rule Ministers from October 2002 until May 2006, when devolution was restored. In July 06, the then Minister for the Environment, Arlene Foster MLA, initiated a further Review of the Local Government Aspects of the Review of Public Administration.
2. Arlene Foster MLA announced the outcome of the review to the Assembly on March 31st 2007. The key elements of the final decisions were:-
 - the rationalisation in the number of local authorities in Northern Ireland from 26 to 11, to be effective from May 2011
 - the transfer of a range of functions from central to local government including planning, regeneration, public realm aspects of local roads, and some minor economic development, tourism and housing related functions
 - the creation of new Community Planning and Wellbeing Powers for Local Government
 - Statutory Governance arrangements
 - A clear indication that the strengthening of local government would be “a process and not an event” and that a further review would be carried out 12 months after the new councils become operational
 - Central and Local Government to work in partnership to deliver the Programme for Government and the vision for local government
4. In the announcement the Minister set out a vision for Local Government.

“Our vision for local government is therefore one 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. Central to the vision is the provision of high quality, efficient services that respond to the

needs of people and continuously improve over time. That vision resonates with the Executive's Programme for Government and the strategic priorities contained within it. It also reflects the strong desire that central and local government should work in partnership to deliver the Programme for Government and the vision for local government."

5. The **vision** articulated in the announcement is consonant with the vision outlined by NILGA at its conference on 16/17 February 2006. This vision recognises the requirement that citizens' needs need to be at the centre of delivering public services. It further recognises the need to integrate public services both to serve the public more effectively and to provide better value for money. Finally it recognised that for community planning to work local government, central government, statutory agencies and the voluntary community and private sector will have to build relationships and **common cause** on what they are trying to achieve.

6. In the context of the discussion about the future relationship between central and local government and the transfer of functions from central government to local government it is important to note the principles underpinning the Review.
 - (1) **Subsidiarity** – the need to balance the efficiency of regional service delivery against local democracy and local responsiveness;
 - (2) **Equality and Good Relations** – in terms of service delivery, diversity and employment, the governance of organisations including the Councils and the embracement of principles set out in A Shared Future – The Framework for Good Relations;
 - (3) **Common Boundaries** – experience elsewhere demonstrates that people can understand public services better when they are delivered in common boundaries which also make it much easier for organisations to deliver real joined-up services; and
 - (4) **Strong Local Government** – all the Review consultations saw people strongly in support of local government as the centrepiece in service delivery and local democracy.

7. The RPA is now reaching the critical stage of implementation where functions will be transferred from central government to local government. It is essential that there is a common understanding across central government on the purpose and vision underpinning the transfer of functions to local government. Local Government now calls upon the Minister and Executive Colleagues **agree a set of principles to firmly set the context in which the implementation work for the transfer of functions should be approached.**

8. Such a statement of principles will serve to ensure that both central and local government are working in partnership to a common vision and that the transfer of functions takes place in an environment of trust, mutual regard and the common cause of providing integrated public services meeting the needs of our citizens. NILGA therefore requests the Minister of the Environment in

line with the specified vision to endorse the principles set out below and to seek agreement from Ministerial colleagues to inform the manner in which the Departments and local government approach the work of implementing the transfer of functions to local government.

9. The purpose of the transfer of functions to local government is to create a strong local government having direct control over local services which are delivered in a manner responsive to local needs. Such services must be provided fairly and equitably and in a manner which ensures value for money. Community planning is the mechanism through which the aim of integrated public services responsive to the needs of local communities will be pursued. This will require both central and local government to look at the manner in which services are delivered at the moment and the manner in which resources are allocated.
10. The common aim of both central and local government is to work in partnership to create sustainable, safe and fair communities that live in attractive places and enjoy effective public services and a good quality of life. Such communities will also be economically successful and socially cohesive with an appreciation of the rights and responsibilities of people from all backgrounds, providing opportunities for business and individuals to thrive in a sustainable manner.

Local Government Requests

11. **Local government therefore requests the Minister of the Environment to endorse the following set of principles and to seek agreement from Ministerial colleagues to agree the statement of principles and subsequently ensure that Government Departments adhere to these principles when transferring functions to local government.**

Local Government feel the following statement of principles to guide the work would be appropriate.

- (1) The transfer of functions to local government will be governed by the vision and guiding principles set out in the Ministers speech, as reiterated above in paragraphs 2-6 above.**
- (2) To build and sustain the trust that will create the relationships to deliver community planning, the transfer of functions must take place in an open and transparent manner. This will require the Departments and agencies transferring functions and representatives of local government to hold early and open conversations involving the mutual exchange of information on the resources and capacity of the functions being transferred.**
- (3) This work should be facilitated within the arrangements for the task force, ensuring a timetable, consultation arrangements and a project plan for implementation is prepared and overseen by the Minister in liaison with the Strategic Leadership Board.**
- (4) Reports on the transfer of individual functions should be prepared by individual Departments and be reported to the Minister and Strategic Leadership Board for endorsement.**

- (5) Ministers should require Departments to prepare reports in consultation with local government and each report going to the Strategic leadership Board should be signed off by both parties indicating the areas of agreement and disagreement.
- (6) Ministers should require their Departments to prepare these reports based on the following principles:
- (a) All services announced by the Minister as transferring to local government will transfer (subject to discussions with local government on some minor items).
 - (b) A clear definition will be provided for of the transferring functions in terms of their scope, currently policy, associated resources and current governance arrangements.
 - (c) A clear time line and project plan will set out the methodology and processes (including consultation arrangements) necessary for the timely transfer of functions.
 - (d) Functions being transferred should be sufficiently funded at the point of transfer to ensure that the same quality of service is available to citizens pre- and post-transfer in a manner that ensures that at the point of transfer there is no additional cost to the ratepayer.
 - (e) All the resources associated with the function in terms of estate, fleet and human resources together with a proportionate amount of the back office administration and human resources associated with the exercise of the function will transfer.
 - (f) Both parties recognise that it is essential that skilled staff are transferred with the function as it is these staff who will ensure that services to citizens are maintained and improved. Discussions will take place between both parties to agree the number, capacity levels and skills of staff who should transfer.
 - (g) The Minister in liaison with the Strategic Leadership Board will determine whether the above principles have been complied with when considering the reports from the individual Departments and if there is disagreement will consider taking independent advice on the arguments put before them.
 - (h) The Minister and Strategic Leadership Board recognise that it is vital to maintain staff motivation and morale through a period of radical change and therefore undertake that the principle of parity will apply to all staff who are affected by the change whether they be in local or central government. This means that the same compensation and transfer arrangements will apply and that the principle of fair and equal treatment will be at the heart of all decisions.