



rota

Policy Position Paper

Race on the Agenda

Position paper on *Strengthening Local Democracy consultation*



About ROTA

Race on the Agenda (ROTA) is one of Britain's leading social policy think-tanks focusing on issues that affect Black, Asian and minority ethnic (BAME) communities. Originally set up in 1984, ROTA aims to increase the capacity of BAME organisations and strengthen the voice of BAME communities through increased civic engagement and participation in society.

ROTA's Articles of Association state that the charity is set up "to work towards the elimination of racial discrimination and to promote equality of opportunity, human rights and good relations between persons of different groups".

For historical and demographic reasons, our work prioritises London, but our activities and a number of our projects have national and international significance. To this end we work in close partnership with our membership and others interested in race equality, human rights and the promotion of good relations.

Our presence in London is enhanced by the regional network, [MiNet](#).

MiNet is the London focused BAME network of networks, which joined ROTA in 2002 to strengthen the voice for London's BAME Third Sector in the development of regional policy.

ROTA definition of BAME and approach to race equality

ROTA works on social policy issues that have an impact on race equality and BAME communities. ROTA's definition of 'race' encompasses all the protected characteristics under equality legislation including colour, nationality and ethnic or national origin. We use the term BAME to refer to all groups who are discriminated against on the grounds of their race, culture, nationality or religion which includes but is not exclusive to people of African, Asian, Caribbean, East European, Irish, Jewish, Roma and South East Asian decent. ROTA adopts a holistic approach to race equality and works in partnership with other Third Sector organisations that complement its expertise and have a similar vision

This Position paper

ROTA recognises the need for development in democratic civic engagement and this position paper addresses the main themes outlined *Strengthening Local*

Democracy, the governments proposals to transfer more power to local council and strengthen the role of local democratic structures. It outlines the possible ways in which Local Councils can be developed to improve their ability to tackle the needs of the UK in the future.

It is not a full consultation response but it does raise general concerns and some approaches within the themes outlined that can ensure equality of service and engagement with BAME communities. Due to the importance of the BAME third sector in supporting democratic engagement and increasing representation ROTA has developed this paper in conjunction with London Voluntary Sector Council (LVSC). It represents the views and experiences of ROTA and LVSC members and identifies their shared concerns.

Strengthening Local Democracy

The Department for Communities and Local the Government set out proposals to tackle the levels of political disengagement among communities in Britain, and to ensure that local government has the powers it needs to tackle the issues facing the UK into the future. The proposals are part of the government Constitutional Reform package to strengthen the engagement of citizens with local democratic structures. This involves both preparing for the challenges facing UK communities in the next few years, including climate change, but also managing changing identities, association and relevant geographical areas of responsibility.

These issues are particularly prevalent for BAME communities. Examples of the political disengagement can be seen in the falling membership of the traditional political parties and lower turnout for both local and general elections over the past decade. With experience of racism, exclusion and discrimination, poorer life outcomes in education and health, and higher representation in the criminal justice system, many pressures add to the disengagement of BAME communities. More importantly there is under representation as members of parliament and local councils don't fair much better. Only 2.1% of local councillors were from non white ethnic backgrounds whereas in the general population that is nearer 9%¹. With poor representation and poor experiences of services, trust in the democratic institutions is low among BAME communities.

This makes a strong case for the proper recognition and support for the engagement roles BAME groups play in their communities, complementing representation role of local councillors.

The document recognises the role for alternative methods for engaging with communities discussed in the empowerment white paper last year² including participatory budgeting and communities deciding how to deliver public services.

These proposals reassert the central role of the democratically elected council in the engagement with the citizen. The increased role of local councils can be

¹ Survey of local election candidates 2008 - IDeA

² *Communities in control: real people, real power*, Department of Communities and Local Government, July 2008

divided between 1) strengthening the position of local councils to provide scrutiny of delivery against the needs of the local community, and 2) the strategic role that local councils can have in delivering services and driving forward change in areas.

Within these two roles BAME communities have experience of where improvement is required. In service delivery many BAME communities can identify exclusion, discrimination and failure by local authorities and public bodies such as the police and primary care trusts. This leads to a loss of faith in the ability of these organisations to meet ones needs. Equally, as stated previously, the level of representation of BAME communities is well below that of the general population, reducing the level of scrutiny on behalf of BAME community needs. This combined with experience of poor service delivery undermines a sense of belonging, disengaging members of these communities and leading to a lack of trust. These issues cut across the specific proposals that are outlined in the consultation document.

Themes

1) Local government at the centre of decision making

The first chapter centres on the role of local councils as directly elected bodies and their subsequent mandate of oversight of locally delivered services. The proposals seek to develop this mandate and open it up to cover deliverable targets and expenditure across other public sector organisations and where appropriate the private sector.

It identifies within local authorities the established role of scrutiny committees over issues that are important to the communities. The government wishes to extend the scrutiny powers in three ways.

- **Broadening** the number of bodies that can be subject to scrutiny committee.
- **Enhancing** the powers these committees have such as requiring officers and board members to appear.
- **Enabling** scrutiny committees to make recommendations that other organisations are required to consider.

Examples given of organisations that could be covered include police and fire authorities, probation services, public transport, Jobcentre Plus, utility companies and any other organisations that are involved in the delivery of the Local Area Agreement targets.

From a race-equality perspective the need for scrutiny and oversight of the delivery of public service and against the needs for the community is very important. The role of the democratically mandated councils overseeing services and targets is also a central plank to ensure legitimacy, fairness and representation.

ROTA recognises the role of local councils in providing this democratic oversight and believes that simpler methods of delivering scrutiny and accountability will

improve access to equality and justice. But there are major concerns about the representative nature of local councils given the low representation of BAME communities, as well as women and people with disabilities, among councillors. From the perspective of BAME communities this will fundamentally undermine the benefits for extended oversight powers by entrenching pre-existing under representation in the scrutiny process.

Equally the extension of scrutiny involves significant responsibilities to challenge delivery of services that have failed. BAME communities have repeatedly experienced the failure of both service delivery by local authorities and elected representatives challenging indirect discrimination or exclusionary provision. Therefore there is little faith that the role to challenge service delivery on behalf of race equality or BAME communities will be adequately performed by unrepresentative councils.

We would therefore encourage local councillors to develop much stronger links and partnerships with BAME groups on the ground in their communities as a means to starting to redress this situation. In some cases where clear accountability exists BAME groups may be able to effectively represent the views of their communities. But even where this is not possible, BAME groups will have unique insight into and experience of the public service challenges described above, and can play an invaluable complementary role in helping to improve public services for such disadvantaged or marginalised communities.

The need for a specific mandate to challenge local public bodies and to stop unlawful discrimination and promote race equality has been in place since the Race Relations (Amendment) Act 2000. This is needed to address the specific failings that were occurring in public authorities delivering their services equally and fairly. This specific mandate must be reasserted in the extended scrutiny powers to ensure that equality is considered as a core value in the oversight.

It must also be considered that any extension of powers and responsibilities will require resources. This will be used to broaden the engagement, but also to bring other partners under the process of scrutiny. In doing so there needs to be a guaranteed increase in resources for the BAME third sector to be able to continue and increase engagement with scrutiny committees. Otherwise the process will result in increased disengagement of the third sector and BAME communities.

Many recent developments in the roles of Local Authorities and their legal responsibilities support such an argument – from the many community-led indicators within the LAA set (covering elements of cohesion, civic engagement, volunteering and a thriving third sector) – to the coming of the Single Equality Bill, which will place new pan-equalities responsibilities on Local Authorities. It is important that statutory partners work with both generic Voluntary and Community Groups (to help understand the breadth of the impact of these responsibilities) and specialist equality groups such as those working with BAME communities (to ensure unique issues are not diluted within a broad equalities framework). Financial support for local VCS groups is therefore vital to secure such engagement.

2) Strong Local government operating in the local interest

The second chapter deals with how local authorities as strategic bodies can operate to promote the solutions to the future issues facing communities. It asks the question whether local authorities have the right powers to deliver those solutions but also how they can be less hampered by issues such as burdensome inspection. It is based around the changing role of local authorities away from meeting targets to ensuring entitlements this has been developed as part of *Building Britain Future Policy* programme.

The proposal are limited to looking at potential opportunities such as reducing Local Area Agreement indicators, opening up opportunities for local authorities to develop mutual insurance companies and other types of enterprise. There are also potential developments on reducing inspection and bureaucratic burdens on local authorities as well as asking what opportunities there are for further improving health, social care and transport delivery.

ROTA believes that it is important to recognise local authorities as the strategic body responsible for delivering numerous services and for leading in Local Strategic Partnerships and other important partnerships. As such they have a key role to promote equality and ensure fair and equitable access to services and opportunities within an area.

To ensure civic renewal in the context of improved services and the strategic role of local authorities it is essential that inequalities and exclusion based on race are tackled as a priority. As with the issues of under representation the failure of society to meet the needs of certain groups promotes disharmony and undermines shared senses of ownership and involvement. Promoting equality is required as a cross cutting strategic priority. It can be achieved through thorough implementation of the general duty of the Race Relations (Amendment) Act 2000.

In attempts to reduce the administrative burdens of inspection there is danger that equality is perceived as an add-on to be removed. As discussed earlier scrutiny is essential to the delivery of good and equitable services and inspection is key to this. Equality as a fundamental value within society must be a core element of the inspection regimes and not threatened under any proposed reductions. Any attempt to reduce inspections must consider the obligations under the Race Relations (Amendment) Act 2000.

A second danger is that a reduction in outcomes against which Local Authorities and their partners must report has the potential to undermine moves towards greater scrutiny and accountability. New methods must therefore be developed to promote openness and accountability in our public services. Stronger working relationships with BAME groups – perhaps through a stronger embedding of Compact principles within LSPs – may help here.

In developing services a key role will be for the BAME third sector. As a failure of service and exclusion from mainstream services has led to the development of BAME third sector organisations to meet needs, these will be key to ensuring

equitable access to services and need to be a the central of any development of the strategic function of local authorities.

3) Local authorities tackling climate change

This chapter explores what extension of powers is required and what role there should be for local authorities to successfully tackle climate change. This includes the role of national indicators on driving change in local areas as well as the role of local councils in meeting the carbon budgets nationally.

Climate change affects everyone, and so is of concern to BAME communities. The need to address this will require investment to change behaviour and meet the pressing need to reduce carbon emissions. This will involve redevelopment and a key consideration should be the particular needs of many BAME communities. With specific issues of high deprivation and urban concentration it will be more difficult to meet these targets in some BAME communities than the wider community. There is responsibility on local authorities to ensure that improvements to the environment are shared by everyone and the methods to address these are fairly shouldered by all communities.

4) Sub-regional working

In recognition of the changing geographies and needs for partnerships the proposals outline possibilities for extending powers and possible methods local authorities to link up.

At present, there are various forms of Multi Area Agreements and different sub regional forms of government dealing with different issues. The government wants to explore how it can improve and facilitate these agreements and structures when necessary. For example, making it easier to create Integrated Transport Authorities across multiple local authorities, or creating single City regions with elected assemblies or mayors. The proposals are asking different ways in which these regional structures can be held accountable

In London there has been 9 years of an elected regional assembly, and executive mayor, with significantly more experience of a regionally based police force in the Metropolitan Police Service.

With this experience it is clear that the previously mentioned issues of under representation and ensuring race equality in the strategic functions of the authorities are important. The potential activities to create large local authorities, and maintain a democratic accountability has significant bureaucratic costs. This needs to be considered in light of the benefits for services to BAME communities from such changes, and ensure that any developments are properly consult the BAME third sector in all areas and potential tiers. This is to understand the potential effect on BAME communities and the provision of equality.

5) Clear relationships with local government

The final chapter covers the need to establish clarity of understanding among citizens of the different roles and responsibilities of central and local government. It looks to do this through a clearly understandable and accessible relationship between local and central government based on a set of principles. These ensure the democratic mandate and responsibilities of local government to its citizens, whilst ensuring the protection from interference of central government except in cases of failure of citizens needs.

Key to this is how such principles should be enforced. The proposals are for an ombudsman who would be accessible by the public and a Joint Select Committee of both houses of parliament that would look at complaints and conflicts between the tiers of government.

ROTA recognises the need for transparency and supports moves to clarify and relationship between central and local government for citizens. We believe that citizens, especially among BAME communities, can more successfully hold their government to account with clear lines of responsibility and democratic power. In pursuit of this the BAME third sector has, over decades, consistently acted to represent the needs of BAME communities and tackle issues of race equality and injustice. This role (and that of the wider third sector) is recognised by government for developing innovative services and advocacy on behalf of specific service users, such as BAME communities³. Our other key role – that of identifying issues - must also be recognised in developing any ombudsman structure and resourced effectively. It is particularly relevant considering the unrepresentative nature of local councillors and MP's compared with the rest of the population.

© 2009 Race on the Agenda

targeting social policy

An organisation investing in sustainable future
Printed on Greencoat Offset – 100% recycled fibre, Totally Chlorine Free (TCF). bio-degradable and NAPM recycled certification

Race on the Agenda

Waterloo Business Centre
117 Waterloo Road
London SE1 8UL, UK

t: +44 (0) 20 7902 1177
e: rota@rota.org.uk

Registered Charity: 1064975
Company Limited by Guarantee: 3425664

www.rota.org.uk

³ *Cross Cutting Review of the Role of Voluntary and Community Sector in the delivery of Public Sector Organisations*, HM Treasury, 2002, pp15-17

