



How (and why) to support the Our Services Our Say campaign

A guide for local authorities

**we
OWN
it**

What is We Own It?

We Own It campaigns for public services run for people not profit. We believe the public services of the future will be transparent and accountable, and will put people first. We're looking for councils who agree and who want to work together to help make this a reality.

What's the Our Services Our Say campaign?

The Our Services Our Say campaign is a way for local authorities and other commissioning bodies to demonstrate their commitment to giving public service users a say over outsourcing. It's a public facing campaign, designed to highlight the excellent work that many councils are already doing, and strengthen support for the following common sense principles:

TRANSPARENCY - information about decisions made in our name

- 1) Public service contracts should be publicly available
- 2) The public need access to the performance and financial data of providers
- 3) Freedom of Information should apply to private providers of public services

ACCOUNTABILITY - a real say over our public services

- 4) The public should be consulted about public services
- 5) The public need to be consulted before any outsourcing of services or privatisation of assets
- 6) The public need a right to recall bad providers

PEOPLE BEFORE PROFIT - public services that put people first

- 7) Public ownership should be the default - the public interest case must be made for any privatisation and outsourcing
- 8) If a decision is made to contract out, there should be always an in-house bid on the table (or a reason given why not)
- 9) Social value needs to be prioritised whenever public services are outsourced

The campaign is supported by a wide range of organisations, from political parties to NGOS, from unions to academics. See the full list of supporters on this page

www.weownit.org.uk/public-solutions/our-services-our-say

What's the problem this campaign is solving?

Across the country, many public services have been outsourced to private sector providers. Local government outsourcing doubled under the last parliament.¹ Outsourcing has often failed to deliver the expected savings to the taxpayer, and failed to lead to better service provision. Research shows that in-house provision can provide better value for money and more flexibility at a time of severe budget cuts.²

Our polling reveals that 73% of the public want to be consulted before outsourcing while 67% think public service contracts and data should be publicly available. Three times as many think public ownership should be the default for delivering public services, rather than outsourcing.³

Our research has also shown that only 21% of the public trust outsourcing companies - the lowest level of trust compared to other organisations like the NHS (79%), the police (65%) and the armed forces (79%). Only 16% think there is adequate regulation of private companies running public services.⁴

In short, public trust in the rationale behind outsourcing and the companies involved is very low. Public service users can't see contracts agreed in their name and they have no information to see how they are working. The people affected by privatisations and contracting have no say over what happens to their public services. They have no way to hold companies to account or recall them when they do a bad job.

This situation is old-fashioned and unsustainable. As consumers, people expect to have some power over the services they receive. As taxpayers, they expect value for money. As citizens, they expect to have a say.

The public is in favour of the principles in the Our Services Our Say campaign. We hope that you can show support for them and help put them into practice.

If my council signs up to support Our Services Our Say, what are we committing to?

By signing up to the Our Services Our Say campaign, your council is committing to two things:

- 1) You support the principle of public service users having a say over their services

¹ Financial Times www.ft.com/content/244f0bd8-eccb-11e4-a81a-00144feab7de

² Association for Public Service Excellence
www.unison.org.uk/content/uploads/2013/06/On-line-Catalogue201223.pdf

³ Suration <http://suration.com/three-quarters-say-public-should-be-consulted-before-public-services-are-outsourced-suration-for-we-own-it/>

⁴ Polling on outsourcing companies <http://weownit.org.uk/privatisation/outsourcing>

- 2) Your council is willing to be a flagbearer in starting to make this a reality by implementing at least some of the principles mentioned above (we appreciate that some of the principles are difficult to do without national legislation)

Our aim is to celebrate the best practice that councils are already doing and encourage them to go further.

How will it benefit my council to sign up?

- You'll be able to tell the public in your area that you're making progress on this issue
- You'll be included as a supportive council on the We Own It website
- We'll include text from you on our website about how you're working towards the principles in Our Services Our Say campaign
- We'll help to promote any best practice work you do towards implementing the principles
- We'll send out a press release to your local media to give you credit for signing up and leading the way in procurement and email all our supporters in your area to tell them

What We Own It will do:

- We'll provide you with a model motion to take this to your council
- We'll provide a press release and support
- We'll be available with advice and contacts if you need more information about how to take the motion forward within your council
- We'll make a social media splash if you pass the motion, and make sure to highlight your decision in local and national media wherever possible

How does our authority implement the principles of the campaign?

Some of the principles are harder to do than others. This isn't meant to be a test, nor do we expect councils to do implement all the principles at the same time. Some of the principles – like the right to recall providers for poor performance – are tricky to do, with no legal precedent. But we would like to see all those that support the campaign voicing support for this principle. We could have separated them into separate motions, but the idea is that you support the broad principles, whilst recognising that some are easier to do than others.

Below we've set out some ideas about how you could start to implement some of the proposals.

TRANSPARENCY - information about decisions made in our name	
<p>1) Public service contracts should be publicly available</p>	<p><i>67% of the public think that public service contracts should be available</i></p> <p>Previous contracts will be covered by commercial confidentiality agreements. However, your council could make it a condition of new contracts that these are available to the public. There are different ways of doing this</p> <ul style="list-style-type: none"> • Make the whole contract publicly available • Topline summary of contracts available to the public, both in terms of amount spent and expectations of the service provider (if there is a reasonable concern about providing detail to competitors)
<p>2) We need access to the performance and financial data of providers</p>	<p><i>88% of the public think private providers running public services should be as transparent as the public sector</i></p> <p>We believe the public should have access to information that enables them to assess whether providers of services are doing a good job.</p> <ul style="list-style-type: none"> • Performance data – you could provide summary or detailed information to explain what KPIs are expected of the provider and whether expectations are being met • Financial data – you could require open book accounting of all new contractors
<p>3) Freedom of Information should apply to private providers of public services</p>	<p><i>48% believe private providers already have to answer FOI requests if they are delivering public contracts (but this is not the case)</i></p> <p>You could make it a condition of submitting bids to the council that providers are subject to Freedom Of Information. You could also</p> <ul style="list-style-type: none"> • Make it easy for people to understand how to request information from private providers running public services

	<ul style="list-style-type: none"> • Make more information available in the first place so that FOI requests are not as frequent or as difficult to deal with • Have a policy of erring on the side of providing information to the public whenever possible
ACCOUNTABILITY - a real say over our public services	
4) The public should be consulted about public services	<p>Many councils already consult about public services in their area and you will probably already have online and offline methods of doing this. Consultation needs to apply to the full range of public services being provided in your area (for example this might include back office services or services like buses which may be provided by private companies). The public should be consulted in a way that makes the process meaningful and useful for improving service delivery.</p>
5) We need to be consulted before any outsourcing of services or privatisation of assets	<p><i>73% of the public think they should be consulted before outsourcing decisions are taken</i></p> <p>Decisions about outsourcing are often seen as a matter for the procurement specialists, rather than the wider public. However, all of us use and pay for public services and should have a say in what happens to them, especially as the consequences of privatisation and outsourcing can be very difficult to reverse. Public consultation needs to happen before any outsourcing process - and before any public assets are sold off.</p>
6) We need a right to recall bad providers	<p><i>88% of the public think we should have the right to recall providers who perform badly</i></p> <p>When you agree a new contract with a provider, you could include a break clause as part of the contract. If public dissatisfaction with the service provided reaches a certain threshold, you would have the pre-agreed right to terminate the contract at the point of the break.</p> <p>The right to recall bad providers is a new idea and we do not know of any councils that have implemented this. This is more legally challenging than some of the other powers but it's highly popular. Let us know if you're interested in doing this!</p>
PEOPLE BEFORE PROFIT - public services that put people first	

<p>7) Public ownership should be the default - the public interest case must be made for any privatisation and outsourcing process</p>	<p><i>Three times as many (61%) think public ownership should be the default for delivering public services, rather than outsourcing.</i></p> <p>Procurement processes waste time and money if they are not needed and may result in a worse outcome. A strong public interest case needs to be made in the first place. The public should be able to see the decision-making process on your website and understand why the default of public ownership was not felt to be working as things stood.</p>
<p>8) If a decision is made to contract out, there should be always an in-house bid on the table (or a reason given why not)</p>	<p><i>80% of the public think there should always be an in-house bid to check value for money</i></p> <p>Your council could commit to looking at the in-house option whenever that's possible. This means ensuring that an in-house bid (and any improvements to the in-house service) is always considered as part of options appraisal. The council can prove this by making a note on its website of the procurement process. If an in-house option was considered, you can explain why this was rejected. If it was not considered (for example because of lack of internal expertise) you can explain why.</p>
<p>9) Social value needs to be prioritised whenever public services are outsourced</p>	<p><i>57% of the public think not for profit organisations should be more likely to win contracts</i></p> <p>As a council, you can choose to use the Social Value Act to prioritise social value, not just price when contracting out. This means that organisations like cooperatives, charities and social enterprises are more likely to win contracts, rather than profit-focussed multinationals. There are provisions for this in the new UK Public Contracts Regulations. In Scotland it is already mandatory. If you use it to design procurement notices, then let us know because it needs to be celebrated!</p>

FAQs

Where has this campaign come from?

We Own It launched a campaign for national legislation, a Public Service Users Bill, at its launch in 2013. The principles in Our Services Our Say draw on the proposals in the bill. These were developed in consultation with advisors and allies in various organisations including the Association of Public Service Excellence (APSE), the TUC, Unison, Unite, Cooperatives UK, Social Enterprise UK and Compass.

The Public Service Users Bill was presented to parliament in January 2014 by Green MP Caroline Lucas as a Private Members Bill. It was then supported by over 100 MPs in Early Day Motion 438, put forward by Labour MP Geraint Davies.

We don't think we can pass the Bill in the current parliament. That's why We Own It is now keen to make this idea a reality by working with progressive councils around the country. We hope that in time momentum will build for national legislation in the long term and demonstrate grassroots, popular support for the principles in the Bill.

A lot of your principles seem to involve making information or consultation processes available or accessible. How should we do this?

We know that councils have a lot on their plates already. We'd suggest that you use your existing online and offline methods of communicating with the public. If a member of the public is looking for information about public services, outsourcing or contracts in your area, they should be able to find it easily on your website.

The public doesn't really care about outsourcing, they just want to know we're doing a good job. Why do I need to do all this?

We know that public support is high for all of the principles of the campaign and the proposals in the Bill. You don't need to do it all at once but taking baby steps towards making public service decisions and information more transparent and accountable is a good thing. Many people don't want to be involved in council decisions but democracy and providing the information needed to help make more democratic decisions is still important. If anyone in your area wants to know how their money is being spent, whether a provider is up to scratch or to voice their opinions about a service in a meaningful way – they should have the option of being part of the process your council is already going through. After all, they are the ones who are most affected by your decisions.

Why should councils do this when national government isn't?

Councils lead the way on many fronts. From the Ethical Care Charter to the Living Wage, councils are going above and beyond their statutory duties because they care about their communities and want to do a good job. That's something to celebrate!

How can we prioritise this at a time of cuts and austerity?

If you believe in the principles of the campaign, we want to have a conversation with you. We understand that there may be some spending implications but most of the principles in the campaign are more about extending processes your council already has (like consultation), making your decisions available and accessible to the public, and negotiating for more transparency and accountability before signing contracts with providers. You don't have to implement everything at once or at all – but if you can make meaningful progress towards giving public service users more of a say, we'll be behind you! We know how much pressure councils are under, but that's one reason why it's more important to get outsourcing decisions right and communicate this to the public. There is also plenty of evidence that bringing services in-house can save money and boost flexibility.

OK, it sounds like a good idea. What do I do now?

- Pass a motion in your council (see model motion)
- Tell us when this is done, we can get in touch with local press and groups in your area
- Send us a brief statement about what your council is doing to put the principles into practice - we'll share this on our website

Can I talk this through with someone?

Yes! We'd love to talk to you about it. Email us at info@weownit.org.uk

We hope to hear from you soon.

weownit.org.uk info@weownit.org.uk 07923271431



/WeOwnItCampaign



@We_OwnIt