

Children in Northern Ireland (CiNI)

Response to

**The Review of Public
Administration in Northern Ireland**

Further Consultation

September 2005

Introduction

Children in Northern Ireland (CiNI) is the regional umbrella body for the voluntary child care sector in Northern Ireland.

CiNI represents the interests of its 90 member organisations, providing policy, information, training and support services to members in their work with children and young people. As a representative voice for its members CiNI works in partnership, at all levels of public administration in Northern Ireland, with both government and statutory sector public service providers to enhance the lives of children in Northern Ireland. One of CiNI's key objectives in responding to this consultation is to advocate for the development of a system of public administration that can support the implementation and local delivery of the government's over-arching Children and Young People's Strategy for Northern Ireland.

CiNI welcomes the opportunity to respond to the Review of Public Administration (RPA) Further Consultation and has held a consultation workshop for member organisations which has informed our response to the further consultation.

General Comments

The Regional Tier of Public Administration

As we have indicated one of our key objectives in responding to this consultation is to advocate for the development of a system of public administration that can support the implementation and delivery of the over-arching Children and Young People's Strategy for Northern Ireland. Clearly given the regional scope of the strategy this requires a full and comprehensive review of the structures of public administration in Northern Ireland from regional to local level. However, this current further consultation is not full and comprehensive as there are no proposals for the reform of regional structures including the Assembly, Executive and central government departments that would compliment the reforms being proposed at sub-regional level. At this stage we would therefore strongly advocate that before progressing the review further the RPA should look to include all levels and areas of public administration in Northern Ireland.

The proposed regional tier of public administration will have a significant lead role in Northern Ireland's system of public administration with responsibility for policy development, strategic planning, standards, delivery of regional services and allocation of resources.

The extensive proposals for reform at the sub-regional tier are in the pursuit of achieving a system of public administration that is characterised by, amongst other features, community responsiveness and partnership working; quality of service; co-ordination and integration of services; and, efficiency and effectiveness (RPA, p.10). Given that there are no proposals for reform of the regional tier it must be assumed that the government believes that the regional tier meets these characteristics and therefore does not require reform. We do not believe that at present the regional structures of public administration deliver on these characteristics. The central government departments may aspire to such ways of working in their strategic planning, however, we believe that the current configuration of central government departments does not

accommodate or enable the reality of this way of working. From the perspective of children and families they often struggle to get the holistic, joined up services they require to meet their needs. CiNI would highlight in particular the lack of co-ordination across government departments with regard to services for children with disabilities, which appears to stem from an overall absence of accountability for services for children with disabilities.

CiNI would be keen to view research which would assess the structures at the regional tier against the ten characteristics which the future system of public administration should fulfil as contained in the RPA terms of reference.

We believe that a review of the system of public administration which does not take a holistic approach and rather focuses on structures at the local sub-regional tier is likely to produce separate levels of public administration, and therefore an overall system of public administration that lacks consistency and cohesion. We believe failure to reform the regional level makes it difficult for reform at the sub-regional level to deliver improved public services and minimises the overall strategic impact of reform for the public in Northern Ireland.

However, CiNI believes that the recent appointment of a Children's Minister in Northern Ireland is a positive advance which offers potential for co-ordinating cross-cutting action for children and young people across government. CiNI believes that this co-ordinating and cross-cutting approach should be replicated in central government and would therefore strongly advocate for the creation of a central government department for children. CiNI believes that to be truly enabled as a champion for children within government the Children's Minister must have responsibility for all aspects of public services for children which would include the integration of resources for children's services.

CiNI believes that the RPA also brings a welcome opportunity to streamline government's budget allocation and delivery processes through the new structures of public administration. Whilst we recognise that initially there will have to be investment in the change process to establish the new structures of public administration, we also believe that there should be a clear and transparent tracking process put in place which can identify the savings made over time through the reforms and can demonstrate how these savings are delivered to frontline public services.

From the perspective of children's services we would again reiterate the need to bring together and ring-fence resources for children's services which we believe would enable transparent tracking of resources in line with in line with one of the key recommendations made by the UN Committee on the Rights of the Child in its Concluding Observations for the UK and NI in 2002

'The Committee recommends that the State party ensure transparent analysis of sectoral and total budgets across the State party and in the devolved administration to show the proportion spent on children, to identify priorities and to allocate resources to the 'maximum extent of all available resources'. (CRC, para 11).

Central and Local Government Relationships

Our concerns regarding the absence of any review of the regional system of public administration have led us to focus keenly on the proposals on central and local government relationships. As the proposals for the two-tier system currently stand in the further consultation document we believe that the central and local government arrangements will be crucial in ensuring a joined up system of public administration.

The further consultation proposes a 'formal liaison mechanism' to operate between central and local government that would involve 'formal periodic meetings between Ministers and representatives of local government, with an appropriate supporting structure at senior officer level' (RPA, p.25-26).

CiNI would advocate for the development of a seamless system of public administration in Northern Ireland where there are clear and transparent arrangements that enable a two way process whereby policy development, strategic planning, standards and resources at the regional level, and the proposed community planning and service delivery at the sub-regional level interact to inform and influence the overall direction of the delivery of public services. Therefore the point of interaction between central and local government would be crucial.

CiNI believes that there should be a mechanism that will support integration between the regional and sub-regional levels rather than a separation between the levels. We would advocate for the development of a cross-departmental community planning unit that would enable a two way process whereby local community planning partnerships can influence regional direction, but also can help to co-ordinate the delivery of regional priorities in a way that is sensitive to local needs and circumstances. Furthermore, formal periodic meetings between Ministers and representatives of local government should also be inclusive of other key partners to the community planning process including the voluntary and community sector. We note that there is reference to the voluntary and community sector developing 'in scale and importance at both the local and *central* levels of government' [own emphasis added] (RPA, p.26), however there do not appear to be any firm proposals as to how this would be taken forward. CiNI would highlight that the sector is recognised as having a role at the central level of Government. The Compact between Government and the Voluntary and Community Sector in Northern Ireland recognises the representative role of the voluntary and community sector and as part of this it's right to comment on, to challenge and to seek to influence government policies (DHSS, p.13).

CiNI would welcome further consultation with the voluntary and community sector on its active engagement at the central level of government in compliance with the Compact.

Community Planning

In consulting with our members on the RPA proposals CiNI focused in particular on the proposals relating to community planning. In straddling all of the main proposals for reform of local government, health and education, community planning is central to the current RPA proposals. CiNI recognises that the RPA envisages a significant role for the voluntary and community sector in community planning as 'key partners in the planning, co-ordination and delivery of services' (p.26). We recognise that community planning offers the potential for the children's sector to maximise its active engagement with the new structures of public administration to articulate the rights and needs of children and

young people and enable their participation. Therefore we wish to give an informed view of how we would support community planning being taken forward in Northern Ireland. To do this we examined the Scottish model of community planning which was introduced on a statutory basis in 2003.

For the purposes of this response we have identified those aspects of the Scottish model of community planning that we believe could be positively replicated here in Northern Ireland and in particular we have indicated our considered view on the relationship between community planning and the planning and delivery of children's services in Northern Ireland. However, we would add that we have also identified preparatory capacity building that would be required and safeguards that must be established in advance of the introduction of community planning in Northern Ireland.

CiNI supports the overall ethos of community planning which aims to pave the way for agencies to work together to provide better public services in a manner that ensures that people and communities are genuinely engaged in the decisions made on public services that affect them.

The Involvement of the Voluntary and Community Sector in Community Planning

As with the Scottish model of community planning, we believe that the inherent strength of community planning lies with the accountability established through its statutory framework which places a duty on councils to initiate, maintain and facilitate a community planning process in consultation and co-operation with community and voluntary bodies and other appropriate bodies; and where named key public bodies have a duty to participate in community planning and to assist the local council in the discharge of its duties.

CiNI's principal concern in relation to the development of a community planning model for Northern Ireland centres on the involvement of the voluntary and community sector. We would highlight the positive way in which this has been provided for through community planning in Scotland. We believe the statutory duty on councils to consult and co-operate with the community and voluntary sector is critical in delivering on the RPA's commitment to the community and voluntary sector as a 'key partner' in community planning.

There are a number of positive elements to the way in which the voluntary and community sector in Scotland have been involved in community planning that we believe could usefully inform the involvement of the voluntary and community sector in Northern Ireland in any future model of community planning.

CiNI believes that there should be agreed criteria in place for the engagement of the voluntary and community bodies and a process in place for systematic review of the approach to community engagement. CiNI and other regional umbrella bodies could play a key role in co-ordinating representation of the sector in the community planning process, similar to the role CiNI currently undertakes in respect of the Children's Services Planning process.

In Scotland the engagement of the community and voluntary sector is being taken forward at a local level through compact partnership agreements between the public and community and voluntary sectors. These set out the principles and actions to achieve

better working relationships and closer collaborative working between organisations and agencies. CiNI would advocate that Northern Ireland's existing Compact between Government and the Voluntary and Community Sector should form the basis for development of local compact partnership agreements between the sector, public service and local government in Northern Ireland.

For CiNI the active participation of children and young people in community planning is crucial to community planning delivering positive outcomes for children and young people. It is at the heart of community planning in Scotland and is facilitated by Dialogue Youth, a partnership initiative between Scottish local authorities, young people, the Scottish Executive and Young Scot, a national youth information organisation in Scotland. The partnership initiative has been designed to put young people at the centre of local government services by making sure they can access information and influence the public services provided for them.

In Northern Ireland the absence of structures to encourage children's participation in government or to filter their opinions or ideas into government has been noted as a key issue of concern in recent research on Children's Rights in Northern Ireland commissioned by NICCY and carried out by QUB. CiNI believes that this issue should be addressed by the RPA. There are examples of good practice in the participation of young people with the creation of youth councils in particular council areas, however, we believe that such good practice should be developed and replicated through the creation of youth councils across future re-configured council areas in Northern Ireland. Youth councils would provide a natural link into the community planning process for children and young people. Youth councils should support and enable the involvement of children and young people from across the Section 75 groups and include mechanisms to hear the voices of those children and young people who are unwilling or unable to be active participants.

Overall CiNI believes that it is essential that the community and voluntary sector is supported to engage in the community planning process and we would advocate that government clearly indicate its plans to resource the sector to engage in the process.

Community Planning and Children's Services Planning

As indicated above CiNI has given some focus to the relationship between community planning and planning for children's services in Northern Ireland so that we can inform the way in which this relationship may be taken forward in Northern Ireland.

Health and Social Services Board Children and Young People's Committees (CYPCs) have statutory responsibility for children's services planning in Northern Ireland. The Committees bring together both statutory, voluntary and community sector agencies with responsibility for children and young people to jointly plan the provision of children's services to meet the needs of children in their area. Indeed the CYPCs have been proposed as one of the key local delivery mechanisms for the over-arching Children and Young People's Strategy.

CiNI believes that the Children and Young People's Committees are a good model of the type of co-ordinated, joined-up working that is being pursued by the RPA. In terms of the relationship between children's services planning and a future model of community

planning in Northern Ireland we would advocate that planning for children's services should remain within the remit of the proposed new Health agencies, as the main provider of child and family services, and that the children's services plan should link in as a contributor to the wider community plan.

This is similar to the relationship in Scotland where the local authority, as the lead provider of child and family services, has a children's services group with responsibility for children's services planning, which feeds into the wider community plan and in this way takes forward a cross-cutting theme of the community plan.

In examining the structures of public administration there is also the opportunity to look at where the functions and responsibilities of such structures could be strengthened to deliver improved services for the public.

Taking the example of the CYPCs, they have developed a set of outcomes for children's services that have integrated a children's rights focus, however, they have been hampered in pursuing delivery of these outcomes as they cannot put in place and pay for the services which are identified as necessary to meet the needs of children in the area.

CiNI would advocate that the RPA should look to strengthen the functions of the CYPCs by granting them joint commissioning powers. Joint commissioning is being taken forward as part of the Every Child Matters agenda in England and Wales and if introduced as part of the powers of CYPCs in Northern Ireland they could not only work to identify needs and plan services, the Committees could also decide whether to purchase or provide the services and then procure or deliver the required services. Essentially joint commissioning would provide the missing link between planning and delivery and introduce the accountability for delivery of children's services plans which is currently absent.

A tried and tested joint commissioning power for children's services planning could then be replicated on a wider community planning level.

CiNI recognises that democratic accountability is a key characteristic for the future system of public administration in Northern Ireland and we are in support of children's services planning becoming more democratically accountable. CiNI would suggest that after appropriate capacity building and joint training that local government could be represented on Children and Young People's Committees.

However, while CiNI found general optimism amongst those it consulted about the potential of the community planning process this was accompanied by a note of caution. At the outset the RPA must develop an effective change management programme that should foster the development of positive working relationships through joint training on partnership working for all key partners to the community planning process. However it was also felt there should be clear and effective safeguards built in to community planning legislation to ensure equity in all aspects of the process from selection and representation to working together and decision making. Fundamentally there must be clear mechanisms of accountability upward through a central government unit to a fully functioning Assembly and Executive.

CiNI would advocate that as in Scotland a Community Planning Task Force should be established to facilitate the development of community planning in Northern Ireland, with one of its tasks being to look at the real experience of community planning in other areas and promote good practice in community planning. The voluntary and community sector should be represented on the Task Force.

Youth Services

CiNI would advocate that responsibility for all children's services including youth services should be integrated within a children's central government department responsible to the Children's Minister. In the interim we believe that responsibility for youth services should remain with the Department of Education. We note the proposal that responsibility for youth services may move to councils, however, we believe that the new councils should focus on their existing responsibilities for children and young people and develop their capacity to positively engage with children and young people through the development of youth councils across Northern Ireland.

Equality Considerations

CiNI notes with concern that the RPA does not propose to conduct a full assessment of the impacts of the policies on equality, social need and rural issues until Ministers' have taken final decisions (RPA, p.123).

CiNI believes that full equality impact assessments should be conducted on the options proposed in the consultation document so that Ministers' are fully aware of the equality implications of the various options and can therefore make an informed decision as to which options are most likely to deliver a system of public administration that fulfils the RPA's commitment to equality.

CiNI would highlight that Section 75 of the Northern Ireland Act 1998 places clear equality obligations on OFMDFM as the lead department responsible for the RPA. If the RPA is serious about and committed to placing 'equality ... at the heart of' what it is proposing and how the review is being conducted (RPA, p.117) we believe that equality should be mainstreamed throughout all stages of the review process. The Equality Commission's Guidance for Implementing Section 75 of the Northern Ireland Act 1998 states that:

1.4 The new statutory duty makes equality central to the whole range of public policy decision making. This approach is often referred to as "mainstreaming".

The Council of Europe has defined mainstreaming as:

"The reorganisation, improvement, development and evaluation of policy processes, so that a[n] ... equality perspective is incorporated in all policies at all levels and at all stages, by the actors normally involved in policy-making." (Gender mainstreaming conceptual framework, methodology and presentation of good practices. Council of Europe, Strasbourg May 1998)

While we recognise the challenges that this presents we wish to highlight the ongoing work between the Government and the Equality Commission on Priorities and Budget 2006-08 to subject the process to equality impact assessment.

Our concerns regarding the decision not to conduct full equality impact assessment at this stage of the process have been further heightened given the absence within the initial considerations of equality of any specific consideration of equality issues for children and young in relation to the information provided on access to public services and employment (RPA, p.124-128). The research commissioned by NICCY and carried out by QUB on Children's Rights in Northern Ireland, highlighted the lack of appropriate, accessible information for young people on a range of public services which they wished to access and the lack of awareness among public service providers of the rights of children to access to these services (NICCY, p.23-27). We, therefore, do not believe that the initial equality considerations are adequate or sufficient for this stage of the review process.

CiNI would strongly advocate that full equality impact assessment is conducted on the RPA proposals and includes full assessment of the impact of the proposals for children and young people across the Section 75 groups.

CiNI is aware that during this phase of the consultation process there has been extensive consultation with young people through the NI Youth Forum and would ask whether the views of children from across the section 75 groups were accessed through this or other consultation events?

CiNI would welcome information on the method by which consultation responses are to be analysed and the weighting system for responses. CiNI trusts that the analysis of the consultation responses will be available ahead of the commencement of the next phase of the RPA.

CiNI is supportive of the proposals to produce 'detailed implementation plans' after final decisions are made. We believe that these plans will be crucial as it will be in the outworking of the Ministers' high level decisions that much of the real detail of the future system of public administration will lie. The voluntary and community sector should be actively involved in this subsequent implementation planning phase. We would strongly advocate that in line the Section 75 equality duty that the implementation plans and full equality impact assessments of these plans are subject to full public consultation.

Conclusion

CiNI continues to support the spirit of the review and is committed to engaging in subsequent phases of the RPA to ensure the development of a future system of public administration that adopts a child-centred approach to the delivery of public services for our children and young people.