

Making a case for consultation



September 2010

The case study outlines how a London-based community and voluntary service infrastructure organisation challenged a council's lack of sector consultation on a joint commissioning framework.

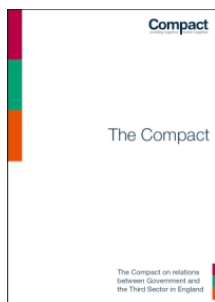
Problem

In December 2008 a London Borough presented information on a forthcoming Joint Commissioning Framework for Advocacy. In a letter to voluntary organisations it was stated that following feedback on the Framework the council would "Draft, consult and agree a Joint Commissioning Strategy for Advocacy, by March 2009."

Since that time, and despite requests and enquiries from the local CVS, no organisations or service users had seen the strategy or been consulted on it

The council then informed organisations that that tenders to deliver services based on the strategy would be advertised on the 24th May 2010 and that there would be some consultation and input from service users.

Compact Issue



Involving and consulting voluntary and community organisations, as well as service users, can help government develop policies that meet the needs of people and communities.

Government undertakes to:

1.1 Involve the third sector from the earliest stages of policy development, on all relevant issues likely to affect it.

Action

The CVS approached the Compact Advocacy Programme (CAP) with their concerns about the lack of meaningful consultation. Upon learning the details the CVS were advised that the Compact undertaking around consultation certainly applied in this circumstance. Furthermore, because the London Borough had explicitly said in their letter that they would be consulting on the Strategy for Advocacy, CAP felt that this created a legitimate expectation that they would follow their stated policy.

Visit www.ncvo-vol.org.uk/compactadvocacy or email evsAdvice@ncvo-vol.org.uk

...continued from Making a case for consultation



The CVS explored the possibility of legal action and sought advice. However, before formally challenging the decision in this manner the organisation wanted to try one last time to influence the London Borough and articulate their concerns with the process.

Outcome



The CVS contacted the local authority clearly expressing their concerns both on the lack of Compact working and the possible breach of public law.

By having researched the issues and being clear on the grounds that they were arguing that a meaningful consultation should take place they were able to present a strong and persuasive position.

After consideration the London Borough accepted the points that the CVS were making and agreed that the tender process would be delayed in order to run a consultation exercise with organisations and service users.

About the Compact Advocacy Programme

The Compact Advocacy programme exists to help mediate and support better outcomes for voluntary and community groups in their dealings with public bodies. If you think a public body has made a decision that's not compliant with the Compact or public law principles

For more case studies and for more information about the support we provide, visit <http://www.ncvo-vol.org.uk/compact-case-studies> or call our hotline on 020 7520 3161