



Community Rights Made Real

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Introduction to community rights

The Localism Act, which became law in November 2011, contains a number of Community Rights: the Right to Bid (originally Right to Buy), the Right to Challenge, and the Right to Build, along with Neighbourhood Planning. Under the Government's objective of decentralising power to the most local level possible, these rights are intended to give communities new powers to take over public services, purchase assets of community value and have a say about development in their area.

Community Right to Bid: Originally introduced as the Right to Buy, this right gives local communities the right to identify buildings and land in their area that are of value to the community. Local authorities must maintain a list of these assets, and if one is put up for sale, the community is given a window of opportunity to say that they intend to bid to purchase the asset, and then a further window of opportunity to put together a business plan and funding to bid for it. The Right to Bid comes into force in summer 2012.

Community Right to Challenge: The Community Right to Challenge aims to help communities to take over local publicly run services that they feel they could run better or differently from the local authority. If a community group or local charity is able to identify a service that they would like to run, the Community Right to Challenge gives them the power to submit an expression of interest to the local authority to take it over. If the local authority accepts the expression of interest, they must run a competitive procurement exercise for the service which the interested group, along with other interested parties, can take part in. The Right to Challenge comes into force in June 2012.

Community Right to Build: This gives communities the right to produce their own plans for small scale developments (housing, businesses, community facilities, etc.) in their area without the need for complex planning approval. Community Right to Build Orders are developed by a local community organisation and approved by referendum of local residents. The Right to Bid comes into force in May 2012.

Neighbourhood Planning: Communities are given new rights to produce neighbourhood plans for their area, which if they are approved (by referendum) must become part of the local authority's strategic planning framework. Neighbourhood plans can be produced by parish councils already in existence, or a neighbourhood forum of 21 or more people. The Community Right to Build can be used as part of this process.

Once Community Rights are fully introduced, the following will apply:

- Local authorities must maintain a list of Assets of Community Value, to which communities can nominate buildings and land.
- Communities will be able to submit an expression of interest to take over a public service, triggering a procurement process.
- Communities will have the right to set up a neighbourhood forum and develop a neighbourhood plan, as well as develop Community Right to Build Orders.

Community Rights Made Real

Urban Forum secured funding from Barrow Cadbury Foundation to conduct an action research project in Dudley on the implementation of these community rights in 2011. Although the community rights do not come into force until May and summer 2012, we wanted to explore knowledge of and appetite for these rights prior to them becoming law. As this agenda was still new to both the public and voluntary sectors, it was important to investigate what impact it would have on local community groups, how they thought it might benefit or disadvantage voluntary and community groups, and most importantly, to identify and provide support for groups hoping to take advantage of these new rights.

We partnered up with Dudley Council for Voluntary Service, Dudley Community Partnership and Dudley Metropolitan Borough Council to run the project as a collaborative venture, which fell under Dudley Community Partnership's Our Society in Dudley Borough Programme. Our Society is an approach and programme of activities being taken as Dudley's response to Big Society and localism, which aims to increase the power and voice of local communities.

The overall aim of the Community Rights Made Real project was to enable community groups, particularly those who have traditionally lacked power, to take advantage of the new opportunities being created through community rights. We aimed to do this by:

- Assessing current levels of awareness and needs to support take up of community rights
- Undertaking activity to raise awareness of opportunities being created by the new community rights through provision of practical information
- Conducting mapping/assessment of the current situation and potential for community rights (challenge, build and buy) activity
- Co-designing and developing, with local partners, a community rights action plan
- Implementing key activities and priorities within the action plan
- Capturing learning from the process on needs, solutions, barriers and success factors and disseminating findings to inform policy and practice

The project was designed and monitored by a steering group composed of members from Dudley Council, Dudley Community Partnership, Dudley Council for Voluntary Service, and Urban Forum (project and research managers).

"The open way in which the Community Rights Made Real project was facilitated, with no pre-conceived outcomes, enabled it to be responsive to local circumstances and allowed ideas and outcomes to be truly emergent. This really suited where we are at in Dudley at the moment, and presented some pertinent and interesting proposals for how the relationship between the public sector and the community, voluntary and faith sector should change for mutual benefit and for the benefit of the Borough's citizens."

Joanne Weston
Development Manager
Dudley Community Partnership

"Getting together with other like-minded community groups was brilliant. I learned so much, not just about the third sector but gained real insight into how we can build-on and develop our working relationships with the public sector"

Wendy Fryatt
Black Country Food Bank

Methodology

We used an action research approach to the project, meaning that we worked in partnership with participants to design, develop and re-design the project, allowing participants to contribute to the achievement of the research objectives. An interactive enquiry process involved all participants in fact finding, planning, activity and reflection to identify problems and solutions, and a continuous process of feeding in learning into the shared activity. This collaborative method was designed to build confidence and capacity for future self organized social action. More broadly, it provides the basis of an analysis, rooted in practical experience of community groups, of the potential and limits of community rights, and implementation issues.

The project consisted of three stages:

1. Assessment of awareness, needs and issues

For the first stage of the project, we conducted an online survey of local community groups in Dudley to find out headline figures for awareness of, appetite for and barriers to take-up of community rights. Following the survey, we invited respondents to attend one of seven focus groups, during which we discussed the issues raised in the survey in more depth, focussing on perceived benefits of the agenda, perceived barriers and negative consequences, and support needs to move forward. The focus groups also served to engage with local community activists and encourage them to become involved in the further stages of the project.

In addition, two workshops, entitled 'Community Kitchen'), were held to enable project participants to:

- learn about new types of community activities from around the world, inspiring case studies with specific learning points
- design new collaborative projects, through community co-design and idea development
- apply strategic planning with theory of change planning
- positively re-assess available resources and skills with collaborative asset mapping

See <http://socialspacesstudios.org/#Project-Stimulation-Workshops>

2. Our Society, Our Solutions (OSOS) working group

After identifying the aspirations and needs of those who participated in the survey and focus groups, we invited participants to become part of the co-design stage of Community Rights Made Real. This consisted of three meetings with community group members who expressed a desire to work with the council to co-design an action plan around community rights. The group worked up a series of proposals to take to the Dudley Council Chief Executive and service Directors. Through the discussions the group developed ideas around a new way of working entitled MASH – Managing Assets and Services Holistically.

3. Co-design with Dudley Council

A meeting was held between the Our Society, Our Solutions working group and members of Dudley Council's Corporate Board, including the Chief Executive, to discuss issues raised and explore joint working around public service provision and better use and management of assets in the Borough. Finally, we conducted a follow-up survey of community groups to evaluate knowledge about Community Rights since the beginning of the project, as well as investigate the appetite for MASH projects and initiatives.

Survey findings

“It allows communities to develop their own community without top down government interference. Local communities are better placed to see what their communities need.”

“ Confidence, advice and support for success are barriers preventing take-up of the new rights.”

Based on questions devised by Urban Forum for a previous national survey to assess our members' perceptions of the community rights agenda¹, we conducted an survey (online and via events) of community groups across Dudley. The survey had 46 responses and helped us to learn about community activists' and voluntary groups' awareness, perspectives and support needs around community rights.

The findings overall suggested huge gaps in knowledge in Dudley about what community rights are and of what value they might be to the sector. Indeed, an average of 68 percent of respondents said that they knew 'little or nothing' about community rights and neighbourhood planning. The lack of deep understanding and knowledge of the agenda is mirrored in responses to whether or not people expect to take up community rights where about half said they were unsure.

It should be noted that the seemingly higher percentage of those who consider it very likely that they will take up the Community Right to Challenge should be interpreted with caution because of a considerable amount of confusion about what the right involves, which came out in the open ended responses and focus groups. At least a third of comments suggested a misinterpretation of the Right to Challenge, mistakenly equating it to be given a right to challenge local authority, planning and/or Government decisions. A number of focus groups participants indicated that their main interest was in the Right to Challenge, but expressed surprise and disappointment when they were informed about what the provisions actually allowed because it was not what they expected.

However, there is certainly also a great degree of curiosity and interest in the agenda. Over one in three survey respondents suggested that they see each of the community rights as being an opportunity, but that they would need support to move forward. Respondents indicated that they felt the value of the agenda was to help communities to “actually make decisions about their own neighbourhood” and “improve quality of services”.

But the enthusiasm is not without a great deal of trepidation about the possible negative effects that community rights legislation will have in practice. The cynicism and concerns about how they would affect communities outweighed the optimism and feeling that the agenda offers an opportunity that groups are ready to take. Most of the groups that responded are quite small, grassroots groups, and a pervading concern was that the effect of cuts overshadows groups' abilities to take on further responsibilities, such as challenging to run a service or gearing up to bid to buy a building.

¹ “Community Rights and Neighbourhood Planning: What Community Activists are Saying”, <http://www.urbanforum.org.uk/reports/community-rights-and-neighbourhood-planning-what-community-activists-are-saying>

As previously mentioned, the confusion surrounding the Right to Challenge is common to many of the survey responses. Whilst many stated that they saw it as an opportunity they were likely to take up, when investigating the responses to open ended questions about what benefit the Right to Challenge will have, it quickly becomes clear that there is wide misinterpretation about its uses. Many respondents mentioned it in relation to planning, other council decisions, or challenging power relations, for example, indicating that they were unaware that the 'challenge' was about challenging to take over running services.

Some of the barriers people suggested as preventing them from being able to utilise community rights, even if they wanted to, were generally around funding issues, red tape and council bureaucracy and lack of confidence and information in the sector. We also asked respondents to rank the types of support they might find most useful, and the two most selected were "hearing from other people who have put these sorts of rights into practice" and "access to one-to-one support when you need it".

Our planning of the next stages of the project took these views on board, and we organised focus groups to delve more deeply into these issues.

Focus groups

Over the course of September and October 2011, we held a series of seven focus groups with a total of 33 participants from voluntary and community groups (See Appendix A for participants). Five of the participants were paid professionals, some working for larger charities in the area, but the remaining 28 came from relatively small, grassroots local groups such as faith groups and churches, friends of parks groups, fully volunteer-run support services and arts groups. One of the focus groups was run entirely for a group of volunteers from a local tenants and residents' associations.

An initial challenge was encountered in recruiting participants for the focus groups. Given that survey respondents indicated extremely low levels of knowledge and understanding of the community rights agenda, explaining what the focus groups would discuss so as to attract participation was difficult and required several attempts at wording and framing the issues. However, when discussing with community activists one-to-one, we were able to explain the relevance of community rights when describing how they might affect public service delivery and community buildings, which were issues that connected more directly with their experience and understanding.

The focus groups sought to go into more depth on the questions initially asked in the survey - namely to find out what people thought community rights might offer, the challenges and barriers faced in taking them up, and whether or not they could imagine their group taking advantage. Given the low levels of knowledge about the rights, it was first necessary to explain each of the measures in the Localism Act individually and spend some time answering questions before we could have a discussion about people's impressions of the rights. This became clear after questions which asked broadly about Community Rights as a group were used at the first session, and participants indicated they did not entirely understand the agenda

The community rights agenda was framed in the focus group discussions as questions investigating:

- How can services be run better and what role should community groups play?
- How can we protect buildings and land that are valuable to the community?
- How can we be more involved in local planning?

This allowed us to outline and explain what each community right offered in terms of the Localism Act, and then delve into the issues that pertained to each of them and analyse them in ways that were useful and relevant to the groups' own experiences. We introduced each community right, described what the legal provisions allowed, and then discussed what the positive and negative consequences might be of the agenda, as well as opportunities and barriers to taking up the rights.

Awareness

Overall, the findings of the focus groups suggested a lack of knowledge about the agenda similar to the survey findings. This was initially evident in the first focus group, where we attempted to engage on the agenda overall without explaining in detail each of the measures and allowing questions about the specific details. For example, when asked, "When you hear 'community rights', what if anything does that mean to you?" one responded, "Community rights means nothing to me. I think you're allowed to give your opinions and vote on something, but you don't have the final vote or the final say. You've just got to basically just contribute to everything."

Appetite

In terms of appetite and interest in the agenda, whilst the survey suggested overall that people were quite interested in community rights, when discussing the opportunities offered by the Localism Act, many felt that there were several obstacles that they could experience in taking them up. In addition, many felt that the actual legal rights given to them did not necessarily contribute to achieving the objectives that supposedly were behind the agenda.

“I think the thing is, in Dudley you won’t have groups that have got enough money to buy anything by themselves. And if the windows of opportunity to buy are quite tight, you’re not going to have enough time to form the partnerships or put in the bids to get funding to enable you to do it. So they might be giving us a right, but it’s a right that is not practically workable for groups in Dudley.”

There was, however, a strong appetite expressed in relation to having different types of power and involvement in the delivery of local services and the management of and access to buildings.

Community Right to Bid (Assets)

Focus group participants felt that they would find it valuable to nominate local buildings to be put on the Council’s list of Assets of Community Value, and they could quite easily indicate some specific examples. However, the overwhelming sentiment was that if these buildings ever went up for sale, it would be unlikely that their group would be in a position to purchase it on the open market, thus rendering the Community Right to Bid generally ineffectual for their needs.

As previously mentioned, most of the focus group participants were from very small, local grassroots community groups, run either mostly or entirely by volunteers and with small budgets. In discussing whether or not they would be interested in buying a building, it was simply not a discussion relevant to the reality of their groups’ capacity and capabilities. Some participants suggested that if perhaps they were able to form partnerships with other similar groups to theirs and could identify a building of interest far in advance, it might be possible for them to put together funding as a consortium to purchase a building.

The general indication was that outright ownership of a building was not within the aspirations of most of the groups present (apart from the few participants from large, asset-owning charities). However, participants did have strong feelings about the use and access to local community assets - something which was a problem in one way or another for the majority of participants.

Many of the local groups currently did not have any permanent facility, or their current building was not large enough or fit for purpose. Some of the smaller groups expressed frustration about simply renting meeting or event space at a reasonable rate. Several of the more established groups were in the process of upgrading their facilities or trying to find larger buildings to take over. However, none of these were in the position of being able to purchase a building, but were rather investigating opportunities for asset transfer or long-term leases of local authority owned buildings.

This was, in fact, the main message that came through in relation to community assets: using the Community Right to Bid was not an aspiration of the groups we spoke to, because they could not envisage being able to, or wanting to, buy a building.

However, they did have very clearly defined objectives in relation to assets, which included:

- Better/ cheaper access to rooms for meetings and events
- The possibility of asset transfer from the local authority
- Long-term leases from the local authority at a peppercorn rent

Community Right to Challenge (Services)

“I’m just wondering whether there might be a way of saying, ‘Well, do we have to go as far as a challenge?’... Local groups could say to the council, ‘We feel there might be a basis of challenge here, but how would the council feel about working with us to bring that into the community, avoiding the actual process of the challenge and the tender?’”

The Right to Challenge produced somewhat different conversations from focus group to focus group. Overall, there were mixed reactions as to whether or not participants foresaw their organisation being keen to submit an expression of interest to take over a local authority run service, as per the provisions of the Right to Challenge. Some, again particularly those from larger professional charities, are already running substantial services and could envisage their organisation taking full advantage of the Right to Challenge. Others felt that the process of taking up the right would disadvantage their group too much and it would not be the process they would choose to undertake if they were unhappy with the way a service was being run.

Again, as with the Right to Bid, the discussions that occurred during the focus groups and the sentiments expressed did not align with what the Community Right to Challenge offers in practice. Many of the participants have specific aspirations about delivering services, but did not include taking over a public service among them. A large reason for this, as expressed in the focus groups, was that groups felt that they already were delivering crucial services to the community, and they wanted to do these better, not necessarily take on more service delivery.

Discussions about service provision in general took a much more co-operative and collaborative tone than the approach of using the Community Right to Challenge. Participants stressed that they wanted to work with the council to deliver services better, and to be recognised for the work they were already doing in communities. It was felt that the way to improve service provision wasn’t necessarily by taking them over from the local authority, but rather by improving consultation and co-design of services and continuing to have them publicly run.

One of the issues that was unavoidable when discussing public services was the issue of the cuts. Participants worried that the Community Right to Challenge does nothing to allow groups to save services that are being faced with closure, and felt that this was the primary concern they wanted to address in terms of public service provision. Several participants felt that they would be interested and willing to take over the running of a public service if the other option was that the local authority was going to cease providing it, but the Right to Challenge makes it clear that that it does not pertain to this situation.

In sum, the aspirations expressed by focus group participants in relation to public services concerned:

- Being better consulted by the local authority on public service provision - both in terms of service design and decisions to cut services
- Being better appreciated and valued for the services they are already providing
- Working together in service provision with the local authority to mutually benefit one another

“We haven’t got the skills. You’re talking about things like government policy, local government policy, planning... We’re just local residents. Unless you happen to have a resident who’s an architect or something, where are you going to get those skills?”

Neighbourhood planning

Neighbourhood planning and the Community Right to Build were two areas that received relatively little levels of appetite and enthusiasm in the focus groups. Indeed, all seven groups generally indicated that they could not imagine neighbourhood planning taking place in their area and that it would not necessarily be of benefit to them. The Right to Build, similarly, was met with a feeling that in Dudley, which is largely urban and with little room for development, was not something that will meet the needs of local people.

There was an appetite expressed at several of the focus groups to have more involvement in planning over specific issues, such as hoping to purchase and develop a disused car park from an absent landowner. However, larger scale developments of housing and businesses were not something that any of the groups aspired to.

Barriers

In the cases where activists suggested they could potentially be interested in taking up community rights, many barriers were mentioned that were consistent across the Right to Bid, Right to Challenge and neighbourhood planning. These barriers not only prevent groups from taking up community rights, but from having the aspiration to take up community rights in the first place.

Capacity and skills were most commonly mentioned as barriers to successful utilisation of community rights. Many participants felt perplexed about what the government expected local, grassroots groups run by volunteers to be capable of (or interested in) raising the money to purchase a building or taking over a public service. Some groups were not even sure what was meant by a public service, commissioning or procurement. Thus, the gap in knowledge which will inevitably prevent take-up of community rights by many groups is not just in the lack of understanding about the specifics of the rights, but what the rights actually even pertain to.

This issue of not understanding the procurement process was a large concern raised by many participants, particularly those who had already been involved in a tendering process in the past. It was seen that the process was a huge barrier to groups being interested in taking up the Right to Challenge, because not only is it seen as often complicated and confusing, but that those who had experience with the process felt it would inevitably benefit private bidders at the expense of community organisations. As one participant said, “You’ll find that whatever you’re doing, if it goes to tender, they’ll find somebody who will do it

cheaper... A local group is never going to be able to compete tender-wise as long as it's just on price."

Capacity and skills were also seen as a barrier, especially in relation to business planning, legal knowledge and planning knowledge. It was frequently mentioned that in order to realistically buy a building (or enter into an asset transfer) a group would have to be able to prove a viable business case, something which can be several steps above the capabilities of small community groups. This gap was said to affect deprived communities even more - not only that they would lack the skills to take up community rights, but that they would lack the confidence, experience and time to do so. Many of the groups work with deprived, vulnerable groups in the area and felt that getting the volunteers that would be needed for such ambitious projects, as well as skilling up local people, would be a daunting challenge.

Needs and support

With these aspirations and barriers in mind, a number of conditions were outlined by focus group participants that would need to be met if local communities in Dudley were to take up community rights, or more likely, to have more involvement in local asset management and delivery of services as they see fit.

First, as previously mentioned what groups really wanted to see was better support and recognition of the work they were already doing. There was a feeling that the policies being put out by the Coalition Government, such as the Big Society, seemed to imply that local groups were not already doing vital work in their communities, and participants often felt undervalued and that their working relationship with the council was not as good as it could be.

Several suggestions were made as to how to best take forward the community rights agenda, which we used to frame the discussion in the next stage of the Community Rights Made Real project:

- The provisions for community rights in the Localism Act in general did not meet the needs and aspirations of the groups we spoke to in Dudley. Whilst they had quite specific aims and problems in relation to buildings and services, the rights themselves will not help them to overcome the barriers they face.
- Better partnerships - between community organisations, and with the council - were seen as vital to be able to better manage both assets and services.
- In terms of assets, most groups did not aspire to purchase a building. Instead, they felt there was work to be done around the council's asset strategy and how best to identify buildings they could get long-term leases for.
- In terms of services, using the confrontational approach to take over a public service was not seen as desirable. Rather, groups wanted to communicate and collaborate better and more often with the local council to deliver services better.

“You don't just say to [communities], ‘Ding! You're empowered and you've got the right to do this,’ without having done a lot of background work, a lot of preparation and education, seeing how other people succeed and do thing.
You don't become empowered by having the right to do something.”

Our Society, Our Solutions

The focus groups also served as a means to attract participants to the next stage of the process, which became known as the Our Society, Our Solutions working group. Having gathered evidence of appetite and ideas around community rights, we aimed to create a group that would develop concrete proposals in relation to community rights, which would then be brought to a meeting with council directors to be developed into a joint plan for moving forward.

Community Kitchen workshops

Two workshops were held to develop the capacity and capabilities of interested community activists in Dudley, called “Community Kitchen” run by Tessy Britton, who has delivered similar workshops across the country. Attendees included focus group participants as well as others who had not yet been involved in the project. The workshops took an asset based approach. They focussed on exploring what assets and resources a community already has and on ways to bring people together, develop activities and solve problems, rather than focussing on a community’s problems.



The workshops involved several activities to generate ideas and map community assets for project development as well as working towards strategies to bring about change in communities. Feedback from participants was excellent, many of whom found the new ways of thinking about what their community had to offer to be a beneficial way of inspiring change. As a result of the Community Kitchen workshops, many of the activities and tools have been adopted by local projects, such as the East Coseley Big Local work. These workshops help to lay the groundwork for the next stage of the project, by advocating a more holistic view of community action around assets and services. The workshops brought in new faces to the Community Rights Made Real project, and many of whom decided to become involved in the working group of the next project stage.

Our Society, Our Solutions working group

It became quickly clear through the focus groups that the aims of community rights appealed to voluntary and community sector representatives, but that they felt the actual community rights measures in the Localism Act were not necessarily the best ways to meet these aims. We thus broadened our focus from simply identifying public sector run services that groups would like to take over, as well as buildings that groups would want to purchase, into a broader understanding of the community rights agenda. The theme that most resonated with participants was the importance of better involvement in service delivery as well as better usage and leasing of public buildings. This was the starting point for the Our Society, Our Solutions group to develop ideas for joint working with the council.

The members of the Our Society, Our Solutions group represented a variety of local grassroots groups across the borough (members in Appendix B). The primary aim of the Our Society in Dudley Borough approach is a changed relationship between the public sector and the voluntary, community and faith sector (VCFS) and citizens. The stated objectives of this stage of the project was to come up with practical proposals to bring to a meeting with senior Dudley Council decision makers around:

- Enabling the council and communities to work better together to deliver services
- Protecting and making best use of assets of community value
- Ensuring that local people can have a real say over plans for their neighbourhood.

Three meetings were held (23 November, 7 December and 11 January) to prepare priorities and an agenda for a co-design meeting with council directors. We purposely asked members of the group who were part of organisations with a physical base to host the meetings. Because we met in the evening, we also felt it important to help nurture relationships by starting each session with a hot meal, and we were treated to some amazing cooking by Camilla and Wendy at the [Hope Centre!](#)

At the first meeting, the intention was to begin to determine what areas we wanted to produce proposals around, in terms of particular services and/or policies around local authority owned buildings that could benefit local groups. The group's enthusiasm about each of their work led to a prolonged session of introductions, meaning that the intended agenda of discussing in small groups and agreeing main themes to work out was cut short. This session was extremely valuable for the group, in allowing members to get to know each other, tell their stories and uncover hidden assets and potential.

What became evident very quickly was that the group was hoping to create change in the way that the council approached the services they deliver, rather than hoping to achieve some end for their particular community group. Though several of the participants had specific aims around acquiring building space for their group, their priorities in being a part of Our Society, Our Solutions revolved more around relationship and network building, and having better and more frequent conversations with the council to change things in the long term.

Through the course of the three meetings of the Our Society, Our Solutions group, a number of priorities emerged that members wanted to take to a meeting with council decision-makers in order to produce real outcomes in terms of policies and different ways of working. These included:

Putting a value on the contributions of community groups and volunteers

All participants felt that volunteers provided a vital contribution to their work and that there should be a greater acknowledgement of the economic value that they produced in their communities.

Financial remuneration for volunteers

There was also a feeling that whilst through the promotion of Big Society the Government expected that more people would take part in volunteering, there was a concern that many people out of work were often pushed into jobs and unable to continue crucial unpaid work. OSOS members hoped to promote the idea of having volunteers have their National Insurance contributions paid.

Alternative methods of evaluating community projects

Groups felt that monitoring and evaluating by funders was often based on inappropriate targets and placed too big a burden on them to tick the right boxes. They sought more creative ways to gather evidence of how they were benefitting the community.

Accessing non-monetary resources when funding is restricted

There was a feeling, which came through from the Community Kitchen workshops, that there are considerable assets in communities beyond simply financial resources. Groups suggested that Dudley MBC's volunteering strategy and apprenticeships schemes could help to tap underused community resources.

Enabling community use of empty buildings

A large number of focus groups participants and OSOS Group members suffered from a lack of adequate space for their organisations. It was suggested that underused local authority buildings or empty spaces could be better utilised for the benefit of the community.

Creating spaces for collaboration

People were very keen on having a solutions focused group that actually did things rather than just talk. There was also a discussion around requiring a facility in the Council that people can go to raise their issues and ideas rather than the normal disjointed approach that risks misinformation and a variance in solutions. This chimed with the thoughts of the Leader of the Council, Cllr Les Jones.

MASH

The discussions of the Our Society, Our Solutions working group led to the development of a way of thinking about different ways of working and mutual benefit, which we called MASH (Managing Assets and Services Holistically). The ideas behind this included:

- Exploring how we can make the most effective and efficient use of under used community assets, both tangible (e.g. buildings) and intangible (e.g. skills, networks)
- Building collaboration and mutual support between community groups and public service providers
- Co-locating community groups and public service providers to enable integrated service delivery
- Developing community assets within neighbourhoods more strategically to enhance community resilience and sustainability
- Exploring alternative ways for valuing, supporting and rewarding the contributions of community groups

As mentioned, whilst the original aim of the Community Rights Made Real project was to take forward proposals around Community Rights, what community activists wanted to see in Dudley was a broader, more co-operative approach to dealing with assets and services (which also impacts on local planning decisions, even though there was no appetite for proposing specific developments or neighbourhood plans). MASH encapsulated the way in which OSOS members wanted to frame the discussion with local authority decision makers.

The other key messages that OSOS members wanted to bring to council directors was that this was not about asking for funding. They felt quite strongly that, whilst cuts are an inevitable part of difficult decisions currently being made, the remit of the OSOS group was not to ask for money from the local authority. They wanted to stress to the council that the meeting was about working collaboratively, not asking for something from the council.

In addition, a key message was that this shouldn't be a one-off, superficial, tick box 'consultation' exercise. The group wanted the meeting with local authority decision makers to be the beginning of a new way of working that would lead to better policies and co-operation between the VCS and the council. The group did not want to focus on one particular service area, or one particular building, but rather the way that the council could involve them in discussions about services and assets in general.

A meeting of minds: Local authority decision-makers and the Our Society, Our Solutions group

After three meetings of the OSOS Group, the OSOS Group organised a joint meeting with council directors to discuss the work we had been doing and to seek a commitment to working together around MASH principles. All members of the Local Authority's Corporate Board, plus the Leader of the Council were invited to attend.

The meeting was held on 24 February 2012 and was attended by Our Society, Our Solutions Group members, Our Society Steering Group members and John Polychronakis (DMBC Chief Executive), Jane Porter (DMBC Acting Director of Children's Services), John Millar (DMBC Director of the Urban Environment), Valerie Little (Director of Public Health) and Geoff Thomas (Assistant Director of Policy and Improvement).

The objectives of the meeting were:

- To share the work that the OSOS Group had been undertaking and to explore how it relates to the work of the Local Authority (specifically regarding Localism and transformation)
- To propose and discuss a process for taking some projects based around MASH ideas forward collaboratively
- To agree who will initially be involved in the MASH projects and when activities will take place.

The results of the preliminary survey and focus group points were presented to the council directors to set the context for the discussions at hand, and OSOS Group members raised a number of points that were important to them in order to open a dialogue about how better to work together.

The main points and agreements from the meeting were:

- Our Society Our Solutions groups do not primarily want funding from DMBC, it is about collaboration, having good communication and dialogue and better sharing and use of resources;
- The Council is open to ideas from people and groups now and in future years regarding the efficient use of budgets and the provision of services, including collaborative working;
- Regarding the Community Right to Challenge and consequent procurement process, the Council prefers to contract with smaller and more local organisation (e.g. VCSF organisations, local business, social enterprises) rather than giving contracts to large national organisations;

- Contracting with VCFS organisations presents a different relationship dynamic that needs to be considered by VCFS organisations;
- Our Society Our Solutions organisations want to show the value of their services to DMBC through methods that capture qualitative information, stories of success and the positive changes made to people's lives (rather than just statistics and ticking boxes);
- The Council is supportive of VCFS and DMBC co-location within buildings to promote multi-use, collaboration and financial savings;
- The DMBC Volunteering Strategy could be refreshed to move it in the direction of a networking / matching service to enable mutual exchange of skills / knowledge / time between VCFS groups and DMBC staff (recognising the sensitivities around job displacement);
- The Council supports the development of mechanisms to explore collaborative solutions to issues such as budget savings and service improvements;
- All agreed that the Council cannot provide all solutions and there must be an element of self-help. It was recognised however, that citizens and VCFS often need support and removal of barriers to help themselves and that the council will still have a major role to play in unlocking this capacity and 'not simply lifting the lid and expecting it to burst out'.²

Due to the large volume of discussion that took place, it was not possible to cover all of the points that were originally intended to be agreed at the meeting. The Chief Executive suggested that another meeting should take place to focus on setting up some initial projects to explore MASH working in practice. This meeting was arranged for 17th April 2012. It was agreed that a draft Our Society Action Plan (Appendix D) would be produced based on work conducted and would be shared with the OSOS Group for input, which would form the basis of MASH projects that would be taken forward.



² Unlocking Local Capacity: Why Active Citizens need Active Councils. Rob Francis, Office for Public Management.

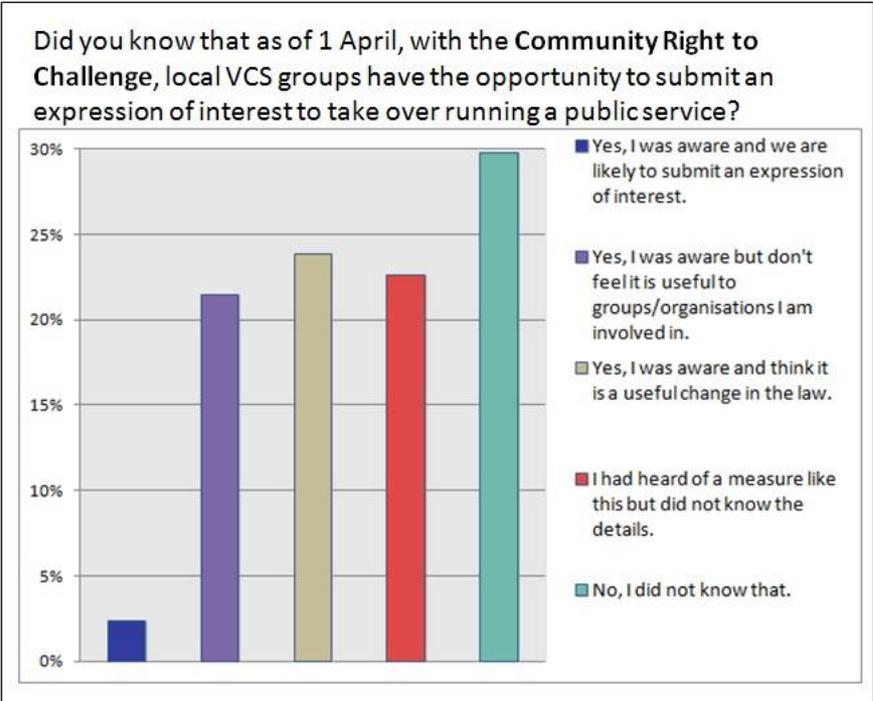
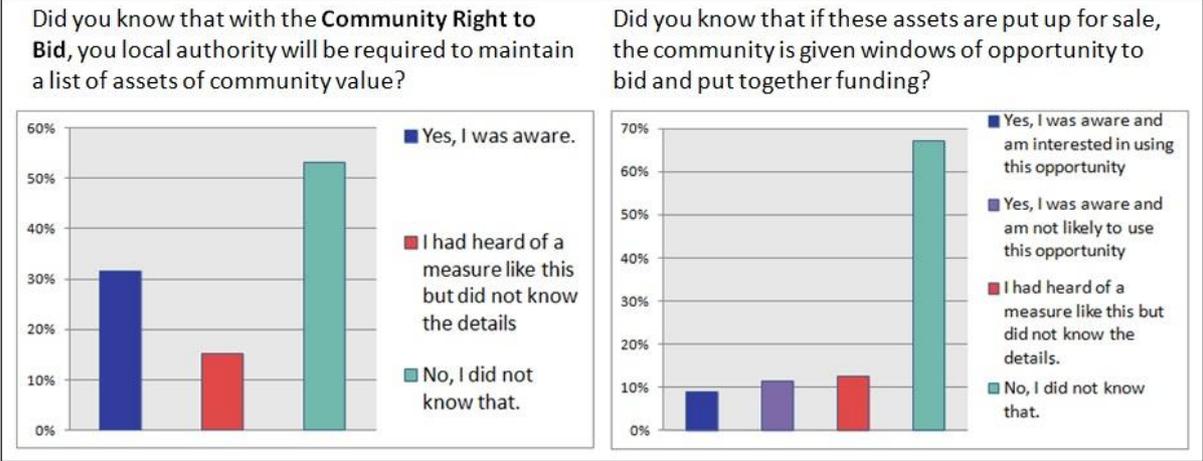
Moving Forward

The main priority of those involved in Community Rights Made Real has been to ensure that there is a real, long-term commitment to changing the way the VCS and Dudley Council work together around assets and services through utilising MASH principles. This was emphasised both during the OSOS Group meetings and in the initial meeting with council directors to agree collaborative working principles (MASH) and to initiate some projects/proposals in this area.

Follow-up survey results

As part of the preparation to move forward, we conducted a follow-up survey of community organisations in Dudley. At the initial stages of the Community Rights Made Real project, the intention had been to re-survey the original respondents to see whether or not knowledge and understanding of the agenda had increased, or whether appetite around community rights had changed. However, given that the scope and focus of the project changed significantly upon analysis of discussions and through the important work of the OSOS Group, it no longer seemed appropriate to focus on the questions of the original survey. Therefore we designed a survey that, while testing respondents' knowledge of community rights, also incorporated some of the suggestions and priorities of the OSOS Group and the MASH principles. Given the large percentage of respondents who misinterpreted what community rights were about (particularly in relation to the Right to Challenge), we rephrased the questions to ask about specific details in the legislation.

What we found is that there is still a large gap in terms of knowledge about community rights in the Localism Act, but this is much lower with the Right to Challenge than with the details of the Right to Bid. In fact, almost half of the respondents were aware that the Community Right to Challenge was coming into force. In terms of the Right to Bid, there was more awareness about the fact that local authorities would be required to keep a list of assets of community value than the fact that this would simply allow local communities to have a six week window of opportunity to register an interest to bid and six months to put together funding for this. In relation to neighbourhood planning and the Right to Build, 64 percent of respondents were unaware of the measures in the Localism Act.



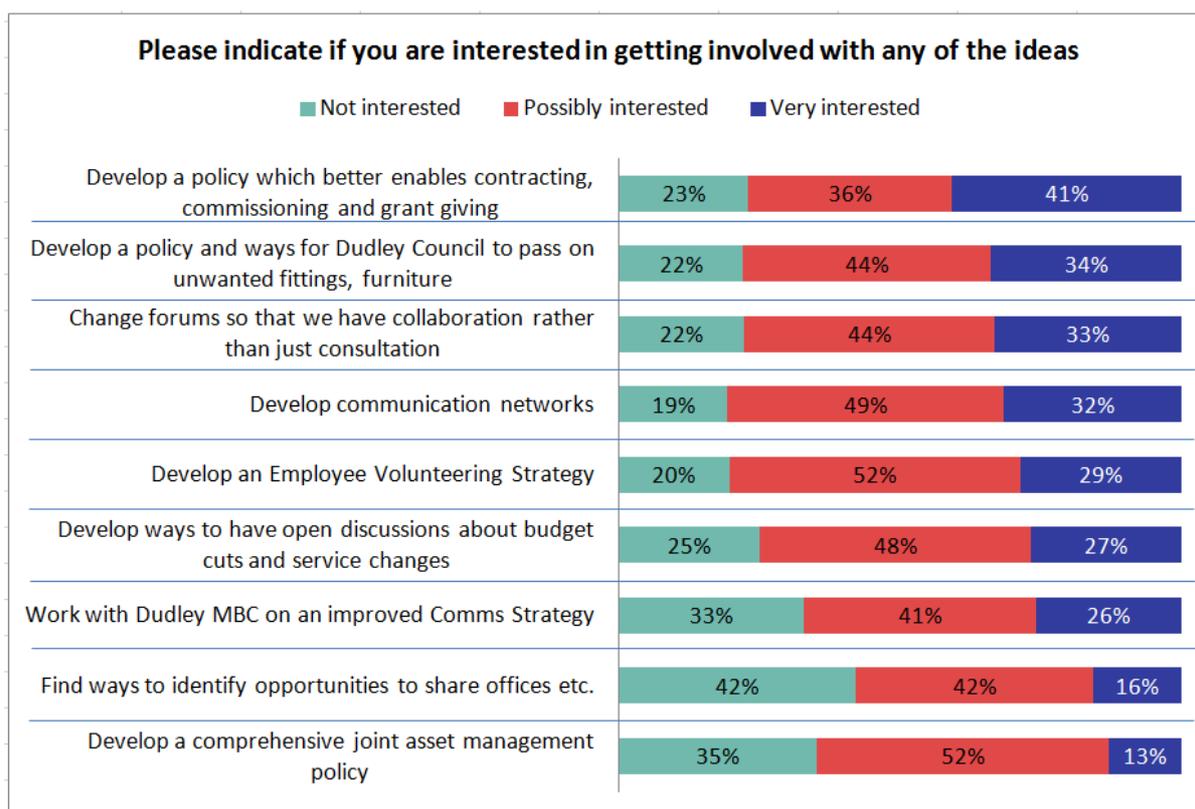
We also asked a few specific questions about appetite for Community Rights areas, but took a 'sliding scale' approach when asking about assets and services, as opposed to focusing simply on taking over services or buying buildings. To reflect the MASH principles designed through the project, we decided to enquire about different levels of aspirations around services and assets.

In relation to services, the survey asked whether there were particular services that people would like to: have more influence over; be involved in designing changes to; work with the council to jointly deliver; be funded/contracted to deliver part of the service; and be funded/contracted to deliver the service in entirety. There was a vast array of different services suggested, but the most striking result from these questions was the much larger number of respondents who were interested in having influence over certain services or being involved in designing services as opposed to jointly delivering or being contracted to deliver them.

Are you interested in any of the following options in relation to building/ public spaces?

	Responses	Percent
Access to space - renting rooms, sports pitches etc.	36	49%
Access to public spaces for community events etc.	35	48%
Sharing premises with another voluntary/community group to save costs	29	40%
Sharing premises with another a currently voluntary/community group so that you can work together with them	25	34%
Upgrading a building your group already has	25	34%
Taking on the responsibility or ownership of land or buildings currently owned by the council (this is known as asset transfer)	22	30%
Sharing premises with council or other public sector staff to save costs	21	29%
'Meanwhile use' of a currently empty/ underused building	20	27%
Sharing premises with council or other public sector staff so that you can work together with them	18	25%
Long term leases	15	21%
None- we are satisfied with our current situation in relation to physical assets	12	16%
Short term leases	10	14%
Buying a building	10	14%

What these findings show seem to be consistent with the conclusions of the Our Society, Our Solutions Group - namely that Community Rights legislation does not fully meet the needs and aspirations of the majority of groups in Dudley. Our work to implement a Community Rights action plan was revised to take a broader more holistic approach based on initial feedback, and this thread of wanting better access, more involvement and more conversations as opposed to confronting the local authority and taking over assets or services is validated in the follow-up survey.



We also found that the proposals developed by the OSOS Group held interest among community groups in Dudley. Of particular interest to survey respondents were proposals around contracting, commissioning and grant giving policy, a policy to enable Dudley Council to donate unwanted furniture, and changing forums to allow collaboration as opposed to consultation. These findings, as well as results of questions about what groups would like to have more information and support around (such as where to get information, how to influence service providers and how to get involved in designing services) have been taken on board by Dudley CVS and Dudley Community Partnership to continue and inform their work around MASH and creative collaboration

MASH Launch

Building upon the conversation commenced with council directors, a MASH launch event was held on 17th April 2012 which was attended by 50 people. This event, facilitated by Changes and Urban Forum, was designed to launch a MASH Lab process which was described as:

“An exploration of new ways to think about and use assets. The MASH Lab will draw on and develop people’s abilities to work collaboratively, nurture assets, be creative and enterprising, connect through networks and work with whole systems”

The launch event introduced participants to the thinking behind MASH and enabled them to select ideas to take forward in the MASH Lab process. Participants were presented with eight ideas and through a highly participative process of discussion the following votes were received.

Idea	Votes
Collaboratively develop a policy which better enables contracting, commissioning and grant giving to local voluntary organisations, social enterprises and community and faith groups	23
Find ways to identify opportunities for co-location of Dudley MBC and VCFS organisations	21
Refreshed or new collaborative forums / stakeholder groups (collaboration rather than just consultation)	19
Develop a Council-wide policy and mechanism for passing on unwanted fittings, furniture etc. to local groups	19
Collaboratively develop a comprehensive joint asset management policy	16
Collaboratively develop a corporate Dudley MBC Employee Volunteering Strategy	16
Develop communication networks with effective navigators	14
'Front loaded' open discussions about budgets and service change to enable collaborative/alternative solutions	14
Collaboratively develop a Dudley MBC Communication Strategy	8

Following the MASH launch event new groups have come together to explore the above ideas further and take forward activity in collaborative ways. More information about MASH and related asset based, collaborative activity in Dudley is available at www.creativecollaborationdudley.wordpress.com

Conclusions

Overall, Our Society, Our Solutions Group members fed back that the process taken by the Community Rights Made Real project was successful, and there is a great deal of optimism and enthusiasm about the opportunities for success through using MASH principles. Several key points emerged as lessons learned from the project.

The Community Rights agenda

One of the messages that has been a thread throughout the project is that Community Rights in the Localism Act do not respond to the needs and aspirations of the groups that we engaged with in Dudley. Whilst the agenda aims to help communities to improve services and save buildings which are important to them, community activists felt quite strongly that the way to go about achieving their aims in relation to assets and services could and should be done in a more collaborative, co-operative process. As some have suggested, success of the Community Rights agenda will be shown when the rights are not taken up. We found that the lack of appetite for using the rights was based on a desire to work collaboratively to ensure better services are delivered and community groups have the access to building in such a way as benefits them.

Getting people involved

Throughout the different stages of the project, there were several points where we faced difficulty in getting people involved - particularly in encouraging people to fill out our initial survey and stirring up interest in the focus groups. This also became a difficulty when arranging attendance by council directors at the joint meeting with the OSOS Group. The main reason for this was the issue of communication and the language used. When publicising our focus groups, it became clear that talking about 'Community Rights' was not something that immediately spoke to the experience and relevance of issues faced by local groups. Once we tried framing the topic in different ways (such as having your say about how services are run in the Borough as well as talking about access to buildings) we were more successful in attracting participants.

“Getting together with other like-minded community groups was brilliant. I learned so much, not just about the third sector but gained real insight into how we can build on and develop our working relationships with the public sector.”

The issue of communication was also one which we faced when attempting to engage with the council. The way in which our OSOS Group hoped to work - being open, communicative, and having a frank discussion - was quite different to the way that council directors are used to having meetings, where there is a set, actionable agenda. The organisational culture of the local authority versus that of community groups was something of a challenge to overcome, but once we were able to get the groups in a room together, it became easier to have discussions and realise that they had complementary goals.

Opportunities

Whilst Community Rights legislation is unlikely to be of great benefit to the groups we worked with, a great number of new ideas, ways of working and opportunities around improving the way that assets and services are managed have emerged through the project. One of the main messages that the OSOS Group wanted to stress was that community groups can add benefit to the work that the local authority is doing, and that they should not be seen as simply being a drain on council funding. They felt that they were already doing excellent work to help the community, and that working together with the local authority they could find innovative ways to deliver services and use space better. Several opportunities were identified in this area, particularly in the council's asset transfer strategy and in making decisions about services.

“The open way in which the Community Rights Made Real project was facilitated, with no pre-conceived outcomes, enabled it to be responsive to local circumstances and allowed ideas and outcomes to be truly emergent. This really suited where we are at in Dudley at the moment, and presented some pertinent and interesting proposals for how the relationship between the public sector and the community, voluntary and faith sector should change for mutual benefit and for the benefit of the Borough's citizens.”

Recommendations

In order for the approach we took to the Community Rights Made Real project to continue to be successful, there must be a continued long-term commitment to culture change in the local authority around being more open to dialogue and collaboration. The MASH approach taken to new projects cannot be successful if the events we held as part of the project were one-offs. In particular, the items agreed at the first MASH Lab will involve greater, long-term commitments to collaboration between the VCS and the council and the development of council policies which enable community groups to continue to do their work well (such as policies around contracting, opportunities for co-location, and new collaborative forums).

Secondly, wider participation of local community groups will also be key. Whilst we worked with a committed and enthusiastic group of community activists who made up the Our Society, Our Solutions Group, it was a small group and by no means represented the whole of the community in Dudley (although the follow-up survey did validate a lot of the thinking of the group). Ensuring that many voices are included in any MASH projects going forward will be crucial.

Whilst the project was Dudley-specific and generalisations cannot be made about every community in the UK's appetite for community rights and whether the broader approach taken by this project would be suitable, several elements will be necessary for the approach to be implemented, including: political will within the council to work collaboratively with local groups- MASH principles require that the council and local community groups are open to working in new ways together; and a commitment to long-term dialogue and networking.

Project participants

Project Steering group

Nick Bird - Urban Forum
Caitlin McMullin - Urban Forum
Lorna Prescott – Dudley CVS
Joanne Weston – Dudley Community Partnership
Andy Wright – Dudley MBC
Donna Roberts – Dudley MBC
Melissa Guest – Dudley CVS
Keeley Wright – Dudley CVS

Our Society, Our Solutions working group

Camilla Phillips and Wendy Riley, The Hope Centre, Halesowen
Wendy Fryatt, Black Country Food Bank
Mark Carter and Rachael Gardener, Insight (and Carers Café)
Ann West, Welcome Centre
Peter Dyson, Centre for Equality and Diversity (CFED)
Paula Fellows, Netherton Tenants Association
Odilia Mabrouk, The Hub Stourbridge
Janet Hilken, St Thomas’s Community Network

Our Society, Our Solutions working group meeting with Corporate Board

Camilla Phillips - The Hope Centre
Peter Dyson - Centre for Equality and Diversity
Anne West - Welcome Centre
Marc Carter - INSIGHT - Carers Café
Rachael Gardener - INSIGHT - Carers Café
Odila Mabrouk - The Hub Stourbridge
Lorna Prescott - Dudley Council for Voluntary Services
Melissa Guest - Dudley Council for Voluntary Services
Joanne Weston - Dudley Community Partnership
Donna Roberts - Research & Intelligence Officer
Valerie Little - Director of Public Health
John Polychronakis - Chief Executive, DMBC
Dennis Hodson - Director, Dudley Community Partnership
John Millar - Director of the Urban Environment
Geoff Thomas - Assistant Director - Policy & Improvement
Jane Porter - Interim Director - Children’s Services
Nick Bird - Urban Forum
Caitlin McMullin - Urban Forum

Focus Group participants

Focus group	Name	Organisation
Mon 12th Sept Afternoon (Halesowen)	Linda McLennaghan	Friends of Huntingtree Park
	Peter Hensman	Shell Corner Partnership
	Naima Hassan. Inteha Noor and 3 others	Women's Awareness Association
	Lisa Richards	Barnardos

Tues 13th Sept AM (Sedgely)	Tony Cowell	Beacon Hill Tenants & Residents Association
	Elemay Parkes	Black Country Housing Group LTD
	Simon Biggs	Beacon Centre for the Blind
Thurs 22nd Sept 2:30 (Kingswinford)	Caroline Wickens	Methodist Church
	Reverend Mike Sermon	Shell Corner Partnership
	Paul Jaunzems	Langstone Society
	Dave Anderson	Barnett Lane Allotment Association
Thurs 22nd Sept 6:00 (Dudley Leisure Centre)	Jane Clarke	CHADD (Churches Housing Association for Dudley and District)
	Levene Bruce	African-Caribbean Befriending Service
	Joyce	Church of God of Prophecy
Mon 10th Oct evening (Netherton)	John Mason, Paula Fellows + 6 others	Tenants and Residents Associations
Weds 19 Oct AM (Stourbridge)	Chris Campbell	Ebenezer Baptist Church
	Dave Buxton	Options for Life/ Friends of Ourday
	Camilla Phillips	The Hope Centre
	Wendy Ryley	The Hope Centre
	Mark Ashbourne	Stourbridge Radio Group
Weds 19 Oct Evening (Brierley Hill)	Lindsay Newton	Dudley Arts Council
	Peter Dyson	CFED (Centre for Equality and Diversity)

MASH Launch attendance

Name	Organisation
John Guest	City Can Cycle
Margaret Simcox	Substance Matters
Sue Chrestan	Substance Matters
Jane Clarke	CHADD
June Beddows	StartupBritain
Chris Campbell	Ebenezer Baptist Church
Ian Henley	Calvary Church
Jane Weaver	KIDS
James Keys	Voluntary Sector
Gillian Lloyd	Dudley Borough Interfaith Network
Eric Mills	African Caribbean Community Network (ACCN)

Marjorie Ferguson	Top Church Training
Trevor Campbell	St. Thomas's Community Network
Sally Huband	Age UK Dudley
Andrew Wickens	Interfaith Network
Julia Wade	Clavary Church Kingswinford
Inge Hill	Pathcreating Social Value
Cheri Gillings	Atlantic House Recovery Project CRI Adult Community Drugs Service
Odilia Mabrouk	The Hub Stourbridge
Lorna Reid	Community Catalysts - Commissioned by DMBC
Wendy Fryatt	Black Country Food Bank
Gerald Clarke	Summerhill Community Association, Coseley
Jenifer Gregory	St. Thomas's Community Network
Monika Narad	Mata da Mandir Community or Faith Organisation
Marc Carter	INSIGHT for Carers Service
Irene Korvin	Nine Locks Community Centre
Alan Hoffman	VCFS
Clare Thomas	Beacon Centre for the Blind
Caroline Webb	DCVS
Jayne Emery	DCVS
Andy Gray	DCVS
Simon Manson	DMBC
Mike Wood	DMBC
Valerie Little	DMBC / PCT
Cllr. David Vickers	DMBC
Dennis Hodson	DCP
Geoff Thomas	DMBC
Philip Tart	DMBC
John Polychronakis	DMBC
Jane Porter	DMBC
Peta Curno	Dudley Public Health Department
Shobha Asar-Paul	DMBC
Andy Wright	DMBC
Brendan Clifford	DMBC
James Gray	DMBC
Barry Hutchinson	DMBC
Martin Shaw	DMBC
Bridget Brickley	DCP
Donna Roberts	DMBC
Joanne Weston	DCP
Lorna Prescott	DCVS
Faye Conroy	DCP
Chris Morrey	DCP