

NILGA Response to Draft Programme for Government (PfG) Consultation

“The 2016 – 2018 phase of the Programme for Government should herald a new era of joined up government in Northern Ireland. There is an opportunity to rewire our public services, grow productive, value added jobs, decrease the reliance on the public sector, sustain the environment and enhance all communities across NI. The 11 councils - if the draft PfG is to be credible and deliver success, regardless of measure – need to be trusted, resourced and constitutionally strengthened. NILGA will not waver from fulfilment of this essential, democratic outcome as local government’s representative body.”

30th November 2016

The following paper is NILGA’s second level formal response to the consultations on the draft Programme for Government Framework 2016-21. It is directly aligned to the Associations initial and many councils, agreed responses to the Draft Programme for Government Framework in July 2016.

This response has been compiled as a result of extensive consultation across the local government sector and should be read in direct conjunction with the sector’s Programme for **Local** Government (enclosed). It follows substantial engagement and work with Councils, NILGA Office Bearers & Executive, SOLACE, Elected Members both councillors and MLAs, the Strategic Investment Board, the Northern Ireland Strategic Migration Partnership and Climate Northern Ireland, together with council professional officer groups and representative bodies including LGA (England), AILG (Ireland) CoSLA (Scotland) WLGA (Wales), Colleges NI, FSBNI and Hospitality Ulster.

For further information or to discuss any of the issues highlighted, please contact Derek McCallan Smyth at the NILGA Offices: Email: d.mccallan@nilga.org Tel: 028 9079 8972

**Derek McCallan
Chief Executive**

30th November 2016

1. INTRODUCTION & CONTEXT

1.1 The draft Programme for Government 2016-2021 (PfG) is presented at a time of both great opportunity and huge challenge for Northern Ireland. The new NI Assembly and the new enlarged councils together provide an environment which could enable radical change to the way we work, to break through silos, and to create a citizen centred, efficient, collaborative society that the citizens we serve will understand and readily support. We encourage the NI Executive and all parties to continue to be bold and innovative in their approach, and welcome the draft PfG as the fundamental step in a much longer term strategic planning exercise.

1.2 NILGA broadly welcomes the iterative approach that the NI Executive is taking to the development of this overarching work, strategies and action plans that will eventually become the 2016 – 2021 Programme for Government.

1.3 The consultation acknowledges the need for a sea-change in how government – both central and local – delivers in partnership for our society. NILGA welcomes the move to a more outcome-based approach, involving other sectors as key delivery partners.

1.4 NILGA agrees that to ensure this new approach is successful, time will be required. But so will demonstrable evidence, across all 14 Outcomes, from 2017, of delivery. Like all councils, NILGA looks forward to working in partnership with the NI Executive to build robust and shared engagement, delivery and accountability and performance mechanisms, together with a shared and open approach to data collection and use.

2. Draft PfG: NILGA Key Commentary for Councils and The Executive Office (TEO)

2.1 **Outcomes Based Communication:** NILGA welcomes the political and senior officer engagement that has occurred in the run up to the draft PfG. While welcoming this, and the “ethos” of Outcomes Based Government, it cautions against the repeat of a number of diametrically opposed actions which create the perception and have the impact of reinforcing centralist silos. These include the absence of Regeneration powers, the (at the time of writing) proposed (arguably imposed) transfer of function of Prohibition or Restriction of Use of Public Roads for special events, and 8 weeks or less consultation periods on matters of major importance to councils and communities. Direct comparisons with neighbouring jurisdictions unequivocally confirm that Northern Ireland has still not ideologically “turned the curve” – to use draft PfG terminology - towards local government and local decision taking. That change will require deinstitutionalisation and devolution beyond Stormont, not just an Outcomes Based Approach to a Programme for Government.

2.2 **Incremental Approach:** NILGA, as local government’s representative body, asserts that it would be inappropriate to over analyse or prioritise the 48 indicators and the emerging Delivery Plans since, particularly in the latter case, these must be substantiated with partners, over time, and at this stage all are formative and some have not yet even appeared.

2.3 **Graphical Overview:** NILGA draws attention to **Appendix 1 of its response**, which graphically illustrates the dynamic involvement of councils **now** (per draft PfG direct reference to councils) and **potentially** (through for example, Community Plan delivery and through emergence of as yet unseen Delivery Plans). Appendix 1 demonstrates that the 11 councils in Northern Ireland are **absolutely crucial** in the effective development of the PfG. It is therefore imperative that they are **materially involved as co-designers**, not just as Delivery Partners, in 2017 and beyond.

2.4 **Less is more:** NILGA broadly welcomes the **clustering** of these indicators, the modifications to six indicators including having a Better Jobs Index and the inclusion of the additional six indicators, all resultant from the Framework consultation. NILGA is grateful that many proposals contained in the Framework response have been reflected in the current consultation and refers TEO to Appendix 3 for further suggested inclusions.

2.5 **Fully Align PfG to Community Plans:** The Association welcomes the direct reference in the Draft (page 6) to councils' community plans: *We are encouraged by the considerable interest in particular of local government in aligning community planning with the goals we described in the draft PfG framework.*

2.6 **Commit to Community Plans, Co Design and Co Deliver:**

(i) NILGA calls on TEO from April 2017 to apply a power to enable the **direct delivery of community planning actions and enable pooling of elements of budgets by departments, public bodies and councils**, to facilitate the implementation of community plans and the achievement of agreed outcomes. This is entirely in keeping with the PfG's ethos of partnership, but – as in neighbouring jurisdictions which have local, Single Outcome Agreements at council level – this will demonstrate **partnership in practice**.

(ii) NILGA calls on TEO to ensure that Departments, Committees, Councils and relevant Agencies agree – not centrally create and enforce – appropriate **Performance, Measurement and Accountability measures**. Councils seek proportionate (to their responsibilities and spend) and workable Performance Indicator Frameworks and legislation, together with practical yet accountable audit arrangements for their own services and statutory roles AND for those which materially involve a multiplicity of partners, such as in Community Planning. As such, **Community Planning Performance Indicators should clearly measure all partners, with such measurement being SMART**. Precedent in neighbouring jurisdictions will assist the implementation of such a framework. It is imperative that such arrangements are appropriate otherwise determining whether or not interventions are getting results will be completely compromised. In our view, the most exciting opportunity outcomes based government presents is prioritisation of the impact (effect) of what you are doing above the process (effort) of doing it. Therefore, we need to ensure that we can accurately evaluate when results are not being achieved so that the necessary change is forced to happen.

(iii) NILGA requests that **TEO applies strong measures – including statutory provisions** – to be put in place to ensure **written, statutory, clearly resourced and effectively measured NI Executive and Departmental commitments** to the 11 Community Plans.

2.7 Make the PfG Local and Real: NILGA urges the NI Executive to work with councils and with the Association itself as key Delivery Plan designers and partners. It is vitally important that the NI Executive **fully aligns** the significant roles that councils and local communities have in the future success of Northern Ireland, including Community Plans and the specific ‘asks’ in Appendix 1, **NILGA’s Programme for Local Government (attached)**. Collectively, these will be necessary for the PfG to materially succeed.

2.8 Apply Subsidiarity – the PfG should – enabled by TEO’s Scrutiny Committee in the first instance – apply the principle that a central authority should have a subsidiary function, performing only those tasks which cannot be performed at a more local level. This will help to “normalise” Northern Ireland, strengthening democracy and trust in so doing.

2.9 Address Cross-Cutting Issues:

(i) NILGA notes and broadly supports the (evolving) content and performance benchmarks for the (emerging) Delivery Plans for each outcome. There is some risk that old processes will be replaced by new ones, and that this will be seen by some in authority as an achievement.

(ii) With a very mechanistic “pyramidal” work plan coming to fruition, there is real danger of **measurement for measurement’s sake and the creation of new silos**. This is NOT the manner in which important cross-cutting issues can be usefully considered, and requests that TEO defines new protocols to determine greater budget, resource and related flexibility within the NI Executive’s new departments applying **formal fiscal devolution to councils themselves**. NILGA’s work with sister LGAs and regional government in Scotland and Wales can be of assistance in this regard. We reiterate that this is not just programmatic; it will need to be ideological.

2.10 Waste not Want Not: An important illustration of the need for such lithe government is the (i) **circular economy**, which is now referenced specifically in the draft PfG beyond the information given on indicator 36 which deals with household recycling. Other notable examples are (ii) **community resilience** and (iii) **climate change**, which are not sufficiently stressed in the draft PfG document. NILGA refers TEO to and re-iterates its Framework Response for further recommendations on this (*reference: NILGA’s Draft PfG 2016 – 2021 Framework Response, sections 2.2.1 – 2.2.3 pages 3 & 4*).

2.11 Partner of Equals: NILGA therefore requests that local government is fully involved in development of cluster and cross cutting work associated with this draft PfG – as a partner of equals, **with the 9 Departments. This must happen in addition to being invited to** engagement exercises, road shows, implementation events and similar.

2.12 One Public Service, One Public Purse:

(i) NILGA supports the emergence of high level **strategic and operational engagement** between Council Chief Executives and other Senior Officers of Councils, with Permanent Secretaries and other senior Civil Servants. Such meetings should be one means by which 2.11 (above) is realised.

(ii) NILGA requests that the TEO, with SOLACE, develops further engagement with strategic personnel in councils and all SROs, to enable integration, joint design of measurement and performance indicators as well as appropriate, proportionate, audit requirements as befits the draft PFG, the Outcomes Based Approach **and** the present (approximate) **94% - 6%** split between central and local government spend.

(iii) NILGA also asserts that Policy Level recommendations in regard to 2.12 (i) and (ii) should be materially considered at the **Political Partnership Panel from February 2017** and that this is reflected in an **adapted Scrutiny and Work Plan** for the Panel, to ensure joint political oversight, and effective communication and ownership ultimately by both the NI Executive and the 11 sovereign councils.

2.13 **Clarity of the Role of Government at all levels:** NILGA requests TEO, through its Junior Ministers and its Scrutiny Committee, to develop proposals with NILGA for an **All Party Group on Local Government Development**, to ensure not only improved and contemporised roles, challenges and resources for local government within the PfG but, also, to ensure that the corollary occurs in Regional Government also. The underpinning drivers for this All Party Group would include the Programme for Local Government (Appendix 1 attached), the Programme for Government (once approved), ambitions creating budgets - not the other way around – independent (ex NI) , empirical evidence and the principle of subsidiarity. This must be considered as a distinct - yet complementary - initiative to the Partnership Panel. The realisation of this initiative would ultimately be linked to fulfilment of many Outcomes, but notably 1, 2, 3, 5, 6, 7, 9, 10, 11 and 13.

2.14 **Funding:** NILGA asserts that in relation to funding the PfG, notably as stressed on Page 14 of the Draft PfG, an annual resource budget is being developed due to wider political and fiscal uncertainty. As this is universally undesirable, NILGA believes fundamental changes will be needed to the budget “ownership” in the NI Executive, and re-asserts that (TEO) from April 2017 applies a power to enable the **direct delivery of community planning actions / pooling of elements of budgets by departments, public bodies and councils**, to facilitate the implementation of the PfG, community plans and the achievement of jointly agreed outcomes. This is entirely in keeping with the PFG’s ethos of partnership, but – as in neighbouring jurisdictions which have local, Single Outcome Agreements at council level – this will demonstrate **partnership in practice** amidst fiscal uncertainties.

2.15 Better Measurement:

(i) NILGA asserts that in relation to measurement the PfG should invest – potentially sourcing funding from (e.g.) Cabinet Office – to apply a version of Open Data technology, illustrated by Mapping GM (Greater Manchester) to map through citizen input a region’s infrastructure and to provide a NI-wide tool to understand social and infrastructure needs to support growth and development. This could be done in conjunction with councils in relation to Planning, but would be cross cutting, in regard to the

Transport Network, flood plains, emergency planning, health provision, broadband infrastructure, even tree preservation orders, and more. In this way, the Outcomes Based Approach would be underpinned by integrated regional and local data – contemporary evidence which can (i) map needs and (ii) map investment forecasting. This would be done in conjunction, also, with NISRA & OSNI, and evidence has shown that this ensures greater efficiencies and reduces what may be considered as ineffectual, time consuming Freedom of Information requests.

(ii) NILGA asserts that the final Programme for Government needs to form part of a new Performance Framework for Northern Ireland, similar to ‘Scotland Performs’ and we would strongly encourage the NI Executive to take this next step – materially involving councils, NILGA and the Partnership Panel. **An open, consistent, inclusive, integrated and accountable performance framework can only increase public understanding of and confidence in how Northern Ireland is governed.** There will be clear advantages for a framework of this nature to enable cross-referencing with council performance frameworks, tied into community plans, furthering shared accountability for delivery by all key partner sectors. A mechanism is required for ensuring programmes of work are successful and ideally, to begin to foster bottom-up delivery of real solutions designed in partnership with communities. An overarching, consistent **Regional Performance Framework, related Protocols and Codes of Conduct**, should be established during this Assembly Mandate as a matter of urgency, and should include local government, as part of the “normalisation” of the Public Service.

(iii) NILGA once more asserts (see also 2.5) that performance measurement, key performance indicators and resultant audits should be co-designed and wholly commensurate with the roles of each organisation in, e.g. Rural Partnerships which are housed in councils but not owned by them, and (mindful of their statutory footing), Community Planning / Policing and Community Safety Partnerships.

2.16 **Accountability & Governance:**

(i) Linked to the Draft PfG, a common framework should apply to the Code of Conduct for Councillors and MLAs, as Northern Ireland is at variance with neighbouring jurisdictions and as yet the revised Code of Conduct for Councillors has yet to be consulted upon – essentially rendering local government elected members to be working within a high risk, unproductive climate of uncertainty.

(ii) In consideration of the Framework document, and this Draft Programme for Government consultation, NILGA and many councils expressed concern relating to **how** the aspirational outcomes are to be achieved, and **who / what** will be measured. It was noted that all the outcomes aren’t ‘pure’ Outcome Based Accountability outcomes, and there was a lack of detail in relation as to how and why indicators were selected, as well as the measurement of delivery against these in the shorter to medium term. Fundamental to the effectiveness of Outcomes Based Accountability is that indicators are technically robust, simple to understand and give a high level picture of how those responsible for delivery are doing. Also, NILGA is keen along with councils and SOLACE to establish what involvement councils will have in reporting on their contribution towards Delivery Plans, as direct correlation will often be difficult for councils to demonstrate. We would again highlight the case that local place-based working through community planning will make the council contribution more easily identifiable.

(iii) NILGA and our member councils are keen to work with government to develop the process for implementation of the Draft PfG and seek to materially contribute to the drafting of the Delivery Plans and reporting arrangements, in governance terms linked to the Partnership Panel strategic Scrutiny & Work Plan as per 2.12 above.

(iv) **'Permission to make mistakes'**: It should be necessary for the outcomes and indicators emerging from the councils 11 community planning exercises to reflect those of the Programme for Government. As demonstrated in the early days of similar changes to the Scottish System, optimum design may not be achieved at the start.

2.17 Adapt & Review & Report:

(i) A review mechanism is built into community planning processes. It should be built into PfG processes too. NILGA would strongly recommend to the Executive that they consider developing direct alignment, no later than September – December 2018. This will enable an examination of whether the outcomes, indicators and actions are useful and 'right' for Northern Ireland. The Review should be timed to allow for sufficient progress to have been made and to enable identification of areas which aren't delivering the desired results. It is highly unlikely that we will get such a huge system change completely right first time – if the PfG, in its delivery, is to be as transformational as it purports - and local government is keen to work with the NI Executive and Departments to make any necessary 'tweaks' to the system as the need for these becomes apparent. We need to have a mutual understanding of what 'good' looks like, **so that local government's 11 councils are not required to focus on – nor measure - things they cannot nor should not deliver.**

(ii) NILGA also asserts that a clear **Results Against Targets** piece (of course designed to reflect the OBA approach) is published and distributed, drawn from the Review, during the first half of 2019, ensuring that citizens and ratepayers, not just politicians and public servants, can **gauge progress and participate in change.**

3. Wider Political & Fiscal Environment:

3.1 Brexit - NILGA asserts that to achieve key aspects of the Draft PfG, councils here and in other regions of UK are given assurances that any new constitutional settlement is guided by the principle that decisions should be taken at the level closest to the citizen and that councils in NI receive, post 2020, funding to deliver all previously EU supported programmes where there is a clear business, socio – economic impact and rural disadvantage case to do so.

3.2 Autumn Statement: Directly linked to all but especially Outcomes 1, 3, 5, 6 & 10, Indicators 17, 18, 19, 20, 23, 25, 28, 30, 32, 33, 34 and 40, NILGA asserts that the decision on what to spend the additional £250 million produced for Northern Ireland resulting from the Chancellor's Autumn Statement on should materially involve councils, drawing on regional & sub regional strategic infrastructure development priorities and ensuring optimum local gain for communities right across NI.

3.3 New Burdens Principle: Regarding any aspect of the PfG which materially involves councils taking on further responsibilities, potentially to include in the immediate future road closures for special events and Electoral Offices transfers, NILGA asserts that the New Burdens principle should apply. This should be furthered through the Partnership Panel, during 2017, to avoid the inequitable processes and outcomes of past iterations of reform / programmes for government.

4.0 Conclusion

4.1 NILGA is *broadly* satisfied with the 14 outcomes and 48 indicators identified in the Draft PfG and is of the view that they provide sufficient flexibility to enable adaptation & as soon as is practicable a complete alignment with councils Community Plans. We particularly welcome that the first three outcomes are designed to cover the three pillars of sustainable development – economic, environmental and social; and we look forward to working with the NI Executive, Departments and Parties to explore how Northern Ireland can contribute to achieving the UN Sustainable Development Goals to which the UK and Irish governments are committed.

4.2 We view community planning as 11 locally autonomous but regionally linked PfG foundations for delivery at grass roots community level, where greatest need, greatest deprivation, greatest disconnect often exists. 4.3 Given the statutory role of councils in facilitating community plans, we encourage TEO and government departments to ensure councils are invited right now to co-produce the necessary delivery programmes and performance arrangements emanating from this Draft, with the requisite resources devolved to councils or delivered in council areas by Departments, to ensure high quality public services at affordable costs.

4.4 We also ask TEO and specific Departments to note that, unlike Government Departments, many councils have sought that NILGA confirms that they do not have the fiscal resilience to absorb “transfers of functions” in kind or directly, with little capacity building or resources transferred with them.

4.5 NILGA notes that many outcomes will materially involve local government, whilst others do not, and in this context asserts that local government, because of its unique role and constitution, is a key partner to **achieve all** Outcomes, as *Appendix 2*, the Programme for **Local** Government (attached) illustrates.

4.6 A number of suggestions for alternative wording drawn from member councils and NILGA’s regional associates are offered in *Appendix 3*, to ensure the inclusion of issues which we believe warrant insertion in the priority outcomes for Northern Ireland.

4.7 The 2016 – 2018 phase of the Programme for Government heralds a new era of joined up government in Northern Ireland. There is an opportunity to rewire our public services, grow productive, value added jobs, decrease the reliance on the public sector, sustain the environment and enhance all communities across NI. The 11 councils - if the draft PfG is to be credible and deliver success regardless of measure – need to be trusted, resourced and constitutionally strengthened. NILGA remains fully committed to this strong, democratic outcome as local government’s representative body.

Disclaimer

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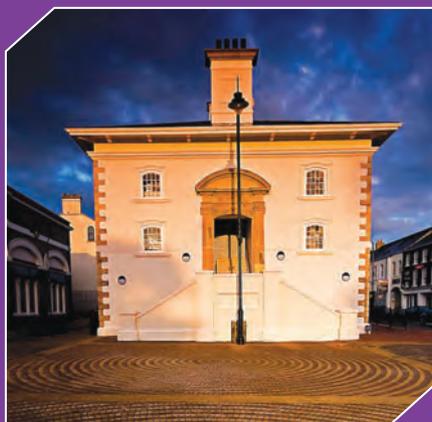
INDICATOR SROS				Local Gov Key Delivery Partner	Local Gov Defined Role	Local Gov Defined Role Delivery Plan Link
INDICATORS	NAME	DEPT				
1. Prevalence rate (% of the population who were victims of any Crime Survey crime)	David Lavery	DoJ		Defined	Develop concept of place based approach to tackling crime which promotes collective efficacy and builds upon work of PCSPs and the local community planning process	link
38. Average time taken to complete criminal cases	David Lavery	DoJ		Yes (CP)		
39. Reoffending rate	David Lavery	DoJ		Yes (CP)		
2. Gap between highest and lowest deprivation quintile in healthy life expectancy at birth	Dr Anne Kilgallen	DoH	Grouped	Defined	Co-design, policy direction, funding, service delivery.Community Planning.	link
3. Healthy life expectancy at birth	Dr Anne Kilgallen	DoH				
4. Preventable mortality	Dr Anne Kilgallen	DoH				
7. % of babies born at low birth weight	Dr Anne Kilgallen	DoH				
5. % people who are satisfied with health and social care	Charlotte McArdle	DoH		Yes (CP)		
6. % of population with GHQ12 scores ≥ 4 (signifying possible mental health problem)	Chris Matthews	DoH		Yes (CP)		
9. Number of adults receiving personal care at home or self directed support for personal care, as a % of the total number of adults needing care	Chris Matthews	DoH		Yes (CP)		
10. % care leavers who, aged 19, were in education, training or employment	Eilis McDaniel	DoH		Yes (CP)		
11. % school leavers achieving at Level 2 or above including English and Maths	Dr David Hughes	DE	Grouped	Yes (CP)		
12. Gap between % non-FSME school leavers and % FSME school leavers achieving at Level 2 or above including English and Maths	Dr David Hughes	DE				
13. % of schools found to be good or better	Dr David Hughes	DE				
15. % children who are at the appropriate stage of development in their immediate pre-school year	Cathy Galway	DE		Defined	Support /influence Access to services and resources Planning	Link
8. Number of households in housing stress	Andrew Hamilton	DfC	Grouped	Defined	Local planning authorities making decisions on the zoning of land for housing and on residential planning applications	Link
48. Gap between the number of houses we need, and the number of houses we have	Ian Snowden	DfC				

43. % change in energy security of supply margin	Chris Stewart	DfE				
23. Average journey time on key economic corridors	John McGrath	DfI	Grouped	Defined	Local development plans and development of greenways, car parking	Link
25. % all journeys which are made by walking/cycling/public transport	John McGrath	DfI				
47. Overall Performance Assessment (NI Water)	Fiona McCandless	DfI				
INDICATOR SROs						
INDICATORS	NAME	DEPT				
29. Greenhouse gas emissions	David Small	DAERA		Defined	Support for sustainable transport	Link
36. % household waste that is reused, recycled or composted	David Small	DAERA		Defined	Introduction of new, or improvements to,	Link
37. Annual mean nitrogen dioxide concentration at monitored urban roadside locations	David Small	DAERA		Defined	Assessment of air quality through the Local Air Quality Management scheme.- Drawing up Action Plans to deal with 6 air quality problems. Working with DfI to reduce road traffic and ease congestion in urban centres.- Incorporation of air quality concerns into Local Development Planning and Community Planning	Link
44. % water bodies at 'good' status	David Small	DAERA		Yes (in time)		No detail
45. Biodiversity	David Small	DAERA		Yes (in time)		No detail
26. A Respect Index	Mark Browne	TEO	Grouped	Defined	Lead partner for individual actions within the delivery plan. Responsible for local services and amenities, responsible for local land -use planning and community planning	Link
31. % who think leisure centres, parks, libraries and shopping centres in their areas are "shared and open" to both Protestants and Catholics						
35. % the population who believe their cultural identity is respected by society						
30. Total spend by external visitors	G3	TEO	Grouped	Defined	Support the public and private sectors to attract international institutional investment in infrastructure and regeneration projects with a particular focus on the Middle East and China markets.	Link
40. Nation Brands Index						
46. Usage of online channels to access public services	Paul Wickens	DoF		Yes (in time)		

A PROGRAMME FOR LOCAL GOVERNMENT 2016 – 2021 & BEYOND



Strangford Lough



Old Courthouse, Antrim



The Gobbins, Larne

**STRENGTHENING DEMOCRACY,
SUSTAINING COMMUNITIES**

nilga
northern ireland
local government association

INTRODUCTION

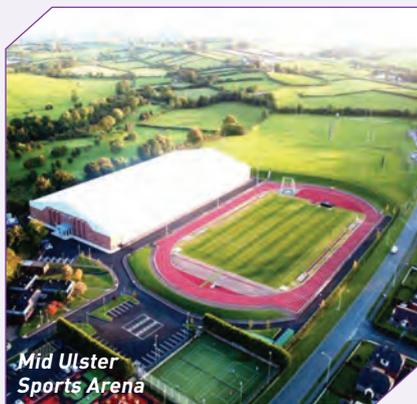
As the new Programme for Government emerges, it's worth noting that 11 new councils with new powers came into being in April 2015.

These new councils are designed to deliver and challenge for better outcomes for local people - the hub of communities, a partner of equals in government, innovators.

In any contemporary, citizen centred democracy, councils are both a champion of local community needs and an astute forward planner – a key provider to those who need public services today, and a sustainable investment champion for the next generation, wherever we live, work, or visit.

NILGA, the Northern Ireland Local Government Association, wants the Programme for Government during this Assembly mandate to be co-designed and co-delivered by councils, in a manner which sees, over time, greater responsibilities and powers exercised by local government, together with the requisite resources transferred to and deployed by them, to provide world class, affordable services and representation.

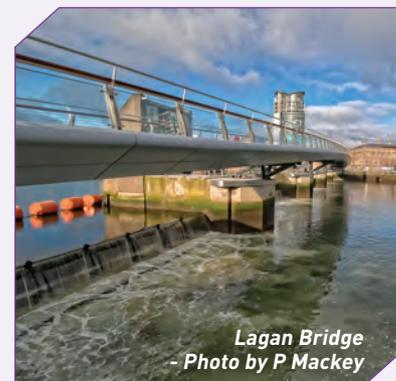
This attached Programme for Local Government, driven by substantial, inclusive input from councils themselves and their many partners, provides the means to strengthen democracy and sustain our diverse communities in NI.



Context

Local authorities have a unique chance to work collectively as a sector to improve the governance, economy and quality of public services for our ratepayers and our citizens.

The new Programme for Government has set out the plans and priorities for Northern Ireland as a region for the 2016-2021 Assembly mandate. The Northern Ireland Executive should not ignore the significant role that councils and local communities can play in the future successes of Northern Ireland. Indeed, it is imperative that a strategic alignment is established and maintained between the Executive's Programme for Government and the 11 council Community Plans.



NILGA, in conjunction with the 11 new councils, was tasked with developing a Programme for Local Government 2016 – 2021, setting out why and how the two spheres of government can and should work together, with shared goals and a collective purpose – whilst ensuring that councils quite clearly retain their autonomy.

In September 2015, NILGA issued a consultation on proposals for a Programme for Local Government. A copy of the consultation document and the summary of responses can be accessed from the NILGA website.

Overall, responses to the consultation were very positive and supportive of NILGA's proposals, with the caveats that we take our time, get the evidence-base established and ensure that proper resources will transfer.

The following sections of this document summarise the agreed guiding principles and priorities for local government from 2016 – 2026 (two Assembly mandates).

Guiding Principles

The following Guiding Principles are put forward as the basis for developing a Programme for Local Government:

- **Collaborative working and joint accountability**
The relationship between regional and local government is based on mutual respect and partnership
- **Sustainable finance and investment**
Financial decisions are taken sub-regionally/ locally through a council-led community planning approach
- **Simplified regulation, audit and bureaucracy**
Greater accountability and integration, with more customer-aligned services
- **Community Planning**
Local needs/ identified priorities aligned with government targets
- **Public Sector Improvement**
Two-tier delivery platform for public sector services and their improvement
- **Protection of local democracy**
Political and administrative commitment to the principles of the Charter of Local Self-Government
- **Strengthening local democracy**
Uniting and profiling local government, putting local democracy at the heart of our future
- **Strong councils and councillors**
Both spheres of government to be equal and empowered
- **Hard work with clear intent**
To develop understanding and support for democracy

- **Outward-looking and Innovative**
Building on best practice, solution-focused and responsive, utilising new technology
- **Ensuring probity and good conduct**
Assessing, and when necessary campaigning to improve, the Northern Ireland **Code of Conduct** for Councillors, ensuring simple, effective and universal awareness of/ adherence to the Principles of Public Life underpinning the Code.





Drumaheglis
Marina

DEVOLUTION OF POWERS

The additional powers that were transferred to local government through the local government reform are, on the whole, welcomed by local government on the basis that they reflect the role of local councils as place-shapers and local leaders within their communities. The presumption therefore should be towards moving more powers to local councils, along with appropriate resources.

NILGA recognises that there needs to be further engagement with the local government sector and other stakeholders to identify those responsibilities which would be of most impact to communities, if transferred.

Furthermore, local government requires a critical review of the functions and new powers transferred to date, particularly within the context of the resource allocation which accompanied them.

Immediate emphasis (2016/17) will be put on securing the transfer of regeneration powers.

In the next Assembly mandate (2016-2021) and beyond, NILGA, in conjunction with the 11 councils, will develop an evidence base (including associated costs) to debate and if appropriate build business cases to transfer the following powers from central to local government:

- **National, European and transnational programmes for investment in infrastructure**
- **Local roads and transport, including planning of local bus and ferry services and on-street car parking**
- **Maintenance of the public realm**
- **Economic development including co-ordinating skills development**
- **The built environment with an enhanced policy and influencing role on housing**
- **Libraries, arts, culture and sport**
- **Environmental services, including conservation of natural and built heritage**
- **Fishery harbours**
- **Other services carried out in partnership with or on behalf of departments and other bodies e.g. certain health promotion and protection functions**



Specific Asks

In the next Assembly mandate (2016 – 2021) and the following mandate (2021 – 2026) NILGA will work with local councils and other stakeholders to build business cases and (depending on the outcome of each business case) subsequently lobby for the following ‘specific asks’:

1. A **power to enable** effective **pooling of budgets** by departments, public bodies and councils to facilitate the implementation of community plans and the achievement of agreed outcomes.
2. To explore **greater fiscal flexibility for councils** – including seeking a commitment from all departments to engage with councils on a sector-wide basis as well as departmental level, using a “New Burdens” approach prior to making financial decisions that have an impact on council budgets.
3. To lobby the Northern Ireland Executive for a **transformation fund** for local government, similar to the transformation fund provided to the outgoing Northern Ireland Executive Departments and to the Health and Social Care Sector.
4. A new **Civil Contingencies Bill**, recognising the local co-ordination role of councils in emergency planning activity; and ring-fencing funding for emergency planning and climate adaptation measures.
5. Commitment from the Department of Finance to work with Treasury to **return ‘ring fenced’ Landfill Tax revenue directly to Northern Ireland councils** for investment in waste management infrastructure.
6. To devolve powers and funding for **skills and employment support** to councils, in partnership with higher education colleges to accompany the devolution of local economic development and regeneration, so that investment decisions can be based directly on what local economies and local businesses need in terms of future and present workforces to create jobs;
7. To give councils in Northern Ireland **traffic management powers** similar to Wales and other regions.
8. To strengthen the leadership, representational and commissioning roles of councillors:
 - by including an elected member from each council on the Board of the new **Education Authority**;
 - ensuring that the Boards of Arms-Length Bodies (e.g. the **Northern Ireland Fire & Rescue Service, NIHE**) delivering services provided by local government elsewhere, include an appropriate, politically balanced number of councillors.
9. To develop an agreed, **shared**, cross-governmental, outcome-focused **performance management and improvement** system – with a single Code of Conduct - so that we can improve together.
10. To develop a new **Northern Ireland Policy & Investment Forum**, led by a principal department and the Executive Office on behalf of regional government, and co-ordinated through NILGA within local government, to optimise knowledge & investment of Structural & Non-Structural Funds available through the EU & other investors.



CONCLUSION

NILGA has developed this Programme and aims to deliver it through the explicit leadership of councils, government more widely and many of their partners at regional level.

Government must always have an eye on the future despite the relative shortness of mandates. Strengthening democracy and developing sustainable communities are not time bound initiatives; therefore the Association has done its level best to balance aspiration with pragmatism.



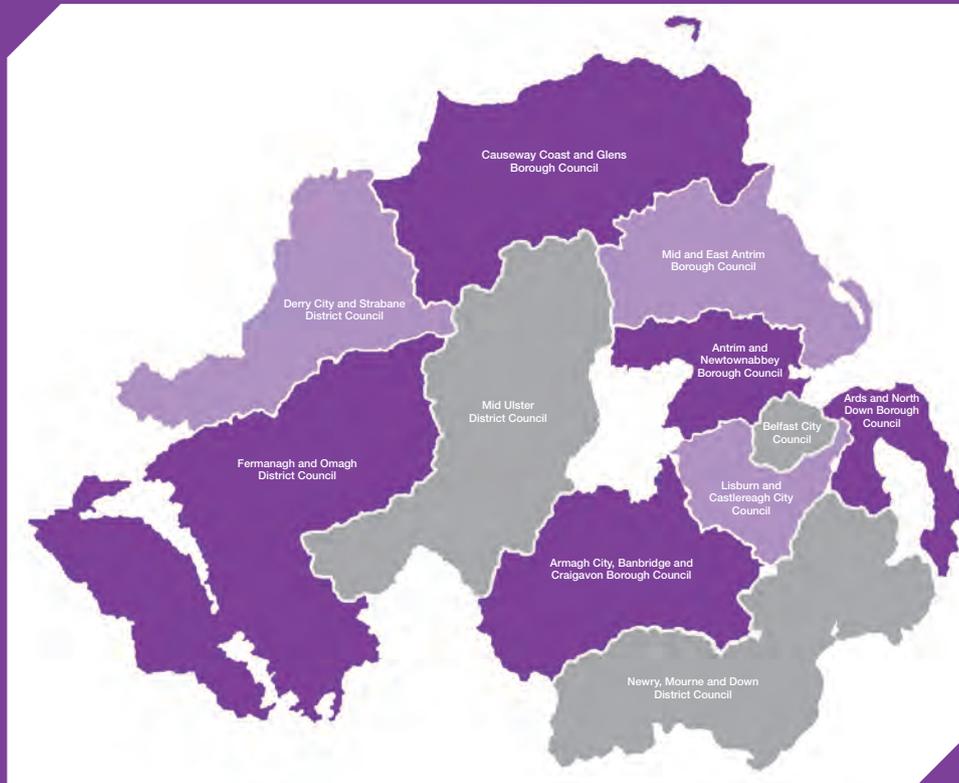
Over the next decade, it is imperative that NI's local councils make the case to government and the public that they are not only the hub of local communities, but are a confident, resourced, essential and growing part of sustainable democracy and world-class public service provision, locally, regionally, nationally and beyond. NILGA believes that this will and must happen, for any Programme for Government to be truly citizen-centred.

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Appendix 3 – NILGA Comments on Outcomes and Indicators

A. Comments on Outcomes

Outcome 1: We prosper through a strong, competitive, regionally balanced economy

NILGA strongly supports the inclusion of this outcome, but would highlight the impact UK policy and legislation can have in this area.

For example, evidence from the Northern Ireland Strategic Migration Partnership engagement with NI employers shows that UK immigration regulations vis-a-vis employment of non-EU nationals is undermining Northern Ireland's competitiveness. Tier 2 regulations inhibit Northern Ireland employers from attracting and retaining the workforce they need. Additionally, sector skills councils have highlighted the need for diverse staff with linguistic and cultural skills for successful expansion overseas.

Outcome 2: We live and work sustainably – protecting the environment

NILGA would wish to see this outcome strengthened by inserting the words 'and enhancing', i.e. "We live and work sustainably – protecting **and enhancing** the environment".

NILGA would be keen to see a further two bullet points under the 'Role of the Executive' heading, i.e.:

- Promoting a Circular Economy
- Ensuring compliance with statutory obligations

Outcome 3: We have a more equal society

NILGA strongly supports inclusion of this outcome but would highlight that Northern Ireland needs more than equality monitoring, as attention needs to be on identifying where positive action is needed at national level as well as within organisations.

Outcome 4: We enjoy long healthy lives

NILGA strongly supports this outcome, and notes in particular the identified role of the Executive in providing children with the best start in life, supporting parents in their role. NILGA members are keen to see some thought given as to how the end of life experience is to be improved e.g. through improved hospice provision.

We would highlight that the UK Immigration Act will have an impact on the ability of Northern Ireland to achieve this outcome, given the changes in support for children of refused asylum seekers.

Outcome 5: We are an innovative, creative society, where people can fulfil their potential

NILGA welcomes outcome 5 and notes the link between the creation of a confident and innovative workforce/community, and the development of a cultural and societal 'permission to make mistakes'. There is a role for the Executive, for government departments and for councils to encourage the community and the workforce to be bold, less risk averse, and to encourage the media to be supportive of the drive to try new things.

NILGA would be keen to see a further bullet point under the 'Role of the Executive' heading, i.e.: "Promoting innovative use of resources, ensuring that government as a whole is entrepreneurial in its approach, for example within the circular economy."

Outcome 6: We have more people working in better jobs

NILGA welcomes this Outcome, welcomes the reference to local government, and seeks that enterprise support agencies, large company private sector resources, small businesses and social economy bodies work with municipal entrepreneurs (councils) and government innovators, utilising existing (rather than creating new, resource sapping) bodies such as the NI Entrepreneurial Leadership Group (formative, suggest that it is chaired by the Economy Minister).

NILGA again notes that attracting the best international talent to Northern Ireland will be made more difficult with the UK Tier 2 immigration rules - Northern Ireland employers find it difficult to compete with those in regions which can offer higher salaries.

Outcome 7: We have a safe community where we respect the law, and each other

We ask that the PfG 2016-2012 Outcome 7 be modified by inserting the words 'and resilient', i.e. "We have a safe, **resilient** community where we respect the law, and each other.

NILGA is firmly of the view that community confidence happens at local level, and there is a fundamental role for councils and Policing and Community Safety Partnerships in contributing to achieving this outcome.

The NI crime survey can be used to track changes in confidence, but it would be helpful to incorporate the Racial Equality Strategy ethnic monitoring strand into the survey. The PCSP joint committee can provide guidance on how to monitor and assess progress in relation to migrant and Black and Minority Ethnic (BME) communities.

Outcome 9: We are a shared society that respects diversity

NILGA would encourage the Executive to include 'nationality' in the list of aspects of identity in the supporting information for outcome 9, as this is not always included in information on ethnic group. We would also encourage the use of the same strong wording that is used for outcome 3, i.e. the Executive role should be "actively promoting" rather than "acknowledging" diversity.

Outcome 10: We are a confident, welcoming, outward-looking society

NILGA would again highlight for Outcome 10 and also for Outcome 12, the limitations posed on Northern Ireland by UK immigration legislation and policy, which we believe undermines these objectives, and makes it more difficult to build our place on the international stage. Serious consideration will need to be given by the NI Executive as to how it can respond to Westminster legislation on this and other areas. Some of the rules that are introduced in Westminster as primary legislation are relegated to secondary legislation in Northern Ireland, which limits the opportunity for robust devolved debate.

Outcome 11: We have High Quality Public Services

NILGA suggests that the PfG 2016-2021 Outcome 11 be modified by inserting the words 'and resilient', i.e. "We have high quality **and resilient** public services". We would therefore also propose that the NI Executive requires preparation of adequately resourced Emergency Planning legislation appropriate to the Northern Ireland context, at an early stage within the 2016-2021 Assembly mandate.

Outcome 12: We have created a place where people want to live and work, to visit and invest

The explanatory text within the PfG should reference the importance of the role of the Executive in relation to:

- Reducing the risk of flooding; and coastal adaptation
- Providing increased water and wastewater capacity to allow new connections

Outcome 13: We connect people and opportunities through our infrastructure

NILGA would be keen to see reference to **waste infrastructure** widened in the supporting text for this outcome, to include specific reference to infrastructure for recovery of energy from waste.

NILGA is conscious that energy from waste is a sensitive issue, and we recognise that some technologies are less accepted by local communities than others. It is the case however, that Northern Ireland requires significant provision of infrastructure if we are to divert our waste from landfill, and particularly illegal landfill. The NI Executive and councils will need to work together to develop appropriate technology and sites to ensure Northern Ireland future-proofs our approach to the Circular Economy. NILGA reasserts its six main policy points in this regard:

1. Minimise municipal waste.
2. Achieve the 2020 target of recycling 50% of household waste and prepare to contribute to meet a 65% municipal waste recycling target by 2030.
3. Maximise recovery and use of energy from residual waste in Northern Ireland.
4. Ensure provision of sufficient landfill capacity in Northern Ireland.
5. Develop a new delivery model to manage Northern Ireland's municipal waste.

6. Create a new procurement strategy to deliver outcomes 1-4.

Under this outcome we would also suggest adding, as a further role for the Executive “Improve regional balance of economic prosperity in peripheral areas with low / limited GVA growth potential”.

Outcome 14: We give our children and young people the best start in life

NILGA would highlight that given the increasing percentage of our children who are from migrant and BME backgrounds, it is essential to ensure in the indicators for Outcome 14 that actions also meet their needs, particularly Indicator 12, which is a pressing issue for communities with a high number of migrants.

B. Indicators

B.1 There are some concerns within local government in relation to how the indicators identified in the Framework Document have been tested, and questions as to whether some are the right indicators, given the evidence already available to government through existing data collection systems. There is also concern in relation to the lack of ‘depth’ of indicators and the fact that use of secondary indicators has not been maximised. Again, we need to establish ‘what good looks like’, and there is some concern that there are no indicators related to issues on which Northern Ireland is currently performing well, leading to a less than rounded picture being painted.

Although the indicators are necessarily population wide, it is the view of local government that a (complementary) breakdown of these indicators by local government district will give a better picture of local priorities, emphasising the importance of alignment between council evidence bases, plans and performance management and that of the NI Executive. The breakdown of employment rate by council area given at indicator 34 is therefore welcomed. A more localised approach to the application of the policy direction established by the Framework Document should also ensure rural considerations are addressed, with councils and other sectors working in partnership with government departments, particularly DAERA. A two tier approach to driving local economies and the regional NI economy, as previously mentioned, would also contribute to a number of identified outcomes of the draft PFG.

B.2 Gaps identified in the list of indicators

NILGA is concerned that a number of issues have not been included in the list of indicators, although it acknowledges that the list of indicators shouldn’t become too unwieldy. Given the challenges faced by our society we would particularly like to see indicators strengthened / included relating to:

- Reduction of incidence of obesity
- Increased physical activity
- Adaptation to and mitigation of climate change
- Protection of built heritage and reduction in dereliction
- Continued Public Sector Reform and Private Sector / Social Economy Growth

Suggested additional Indicators

Under Outcome 3 & 9: We suggest that migrant population and migrant economic activity (labour market and SME) be measured.

Under Outcome 11: We suggest creating a new indicator relating to resilience, e.g. “% of central and local government organisations that have a resilience strategy and action plan”.

Under Outcome 12: We suggest creating two new indicators relating to:

- Flooding, such as number of properties assessed to be within the extent of land at risk of flooded from the sea or due to pluvial or fluvial flooding
- The wastewater capacity, area of NI served by wastewater treatment works which have limited or zero capacity to allow new connections.

B.3 Suggested adaptations of existing indicators

NILGA asserts that, subsequent to 2nd December 2016, and during the formal consultations regarding the Economic, Social and Investment Strategies, councils and bodies including NILGA and the Partnership Panel are utilised to enable local government to further clarify, adapt and respond to indicator through their programmes of work, particularly where there is commonality (e.g. Education Indicators 11,12,13). It does however make the following suggestions at this stage.

Indicator 1: Reduce Crime

NILGA is of the view that the content of Indicator 1 is problematic, in that prevalence rate – measuring the number of victims of any crime, is subject to high levels of variability. It is possible for one crime to affect thousands of people, which in our view would skew the overall picture. We would suggest that a better indicator would be numbers of crimes occurring.

Indicators 12-17

NILGA asserts that these inter-dependent indicators need to explicitly reference the need for redesigning our Economic and Skills Development interventions, producing an Enterprise Menu which is less confusing, less grant aided, and less “inter agency competitive”, and include the provision of teaching entrepreneurial skills (using entrepreneurs themselves) linked to the curriculum as early as Primary School through to Third level College / University years.

NILGA is also of the view that performance measures for schools should be broader than just academic results and would urge the inclusion of wellbeing indicators for schools which promote the importance of pastoral care alongside academic results. It is widely evidenced that those children from social deprived backgrounds, that against the odds do well at school, a common thread identified in such cases is that someone cared about them and where this is absent within the home setting should be picked up on through an effective pastoral care approach.

Indicator 18: Increase the proportion of people working in good jobs

The suggested Better Jobs Index – noting the name change from Good Jobs - is problematic unless it is an independently (ex NI) verified Index with clear agreed, qualitative and quantifiable elements put in place, particularly in regard to affirming the need to proportionately increase private sector and social economy jobs in NI, dispersed throughout the 11 council areas, with “better” meaning more than salaries and high end jobs, since in many parts of NI a “better” job is one which enables work life balance, social and community cohesion, reduced travel to work, locality based, etcetera.

Indicator 20: Private Sector NICEI (Northern Ireland Composite Economic Index)

The lead measure is problematic unless there is an independently verified (ex NI) formula with clear agreed, qualitative and quantifiable measures put in place, particularly in regard to affirming the need to proportionately increase private sector and social economy jobs in NI, dispersed equitably throughout the 11 council areas as far as reasonably possible, and to set ambitious targets for enabling social economy, third sector and private sector bodies to deliver public sector contracts and services.

Indicator 24: Proportion of premises with access to broadband services at speeds at or above 30 Mbps

It is noted that the lead measure under this indicator relates to ‘premises’ which would seem to limit consideration of this indicator to business premises. Given the increase in the home working culture, and the desirability of growing the digital economy in Northern Ireland, which is particularly free from the need for physical premises, NILGA would advocate that the next step for the Executive in supporting the Next Generation Broadband project would be expanding on the “**Fibre to the Cabinet**” by implementing the “**Fibre to the Home**” model. NILGA acknowledges that provision of fibre to the home is more expensive, but the Association is of the view that this is a means of future proofing the necessary infrastructure in Northern Ireland, and will vastly improve future take-up of government and private sector digital service delivery. It will also aid decentralisation – crucial to the sustainability of many non metropolitan areas of NI.

We note that Fibre to the Home (FTTH) has been championed in Europe as the preferred option capable of delivering Superfast Broadband (a minimum of 30Mbps). Fibre to the Cabinet (FTTC) model is not promoted as an answer to rural broadband issues as it was not seen as a solution to future proofing.

Indicator 31: % who think leisure centres, parks, libraries and shopping centres in their areas are "shared and open" to both Protestants and Catholics

NILGA firmly recommends that the measure is reworded and includes S75 groups and does not specifically list ‘Protestant and Catholics’.

Indicator 32: Employment rate of 16-64 year olds by deprivation quintile

It is noted that the measure under this indicator identifies deprived communities by place only. Although some S75 groups are the subject of discrete indicators, this is not the case for BME groups.

Indicator 36: Increase Household Recycling

NILGA supports our member councils in the drive to increased household recycling levels; however we are of the view that this indicator and the measures supporting it require more attention. It will be vital, particularly on the basis of recent information made available by Strategic Investment Board that in addition to consideration of recycling, the NI Executive fully considers the impact of waste crime in Northern Ireland, and also the potential benefits to our society of the circular economy. NILGA would therefore strongly suggest that consideration be given to measures relating to a wider consideration of the waste hierarchy and the circular economy.

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