

Blog: Community Rights

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The government has been calling on local authorities to offer a greater role to the voluntary sector in the provision of its services, not least because David Cameron sees the voluntary sector as a crucial mainstay of the 'Big Society'. The importance which the government ascribes to the voluntary and community sector is evident in the Localism Bill.

The 'Community Rights' agenda is potentially a highly innovative part of the Localism Bill, appearing to break radically with the centralist traditions of British public policy. It is, of course, not entirely new – indeed, part of the clever political calculation behind it builds on the reputation capital of the 'right to buy' which worked so well for the Thatcher administration a generation earlier in relation to council housing. Nor is it a surprise as a Coalition Government policy – it was signalled as part of the Conservative Party electoral manifesto as long ago as November 2009 and is fully in line with the Liberal Democrat tradition of 'community politics'.

While Labour have called into question the 'localist' credentials of parts of the Bill, such criticisms can hardly be made of the 'Community Right to Challenge' and the 'Community Right to Buy'. These provisions are certainly more substantive than the relatively weak 'community rights' reforms included by Labour in its 2006 White Paper and subsequently enacted in the Local Government and Public Involvement in Health Act – there, one of the flagship policies, now largely forgotten, was the so-called 'Community Call to Action', derided even at the time as tangential to changing the power balance towards the community and backbench councillors, and away from the council cabinet and bureaucracy.

It is also important to reserve judgment until we see the final shape of the Act, as approved by Parliament and as implemented at local level. As the LGA has commented, third sector organisations have already got the right to bid for the provision of public services (at least, if they pass certain vendor qualification tests), so that these new rights will only be meaningful if they are backed by a local government procurement system which, in practice, makes it easier for the third sector to bid successfully to make full use of its local expertise in providing the niche services for which it is especially appropriate.

Further, as many have recently commented, if this Bill simply opens the door for more externalisation, so that large-scale commercial firms end up being the main gainers, and the potential of local niche providers is not realised, then it will not only be seen as an act of trickery but may also result in significantly worse and less accountable public services than were being delivered previously by the public sector.

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