Does having a commissioning based partnership relationship with a public sector agency affect the ability of Voluntary, Community and Social Enterprise (VCSE) sector organisations to deliver their social purpose?

Edge Hill University

I4P
Institute for
Public Policy and
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David Hocking

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Introduction and Background

This policy paper provides a short summary version of a more detailed research project completed for an MSc Leadership and Management Development dissertation submitted in 2016 to Edge Hill University.

Over the last twenty years the Voluntary, Community and Social Enterprise (VCSE) sector in the UK has increasingly played a much greater role in the delivery of public services. In addition, since 2010 successive UK governments have implemented a programme that has resulted in significant reductions in public spending, as well as it also being a period that has seen the continuation of ever increasing external influence impacting upon the VCSE sector. This has prompted the debate whether such trends and policy changes potentially have wider implications for the VCSE sector and in particular those VCSE sector organisations seeking to deliver their social purpose through a commissioning based partnership arrangement with a public sector agency. As a result the research study examined the changing relationship between the VCSE and public sectors within this context.

Whilst the research sought to draw conclusions that had relevance to the whole of the VCSE sector for practical reasons it focussed upon one specific sub-sector of the VCSE sector (Adult Social Care) and in one defined geographical location (Cornwall, England).

A literature review was completed which, along with the researcher's knowledge and experience in both the VCSE and ASC sectors, informed the development of four key areas of enquiry. These were then used as the basis for six semi-structured interviews conducted with appropriate senior managers working in ASC related services within the VCSE sector in Cornwall, all of whom had experience of a commissioning relationship with a public sector agency.

Conclusions and Themes Identified

The findings from the research suggested that there are not any individual components that can categorically determine whether a public-VCSE commissioning based partnership will, or will not, effectively deliver social purpose, but instead it is a more complex combination of different factors. However information from the research sample appears to indicate that there are some specific factors that can make this either more or less likely.

For example a recurring theme throughout the findings that appears to have the ability to potentially impact upon many aspects of the whole commissioning based partnership relationship is the 'size' (categorised by financial turnover) of the VCSE sector organisation. These indicated that smaller VCSE sector organisations were generally disadvantaged throughout the whole commissioning process because they often lacked the capability and capacity to deal with various aspects, such as meeting the minimum prerequisite criteria set by the public sector agency to qualify as a suitable provider; completing the large volume of documents required to submit a tender; if selected, fully understanding the offer and negotiating a suitable contract; and also appropriately fulfilling any reporting requirements. All those interviewed (and not just those from the smaller organisations) suggested the commissioning process was often overly bureaucratic and frequently contained requirements that were considered disproportionate to the contract size, all of which compounded the challenges faced by smaller VCSE sector organisations. It is acknowledged that a larger sample and more focussed study regarding the impact of 'size' of VCSE sector organisations on the ability to deliver social purpose would be required to draw any firm conclusions, however there is sufficient information to suggest that such research could be justified to expand upon these current findings.

Furthermore the findings indicate that the degree of reliance on one or a very small number of public sector contracts could have a bearing on the effectiveness of a VCSE sector organisation in a commissioning relationship to deliver social purpose. This is linked to the relative lack of power such a position affords with regards negotiation over the terms and conditions at the initial stages as well as the level of dominance within the relationship asserted by public sector agencies due to its more powerful

position throughout the partnerships duration. In addition the short-term need for survival sometimes appears to drive VCSE sector organisations to more readily enter into partnerships without carrying out the appropriate level of due diligence, which arguably can end up producing greater long-term negative consequences than the short-term benefits being sought. This scenario is not necessary exclusive to smaller VCSE sector organisations, but the findings arguably suggest that they are possibly more prone to such a position because they cannot diversify funding streams as easily as larger organisations (particularly if they are a single function organisation with a narrow focus and user group).

There appears to be some initial information to support the possible claim that smaller VCSE sector organisations which are reliant on a limited number of public sector contracts are also more susceptible to having their independence compromised. Further research to explore this notion would be required before making any firmer statements. Also it is recognised that the smaller VCSE sector organisations in the study were all niche providers of services, delivering to a narrow target group of users. Therefore any further studies would benefit from exploring the relevance, or not, of this factor. More generally with regards independence being compromised whilst having a commissioning relationship, it is posited that there appears to be methods of eliminating, or at least limiting, this both through careful management practices (such as robustly applying firmly defined internal boundaries) and the use of any other appropriate safeguards available (such as implementing strict guidelines dictated externally through affiliation to national governing bodies).

Consistent with the literature review, the findings from the research indicated that the most effective public-VCSE sector partnership arrangements are ones which are deemed to have 'good' communication. Conversely it was found that those with poor levels of communication were the ones identified as those most likely to be ineffective. One of the key reasons for this view was the suggestion that 'trust' is also a key ingredient for the most effective partnerships, with 'communication' having a major influence on whether it is possible for this to be developed. Another finding that is directly linked to this prompts an area of possible concern for the VCSE sector in terms of its ability to deliver social purpose through commissioning based partnership. This is the increasing trend for public sector bodies and individual Commissioners within

them to manage their own organisational and personal risks, linked to perceptions of impartiality, by introducing additional processes that actually deliberately reduce the ability of providers (including those from the VCSE sector) to communicate easily and develop any productive interpersonal relationship - let alone ones that evolve as far as to include 'trust'. Therefore commissioning processes that are stifling communication may be counter-productive in producing effective VCSE-public sector partnerships which has various potential implications for the VCSE sector.

Firstly, for example, traditionally one of the key justifications often presented by commentators (although not universally agreed) for the public sector commissioning the VCSE sector is that it is driven by mission based aims, which is also frequently linked to the delivery of 'added value'. However the absence of an effective mechanism to communicate these elements to commissioning bodies could possibly have a detrimental impact on any VCSE sector organisations wishing to be commissioned in order to deliver their social purpose.

Secondly the findings also highlighted that restricted communication methods by the public sector are potentially impacting upon the Commissioners ability to gather appropriate information to evidence service user's needs from expert providers (including VCSE sector organisations) working 'on the ground' because of the desire to avoid any possible accusations related to 'conflict of interest' and thus detrimentally affecting their commissioning decisions. As a result it can lead to outcomes for service users that are not always required, desirable or deliver the maximum potential impact that could be achieved. Therefore it is posited that if this trend continues it could have wider consequences for the VCSE sector and indeed upon the wider community. This is because the social purpose of a VCSE sector organisation is usually aligned to the identified needs of its service users, however if commissioning opportunities start to significantly deviate from these 'needs' (because of a lack of insightful information on the part of the Commissioners) then this could result in VCSE sector organisations questioning whether such partnership arrangements are an effective way of delivering their social purpose and also communities could potentially lack suitable provision where these commissioned service do not adequately meet the needs of the groups and individuals within it.

Many commentators in the literature highlighted the benefit of interpersonal relationships within effective partnerships, which is a view supported by the research that was undertaken. However the findings indicate that the ability for these interpersonal relationships to initially even form, let alone develop, is also being undermined by the constant changing in both public and VCSE sector staff. It is suggested that this is promoting inefficiency because new staff often lack suitable knowledge and/or experience. The national public sector funding reduction programme, which has also impacted at a local level, was suggested as one of the key drivers for this situation. Also linked (and as a consequence) is the perception that the Commissioners in post are usually so uncertain and worried about their own job security that they are often distracted from - or uninterested in - the interpersonal elements of any partnership, as well as also electing to make risk adverse 'safe' decisions to help with their own career preservation. In these circumstances it is unlikely that this is the most efficient way of delivering social purpose and so if this current trend continues - which from an underlying policy context there is justification for believing this probable for the foreseeable future - this presents issues and challenges for both the public and VCSE sectors with no obvious easy solutions. Moreover whilst acknowledging that the public sector is usually the dominant more powerful partner within a commissioning relationship, due to its control over the finances, there is some debate regarding whether Commissioners actually are the holders of the power within these agencies and whether in fact these various processes have transferred this to other departments such as Legal and Procurement. The significance of this to VCSE sector organisations seeking involvement in commissioning based work to deliver social purpose includes the difficulty in identifying who is the most influential person within the public sector agency to even try and start building an interpersonal relationship with, before facing the challenge of finding an appropriate mechanism to contact them and begin to develop it.

The findings from the study concurred with previous research in highlighting that 'The Compact' in practice has proven to have had very limited use in achieving improved public-VCSE partnership arrangements. It was suggested that this voluntary code of good practice has done little to redress any power imbalances that exist within public-VCSE sector partnerships and mandatory legislative requirements, such as the Care Act 2014, have the potential to make a bigger impact by being more useful and

beneficial to the VCSE sector - although any widespread evidence of this is yet to be seen. However a cautionary note is the shared concern that in the future, as public sector budgets continue to be reduced and prioritised, that legislation might become the bench mark for the only provision that these agencies will commission. This scenario could have various knock on effects with respect to VCSE sector organisations delivering their social purpose. Firstly it might be the case that the public sector legislative requirements do not neatly align with this and so should lead the VCSE sector organisations to question whether the activities being commissioned are ones they wish to deliver. Secondly even if these legislative requirements do align with social purpose there is no guarantee the contracts on offer will be sufficiently financially rewarding to provide an efficient or effective way of delivering this. Also thirdly - and perhaps more concerning for VCSE sector organisations that look to deliver their social purpose through commissioning - is the fact this could leave large gaps in provision which fall outside the public sectors legislative requirements but *do* fit closely with their own organisations aims and objectives. Therefore this could result in a large and widespread increase within the VCSE sector of organisations instead facing up to the reality of a potential new and very different challenge which involves seeking ways to effectively deliver social purpose *without* having a commissioning relationship. In addition there is a wider debate related to the role of the public sector in helping to positively support wider society and communities through its policy and decision making, which includes its commissioning.

The findings from the study indicated that perception appears to be key ingredient when discussing whether a VCSE sector organisation has strayed from its organisation's stated social purpose and demonstrates signs of 'mission drift'. For example it was observed that it was quite possible internally for one VCSE sector organisation to consider it had merely undergone a natural evolution and realignment of its social purpose (based on a variety of factors such as meeting the changing needs of service users, demographics and societal norms as well as possibly responding to a new commissioning opportunity); however exactly the same developments can be viewed externally very differently by other VCSE sector organisations operating in the same field. It is acknowledged that these initial indicative finding are from a small sample in one geographic area within the UK and so are insufficient to draw any wider conclusions for the whole VCSE sector, but a study concerning 'perceptions' related

to the area of 'mission drift' could be an interesting area of further more focussed and in depth research.

Perception can also play a role in other areas related to the public-VCSE sector relationship. To give one example, the findings appeared to suggest that determining whether a commissioning relationship has produced innovation is not straight forward and very much depends on a range of factors, which include amongst others the criteria used to judge this; the expectations of the partners involved; the scope of the partnership; and the functional area(s) in which the service operates.

The possibility of some secondary benefits from having commissioning relationship were also identified by the study, such as having easier access to professionals from statutory bodies and additional credibility when applying for funding from Trust and grant funders. Conversely the absence or cessation of a commissioning relationship can result in the opposite being true. Moreover the findings indicated that the breakdown of a commissioning relationship can in fact have a serious negative impact upon a VCSE sector organisation, at worst potentially undermining its whole viability and existence but at the very least diverting attention and resources away from activities that support delivery of social purpose.

Another area where further study might be beneficial to expand upon the findings from the study undertaken is the potential impact that geographical variations within the UK have upon VCSE sector organisations delivery of social purpose, in particular comparisons between rural and urban locations.

The research presented the view that a strong alignment between a VCSE sector organisation's social purpose and the desired outcomes of the public sector body should be the minimum requirement for the VCSE sector organisation to even consider entering into a commissioning relationship if it wishes to remain true to its mission based values. However importantly it is further posited that mere alignment of the key aims of the parties within the commissioning relationship is insufficient justification for a VCSE sector organisation agreeing to such a partnership. Additionally it is suggested that there is a firm requirement for VCSE sector organisations to ensure that it also provides an *effective* way of achieving its social purpose. This includes

being properly resourced and rewarded; communication and interpersonal relationships are at the very least adequate but ideally viewed as positive; as well as ensuring that all the requirements imposed by the commissioning body are proportionate in nature.

In final conclusion therefore it is posited that having a commissioning based partnership relationship with a public sector agency *can* negatively affect the ability of VCSE sector organisations to deliver their social purpose if certain unfavourably conditions prevail and there is a lack of scrutiny with regards to important key details. However if these elements can be successfully overcome and with the appropriate levels of operational and strategic management it can also be an incredibly useful - and indeed in some cases essential - mechanism for VCSE sector organisations to effectively deliver their social purpose.

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