



Participation and the Practice of Rights Project

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PPR Response to Consultation on the Social Investment Fund

Introduction

The Participation and the Practice of Rights (PPR) organisation supports disadvantaged groups to assert their right to participate in social and economic decisions which affect their lives. PPR currently works on issues including mental health, adequate housing, regeneration and the right to play with groups across the island of Ireland. PPR enables groups to challenge and change current government decision making practices which exclude them, and which lead to poor service delivery, entrenched inequalities and ineffective use of public money.

PPR welcomes the opportunity to make comment on the consultation on the Social Investment Fund. The Social Investment Fund was agreed by the Northern Ireland Executive on the 22nd March 2011, in order to “*reduce poverty, unemployment and physical deterioration in areas through area based interventions of significant scale which will be delivered in partnership with communities.*” The fund aims to “*encourage communities, statutory agencies, business and departments to work together in a co-ordinated way, reducing duplication, sharing best practice and enhancing existing provision for the benefits of those communities most in need*”. £80 million has been allocated to the Social Investment Fund in the NI Executive’s budget of the next four years.

As OFMDFM has recognised, an investment of this scale has the potential to make measureable improvements to reduce the entrenched and chronic deprivation and inequality suffered by those living in the most vulnerable communities in Northern Ireland.

General Concerns

PPR’s overriding concerns regarding the Social Investment Fund include:

1. OFMDFM has not identified, in line with their obligations, the structural causes of inequality and deprivation in disadvantaged communities
2. the lack of open and transparent criteria for identifying and selecting ‘Investment Zones’
3. what would appear to be the effective substitution of statutory equality obligations with a proposed ‘consensus’ model of decision making and delivery which has the potential to bypass what are deemed to be ‘unpopular’ inequalities

We outline these concerns in greater detail below.

1. OFMDFM has not identified, in line with their obligations, the structural causes of inequality and deprivation in disadvantaged communities

Economic and social inequality exists within deprived communities and among marginalised groups due to:

- previous and existing government programmes demonstrably not addressing long standing inequalities in employment, education, housing and health (including mental health);
- continued failure to attract private sector investment into areas of need;
- the inability to maximise social and economic outcomes arising from public sector investment, for example through urban regeneration programmes or capital build projects.

All of the above relate specifically to governmental responsibilities and obligations, for example Section 75 of the NI Act (1998) which states:

“1) A public authority shall in carrying out its functions relating to Northern Ireland have due regard to the need to promote equality of opportunity— (a) between persons of different religious belief, political opinion, racial group, age, marital status or sexual orientation; (b) between men and women generally; (c) between persons with a disability and persons without; and (d) between persons with dependants and persons without.”

Additionally the targeting of objective need is a long standing commitment of the NI Executive which was re-affirmed during the St. Andrew’s Agreement (2006).

As a government department, OFMDFM has specific powers relating to the implementation of these obligations and commitments. According to the OFMDFM website:

“the key interlinked objectives of the Department are:

- ***Driving investment and sustainable development:*** *Through regeneration of strategic former military sites; promoting effective long-term capital planning and delivery; and, promoting the Executive’s policy interests internationally.*
- ***Tackling Disadvantage and Promoting Equality of Opportunity:*** *By driving a programme across Government to reduce poverty; promoting and protecting the interests of children, older people, people with disabilities, victims and survivors, and other socially excluded groups; addressing inequality and disadvantage; and, drive the delivery of Government responsibilities in a sustainable manner.*
- ***The effective operation of the institutions of government in the delivery of an agreed Programme for Government:*** *By providing a central source of information, co-ordination and advice to departments on Executive, Assembly, and legislative procedures; co-ordinating and reviewing the Programme for Government; driving the more efficient and sustainable use of capital assets*

across Government; and, ensuring the structure of public administration is efficient, effective and sustainable.”

It is therefore wholly appropriate for OFMDFM to develop an initiative which is aimed at addressing inequality and deprivation in a holistic and cross-departmental fashion.

However, PPR is concerned that the current Social Investment Fund omits an analysis, and corresponding actions, aimed at identifying and addressing structural causes to chronic social and economic inequality and deprivation as listed above.

Below is only a short list of measures which government departments could act upon immediately to address structural causes of inequality and need, with OFMDFM playing a co-ordinating role, through the targeting of resources and mainstreaming:

- rectify the decisions of the Northern Ireland Housing Executive and the Department for Social Development who have failed to develop plans to address the persisting religious inequality in housing need across north & west Belfast and Derry;
- ensure that government departments and statutory agencies through procurement and employment activities develop and implement plans to address persisting inequalities in long-term unemployment, which continues to evidence for example that 61% of the long-term unemployed are catholic males;
- work with all government departments and statutory agencies to build upon the Department of Finance and Personnel's 2005 pilot project *Utilising the Long Term Unemployment in Public Sector Procurement* which evidenced that it was not only possible, but beneficial to the public purse, to employ the long term unemployed in public sector capital build and service provision contracts;
- rectify Invest NI's continued failure to attract inward investment and produce jobs to the areas in most need, for example no jobs were created through the Inward Investment Programme in West Belfast during the 2010/11 financial year.
- ensure that the Department for Social Development's implementation of multi-million pound Environmental Improvement schemes within or adjacent to areas of high need, such as the Clifton Gateway scheme next to the Lower Shankill, New Lodge, Cliftonville and Crumlin, includes contract conditions for private sector contractors to employ (not simply 'train') long-term employment individuals (out of work for 12+ months)
- work with the Department of Education to address the growing rates of inequality in educational underachievement which demonstrate that three quarters of lower than expected performing schools were in the predominantly Protestant controlled sector affected predominately young protestant males

To reinforce the point, the Social Investment Fund identifies the need to '*Tackle the systemic issues linked to deprivation*' as a key theme. Yet doing this effectively would certainly require an analysis of government programmes to date, and what has not

worked. This is simply evidenced based good practice, and has been carried out for example through the Public Accounts Committee's investigation into the New Deal programme. Yet such basic measures to evaluate existing policies are not envisaged as part of this programme which is seeking to address long standing social and economic problems.

A primary aim of the Social Investment Fund is to enhance community 'capacity', 'confidence', and 'partnership working'. This, however, implies that the lack of these factors in these deprived areas are the core reasons for the social and economic problems.

The statistics fail to support this analysis with areas in West Belfast and places like New Lodge scoring highly on community capacity scales, but still being impacted by increasing levels of deprivation and inequality. The social and economic inequalities are a result of long term neglect from public authorities, not a phenomenon caused by the people living there or the community organisations working there.

Community and voluntary organisations have worked tirelessly, and often thanklessly, in both funded and voluntary capacities to attempt to build the peace process and prosperity within deprived communities.

However the governments own statistics clearly demonstrate that decision makers within government departments and the public sector have not met their obligations to mainstream the targeting of objective need and addressing inequality. This has meant that patterns of objective need and inequality across NI have remained unchanged since the Good Friday Agreement – despite the work of the community sector.

PPR is concerned that in this context, the establishment of a Funders Reference Group (p.11) to “*ensure there is no duplication of funding, maximise impacts from existing and future funding and identify opportunities for synergy, particularly in relation to funding*” effectively creates a potential filtering mechanism for public authorities to veto or alter proposals that conflict with their existing policies and programmes. This also needs to be considered in light of the fact that public bodies themselves may be recipients of the fund as delivery agents (p.20).

Therefore mainstreaming equality within public authorities is absolutely critical to the success and sustainability of any programme. This is particularly true in the current economic climate where, in the immediate future, the large amounts of funding may not be available to 'additional' programmes, such as the SIF. This poses very real challenges in terms of sustainability.

A particular danger in the Social Investment Fund proposal lies in the fact that non-public bodies, through the projects approved through 'Area Plans', will now take responsibility for addressing chronic social and economic problems instead of government who are legally obliged to do so. This could amount to an abdication of responsibility on behalf of government, where community organisations will now be held accountable to government for this, instead of government being held to account by the public.

PPR's overarching concern with the Social Investment Fund is that, as the main resourced government policy aimed at addressing inequality and objective need, there is no critical reflection of the effectiveness of existing government programmes and services which are essential for sustainable outcomes during and beyond the life of the Social Investment Fund. Yet this is within the responsibility, and indeed powers, of OFMDFM.

2. Lack of open and transparent criteria for identifying and selecting 'Investment Zones'

The following areas have been identified as "possible investment zones":

- Greater North Belfast (Community Partnership areas)
- West Belfast and Greater Shankill Taskforce Area
- Greater East Belfast, North Down and Ards
- Greater South Belfast and Lagan Valley
- Derry/Londonderry and greater North West (potentially 2 zones)
- Antrim area (to include areas in Antrim Town; Ballymena, Carrickfergus and Larne)
- North Armagh (to include areas in Craigavon, Lurgan and Portadown)
- Border (including areas across Newry and Mourne, Armagh City, South Armagh; Fermanagh South Tyrone and West Tyrone)

PPR's concern with this is reflected in the government's own Multiple Deprivation Measure statistics released on 31st March 2010 by the Northern Ireland Statistics and Research Agency (NISRA) which demonstrated that the top 20 most deprived Super Output Areas in Northern Ireland are concentrated in North Belfast, West Belfast and Derry. The same measurement taken in 2005 showed the same profile, and highlighted government failure to address objective need in these areas.

On the face of it, the "possible investment zones" seem to be selected on a 'parity' basis and broadly representative of areas with either majority unionist or nationalist electoral majorities. Yet this criteria, if it is so, does not reflect the government's own criteria for determining need, as explained above through the Multiple Deprivation Measure.

By focusing on nationality or religious belief as a geographical criteria for determining investment, inequalities which persist across traditional religious lines (gender, disability, those with dependents, etc) run the risk of effectively relegated to at best secondary importance. In essence, it also sectarianises the statutory requirements to promote equality and objective need by changing them from being based on need and right, to being based on a sectarian divide.

PPR would therefore request, in the interests of transparency and accountability, the publication of the criteria used by OFMDFM when determining the "possible investment zones".

3. What would appear to be the effective substitution of statutory equality obligations with a proposed ‘consensus’ model of decision making and delivery which has the potential to bypass what are deemed to be ‘unpopular’ inequalities

PPR notes that each Investment Zone will consist of a Steering Group who will be responsible for developing an Area Plan, which will in turn provide the basis for allocating funding within that particular investment zone.

PPR is alarmed by the following:

‘The role of members of the Steering Group is to take the needs and priorities across the zone into consideration and not be representative of single interests’

This is set out without any corresponding prescriptive or indicative guidance on how to prevent conflicts of interest or in what capacity members will sit on such Steering Groups. While the Options 1-4 outlined in the document (p.11) for the establishment of Steering Groups refer to vague processes, they lack the detail required to flesh out and understand the specifics of any selection process, and importantly how the promotion of equality with robust accountability mechanisms will be enshrined in such a process.

Similarly, PPR is concerned that OFMDFM propose to set priorities and determine budgetary spend through:

“community consultation and conventions...[and] consensus” (p.7)

This concern reinforced by the statement on p.10 that:

“Projects and programmes within the social investment zone will only be considered for support where they demonstrate community support and fit within the agreed area plan”

No corresponding information is provided on any accountability and transparency checks that would be put in place to ensure this will happen fairly, nor that this would be within the statutory requirements to promote equality or indeed demonstrate ‘how’ such outcomes would be measured. While p.13 refers to technical support being provided during Capacity Building stage 2011/12, including “surveys” and “evidence based research”, there does not seem to be a requirement for this research to be commissioned and executed on the basis of identifying inequalities so that they may then be addressed through differing programmes. Furthermore, the quotation immediately above places a consensus veto over any such evidence based research, which in effect creates a potential veto over proposals to address inequalities.

Therefore, it remains unclear as to:

- what basis or criteria will the members of the Steering Group ensure they are taking objective need and inequality into account?
- what is the evidence base required for developing robust Area Plans which prevent conflict of interests or arbitrary decision making processes?

PPR also notes that on p.11 it states that:

“Political representation [on the Steering Group] will need to be representative of the investment zone”

However, as not every area in the Investment Zone will be automatically included in the Area Plans, it is unclear as to why this broad political representation, inclusive of representatives from areas outside of the Area Plans, would be included.

It is clear that Section 75 of the Northern Ireland Act 1998 sets out the legislative basis and corresponding legal power for targeting themes and groups, and places responsibility squarely with the accountable government body. Any Steering Group should be about ensuring implementation of the equality duty and targeting objective need commitment through Area Plans based on a transparent evidence base, not *“agreeing priorities to be addressed through consensus”*.

Put another way, consensus is extremely valuable in terms of deciding **how** to promote equality, but not as a basis to decide **if** equality should be promoted in the first place. To create mechanisms which empower the latter is to effectively revert to a pre-Good Friday Agreement decision making dispensation. Indeed it is furthermore extremely concerning that the ‘Delivery mechanism options’ (p.19) list key principles which must be used in the deployment of the Fund, but omit any reference of the statutory obligation to evidence how equality will be promoted through proposals.

Successful proposals in the Area Plans are required to (p.15):

“demonstrate how they have secured widespread commitment and support from the local community and it’s representatives. It will be for Steering Group members to establish these relationships and arrangements to ensure the identified needs of the community are included in the area plan and can be delivered through the proposed structure.”

This indicates an outsourcing of government’s obligation to tackle deprivation to community organisations, and essentially leaves the decision on how to do that in the hands of non-state actors. PPR is concerned that the need outlined for (p.15): *“all key players in communities ...to work closely together”* risks excluding smaller groups and organisations that may carry out valuable work on behalf of extremely vulnerable groups, from benefiting from the Social Investment Fund.

Therefore in the interests of transparency and accountability, PPR would welcome the publication of answers to the following:

- What is the objective criteria for membership of the Steering Group?

- How will the Steering Group be reflective and inclusive of Section 75 groups and interests – particularly those identified as experiencing inequality?
- How will the Steering Groups, given that they have responsibility for significant amounts of public money, be accountable for the statutory equality duty particularly during the development, implementation, monitoring and evaluation of Area Plans?

Conclusion

Notwithstanding the above concerns, PPR acknowledges the sizeable funding attached to this initiative.

However, we note with caution that while it is stated on p.5 that the Social Investment Fund;

“does not displace any existing government schemes or programmes”

It may, however, in time effectively come to replace existing community schemes.

In these times of financial austerity, community organisations will be under pressure to take part in this process which is not accompanied by a corresponding change in the manner in which government and public bodies do their business to promote equality and address objective need. The Social Investment Fund must be seen as a complementary programme to mainstreaming equality, not a replacement.

The current framework outlined in the Social Investment Fund consultation document is not premised upon honouring government’s legislative and policy commitments; rather it is driven around a process of achieving ‘consensus’ among “*key players in communities*” that presents a very real risk of omitting the interests of the most excluded, through a decision making process which is not in line with commitments made in the Good Friday Agreement or St Andrew’s Agreement. As stated above, consensus is valuable in terms of deciding **how** to promote equality, but not as a basis to decide **if** equality should be promoted in the first place.

High standards of accountability are acutely needed in post-conflict societies where new social and political institutions are in the process of being bedded down. Thirteen years after the Good Friday Agreement, government statistics demonstrate that the patterns of economic and social inequality remain the same.

If the stated purpose of the Social Investment Fund is to begin addressing long-standing social and economic neglect, then this has to be supplementary to the mainstreamed activity of public authorities delivering services in communities, not a substitution thereof. Otherwise there is a very real risk that the Social Investment Fund will ‘mitigate need’ for a short period but not address structural inequalities in the long term through the targeted use of public resources.

In accordance with the consultation response above, PPR would therefore welcome details of any and all safeguards to be put in place which will ensure that this public

money is spent in an open and transparent way that fulfils government's legal obligations to promote equality and tackle objective need.