

Introduction

The Localism Bill is a wide ranging piece of legislation designed to give more freedom to local authorities and grant communities more ways to be involved in local decision-making. The Bill provides the blueprint for the Government's plans to create a 'Big Society' and devolve greater power to local communities.

Whilst the principle of the Bill sounds promising, the Women's Resource Centre is extremely concerned about the effect that decentralisation will have on gender equality. Whilst the Localism Bill seeks to empower local communities, without a focus on equality it may perpetuate female disadvantage.

Gender and the Localism agenda

Women are more likely to experience domestic and sexual violence, less likely to be involved in local-decision making and are generally more economically disadvantaged than men. Gender inequality is a pervasive problem in society however many local authorities fail to treat it as priority or meet their obligations under the Gender Equality Duty.

- **Without embedding an equality perspective within the Bill it is unlikely that local authorities will give due regard to gender equality.** Already in the infancy of local spending cuts essential women's services have been placed under threat. For example, Devon County Council has recently proposed cutting 100% of its funding for domestic violence and abuse services.
- **The WRC believes that decentralisation will exacerbate inequality and lead to a postcode lottery for life saving violence against women services.** It is essential that checks and balances are put in place regarding commissioning to mitigate this effect and ensure essential women's services are funded.
- **A comprehensive centralised system for local authority audit and inspection is essential to ensure that women are engaged in local decision making.** Local government lacks a strong reputation of engagement of diverse groups in decision-making, e. g. women's organisations represent just 2% of VCS representatives on Local Strategic Partnerships¹. It is pivotal that authorities are overseen to ensure that they empower marginalised sections of their community.
- **We ask that a gender perspective is integrated into the bill** to ensure women are included in wider community issues such as neighbourhood planning and ownership of local assets.

¹ Urban Forum, Oxfam, Women's Resource Centre, 2007, Where are the women in LSPs?
http://www.wrc.org.uk/includes/documents/cm_docs/2008/w/womenlsp.pdf

General comments

The introduction of a decentralised auditing regime and the Bill's emphasis on local democratic accountability, may contribute to inconsistency in the audit and inspection of local authorities. The principle of democratic accountability depends on the capacity, inclination and education of local people. Whilst authorities may publish data, citizens may not be interested in accessing information or fully aware of the context or implications of the information made available. Civil servants acquire expertise in policy areas over the course of their careers, the general public may lack the background and experience required to comprehend the broader implications of published data.

Local authority's general power of competence

Chapter 1 of the Bill outlines provisions to increase the autonomy of local authorities and allow them greater freedom to run local services according to their communities' needs. The measure allows authorities to do anything an individual can do, as opposed to just the activities that Parliament has designated. Local authorities are however bound by legal restrictions and must act in accordance with statutory limitations.

The WRC fears that the provisions award local authorities too broad a range of powers. Whilst there appears to be adequate safeguards regarding local authority behaviour, we are extremely alarmed at plans to award the Secretary of State power to alter or withdraw legal provisions.

Clause 5; subsection 2 of the Bill states:

“The Secretary of State may by order amend, repeal, revoke, or disapply any statutory provision (wherever passed or made)”.

The WRC believes that it is problematic to award such expansive and influential powers to the Secretary of State. Whilst the measure is designed to empower local authorities and free them from legal restrictions, many of the statutory requirements placed on local authorities perform a vital function and help to ensure local authorities serve the needs of their citizens. For example, requirements that councillors promote gender equality and comply with the Public Sector Equality Duties.

In light of our concerns we urge parliamentarians to make revisions which will limit these powers.

Duty to hold local referendum

Part 4 Chapter 1 of the Bill outlines plans to allow residents to prompt referendums on local issues. A local authority must consider any petition for a referendum which is signed by 5% of the electorate in their local area. Local authorities are not legally required to act on the results of a referendum; however the outcome is expected to inform local decision-making.

The Women's Resource Centre is extremely concerned about plans to introduce local referendums, due to the under representation of women in local decision-making. We fear that efforts to empower local people may perpetuate existing power structures and replicate the exclusion of women from local politics.

In order to promote local democratic accountability and represent the voice of whole communities, we ask that the issue of equality is explicitly referred to within this chapter. Under the Equality Act 2010, local authorities have a legal duty to promote equality and involve a diverse range of equalities groups in local decision-making. We ask that the arrangements for local referendum reconfirm this and require local authorities to promote diverse political participation, particularly amongst women in marginalised communities.

In order for a community-led approach to be effective, local authorities should seek to engage with those who feel disenfranchised. We encourage parliamentarians to revise clause 50, to refer to the need for targeted publicity directed towards sections of the local community that wouldn't generally engage in local politics. As a consequence of local referendum, local authorities should also be encouraged to reflect on available monitoring data and actively engage under-represented groups in future referenda.

Community right to challenge

Chapter 3 of the Bill outlines plans to award local people new powers to bid to provide local services. The community right to challenge allows voluntary and community organisations and community groups to express interest in running any local authority service.

Whilst community organisations can submit a challenge and subsequently prompt a new commissioning process, there is no guarantee that they will be selected as the new service provider. The result may be that the voluntary sector may initiate a commissioning process however a contract may be awarded to a private sector provider. In light of this fact, we feel that the term 'community right to challenge' may be misleading and needs to be revised to avoid misinterpretation.

Whilst the notion of community challenges sounds promising in principal we question individual's capacity and inclination to take over services. Women assume the majority childcare responsibilities within families which can restrict their ability to participate in community groups and local politics. Placing local service provision in the hands of local citizens may marginalise vulnerable women and increase the power of vocal groups. Unless an equalities approach is embedded within the Bill, it is unlikely that local authorities will take the issue of gender equality into consideration.

Clause 68 states that in considering an expression of interest:

"a relevant authority must, in carrying out the exercise referred to in subsection (2), consider how it might promote or improve the social, economic or environmental well-being of the authority's area by means of that exercise."

In order prevent problems of implementation we ask that the term 'social well-being' is defined and contains reference to the issue of equality.

Homelessness/ allocation of social housing

Part 6, Chapter 1 of the Bill outlines plans that local housing authorities will be awarded new powers to decide which groups of people qualify for social housing. This is highly problematic as some local authorities may wish to exclude certain vulnerable groups, for example single mothers from migrant communities who have large families. The Bill also gives the Secretary of State powers to direct local authorities as to the use of these powers. We echo the comments of the National Housing Federation and would very much like to hear the Government's intentions on this issue and how they envisage protecting access to social housing for vulnerable women and other groups in housing need.

Clause 124 of the Bill enables a local authority in England or Wales to discharge the main homelessness duty to secure accommodation with an offer of suitable accommodation from a private landlord, without requiring the applicant's agreement. This is extremely alarming and the WRC fears that this may have a direct and detrimental impact on extremely vulnerable women.

This problem is reinforced by the Government's proposals to alter housing benefit payments and introduces a cap on housing benefit payments in the private rental sector. This will compromise the affordability of rental accommodation and may leave vulnerable women without settled accommodation and subject to a cycle of homelessness.

Recommendations

In light of the WRC's concerns we urge parliamentarians to review the following provisions:

- Chapter 1- the general power of competence: plans to award the Secretary of State power to alter or withdraw legal provisions.
- Part 6, Chapter 1, clauses regarding eligibility for social housing and discharge of the main homelessness duty.
- Chapter 3- the community right to challenge: defining the terms social well-being and including an explicit reference to equality.

We ask that an equalities perspective is integrated throughout the Bill, in particular chapters regarding local referendum, neighbourhood planning and assets of community value.