

LEGISLATIVE COUNCIL OF SOUTH AUSTRALIA

**SELECT COMMITTEE ON THE PRIVATISATION OF
PUBLIC SERVICES IN SOUTH AUSTRALIA**

Global, State and City dimensions of privatisation

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Structure of the evidence

The Select Committee was established to inquire into and report on the privatisation of public services in South Australia, with particular reference to

- (a) The cost to the public of privatised services.
- (b) The quality of privatised services and the outcomes for the public, particularly with respect to disadvantaged members of the public.
- (c) The impact on employment rates, conditions and locations, especially rural and regional employment.
- (d) The effect on income and wealth inequality.
- (e) The effect on public participation, social cohesion, and public perception of the role of government; and
- (f) Any other related matters.

This evidence follows the five main headings preceded by a brief analysis of the scope and global dimension of privatisation. It concludes with proposals for an alternative strategy, summary of main findings and recommendations.

The evidence in this submission is based on 48 years-experience advising, researching and working with local, regional and national authorities, community organisations and local and national trade unions on the provision of public services and infrastructure projects in the UK, Ireland and many other countries. It has included published national and global research identifying the direct and indirect impact of privatisation and marketisation for national and international organisations. Developing alternative strategies and policies is another key aspect of this work. The European Services Strategy Unit is committed to social justice, by the provision of good quality public services and jobs by democratically accountable public bodies.

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Introduction

Privatisation is much wider than the sale of public assets and outsourcing. A typology identifying ten forms of privatisation is included in the Appendix of this submission. In addition, it is important to take account of the processes of financialisation, marketisation and individualisation which have an important role in privatisation and have their own additional economic and social impacts.

Although there are a number of initiatives to re-municipalise outsourced services and return privatised services to public ownership, particularly for water, health and social care, public transport and education, privatisation continues in both industrialised and developing countries.

Stealth privatisation continues to increase with one element of a service is outsourced or sold leading to other parts of the service being made vulnerable to larger contracts or sale. New forms of privatisation have emerged such as Social Impact Bonds and unsolicited bids (cherry picking of public assets). The number of local authorities in England which have established housing companies increased from 58% in 2017 to 83% in 2021 (Morphet and Clifford, 2021).

Parallel to these developments, private equity funds, often with subsidiaries in offshore tax havens, are increasingly acquiring public assets that open new opportunities to widen asset accumulation.

The global, state and city dimension of privatisation

A political economy framework for the analysis of privatisation combines the concepts of accumulation by dispossession and the primary and secondary circuit of capital parallel with neoliberal ideology to create the conditions to widen and deepen the scope of privatisation (Whitfield, 2020a).

Harvey (2003 and 2005) identified that new mechanisms for accumulation by dispossession have been created such as the commodification of nature and biodiversity; decarbonisation and mitigation of climate change; the corporatisation and privatisation of a wider range of public assets and welfare state services.

Crises in capitalist economies frequently results in the switching of investment from the industrial sector (primary circuit) to real estate and urban development (secondary circuit). *“As the percentage of overall surplus value formed and realized by industry begins to decline, the percentage created and realized by real-estate speculation and construction increases”* (Lefebvre, 2003).

This analysis reveals how privatisation is interwoven with, and is co-dependent on, financialisation, marketisation and individualisation. Equally important is the participation of global and national companies and investment funds attracted by the opportunities for capital accumulation and corporate welfare benefits (public guarantees, subsidies, tax breaks). The privatisation of water, utilities and nationalised industries are examples of accumulation by dispossession. Rapid financialisation has accelerated asset stripping by private equity funds and ruthless exploitation of debtor nation states by hedge funds.

For example, global secondary markets have grown rapidly with the sale of PPP infrastructure projects or equity stakes (Whitfield, 2017) and the rapid growth in the sale of renewable energy projects (Whitfield, 2020d) and private equity fund resale of assets such as schools and colleges, children’s homes, hospitals, pharmaceutical companies, care homes and surgeries, toll roads and single family and rented housing in addition to manufacturing companies. Many of these transactions occurred via offshore tax havens. Global Private Equity deals totalled US\$592bn in the 2020 (Pensions & Investments, 2021) which included a record US\$76bn of secondary market deals selling assets acquired earlier (Private Equity Insights, 2021).

Neoliberal ideology continues to have a significant negative impact on the public sector due to its emphasis on free trade and markets, deregulation, deconstruction of democratic accountability and consolidation of corporate welfare, promotion of individual responsibility, attempts to reduce the cost and power of labour, marginalisation of equalities and social justice and reconfiguring the role of the state to reduce functions and cut taxes (Whitfield, 2020a).

Many privatisation proposals originate in a silo mentality, with little or no public or economic benefit and subsequently do not identify the public risks nor examine the impact on public services and the local/state economy. Multi-service contracts are more complex and incomplete because it is very difficult to pre-determine all the potential risks, demands and unforeseen consequences in longer-term contracts (Tirole, 1999).

New Public Management (NPM) was heavily promoted in the USA since the early 1990s but is more accurately termed Neoliberal Public Management. Hence the need for a radical alternative public management rooted in public service principles and values.

The cost of privatised services

The savings myth exposed. In the UK, Somerset County Council and Taunton Deane Council signed a £400m ten-year ICT and service transformation contract with IBM in 2007 with a £182m savings target (despite trade union critical analysis of the contract). Several services and one hundred staff returned in-house in March 2013 (Whitfield, 2014b) and the contract was terminated after nine years. **The contract cost Somerset an additional £69m** (Collins, 2017).

The London Borough of Barnet has two multi-service contracts with the Capita Group. The Council has paid the Capita Group £540m since September 2013, **£212m more than was originally contracted** (Mr Reasonable blog, 2021).

Between 2007-2014 the Department of Health incurred **£194m additional costs in the renegotiation, cancellation, termination and the additional cost of contracts** in the North West Region alone (Department of Health Annual Reports 2008-2014 sourced in Whitfield, 2015a).

Privatisation and marketisation led to increased use of management consultants and reorganisation costs in virtually all services. For example, the Department of Health, Strategic Health Authorities and NHS Trusts spent £2.3bn on consultants between 2009/10 and 2013/14. Reorganisation to accommodate market mechanisms, abolish existing organisations (such as Primary Care Trusts) and establish new ones (such as Clinical Commissioning Groups) cost an estimated £3bn (Paton, 2014).

Privatisation and marketisation go hand in hand but building markets and relying on market forces has significant consequences and costs. Recent UK governments and local authorities have systematically privatised public sector care homes and outsourced social care in the community. A combination of austerity and privatisation policies has produced a situation where the *“Department of Health and Social Care (the Department) has poor oversight of the system and seems complacent about the risks of local market failure”* (House of Commons Committee of Public Accounts (2021).

Furthermore, a *“lack of data means the Department cannot assess if providers offer value for money. Research suggests that people who pay for their own care pay a 41% premium, with decisions made at time of crisis as people try and navigate a confusing market. **Provider costs and their financial structures are opaque; individuals and local authorities should not be in the dark as to what they get for their money. The Department has no current plans to increase transparency, and CQC confirmed it has no powers to enforce value for money”*** (ibid. my emphasis).

The same report concludes *“...**the Department of Health and Social Care still has no workforce strategy or plans to align the care and NHS workforces. The Department has not delivered on its previous promises to this Committee to produce a workforce strategy. The 1.5 million people who work in care deserve much better.**”* It also reports that *“...**in 2019-20, 50% of workers had no recorded qualifications” and turnover in the same year was 30.4%, equating to 430,000 people leaving jobs every year”*** (ibid, my emphasis).

“Reforms must address decades of neglect over support to carers, younger adults and home care. A long-term funding plan should be part of this, to allow local authorities and providers to innovate and improve services” (ibid).

Between 10 April 2020 and 11 June 2021 **there were 29,414 deaths involving Covid-19 in care homes in England** notified to the Care Quality Commission (Office for National Statistics, 2021).

This evidence and many other examples demonstrate that governments and public authorities frequently have very limited control over the ultimate cost of privatisation decisions. Nor do they have effective control of the consequences of policies that expand markets and unleash market forces in public services that impact on services users and public/private employees.

The cost of privatisation includes a myriad of costs including debt write-offs, reorganising, advisers, under-pricing and under-valuing, transaction fees, cancelled projects, termination, cost overruns, high cost of private finance, profiteering, corporate welfare (guarantees, tax breaks, subsidies) tax avoidance costs and many more which have run into billions of dollars in the UK and many other countries but are rarely quantified (chapter 13, Whitfield, 2020).

The quality of privatised services and impact on equalities

Strategic Partnership service contracts

Between 2000-2015 sixty-seven Strategic Partnership ten-year multi-service contracts were awarded by UK local authorities for corporate services (ICT, financial, HR, property management, planning, education support services). The contractors included IBM, BT, Capita Group and Serco Group. **16 contracts (23.9%) were terminated** at different stages before completion and a further **5 (7.5%) were significantly reduced in scope** giving an overall failure rate of 31.4% (Whitfield, 2020).

The Capita Group contract with the London Borough of Barnet has twice been reduced in scope - pensions administration was transferred to another local authority in 2020 with finance strategic HR, health, safety and wellbeing, director of place services, plus the skills, employment and economic development team all returned in-house. More recently the Council decided transfer procurement, regeneration and regulatory services back in-house (London Borough of Barnet, 2021).

Privately financed infrastructure projects

The Conservative government's 2018 budget announced that no more Private Finance Initiative (PFI) and PF2 projects would be approved (HM Treasury and Infrastructure Projects Authority, 2019). The programme suffered **27 contract terminations and 12 buyouts** which represented a 4.75 per cent UK failure rate, which is higher than the 4.5 per cent rate of cancelled PPP contracts in developing countries (Whitfield, 2020). Additionally, **46 UK PPPs experienced major problems** including extensive fire safety flaws in several hospitals, contractors going bankrupt and projects with other major building defects.

In addition, banks, infrastructure funds and construction companies obtained **an average 28.7% annual rate of return** when they sold equity in PFI project companies in 462 secondary market transactions between 1998 and 2016. This was more than double the 12 to 15 per cent annual rate of return indicated in final business cases suggesting poor value for money (European Services Strategy Unit, 2017). Furthermore, **nine secondary market infrastructure funds located in offshore tax havens owned 50%-100% of the equity in 334 PFI/PPP projects** or 45.4% of PPP projects in the UK in 2016 (ibid).

Probation service privatisation total failure

In 2010 the UK coalition government promised a 'rehabilitation revolution' to reduce reoffending and commenced with a plan to outsource probation services to the private and voluntary sectors using a 'payment by results' mechanism (about 18% of contract value) in addition to a 'fee for service' and a 'fee for use'. In 2014, 35 probation trusts were abolished and replaced by a National Probation Service and 21 Community Rehabilitation Companies (CRCs), which were transferred to eight, mainly private sector suppliers in February 2015 under contract to the National Offender Management Service, following a procurement process. The Probation Service was effectively split into two parts, with the public sector retaining responsibility for managing high risk offenders (about 30% of the caseload) with the medium and low risk offenders (70% of the caseload) transferred to the 21 CRCs.

The HM Chief Inspection of Probation's 2018 annual report concluded:

"...we now find probation supervision provided under contract to be sub-standard, and much of it demonstrably poor. Judicial confidence in community sentencing is now at serious risk. Probation is a complex social service, with professional judgement at its heart, but probation contracts treat it largely as a transactional business. Consequently, there has been a deplorable diminution of the probation profession and a widespread move away from good probation practice."

Eighty percent of Community Rehabilitation Companies (CRCs) inspected were rated as 'inadequate' for the implementation and delivery of probation supervision. **All CRC contracts were terminated early in December 2020 and their expected £269m profit was forecast to have transformed into a £294m loss by March 2018** (HM Inspector of Probation, 2018).

"To be plain, public ownership is the safer option for the core work. There's no doubt about that but it's all in the detail of the model" (ibid).

A further report revealed that 258,157 individuals were under probation supervision at 30th September 2018 but 80% of the CRCs inspected for the implementation and delivery of probation supervision were rated as 'inadequate' and the reoffending rate for adults released from a custodial sentence of less than 12 months was a staggering 64%, the rate for those released from longer sentences was 28% and the rate for those on community or suspended sentences was 33% (HM Inspector of Probation, 2019).

Increased inequalities

Privatisation frequently increases the gender divide between employees with women bearing the brunt of job losses and cuts in terms and conditions as revealed in the Escott and Whitfield (1995) study of competitive tendering in 39 UK local authorities for the Equal Opportunities Commission. This included a detailed cost analysis of the impacts (Centre for Public Services, 1995).

The impact of the transfer of public schools to charter, academy and voucher-financed independent schools has been profound leading to the re-segregation of US schools and severe access problems for students with special education needs in many countries (Rooks, 2017 and Orfield et al, 2012). The growth of chains of school management companies in many countries contributed low enrolment of students with disabilities.

The loss of occupational pensions for many public sector workers as a result of private contractors not operating pension schemes or only defined contribution schemes with employee and employer contributing a small percentage of wages resulting in a small occupational pension. Most low paid workers and those on and zero-hour contracts cannot afford to contribute because of low wages and insecurity, for example only 27.8% of full time women and 20% of men in the North West England social care workforce in 2015 were in an occupational pension scheme (Whitfield, 2015a).

The quality of privatised services and the impact on equality has been very negative although only a few examples are cited here. Some public authorities are reluctant to disclose poor or inadequate performance for political reasons and thus 'protect contracts' unless there are major performance failures.

The impact on jobs, terms and conditions

The reduction in jobs but more specifically cuts in terms and conditions and despite regulations governing the transfer of staff at their existing terms and conditions, outsourcing enabled private contractors to hire new staff at much reduced terms and conditions. Contract bids were designed on this basis. It has nothing to do with increased efficiency or effectiveness but is an outcome the exploitation of labour.

There are substantial differences in pay and conditions between UK public and private prisons. New PPP prisons are 'full service' contracts (construction of new prisons and provision of prison services) and thus avoid the European staff transfer regulations as there is no staff transfer. The private prison model pays the bulk of prison staff **between 7.7% to 37.4% less than public prison staff based on a total reward comparison** whilst paying the small number of senior staff much higher rewards (Incomes Data Services, 2015). Since labour costs account for the bulk of prison operating costs, the significant pay differentials are the prime source of PPP staffing cost reductions. Another analysis of labour force statistics revealed **a 29.6% gap between public and private sector median hourly wages for prison officers** (Trades Union Congress, 2015).

However, pension differentials have a much longer-term impact. Public sector employer pensions contributions vary between 16.7% of salary for lowest paid staff to 24.3% for salaries over £74,500. This is in stark contrast to the **four private prison companies, none of which has a defined benefit pension scheme**. They operate auto enrolment into defined contribution schemes with minimum 1% employee and 1% employer contribution based on basic pay for prison custody officers, detention custody officers and operational support staff. Senior staff receive between 1% - 8% employer contributions whilst Governors and centre manager employer contributions ranged between 6% - 12% (ibid).

Job losses in the outsourcing of public services have ranged between 16.4% - 21.0% compared to 12.0%-31.0% in energy, water and postal services and between 17.4% and 31.0% in rail privatisation. But they come at a cost for the quality of public services. Extensive research has identified the direct connection between the quality of service and the quality of employment across a range of services. Research studies in a wide range of countries covering many public services are too numerous to cite here but available in Chapters 10 and 12 in Whitfield (2020a). The evidence demonstrates:

- the relationship between the quality of employment and the quality of service.
- the relationship between staffing levels and the quality of care and patient outcomes.
- increasing the skills of staff is associated with more effective services.
- job satisfaction has a significant impact on service quality and organisational effectiveness.

Furthermore, direct employment in public services supports indirect employment when the public sector purchases goods and services such as material, food and equipment. The household expenditure of direct and indirect employees creates induced employment in the regional/local economy. For example, the health and social care economy in the North West England had a direct workforce of 552,802 public and private employees in 2015 (73% female). The use of employment multipliers identified an additional 129,433 indirect employees and a further 159,403 jobs connected to induced employment giving a total employment of 840,638 (Whitfield, 2015a). Hence the health and social care economy supported 288,836 additional jobs in the regional economy. Whilst the level of additional jobs will vary between services and regional economies, it is important to take this evidence into account when privatisation is proposed because it is likely to change supply chains and impose job losses and changes in household income and therefore spending in the local economy.

The effect on income and wealth inequality

Mass privatisation programmes in Central and Eastern Europe in the 1990s were associated with increased male mortality rates of 12.8% (Stuckler et al, 2009). In the US *"...unionization and collective bargaining levels are at historic lows not seen since before 1928; the federal minimum wage purchases fewer goods and services than it did in 1968. Meanwhile CEO pay has gone from 20 times greater than typical workers' pay in 1965 to 271 times greater in 2016"* (Sommeiller and Price, 2018).

An analysis of the effects of privatisation of social housing, health and social services, education and job services in South Australia concluded. *"...these sectors paint a picture of privatisation affecting a range of social determinants of health that drive a system less able to respond to health inequities, and is instead more likely to exacerbate these inequities in South Australia"* (Southgate Institute for Health, Society and Equity, 2020). The same study concluded that New Public Management *"...resulted in a loss of vision in the public sector and have undermined its policy development and implementation expertise and its capacity to respond to South Australia's worsening social and economic circumstances and growing inequalities"* (ibid).

Privatisation has driven down the incomes of many UK public sector support workers both in terms of a regular income by creating the conditions whereby less than a third of workers are enrolled in an occupational pension scheme. And those that are mainly in define contribution schemes compared to defined benefit pensions schemes in the public sector. This means they will either not have an occupational pension and thus have to rely solely of state pension or have an occupational pension scheme which will only have a marginal impact on their total income at retirement.

Many countries have a living wage standard but is not a legal requirement hence its effectiveness is variable. The level of multiple jobs has increased since the 1990's which is further evidence of how low pay in support services and zero hour contracts force workers to hold multiple jobs to survive which has a severe impact on families and children.

Meanwhile, US\$245bn is lost to global corporate tax abuse plus a further US\$182bn is lost to global private tax evasion every year (Tax Justice Network, 2020). They are significant resources that could be used to improve and consolidate public services and the welfare state in nation states.

The effect on participation, social cohesion and role of government

Effect on public participation

The process of privatisation usually includes a degree of consultation but participation of service users and public employees in options appraisal and the procurement or sale process is non-existent. This continues with the award of a contract and whilst some private companies may hint of participation in the enthusiasm of a contract success, in practice it is limited to consultation.

Privatisation forces governments to use 'commercial confidentiality' widely to limit participation of service users and employees, to protect the legitimacy of the competitiveness of the procurement process and to protect the commercial interests of the bidders. Freedom of Information become a futile process because public authorities either refuse to provide the information required or delay provision until it is irrelevant because the decision has been made.

Effect on social cohesion

Governments need to take responsibility for delivering good quality services and employing sufficiently skilled employees with good quality equipment to deliver public services. The neoliberal strategy of individualisation treats individuals as consumers rather than as service users. It also promotes self-interest instead of collective or common economic and social needs and the acceptance of charges, fees, fares and tolls and increased student and household debt as a feature of the 'modern' economy.

Role of government

The disclosure of certain performance data has sometimes been declared commercially confidential or has been reduced to meaningless broad statements. Elected Members have a critical role but the complexity of many privatisation projects means that only those Members directly involved in the process have a clear understanding of the key issues. This situation means that civil servants/officers and their advisors, usually the global consultancy firms are in a powerful position. It also frequently limits accountability when constituents and campaign organisations demand answers to questions or the rationale of decisions.

Flaws in the process of privatisation

Privatisation proposals frequently originate from an ideological position and rarely attempt to consider all the short, medium and long term ramifications for government, public finance, equalities, the local economy, service users and employees. There is often a rush to appoint management consultants to deliver what senior managers and elected members prescribe.

The options appraisal process is often fundamentally flawed because the in-house option is usually a 'business as usual' or 'status quo' option which is designed to fail. This situation is common in large number of public authorities. The scenarios concludes with senior managers and consultants agreeing to recommend to elected members that the in-house option is dropped and they proceed with preparation of a business case for privatisation.

Jobs, terms and conditions

Contracts should stipulate the that employees are transferred at current terms and conditions (as under the European Union Acquired Rights Directive). Contractors frequently employ new staff at lower terms and conditions which creates a two-tier workforce which is not in the interest of the public authority nor future employee relations. Forensic cost analysis of tenders should identify this policy.

Strengthen contract monitoring

Management and monitoring of contracts is frequently weak. This is due to a combination of issues. Firstly, over-reliance on private contractor's Key Performance Indicators and self-monitoring as a cost saving measure. Secondly, the lack of a comprehensive monitoring and management plan with an adequate number of trained staff. Thirdly, contract documents frequently do not set out adequate financial deductions that will induce the contractor to achieve the prescribed standards and take account of the real cost of facilities not being available for use. Fourthly, regular reporting of performance to the authority's relevant committee is required.

Finally a scrutiny review of the contract at key stages is essential and should include service users, community organisations and trade unions providing evidence. Contractor 'change order' requests to amend the way services are delivered should be fully assessed by the public authority to examine impacts and consequences.

Private finance of public services and infrastructure

Austerity policies and political pressure for corporate and personal tax cuts led to the promotion of privately financed public infrastructure and services. This approach has been widely criticised for many years. New models of private finance such as social and environmental impact bonds have most of the same characteristics and impacts of PPPs (Whitfield, 2015b).

In practice, sustainable funding can only be achieved by government via progressive taxation, public investment and direct funding for the provision of state and local services.

The effect on participation, social cohesion and the role of government has been a combination of reduced participation, a decline in social cohesion accompanied by a more commercialised role of government in the procurement process or sale transaction leading to significantly reduced transparency, accountability and tasked with monitoring private sector performance and achievement of public policy objectives.

Alternative strategy

The State and public authorities should adopt a strategy of improvement and innovation in the public sector with the active and continuous participation of service users/community organisation representatives and public employees/trade union representatives.

A new approach to public management includes:

- A commitment to public provision with in-house integrated services.
- Strategic planning with cross sector plans for education, health, transport, housing, climate change and economic development to achieve sustainable development and early intervention.
- Adoption of Public Service innovation and improvement Plans for services that set out the development of services over a three-year cycle with continuous service user and public employee participation.
- Increase the capability of the State to de-commodify, democratise, de-commercialise, decarbonise and ensure direct delivery of services and to harness the benefits of digitalisation and automation whilst safeguarding privacy and meeting community needs.
- Comprehensive economic/social impact assessments combined with economic/social cost benefit analysis should be published as an integral part of public policy decision making.
- Improved democratic accountability and transparency with citizen/service user/public employee participation.
- A commitment to public sector terms and conditions, training and labour standards.
- Eliminate inequalities in the planning, design and delivery of public services through a public sector equality duty and equality audits/impact assessments.
- A new design//construction model for publicly financed public infrastructure projects.
- Research and investigation of local economies and sectors, regulatory framework to monitor performance and maintain standards and rights.

This approach includes five key strategies to:

De-commodify services to reintegrate client and contractor functions and prioritise public service principles and values; terminate specifying and packaging services for commercial delivery; ensure job descriptions and working practices relate to direct public service delivery; abolish soft market testing and ignore private firms seeking contracts. There is an urgent need for services and functions to be better integrated and coordinated. For example, the Covid-19 pandemic has made the case for the integration of public health, primary, medical and social care in one unified system.

De-commercialise public services will require the replacement of the contract culture with a new emphasis on public service principles and values through retraining and induction (see

recommendations on the removal of the contract culture). The de-commercialisation of nature and biodiversity is equally important because protecting and restoring nature and biodiversity have a key role in preventing the emergence and spread of future diseases and safeguarding food security (European Commission, 2020).

Democratise services and decision-making to increase accountability and participation of service users/community organisation representatives and public employee/trade unions representatives. This requires improved transparency and timely disclosure of information.

Decarbonise the switch to the production of renewable energy combined with the closure of coal mines, oil and gas extraction and distribution and stranding of assets is critical. Retrofitting homes, public facilities and business premises will improve people's health, wellbeing, working conditions, energy efficiency and will increase local employment.

Direct delivery of public services to revitalise public ownership and provision but simply bringing services back-house to be managed with the previous practices and neoliberal principles and values is likely to result in a repeat privatisation in the future.

Summary: The case against privatisation

Structural flaws

- the separation of purchaser and provider (client and contractor) puts competition, procurement and a contract culture at the centre of public management which accelerates privatisation.
- competition between public and/or private providers does not improve the quality of service but widens the role of markets and market forces which ultimately reduce quality, equality and sustainability.
- neoliberalism has utterly failed - financialisation, marketisation, individualisation and privatisation led to dispossession, disinvestment, destabilisation, depoliticisation and disempowerment.
- The use of 'business as usual' in-house options, together with limited evaluated criteria and superficial impact assessments and narrow economic analysis, meant that privatisation often proceeded under false pretences.

Failures

- financial savings are rarely achieved despite the pre-contract claims and they are usually obtained by cutting the quality of services and/or reducing staffing levels and reducing terms and conditions including hiring new staff on reduced terms.
- given that privatisation has failed to achieve its objectives in core public services then it is inevitable that it will fail in the more complex areas such as sustaining nature and biodiversity and the mitigation of climate change.
- the private sector is not more efficient than the public sector and there is little evidence that privatisation achieves efficiency gains.
- the loss of democratic accountability and the dominance of corporate business management practice leads to the disempowerment of elected representatives, service users and public employees and increases secrecy.
- increases inequalities and erodes social justice, human and trade union rights.
- impact investing and private finance of public provision is privatisation by stealth and simply another means to maximise capital accumulation at public cost.
- entrepreneurialism and individualization encourage private solutions and profiteering and are not in the wider public interest.
- undermines and reduces both access to and the quality of public goods and services, the public realm, public sphere and public domain.

- the public-private partnership model is high-cost, high-risk for the public sector, increases inequalities and ultimately accelerates privatisation.
- corporate welfare subsidies, guarantees, tax breaks, discounts, debt write-offs and high transaction costs, combined with higher user charges, is exploitation of public resources and people's needs for shareholder gains.

Recommendations

South Australia should take the initiative

- 1.** Develop a wider understanding of the scope, global interests and impacts on services, jobs and equalities and social cohesion.
- 2.** Undertake an economic analysis of related functions and supply chain providers for each public service to determine their interdependency and the employment supported in both public and private sectors (for example, the health and social care economy of Liverpool and Greater Manchester City Regions and North West regional economy, Whitfield, 2015).
- 3.** Establish a more comprehensive impact assessment process that takes account of short, medium and long-term risks and impacts including economic, social, local economy, financial, equality, quality of jobs, sustainability, decarbonisation and the effect on nature and biodiversity. Community organisation and trade union representatives should be fully engaged in the impact assessment process to draw on their experience.
- 4.** Ensure future public policy decisions are based on published comprehensive and rigorous economic/social cost benefit analysis to identify the short, medium and long-term public costs, risks and the quality of jobs.
- 5.** Confirm that public sector quality, effectiveness, equality and efficiency of services and functions are inter-dependent on delivery values of inputs, working methods, outputs and outcomes which in turn are interdependent on the quality of employment, regulations and standards, public policy for provision and financial resources. Ultimately, all these criteria contribute to:
 - Democratic governance, accountability, participation and scrutiny.
 - Public ownership and provision.
 - Adaption to climate changes and protection of nature and biodiversity.
 - Economic policies and sustainable development.
 - Welfare state provision and early intervention.
- 6.** Revise the options appraisal process to ensure that if this is necessary the it must include an in-house bid that is a forward-looking based on service improvement and innovation. The evaluation criteria must be comprehensive. Business as usual or status quo options must be withdrawn and revised in order to ensure a comparable options appraisal.
- 7.** The State and the national government should consider establishing a Public Sector Equality Duty to require public authorities to eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity between people; and to foster good relations between people. Equality Impact Assessments are widely used ensure public authority policies, practices and decisions are fair and do not discriminate against any protected group of service users or employees. However, they do not replace the need for comprehensive impact assessments that include economic, social, environmental and equality impacts.
- 8.** De-commodify services by reversing the marketisation process by re-integrating client and contractor functions and abolishing commissioning arrangements.
- 9.** Carry out a Scrutiny Review of the performance of existing contracts including an assessment of the impact and consequences for service users and public employees delivering related services.
- 10.** Intensify monitoring of existing contracts and, if necessary, amend the financial reductions (via a contract change order) when performance that does not meet the required standards and/or the required facilities are not available for public use. If necessary, re-train and revise staffing of the monitoring function.

- 11.** Strengthen service planning via Public Service improvement and innovation Plans that set out how services can be improved, adopt new working methods and adopt digitalisation and automation where they can be applied to particular services.
- 12.** Reduce inequalities by requiring publication of a Equality Impact Assessment (EIA) at the planning and final proposal stages of new or significant changes in public policies that identify the full impact on employees and current and potential service users.
- 13.** The State should focus on a capability and capacity building programme to increase its skills to undertake impact assessments, economic/social cost benefit analysis, options appraisals and evaluate innovation and improvement proposals. These skills will also be in demand for digitalisation and automation proposals in public services. It is vital to reinforce community needs, effective public services and the State's policies in an era of increasing commercial interests and corporatisation.
- 14.** The State should avoid the public sector trend in several other countries of establishing arms-length companies to deliver public services. Many such companies have returned to in-house provision, others have had financial problems and some went bankrupt. Although they were publicly owned, some cut public sector terms and conditions.
- 15.** Embark on a programme to enhance democratic accountability of public services which should include service user and public employee participation, improving the monitoring of public services and frequent scrutiny performance review.
- 16.** Public participation will only be effective if public authorities disclose relevant information more fully and quickly. This includes publication of impact assessment and economic/social cost benefit analyses.
- 17.** Maximise economic development strategies in retrofitting housing, public buildings and business premises; environmental works to conserve water supply; works to protect against rising sea levels and opportunities to support new enterprises in the just transition and decarbonisation process (Hordacre et al, 2017 and Spoehr, 2021).
- 18.** A Code of Practice for Quality Employment should be adopted to include of training and education, skills development, terms and conditions, pensions, health and safety, workplace participation, trade union organising and recognition rights for those having to seek alternative employment and the emergence of new employers (Whitfield, 2020c, p38).
- 19.** Public ownership and provision of renewable energy is increasingly important given the growth of the global secondary market in renewable energy projects (18 transactions in Australia, 3,968 MW). Private equity funds were involved in a third of the 628 transactions between 1 January 2019 and 31 August 2020, often via offshore tax havens (Whitfield, 2020d).
- 20.** Adopt a strategy for innovation and improvement of in-house provision, working with services users and public employees to ensure public goods and services are financed, organised and delivered on a more sustainable basis.
- 21.** Establish a public management practice that focuses on innovation and improvement in service planning and engaging service user/community organisation representatives with public employee and trade union representatives. This was critical when Newcastle City Council rejected a bid from BT by developing an in-house bid to retain corporate services inhouse and established City Service which later retained other services in-house and achieved five year financial targets. The trade unions were involved throughout the process (Newcastle UNISON and Centre for Public Services, 2002 and Wainwright and Little, 2009).
- 22.** Integrate public services and functions to maximise coordination and planning, for example public health, primary, medical and social care.
- 23.** The return of service in-house and re-municipalisation must be accompanied by eliminating the processes and values that facilitate the privatisation of assets and services. This must be accompanied by a new approach to public management which focuses on in-house improvement and innovation and increasing democratic accountability with service user and public employee participation in the planning, design and delivery of services.

Appendix: Typology of privatisation, financialisation, marketisation and individualisation policies and objectives

Privatisation	Financialisation	Marketisation & Deregulation	Individualisation
Sale of public assets			
Sale of state-owned corporations and companies or shares in industrial companies via share flotation or trade sale	Restructuring, debt write-off, and tax concessions before sale. Investor-state dispute settlement in trade agreements used to seek compensation.	Deregulation and liberalisation via free trade and services agreements, or weakening of national environmental, construction regulations and quality standards.	New and/or increased charges, fees, fares and tolls. Engagement in switching energy and telecoms suppliers attracted by cost saving deals.
Sale of public buildings, land, forests, public housing, parks, school playing fields	Discounts for public housing tenants and debt write-off in local authority housing stock transfers. Austerity drives sale of public and common land.		Decision to buy public housing dwelling irrespective of local consequences (in some cases to become a private landlord).
Sale and leaseback of government buildings	Commodify public estate.	Commercialised public asset management.	
Sale of rights and financial assets such as housing or student loans	Exploitation of debt repayments by increased interest rates to maximize rate of return.		New and/or increased charges, fees and interest rates.
Land grabbing of public and private land	New financial derivatives in commodity markets.	Pension funds seek 'alternative investments' via new investment funds/global agriculture platforms.	
Asset recycling			
Long-term leasing of public assets in concession contracts, usually for 49-99 years	Global banks compete for deals. Attraction of upfront lump sum payment and dependent on continuous flow of charges or tolls.	Increased market in financial advice and due diligence. New market for Private Equity Funds and pension funds.	Increased charges, fees or tolls.
Unsolicited bids (in effect cherry picking of public assets)	Resale of concession to new consortia to extract profits.		
Corporatisation and transfer			
Corporatisation – transfer of public services to arms-length company, publicly-owned corporation or accountable care organisation	Separate accounts and employment conditions. Income generation targets and bid for other public sector contracts.	Model public sector on private firm and organisation of services into business units operating with business values and principles. New stand-alone organisations turn to private finance and partnerships.	New and/or increased charges, fees, fares or tolls. Companies are employers and usually change terms and conditions particularly for new starters.
Transfer of services to social enterprise, mutual organisation or cooperative			Often includes dependency on volunteers to provide services.
Outsourcing			
Outsourcing and franchising public services with 3-10 year contracts for private service provision.	Financial savings key objective but frequently not achieved. Pricing of performance defaults and monetising contract monitoring.	Commissioning – separation of purchaser and provider functions. Choice mechanisms designed to 'personalise' social need and expand internal or private markets.	Workers often required to be independent contractors. Increased domestic and family responsibility because services reduced in scope and time allocated.
PPP Strategic Partnerships: multi-service 10-year contracts for corporate, planning, highways & education support services.		Public service values and principles replaced by market ideology and commercial values and greed.	
Provision of technical, operational, financial and legal advice by private consultants and legal firms	Increased share of public sector revenue budgets on consultants.	Growth in 'transformation' consultancy contracts.	

Public sector allocates Personal Budgets	Public money transferred to personal budgets so allegedly give service user flexibility to spend on needs.	Encourage expansion of local health and social care markets.	Service user may take on employer responsibilities in cases of high level care.
Privatisation of military operations and security functions	PPP projects for military equipment and operational support plus large scale outsourcing of security services.	Expand military industrial complex and security industry.	
Deregulation and liberalisation	Opening of publicly funded core services such as education and health to global markets.	Potential expansion of marketisation and market forces from Trade in Services Agreement and European Union negotiations. Reduced power of state to intervene in markets.	Increased individual privatised choice but reduced power to influence service provision or seek compensation.
Public-Private Partnerships			
Private design, build, finance and operate 25-40 year contracts for public infrastructure Foreign aid budget allocation to support development of PPPs overseas.	Banks, pension funds and other financial institutions compete to fund PPPs. New project bonds – EU Project Bonds; blended finance – public development finance plus private or public to leverage additional private finance; wider use of interest rate swaps; ratings system for privately financed projects and revenue bonds; corporate welfare subsidies, guarantees, cheap loans and tax concessions.	Markets develop for construction-led PPP projects, funding and delivery of support services.	New and/or increased charges, fees, fares and tolls.
Secondary market in PPP equity and trade in existing PPPs and infrastructure assets	Secondary market for trading and speculation in SPV equity shares and sale of existing public infrastructure projects.	New secondary market offshore infrastructure funds.	Listed and usually offshore infrastructure funds offer investment opportunities to wealthy investors.
Public/private development and regeneration of cities via business-led joint venture companies. Separate economic development zones and Business Improvement Districts (BIDs)	Tax Increment Financing – borrowing against anticipated future property tax increases and Land Value Capture.	Market forces and increased role of land valuation and planning consultants, estate agents and private developers leads to further privatisation of planning, design and development process at expense of public needs. Also outsourcing of support services. Corporate structures for zones & BIDs.	Loss or erosion of public service principles and values and replaced by market ideology and commercial values.
Social or Development Impact Bond projects	Private impact investor finance and growth of Social Finance organisations and Social Stock Exchanges. Payment by Results (PbR) for private contractors with impact investing performance assessments.	Promoted by G20 group of countries. Consultants, banks and enterprise agencies promote increase in projects and growth of market.	Decision of private impact investor to profit from early development and prevention.
Global PPPs for specific diseases, drugs and vaccines	Jointly financed by international agencies, nation states and philanthrocapitalists.	Widening private healthcare markets.	
Private provision publicly financed			
Promote alternative provision by private or non-profit sectors provided but financed by public sector (and philanthropic organisations)	Philanthrocapitalism funding in support of marketised and privatized alternatives to public provision – for example academy, free and charter schools. New financial savings products for education and health.	New or expanded market in support services and growth in new organisational structures and companies.	Parents pressured to use vouchers, tax credits, education and health savings accounts.

Privatisation of Governance			
Business representatives have influential role in public agencies	Private sector has significant role in public policy and investment decisions and contract monitoring.		
Public interest information regarded 'commercially confidential'		Procurement process increases secrecy and significantly reduces citizen participation in public policy making process. Private sector not covered by Freedom of Information legislation.	
Reduced opportunities for participation in public policy making process		Mainstreaming of marketisation and procurement process significantly reduces user, community and trade union participation.	
Commodification of nature and biodiversity			
Public land, forests, wildlife, oceans and fisheries	New payment systems. New business/state partnership models. Commercial criteria at centre of policy making.	Ecosystem services. Offsetting and trading arrangements. Green markets Reliance on impact assessments – dispute & arbitration courts.	New access restrictions. Loss of natural habitats and species.
Loss of human and labour rights			
Reduction in rights to demonstrate		Action prohibited in key public spaces.	More difficult to organize and represent communities and build alliances.
Reduction in trade union rights	Pressure to use pension resources to contribute to city bailouts costs.	Right to organize removed/new restrictive regulations to limit representation.	Change to defined contribution pensions (dependent on individual contributions) in place of defined benefit pensions (based final salary).
Privatisation of the public realm, domain and sphere			
Public spaces in cities privatized and controlled by private security	Public land sold as part of development deals.		Restricts activities to distribute information, hold meetings and protests.
Reduction in greenhouse gases	Emissions trading system for greenhouse gases established under 1997 Kyoto Protocol. Polluter countries given 'emission credits' equivalent to 1990 level of emissions less their reduction commitment. Countries allocate credits on nationwide basis, most polluting industries receive biggest allocation.	Polluters can buy and sell credits to other polluters on open market and invest in pollution reduction schemes in other countries to earn credits which can be used, sold or banked. Corporate-led self-monitoring and verification schemes run by big business.	Radical change in use of petrol and diesel cars, transport of food and goods, home heating, water conservation.
Public knowledge privatised		Trade-Related Intellectual Property Rights (TRIPS) – patents on products and processes protects monopoly rights. Obliges governments not to disclose information of 'commercial value'.	

Updated Table 2.1: Typology of privatisation, financialisation, marketisation and individualisation policies and objectives (Whitfield, 2020a).

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