

Highland Community Planning Partnership
Community Planning Board – 4 October 2018

Agenda Item	6.
Report No	CPB 09/18

Local Governance Review

Report by: Alison Clark, Acting Head of Policy

The CPP Board are asked to:

- Note the scope and remit of the Local Governance Review
- Note the work undertaken in Highland in recent years which may inform proposals to the Governance Review
- Consider the ideas set out in the paper for potential Partnership proposals related to the review
- Agree whether to develop a proposal on behalf of the CPP for submission as part of the Local Governance Review

1. Introduction

- 1.1 A commitment in [The Scottish Government's Programme 2017-18](#) is to 'decentralise power to a more local level in Scotland and launch a review of local governance ahead of a Local Democracy Bill later in this Parliament.' It is to be a comprehensive review of how local decisions are made and how local democracy is working. The intention is to empower communities further following the introduction of the Community Empowerment Act and it aims to ensure local communities have more say about how public services in their area are run.
- 1.2 This report sets out the background, context and scope of the review and asks the Board to consider what opportunities there may be for the Community Planning Partnership as a result of this review.

2. Scope of the Review

- 2.1 The Local Governance Review was launched in December 2017 and is a joint review between Cosla and the Scottish Government. However, the focus of the review is not just on local government but on all public sector decision making. It is to consider how powers, responsibilities and resources are shared across national and local spheres of government (so across public bodies) and with communities.
- 2.2 The first stage of the review process is an engagement phase, seeking views and proposals from both communities and public sector bodies. There are two strands of engagement:
- Strand 1 – This focuses on gathering views from individuals and community

groups and runs from May until November 2018. [Key questions](#) are posed and are attached at Appendix 1 for information. Feedback can be provided on-line and local conversations are encouraged for a community response to be submitted. Community groups and voluntary organisations can apply for funding to host an event of at least 5 people with grants of up to £300 available. Regional engagement events are expected to be held; although not yet notified.

- Strand 2 – This focuses on gathering proposals for change from the Government, Councils, Community Planning Partnerships (CPPs), city regions, regional groupings and other public sector bodies. This began on 26th June and runs until 14th December 2018. Proposals are to focus on governance, powers, accountabilities or ways of working that could improve outcomes, reduce inequalities and improve democracy locally.

2.3 Key themes from both strands of engagement will be considered through the joint political arrangements in place between Cosla and the Government (Cabinet sub-committee). This will inform any Bill proposals early next year.

3. Informing the Development of Proposals

3.1 Work undertaken in Highland in recent years could help inform developing proposals to submit to the review. The Board will recall the findings of the Commission on Highland democracy which were considered earlier this year. There were seven key findings which relate to empowering and improving involvement with communities:

1. Communities and individuals want involvement, not consultation and they are acutely aware of the difference between these two approaches.
2. Centralisation/decentralisation is not primarily a geographic issue. It is much more about inclusive or exclusive decision making.
3. Involvement with the democratic process should be integrated with the daily lives of citizens; not organised to suit the way in which public bodies work.
4. Communities want to see an appropriate balance between representative and participative democracy.
5. Communities want to see an appropriate balance between professional and executive, community based and representative inputs to decision making. Currently communities feel that professional inputs are the principal determinants of outcomes.
6. Communities and citizens expect that there will be considerable interconnection and joint planning between the various public bodies that serve their needs.
7. Communities and citizens were concerned that the ability of public bodies to secure and interpret complex information can be used as a powerful “weapon” to ensure that agencies get their own way.

- 3.2 Other work being undertaken by public sector bodies in Highland which could also help inform includes:
- The development of participatory budgeting across Highland – approaches from the Council, Community Justice Partnership, NHS Highland
 - Support for community asset transfers across public sector bodies
 - Strong partnership CLD approach to building capacity and involving communities
 - Development of local engagement approaches within public sector bodies to inform and develop key pieces of work
- 3.3 One of the key areas of shared development which could provide a model for developing proposals for the review is the approach adopted around Community Planning and specifically the introduction of Community Partnerships to Highland. The strength of these bodies has been to work with and involve local communities in order to identify actions to improve outcomes for local communities.
- 3.4 An up-date of early information gathered from Councils was provided at the Cosla Leaders' meeting on 31st August 2018. Some of the early ideas emerging for proposals to the review included:
- The case for exploring different models of governance for different communities, given diversity across the country. This points to permissive approaches to governance rather than prescriptive approaches;
 - More collaborative public service models, whether by geography (e.g. in the island authorities) or by policy area such as health and including greater budget sharing;
 - How to rebalance power between national and local government along with views on the right scale for public services (national, regional or local);
 - How best to push power and resources beyond local government to communities, including roles for local committees and community planning partnerships;
 - Addressing the role of community councils and the relationship between representative and participative democracy;
 - A desire to have more fiscal autonomy and to consider specific measures such as a transient visitor tax.
- 3.5 There has been a significant level of work in recent years across public bodies in Highland, both individually and as a Partnership to improve the relationship and involvement with communities. However, there may be other changes that the CPP may wish to see that require Government action and possible legislative change. The local governance review provides the opportunity for individual public sector bodies and the Partnership to develop proposals for change.

4. Developing Proposals in Highland

4.1 Highland Council Approach

Building on work undertaken to date, the Council is keen to consider how best to respond to the opportunity of the Governance Review. The Council has agreed to take this forward in a variety of ways:

- Individual group discussions
- Debate on the Commission findings at the October Council meeting and consideration from any feedback received as part of the Review of Community Councils, any regional event(s) hosted by the Council; Cosla discussions; and CPP Board discussions.
- A Member seminar in November to cover a number of issues including community partnerships and the governance review;
- Consider and agree final submission at the Council meeting in December 2018.

4.2 The Council is keen to hear from partners on the opportunities the review offers for the Community Planning Partnership in Highland and shared approaches to improving governance, accountability and empowering communities in Highland.

4.3 Opportunities for the Community Planning Partnership

The Governance review provides an opportunity to consider whether the CPP would wish to consider proposals to develop and strengthen the partnership network in Highland and improve involvement and accountability to communities. This may include:

- formalising a shared focus on specific areas of work;
- accountability at Partnership level which has historically proved challenging given competing demands;
- funding arrangements for Partnerships;
- formalising and developing partnership structures.

4.4 An obvious area for any proposal would be the opportunity to further develop the Community Partnerships. The CPP has spent considerable time over the last two years in establishing the Community Partnership network across Highland and supporting its development. This has recognised the importance and value of locally based structures in ensuring effective engagement and involvement at a local level. This will be crucial in order to effectively address inequalities and achieving improved outcomes for communities but that this must happen within and with the involvement of communities.

4.5 With these principles and intentions in mind, this may provide an area for the CPP to consider developing and submitting a proposal to the Governance Review as an opportunity to strengthen and develop this approach. Given the recent exploration and focus on funding at a local level, any proposal may wish to consider and include this aspect.

5. Next Steps

5.1 The CPP Board are asked to consider the scope and remit of the Governance review and the work undertaken in Highland in recent years which may help to inform any submission to the Governance review. The Board are asked to discuss some of the ideas set out in the paper and any others suggested, with a view to considering whether the CPP may wish to submit a proposal to the Governance review. If the Board are minded, any proposal would be developed by the Chief Officers Group and submitted to the December Board for final consideration and agreement.

5.2 The CPP Board are asked to:

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Author: Alison Clark, Acting Head of Policy, Highland Council

**Local Governance Review Strand 1 May to November 2018
Questions for individuals and community groups**

Section 1: Communities more in control – a good idea to begin with?

Many people will have experienced decision-making processes that affect their lives and the public services they rely upon - whether at a national or local level. How easy is it to get involved and have your say? Some people may feel excluded from these decision-making processes. It is crucial we understand the barriers experienced.

Q1. Tell us about your experiences of getting involved in decision-making processes that affect your local community or community of interest.

Democracy in Scotland works in different ways. People have the opportunity to go to the ballot box at various elections to elect their representatives who are democratically accountable for making decisions in their name. People are also increasingly playing a more active role in ensuring that their voice is heard when decisions are made about the issues they care about most in local communities, and by taking decisions for themselves. This conversation is about identifying new approaches that will ensure these different ways of taking decisions complement each other to best effect.

Q2. Would you like your local community or community of interest to have more control over some decisions? If yes, what sorts of issues would those decisions cover?

Section 2: Communities more in control – how could it work in practice?

If more decisions are to be taken by communities, we would have to decide on the scale at which this would work: this could be at a very local level but would depend on the decision being made, the skills and expertise required, and the potential impact on different people. It's unlikely that the answer will be the same for every place or community. Through this conversation we want to understand what types and sizes of community make most sense to people, and why. It's a complicated issue, and we want to hear what you think would work.

Q3. When thinking about decision-making, 'local' could mean a large town, a village, or a neighbourhood. What does 'local' mean to you and your community?

We want to explore how all public services, councils and the Scottish Government can make this work. Existing groups that take action and are part of decision-making in communities include council area committees, area partnerships, community councils, development trusts, community based housing associations and community led groups and organisations. Other forms of decision-making, like Participatory Budgeting and community action planning are also being developed, although not all public services currently work this way. Perhaps all of these different structures and processes could be built on, or developed, to support greater levels of community decision-making across public services and to strengthen local democracy. That might include sharing powers or resources differently between the Scottish Government, councils and communities, a second, more local, layer of local government, or other potential ideas. Regardless of the structures or processes

people like best, this review is also a key opportunity to ensure diverse community voices are heard in decision-making processes. Get this right and it will help make a real difference to local priorities, and progress equalities and human rights across Scotland, including on issues such as housing, health and the enjoyment of a decent standard of living.

Q4. Are there existing forms of local level decision-making which could play a part in exercising new local powers? Are there new forms of local decision-making that could work well? What kinds of changes might be needed for this to work in practice?

Section 3: Communities more in control – what is most important to know before we go any further?

This is a big topic and the questions we've asked you to consider here won't have covered everything that will need to be explored. This will happen as people come forward with their ideas and the conversation builds. We'd like to take this opportunity to ask you to make any final points you feel are important, and invite you to ask any questions that will help you to remain part of the conversation.

Q5. Do you have any other comments, ideas or questions? Is there more you want to know?