

Local Governance Review

Action

1. The Commission is invited to consider the joint review of local governance announced by the Scottish Government and COSLA in December 2017 .

Background

2. In December 2017 COSLA and the Scottish Government announced a review of local governance. The press release announcing the review is in Appendix A.
3. The review comprises 2 strands. Strand 1 focusses on community decision making. It has taken the form of a Scotland-wide conversation about community decision making called “Democracy Matters” and seeks views on the sort of changes people might want. The consultation document is in Appendix B. The conversation is due to end in November and a public consultation on any new laws that are required will follow, most likely in 2019.
4. Strand 2 covers public service governance and is asking public sector bodies, such as local councils, to consider if increasing the powers they hold could improve outcomes for people. A letter from Angela Constance, John Swinney and Alison Evison was sent to public sector leaders on 22 June and circulated to the Commission on 9 July. This is set out in Appendix C. In the letter proposals are sought from public sector bodies for “improved governance at their level of place”.

Discussion

5. The consultation is clearly wide-ranging, seeking views from communities and public sector bodies about changes that might be made. The Commission is an advisory NDPB with a specific statutory role and it is not immediately clear what we might offer at this stage. However, there are debates to be had around issues such as the number of councillors in Scotland or the use of multi member wards, particularly at a point when the power to use 1 and 2 member wards has been introduced for inhabited islands and, subject to the next steps in the Scottish Government’s electoral reform work, 2 and 5 member wards might also be used across Scotland.
6. It also seem possible that any changes arising from the Strand 1 work might have implications for our work. Any proposals that altered local government structures or devolved powers to a sub-council level might require input from the Commission to determine electoral arrangements and/or community boundaries in a new way.
7. The Secretariat suggests that the Commission write to the Scottish Government noting the work that is going on and flagging our potential interest in the outcomes as well as offering further involvement as necessary.

Conclusion

8. The Commission is invited to:
 - Consider the two strands of the local governance review
 - Decide whether it wishes to write to the Scottish Government along the lines suggested on paragraph 7.

Secretariat
September 2018

DRAFT

Scottish Government News Release issued 7 December 2017

Review to strengthen local decision making.

Communities are to have their say on how more decisions can be taken at a local level.

The Scottish Government and COSLA have jointly launched a Local Governance Review, which will make sure local communities have more say about how public services in their area are run.

The review will involve hearing from communities all across the country to get a clear understanding of the type of changes that are needed, and how these can be made to happen.

Communities Secretary Angela Constance said:

“The Scottish Government and COSLA stand together with the community sector to launch a comprehensive review of how decisions are taken about those things that matter most to local people.

“A transformation of local democracy can be best achieved by looking at how public services work with each other, and inviting communities to identify the powers and resources they need to thrive.

“National and local government know the only way to really put people and places first is if we listen carefully and with intent to what communities – large and small – want to see happen. We will take the conversation out into communities in the new year.”

COSLA President Alison Evison said:

“Scotland is a diverse place, and strong local democracy really does matter to people’s lives. One size cannot fit all. For the first time, this Review will look at the changes that are needed across all public services, and local and national Government, to give communities more say in decisions that impact on them. This is an exciting challenge, and I look forward to what might be achieved. Get it right and the prize is better and more equal communities in every part of Scotland.”

Angus Hardie, Director, Scottish Community Alliance said:

“The launch of this review is very welcome. It’s also very timely because it feels like a natural next step, building on the interest and activity generated by the Community Empowerment Act.”

“This is a fantastic opportunity for communities all across Scotland to shape how the decisions which affect them the most are made. We look forward to working with COSLA and Scottish Government to make sure that these discussions are genuinely led by local people in their communities.”

Background

More information on how the [Local Governance Review](#) will be taken forward.

Democracy Matters

The title 'Democracy Matters' is rendered in a large, sans-serif font. 'Democracy' is in green and 'Matters' is in blue. The letters are filled with icons representing various groups of people: an elderly person with a cane, a person in a wheelchair, a person with a stroller, and a person building a brick wall. Speech bubbles are placed above the 'o' in 'Democracy' and the 't' in 'Matters'.

Your Community. Your Ideas. Your Future.



Democracy

[dih-mok-ruh-see]

government by the people; a form of government in which the supreme power is vested in the people and exercised directly by them or by their elected agents under a free electoral system.

Matters

[mat-ers]

a situation, state, affair, or business something of consequence.

Somebody somewhere is making decisions on your behalf. They could be an MP, MSP, local councillor or public service worker. This involves public sector organisations like the NHS, police, councils, the Scottish Government, and a whole range of public bodies responsible for services like local enterprise, housing and transport. This is important work that affects our lives in all sorts of ways, such as helping us to stay safe and healthy, and access fair work and social care.

In recent years, something has begun to change. There is a growing recognition that it is often better for decisions about the issues that affect different communities in Scotland to be taken with more active involvement of those communities. Whether that is communities in different places organising at a very local level, or communities with a shared interest organising at a more regional level. This enables public services to work in ways which meet local circumstances and reflect the priorities of different communities.

Citizens are also getting involved in many different ways to decide what will most help their community, neighbourhood, or town to thrive. For example, Scotland has a vibrant Community Development Trust movement,

community based Housing Associations deliver much more than affordable housing, and early interest in Participatory Budgeting shows people want a direct say over how public money is used in their area. All of this is a matter of democracy, and democracy matters. But for many people, decision-making can feel like something that happens far away. And for some groups, like disabled people, ethnic minorities or those living with poverty, there are barriers to getting equally involved.

In modern Scotland power must work in a way that involves and benefits everyone. To get this right, we will review how responsibilities and resources can be shared across national and local government in a way that delivers the greatest benefit to Scotland's different places. However, the starting point must be with our citizens and the power and potential within our communities themselves.

We want to hear your voice and the voices of your friends and neighbours in a discussion about local communities deciding their own future.

We think communities being more in control will create exciting opportunities. If you agree, does this mean communities having a stronger voice when decisions about them are taken? Is it about having the powers and resources to use as they think best?

How could any of this be made to work in your local area or community? And how can we ensure that any changes promote equality and reflect Scotland's rich diversity?

The questions below are designed to help begin a conversation in communities about the kind of changes they want to see happen. We want to hear as many voices as possible, and in particular those who are all too often under represented. Visit our webpage to find information about how decisions about Scotland's public services are currently taken, and the different ways you can join the conversation:

www.gov.scot/democracymatters
or email us at: democracymatters@gov.scot

As the conversation builds, we'll share all that we hear so you can see for yourself the kind of changes people most want. As we understand how all of this could be made to work we will share different ideas at a series of events later in 2018. All who have contributed to the discussion will be invited to attend, and to tell us what makes most sense for their community.

We'll also be working with councils and a wide range of public services to understand what would make a positive difference to how they work locally. A public consultation on any new laws that are required will follow – probably next year. Please do get involved: you will be helping to strengthen democracy and make Scotland a better place for all.



Join the conversation:

www.gov.scot/democracymatters
democracymatters@gov.scot

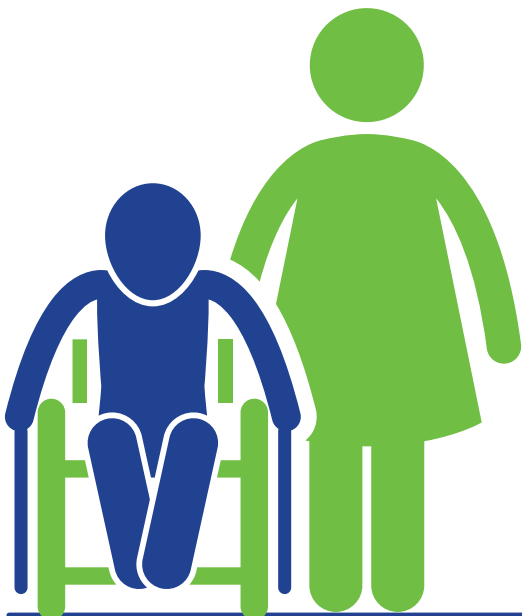
Section 1: Communities more in control – a good idea to begin with?

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.

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

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?

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?





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Public Sector Leaders
By email

22 June 2018

Dear Public Sector Leader

LOCAL GOVERNANCE REVIEW – ENGAGEMENT PHASE

Programme for Government 2017-18 set out the intention to “decentralise power to a more local level in Scotland and launch a comprehensive review of local governance ahead of a Local Democracy Bill later in this Parliament”. In December 2017, the Scottish Government and COSLA jointly launched the Local Governance Review.

We believe that it is important to review how powers, responsibilities and resources are shared across national and local spheres of government and with communities in the context of significant change to the governance of Scotland over the last two decades, and in recognition that outcomes for citizens and communities are best when decisions are taken at the right level of place.

This review reflects local and national government’s shared commitment to subsidiarity and local democracy, and builds on joint agreement between COSLA and the Scottish Government to focus on and strengthen local and community decision-making and democratic governance in ways that improve outcomes in local communities, grow Scotland’s economy for everyone’s benefit, support communities to focus on their priorities, and help new ideas to flourish.

The Review of Local Governance will explore what might be achieved, and highlight opportunities for positive change. In doing so it brings a wide range of Scotland’s public services into scope, takes cognisance of reforms where work is already progressing, and will include powers and functions held at national level. It is therefore very important that we hear from you.

Many of you will know that the review is being undertaken in two key strands. First, a highly inclusive conversation with communities is getting underway, and will listen to views about how decision making can work best for towns, villages and neighbourhoods around the country. This reflects our shared commitment to community empowerment, and builds on the work already done to give people a direct say over the decisions that matter most to them. If you would like to support this process, for example by hosting events, please get in touch. As part of that

conversation, we expect people will be interested in how decisions about a range of public services can be made in the communities that they serve.

Second – the main purpose of this letter – we wish to involve you, as Scotland’s public sector leaders, in a dialogue about how changes to how Scotland is governed can make the lives of Scotland’s people better. Accordingly, we are now inviting you to bring forward proposals to feed into the review.

Just like the first strand, the second strand of the Local Governance Review offers a broad scope, and we anticipate that all public services will wish to offer proposals for improved governance arrangements at their level of place. This is based on an acceptance of increased variation in decision-making arrangements across the country: what is right for one place will not necessarily be right for another. For example, these could be at the level of a city or local authority, community planning partnership or regional economic grouping, or focus on how existing national arrangements can support a more local way of working.

We know that there are already many examples of working creatively across traditional boundaries to deliver responsive services for people. We want to hear how these approaches can be strengthened and scaled up, whether there are new powers or other changes that are needed to make more progress and the benefits these would produce, and about opportunities to hardwire better local governance arrangements into the places you serve. We are also keen to hear about how this landscape could be made to work better overall.

What is important is that proposals reflect our shared aspirations in light of the new National Performance Framework to tackle inequalities and drive inclusive growth, are consistent with Christie Commission principles, and strengthen local decision making.

We also want to have an interactive process with you to consider and develop ideas. Whilst we are setting a deadline for written proposals and evidence of 14 December 2018, we want to hear from you as early in the process as possible in order to understand your proposals, help them take shape and identify where other evidence or assurances might be required to deliver change, and consider how they might link with other ideas.

To get that process underway, we are seeking an initial indication of the kind of issues you would like to discuss by the beginning of September, and we will follow up this letter at that point. There is no fixed format for this, however we do want to receive your initial input no later than early Autumn in order to leave enough time to work with you on proposals. We also want to avoid setting an arbitrary date that would put you under undue pressure to take things forward. But we can’t stress enough that we would welcome you getting in touch as early as possible in the process of you forming your ideas. We would of course be happy to meet with you and your networks as part of this process too.

Where there is interest in developing an idea, it will also be important to involve all partners with a potential contribution to make. For example, this approach is already opening up new possibilities for the Islands, following the commitment in Programme for Government 2017-18 to support those Island authorities who want to establish a single authority model of delivering local services.

These two strands of the Local Governance Review will run in parallel for a period of around 6 months, and inform a programme of changes to governance arrangements in different places where these can increase the pace and scale of public service reform, focus on shared outcomes, and strengthen local decision making. In the event of legislative change being required a Local Democracy Bill is provisionally scheduled for introduction later this parliament. However, should you have ideas that will make a real difference, but will take longer to develop and deliver, we do of course still want to hear from you.

Joint oversight for the Local Governance Review overall is provided by the Cabinet Sub-Committee on Public Service Reform Delivery and COSLA's Political Leadership Team. These arrangements provide the primary forum for determining how proposals will be progressed, with Ministers reflecting this in the scope and content of legislation.

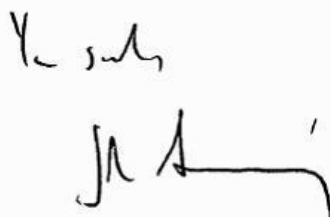
The Local Governance Review is part of a long term commitment by national and local government to place based reform and a more local approach to decision making in Scotland. The newly refreshed National Performance Framework provides a shared set of outcomes that this way of working can help to deliver. It is therefore vital that we hear from all parts of Scotland's public services in line with the timescale above. We look forward to your participation, and to discussing your proposals in the coming months.

To begin this process, you can make contact with the team at: democracymatters@gov.scot or 0131 244 0709.

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