Scottish Disability Equality Forum
Shaping and Leading Disability Equality in Scotland

SDEF Response
Call for written evidence
Community Empowerment (Scotland) Bill

Scottish Disability Equality Forum (SDEF) works for social inclusion in Scotland through the removal of barriers to equality and the promotion of independent living for people affected by disability.

We are a membership organisation, representing individuals affected by disability, and organisations and groups who share our values. Our aim is to ensure that the voices of people affected by disability are heard and heeded within their own communities and at a national and political level.

About this call for written evidence

The Community Empowerment (Scotland) Bill was introduced into the Scottish Parliament, on 11 June 2014. The Scottish Parliament’s Local Government and Regeneration Committee launched a call for written evidence at the end of June as part of its Stage 1 consideration of the Bill.

This call for written evidence allows organisations and individuals the opportunity to comment on the Bill.

SDEF responded to the Scottish Government Consultation in January 2014. Our response can be downloaded from our website: http://tinyurl.com/mmbkr7t

General points

- SDEF are largely in favour of what the Bill sets out do, but there are areas that could be strengthened to ensure communities are fully engaged and supported.
- Our members feel that many people may not understand the legalities within the document.
- Members feel that those involved in the decision-making process may not necessarily be representative or reflect the needs of the whole community. Additional mechanisms and resources are

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required to ensure that wider community involvement is encourages and supported.

Answers to specific questions

Before completing this response, SDEF polled its members, made up of individuals, organisations and Access Panels, with a shorter version of this consultation. We have used these to help develop our response.

Question 1
To what extent do you consider the Bill will empower communities? Please give reasons for your answer.

SDEF agrees with the requirement to establish a Community Planning Partnership (CPP), and strongly supports the proposal for a stronger emphasis on outcomes.

Whilst we welcome the focus on addressing inequalities in the consultation, we are concerned as to how the needs of equalities groups will be met in practice by CPPs.

Historically, disabled people do not believe their needs have been well recognised in the Community Planning Process.

The role and function of the thematic and neighbourhood groups that support CPPs has lacked some transparency and this is not good for democracy.

We are concerned that the requirement to ‘develop and agree a common understanding of local needs and opportunities’ is separated from the requirement to work with local communities and the third sector.

We welcome an outcome improvement process approach.

Members comment “Local empowerment with actual influence on the use of limited local resources must be good”

Question 2
What will be the benefits and disadvantages for public sector organisations as a consequence of the provisions in the Bill?

We fully support the “Scotland Performs” plan for all public services in Scotland to work towards, as it provides a clear direction for all public services. However, we suggest when asking people what they want for Scotland that it is considered how disabled people in communities can contribute to the outcomes. By ensuring full inclusiveness in the engagement process, will strengthen the community outcomes.
Members comment “Those who are interested in this decision making process, may not reflect the aims and wishes of the majority of the community”.

In the draft Bill, it is proposed that the public service authority will decide whether a request will provide significant benefit to the community.

Whilst the community applicants can show how a request might improve outcomes in health, regeneration, social or environmental wellbeing, the impact of request can only truly be felt by the community. It is therefore vital that the decision-making process involved disabled people from the outset.

**Question 3**

Do you consider communities across Scotland have the capabilities to take advantage of the provisions in the Bill? If not, what requires to be done to the Bill, or to assist communities, to ensure this happens?

We recognise the important role of local government in facilitating local decision making and delivery local services. We also note the challenges that disabled people face in taking part in the democratic process.

Many local authorities have also moved towards restricting support provision to those in the most serious physical need. This means that those with lower levels of need are left without the support they need to gain work, education, relationships or take part in local democracy.

A simple belief in the purity of democracy is not sufficient to ensure democracy is provided. Passing democracy further down the chain to community councils is not the answer. Without a significant improvement in the way that all democratic bodies take into account disabled people’s needs, such a move would be likely to increase the problem.

We believe that any impact on equality groups should be measured as part of the mainstream process of policy creation.

We feel that many disabled people within their communities may not be fully represented or heard within their local community groups. Therefore we suggest that mechanisms and resources are implemented to assist disabled people to be fully engaged in their community.

**Question 4**

Are you content with the specific provisions in the Bill, if not what changes would you like to see, to which part of the Bill and why?

The bill is a start to ensuring that communities can participate more readily in decisions which affect them, but must be fully transparent and [www.sdef.org.uk](http://www.sdef.org.uk) tel: 01259 272064 email: info@sdef.org.uk or accessinfo@sdef.org.uk
allow for those affected to make informed contributions in a meaningful way.

This is why the process of engagement itself should be part of the plan – true co-production requires a willingness on all sides to take into account the needs of others to contribute fully.

Members comment “This is a legislative process and covers the ownership of land and buildings. In my experience, the typical community does not possess the skills and knowledge to suddenly make the right decisions which they may face, and it may end up that a few ‘pressure group’ members make a decision which really doesn’t benefit the community at large.”

If the Community Empowerment Bill is to benefit communities, it must be provided in a language which is accessible to all. Currently, the information within the Bill is high level, containing jargon and concepts which would not be understood by the average layperson; this must be changed if communities are to gain benefit from the Bill.

Contact

Thank you for considering the comments in this response paper to the Local Government and Regeneration Committee’s call for evidence on the Community Empowerment (Scotland) Bill.

Please contact Scottish Disability Equality Forum, Morven Brooks, Information and Communications Officer morven.brooks@sdef.org.uk Tel: 01259 272063 regarding the contents of this response.