Community Empowerment (Scotland) Bill

Note from the Clerk

1. On Friday 31 October 2014, the Scottish Parliament hosted the 2014 plenary of the Scottish Older Peoples Assembly (“SOPA”). During the day, delegates undertook a series of workshops and panel discussions, as well as meeting in plenary session.

2. One of the six workshop groups for the day focussed on the topic of community empowerment and the issues which are especially relevant to older people.

3. As the Local Government and Regeneration Committee is currently scrutinising the Community Empowerment (Scotland) Bill at Stage 1 (“the Bill”), the Clerk and Assistant Clerk to the Committee facilitated this workshop. This allowed discussion of the Bill and its relevance to older people.

4. Attached is a clerk’s note summarising the discussion in the workshop and the three key issues reported back to the plenary session from the group.

Seán Wixted
Assistant Clerk to the Committee
6 November 2014
SCOTTISH OLDER PERSONS ASSEMBLY
(“SOPA”)

FRIDAY 31 OCTOBER 2014

BREAKOUT GROUP – COMMITTEE ROOM 5

1.30pm – 2.30pm

THEME: COMMUNITY EMPOWERMENT

Chair – David Cullum (Clerk to the Local Government and Regeneration Committee)

Scribe – Seán Wixted (Assistant Clerk to the Local Government and Regeneration Committee)

Speaker – Donald McLeod, Highland Senior Citizens Network

Plenary reporter - Tim Puntis, LGBT Age and SOPA Board Member

Participants –
Parveen Haider       Milan (Senior Welfare Organisation) LTD
Michelle Harrity      Scottish Government
Helen Ford
Carol-Anne Kennedy  Macmillan Cancer Support – Associate Macmillan Involvement Coordinator for the West of Scotland
Valerie Egdoll        Edinburgh Napier University
John Thompson         Gay Men’s Health
Deirdre Flanigan      Scottish Human Rights Commission
Joan Wilson           East Berwickshire U3A
Catherine Bishop      Senior People’s Forum
Marguerite King       3Ls University of Strathclyde
Sheena Wurthmann
Katherine Brookfield  University of Edinburgh
Robyn Wardlaw         Scottish Social Services Council (SSSC)
Margaret Tait         Inverclyde Elderly Forum
Dave Davies           LGBT health and wellbeing
Margaret Mitchell     Dumfries and Galloway Seniors Forum
John Parkhill         3Ls Student Association at Strathclyde University
Margaret Edridge      Individual elderly woman
Samuel Gibson         Unite the Union affiliated to NPC
Barbara Barnes        Alzheimer Scotland
Kristofer Watt        ELREC
Summary

The group was required to report three key action points back to the SOPA plenary in the Debating Chamber after their discussion. The following were the action points reported on community empowerment—

ACTION POINT 1 - ENGAGEMENT WITH THE COMMUNITY MUST BE CLEAR; IN A FORMAT PEOPLE CAN UNDERSTAND; ALLOW ENOUGH TIME FOR PEOPLE TO ENGAGE; AND HAVE MEANINGFUL ACTIONS WHICH ARE THEN REPORTED BACK TO THE COMMUNITY

ACTION POINT 2 - THE SCOPE AND WIDTH OF THE OPPORTUNITIES PROVIDED BY THE COMMUNITY EMPOWERMENT BILL TO ALLOW COMMUNITIES TO EMPOWER THEMSELVES NEEDS TO BE CLEARLY COMMUNICATED TO ALL – ESPECIALLY THROUGH PARTICIPATION REQUESTS

ACTION POINT 3 - WHILE RECOGNISING THAT THERE ARE MANY DIFFERENT KINDS OF COMMUNITIES – BOTH OF PLACE AND OF INTEREST – THE COMMUNITY EMPOWERMENT BILL MUST EXPLICITLY RECOGNISE COMMUNITIES OF AGE, SUCH AS OLDER PEOPLE, AND THE NEED TO EMPOWER THEM DIRECTLY.

NB – these notes are not intended to be an exhaustive account of every aspect of the group’s discussion, but are an attempt to capture the main points which arose. Summary of group discussion—

- Donald McLeod of the Highland Senior Citizens Network briefed the group on feedback from 12 SOPA engagement events conducted across Scotland between June and September this year. These meetings engaged with over 400 older people and discussed the issue of importance to them. It was noted that the second most frequent issue raised at these events was the subject of community empowerment, with 68 people raising the subject. SOPA participant’s
responses were grouped into three key areas of community empowerment (a) access; (b) mindfulness and (c) resources. A copy of the feedback summary from these events is attached in the Annex to this paper.

- The group discussed the difficulty official documents like consultations from national and local government pose for older people, being full of acronyms and “official speak”. Older peoples groups can only meet on monthly bases - or less frequently as resources are scares, and are staffed by volunteers. Often the timescales for public consultations for these groups to respond are too tight. They have to discuss a consultation, draw up a response, and agree to the submission, which may take three meetings, by which time the deadline for consultation has passed. There is also a strong view that officials pay only “lip service” to consulting older peoples groups and they never get feedback on their input.

- Another delegate said that older people find ‘official’ language very hard to understand and confusing.

- This view was also supported by another delegate who told the group official consultation documents are too long for volunteers to read and understand. Older people from minority groups, whose first language is not English, were especially disadvantaged in this regard.

- Government needs to look at ways people can respond to consultations other than in writing.

- One delegate was very confused by the acronym TTIP,¹ which was referred to in plenary session and did not understand what this was. He pointed out that even at an SOPA meeting, ‘official speak’ was abundant and this turned people off.

- A delegate questioned how the Government and civil servants decide which groups to consult as he was unaware of ever having been consulted.

- Following a brief discussion on the public consultations on the Community Empowerment Bill (“the CE Bill”), a member of the Government’s Bill Team explained the two consultation processes held on the Bill (each 12 weeks in length). An easy read version of the Bill has not been produced.

¹ TTIP is the Transatlantic Trade and Investment Partnership also known as the Transatlantic Free Trade Agreement (TAFTA). This is a proposed free trade agreement between the European Union and the United States which is currently under negotiation: http://ec.europa.eu/trade/policy/in-focus/ftip/
• One representative of a group stated that community empowerment meant the people should have easy access to government, however she said her groups had been refused a direct meeting with a Scottish Government minister.\(^2\)

• The Chair informed the group of the Local Government and Regeneration Committee’s scrutiny of the Community Empowerment Bill and the problem it has with “gobbledygook”;

• Another delegate stressed the need for community groups to have access to community education - especially older people in deprived areas. His local Further Education college has downgraded community education recently.

• A delegate said it was easy to arrange meetings with MPs, MSPs and councillors and they listen to concerns. But people never seem to get outcomes from these meetings and rarely get feedback on information on action.

• Liaison with public representatives and other public services, like GPs, the NHS, councils, is very hard for people who speak minority languages. Older people from these groups need careers with language skills to help with this.

• Another delegate told of the difficulty older members of the LGBT community have in engaging with public services, especially when so much of the engagement seems to be aimed at people who live in a community, rather than people from a social group. Because of the CE Bill didn’t seem to have much relevance to people from the LGBT community.

• Another delegate recognised the need for all communities (either of place or of interest/need) to be treated equally. However, given the breadth of need of older people across all parts of society, she felt that the CE Bill should specifically make reference to empowerment for older people. For example, certain cost-saving decisions by councils to services which may seem to have a minimal community impact, have a disproportions impact on older people (e.g. access to public/accessible toilets for care and hygiene needs, access to public seating and park benches for rest etc.).

• Also, another issue of concern was the need for access to space for socially activity older men, who are an especially isolated group (e.g. men’s shed movement etc.).

\(^2\) This issue was raised in the Q&A with Cabinet Secretary Robison during the plenary session. The Cabinet Secretary was unaware of the issue and apologies for any offence caused. She undertook to look into this issue.
The SG Bill team explained how the CE Bill could assist both older people in the LGBT community and older men (e.g. land/asset transfers for men’s sheds/meeting space etc.)

Concerns were expressed over the lack of a published Equality Impact Assessment on the CE Bill. The issue of age discrimination was discussed and the fact that since 2012 this has been a defined category under the Equality Act. However, age discrimination is still widespread in society, especially in healthcare/NHS/GPs etc. The CE Bill needs to facilitate more community-based supervision of ‘the professions’ such as surgeons, doctors etc. Also governing/regulating bodies like the General Medical Council need more community input.

There was discussion as to how the Government takes the view of many and condense them into one idea. How is the ‘minority’ voice included in the priorities of the majority.

There was a call for clear and highly visible guidance to ordinary people on how to use the powers in the CE Bill. The SG official stated this was being developed.

A delegate spoke about the difference between ‘engagement’ and ‘involvement’ when it comes to making decisions. The Government and Parliament may be good at engaging people, but not involving them. Devolution has now been around for 15 years, so it shouldn’t take a referendum to get this kind of improvement in the way the system works. Parliament and Government should be improving year-on-year on involving people in decision making.

One delegate asked if there would be a time limit on participation requests made under the CE Bill once it becomes law? A member of the CE Bill team explained that once the ‘outcome’ to which the participation requests relates has been achieved by the action in question, then the process would come to an end.

One delegate asked how individual people who are not members of a community or voluntary-based group could find out about such consultations and bills? If you don’t have access somehow, how can you know what’s going on?

It was stated that all people who are SOPA delegates and have email addresses could be informed of such development. SOPA would look at this.

Another delegate spoke of the public cynicism about engaging with officials and government, as often people don’t hear back on the input
given. How can this issue be addressed? It makes it harder for community activists to get people interested and involved when this cynicism is so widespread.

- One participant spoke of older people living in remote and rural areas, being especially isolated compared to those living in towns. Low levels of access and knowledge to the electronic world makes emails and e-literature useless to them. They need face to face engagement. The Scottish Government need to work with all 32 local councils on this issue and “up its game” on engaging with isolated people.

- One delegate asked why all 32 local councils didn’t have an Older Persons Champion (“OPC”) to coordinate all these efforts? Also all other public agencies should have an OPC.

- A delegate expressed fears that funding pressures and cultural resistance will means council will “find excuses” to knock back a participation request from community groups. The agreement that “we don’t have the funds for this” is impossible to argue against if a council says no. The delegate asked about what sanctions the CE Bill will have to stop councils using ‘lack of funds’ as an excuse to get rid of participation requests.

- Discussion was held about the need to have access to more allotments and the ability of people to grow their own food and plants. Reference was made to the example of the Growing Your Own Community initiative in West Lothian and being a good example.

The meeting concluded at 2.35pm
ANNEXE

Responses to the SOPA question: Community Empowerment
A summary of the highlighted points below.

This topic covers accountability of organisations, Government support, intergenerational work and the desire of many active older people for schemes to enable greater involvement as volunteers in sustainable projects. The latter would involve the reshaping of services. Inclusiveness and equal respect of all sectors and individuals within the older population is vital – for example, those in the Lesbian, Gay, Transsexual, Bisexual (LGBT) or ethnic communities who often remain hidden on the margins of society.

Access

☐ Financial support of older adults who wish to engage in further education

Mindset

☐ Use the life experience of older people to help younger people
☐ See the person as a unique individual, not solely defined by age
☐ Valuing seniors in the same way that younger people are valued
☐ Ensure that organisations representing the older population are accountable
☐ Fully and explicitly acknowledge the LGBT community and its older members
☐ Be treated with dignity and not as second class citizens
☐ Encourage rights and responsibilities for all as part of the Human Rights agenda

Resources

☐ Ensure the needs of people of all ages are met equally with no discriminating services
☐ Government support for community development and empowering older citizens

Examples of Propositions
(Different subject matter and wording can be easily substituted.)

SOPA welcomes the Scottish Parliament’s wish for the Assembly to contribute ideas towards the Community Empowerment (Scotland) Bill and asks that the Act will explicitly benefit the older population and that funds will be allocated to support the legislation’s implementation.

SOPA calls on the Minister for Pensioners’ Rights to ensure that the energy and engagement of older people at local level is harnessed through supporting good quality local news media. This is important in terms of democratic engagement in the community as it provides a key pathway to recruiting volunteers, supporting local campaigns and maintaining momentum.

SOPA requests that the Scottish Parliament ensures that the Community Empowerment Bill (Scotland) encompasses Human Rights and Equalities legislation to create a new standard of democracy in Scotland which embraces the older population.