NHS GRAMPIAN CONSULTATION RESPONSE

The Scottish Parliament has issued a call for evidence to inform its consideration of the new Community Empowerment (Scotland) Bill. The five areas they are focusing on are:

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

NHS Grampian believes that the Bill will support the empowerment of communities in its provisions which support:

- Community ownership of land and assets;
- Removal of barriers that prevent communities taking on more responsibility for assets;
- Potential for communities and community groups to own and deliver key local services to that population, close to home, and based on clear knowledge and understanding of what communities want;
- Enablement of community capacity building, resilience and wellbeing and the ability to support focussed change in disadvantaged communities or areas of deprivation;
- Direct engagement of communities with Public Sector organisations and Community Planning Partnerships and ability to directly influence and suggest improvement and change in services; and
- Potential for innovation and sustainability of local services through local ownership.

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

Potential Benefits to Public Sector Organisations

- Empowered, enabled communities with ambitions to take more responsibility for local assets and potentially service provision;
- Public Sector organisations being able to target, through the provisions in the Public Bodies (Joint Working)(Scotland) Act, community empowerment at some of our more disadvantaged communities, supporting their development, capacity and resilience;
- Ability to engage in more productive dialogue with communities on the potential innovative use of assets to deliver and drive modern, 21st century models of health and care;
- Supporting development under Self Directed Support Act and ambitions for local people to develop and manage their own care and support and also support social entrepreneurship;
- Strengthening the role of the Community Planning Partnership and potential, through that for innovation through partnership working and with input from communities

Disadvantages / Challenges to Public Sector Organisations

While welcoming the policy intention of the draft Bill NHS Grampian would note its concerns regarding potential disadvantages and challenges for Public Sector organisations and for NHS Boards in particular:
• Significant capacity will be required of NHS Boards and other public sector organisations in relation to supporting the processes enabled by the Bill. For example, organisations will be required to put in place processes to manage community requests to improve outcomes of services. The parameters for such requests has not been set out in detail in the Bill and we would welcome more guidance on what constitutes an ‘appropriate’ community body and what is ‘reasonable’ in terms of refusal of such a request. Similarly, the provisions of the Bill enable community organisations to request and receive ‘detailed’ information about a property that they are interested in. This may include detailed information about the energy efficiency and maintenance costs. This would again require a process to be put in place and for current NHS Board Estates capacity to be directed at providing such information, at a potential cost to maintenance and delivery of Board outcomes and target. Finally, in relation to this section – capacity and processes will also be required in relation to Public Bodies having to assess community bodies’ proposals. As set out in the policy memo, this work would include: ‘economic, social and environmental benefits of different proposals.’ and goes on to conclude: ‘The authority must agree to the request unless there are reasonable grounds for refusal.’ NHS Grampian would note concern of the untested nature of this Bill and concern that the extent of work required by Public Sector organisations, with no additional resources to manage it, would place significant additional pressure upon them and challenge their ability to deliver core work and statutory targets. We would reiterate the need for guidance on what would constitute ‘reasonable grounds for refusal’;

• This is a time of far reaching change in Public Sector organisations, especially as we move to implement Integration under the Public Bodies (Joint Working)(Scotland) Act and it would be imperative to ensure that there was no duplication of effort and reporting. The Public Bodies Act prescribes actions around locality work, prescribes groups that must be engaged with in the development of Integration Schemes and Strategic Plans and there is a risk that this sits in parallel to, rather integrated with, the intention of the Community Empowerment Bill. Public Sector organisations will need guidance on how these aligned policies are intended to interact to ensure best outcomes.

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?

All communities are different and have different capacities and capabilities. One challenge will be to ensure that all communities, especially those that are disadvantaged and which don’t have the confidence or capability to engage with the policy and local Public Sector organisations are supported and enabled to do so. NHS Grampian recognises that a lot of work in this area is already being done, both in NHS Boards, within Councils and across other areas of the Public Sector. Community Planning Partnerships are potentially well placed to support this agenda, as are the emerging Integration Joint Boards which have a duty to engage with local communities. The Bill, and associated guidance can support this work and focus through sharing good practice and research in relation to what organisations can do to maximise community capacity and capability.

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?
See responses at section 3 and 4.

5. What are your views on the assessment of equal rights, impacts on island communities and sustainable development as set out in the Policy memorandum?

NHS Grampian has no specific response to these sections.

Queries on Consultation Response to

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