For 130 years, as the RSSPCC and now as CHILDREN 1\textsuperscript{ST}, we have campaigned for every child in Scotland to enjoy a better start in life and for no child to grow up in fear of abuse and violence. We will continue to be a strong public voice for vulnerable children and young people in Scotland, listening to them, to influence public policy and attitudes. Then, now and for another 130 years, as long as Scotland's children need us.

CHILDREN 1\textsuperscript{ST} has 63 local services and five national services across Scotland, and we work closely with many local authorities as well as working in partnership with other organisations. All our services are child centred and the children, young people and families we support are key partners in all aspects of our work.

CHILDREN 1\textsuperscript{ST} welcomes the opportunity to provide written evidence to the Local Government and Regeneration Committee on the general principles of the Community Empowerment (Scotland) Bill. We welcome this bill and support its general principles, particularly its ambition to remove barriers to make it easier for communities to engage and play a more proactive role in community planning. However, we consider this bill could go further to ensure that children and young people, and vulnerable families are able to participate.

Summary of our key points:

- There should be a duty for Ministers to consult with children and young people on the National Outcomes
- There should be a duty for Community Planning Partnerships (CPPs) to consult with children and young people
- This bill does not address the barriers to community engagement for many members of the community
- Third Sector Interfaces should be part of CPPs
- This bill needs to link with the aims and duties of children’s services planning as set out in Children and Young People (Scotland) Act 2014
- The bill should work to further UNCRC, the child poverty strategy and wellbeing of children and young people

We note that this bill does not mention children and young people and their role in community empowerment. The Children and Young People (Scotland) Act 2014 places duties on Scottish Ministers to take UNCRC requirements into account, and we therefore consider that a Child Rights Impact Assessment should have been conducted to assess the bill’s impact on the rights of children.
We also consider it important for the bill to connect with other Scottish Government national policies that strengthen our communities and would like to see the bill link with the work and the stretch aims of the Early Years collaborative; a main driver of the community assets based approach.

Early intervention and prevention is a key aim of children’s services planning in the new Children and Young People (Scotland) Act. The Community Empowerment bill is an opportunity to focus and connect this important aim into all community planning and participation, to enhance the delivery of services and to prevent issues arising, particularly for children.

Part 1 – National Outcomes

CHILDREN 1ST support placing the National Outcomes in legislation and are pleased that there is a duty on Scottish Ministers to consult on the outcomes. We would like to see a duty for Ministers to consult with children and young people here, and for this to be outlined on the face of the bill. All the current national outcomes already set by Ministers relate to children’s everyday lives, and it is necessary and important to include children and young people in decisions which will impact them. Doing this will adhere to Article 12 of the UNCRC.

Part 2 Community Planning

CHILDREN 1ST is pleased that Part 2 of the bill provides a statutory basis for community planning partnerships and that the bill defines community planning as the process by which public bodies work together and with community bodies to plan for, resource and provide services to improve local outcomes. However we have concerns about whether this bill will actually enable all members of the community to be involved in decisions which impact their lives.

There are barriers for many members of the community to participate in community planning. Poverty, lack of means, childcare issues, trust, confidence, lack of transport and language barriers all impact people’s ability to participate in community planning. This, coupled with reduced funding for local community learning and development workers, means many people will find it difficult to participate in the formal process of community planning.

Using third sector organisations, and local services or community groups used by more vulnerable people to support relevant consultation, can help improve participation for more vulnerable members of the community, helping them to feel empowered.

We welcome the bill’s definition of “community bodies” as bodies that can represent “the interest of any communities”. We consider children and young people as a community with a right to be consulted and included. We would like to see the bill set out a duty on CPPs to engage with children and young people in creation of the local outcomes improvement plan. This is important as Article 12 of the UNCRC states that when decisions are made that affect children, children have the right to contribute to the process and have their opinion taken into account. This consultation...
should be done in a child friendly way, perhaps involving schools and youth clubs. Indeed the Children and Young People (Scotland) Act states that public authorities must every three years report what steps it has taken to further UNCRC requirements in its area of responsibility. It makes sense for the duties spanning the Children and Young people Act and this bill to link together.

CHILDREN 1ST also considers that clarity is needed around the impact of community planning structure and outputs and the new requirements of children’s services planning as set out in part 3 of the Children and Young People (Scotland) Act. The Children and Young People (Scotland) Act places duties on public bodies to coordinate the planning, design and delivery of services for children and young people with a focus on improving children’s wellbeing outcomes and report collectively on how they are improving those outcomes. We believe it is vital for this bill to create links between the new duties under that Act and the local outcomes set by CPPs to ensure joint planning. CHILDREN 1ST would welcome reference to the duties of children's services planning within this bill.

The aims of children’s services planning in part 3 of the Children and Young People Act include a focus on early intervention and prevention. We consider it helpful for the duties of CPPs to mirror this in their planning, outcomes and objectives. This will also ensure a joined up approach and core focus within community planning. To help this approach, CHILDREN 1ST would also like section 9 to state a duty for CPPs to further the effect of the Scottish child poverty strategy, to consider the wellbeing of children and young people (through using the GIRFEC framework) and the UNCRC within its community planning.

We also believe it is vitally important that the local Third Sector Interface is a member of the CPP and recommend that the Schedule 1 list is amended to state this, while keeping section 9. 1 (a) and (b) as they stand.

It is also vital that there is meaningful representation of third sector organisations and services within local community planning processes. It is important that those third sector organisations that can provide and share the best practice and outcomes are invited to the table, to share their knowledge whether they are services that are part of a larger national organisation, or are singular small local organisations.

We also consider it important for CPPs to demonstrate how the community groups they have engaged with, such as children and young people, have been able to help proactively shape and ideally co-produce outcomes in community planning. This will help ensure participation is not just a tokenistic gesture, and ensure transparency and fairness.

Part 3 Participation requests

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1 Part 2 section 9 (2) (a) (ii) ensures that any action to meet needs is taken at the earliest appropriate time and that, where appropriate, action is taken to prevent needs arising.
2 http://www.scotland.gov.uk/Topics/People/Young-People/gettingitright
CHILDREN 1ST welcomes Part 3 of the bill regarding participation requests to public service authorities from community participation groups and that the weight is in favour for public service authorities to accept this request. The aspirations of the bill to meaningfully involve the community must be matched by resources; we are concerned that in reality this may not be accessible for certain members of the community. The bill does not mention how community members will be made aware of the opportunity for participation requests, or what support will be offered to those interested in participation requests. It is vital that this information is available in communities.

Part 3 section 19 states that in reaching its decision, the authority must take into consideration whether agreeing to a request would improve or promote economic development, regeneration, public health, social wellbeing, or environmental wellbeing. We would also like the public service authority, in this instance, to consider how such a request would further the UNCRC, the child poverty strategy, and how it will impact the wellbeing of children and young people. It is important that any changes in service delivery take into account the consequences and impact on the rights and wellbeing of children and young people.

We also have questions around the funding and information sharing of budgets of a successful participation request. It is unclear who will continue to provide the funds to run that service, if a community participation body is successful in applying to run a service, and if budget information will be shared and passed on. We are also unclear how this may impact tendering and strategic commissioning of services and would welcome clarity on this.

Part 4 & 5 – community right to buy and asset transfer requests

During an asset transfer request, we hope there will be safeguards and consideration of how members of the local community are already using the land on a formal or informal basis. The authority’s decision to accept or refuse a request should also take into account any potential impact on children and young people. For example if children are using an area of grassland as recreational ground for play, then consideration of this need should be given before the transfer request is agreed to.

We hope there will be safeguards in place to ensure that any profit from acquisitions is used for the benefit of the local community. Finally, the bill does not outline any support that will be offered to those interested in registering an asset transfer request. Support to navigate complex bureaucratic processes is vital to ensure communities do not find the process alienating.

CHILDREN 1ST welcomes the general principles of the Community Empowerment (Scotland) bill but believes it could and should go further to ensure that all members of the community, including children and young people, can be empowered to take part in the process of improving their local community and services.