Local Government and Regeneration Committee

Submission Name: Steve Rolfe
Submission Number: 38

Local Government and Regeneration Committee
Community Empowerment (Scotland) Bill – call for evidence

Evidence submitted by:
Steve Rolfe

Introduction
I am submitting this evidence based on my 15 years of experience working in local government in Scotland, in a range of roles relating to community participation and empowerment, combined with evidence from my current research into community participation policy and practice in Scotland and England, and related academic literature. At the previous consultation stage of the Bill, I and colleagues from the Neighbourhoods and Wellbeing Research Group in Glasgow University submitted a joint response, but we have not had time to agree a joint response to this call for evidence, so this is a personal submission.

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

The Bill should make some significant advances in terms of empowering communities, particularly through the new rights regarding participation requests and the extension of rights regarding community control of land and buildings. In relation to participation requests, there is research evidence that communities desire influence over the public services they use, and that gaining such influence has important feedback effects within communities in terms of increased confidence, skills and feelings of efficacy. In relation to community control of land and buildings, there is significant research evidence regarding the benefits for communities, such as increased confidence, financial sustainability and social capital.

There are, however, two key areas of concern regarding potential limitations to the impact of the Bill, which form the core of this submission.

Firstly, as I and colleagues emphasised in our response to the earlier consultation document, there is a risk that these new rights may disproportionately benefit more affluent communities, where community bodies are able to draw on a stronger base of skills and expertise, and where property is more likely to be an asset rather than a liability. Thus there is a risk that this new right could exacerbate inequality, undermining the Scottish Government’s solidarity ambition.

The research literature has evidenced increasing concern in recent years that community participation may be used to shift responsibility from the public sector onto communities. This is particularly true of the Big Society/Localism agenda in England, so the Scottish Government may wish to ensure that the Bill cannot be used or interpreted in a similar fashion. Thus it will be important in relation to this new right, to ensure that community bodies are given appropriate support to participate in outcome improvement processes, and to plan effectively for and make good decisions about asset transfer. An explicit link to the new Community Learning and Development Regulations may be useful here, either in the Bill or in related
guidance. Furthermore, in order to enable all communities to make use of these new rights, it will be important to ensure that they are communicated effectively to all communities, whether this is by the Scottish Government directly, or by placing a further duty on local public service agencies.

Secondly, whilst the proposals to strengthen Community Planning are to be welcomed, there is a concern that there may be a disjuncture between community involvement in Community Planning processes and the new right regarding participation requests. As the Policy Memorandum rightly makes clear, 'community empowerment cannot be delivered by legislation alone' and the importance of creating a public sector culture that assumes community participation as a starting point cannot be under-estimated. In this respect, there is a risk that CPPs interpret the new Community Planning duties as meaning that communities need only be involved in the initial development of the Local Outcome Improvement Plan, thereafter taking an entirely reactive approach to participation requests rather than proactively working to engage communities.

It would therefore seem important to draw a specific link, either in the Bill or in related guidance, between these two approaches to community empowerment. Whilst it is important for communities to have the new right to request participation, one of the aims of this legislation should be to ensure that it rarely needs to be used, as public sector agencies incorporate community participation and support for community action into their everyday operations. The recent report of the Commission on Strengthening Local Democracy suggests there is considerable support for this approach to public service provision, but changing organisational culture is a complex and challenging business. As well as drawing stronger links between Community Planning and participation requests, it could be useful to add a duty on public service agencies which mirrors the new participation requests, requiring them to proactively identify and engage with relevant community bodies when undertaking any outcome improvement process. Given that public service agencies should be looking for continuous improvements in outcomes, this might help to reinforce the message that community participation should be an ongoing relationship rather than an occasional consultative exercise.

A further option in relation to this second area of concern would be to return to the original proposals to require CPPs to produce a Community Engagement Plan and to follow the National Standards for Community Engagement. Although there will inevitably be concerns that these might become bureaucratic exercises, as suggested in the Policy Memorandum, it should be possible to limit the bureaucratic burden of such a duty, and the lack of a Plan raises considerable questions about how CPPs can be held to account by communities, auditing bodies or Ministers. Similarly, the notion of having a lead officer for community engagement has been left out of the Bill on the basis that it might lead to the perception that other officers are not responsible for community engagement, but a lead officer role need not work in this way at all. Given the need for all CPP services and agencies to engage with communities, a central coordinating point will become increasingly important to avoid duplication, inconsistency of standards, and consultation fatigue in communities. And such a lead officer could play a vital role in shifting the culture of public services away from limited consultation and towards effective community engagement, taking
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responsibility for improving other officers’ approaches to community engagement, rather than delivering it personally.

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

As indicated above, the key benefit of the Bill for public sector organisations should be the development of public service reform through enhanced community participation. On the one hand, community participation in relation to services can improve their targeting and efficiency, enhancing their outcome impacts. And on the other hand, community self-help activities and strengthening of community assets such as social capital can result in reduced demand for public services.

In terms of community participation in relation to services, there is relatively little robust research evidence which demonstrates savings as a result of community participation. However, the research review conducted by the Office of the Deputy Prime Minister in 2005 ('Improving delivery of mainstream services in deprived areas – the role of community involvement') suggested that the process benefits of community involvement (e.g. better local knowledge, better access to services, etc.) feed through into reduced unit costs of service provision, and reduced costs in other aspects of service provision such as lower housing management costs through reduced tenant turnover.

There is even less in the way of clear research evidence about the potential savings to public sector organisations arising from community self-help activities, although this is an area that I am currently working on.

The additional short-term costs of establishing community participation processes need to be balanced against longer-term savings, as part of the wider re-design of public services.

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?

As indicated in response to question 1 above, there are significant concerns that the new rights included within the Bill could disproportionately benefit more affluent communities. Ensuring that public sector organisations address such issues through an explicit link to the CLD Regulations and possibly additional duties to proactively engage with communities would go some way to alleviating this concern.

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?

Other than the points raised above, I have no difficulty with the specific provisions in the Bill.
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?

No specific comment.