LOCAL GOVERNMENT AND REGENERATION COMMITTEE

AGENDA

10th Meeting, 2012 (Session 4)

Wednesday 25 April 2012

The Committee will meet at 9.45 am in Committee Room 6.

1. Decision on taking business in private: The Committee will decide whether to take items 4 and 5 in private.

2. Public services reform and local government: strand 1 – partnerships and outcomes: The Committee will take evidence from—

   Derek Mackay, Minister for Local Government and Planning, Scottish Government;

   Councillor Pat Watters, President, COSLA;

   and then from—

   David Martin, Chief Executive of Renfrewshire Council, Chair of SOLACE Scotland, and Chair of the National Community Planning Group;

   Professor Fiona Mackenzie, Chief Executive of NHS Forth Valley, and NHS Chief Executives Forum Member of the National Community Planning Group;

   Lewis Ramsay, Assistant Chief Officer, Strathclyde Fire & Rescue Service, and Chief Fire Officers Association of Scotland Member of the National Community Planning Group;

   Assistant Chief Constable Bill Skelly, Lothian and Borders Police, Member of the National Community Planning Group;

   Bob Christie, Outcomes Programme Manager, The Improvement Service, and Member of the National Community Planning Group;

   Mark McAteer, Director of Governance and Performance Management, The Improvement Service.
3. **Subordinate legislation:** The Committee will consider the following instrument which is not subject to any parliamentary procedure—

   Town and Country Planning (Continuation in force of Local Plans) (Highland) (Scotland) Order 2012 (SSI/2012/90).

4. **Planning:** The Committee will consider its approach to the consideration of forthcoming planning issues.

5. **Public services reform and local government: strand 2 - benchmarking and performance measurement** The Committee will consider its approach to the inquiry.

6. **Public services reform and local government: strand 1 – partnerships and outcomes (in private):** The Committee will consider the evidence received.

Eugene Windsor
Clerk to the Local Government and Regeneration Committee
Room T3.40
The Scottish Parliament
Edinburgh
Tel: 0131 348 5217
Email: eugene.windsor@scottish.parliament.uk
The papers for this meeting are as follows—

**Agenda Item 2**

Correspondence from Minister for Local Government and Planning

Submission from COSLA

Submission from Improvement Service

Submission from SOLACE (Scotland)

Submission from the National Community Planning Group

PRIVATE PAPER

**Agenda Item 3**

Note from the Clerk

**Agenda Item 4**

PRIVATE PAPER

**Agenda Item 5**

PRIVATE PAPER

**Agenda Item 6**

PRIVATE PAPER
I am writing in relation to the Committee’s inquiry into Public Sector Reform and Local Government in Scotland.

I very much welcome the Committee’s decision to conduct this inquiry, and in particular that the clear focus of the first strand of the inquiry is on community planning. The Scottish Government’s response to the Christie Commission’s report underlined the continuing importance of community planning and place-based approaches, and included a commitment to review community planning.

We have now begun that review, which we are undertaking jointly with local government and with contributions from other interests such as Audit Scotland. The review is based on the outcomes-focussed and partnership-based approach to the delivery of public services that was agreed between the Scottish Government and COSLA in 2007, and which both remain committed to.

I attach a copy of the Terms of Reference for the review that have been agreed between us and COSLA, and that provide the basis on which work on the review is being taken forward. That work is being overseen by a governing group comprising myself, Cllr Pat Watters as President of COSLA and Cllr Rob Murray one of COSLA’s Vice-presidents. The main work of the review is being taken forward by a group of senior officials from the Scottish Government, COSLA, SOLACE, the Improvement Service, Audit Scotland, NHS, the police and fire services, Scottish Enterprise, Highlands & Islands Enterprise, and the third sector.

As a first step, the review has produced a Statement of Ambition. The Statement, which has been agreed by the Scottish Government and COSLA, sets out our shared understanding that effective community planning arrangements will be at the core of public service reform and in particular will drive the pace of service integration, increase the focus on prevention and secure continuous improvement in public service delivery, in order to achieve better outcomes for communities. It also sets out the key principles that underpin the community planning and Single Outcome Agreement Framework, and so provides the basis on which the work of the review is being taken forward. The Statement of Ambition was published on 15 March, and I attach a copy along with a copy of our covering News Release.

I understand that the Committee is envisages inviting the Scottish Government and COSLA to give oral evidence to the Committee on either 18 or 25 April. Since the review of community planning is being conducted jointly by the Scottish Government and COSLA, I think it would be advantageous if I and Cllr Watters could give our evidence jointly. I would be grateful if the Committee would consider this suggestion, and look forward to hearing further in due course.
I am sending a copy of this letter to Cllr Watters.

DEREK MACKAY

Review of Community Planning and Single Outcome Agreements:

Appendix A - Terms of Reference and working arrangements

Appendix B – News Release - Ambitious vision for public services unveiled

Appendix C – Statement of Ambition
APPENDIX A

Review of Community Planning and Single Outcome Agreements: Terms of Reference and working arrangements

Introduction

1. This paper, agreed by officials in Scottish Government and COSLA, sets out terms of reference and working arrangements for a review of Community Planning and Single Outcome Agreements.

Background and context for the review

2. The Scottish Government and COSLA remain committed to the outcomes focussed and partnership based approach to the delivery of public services agreed in 2007. The findings of the Christie Commission found that this approach had made substantial impact to date and should be built upon to meet the significant cost and demand pressures upon public services.

3. The Scottish Government has restated its commitment to this approach and as part of the 2011 Spending Review has established a programme of Public Service Reform, including taking forward consideration of the Christie recommendations, based on key principles of:

   • a decisive shift towards prevention;
   • greater integration of public services at a local level driven by better partnership, collaboration and effective local delivery;
   • greater investment in the people who deliver services through enhanced workforce development and effective leadership; and
   • a sharp focus on improving performance, through greater transparency, innovation and use of digital technology.

Outputs from the review

4. The Scottish Government and COSLA are agreed that the existing framework of Community Planning and Single Outcome Agreements (SOAs) remain at the heart of this approach. The review will therefore focus upon action required to:

   • develop Community Planning Partnerships to equip them to respond effectively to the conclusions of Christie and the objectives of the Public Service Reform programme, including wider reform initiatives such as the establishment of single police and fire services and the integration of health and social care services for older people;

   • Agree new SOAs between the Scottish Government and local authorities and their Community Planning partners after the local elections in May 2012. These new SOAs will continue to focus on agreed priorities for local communities in the context of national outcomes; and mobilise local authorities, their Community Planning partners and national bodies acting locally. They will also demonstrate the local response to Christie and the objectives of the public services reform programme, in particular through a focus on integration and prevention; and drive pace and consistency of integration and performance improvement within and across CPPs into the future, including through scrutiny reform.
Key questions

5. Suggested early areas of focus/questioning for the review are as follows:
   - What are the prerequisites for effective Community Planning?
   - What are the key changes in the operating context for Community Planning?
   - How should Community Planning change to support wider public service reform, both short and longer-term?
   - How should SOAs change?
   - What are the prerequisites for effective performance management which drives improvement in a Community Planning context?
   - How should external scrutiny change?

The Christie Commission gathered important evidence of stakeholder views on Community Planning and the outcomes approach to date; and there are other useful existing evidence sources to support the review considerations.

6. The review is being asked to produce its initial conclusions by the end of February. Those conclusions will identify both immediate actions to be taken and strands of longer-term work to be developed and implemented over the course of the Parliament.

Working arrangements

7. The review will be jointly overseen by a small governing group led by the Minister for Local Government and Planning and the President of COSLA. This group will meet fortnightly as described below during the course of the review and will be supported by key officials from COSLA and Scottish Government. The governing group will make recommendations to the Scottish Government and to COSLA Leaders by the end of February, with the aim of these being agreed by mid-March.

8. This governing group will be supported by an officers group, jointly chaired by Scottish Government and COSLA with membership drawn from Scottish Government, COSLA, SOLACE, NHS, police and fire services, 3rd Sector, the LG Improvement Service and Audit Scotland. The officers group will also meet fortnightly during the course of the review, on the same day as and immediately after meetings of the governing group, and will be responsible for the preparation of papers for and ensuring action on the decisions of the governing group.

9. Secretariat and policy support will be drawn from a joint team of officers from Scottish Government, the Improvement Service and Audit Scotland. The team will meet the week before each governing group meeting, with the first team meeting being on 24 January.

Dates and times for governing group meetings

10. The first meeting took place on 24 January. Subsequent meetings are scheduled as follows:

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Location</th>
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<tbody>
<tr>
<td>31 Jan 2012</td>
<td>16:30-18:00</td>
<td>COSLA, Verity House</td>
</tr>
<tr>
<td>14 Feb 2012</td>
<td>13:00-14:30</td>
<td>SG, Victoria Quay</td>
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<tr>
<td>28 Feb 2012</td>
<td>15:00-17:30</td>
<td>COSLA, Verity House</td>
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<tr>
<td>13 Mar 2012 (tbc – may not be required as conclusions may be signed-off in correspondence)</td>
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Scottish Government
23 January 2012
AMBITIOUS VISION FOR PUBLIC SERVICES UNVEILED
AGREEMENT MARKS KEY MILESTONE IN SCOTLAND’S PUBLIC SECTOR REFORM

The Scottish Government and COSLA Leaders have agreed Scotland’s first Statement of Ambition about how to improve the way local services are delivered.

The Statement, covering public services provided to communities by councils, the NHS, emergency services, and other public agencies, is the first step in a major review designed to put Scotland’s ‘community planning partnerships’ at the centre of an outcomes approach to public services in Scotland.

Local Government Minister Derek Mackay said:

“The Scottish Government’s response to the Christie Commission included a commitment to review community planning. We are, in collaboration with local government, delivering on that commitment. As evidence of that, I’m delighted that we have agreed this Statement of Ambition to set out our shared aims for community planning and provide a basis for the work we need to do to make it work more effectively.

“Community planning stands or falls on whether it delivers better outcomes and it must keep up with the pace of financial pressures, changing demography and the growing social needs we face. Effective community planning needs greater integration of services, more focus on prevention and clearer accountability for partners.

“This Statement of Ambition provides a clear framework for how we will achieve that.”

COSLA President Cllr Pat Watters said:

“People want the very best results from their public services. To make that happen, the Christie Commission showed that we need to invest in prevention across the whole of the public sector, and do more to ensure that services work together to focus on what matters most to communities.

“Scotland has set out on that journey, and this Statement of Ambition is a major step forward in agreeing ways to ensure that community planning partnerships truly take centre stage in translating public services into better outcomes. Delivering that ambition will require commitment from across the public sector, but we must all rise to the challenge if we are to grasp this unprecedented opportunity to make a real difference to Scotland’s communities.”
Note to Editors

- The Statement of Ambition can be accessed here: XXXXXXXXXXXXXXX
- The Statement marks agreement on the key principles that underpin Community Planning Partnerships and the Single Outcome Agreements that set out what partnerships are responsible for delivering. Detailed proposals, including legislative proposals to strengthen the approach where appropriate, are now being developed, and are expected to be implemented quickly after the local government elections in May.
- There are 32 community planning partnerships (CPPs) in Scotland which include a range of public bodies and representatives of the private and third sectors and community groups. The aim of community planning is to make sure that people and communities are genuinely engaged in decisions about public services which affect them, and to ensure that organisations work together, not apart, to provide better public services.

Contact
Christina Stokes: 0131 244 2797 / 07557 848722
APPENDIX C

STATEMENT OF AMBITION

Effective community planning arrangements will be at the core of public service reform. They will drive the pace of service integration, increase the focus on prevention and secure continuous improvement in public service delivery, in order to achieve better outcomes for communities. Community Planning and SOAs will provide the foundation for effective partnership working within which wider reform initiatives, such as the integration of health and adult social care and the establishment of single police and fire services, will happen.

1. The Scottish Government and COSLA remain fully committed to Community Planning and Single Outcome Agreements. It is these key strategic building blocks, not structural change, that will achieve our overarching purpose of sustainable economic growth, better outcomes and reduced inequalities for local communities in Scotland through delivery of high quality public services.

2. This framework of Community Planning and SOAs, within the broader partnership between national and local government, has already made real impact in improving partnership working between public service agencies and local communities. However, at a time when resources are reducing and demand on public services is escalating, the Christie Commission found that action is needed to build on this success by removing barriers to effective partnership working and to ensure that leadership and cultures, systems and structures, and accountability arrangements across public services fully enable the delivery of better outcomes for communities. The Scottish Government has agreed with these conclusions and has established a broad programme of public service reform. This review is a key element of that programme.

3. The Scottish Government, COSLA and other Community Planning partners recognise that changes, including as necessary legislative change, will be needed to ensure the successful realisation of the ambitions described here. A programme and a timetable for delivering these will be developed by the Review group. This Statement of Ambition provides a clear basis for this programme, supports the work already underway within CPPs, and makes clear the ambitions of Scottish Government, COSLA and other community planning partners to move forward quickly after the local elections in May.

Conditions for Success

4. Public services must improve outcomes, and reduce the outcome gaps within populations and between areas. For Scotland to successfully and fully embrace an outcomes approach, all public services must play a full, active and appropriate role in Community Planning whether acting nationally, regionally or locally. Councils have a lead role in Community Planning and this Review must build their capacity, and that of other partners and of CPPs themselves, to ensure that better outcomes for communities are delivered through a strengthened framework of Community Planning and SOAs.
5. Communities have high expectations of public services and have a key role to play in helping to shape and coproduce better outcomes within their communities. If community planning partnerships are to unlock that potential, their foundations must be built on a strong understanding of their communities, and provide genuine opportunities to consult, engage and involve them. CPPs must be able to engage closely with the needs and aspirations of their communities, within the context of local and national democratic control, with strategic oversight of other specific arrangements and accountabilities for key aspects of public service delivery. CPPs must therefore be able to influence and drive planning and investment decisions by partners towards achieving the outcomes set out in SOAs. This must include ensuring effective involvement not just of the public sector but also of the higher and further education, private, and third sectors and so CPPs must be appropriately empowered to enable them to deliver these requirements effectively, and be able to operate within a national policy, legislative and financial environment that is similarly focussed on improving outcomes.

The SOA

6. At the heart of CPP activity is the development of an SOA that is an explicit and binding ‘plan for place’ to be agreed with the Scottish Government. It must include clear and formally agreed outcomes, indicators and targets, for which all partners are jointly accountable in line with their respective contributions. The SOA must be clear about both the long term outcomes to be achieved over the next decade, and the contributory outcomes, indicators and targets by which progress towards these will be demonstrated over the short and medium terms. The CPP must ensure that the SOA is resourced: partners must contribute appropriately and will be held to account by the CPP through a strong role for local elected members, and by the Scottish Government for those contributions.

What Community Planning Partnerships must do

7. **Understanding place**: CPPs must be effective in mobilising the knowledge and resources of all relevant local and national agencies to develop a clear and evidence-based understanding of local needs and opportunities, underpinned by robust and relevant data, and be capable of monitoring this over time to drive and demonstrating continuous improvement. Responsiveness to local circumstances, but within the context of the National Performance Framework and appropriate national requirements and standards, must be at the heart of Community Planning and SOAs.

8. **Planning for outcomes**: CPPs must translate this understanding into genuine planning for places that recognises the particular needs and circumstances of different communities, and that provides clear and unambiguous joint prioritisation of outcomes and improvement actions.

9. **Delivering outcomes**: the planning process must translate into hard-edged delivery of local priorities and achieve appropriate public service integration in pursuit of local priority outcomes. To achieve that, CPPs must have a clear understanding of respective partner contributions, how total resources will be targeted to deliver the priorities, and how partners will be held to account for delivery. Where changes are required, including through legislation, to ensure that the SOA is effective and binding,
and that it drives integration and a focus on prevention, these will be made. Delivering effectively will also require investment in the people who deliver services through enhanced workforce development, and effective leadership.

How Community Planning Partnerships should operate

10. **Organising for Outcomes:** Each CPP must have structures that reflect its local circumstances. CPPs do not have to take direct responsibility for delivery of outcomes or integration of services where specific fit-for-purpose arrangements are already in place or are being developed. However, CPPs must have a strategic overview of such arrangements, with partners playing their constituent parts in planning and delivery arrangements to ensure that they are robust, appropriately joined-up and genuinely drive performance improvement. The proposals to integrate health and adult social care services are a particular case in point and demonstrate this approach. CPP partners must ensure that these new integrated services are appropriately connected to their wider assessment of the needs of local communities and that the outcomes to be delivered by these new integrated partnerships are reflected in SOAs and wider CPP planning. Community planning and SOAs must in turn be core to the implementation of proposals for integration of health and adult social care services and in the operation of the proposed Health & Social Care Partnerships.

11. **Accountability for Outcomes:** The unique responsibilities of CPPs require strong governance and accountability arrangements, which must complement other arrangements such as the accountability of NHS Boards to Ministers. CPPs must be genuine Boards with all the authority, behaviours and roles that implies for them and constituent partners. That will mean clear joint and collective accountability for delivery, and CPPs will be expected to hold all partners to account for their contribution to local planning and the delivery of those plans. Where this review identifies blockages to the effective participation of some partners, systemic issues or other changes required to ensure that this responsibility is exercised, these changes will be made to ensure that full participation in the CPP happens.

12. Political oversight is key to accountability. Local elected members will exercise oversight and formal accountability through their involvement in CPPs, and will exercise joint oversight and ensure accountability with the Scottish Government through the SOA. The Scottish Government must hold national agencies to account for their contribution to local community planning and SOAs, within the context of their National remit and responsibilities. Where changes, including through legislation, are required in order to ensure effective oversight and accountability arrangements are in place these will be made.

How Community Planning Partnerships should improve outcomes

13. A focus on performance improvement is a fundamental pillar of public service reform and a key element in the development of the Community Planning and SOAs framework. Securing best value is the key driver of performance across public services.
14. While differences in local circumstances may lead to different approaches, CPPs will be accountable for the achievement of improved outcomes, including the delivery of SOAs. CPPs will be committed to outcomes-focused performance improvement and quality standards, including national requirements where appropriate, with robust self-assessment as a starting point. This will drive out inexplicable variations and ensure that CPPs deliver improvement, deploying the totality of partners’ resources to achieve the outcomes for which they are jointly accountable. This process will also help groups of CPPs to work together across wider geographic areas where it is clear that the identification of opportunity and the deliver of activity at a regional or national level would be more effective.

Reporting Outcomes:

15. The development of transparent and accessible public reporting, together with an appropriate level of external scrutiny, is key to providing assurance about CPP effectiveness and SOA delivery, and to supporting CPPs in performance improvement. A cohesive approach to capacity building, driven and owned by CPPs themselves, is required, which is supported by co-ordinated activity by the Scottish Government, improvement bodies and others where appropriate. Scrutiny arrangements for CPPs and those for individual partners must complement, not cut across, each other; and take account of the differing governance structures and accountabilities of non-public sector partners.

Conclusion

16. This shared Statement of Ambition makes clear the commitment of the Scottish Government, COSLA and representatives of Community Planning Partnerships to retain and develop Community Planning and SOAs as the heart of an outcomes-based approach to public services in Scotland. It also sets out what is required from the Community Planning and SOA framework, and of national government, for these aspirations to be fully and effectively realised.
ANNEX

Key Principles for Community Planning (from ‘Future Shapes’ paper discussed by the Senior Officers Group on 31 Jan)

The following set of principles will shape the further work of the review. The community planning and single outcome agreement framework is about:

- Delivering **demonstrable** improvements to people’s lives
- Delivering unambiguous **performance** commitments and cost effective service models
- Using an evidence based approach, underpinned by **disaggregated** data, to drive improvement in meeting the differing needs of local populations
- Focusing upon reducing outcome **gaps** within populations and between areas
- Focusing upon delivering **joint** prioritisation of outcomes, interventions and resource use by public services and in so doing strengthening joint working between and the integration of public services
- Promoting early intervention and **prevention** approaches in reducing outcome inequalities
- Strengthening **scrutiny** by local democratically elected politicians of how partnerships operate to achieve better outcomes
- Strengthening **community** engagement and participation in delivering better outcomes
LOCAL GOVERNMENT AND REGENERATION COMMITTEE
PUBLIC SERVICES REFORM & LOCAL GOVERNMENT INQUIRY
STRAND 1 – PARTNERSHIPS & OUTCOMES
SUBMISSION FROM COSLA

Introduction
1. The Convention of Scottish Local Authorities (COSLA) welcomes the opportunity to provide evidence to the Local Government and Regeneration Committee’s Inquiry on Public Sector Reform and Local Government in Scotland.

2. COSLA – the voice of local government in Scotland – has backed a bold approach to the reform of public services based on a strong evidence base and our democratic values. We want to promote an approach that is framed around the improvement of outcomes, based on integrating services, and which uses all the levers of reform to optimise the benefits that can be felt by our communities.

An outcomes approach to public services
3. COSLA and our member councils, in partnership with the Scottish Government, have already been the driving force behind an outcomes focused approach to service delivery. At its core has been the end to managing services by ring fencing their budgets to react to the problems that individuals and communities encounter. Together, we recognised that this was hugely expensive and did little to prevent problems from emerging in the first place. Instead we have started focusing our resources on delivering outcomes and measuring services by the improvements they engender in people’s lives.

4. But COSLA also recognises that our nation faces significant challenges. Poor outcomes for a small proportion of the population drive very large amounts of public spending. We have an ageing population and face poverty and disadvantage in too many parts of Scotland. Young people risk being lost to worklessness and investment to address climate change, achieve zero waste and address road repairs is significant.

5. Therefore, while public services have had real success in addressing Scotland’s most significant problems, more needs to be done to ensure that public services fully translate into better outcomes for everyone in Scotland. That need is all the more acute at a time when resources are reducing and demand is growing quickly.

Community Planning and Single Outcome Agreements
6. The Christie Commission found that many of the answers are to be found in empowering public agencies to focus on communities and to work more effectively together to improve the lives of the people of Scotland. Indeed, the building blocks that approach already exist through the process of Community Planning Partnerships and Single Outcome Agreements.
7. While those components are already a familiar part of the public sector landscape, as the Christie Commission recognised, there is scope to make further and faster progress. In particular, despite the legislative basis for Community Planning and the introduction of the SOA, the language of outcomes and partnership working has not always been fully absorbed into the day-to-day systems and cultures that determine service delivery within local communities. The challenge is therefore to create the conditions which ensure that CPPs do not focus on outcomes at the margins of mainstream services, but come together for and with communities, to improve outcomes and prevention through a focus on place, prevention, partnership integration and performance improvement.

8. Achieving that objective also implies that sustainable and effective reform will mean redirecting resources 'upstream' to prevent social problems from emerging. So for example, giving every child the best start is crucial to addressing problems like obesity, heart disease, mental ill-health, educational achievement and poverty. It also means recognising links between worklessness, housing, physical environments, and financial exclusion, and behaviours that are damaging to mortality and morbidity such as smoking, alcohol, drugs, and poor diet.

9. COSLA has restated its clear endorsement of this message and embarked on a joint review with the Scottish Government to strengthen the Community Planning and Single Outcome Agreement approach. Together, a clear and unequivocal Statement of Ambition has been agreed establishing expectations in terms of partner involvement, identification of priorities, and the improvement of outcomes for communities.

10. This Statement, attached at Appendix 1, points the way towards a genuinely ambitious and empowering review process, but does not shy away from fundamental questions about the challenges and opportunities we must tackle. These are important considerations, because ensuring that outcomes drive reform is difficult:

I. Firstly, outcomes are interdependent – for instance, a person's well-being is defined not just by their overall health but also their safety, their opportunities, and their environment. In other words, only by integrating public services will we begin to truly nurture an outcomes ethos. The effectiveness of CPPs will in large part depend not just on action by councils in community planning partnerships, but on creating the conditions in which other relevant partners actively and fully participate in the process, and on supportive programmes of action and policy at national government level.

II. Secondly, Community Planning Partnerships must deliver improvement, and we believe can best achieve that by prioritising how partners' resources are used to address the outcomes which they are jointly accountable for. Crucially, while differences in local circumstances may lead to different approaches, partnerships also need to be able to drive out any inexplicable variations in performance. That is why we are fully committed to delivering best value, to robust self-assessment, and to measuring performance against the best and sharing excellent practice.
III. Finally, we recognise that Community Planning needs to be firmly linked to communities. Scotland’s identity is to a large extent local, and people’s expectations are similarly defined. Community Planning needs to engage and coproduce with communities, within the context of local and national democratic control, and in ways that are compatible with and add value to specific arrangements and accountabilities for other aspects of public services.

Conclusion

11. COSLA believes that public sector reform can only be effective if it places the improvement of outcomes for Scotland’s communities at its core. At times, public discourse has seemed pre-occupied with structural change, or measuring inputs and outputs as the sole route to better, more efficient public services. We have long understood that solutions to the complex, multi layered problems that we face cannot be solved by simplistic tools and it is encouraging that Scotland has largely steered away from that course. Instead, we believe that a focus on integration, prevention, and localism, given practical effect through effective Community Planning and Single Outcome Agreements, provides an unprecedented opportunity to make a real difference to Scotland’s communities, and to create the conditions for long term success across the public sector.
APPENDIX 1

REVIEW OF COMMUNITY PLANNING AND SINGLE OUTCOME AGREEMENTS

STATEMENT OF AMBITION

Effective community planning arrangements will be at the core of public service reform. They will drive the pace of service integration, increase the focus on prevention and secure continuous improvement in public service delivery, in order to achieve better outcomes for communities. Community Planning and SOAs will provide the foundation for effective partnership working within which wider reform initiatives, such as the integration of health and adult social care and the establishment of single police and fire services, will happen.

1. The Scottish Government and COSLA remain fully committed to Community Planning and Single Outcome Agreements. It is these key strategic building blocks, not structural change, that will achieve our overarching purpose of sustainable economic growth, better outcomes and reduced inequalities for local communities in Scotland through delivery of high quality public services.

2. This framework of Community Planning and SOAs, within the broader partnership between national and local government, has already made real impact in improving partnership working between public service agencies and local communities. However, at a time when resources are reducing and demand on public services is escalating, the Christie Commission found that action is needed to build on this success by removing barriers to effective partnership working and to ensure that leadership and cultures, systems and structures, and accountability arrangements across public services fully enable the delivery of better outcomes for communities. The Scottish Government has agreed with these conclusions and has established a broad programme of public service reform. This review is a key element of that programme.

3. The Scottish Government, COSLA and other Community Planning partners recognise that changes, including as necessary legislative change, will be needed to ensure the successful realisation of the ambitions described here. A programme and a timetable for delivering these will be developed by the Review group. This Statement of Ambition provides a clear basis for this programme, supports the work already underway within CPPs, and makes clear the ambitions of Scottish Government, COSLA and other community planning partners to move forward quickly after the local elections in May.

Conditions for Success

4. Public services must improve outcomes, and reduce the outcome gaps within populations and between areas. For Scotland to successfully and fully embrace an outcomes approach, all public services must play a full, active and appropriate role in Community Planning whether acting nationally, regionally or locally. Councils have a lead role in Community Planning and
this Review must build their capacity, and that of other partners and of CPPs themselves, to ensure that better outcomes for communities are delivered through a strengthened framework of Community Planning and SOAs.

5. Communities have high expectations of public services and have a key role to play in helping to shape and coproduce better outcomes within their communities. If community planning partnerships are to unlock that potential, their foundations must be built on a strong understanding of their communities, and provide genuine opportunities to consult, engage and involve them. CPPs must be able to engage closely with the needs and aspirations of their communities, within the context of local and national democratic control, with strategic oversight of other specific arrangements and accountabilities for key aspects of public service delivery. CPPs must therefore be able to influence and drive planning and investment decisions by partners towards achieving the outcomes set out in SOAs. This must include ensuring effective involvement not just of the public sector but also of the higher and further education, private, and third sectors and so CPPs must be appropriately empowered to enable them to deliver these requirements effectively, and be able to operate within a national policy, legislative and financial environment that is similarly focussed on improving outcomes.

The SOA

6. At the heart of CPP activity is the development of an SOA that is an explicit and binding ‘plan for place’ to be agreed with the Scottish Government. It must include clear and formally agreed outcomes, indicators and targets, for which all partners are jointly accountable in line with their respective contributions. The SOA must be clear about both the long term outcomes to be achieved over the next decade, and the contributory outcomes, indicators and targets by which progress towards these will be demonstrated over the short and medium terms. The CPP must ensure that the SOA is resourced: partners must contribute appropriately and will be held to account by the CPP through a strong role for local elected members, and by the Scottish Government for those contributions.

What Community Planning Partnerships must do

7. **Understanding place:** CPPs must be effective in mobilising the knowledge and resources of all relevant local and national agencies to develop a clear and evidence-based understanding of local needs and opportunities, underpinned by robust and relevant data, and be capable of monitoring this over time to drive and demonstrating continuous improvement. Responsiveness to local circumstances, but within the context of the National Performance Framework and appropriate national requirements and standards, must be at the heart of Community Planning and SOAs.

8. **Planning for outcomes:** CPPs must translate this understanding into genuine planning for places that recognises the particular needs and circumstances of different communities, and that provides clear and unambiguous joint prioritisation of outcomes and improvement actions.
9. **Delivering outcomes:** the planning process must translate into hard-edged delivery of local priorities and achieve appropriate public service integration in pursuit of local priority outcomes. To achieve that, CPPs must have a clear understanding of respective partner contributions, how total resources will be targeted to deliver the priorities, and how partners will be held to account for delivery. Where changes are required, including through legislation, to ensure that the SOA is effective and binding, and that it drives integration and a focus on prevention, these will be made. Delivering effectively will also require investment in the people who deliver services through enhanced workforce development, and effective leadership.

### How Community Planning Partnerships should operate

10. **Organising for Outcomes:** Each CPP must have structures that reflect its local circumstances. CPPs do not have to take direct responsibility for delivery of outcomes or integration of services where specific fit-for-purpose arrangements are already in place or are being developed. However, CPPs must have a strategic overview of such arrangements, with partners playing their constituent parts in planning and delivery arrangements to ensure that they are robust, appropriately joined-up and genuinely drive performance improvement. The proposals to integrate health and adult social care services are a particular case in point and demonstrate this approach. CPP partners must ensure that these new integrated services are appropriately connected to their wider assessment of the needs of local communities and that the outcomes to be delivered by these new integrated partnerships are reflected in SOAs and wider CPP planning. Community planning and SOAs must in turn be core to the implementation of proposals for integration of health and adult social care services and in the operation of the proposed Health & Social Care Partnerships.

11. **Accountability for Outcomes:** The unique responsibilities of CPPs require strong governance and accountability arrangements, which must complement other arrangements such as the accountability of NHS Boards to Ministers. CPPs must be genuine Boards with all the authority, behaviours and roles that implies for them and constituent partners. That will mean clear joint and collective accountability for delivery, and CPPs will be expected to hold all partners to account for their contribution to local planning and the delivery of those plans. Where this review identifies blockages to the effective participation of some partners, systemic issues or other changes required to ensure that this responsibility is exercised, these changes will be made to ensure that full participation in the CPP happens.

12. Political oversight is key to accountability. Local elected members will exercise oversight and formal accountability through their involvement in CPPs, and will exercise joint oversight and ensure accountability with the Scottish Government through the SOA. The Scottish Government must hold national agencies to account for their contribution to local community planning and SOAs, within the context of their National remit and responsibilities. Where changes, including through legislation, are required in order to ensure effective oversight and accountability arrangements are in place these will be made.
How Community Planning Partnerships should improve outcomes

13. A focus on performance improvement is a fundamental pillar of public service reform and a key element in the development of the Community Planning and SOAs framework. Securing best value is the key driver of performance across public services.

14. While differences in local circumstances may lead to different approaches, CPPs will be accountable for the achievement of improved outcomes, including the delivery of SOAs. CPPs will be committed to outcomes-focused performance improvement and quality standards, including national requirements where appropriate, with robust self-assessment as a starting point. This will drive out inexplicable variations and ensure that CPPs deliver improvement, deploying the totality of partners’ resources to achieve the outcomes for which they are jointly accountable. This process will also help groups of CPPs to work together across wider geographic areas where it is clear that the identification of opportunity and the delivery of activity at a regional or national level would be more effective.

Reporting Outcomes:

15. The development of transparent and accessible public reporting, together with an appropriate level of external scrutiny, is key to providing assurance about CPP effectiveness and SOA delivery, and to supporting CPPs in performance improvement. A cohesive approach to capacity building, driven and owned by CPPs themselves, is required, which is supported by co-ordinated activity by the Scottish Government, improvement bodies and others where appropriate. Scrutiny arrangements for CPPs and those for individual partners must complement, not cut across, each other; and take account of the differing governance structures and accountabilities of non-public sector partners.

Conclusion

16. This shared Statement of Ambition makes clear the commitment of the Scottish Government, COSLA and representatives of Community Planning Partnerships to retain and develop Community Planning and SOAs as the heart of an outcomes-based approach to public services in Scotland. It also sets out what is required from the Community Planning and SOA framework, and of national government, for these aspirations to be fully and effectively realised.
ANNEX

Key Principles for Community Planning (from ‘Future Shapes’ paper discussed by the Senior Officers Group on 31 Jan)

The following set of principles will shape the further work of the review. The community planning and single outcome agreement framework is about:

- Delivering **demonstrable** improvements to people’s lives
- Delivering unambiguous **performance** commitments and cost effective service models
- Using an evidence based approach, underpinned by **disaggregated** data, to drive improvement in meeting the differing needs of local populations
- Focusing upon reducing outcome **gaps** within populations and between areas
- Focusing upon delivering **joint** prioritisation of outcomes, interventions and resource use by public services and in so doing strengthening joint working between and the integration of public services
- Promoting early intervention and **prevention** approaches in reducing outcome inequalities
- Strengthening **scrutiny** by local democratically elected politicians of how partnerships operate to achieve better outcomes
- Strengthening **community** engagement and participation in delivering better outcomes
1. The Improvement Service welcomes the Committee’s invitation to submit evidence on Strand 1 (partnerships and outcomes) of its inquiry into public services reform and local government.

2. The IS was set up in 2005 to help improve the efficiency, quality and accountability of local public services in Scotland by providing advice, consultancy and programme support to councils and their partners. Our purpose is to help councils and their partners to improve the health, quality of life and opportunities of all people in Scotland through community leadership, strong local governance and the delivery of high quality, efficient local services. The IS is a partnership between the Convention of Scottish Local Authorities (COSLA) and the Society of Local Authority Chief Executives (SOLACE) and is a Company limited by guarantee.

3. The Committee’s objective for Strand 1 is “to examine the ongoing development of CPPs and the community planning process and assess how these could be built upon to support outcome-based approaches to service planning and delivery in local areas”.

4. We are aware of the consistency of responses which have already been provided by our partner organisations in COSLA, SOLACE, Scottish Government and the National Community Planning Group. While entirely supporting the direction for reform which our partners have indicated, we believe that our best contribution to the Committee’s inquiry is to focus on the capacity implications for Community Planning Partnerships of an accelerated shift to a partnership and outcomes based approach.

5. In this written evidence we have therefore outlined some of the capacity implications for CPPs arising from the Scottish Government / COSLA ‘Statement of Ambition for the Review of Community Planning and Single Outcome Agreements’, together with some of our work currently in hand to support CPPs. We will be happy to expand on these points in our oral evidence.

Context

6. The Improvement Service has been actively engaged in promoting and helping build capacity for the partnership and outcomes based approach since 2007, notably through helping draft the Scottish Government / COSLA SOA guidance for CPPs in 2008 and the provision of the secretariat support for the National Community Planning Group.

7. An important first point to make is that the world has changed since the Concordat was signed and the shift to a partnership and outcomes based
approach began in earnest. While public services aspire to improving outcomes for communities, the current reality is that often the best they may achieve is to mitigate the worsening of outcomes, driven by macro-economic factors such as recession and welfare reform.

8. The impact of these macro-economic factors on public finances is as severe as it is on our communities. This means that our capacity to offset negative outcomes is reduced, at a time when more people are facing worsening outcomes and are looking to public services to mitigate their plight.

9. The severity of the situation is illustrated by the graph which is appended to this paper. The graph is an extract from the IS analysis of the Budget 2012. It indicates that the gap between falling public sector spending and rising demand for public services continues to widen. After the Chancellor’s Autumn Statement our projection of the local government funding situation showed a real terms decline in income of 9% between 2009-10 and 2017-18, with a trough in 2013-14. More significantly however, our projection showed that demand for local authority services (driven largely by demographics) would continue to rise, rising by 17% over the same period. Meaning an effective gap between income and demand of 26%.

10. Our projections following the Budget 2012 now show local government income continuing to fall after 2013-14, to 14% below the 2009-10 level by 2017-18. And over the same period the demand for our services is expected to rise by 19% (exacerbated largely by welfare reform) meaning that the effective gap between projected income and demand will have widened to 33%.

11. This makes the drive for integration of public services and a decisive shift to prevention more, not less, important. Integration, because we must secure the best value from the available public sector income and our resources of staff and assets. Prevention, because our income will never meet the demand and so we must get smarter at predicting and preventing those negative outcomes which absorb so much of our effort and spending.

12. Our second point is that the limitations of public services in achieving improved outcomes are not simply the results of macro-economic factors. Improved outcomes do not happen just because public bodies want them to. They happen when people also want, and are prepared to make their own contributions to, those outcomes for themselves and for each other. This co-production of outcomes is what happens when, for example, a patient chooses to follow a doctor’s advice, or a parent helps a child to study at home, or a housebound person is helped by friends or neighbours. This point has been recognised in the Statement of Ambition.

Building capacity for partnerships and outcomes
13. In this evidence we quote some extracts from the Statement of Ambition which have clear capacity implications for CPPs. We are also mindful of the extensive survey work which the IS did with CPPs and public sector leaders in early 2010, to establish their priorities for capacity building support for the delivery of their SOAs. Their priorities then were for support in the areas of strengthening the
framework for partnership working, through addressing issues of governance and accountability; in outcome budgeting; in understanding what works; and in performance management for outcome delivery. Each of these issues is covered in the following sections.

14. Once the Review of Community Planning and SOAs has developed more detail of what will change for CPPs, the IS proposes to undertake a further survey of CPPs to establish their priorities for capacity building support in that light. However, our immediate concern is to better understand current Community Planning arrangements.

15. Perhaps surprisingly, there is no national picture of the current structures and arrangements by which Community Planning is carried out in Scotland. The IS has therefore, with SOLACE support, undertaken a baseline survey of CPPs to find out how their boards and thematic partnerships are set up, whether they influence partner’s resource allocation decisions, whether they consider partners’ performance management information, and the current status of their SOA. This information will help inform the more detailed work now being undertaken in the Review of Community Planning and SOAs.

16. The closing date for the survey was 17th April, at which point 25 of the 32 CPPs had responded. Further responses will be sought before 25th April and a summary of the salient points from the responses can be provided in our oral evidence to the Committee.

Governance and accountability

“Political oversight is key to accountability. Local elected members will exercise oversight and formal accountability through their involvement in CPPs, and will exercise joint oversight and ensure accountability with the Scottish Government through the SOA.”

17. It is clearly understood that existing and expected lines of accountability from public bodies to relevant Ministers will not be compromised by the intended strengthening of Community Planning. Nevertheless, there is now an expectation that their individual and joint delivery of SOA outcomes should have an accountability to national and local politicians. That “CPPs must be genuine Boards with all the authority, behaviours and roles that implies for them and constituent partners” means that elected members may welcome support in preparing for the exercise of oversight and accountability over all partners, both as members of CPP boards and in their scrutiny, decision-making and representative roles.

18. The IS has a well established programme of elected member development. This includes providing ‘master classes’ on live issues, and a programme of Continuous Professional Development which supports elected members to understand and improve their capabilities and performance in areas such as applying scrutiny and board skills.

19. In preparation for the election in May the IS has provided each council with an extensive and locally customised set of induction materials for councillors on key
issues such as corporate governance; roles and responsibilities at ward level and at council level; and standards, ethics and information handling. The only module not yet issued is the one on the policy and legislative context, which will be shaped by the detailed work coming from the Review of Community Planning and SOAs.

20. When the Review is completed the IS will ensure that elected members are provided with the support which they will need to fulfil their changed roles and responsibilities.

Using evidence
“CPPs must be effective in mobilising the knowledge and resources of all relevant local and national agencies to develop a clear and evidence-based understanding of local needs and opportunities, underpinned by robust and relevant data, and be capable of monitoring this over time to drive and demonstrate continuous improvement.”

21. The Scottish Government / COSLA SOA Guidance for CPPs stressed the importance of basing the SOA on a strong evidence base, with an area profile which clearly set out the social, economic and environmental conditions, needs and priorities of the area and its communities. However, much of the measurement undertaken by public bodies has been about the processing of inputs into outputs, and not about measuring the resulting outcomes for individuals or communities.

22. The IS is therefore supporting the SOLACE-led Improving Local Outcome Indicators Project, which has developed a Menu of Indicators which reflect the main outcome areas included within SOAs, such as employment and health, and which are the most relevant, robust and outcome-focused indicators available to measure local change. This work draws on extensive support from Scottish Government, addresses known data gaps, encourages local use of the Menu and its Good Practice Note, and continually updates the Menu, with version 6 released in March.

23. Since the SOAs were introduced the Christie Commission has demonstrated that national and local outcomes will not be achieved without addressing the problem of persistent and highly localised multiple and inter-generational deprivation. The IS in its paper ‘Making Better Places, Making Places Better’ highlighted the extent of those localised inequalities and the need for integrated responses by public bodies. We have since done further work to quantify and map the distribution of inequalities within each local authority / CPP area, as a basis for developing a more robust understanding of local conditions with each council.

24. Two of the key principles of the Statement of Ambition are “using an evidence based approach, underpinned by disaggregated data, to drive improvement in meeting the differing needs of local populations” and “focusing upon reducing outcome gaps within populations and between areas”. We therefore believe and expect that further SOA guidance for CPPs should strongly emphasise the need to demonstrate a robust profiling of local communities as a basis for the agreement of local outcomes.
25. The capacity of CPPs to share, distil and translate existing information and evidence to support partnership decision-making and improvement is variable across Scotland. And the effectiveness of local capacity and resources is weakened by the pressure to provide national performance information that can often say little about the outcomes that matter and at a local geography that matters. We believe that supporting the analytical capacity of CPPs, and reducing the pressure to generate less relevant performance information, should be work for any national oversight arrangement for taking forward and supporting Community Planning and SOAs.

Outcome resourcing and understanding what works
“CPPs must have a clear understanding of respective partner contributions, how total resources will be targeted to deliver the priorities,”

26. The IS surveys of CPPs and public sector leaders in 2010 showed that their top priority for support was in the area of aligning their budgets with their intended outcomes, and with the budgets of other partners whose contributions to those outcomes were needed. During 2011 the IS, with support from Scottish Government, undertook the Outcome Budgeting Project. This project worked with the Fife and Aberdeen CPPs to map the spending of CP partners to their priority outcomes for care for the elderly; community safety; and education and employment.

27. Two key messages from the project were that future work should not just look at budgets, but at how the wider resources of partners are deployed in relation to outcomes, including their staff, skills, equipment and premises. Linked to that need to look at outcome resourcing is the problem of understanding what works, which raises three questions. Which interventions are the most effective in helping secure a better outcome? Which are the most cost effective? And how can partners attribute (and cost) their individual contributions to the achievement of a jointly delivered outcome?

28. There is still a need for reliable evidence of the causality between a public service intervention and an improved outcome. It is perhaps easier to understand what will be effective in dealing with a negative outcome once it has occurred (e.g. through a hospital operation or a prison sentence) than it is to know what will be effective in preventing that negative outcome from happening (health education? exercise? screening? youth work? employability support?). And, as public services alone cannot achieve improved outcomes for people, there is a need for an improved understanding of how to increase people’s own capacity to co-produce better outcomes for themselves and their communities.

29. The IS would be keen to work with CPPs in a further project, to improve all CPPs’ capacity to understand and apply outcome resourcing for their priority outcomes. We also believe that any national oversight arrangement for taking forward and supporting Community Planning and SOAs should ensure that national effort is put into developing reliable evidence of causality, and into understanding how to build capacity for co-production of outcomes.
Performance improvement

“A focus on performance improvement is a fundamental pillar of public service reform and a key element in the development of the Community Planning and SOAs framework.” “CPPs will be committed to outcomes-focused performance improvement and quality standards, including national requirements where appropriate, with robust self-assessment as a starting point.”

30. On outcomes focused performance improvement, our starting point is the need for public bodies and CPPs to set clear outcomes which express the intended change in people’s lives and allow clear performance measures to be developed and applied.

31. The design of performance measurement and management for public services should work back from the outcome needed, not forward from whatever service is currently delivered. This is a simple point, but one which can be difficult to apply in the face of the inertia of systems which prioritise the processing of inputs into outputs, and the real pressure to cut services back to ‘core business’. Core business can sometimes reflect just the historic origins of a service, rather than its actual or potential contribution to priority outcomes.

32. As many public bodies have a direct accountability to a Minister for their performance it is important that their accountability should be focused on the achievement of outcomes, and on their contributions to SOAs, rather solely on the number or quality of their inputs, processes and outputs. The Scottish Government’s annual guidance for health boards on their Local Delivery Plans is an encouraging example of performance measurement and reporting being progressively directed toward supporting and demonstrating the achievement of shared outcomes.

33. A key driver for outcomes focused performance improvement by CPPs would be outcomes focused scrutiny of CPPs. We therefore welcome the commitment from Scottish Government and the Accounts Commission to pilot the integrated scrutiny of CPPs by Audit Scotland and partner agencies this year. There will be challenges arising from the different and changing governance and accountabilities of CP partners, and from the difficulties of attributing partners’ contributions to the achievement of shared outcomes. However, improved scrutiny must now be a key element of taking the partnership and outcomes based approach forward.

34. On outcome focused quality standards, we are conscious that compliance with national standards is a strong driver of public bodies’ behaviours and systems. Quality standards are a necessary and potentially valuable way of ensuring consistency of process and of output for those who deliver and receive public services. But their usefulness in supporting the outcomes approach is less clear, as consistency of process and output do not automatically translate into quality of outcome. We would therefore be interested to work with the setters of quality standards, in Scottish Government and national agencies, to understand how they can be developed and used to inform, encourage and support the delivery of outcomes focused services.
35. On robust self-assessment, the IS, with support from Scottish Government, has been working with 17 CPPs in a project which supports the implementation of a structured approach to self-assessment. This project draws on the Public Service Improvement Framework and our CPP Partnership Checklist. It allows partnerships to assess their fitness for purpose as a partnership in terms of their leadership, governance, planning, performance management and resource management. The purpose of this self-assessment process is to develop a robust improvement plan, in order to improve the effectiveness of partnership working and to develop their capacity to deliver outcomes.

36. The IS would be keen to extend this support for self-assessment by CPPs when the Review is completed and its implications for partnerships are clear.

Conclusion
“A cohesive approach to capacity building, driven and owned by CPPs themselves, is required, which is supported by co-ordinated activity by the Scottish Government, improvement bodies and others where appropriate.”

37. The Improvement Service has been actively engaged in promoting and helping build capacity for the partnership and outcomes based approach since 2007. However, there appears to be inconsistency and duplication across the national agencies that provide improvement support to individual local partners - and no agency, including the Improvement Service, is remitted and resourced to support local partnerships. This results in fragmented support to CPPs in driving reform forward, as reflected in the Statement of Ambition.

38. Our final point is therefore, and necessarily, that ensuring co-ordinated and properly resourced capacity building activity - responding to CPPs’ identified needs - should be a key area of work for any national oversight arrangement for taking forward and supporting Community Planning and SOAs. This will be a pre-condition for the sustainability of the partnership and outcomes based approach in Scotland.
Local Government Finance and Demand 2009/10 - 2017/18 (% real terms)
LOCAL GOVERNMENT AND REGENERATION COMMITTEE
PUBLIC SERVICES REFORM & LOCAL GOVERNMENT INQUIRY
STRAND 1 – PARTNERSHIPS & OUTCOMES
SUBMISSION FROM SOLACE SCOTLAND

SOLACE Scotland welcomes the opportunity to submit evidence to the Inquiry on Public Service Reform and Scottish Local Government. We support the principle of public sector reform and are keen to ensure that change is managed effectively. We previously submitted evidence to the Christie Commission and believe that the views expressed in that submission are of direct relevance and may be of interest to your Inquiry – a copy is attached for your information.

There are, however, some key points made in our evidence to the Christie Commission that are worth reiterating – these relate to the principles that should underpin public service reform; the vision for what public services should do and their role in 21st century Scotland; and the method and approach to reform that should be followed.

First, the key principles that should underpin any public service reform:

- Democracy – reform should improve local democratic oversight of the delivery of public services.
- Accountability – reform should improve the ability of local communities to hold service providers to account.
- Localism – reform should provide a service delivery framework that embraces the principles of good governance and subsidiarity
- Outcome Focus – reform should deliver improved outcomes that demonstrate best value.
- Financing – a clear link should be maintained between payments (in tax and charges) by individuals and the services that they receive.
- Evidence – reform should be based on robust evidence and transparent business cases, not assertion and anecdote.

In relation to the role of public services in modern Scotland – our public services have at their core a set of values which aim to promote and deliver positive outcomes, foster resilient, resourceful and dynamic communities and tackle inequalities. In particular, public services aim to:

- Play a key role in developing and maintaining buoyant local economies
- Provide sustainable community, business and cultural infrastructure
- Improve and protect the environment
- Ensure security and community safety
- Promote health and wellbeing
- Foster community and individual learning and attainment
- Protect and support the vulnerable and those in need
- Shape the places and communities where we live
To deliver these key public policy goals it is increasingly recognised that a holistic and joined up approach to policy making is essential. National strategies such as Equally Well; Anti Poverty; Reshaping Care for Older People and the Early Years frameworks have all contributed to promoting early intervention, prevention and dealing with the causes of problems rather than their symptoms across the public sector.

It is important that the public sector reform agenda is similarly holistic and coordinated. The approach to and method of reform is critical. The aim should be to move to a debate that is focused on objectives and outcomes rather than numbers of services and organisations and that decisions about how to rationalise structures and governance are based on evidence that these will deliver the outcomes wanted. Separate and unconnected reviews of key public services do not do justice to the complex interdependencies between our public services. In addition, a top-down and purely structural review, without serious consideration of the purpose and functions of major public services, is unlikely to result in better outcomes or more efficient service delivery. Lessons need to be learned from previous structural changes which were conducted on these lines. It is also essential, in our view, that full recognition is given to the serious risks posed by superimposing such a structure-led reform on top of the major changes to service design and delivery that will be necessary in the next few years to cope with the growing gap between increased demand and reduced resources.

SOLACE Scotland would therefore continue to advocate a “rolling reform” approach as set out in our submission to the Christie Commission. This could involve the phased implementation of policy and structural changes, based on sound business cases, and set in the context of a clear, consensual national strategy for Scotland’s public services, alongside locally led initiatives for service improvement. A “rolling reform” programme could be governed or managed in a way that reflects a consensual approach – involving parliamentary political parties, local government, professionals and stakeholders. There are several advantages of tackling reform in this way:

- The opportunity to focus available public resources on the needs and aspirations of a particular community of interest (ie the ‘total place’ approach), rather than on specific organisations and their functions.
- The opportunity to learn quickly from experience and carry forward good practice, including demonstrable savings
- The economic and social costs of implementation can be managed over time
- The ability to recognise that “one size doesn’t fit all”, and develop different public service models in different parts of Scotland.

The ability to test and pilot governance arrangements as public sector reform progresses would be an important element of a rolling reform process - capacity should be retained for this. It would also allow a pragmatic approach to be taken forward which could seek to build on what works rather than start anew.
In relation to the specific strands that you are looking for responses to, SOLACE Scotland would offer the following comments.

**Strand 1 – Partnerships and Outcomes**

Integration of partners into community planning would be improved by all publicly-funded agencies having an equal duty to participate in community planning, and for this to be reflected in the operational service and business plans of all partners. Although most public agencies do participate in community planning structures, there is a sense that community planning can be parallel to the actual policy and budget planning carried out by partners away from formal community planning meetings. The result is that Community Planning Partnerships can become collaborations of organisations who plan for communities, rather than truly with and on behalf of communities. The lead role of Local Government in Community Planning Partnerships should be to facilitate community engagement for the partnership and all the individual partners - as the one fully democratic and representative organisation in the partnership. The voluntary arrangements between partners which exist through current community planning partnerships could be enhanced by extending the power to advance well being within the Local Government in Scotland Act (2003) to all public service providers, providing a legal requirement for all public bodies delivering local public services to participate in community planning. This would provide a statutory basis to extend the outcome-based approach through enhanced assessments of local area needs and integrated delivery of locally-designed solutions.

The purpose of the Single Outcome Agreement should be to provide a clear statement of the policy outcomes that most need to be improved within a community planning partnership area, a clear indication of what partners will do differently to bring about this improvement and a statement of the difference this will make to outcome indicators. In effect it becomes a joint statement of purpose and action between the Partnership and Government. The SOA should then be a live document which enables scrutiny and challenge by the Scottish Government, local elected members and local communities of the extent to which partners are delivering on their SOA commitments.

A consistent approach to delivering outcome focussed public services requires a consolidation of governance regimes across public services. The duty of best value could be extended to cover all public services. An improved definition of best value - as a duty of continuous improvement measured in terms of outcomes for the areas and people receiving public services would also be welcomed. Such a change would require an updating of statutory guidance on best value and community planning.

Successful implementation of preventative approaches will require real and sustained commitment between the Scottish Government and community planning partners to long term objectives. By the nature of preventative spend, tangible results may not be demonstrable in the short term, while communities may experience a reduction in resources to previously available, but less prioritised services.
A final issue in challenging the delivery of shared outputs and outcomes within the CPP is the role of the private, voluntary and community sectors. There needs to be investment of time and resource in agreeing and developing their role. Engagement of community sector and voluntary sector participants in particular has to recognise that there needs to be realistic, consistent and long term investment in building community capacity in order to realise the full potential of the community and voluntary sectors.

**Strand 2 – Benchmarking and Performance Management**

Sharing of performance data has been complicated due to a lack of clear definitions creating ambiguity around performance indicators and having inadequate mechanisms in place to analyse and explain variances in data between public sector bodies. This is exacerbated by the fact that despite efforts to streamline external scrutiny, there are still too many bodies auditing and inspecting public services. This leads to a partial and fragmented form of scrutiny that does not recognise, and indeed inhibits, the holistic approach that is essential to effective service delivery. The reform of external audit and inspection and the development of a single external scrutiny body for all public services would be a significant step that could be taken to drive forward improvements in performance management and benchmarking across public services. Such a body would be well placed to advise the Scottish Parliament on the resource implications of proposed new scrutiny burdens. Too much scrutiny has been added to public services over the last two decades with insufficient understanding of the resource implications or interactions of them. The challenge for public bodies will be that this needs to be accompanied by better self-assessment and performance reporting by public bodies themselves.

A co-ordinated approach to the benchmarking and performance improvement of all public services would also allow improvements to the process of collating and sharing benchmarking data. Responding to the varied requirements of the current scrutiny bodies has meant that there is still an over reliance on excel or word documents to the detriment of the corporate or strategic performance management systems that many public organisations now have in place. A single body could facilitate the use of a single overarching system - even a single website to upload, publish and share performance information from across all public services would be a significant step forward.

In addition, currently too much time and effort is expended on discussing and refining the processes related to the collection and sharing of performance information – often information that is significantly out of date or ultimately subject to challenge around its accuracy or comparability. The position adopted in responding to performance information is often either complacent or defensive. There needs to be a far greater focus on using performance information constructively and in a positive manner to challenge systems and processes and to develop and deliver improved public services. This requires access to information that is up to date, relevant and robust. Similarly the successful implementation of an outcome focussed approach to public services needs good data and information to improve decision making, reduce the likelihood of wasteful expenditure and improve the evaluation and learning of which approaches are effective. We should be changing in a way that encourages
experimentation and small scale development allied to rapid feedback to determine whether to continue, expand or withdraw from given forms of service provision. “Raise the floor” by making comparisons, address variations in performance, eliminate waste. “Raise the ceiling” by innovation, pursuing excellence at local levels and promoting the user voice.

Of particular importance is the production of comparative information on the efficiency and effectiveness of service provision by different organisations. At a time when resources are reducing in real terms, it is essential to ensure that best value is secured for every public pound of expenditure. A significant amount of data is generated within the public sector and more use should be made of this to support benchmarking of outcomes, performance and use of resources. The SOLACE Scotland benchmarking project is one example of how improved information and knowledge can lead to better decision making and greater productivity and assist in holding public service providers to account.

**Strand 3 – Developing New Ways of Delivering Services**

People now have living and working patterns that mean their associations are very local for some aspects of their lives and very large scale regional or even national for others – this means that intermediate geographies have in some respects less relevance than previously for many people as they go about their day to day business. This needs to be reflected in changes to service delivery and in the geographic coverage and service responsibilities of organisations that provide them with services.

Resources have to be directed at activities that are likely to impact on outcomes at a community level – it is unlikely that prioritising spend on specific services or even themes will have the intended impact. All public services need to look at community outcomes, not only thematic outcomes. This points to the need for a holistic agenda in which economic regeneration, development and public service reform are viewed as integrated components of place shaping. Where do we want communities to be in 5 years time? Part of this is about the localisation of community planning and having a clear understanding and consensus on the shape and nature of the communities we serve.

Also the spreading of available budgets across different organisations delivering aspects of the same broad policy outcome can be wasteful and may not deliver best value. There is a need to improve organisational structures and processes to achieve greater alignment around communities of interest where this can be achieved within a locally democratically accountable governance framework. In doing so there is a potential for rationalisation of plans and structures, joint information sharing, shared premises, shared management arrangements and increasing pre-budget planning on a partnership basis. There is a case for using financial mechanisms such as the recently launched health and social care Change Fund to increase choice and access to public services and promote the better alignment of local public service budgets. Several Councils have also taken steps to devolve expenditure decisions closer to communities, an approach which can be developed further.
A smarter approach to strategic commissioning is one way of strengthening the mixed economy approach to public service delivery. Such an approach should look beyond the narrow confines of procurement and reorganisation. It is not simply about purchasing services from external providers or transferring responsibility for delivery between different public services. Such an approach to strategic commissioning should involve local partners planning the nature, range and quality of services based on agreed outcomes and following a strategic assessment of the future needs of clients.

In our submission to the Christie Commission, SOLACE Scotland pointed to considerable efforts to reform public services already under way in Scottish Councils. These included major shared services programmes, joint civil contingencies work, lead authority service provision, various public-private partnership models and a collaborative procurement operation involving all 32 councils. Importantly, joint and integrated working between the NHS and councils has also continued to evolve and improve. This reform activity is now delivering financial savings and enhanced community outcomes across Scotland and it is critical that it continues apace while evidence is gathered and fully debated on the future role and nature of Scottish public services.

Examples of this successful practice include Scotland Excel, the Centre of Procurement Expertise for the local government sector in Scotland. Established in April 2008, its remit is to work collaboratively with members and suppliers to raise procurement standards, secure best value for customers and to improve the efficiency and effectiveness of public sector procurement in Scotland. Funded by all 32 local authorities, Scotland Excel is one of the largest public sector shared service organisations in Scotland. Collaborative contracts with an annual value in the hundreds of millions of pounds generating average savings of 8% annually have been implemented covering a wide range of commodities used by services across local authorities including roads, maintenance, transport, catering, cleaning and corporate services departments, as well as schools, libraries and leisure venues. In addition, Scotland Excel is a recognised leader in training and development provision across the public sector with a development programme which offers a range of learning models including training seminars, master-class workshops and fast-track professional qualification courses.

As part of their submission to the Christie Commission, Orkney, Shetland and the Western Isles jointly prepared a proposal to develop the concept of integrated service provision by islands authorities. The model, provisionally called the Single Public Authority, was driven by the need to improve public services beyond what could be achieved by multiple service providers working in partnership. It took community planning to its logical conclusion by proposing that service providers be merged into a single body which would deliver the majority of public services within each island group.

The report of the Christie Commission endorsed the proposal and a Scottish Government-led team was subsequently convened to gather information from the three islands authorities with a view to developing a model which could be piloted in
one or more areas. In the meantime, the islands are identifying areas of front line service which could generate immediate benefits for service users by targeted joint working in advance of full integration.

By way of example, Orkney Health and Care (OHAC), Orkney’s community health and social care partnership, illustrates the progress which has already been made towards the integration of front line services in Orkney. Jointly provided services include All Age Disabilities, and a lifestyle base is under construction which will offer a range of sports, leisure opportunities and support for people with learning disabilities in the heart of the community. Consultation is in progress on a blueprint for the future joint provision of older people’s services, with a strong emphasis on preventative care. With the support of the Change Fund, OHAC is reshaping older people’s services in partnership with the third sector, who receive 40% of available funding and participate in decision-making at Board level. The recent announcement by Ministers of £70m funding for a new hospital in Kirkwall has given a green light for the Council and NHS Orkney to implement joint plans for the development of integrated hospital and high dependency care facilities, a top priority for 2012.

As an example within a large urban authority the One Glasgow project was initiated by the Chief Executives of Glasgow City Council, NHS Greater Glasgow and Clyde, Strathclyde Police, Strathclyde Fire and Rescue, Glasgow Housing Association, Department of Work and Pensions and Job centre Plus. Three priority themes have been identified as part of this developing approach - early intervention approaches for children aged 0-8 and their families; reducing offending targeted at those aged 12 - 25 involved in anti social behaviour or in the criminal justice system, including prison leavers; and older people aged 65 and over in single households - to assist them to live in the community and minimise acute interventions and hospital admissions.

These themes were selected specifically because they affect large sections of Glasgow’s population, attract large volumes of Glasgow’s total public service expenditure and require the input of a number of diverse organisations. It was felt that, because governance and delivery are complex and reducing duplication and improving collaboration is difficult to achieve, these themes could serve as useful exemplars of a different way of working together as public sector partners, which may have significantly wider applicability. They provide both a frame of reference and a ‘test bed’ for a genuinely transformational approach to public service management and delivery.

On a similar vein in March 2007, Fife Community Safety Partnership brought together a range of services in shared offices at the Safer Communities Centre in Glenrothes. The Centre enables staff to work together on a day-to-day basis, undertaking joint visits and providing a ‘one stop’ service on many community safety issues. This has enhanced the capacity of partner agencies to reduce crime and promote community safety across Fife. A good example is Victim Support Fife which has direct access to Police systems and colleagues from various teams including the Housing Investigation Team and Night Time Noise Team. This has enabled Victim Support staff to improve referral waiting times from two weeks to less than 48 hours. Greater integration has delivered measurably better outcomes for communities – for
example, crimes of an antisocial nature have fallen by 55% since the Community Safety Partnership was established.

Finally, following the initial publication of the Clyde Valley Review, North Lanarkshire Council was appointed Lead Authority on behalf of 5 Councils for the delivery of a more strategic approach to Waste Management. This is an area where there is potential for significant savings – particularly due to the impact of landfill tax which will rise to £80 per tonne for active waste by 2014.

Following analysis of options a recommendation was made to participating Councils that all future major waste procurement activities should be brought under the umbrella of a joint Clyde Valley Municipal Waste Treatment and Disposal process. The first stage analysis estimated that up to £21M in cost avoidance could be achieved across the Clyde Valley by 2017-18 as a consequence of moving to a single delivery body for waste treatment and disposal through economies of scale and opportunities for bulk purchasing. The next stage will be the finalisation of an Inter Authority Agreement to formalise participation in a joint procurement process for a residual waste treatment and disposal solution.

These are just a few examples of the innovative work being undertaken to successfully reform our public services already. They all involve shared solutions and all reflect the needs of the communities they serve. They all fit with a pattern of rolling reform. In taking this approach forward SOLACE Scotland would advocate that there needs to be wider knowledge and understanding of Alternative Service Delivery Models and acceptance that various models could succeed in different localities and contexts – there’s no single answer to ‘what works’.

These comments provide a brief overview of some of the key issues that relate to public service reform, more detail can be provided and SOLACE Scotland would be happy to participate further in this Inquiry if this were felt to be of use to you.

David Martin
Chair
SOLACE Scotland
February 2012

SUBMISSION TO THE COMMISSION ON THE FUTURE DELIVERY OF PUBLIC SERVICES (CHRISTIE COMMISSION)
1. The National Community Planning Group welcomes the Committee’s invitation to submit evidence on Strand 1 (partnerships and outcomes) of its inquiry into public services reform and local government. The Group is an initiative of the chief officer associations whose members provide the executive leadership of local public services in Scotland. The Group was formed in 2008 to better co-ordinate responses to the opportunities and challenges of delivering shared outcomes in a difficult financial context. The Group is supported by the Improvement Service and its members represent the:
   - Society of Local Authority Chief Executives (Scotland)
   - Association of Chief Police Officers in Scotland
   - Chief Fire Officers Association (Scotland)
   - NHS Chief Executives Forum

2. The Committee’s objective for Strand 1 is “to examine the ongoing development of CPPs and the community planning process and assess how these could be built upon to support outcome-based approaches to service planning and delivery in local areas”. The Committee has asked a number of specific questions on partnerships and outcomes and has invited the NCPG to provide a general response to these.

3. The Group’s evidence is based on an understanding of the original ambition for Community Planning and of the progress made since the introduction of Single Outcome Agreements. Informed by our experience of leading and managing key public services we outline the challenges still facing the partnership and outcomes based approaches, and highlight the opportunities presented by the alignment of the Scottish Government / COSLA review of Community Planning and SOAs with other parts of the reform agenda.

4. Through its evidence the Group wishes to make three key points to the Committee, which we will be happy to expand upon in oral evidence if invited to do so. Our key points are to emphasise that there is:
   1) A need for common duties on public bodies to work in partnership for outcomes;
   2) A need for all parts of the reform agenda to support localism; and
   3) A need for a national parallel to the community planning process.

The ambition for Community Planning
5. The starting point for the Group is the original ambition and legislation for Community Planning in the Local Government Act of 2003. The ambition was clearly expressed in the Statutory Guidance on Community Planning of 2004, which set out the expectations that Community Planning partnerships should:
• Develop and set out a joint vision with agreed objectives for the area, normally in the form of a Community Plan.
• Set out challenging outcomes of performance for the partnership along with the contribution expected from individual partners towards delivering these key outcomes.
• Identify and allocate the resources necessary to achieve the agreed outcomes.
• Monitor, evaluate and report on progress with regard to the agreed outcomes, and what is being done by way of Community Planning.
• In light of monitoring, evaluation and reporting, set out revised actions and outcomes normally as a supplement to the Community Plan.
• Streamline the arrangements for the planning and delivery of services to ensure a connection between strategies and with other partnerships, the removal of any wasteful overlaps and the improvement of efficiency and effectiveness.

6. This statutory guidance expected Community Planning to promote a strong focus on outcomes, on partnership working, on the use of total resources and on the co-ordination of other activity. However, this purpose had not been clearly expressed in the legislation, which established Community Planning as a process “by which the public services provided in the area of the local authority are provided and the planning of that provision takes place”. Such a move toward integrated place-based planning and provision of public services was itself ambitious, but it lacked the necessary legislative expression either of the intended purpose of Community Planning, or of the delivery mechanism by which the purpose should be achieved.

7. The position now is that local authorities have a duty to initiate and facilitate the Community Planning process, while other public bodies (health boards, police boards, fire and rescue boards, chief constables, enterprise agencies and regional transport authorities) have a duty to participate in it. Scottish Ministers have a duty to promote and encourage the use of Community Planning when discharging any function which might affect Community Planning or any body which must or might participate in it.

8. But the Community Planning process remains essentially voluntary, with no legal requirement for public bodies to work together in the delivery of shared outcomes, or even for a partnership to be formed or for a plan to be prepared.

Progress since 2008
9. The introduction of Single Outcome Agreements has provided a means by which CPPs can agree with Scottish Government the strategic priorities for their area and express those priorities as outcomes to be delivered by the partners, either individually or jointly, while showing how those local outcomes also contribute to relevant National Outcomes. The Scottish Government’s support for locally determined prioritisation through SOAs has undoubtedly strengthened the partnership and outcomes based approach. However, these SOA arrangements are also voluntary and are reliant on the support and goodwill of Scottish Government and of the local partners.
10. Such joint commitments by a range of public bodies to the shared delivery of outcomes for communities also raise inevitable issues of governance, performance management, accountability, and resourcing. The focus of the Group’s work since 2008 has therefore been on the challenge of retro-fitting the partnerships and outcomes approach to a public service architecture which still prioritises inputs and outputs, often within a silo approach to service planning and provision.

11. On governance, the Group supported the Scottish Government and COSLA in clarifying the implications for public bodies of signing the SOA. Their guidance was that when partners sign the SOA it means:
   - That partners are signing up to the whole SOA, not selected parts of it.
   - That signing up is equivalent to adopting the SOA as a formal corporate commitment of the Council or Board.
   - That such a commitment is to support the delivery of the SOA in all possible ways compatible with their duties and responsibilities.
   - That all partners are willing to review their pre-existing structures, processes and resource deployment to optimise delivery of outcomes.

Nevertheless, the fact remains that this is not formal guidance and these arrangements are voluntary; partners will have other priorities, especially those set nationally.

12. On performance management and accountability, the most significant and persistent barrier to partnership working for shared outcomes remains the reality that different local partners face different performance and accountability frameworks, as has been recognised in the evidence provided to the Committee by the Accounts Commission and the Auditor General.

13. National targets and commitments for inputs and outputs make integrated effort around delivery of local outcomes more difficult. SOA commitments, which are agreed by all the local partners with Scottish Government, can still be outweighed by top down requirements on individual partners from separate parts of government. In other words, our systems can still drive us to prioritise our processing of inputs and outputs more highly than the outcomes which they are supposed to achieve.

14. On resourcing, the Group is acutely aware of the pressures facing public services caused by rising demand and falling revenue. The Scottish Government’s commitment to a decisive shift toward a preventative approach is therefore most welcome and must be supported. But as yet the mechanisms for such a shift appear unclear or small-scale. In particular, the three change funds which should be overseen by CPPs amount to just a fraction of one per cent of the spend of Community Planning partners. It is also hard to see how these funds could achieve their intended levering of mainstream funding toward prevention within current public service arrangements. Indeed, the origins of SOAs lay in the inability of ring-fenced funds to lever mainstream resources or a significant integration of services.
15. The situation now is that we will be unable to prevent worsening outcomes for many of our communities, let alone help in achieving improved outcomes, without that decisive shift in our national and local priorities and resources toward prevention and early intervention, hard though that will be. These hard decisions about investment in public services - and about disinvestment, let alone any real shift of resources between partners or to other providers – require an agreed evidence base of what works and what does not work, together with a political will to make the shift to integration and prevention, and a legislative basis for doing so.

The ambition for reform
16. In its submission to the Christie Commission the Group argued that the key to making the shift to a partnership and outcomes based approach lies in accountability. Despite progress since 2008 we are still some way from a system and culture which prioritises – and expects accountability for - local partnering for the delivery of improved outcomes for communities.

17. The Group has therefore strongly argued that our prime concern should be with what public bodies are accountable for, rather than who they are accountable to – and that our accountability should be for the achievement of improved outcomes for communities. Everything else should be secondary to and supportive of that principle.

18. In all sectors, decision makers will prioritise for attention, resources, measurement and scrutiny those matters for which they are held most powerfully accountable. But we are held to account for many things, and so the question is, what matters most? Our experience is that what matters most is what we have a duty to do. It is duties which shape public and political expectations of our performance. It is duties which direct our use of resources. And, as importantly, it is our duties which set the scrutiny and inspection regimes which report on our performance. Our duties should therefore be to achieve improved outcomes for communities.

19. On that basis we developed proposals for the Christie Commission for the completion of the legislative framework for partnership and outcomes. We therefore now welcome and support the Scottish Government / COSLA review of Community Planning and SOAs, as an opportunity to complete the legislative framework; as an opportunity to align the elements of the reform agenda; and as an opportunity to integrate the partnership and outcomes based approach across and between the national and local levels.

Completing the framework
20. The Statement of Ambition from the Scottish Government and COSLA for the review of Community Planning and SOAs is commendably clear that “CPPs must have a clear understanding of respective partner contributions, how total resources will be targeted to deliver the priorities, and how partners will be held to account for delivery. Where changes are required, including through legislation, to ensure that the SOA is effective and binding, and that it drives integration and a focus on prevention, these will be made.”
21. We believe that this ambition requires two linked duties to be placed on the public bodies which are expected to contribute to Community Planning. The first is a new duty on all those bodies to work together to improve outcomes for communities, whether acting nationally, regionally or locally, through participation in Community Planning. This duty would define Community Planning as being a process for the planning, resourcing and delivery of improved outcomes for communities.

22. This will embed the key principle that public bodies should be accountable for the achievement of improved outcomes for communities, alongside their individual statutory responsibilities for service delivery. This common duty will also help strengthen partnership working and local integration between partners, and will help give effect to the ambition that the SOA should be used to target partners’ total resources and be binding on them. Importantly, it creates the opportunity to realise the original ambition for Community Planning, by defining it in law as being for the purpose of agreeing and delivering improved outcomes for communities.

23. We believe that this common duty to work together to improve outcomes for communities should be the default expectation, and justification, for the planning, resourcing and delivery of services by public bodies. However, this working together can be a challenging process, which cannot continue to be reliant upon the current voluntary partnership arrangements.

24. The Scottish Government / COSLA Statement of Ambition is explicit in this respect – “CPPs must be genuine Boards with all the authority, behaviours and roles that implies for them and constituent partners. That will mean clear joint and collective accountability for delivery, and CPPs will be expected to hold all partners to account for their contribution to local planning and the delivery of those plans. Where this review identifies blockages to the effective participation of some partners, systemic issues or other changes required to ensure that this responsibility is exercised, these changes will be made to ensure that full participation in the CPP happens.”

25. The second linked duty is therefore on the Community Planning partners, to collaborate in the delivery of improved outcomes through a mechanism which is binding upon them individually and which ensures their mutual accountability to each other and to their community. This would require the partners to establish a local partnership arrangement with the characteristics of a ‘board’, which is composed and empowered so as to ensure that SOA priorities are jointly agreed, properly resourced, efficiently delivered and effective for communities.

26. In order to ensure that the ‘board’ is not just accountable to itself, but is accountable to the community, we endorse the Scottish Government / COSLA ambition that “partners must contribute appropriately and will be held to account by the CPP through a strong role for local elected members, and by the Scottish Government for those contributions”.

27. We believe that this common duty of partnership working will also support (and should be supported by) the integrated scrutiny of public bodies’ contributions to partnership working; of their contributions to improved outcomes; and of the
fitness for purpose of the local arrangements for collective accountability. Similarly, this duty of partnership working should inform the guidance and direction which the Scottish Government gives to public bodies in relation to their contributions to Community Planning. The fulfilment of this duty should also be examined and reported in the regular auditing of public bodies.

28. As there have been changes to the public sector landscape since the 2003 legislation it will be necessary to review the public bodies which should be covered by each duty, but with an expectation that they should be covered by these duties unless there is a clear reason why they should not. We also recognise that the strengthening of the Community Planning process for the achievement of improved outcomes is not just a public sector concern, but should further encourage the effective contributions of our business and third/voluntary sector partners.

29. We would also emphasise that these two linked duties are intended to provide a framework within which public bodies’ other duties and responsibilities are discharged. They are not intended to cut across partners’ respective accountabilities to Ministers or to councils.

30. Finally, we recommend that these linked duties should be backed by updated statutory guidance which focuses efforts on integration and prevention, with an emphasis on reducing inequalities between and within communities through profiling, prioritisation, integration and targeting of resources and services. In the same way that many of Scotland’s national outcomes cannot be achieved other than by locally responsive solutions, so the achievement of SOA outcomes across the CPP area will often require us to integrate our services around the needs of those very local communities experiencing the most negative outcomes.

Aligning the reform agenda

31. The review of Community Planning and SOAs is taking place alongside very significant structural changes to public services, as parts of the Scottish Government’s reform agenda. These cannot sensibly be progressed in isolation from each other or from Community Planning and so we welcome the Scottish Government / COSLA Statement of Ambition that “Community Planning and SOAs will provide the foundation for effective partnership working within which wider reform initiatives, such as the integration of health and adult social care and the establishment of single police and fire services, will happen.”

32. The key issue for us is how these developments will support or affect localism, i.e. our ability to locally agree, resource and deliver locally appropriate responses to both national and local priorities.

33. We note the Justice Secretary’s recent assurance to the Justice Committee that the single police and fire services will strengthen the links between those services and local communities by enabling individual councils, not joint boards, to shape services in the local area. Our current understanding of the proposals for the single police service (and of equivalent proposals for fire and rescue) is that local commanders will have a duty to ‘participate’ in Community Planning and to develop and agree local service plans with the council. Local service plans
should demonstrate their contribution to other relevant outcomes identified by the CPP and may, by agreement, cover both police and fire services.

34. However, the duty to ‘participate’ in Community Planning has already been shown to be inadequate for effective partnership working, and the status of the council and CPP appears to be that of a consultee rather than a decision-maker. The local commander will be under the control of the chief constable and working within the requirements and priorities of a national service plan and of a nationally determined distribution of resources for the delivery of that plan. So clarity will be important on how a single national service, led by a chief officer accountable to a national authority appointed by Ministers, will support local prioritisation of outcomes, resource use and service delivery by each of 32 CPPs.

35. Nevertheless, these proposals are still in development and an important point here is that they create opportunities to better integrate national and local priorities, so long as both sets of priorities are expressed as clear outcomes for communities – rather than as commitments to inputs or outputs - and so long as they are deliverable in ways that best suit local circumstances. For example, a CPP may want to reflect some or all of the national policing priorities in its SOA, thus giving practical effect to national policy through the service delivery choices of a wider range of local partners.

36. Indeed all CPPs will, uniquely, be expected to incorporate the nationally agreed health and social care outcomes in their SOAs. As we understand that these outcomes will also become the overarching outcomes for the entire NHS there is a welcome opportunity now emerging to consider how CPPs and health bodies can advance the wider health and wellbeing agenda through the SOA.

37. But the proposals for single police and fire services and for health and social care integration are proceeding at great pace and it is important that there should be an obvious linkage of these and other reform initiatives to each other and to the framework of Community Planning and SOAs within which their intended outcomes will be delivered. We firmly believe that they need to be considered in terms of their effects on that framework and designed so that their implementation will demonstrably support better partnership working through Community Planning and the delivery of improved outcomes through the SOA. We therefore support an integration of national priorities within the Community Planning and SOA framework.

National and local integration

38. The key test of any aspect of public service reform should be how it will enable local partners to work with communities to identify, prioritise, resource and deliver joined-up responses to people’s needs in the round – and no longer treating people as the recipients of disjointed initiatives and interventions driven by divergent organisational agendas at local or national level.

39. We have argued for and strongly support the drive for prevention and local integration which is shaping the review of Community Planning and SOAs. However, the pursuit of prevention and integration within thematic silos will not meet our test, simply because outcomes are complex, are linked to each other, and are rarely within the gift of a single public body. Again, it was the limitations
of thematic outcomes approaches, of which there is extensive evidence, which prompted the shift to the single (i.e. integrated) outcome agreements, by which local partners can view communities’ needs in the round and deliver joined-up responses.

40. The planning and delivery of improved outcomes requires the full range of partners’ services and resources to be considered and, potentially, deployed. So our best chance of success lies in pursuing prevention and integration across all the activities of local partners, in support of agreed national priorities.

41. A very real challenge for Community Planning partners in the current financial environment is the need for hard prioritisation around investment and disinvestment, particularly in order to release resources for reinvestment in prevention. So a further test for any aspect of public service reform should be how it will enable local partners to focus their efforts and resources on those issues which are demonstrably local priorities. We know that all local priorities cannot be afforded equal status, and we do not expect that all national priorities can be equal either.

42. If prevention and integration are to take local effect then there will have to be a comparable prioritisation at national level, so that CPPs are not left to try to resolve and resource competing national priorities at local level. We believe that this will require a national parallel to the Community Planning process.

43. We suggest that this should take the form of a national Community Planning ‘board’ through which the national priorities for SOAs can be jointly agreed and monitored.

44. As with local Community Planning partnerships this national ‘board’ should be led by democratically elected representatives, with relevant Scottish Ministers and national representatives of elected local government. And, as with local partnerships, the national Community Planning ‘board’ should include - and be able to draw on the knowledge and experience of - the accountable officers for the public services delivered through Community Planning, together with representatives of the business and third/voluntary sector partners.

45. We believe that a national Community Planning ‘board’ could add value to the partnership and outcomes based approaches in a number of key ways, for example by:

- Agreeing the national priorities which should be addressed in SOAs;
- Ensuring that national policy is fully informed by the experience of CPPs;
- Agreeing the balance between national and local priorities in SOAs;
- Aligning other elements of the reform agenda with the Community Planning and SOA framework;
- Setting the expectations of public bodies in their contributions to Community Planning and SOAs;
- Monitoring the delivery and updating of SOAs; and
- Ensuring that CPPs are supported in their capacity to deliver prevention and integration for improved outcomes.
46. We acknowledge that the role and composition of a national Community Planning ‘board’ will require further thought, but we commend it to the Committee as a necessary corollary to the local strengthening of the partnership and outcomes based approach which is signalled by the Scottish Government review of Community Planning and SOAs and further developed in this evidence.

47. Finally, the National Community Planning Group would welcome the opportunity for its representatives of local government, police, fire and health chief officers to give oral evidence to the Committee during the course of its inquiry.
1. This instrument is made in exercise of the powers conferred by Paragraph 7 of Schedule 1 to The Town and Country Planning (Scotland) Act 1997. The Order must be laid in Parliament but is not subject to any further Parliamentary procedure.

2. This Order continues in force certain provisions of the existing local plans for the Highland area notwithstanding the adoption of the Highland-wide Local Development Plan. The provisions of—

   (a) the Inverness Local Plan;
   (b) the Nairnshire Local Plan;
   (c) the Ross and Cromarty East Local Plan;
   (d) the Sutherland Local Plan;
   (e) the Caithness Local Plan;
   (f) the West Highland and Islands Local Plan;
   (g) the Wester Ross Local Plan; and
   (h) the Badenoch and Strathspey Local Plan,

specified in column 1 of the Schedule to the Order are continued in force subject to any limitation or exclusion set out in column 2 or referred to in article 2(2)(b).

3. Under Rule 10.1.3 of Standing Orders, any instrument laid before the Parliament is to be referred to a lead committee for consideration. This includes instruments laid only but not subject to any parliamentary procedure. In a case where such an instrument comes before a lead Committee it would ordinarily be sufficient for the Committee simply to note it. There would be nothing to stop the Committee taking further action (e.g. writing a letter or report) but there is no formal mechanism to annul or modify the instrument.
Comments from the Subordinate Legislation Committee to the Parliament on the Town and Country Planning (Continuation in force of Local Plans) (Highland) (Scotland) Order 2012 (SSI 2012/90)

4. The purpose of this Order is to continue in force certain specified provisions of the eight existing local plans for the Highland area, notwithstanding the adoption of the Highland-wide Local Development Plan. The Highland-wide plan relates to the whole of the area covered by those eight existing local development plans.

5. This Order is made under paragraph 7 of Schedule 1 to the Town and Country Planning (Scotland) Act 1997. It is not subject to any parliamentary procedure and came into force on 1 April 2012.

6. In considering the instrument, the Subordinate Legislation Committee asked the Scottish Government for clarification of two points. The correspondence is reproduced from paragraphs 15 to 21.

7. The Subordinate Legislation Committee was content with the clarification provided by the Scottish Government in relation to its second question. It concerned paragraph 2 of Part 8 to Schedule 1 of the Order (Badenoch and Strathspey Local Plan), which refers to the provisions of the “Proposals Map”.

8. The Scottish Government has confirmed in answer to the Subordinate Legislation Committee’s first question that the provisions of each of the eight local development plans are intended to continue in force only in relation to their respective smaller areas, and not the greater Highland-wide area. It considers this to be self-evident from the terms of article 2(1) of the Order, and takes the view that there is no need for further wording in the article to clarify that intention.

9. The Scottish Government also considered it appropriate to duplicate the wording used in the enabling power in paragraph 7 of Schedule 1 to the 1997 Act (as amended). The first part of the paragraph states that Ministers may “by order direct that any of the provisions of the old development plan shall continue in force in relation to the area to which the plan so approved, or as the case may be adopted, relates.”

10. The Committee considered that, while the policy intention underlying the Order is clear, it is required to consider the drafting of the Order in relation to the reporting grounds.

11. As regards the meaning and effect of article 2(1), there is a plain divergence between the position, on the one hand, that the continuation of the provisions of each of the eight local plans by the Order can only mean that they continue to apply to the area to which they currently apply and, on the other hand, the wording of article 2(1). Article 2(1) states that the provisions of the various local plans shall continue in force in relation to the whole area to which the Highland-wide LDP relates.

12. The Subordinate Legislation Committee is sympathetic to the view taken in the response that the wording of article 2(1) follows exactly that in the enabling power in paragraph 7 of Schedule 1 to the 1997 Act. However, whether the wording is appropriate to be duplicated depends on the effect which is intended to be achieved by the Order (in relation to the areas of the local plan provisions to be continued in force, and how those areas relate to the area of a new local development plan). There may be other circumstances where it would be more appropriate to duplicate the wording of the enabling power. In this situation, there are eight existing local plans, covering areas within the larger
Highland-wide area. The Subordinate Legislation Committee considers that the Order could have made clearer the “self-evident” position – that each plan is only continued in relation to its own area.

13. The Subordinate Legislation Committee also notes that it would also have been possible to have made incidental or supplemental provision to make the position clearer. Section 275(2A) of the 1997 Act permits incidental or supplemental provisions in an order.

14. The Subordinate Legislation Committee draws the instrument to the Parliament’s attention under reporting ground (h) as its meaning could be clearer. The meaning of article 2(1) could be clearer in the respect that the article provides that the specified provisions of the eight local plans described in paragraphs (a) to (h) shall continue in force in relation to the area to which the Highland-wide Local Development Plan relates. The Order could have made it clearer that the continuation of the provisions of each local plan can only mean that they continue to apply in relation to their respective areas, and no further.

Correspondence between the Subordinate Legislation Committee and the Scottish Government

On 23 March 2012, the Scottish Government was asked:

15. The power in paragraph 7 of Schedule 1 to the 1997 Act (read with paragraph 6) enables the Scottish Ministers to direct that so much of an old development plan as relates to the area to which a newly adopted Local Development Plan (“LDP”) relates will continue in force, instead of ceasing to have effect. Please explain—

(a) Why does article 2(1) specify that provisions of the various Local Plans shall continue in force in relation to the whole area to which the Highland-wide LDP relates, given that it appears evident from the article that the 8 local plans which will continue in force each relate to smaller areas within the Highland-wide LDP area; and the power could be exercised to continue the plans in force in relation to their respective areas?

(b) Given that the power in paragraph 7 enables the provisions of the old Plans to continue in force to the extent specified in the Order, would the meaning and effect of the provision have been clearer if provision had been made to the effect that the existing local plans are continued in relation to their respective areas, rather than relating to the whole Highland-wide area?

16. Paragraph 2 of Part 8 to schedule 1 of the Order (Badenoch and Strathspey Local Plan) refers to the provisions of the “Proposals Map”. From inspection of the local plan on the website referred to in the footnote on page 1, it appears that the provisions are in the “Strategy Diagram”? Is this agreed to be an error, or can it be clarified where this Proposals Map can be viewed?

The Scottish Government responded as follows:

17. 1(a) and (b). In drafting the Order the Scottish Government had considered the questions raised but had concluded that it was unnecessary and undesirable to introduce extraneous wording which would have no additional effect on the operation of the provisions.
18. Paragraph 6 of Schedule 1 to the Town and Country Planning (Scotland) Act 1997 provides that on the adoption of a local development plan the provisions of an old development plan shall cease to have effect to the extent to which those provisions relate to the area covered by the adopted local development plan. The local plans listed in article 2(1) of the Order are old development plans. Paragraph 6 is, however, subject to Paragraph 7. This confers on the Scottish Ministers the power to direct that the provisions shall continue in force in relation to the area to which the adopted local development plan relates, in this case Highland-wide Local Development Plan (“the HwLDP”). The provisions of the local plans specified in the Order shall continue in force (to the extent specified in the order) if the Scottish Ministers make such a direction. Article 2(1) therefore states, following the manner in which the power in paragraph 7 is framed, that the specified provisions shall continue in force in relation to the area to which the HwLDP relates.

19. It is considered that it is self-evident that the continuation of the provisions of a local plan by the Order could only mean that they would continue to apply to the area to which they currently apply. It is therefore wholly unnecessary to state in the Order that the provisions are only continued in force in relation to the areas of the particular individual local plans. It is not considered that the inclusion of any such provision would have made the meaning and effect of the Order any clearer. There would have been no purpose in the inclusion within the Order of a provision which stated that the provisions of a local plan would not apply in relation to an area to which that local plan did not relate. The provision of the local plans could only ever apply to the area to which they relate.

20. The Badenoch and Strathspey Local Plan is a local plan prepared under Part 2 of the Town and Country Planning (Scotland) Act 1997 (“the 1997 Act”) before it was replaced by the new provisions inserted by section 2 of the Planning etc. (Scotland) Act 2006. In terms of section 11(3) of the old Part 2 a local plan is to consist of a written statement setting out the planning authority’s proposals for development and use of land and (under section 11(3)(b)) a map showing those proposals. Section 11(3) of the 1997 Act re-enacted with modifications section 9(3) of the Town and Country Planning (Scotland) Act 1972. In terms of regulation 26 of the Town and Country Planning (Structure and Local Plans)(Scotland) Regulations 1983 (SI 1983/1590) the map comprised in a local plan in compliance with section 11(3) ‘shall be called the proposals map’. It is permissible for inset maps to be contained in or accompany the proposals map to show policies or proposals in greater detail. Any such policies or proposals shown on an inset map are deemed to be shown on the proposals map. The 1983 Regulations are continued in force for the purposes of these local plans by SSI 2008/427.

21. The reference to the proposals map in the Order is not an error. It is the correct terminology for maps contained in a local plan by virtue of section 11(3) of the 1997 Act. The proposals map forming part of the Badenoch and Strathspey Local Plan is comprised of the maps, including the “Strategy Diagram” made available on the planning authority’s website as specified in the Order.