

Comhairle nan Eilean Siar submission of 26 February 2024

PE1862/J: Introduce community representation on boards of public organisations delivering lifeline services to island communities

The Community Empowerment (Scotland) Act 2015 provides for participation in decision-making by specified persons having public functions with a view to reducing inequalities of outcome which result from socio-economic disadvantage.

Highlands and Islands Regional Transport Partnership (HITRANS) is named as a duty holder under Part 2 of the Community Empowerment (Scotland) Act 2015, and is a member of the Outer Hebrides Community Planning Partnership. However, David MacBrayne Limited (DML), Highlands and Islands Airport Ltd (HIAL), and Caledonian Maritime Assets Limited (CMAL) are not. There would be a greater degree of accountability to island communities if DML and HIAL, as front-line service providers, were members of the Partnership.

The Islands (Scotland) Act 2018 requires Scottish Ministers and other relevant public bodies to have regard to island communities in the carrying out of their functions. DML, HIAL, and CMAL are named as relevant authorities introduced by Section 7 (2) of the Act, but it is not clear that they are effectively 'island proofing' their policies and services in line with the provisions of the Act.

In January 2018, HIAL introduced its Air Traffic Management Strategy (ATMS) involving remote tower operations and a combined surveillance centre. Following pressure from key stakeholders, HIAL agreed to undertake a retrospective Island Communities Impact Assessment (ICIA) of its ATMS in August 2020. The Scottish Government's Islands Team was consulted for guidance as ICIA guidance was not published until December 2020. Some relevant groups reported that they had not been consulted in this process and the resulting ICIA is not currently available on HIAL's website.

The Comhairle recognises that it is important to ensure good skills mix on a Board of Directors and that, fundamentally, Board members have the skills and knowledge to set the strategic vision and challenge the

executive leadership of the organisation on its implementation. Islanders have felt frustration at both the poor operational planning and strategic direction taken by the senior management of CalMac Ferries Limited over many years. Yet we have seen little or no evidence of a Board which has any understanding of the impact of this and appears to lack the fundamental knowledge base required to challenge the executive leadership of the company. This directly affects and undermines the delivery of lifeline services, and often leads to extremely poor value for taxpayers with bad decisions going unchallenged.

A full-scale overhaul is needed of the membership of these Boards which are charged with the planning and execution of vital public services and act, in effect, as custodians of lifeline island transport networks. The involvement of people with lived island experience and residential awareness of the impact of strategic policy making would ensure better informed decision making. Parliament must listen to the feedback of island communities in respect of how communities are empowered in the delivery of lifeline services. To do otherwise borders on the disrespectful, and suggests that island residents are somehow ill-equipped for this role. Exclusion of this nature does not happen anywhere else in the UK. For example, approximately 50% of the Isles of Scilly Transport Board membership comprises islanders who are resident on the islands that the company serves, demonstrating islanders should not be excluded from the Board of a company charged with lifeline connectivity. The Isles of Scilly population of 2,500 compares to the population of the island of Harris. Closer to home, the Board of Orkney Ferries is made up entirely of Orkney residents.

Civil Servants advise that the skills mix of Board members must be comprehensive and include experience in governance, audit, business, and human resources. All these skills sets are widely represented across Clyde & Hebrides Ferry Service (CHFS) islands.

Regarding DML governance, the Comhairle's CHFS3 contract consultation response calls for the Transportation Committee Chairs from the four Local Authorities with Islands (Comhairle nan Eilean Siar, Highland Council, Argyll & Bute Council, and North Ayrshire Council) within the CHFS3 operational area to be given places on the DML Board alongside community representatives.

Since HIAL and CMAL operate on a wider regional basis (CHFS3 operational area plus Orkney and Shetland), the Comhairle recommends

that the Chairs of Transportation from the six Local Authorities with island areas (CHFS3 Local Authorities plus Shetland Islands Council and Orkney Islands Council) should sit on the boards of HIAL and CMAL on a rotating basis along with two island residents / service users. To enhance regional focus, consideration should be given to HITRANS representation on the three boards. In their present configuration, the size of the DML, HIAL and CMAL boards may be too small to adequately represent the islands and include individuals with relevant service and governance experience, so it is recommended that the Cairngorm National Park governance model be explored where seven members are appointed by Ministers, five are directly elected by the community and seven are nominated by the five Local Authorities with a territorial interest in the Park.

The Crofting Commission has a board of nine with six directly elected by the service users, the crofters.

The recruitment process needs to be simpler and more encouraging for islanders with 'islander skills and knowledge' and 'lived island experience' as essential criteria. Applications from island residents should be prioritised. There are reports of interview travel and accommodation expenses being non-refundable, and this is sure to deter capable island residents from applying given the cost and inconvenience of having to travel to a central location for interview.

As stated, by including islanders as Board members, accountability to island communities is enhanced as the members live locally, and are directly affected by Board decisions. The community is suffering fatigue from repeated consultations with no evidence that the island voice is being heard. Instead, the community should be embedded in the decision-making process by direct representation. If islanders continue to feel that they are unable to influence decisions on lifeline services and that these decisions are being made by non-island residents not reliant on effective transport links, depopulation will continue in Na h-Eileanan Siar (6.1% predicted drop in population per latest census data).

Such an approach would be in keeping with the Verity House Agreement maxim, "**local by default, national by agreement,**" which is vitally important when considering lifeline services.

Currently, DML, HIAL and CMAL Boards meet on the mainland with membership drawn from the mainland (CMAL includes one islander) and

each organisation decides on the suitability of prospective Board members. The services overseen by these Boards exist for island communities and represent lifeline connections to family, health and business interests on the mainland. It is incongruous that, apart from one island resident member of the CMAL Board, these three Boards do not include island residents, ignoring a wealth of knowledge and expertise which could help deliver fit-for-purpose services for islands. This incongruity also applies to senior management and the more operational positions, which the Comhairle has long advocated be relocated to Na h-Eileanan an Iar to deliver inclusion for the island community.