Local Government and Communities Committee
Call for Views on the Long-Term Financial Sustainability of Local Government
Submission from Inclusion Scotland

Inclusion Scotland is a ‘Disabled People’s Organisation’ (DPO) – led by disabled people ourselves. Inclusion Scotland works to achieve positive changes to policy and practice, so that we disabled people are fully included throughout all Scottish society as equal citizens.

1. What are the big medium-term (5-year) and longer-term (10+ year) financial challenges for Scottish local authorities?

1.1 The greatest challenges facing local government are well known to those actors involved and commentators alike¹ and it is well acknowledged that spending will be required to mitigate them:

“The upshot for local authorities of [the] projected increase in expenditure would be a need for increased funding in order to meet the growing demands placed upon them.

The recent Audit Scotland report² on local government performance states that:

“Councils face an increasingly complex, changing and uncertain environment which places different demands and expectations on them. Councils are also central to delivering many high-level public sector objectives, such as the integration of health and care services and involving citizens more in decisions about public services”.

Our response mainly concentrates on these two issues, although we are also concerned with cuts to a variety of locally delivered services, such as community transport, support for employment, mainstream education, transitions (for education, employment and care support), among others.

1.2 The impacts of years of austerity and the inevitable cuts that will come in future spending plans are the main reasons why well-meaning and well-written policies are severely under-resourced at local levels and therefore have not delivered for local households that need them.

1.3 The aging population has driven key policy changes such as the integration of health and social care. Austerity has impacted the provision of services so much so that statutory services that disabled people most often rely on for claiming our rights are now being impacted worse than ever. And the exit of the UK from the EU known as Brexit augurs yet further Austerity.

1.4 While the impacts of Brexit at local level for disabled people are seldom considered (see ILIS PUTT, 2018\(^3\)), we believe that they will be at significant disadvantage compared to the rest of the population due to a perfect storm of previous cuts to benefits and services and future unavailability of qualified social care support and health care workforces. All of this will have an impact on the Local Authorities (LAs) spending in which they live (a rising need for support and rising homelessness applications which result in significant spending, for example) unless major action is taken to mitigate against these anticipated costs.

2. How effectively are councils addressing these challenges? Do councils currently have all the powers they need to do so?

2.1 A recent survey of our members (July 2019), which follows up on a similar survey from 2015, asked if things had got better, stayed the same, or got worse in relation to the statement, “In 2015 disabled people told us that cuts to social care and rising care charges meant that social care was not supporting them to participate in all aspects of society”. 73% of respondents told us that things had got worse.

2.2 Contrary to giving councils more power, a consistent ask of disabled people we have engaged with over the years is for decision-making on social care to be removed from LA control who may be also responsible for delivering part or all of it. Inclusion Scotland was therefore heartened to be involved in developing the Scottish Government’s national programme to support the local reform of adult social care support.

2.3 Councils currently operate a system of charging for social care support whilst tightening eligibility criteria for those who apply for it, leaving people on 'life and limb' support and risking disabled people’s further dependence, isolation and ill-health. Charges levied on individuals by local authorities can be as much as 100% of a disabled person’s disposable income. Scottish Government has estimated that charging for just personal care for under-65s brings in just £2.8 million, while the cost of administering the charge for necessary support to local authorities is over 40% of the supposed savings made. This creates a huge barrier to disabled people and their families and impacts their health and wellbeing.

2.4 We warmly welcomed the Scottish Government’s commitment in its 2018-19 Programme for Government to explore the potential for a new national scheme to provide extra financial support to people with the highest social care support needs. One solution that our members support would be to re-open the Independent Living Fund to all those in need of social care support allowing for independent choice and control without the strictures of Council pressures. The delivery would then be the priority at the local level with LAs focussing on funded outcomes that meet human rights. Another would be to open up more opportunities in the local job market to disabled people, meaning less reliance on statutory services. Despite disabled people making up 20% of Scotland’s population, they make up only 11% of the public sector workforce.

\(^3\) http://www.ilis.co.uk/uploads/Brexit%20statement%20of%20principles%20FINAL%20TO%20PRINT.pdf
2.5 Inclusion Scotland is pleased to be working with Scottish Government, COSLA staff, and our People-led Policy Panel, bringing the experiences and solutions of people who need to use adult social care support, to its reform of Adult Social Care support. People with lived experience and expertise are now coming together with others, including local and regional stakeholders, to plan the delivery of the reform, to ensure consistency across Scotland.

2.6 In 2015 disabled people believed that their organisations faced a funding crisis. In the same recent survey (July 2019), almost two thirds responded to say that things had got worse, with the majority of remaining respondents stating that things had stayed the same. Explanations revealed that the same money is being further stretched, pitting DPOs against each other. Partnership and collaborative working with DPOs is seldom explored. We also recently separately surveyed our DPO members of Inclusion Scotland and asked about the greatest challenge their organisation faced. Half the respondents (and the most popular answer by far) said money/ funding/support from Local authorities was the biggest challenge to their operating. Another stated that their biggest challenge is, “getting decision makers to realise what life is like for disabled people and how their decisions affect them”.

2.7 A lack of inclusive engagement with disabled people and their allied organisations has further distanced our community of interest from influencing community planning in a way which identifies the priorities of disabled people in Local Outcome Implementation Plans, Locality Plans and local Adult and Children’s Health & Social Care Plans or Participatory Budgeting engagement. As another recent Audit Scotland report points out, local engagement and decision making is currently lacking in general:

“Early engagement with staff, as with the public, has reduced since IAs published strategic plans.”

If funded, local DPOs are well placed to support such engagement and make it accessible for their members. Indeed, as a state parties, councils (and Scottish Government) have a duty to ensure DPOs are well funded. This is explicitly recognised in General comment No. 7 (2018) by the UN Committee on the Rights of Disabled People where the UN has highlighted the obligation on State Parties to involve Disabled People’s Organisations (DPOs) and to ensure they are adequately funded.

2.8 Participatory Budgeting is “an important tool for increasing wider democratic involvement and community empowerment” and yet there are very few examples of it working well or involving local disabled people or their organisations.

3. What practical steps should councils take, and what good practice should councils adopt, to plan for the medium and long-term and to anticipate financial risks?


5 PB Scotland [https://www.scdc.org.uk/hub/participatory-budgeting](https://www.scdc.org.uk/hub/participatory-budgeting)

6 The only example we are aware of is the SG funded work of GDA to raise awareness of the value of involving disabled people in local Participatory Budgeting [http://gda.scot/content/publications/GDA-ParticipatoryBudgetingsmaller.pdf](http://gda.scot/content/publications/GDA-ParticipatoryBudgetingsmaller.pdf)
3.1 We think the practical examples below can show value for money for councils and help anticipate financial risks. However, to plan for future services councils need to have enough funding. Local funding cuts to services and past schemes such as PFI are all eroding public confidence in councils’ ability to practically plan. A new system of funding needs to be put in place to ensure councils have enough money to both ring-fence essential services and have flexibility around local need for other services, ensuring they are equality-proofed as well as future-proofed. The Scottish Government’s own Equality Budget Statement 2019/20 itself actually recognised ‘a lack of consideration of whether the budget was spent in the way anticipated’.

4. What alternative models of planning for, and delivering, council services (for example, joint working initiatives) could help local authorities make efficiency savings and/or deliver better services?

4.1 A raft of recent policy reforms require councils to collaborate with partners, with the third sector and with communities, to think differently about how they deliver and fund services. Thinking differently about services is important to meet the growing and changing needs of their communities in the coming years. New ways of working can lead to increasingly complicated lines of accountability.

4.2 The ‘Wigan Deal’ is a good example of when a local authority took a truly collaborative approach to planning that saved money. According to the King’s Fund evaluation:

“Wigan’s journey shows it is possible to achieve substantial savings while protecting or improving outcomes, but only if services are genuinely transformed and upfront investment is available to help bring about new ways of working”.

4.3 As Inclusion Scotland and our member organisation Glasgow Disability Alliance (GDA) have shown, planning that includes our organisations and disabled people with lived experience is crucial to getting it right in the beginning and avoiding expensive retro-fits when things go wrong. Inclusion Scotland runs the People-led Policy Panel for co-producing national reform of locally delivered adult social care support. GDA’s Future Visions group of people with lived experience of using social care support have come up with the following priorities for reform:

1. Empowering assessments, led by the person, not the bureaucracy
2. Support to build confidence and aspirations
3. Train workers on disability equality and independent living
4. Increase role of ILF Independent Living Fund in social care system
5. Increase and ring-fence social care funding
6. Review eligibility to include low-level preventative supports
7. Emphasize Independent Living outcomes, rights, choice and control, in commissioning
8. Involve disabled people in design of social care system

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8 The Self-directed Support (Scotland) Act, 2013; the Public Bodies (Scotland) Act, 2014; and the Community Empowerment Act, 2014, plus initiatives such as Participatory Budgeting, use of the Place Principle, and the Change Map for Self-Directed Support.
9 Audit Scotland, 2019, op cit.
10 https://www.kingsfund.org.uk/publications/wigan-deal
4.4 Supporting local DPOs to involve people with lived experience in decision making is a way of ensuring cost-effective decision making that can focus on preventative action and spending (saving money in the long term). The above list shows that only a little information and support can move people from experienced to experts, providing valuable insight and steer. The capacity building involved requires resources and DPOs are best placed to support that capacity building.

4.5 Our Highland project has also learnt that the absence of local disabled people from planning has led to policies and delivery that does not suit the local disabled population, whilst there is commitment from disabled people to take part in decision making. A key finding from our Highland regional survey for disabled people, their organisations and allies in 2017 was that half of disabled people asked were willing to give up to four hours a week of their time to inform local decision making.

4.6 A recent directive from the United Nations Committee for the Rights of Disabled People provided general guidance\textsuperscript{11} to state parties regarding the importance of involving disabled people’s own representative organisations in local and national decision making and accountability. By working in collaboration with DPOs and their disabled members, we have shown in this response that money can be saved. This may also improve the general drive to involve disabled people and other under-represented communities in community planning via groups that currently exist.

5 Are there any other issues relating to the long-term sustainability of Scottish local government which you wish to bring to the attention of the Committee?

5.1 This response has not addressed local taxation as our members have not given us a clear steer on their views on this. However, it is clear that current conditions are not enabling long-term sustainability. A new method of funding local public services needs to be higher up the agenda, with Scottish Government, COSLA and Local Authorities working together on leading to create a system that plans for equality and human rights outcomes for the population as a whole.

5.2 Councils will also need to consider its prevention actions and responses to climate change and the impact of this with potential spend needed to mitigate and keep essential services running as power costs rise, weather impacts (flooding). As the points above make, there is a need to ensure that climate change measures take into account accessibility for disabled people e.g. need to explore accessible electric charging points.

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\textsuperscript{11} https://www.ohchr.org › Documents › HR Bodies › CRPD › Draft_GC7