

LOCAL GOVERNMENT AND COMMUNITIES COMMITTEE

Wednesday 27 May 2009

Session 3

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LOCAL GOVERNMENT AND COMMUNITIES COMMITTEE

16th Meeting 2009, Session 3

CONVENER

*Duncan McNeil (Greenock and Inverclyde) (Lab)

DEPUTY CONVENER

Alasdair Allan (Western Isles) (SNP)

COMMITTEE MEMBERS

*Bob Doris (Glasgow) (SNP)
*Patricia Ferguson (Glasgow Maryhill) (Lab)
*David McLetchie (Edinburgh Pentlands) (Con)
*Mary Mulligan (Linlithgow) (Lab)
*Jim Tolson (Dunfermline West) (LD)
*John Wilson (Central Scotland) (SNP)

COMMITTEE SUBSTITUTES

Brian Adam (Aberdeen North) (SNP)
Paul Martin (Glasgow Springburn) (Lab)
Alison McInnes (North East Scotland) (LD)
Margaret Mitchell (Central Scotland) (Con)

*attended

THE FOLLOWING GAVE EVIDENCE:

Graeme Dickson (Scottish Government Primary and Community Care Directorate)
John Ewing (Scottish Government Public Service Reform Directorate)
Rory Mair (Convention of Scottish Local Authorities)
Mary Pitcaithly (Society of Local Authority Chief Executives and Senior Managers)

CLERK TO THE COMMITTEE

Susan Duffy

SENIOR ASSISTANT CLERK

David McLaren

ASSISTANT CLERK

Ian Cowan

LOCATION

Committee Room 4

Scottish Parliament

Local Government and Communities Committee

Wednesday 27 May 2009

[THE CONVENER *opened the meeting at 10:00*]

Single Outcome Agreements

The Convener (Duncan McNeil): Good morning, and welcome to the 16th meeting in 2009 of the Local Government and Communities Committee. I ask members and the public to turn off their mobile phones and BlackBerrys. I have received an apology from Alasdair Allan, who should join us in half an hour or so.

Under agenda item 1, we will take oral evidence on single outcome agreements from representatives of the concordat oversight group. I welcome the witness panel: John Ewing, director of public service reform, and Graeme Dickson, director of primary and community care, in the Scottish Government; Rory Mair, chief executive of the Convention of Scottish Local Authorities; and Mary Pitcaithly, chair of the Society of Local Authority Chief Executives and Senior Managers.

Does any member of the panel wish to make some introductory remarks on behalf of the others?

Rory Mair (Convention of Scottish Local Authorities): Yes, thank you, convener—I will be quick. The concordat oversight group has no leader, but we are all members. I attended a meeting of the Local Government and Communities Committee last year, so by way of continuity I will make some introductory remarks.

We are all committed, as you would expect, to the continued successful development and implementation of the single outcome agreement process. However, we understand that it is a major change from what went before and that people have legitimate questions about the development and implementation of the process. Those questions cover issues such as governance, performance management, accountability and many other areas that will arise during today's meeting. We believe that those questions deserve to be answered openly and thoroughly, and we therefore welcome the opportunity to attend the committee to do that—thank you very much for inviting us.

I will say a little about what has happened since a similar group attended the committee last year. First, all councils produced single outcome agreements—some with their community planning

partnerships—that covered last year. There is an interim report on SOAs throughout Scotland, but there is not yet an individual report on each council. We understand that the interim report is available to Parliament; you may have seen it. That report will be followed up in September by a progress report from each of the councils on last year's SOAs, with regard to what those have achieved and which issues remain outstanding.

I will explain the new COG. After the concordat was agreed, two groups were set up—the single outcome agreement high-level group, which you spoke to last year, and a group that examined joint policy development. We decided that it was better to have a single group to examine joint policy development between local and national Government, and single outcome agreements, so that we can ensure that those two work streams work well together. It was also more efficient to hold one meeting rather than two.

The other significant move forward from last year is that all councils have produced SOAs for this year with their community planning partners; that is the case for every council in Scotland. Touch wood, those will all be agreed and signed off by 1 June. In addition, COG has issued advice to partnerships about governance and accountability. We have also issued advice to partnerships around equalities, because you questioned us quite thoroughly on that issue last year.

We have moved forward a long way during the past year, but the process remains developmental and we still have work to do in some areas—for example, on indicators that can be used locally. That would ensure that we do not just create an industry out of 32 partnerships that are all trying to produce individual indicators when some of the things that need to be measured and assessed are similar. We have established a national project to examine how we can support each area's single outcome agreement with the best work on indicators, which can be updated and monitored timeously and effectively.

I will leave it there, convener, and move to any questions that you might have.

The Convener: I am sure that there will be many questions on the indicators, including how they are monitored, managed, assessed and developed.

From evidence that we have heard on the national indicators, we know the variance between them and what is happening at local government level with councils setting their own priorities. What is the role of the oversight group in that process?

John Ewing (Scottish Government Public Service Reform Directorate): As Rory Mair

explained, the oversight group exists to help to facilitate the exchange of information between central and local government, and other colleagues. It looks at how the delivery process for the single outcome agreements is operating. Our role is to agree on areas in which further guidance may be required, set out the form that the guidance might take and oversee the work on indicators, for example. In that regard, we have joint working groups through which our analytical colleagues work with local government colleagues to try to identify the better areas for developing indicators and how the indicators can be informed by national surveys and other such work. Our role is to ensure that all of that works on target and to sort out a delivery date.

The Convener: How does that work? What is your authority to ensure that the indicators are identified, managed and monitored? Is that done just through guidance?

Rory Mair: Yes. The oversight group does not manage the individual single outcome agreements. They are agreements between local government, its partners and the Government. The oversight group provides the framework within which all the single outcome agreements take place. We did not want a situation in which there would be 32 agreements, the format of which was so diverse one from the other that we would be doing our work 32 times over. There were also areas in which we wanted to give national guidance. We have issued national guidance on the form that the single outcome agreements should take and on governance. However, we do not say to individual partnerships, "You must use this or that indicator." That is a matter for local partnerships to determine.

The Convener: How successful has the oversight group been in developing that general overview?

Rory Mair: In two years, we have moved from not having single outcome agreements to having single outcome agreements that cover local councils and their community planning partnerships and say explicitly what communities can expect by way of outcomes from the whole of the public sector in their area. That is a big achievement, which would not have happened if we had simply told local partnerships to get on with it. A framework needed to be produced and guidance needed to be issued on certain key issues. The oversight group has provided that. It has played a part in that in moving forward.

The Convener: So, it would be unfair criticism to say that the easy part is to provide lists. We have looked at the submission, only one paragraph of which relates to outcomes; some would say that the rest of it sets out the easy bit about putting processes in place, and that we are

not even there with the processes. How has that enabled us to examine outcomes and make comparisons between one local authority and another?

Rory Mair: I accept the point that the hard work in single outcome agreements is done by the partnerships working together and using their resources to deliver outcomes for local people. We have never suggested that the oversight group does that. We have said that it has created the framework under which the work can take place. The partnerships have welcomed the oversight group's work because they recognise the need for guidance on certain key issues. I agree that the real issue is not what the oversight group has done, but whether we have created the conditions by which the single outcome agreements can deliver what communities want in a way that is measurable and accountable. We think that we have provided a framework for that.

The Convener: Do you measure the local authorities' response to your guidance? Have they been paying attention to it? How many have accepted it and how many are using it?

John Ewing: I think that we can say that all 32 councils have regard to the guidance and have been using it in developing their plans. As Rory Mair said, things are not set in stone. We are not telling councils, "You must conform to this specific model and you must lay out your single outcome agreement in this way." We are giving councils a steer on the usefulness of addressing the various issues that need to be addressed. Those issues include setting out their understanding of the context in which they operate; describing the areas of priority for their local area; and developing that work across the range of national outcomes that form part of the national planning framework.

The approach is to encourage councils and their community planning partners to consider the guidance and take it seriously. If we find areas in which the guidance is not being met we can discuss that with the councils, but at present there is no evidence of that. All the partnerships are working within the framework of the guidance that they have been given.

The Convener: How would we make that judgment? What analysis has been done of how local authorities interpret the list of indicators? In relation to crime and safety, alcohol or other matters, how can we analyse what is going on and compare one local authority with another, given that they can establish different priorities and indicators? I presume that the second stage of the process will add to the complexity.

John Ewing: We are not saying that every council has to use every indicator in that set. The

set was an attempt to draw on the material that local authorities and their partners produced in the first round of SOAs and to suggest indicators that councils could consider. However, the point of the process is that the local partnerships will identify their priorities and consider the information that they must monitor to ensure that the outcomes that they set are met. In some cases, that will involve indicators from the list and in other cases it will be national indicators. In other cases, for good reasons, partnerships might decide that they need a separate indicator to track what they do. The system has flexibility to allow them to do that.

Mary Pitcaithly (Society of Local Authority Chief Executives and Senior Managers): The partnerships have found the guidance useful. SOLACE has discussed the guidance at every stage and, uniformly, we have found it to be helpful. We have moved a long way in a year or so, given that nobody quite knew what a single outcome agreement was just over a year ago. We are now in the second iteration and the guidance has been helpful. It is important to acknowledge that, with local partnerships working with local communities, the priorities for those communities will differ throughout Scotland and over time. We must therefore have flexibility. The guidance takes that into account and has been welcomed in that respect.

The Convener: We have heard from local authorities and their partners, and discussed whether they link into real communities and real people. They set the priorities and indicators. They are judge and jury, as there is no oversight of what they do. You accept that all you can do is give guidance and you say that any criticism that you make or question that you ask could be accepted or discarded. The local authorities and their partners are judge and jury in the process.

Rory Mair: That is an interesting question because, before we had single outcome agreements, you could not even have asked it, as we simply never expressed the outcomes for communities across the public sector working in partnership. Instead, we had a series of input-driven targets. I could have told you about the number of people who were swimming per square metre of pool in a council area, but I could not have told you about the health effects, because we were not asked to express in that way what we achieved for council areas and communities. The present process allows us to do that.

The Convener: With all due respect, Mr Mair, I have ploughed through some of the documents, but I have not found an outcome—no one has shown me an outcome in any of the evidence that we have received up to now. If I am wrong in that, please correct me.

Rory Mair: You are quite right. After we introduced the single outcome agreements for last year, we said at the time of the publication of the interim report that we would produce a report on how the process had developed throughout local government, but that councils could not report on their single outcome agreements until September. That is the first time at which they will have the assessment of the indicators and all the data that are required to make a judgment on whether they are making progress. If you are saying that we have not yet reported, area by area, on the outcomes that have been achieved through last year's single outcome agreements, you are quite right. However, we did not say that we would do so by now—we said that we would do it in September, and that is when it will be done.

10:15

Patricia Ferguson (Glasgow Maryhill) (Lab): In questioning last week's witnesses, we were examining the situation across Scotland to find out how councils or community planning partnerships compared with one another, with a view to establishing how we should judge outcomes. Correct me if I am wrong, but if there is no national aggregation of indicators how can we in the Parliament monitor what has been done across the country? I do not see how that will happen.

In a letter to all the partners involved, Dr Andrew Goudie makes it clear that

"All the statutory public sector partners to Community Planning are ultimately accountable to Ministers and Parliament or Councils."

I am not sure how we are meant to ensure that.

Mary Pitcaithly: It is important to recognise that we are all trying to address the national outcomes, which will be reported through the national indicators and targets and under the national performance framework. There will be an opportunity for the Parliament, using that framework, to have an overview across Scotland.

There has been clear recognition across the board that local partnerships and communities would identify their priorities. There was never an expectation that we would all use the same indicators and that it would therefore be easy to aggregate them.

There are still data sets available that tell us about performance; statutory performance indicators, for example, have not gone away. That sort of performance framework still exists, and that allows parliamentarians and communities to make their judgments. The view is that communities made very little use of SPIs and of the various PIs that we produced over the years, but they will make better use of something that is couched in the language of outcomes. In our view, that makes

it easier for us to communicate with our communities, and for them to understand the progress that we are making, not against specific, relatively narrow indicators, but against a range of things that will produce outcomes over time—nobody said that the outcomes would be produced in the very short term.

Patricia Ferguson: How will the single outcome agreement process be accountable to Parliament if there is no national aggregation? If it is work in progress, at what point do we have the information?

Rory Mair: As we have said, there are two processes going on. Government has said that there are some national priorities, and there are national indicators. Government will report to Parliament on performance against those.

Local partnerships are reporting to their communities, saying what priorities have been established following consultation with those communities. Councils state which indicators they are using to measure progress against the priorities and, at the end of each year, they state how much progress they have made.

We view the local outcome agreement process as being primarily about reporting to local communities on the progress that is being made on the priorities that have been identified with their council and partners. National performance is reported through the national performance reporting framework. In essence, the local outcome agreement process is just that—it is a local process.

If the 32 councils are considering the same issue, it would be silly to dissipate energy by using 32 different indicators for the same thing—the councils should get together to create a single indicator for everybody to use. There is room for that to happen, thanks to work that is going on in a variety of areas, and that will provide the opportunity for some comparison to be made. We do not feel that it is right to impose a set of national indicators on what is, essentially, a local process.

Patricia Ferguson: But if Dr Goudie is right, and if all the processes are ultimately accountable to Parliament and ministers in some way, how do we get a clear picture of what is happening? I am sure that my colleagues will wish to explore how you engage with local communities to ensure that their views are taken on board—which has not been my experience of how things have operated so far. I am interested to know how the sense of Dr Goudie's injunction is meant to be carried through.

John Ewing: As Rory Mair said, it is about what ministers will be responsible for reporting to Parliament. It is about how the national

performance framework develops and how reporting is done using the indicators that it establishes. We will draw upon the material that is available from local authorities about what is happening in their areas to inform their judgment on the various issues. That forms part of the analysis that we will have to do.

In some cases, it will be possible to make direct comparisons between councils because, as Mr Mair said, there will be some indicators that people have agreed as being relevant. Councils will differ in other respects, because their circumstances differ. We must take into account the fact that there are 32 local authorities, each with particular priorities and local circumstances. That means that judgments must be made across the 32 areas. There will not be a single list that tots up all the numbers, however, as that would be physically impossible to produce.

David McLetchie (Edinburgh Pentlands) (Con): Good morning, ladies and gentlemen. I wish to start by looking at your written submission. I am particularly interested in paragraph 4, which says:

"whilst the SOAs emanate from the Concordat, they are not the means by which the 'specified set of commitments' in the Concordat are delivered or reported."

What are the mechanisms and means by which reporting or delivery are achieved according to the "specified set of commitments"? What group exists for the purpose of monitoring that and publicising progress?

Rory Mair: We agreed that some commitments were input based—we agreed them under the concordat between national and local government. There is a bimonthly meeting between the leadership of local government and cabinet secretaries, at which we are asked to report on progress against specific commitments.

David McLetchie: Are those meetings reported? Is the progress that is reported by local authorities to the Government at those bimonthly meetings published?

Rory Mair: You would have to ask the Government what it does with the information.

John Ewing: We do not publish it. A conversation takes place between ministers and the political leadership of COSLA about progress against the delivery of political commitments.

David McLetchie: I see. So, whether or not those commitments are being achieved is a state secret. Is that correct?

John Ewing: No.

David McLetchie: So why is that progress not published?

John Ewing: We do not record detailed minutes of those meetings. They are conversations between ministers and local government leadership.

David McLetchie: Is there a point at which, following those bimonthly conversations, there might be an annual summary of progress, for instance, which we might have the opportunity to debate in the Parliament or at the committee?

John Ewing: There are not currently any plans for that, but I am sure that the cabinet secretary would be happy to consider such a suggestion.

David McLetchie: So, at the moment, there is no mechanism for reporting to the Parliament or the public on the progress that is made by councils, in partnership with the Government, in achieving the commitments that have been set out in the concordat. Is that correct?

John Ewing: There is always the opportunity for the committee to invite the cabinet secretary to give evidence against progress and the delivery of the concordat any time that it chooses.

David McLetchie: Indeed—and there is always the opportunity for local authorities to report on their contributions, too, but they seem remarkably reluctant to do so.

Rory Mair: We have said that, as part of the overall concordat, we agreed a set of reporting arrangements with Government. One was that SOAs would be developed for those things that are outcome based. It was determined that it would be inappropriate to include some input-based commitments in the single outcome agreement process. We agreed that with Government. We are delivering, and we are reporting against those commitments by exactly the arrangements that we agreed under the concordat. That is not part of the SOA agreement or process, on which we came to give evidence this morning.

David McLetchie: That is all very convenient—you managed to exclude from consideration and overview some of the key parts of the agreement that you made with the Government, and they have now become the subject of private discussions that the public and the Parliament are not made aware of. Is that not correct?

Rory Mair: Correct me if I am wrong but, in the press over the past year or so there has been a heck of a lot more discussion about class sizes and the other issues that are subject to specific commitments than there has been about outcome agreements. From the local government point of view, we find the suggestion that those issues have been purely a private matter hard to accept.

David McLetchie: I do not mean private in the sense of people prising out information, or of

individual comments being reported in the press. We are interested in the collective view of Government and of the representative organisation for local government on the progress that has been made in delivering the outcomes. At the moment, that is secret, is it not?

Rory Mair: At the moment, we report as per the arrangements that we negotiated with Government.

David McLetchie: Indeed—only to the Government, not to the public or to the Parliament. Is that correct?

Rory Mair: None of the other issues has gone away. We are monitored entirely with regard to our performance. You have seen the results of the work that we have done in education, which were published in the last month or two. We know the number of teachers; you know the number of children per class. All that has been made public. To say that it is private is simply not true. You have a fundamentally authoritative report, which was widely publicised, about the number of teachers, the number of children per class and the progress that we have made. On which bit of the report have you not had an opportunity to question us and the Government?

David McLetchie: Your councils refused to disclose at any of our meetings your conversations with Government, or your view on the feasibility of achieving the targets or the timescales for attaining them. In turn, the Government refused to comment on those things; it regarded them as part of your secret bimonthly meetings, which we have had no opportunity to scrutinise.

There are loads of things that we could ask you about. For example, the third sentence of paragraph 4 of your submission says:

“Those commitments are about the delivery of specific actions and outputs by the Scottish Government and local government at a national level.”

Can you tell me how you reduce a class size in one particular council area at national level?

Rory Mair: What we agreed was—no, I am sorry; I am slightly concerned that we are not talking about the single outcome agreement process at all. You are not asking us about single outcome agreements.

David McLetchie: Excuse me, but it is about single outcome agreements. In 17 of the first-wave single outcome agreements signed by your local authorities, specific references were made to the policy on class sizes, and in 15 agreements, no such references were made. I will ask some questions about that in a moment.

If the class size reduction policy is a specific commitment to be delivered at national level and

excluded from the SOA process, can you tell me how you can reduce a class size at national level?

Rory Mair: No; the commitment was made at national level. We agreed that class sizes in primaries 1, 2 and 3 would move to 18 throughout Scotland

“as quickly as is possible”;

those are the actual words of the concordat commitment that we made.

We did not say that each council would move according to any particular timescale or in any particular year. We said that we would report on the overall national progress towards achieving class sizes of 18 and that is what we have done. Individual councils have to take action to achieve the target, but COSLA’s role is to report not on what an individual council has done but on the situation throughout Scotland by asking whether we are closer to having class sizes of 18 than we were a year ago. That was what we were asked to report on; that is what we have done. It is a national commitment, not a local one.

David McLetchie: But it can be achieved only as the result of aggregating the efforts of 32 authorities, as is the case for many of the other commitments in the concordat. Until you assess how each authority is doing and until each authority sets itself an indicator or local outcome, how can you possibly achieve a national outcome?

Rory Mair: Not everything that we do is in the single outcome agreement, as you pointed out. Some councils made class size reduction a priority in their single outcome agreement whereas others did not. That does not mean that they are not doing stuff on class sizes or moving towards achieving class sizes of 18; we said that single outcome agreements were a strategic process whereby the priorities of the community and the community planning partners should be picked out. That is what has happened. It is not that we are not making progress on reducing class sizes if a single outcome agreement in a particular area does not specifically mention it.

David McLetchie: You are not making progress on reducing class sizes in East Renfrewshire, which says that the policy cannot be delivered because, if I read the reports correctly, it cannot be done within the current legal framework. Is that not something about which COSLA, representing all local authorities as it does, should be making representations to the Government?

Rory Mair: Again, although we have undertaken to publish the results, we have not undertaken to publicise every discussion that we have with Government about either our abilities or our difficulties in achieving individual targets. We have

those discussions with Government, but we do not publicise the nature of them. That is the relationship that we have with Government. COSLA takes up issues about how doable such things are, but we do that in private as part of the discussions that we have with Government, as we discussed with any previous Government private matters that we did not make public. That is the nature of the relationship.

David McLetchie: Yes, but you signed up jointly to a national commitment. Do you not think that the people to whom you made the national commitment have a right to know what progress you are making on it and what the partners to that commitment are saying to one another? Does that not make a degree of sense? Are we not supposed to be open, transparent and accountable?

Rory Mair: Earlier this year, exact details were published of how many children were being educated in classes of particular sizes in Scotland. The people to whom we made a commitment know what has happened. It has been reported in the press that we have reduced the average class size by 3 or 4 per cent, and that we have increased by 1 per cent the number of children who are educated in classes of 18. We have reported that information; there is no dubiety.

10:30

David McLetchie: No, but is it not relevant that, at the rate of progress reported by your good selves—or rather, reported in the national statistics that are published every year—it would take 87 years to achieve the target? Is it not relevant that we should have some kind of discussion about the rate of progress? Is it not relevant that we should examine the weasel words

“as quickly as is possible”

to find out what they actually mean for parents and children in Scotland today?

Rory Mair: I can understand why you might feel that that was a priority discussion for you to have, because it would be about how you hold Government to account for the work that it is doing. What you cannot do is hold us to account for it in discussions on single outcome agreements, of which it is not a part.

David McLetchie: I think that we can hold you to account on it, because it is mentioned in 17 of the 32 single outcome agreements. I would not like to think that that number will fall any lower.

The Parliament has a responsibility to oversee the implementation of national commitments. Those commitments should not be the subject only of private conversations between local authorities and national Government. That is a

ludicrous state of affairs. What is going on is going on in secret, and the Parliament and the public do not know about it. You have built that into the process.

John Ewing: No, what we have said is that a set of national commitments is contained in the concordat, which will be monitored as part of the relationship between the Scottish Government and COSLA. COSLA will report to ministers on that process.

As Mr Mair says, information is published on various national statistics at different times. The Parliament can ask ministers about those issues if it so chooses.

David McLetchie: Yes, but we want to ask COSLA about them. COSLA is a partner.

The Convener: You describe yourselves as the oversight group. In 2008, Audit Scotland acknowledged that significant improvement was needed in the measurement of outcomes. As a result of that comment from Audit Scotland, what discussions has the oversight group had? Has the issue been discussed during the bimonthly meetings with ministers? Have you taken on board Audit Scotland's comment and given an appropriate response?

John Ewing: We will be considering the comment in the light of the analysis of the latest round of single outcome agreements. Once all 32 have been submitted and considered, we will take stock with colleagues in local government and with Audit Scotland, to see what lessons can be learned.

The Convener: Have you notified Audit Scotland of that position?

John Ewing: Audit Scotland is a member of the concordat oversight group; it is represented on—

The Convener: And it is satisfied to wait until September. Is that what it has said?

John Ewing: No, that is not what it has said, because that is not what it was asked. We have said that we will take into account the lessons that we have learned.

You mentioned the comment that Audit Scotland made. We have agreed with Audit Scotland on an acknowledgement of the practical difficulties of measuring outcomes. Earlier on, you alluded to that yourself, convener. We are on a journey. We are developing a process that will enable us to monitor outcomes better in the future. Over the past few months, further work has been done by local authorities and their community planning partners on developing their single outcome agreements with a stronger focus on outcomes. We will want to take stock of what that work tells us, to see what further measures we can take to improve the situation.

Measuring outcomes is a real challenge, and time factors are often involved. We will want to work with Audit Scotland and others to ensure that we have a system that is as robust as we can make it.

The Convener: David?

David McLetchie: No, I will draw breath and let somebody go before me.

Mary Mulligan (Linlithgow) (Lab): Good morning. I apologise for arriving late; I hope that I did not miss too much of the witnesses' introductory comments.

We recently heard evidence on the input of local councillors to the development of single outcome agreements. Can you tell us about that involvement?

Mary Pitcaithly: Certainly. I do not know the precise details of how things work in every single community planning partnership area so I will talk about my own Falkirk Council area, but the situation is replicated fairly widely.

Our elected members are involved at a variety of levels. They are involved in the initial discussions with communities about the vision for the area and what we are trying to achieve, and they are also involved in the on-going monitoring of progress on that. They are involved not only as councillors but often as members of health boards or police boards, too.

In my area, only the entire council, rather than just part of it, has responsibility for monitoring and approving the single outcome agreement. When our single outcome agreement was taken to council last month for approval prior to submission to the Government, the motion to approve it was moved by the leader of the council and seconded by the leader of the opposition. The entire council had an opportunity to review the content of the agreement, so that they were clear that it was what they understood all the partners to have agreed to and what they were all working towards. They also had the opportunity to make it clear how they expected it to be monitored. I think that that sort of process is pretty common throughout the country.

Mary Mulligan: Are there any particular challenges for councillors in ensuring that they are involved with the development of the single outcome agreements?

Mary Pitcaithly: Through the process of best value audits, many community planning partnerships were encouraged to ensure more participation by elected members in the community planning process, which is entirely appropriate. We do not have a community planning board or leadership group that includes every elected member—apart from anything else,

the elected members would outnumber our partners, which would not be a good start—but we try to ensure that there are opportunities at various stages for all the elected members to feed into the process and be involved in particular elements of the challenge that the overarching community plan and single outcome agreement has set for us.

Mary Mulligan: Does COSLA play any particular role in ensuring that a range of local councillors are involved so that communities are well represented in the process?

Rory Mair: No. We discuss the guidance that we issue to ensure that all of COSLA is signed up to it, but we tend not to say to individual councils, “Here’s how you must organise the way you do business”. Our job is to represent councils in discussions with partners; we tend not to tell councils how they should go about their business. However, all the guidance about what we believe should happen has been debated by councillors in COSLA.

Mary Pitcaithly: We have been involved with the Improvement Service in producing a briefing note for elected members, too, which I think they have found helpful as it sets out what a single outcome agreement is and their role in the process.

Mary Mulligan: I do not know whether this happens in your local authority, but we are told that in some local authorities a lot of the decision making has been devolved to the councillors or representatives on local area-based committees. Have you seen a lot of that?

Mary Pitcaithly: Yes. Some areas have adopted that model and others have not. My local authority has not adopted it, because the area that it covers is compact and largely urban—although there is a rural part, too—and elected members did not think that the model was appropriate. However, we are doing local community planning, which is important because it is how we ensure that we are aware of what each part of our community expects of the public sector and wants to happen in its area. All that feeds into the overarching strategic community plan, and elected members can be involved at that level. However, you are right that other councils have area committee structures or a more devolved model, which is entirely appropriate in certain parts of the country.

Mary Mulligan: Did you learn anything from the first round of SOAs in relation to councillor involvement on which you are looking for improvements in the second round?

Mary Pitcaithly: The initial process was a speedy one: the guidance was issued in February and we produced the SOAs very shortly thereafter. We were trying to raise everybody’s awareness of

what these new beasts were, but we were also trying to raise awareness of their importance in giving us an overarching framework in which we would try to ensure that the public sector and the third sector came together and were headed in the same direction.

We had to do that work rather quickly, but we all—I imagine—spent more time during the following year embedding it in the community planning process and the processes of the council, health board, police board and so on.

John Ewing: It is worth saying that, the first time around, SOAs largely reflected the work that councils had done since their election on developing their own community plans and priorities. We heard the strong message from councils in our discussions with them that they wanted to ensure that the understandings and the processes that they had developed with their communities were carried forward into the first round of SOAs, and that has been done.

As Mrs Pitcaithly said, there is an on-going process of further development as we go into the new round of SOAs.

Mary Mulligan: Other members might want to move on to the development of community planning partnerships and the involvement of the voluntary sector, so I will stop there.

John Wilson (Central Scotland) (SNP): I seek clarification from Mr Ewing. In an earlier response, when the convener mentioned Audit Scotland, you indicated that it was part of the concordat oversight group. Can you clarify which organisations are members of that group?

John Ewing: Sure. The group’s key members are the Scottish Government, COSLA and SOLACE because they have overall responsibility in relation to local government. Audit Scotland is also represented in the group, along with the Improvement Service. Part of the Improvement Service’s role is to help support the process, and Audit Scotland needs to have an understanding of how the new framework is developing and will impact on the delivery of services throughout Scotland.

John Wilson: You have clarified that the three core members of the group are COSLA, SOLACE and the Scottish Government, and that there are two other organisations. Are those organisations observers, or can they participate?

John Ewing: They are members of the group, but they are there for particular reasons to do with their roles.

John Wilson: I am just trying to draw that out. We have a submission on the single outcome agreements from the oversight group, and we are now hearing that there are another two partners—

if I can call them partners—in the group. I am interested in the role of the Improvement Service, as some of the committee members will know. I know what Audit Scotland is, but I am not exactly sure what the Improvement Service is. My understanding is that it is a body that was established between COSLA and the Scottish Government. It now sits on the oversight group. Can someone clarify the role of the Improvement Service?

Rory Mair: I can clarify what the Improvement Service is. As you said, it was originally set up by COSLA, SOLACE and the previous Government to provide a resource, because it was recognised that the way in which local government delivers services would have to change during the forthcoming period. It was acknowledged that—as in most other countries, such as England—it would be good to have some mechanism to support that change.

The make-up of the Improvement Service has now changed. The Scottish Government is no longer a member of the Improvement Service company, which is made up of SOLACE, COSLA and all the 32 councils. The nature of the body has also changed: it is now a resource to support local government as it goes about changing the way in which it delivers services. In that sense, it has to support the change that we are discussing, which is a big change for us.

John Wilson: I would like further clarification. The reported minutes of the Improvement Service show that a representative of the Scottish Government civil service attends its meetings. In what capacity do they attend the meetings?

Rory Mair: Under the present company set-up, a Scottish Government representative attends only as an observer and a partner to us.

John Wilson: Thank you; that is all for the moment.

The Convener: COG's submission mentions that COSLA and SOLACE are part of the group, but it does not mention Audit Scotland. I am curious about why you would differentiate between those bodies.

10:45

John Ewing: I understand that. We are trying to respect Audit Scotland's independence. The concordat oversight group is a group of officials who support the politicians in the Scottish Government and COSLA in implementing the concordat. The issues with which the group deals, particularly the single outcome agreements, have implications for Audit Scotland, which has an interest in those issues because of its interest in best value and various other matters. It was part of

the high-level steering group to which Rory Mair referred that was in place last year to oversee the single outcome agreement process. To some extent, that process is largely technical.

We have continued with Audit Scotland's involvement now that we have merged the two previous groups into the concordat oversight group. However, Audit Scotland's independence must be protected, which is why I described COSLA, SOLACE and the Scottish Government as the core partners. The Improvement Service is part of the delivery arm of COSLA—we have given it a particular role in initiating and developing the guidance material and acting as a critical friend to local authorities as part of the single outcome agreement process. Audit Scotland participates in our discussions so that it can be better informed about how the process is developing and can inform us if it has any concerns on best value. That is why the document that we submitted to you was from the three of us.

The Convener: I have been in similar circumstances with the Scottish Parliamentary Corporate Body in which Audit Scotland was present.

Is Audit Scotland aware of the "Interim Report from Local Government on the 1st Phase Single Outcome Agreements in 2008-09"? Did it have sight of it?

John Ewing: It is aware of that report.

The Convener: Did it endorse it or feel that its name could not appear on it?

John Ewing: No, it was not specifically asked to do that. The submission on behalf of the three of us—COSLA, the Scottish Government and SOLACE—

The Convener: What is its view on the report?

John Ewing: There is nothing in the report that causes it concern.

The Convener: Will we be able to verify that with Audit Scotland?

John Ewing: Yes.

Jim Tolson (Dunfermline West) (LD): I am interested in the financial flexibility between the partners in working towards the outcomes in the single outcome agreements. We have discussed how the agreements will give more focus to new priorities, new ways of working and their outcomes. What flexibility exists to determine which partners should control more or less of the budget if changes are required to make the outcomes more tangible and better value for the taxpayer's money? How is that delivered?

Mary Pitcaithly: Since the concordat, there has been a change in that respect because there is a

bit more flexibility for us to devote resources to priorities. For example, given the current economic situation, Falkirk Council has agreed that it is appropriate to devote more resources to welfare benefits advice and debt advice. We are able to establish that service as a priority in the current circumstances and move resources to it. That is an improvement on the previous situation, in which our budget lines would have been strictly controlled, so it is helpful. We can also say that it is entirely appropriate for community planning partners to agree that a priority—for example, antisocial behaviour or some of the health inequalities with which we are wrestling—needs particular attention and therefore should be the focus of a particular piece of work to which we will devote a resource that is established across the partnership.

Jim Tolson: That is an interesting answer on the policy, but I am trying to get at the financial delivery. In the examples that you gave, are budgets moved between local authorities and health authorities, for example, to ensure that the partner that is best able to address the priority has the financial resources to do so?

Mary Pitcaithly: We would normally work in partnership to ensure that there was a contribution from whoever had a stake in what we were trying to achieve. It is perhaps less likely that we would say, “Here is some of our money. Go away and do something with it.” We would be involved in ensuring that adequate resources were available to take action on an issue if it was a priority for the partnership and the community.

Jim Tolson: The partners often work together to deliver an outcome—you alluded to that, I guess—but the balance of delivery between them may change. I am trying to find out whether a robust mechanism is in place to ensure that, when that happens, the financial balance changes to ensure that the outcome can be delivered.

Mary Pitcaithly: That depends on the community planning partnerships having the will to do that, but the situation certainly seems to be working well in a number of areas where they are clear about the priorities. The outcome-based approach helps us in that respect and enables us to target the resources where they are most needed. We have taken a clear view, which we are now sharing across all those partnerships, of what the local context is, where the real pressures are, where the demands are likely to be and what the analysis of that contextual evidence tells us we need to devote resource to. That is a huge step forward, and we can take it further because, with more analytical ability and capacity for a proper evidence-based approach, which we can always keep developing, we will get even better. The single outcome agreement was—certainly for us—

one way of ensuring that we had the evidence base to make such decisions during budget processes and so on.

Jim Tolson: You mentioned at the beginning of your response that it is fine when the partners are willing to alter balances and make changes, but I am sure that the process does not work smoothly all the time. Are there instances when the partners do not reach agreement or are potentially even breaching the single outcome agreement in not doing so?

Mary Pitcaithly: I am not aware of any such cases, but there is obviously always the potential for there to be conflicting demands on agencies and organisations’ budgets. I imagine that the partnerships, having been built up over a number of years, are now fairly robust in most areas and able to have those discussions. Elected members would clearly become involved, and there would be many opportunities to resolve any tensions.

Rory Mair: Sometimes when COSLA says “We expect” it is speculation rather than fact, but we expect that we will quite soon come up against the issue of whether there is a need for the community planning partnership, rather than one of the partners, to have the ability to hold money so that it can be devoted to community planning partnership priorities. There will have to be a debate about how to create financial flexibility so that the money is not held and owned by any particular individual part of the community planning partnership and what governance arrangement to put around it to ensure good accountability. We feel that that question is now there or thereabouts and we have to address it.

There are on-going discussions between us and the health service about the transfer of resources. If we want to keep more people at home and have fewer people going into acute provision, does there need to be a transfer of resources to reflect that? We are beginning to see a development of that argument—I accept that it is a clear issue that we will have to address.

Jim Tolson: That is a helpful comment. You said earlier that we are in a developmental process. Given that we are coming on to single outcome agreements mark 2, will a key part of the discussions be about trying to ensure some progress on the flexibility and availability of finance to deliver SOAs?

John Ewing: I do not think that it will be in the second round, but we are moving along that road. With the single outcome agreements, we get a stronger focus among the community planning partners on their priorities and how they are going to work together towards the outcomes. As Rory Mair says, the conversation is beginning to move on and people are asking exactly what you

suggest: could this be achieved better if we did something differently with the resources? We will certainly want to have a conversation with our local government partners about how the system evolves further. There are currently some local practices in which there is variation in the allocation of resources, but that is not yet universal.

Mary Pitcaithly: There are some very good examples of partnerships that are moving forward on resources. For example, in Orkney the bodies are looking at a shared resource. There are also opportunities through, for example, the fairer Scotland fund, in which we worked to involve communities in decisions about the allocation of resources. The decisions were taken and agreed by each partner, and the funding was allocated in what is now a well-established process, which we will use for other similar funds.

Graeme Dickson (Scottish Government Primary and Community Care Directorate): I am not a member of the oversight group—my involvement has been as the lead director for four SOAs last time and two this time. As Rory Mair said, there is a long tradition of health and local government working together and sharing resources. I have seen promising signs with the two recent SOAs that people are beginning to work together and use joint resources. In one case, about £500,000 was shared to help economic regeneration; in another case, the fairer Scotland fund was used to help address particular issues in the local authority area. People are beginning to make use of the flexibility locally.

Jim Tolson: I welcome those comments. I am sure that the witnesses are aware that the committee will continue to monitor and possibly challenge as required, but I thank them for their welcome reassurances.

The Convener: Can the process be described as genuinely strategic, or is it still opportunistic at this point? Is it not just that money is becoming available for various initiatives? I appreciate that people want to maximise that money, but we are not at the strategic stage yet, are we?

Rory Mair: That is a pretty good expression of where we are. When we can make use of funds, we are doing so, but we have not yet completely taken the step of saying, "This is the strategic way of doing business into the future; how do we support it, how do we get the flexibility with the accountability?" That is coming, not just through single outcome agreements but in response to the economic downturn, which clearly cannot be tackled by one agency on its own—shared resources are required. Your point is a good one, convener. The process is a bit opportunistic at present as we take our chances, but it will become

a strategic priority for us to be able to work in that way soon.

John Ewing: One development in the guidance that we issued between the first and second rounds of SOAs was to put to the various bodies concerned a commitment that said to them, "We expect you to take into account what is agreed in the single outcome agreement in developing your corporate and business plans". We are giving them the opportunity to reflect that in their own strategic document, but you are right that, at the moment, the process is still opportunistic, although potential exists for the future.

The Convener: I take it that that guidance about SOAs is freely available to the committee.

John Ewing: Yes, it is probably included in the pack of materials from the Improvement Service.

The Convener: Has the hype and political spin around the historic concordat made the job a bit more difficult in the longer term?

John Ewing: The concordat established a new relationship between central Government and local government of which single outcome agreements are one expression. Having secured political agreement that that was the way in which we wanted to develop, we have been able to take the relationship forward constructively. I do not see the concordat as an issue one way or the other.

The Convener: Does everyone agree with that?

Graeme Dickson: As John Ewing said, it is not just on the SOAs that there has been good joint working. Local government and the health service have worked jointly on developing policy on health inequalities and moving forward on how we deal with the growing number of older people. The concordat represents a move towards joint policy making from the bottom up.

The Convener: As we have heard this morning and in written evidence, we cannot point to a particularly successful outcome in that regard. Everyone round the table knows that there have been transfers of money to budgets for elderly care and to tackle bed blocking, but much of that was happening in many areas before the single outcome agreements and the concordat were introduced.

Graeme Dickson: On a more strategic approach to how we look after older people in the community, joint work has begun with COSLA and all local government to work out jointly how we can make best use of the resources of both sectors.

The Convener: I am sure that you know about the situation in Livingston and how long people there have been working on that. Perhaps Mary Mulligan will spend half an hour with you there. A

lot of the work was taking place before the concordat began, was it not?

Roy Mair: A lot of the work was taking place before the concordat; I would not demur from that.

The Convener: Our difficulty is in measuring what has happened since it was introduced.

Roy Mair: Going into the discussions with Government, local government wanted to see more emphasis on joint working. As you will see from the guidance that we issued on governance and accountability, we have now arrived at a position in which all the statutory partners in an area have to sign up to a commonly agreed set of priorities and to saying that their resources will be used in pursuit of them. They have to be accountable for that. Part of governance is about each of the statutory agencies being accountable in that way.

As you say, what has happened is an extension of the community planning that was happening before, but it is a significant extension. It is a move forward, but I agree that community planning was happening before the concordat. We hope that what we have negotiated more recently strengthens it and makes it more valuable.

11:00

John Ewing: I am conscious, convener, that your difficulty is that you have not yet seen the second round of single outcome agreements. The message that we are picking up is that local authorities and community planning partners regard the single outcome agreement as an important element in building on and re-energising community planning. We are not imposing on local authorities something that was thought up in the concordat between COSLA and the Scottish Government; local authorities and their community planning partners have picked up the ball and are really running with it. They are saying to us that the single outcome agreement is a powerful way of moving forward. That is the background against which we operate.

The Convener: I cannot wait until September because I presume that, at that point, we will be able to identify where progress has been made, the indicators and outcomes have been fulfilled and money has shifted from one budget to another. We will then have a better idea of how to measure progress. That is what excites me about September. Can you assure me that that is what will happen?

John Ewing: No.

The Convener: Thank you.

John Ewing: I say no because we must bear in mind that the single outcome agreements have

been in operation only for a year or so. In September, you will get evidence of progress. A number of the outcomes are long term, so we hope that councils will be able to report on progress towards them. We are creating an atmosphere in which the strategic movement of funds that we discussed earlier will become easier, but you will not suddenly find a long list of changes in September, because councils will be reporting on the progress that they made between April 2008 and March this year. September 2010 should, I hope, provide more evidence of the things that you are talking about.

Rory Mair: Whatever progress we have made, the committee should be able to ask questions about matters that concern it by September. We should be able to say how much progress we have made, and we should be asked whether that progress is good enough. Therefore, by September, we should be able to provide a first set of documents that set out what councils have achieved against what they said that they would do and the issues that they encountered. It is right that the Parliament—whether or not through this committee—should ask questions and we should answer them in written and oral evidence.

The Convener: I look forward to that. I hesitate to use an analogy with the banking system, but we were told that the only people who understood the system and how to be successful in it were the bankers, and we were then very disappointed to find out that they did not understand it or the objectives. I hope that we do not arrive at the same point with the single outcome agreements.

Bob Doris (Glasgow) (SNP): The convener is getting excited about September now and we all look forward to it. Should we all be excited about the end of June as well? That is when single outcome agreements will be signed off and everyone will get to see them. Some local authorities decided to put national outcomes in their single outcome agreements, although they did not have to. They have chosen to be monitored on those national outcomes come September. If a local authority puts a national outcome with local indicators in its single outcome agreement in June, will that be a sign of confidence? If so, will the converse also be true: if a local authority decides not to put national outcomes in its single outcome agreement, will that be a sign of trepidation about whether it will make progress?

Mary Pitcaithly: It is not necessarily as straightforward as that. My community planning partnership decided to use all 15 of the national outcomes and set out a range of local targets and indicators to judge how well we were contributing to meeting those outcomes. However, we did that in the same frame as asking whether there were

local priorities in those outcomes. It so happened that we thought there were.

Other partnerships might want to have a more strategic focus—they might say that if everything is a priority, nothing is a priority—and therefore focus on a smaller number of local priorities, which may mean that they do not address all the national outcomes. That is an entirely reasonable local interpretation of the guidance that we were given.

If we have not referred to a particular national outcome, you should not assume that it is because we do not think that we can work towards achieving it. In some areas, it might be less of a priority than other things.

Bob Doris: Okay. We will move on slowly, although perhaps not usefully.

National statistics for national targets, Government priorities and joint concordat priorities are dealt with by aggregate. For example, we know the spend per pupil in education, the teacher pupil ratios, and the number of classes with fewer than 18 or 25 pupils. That information is all publicly available. Some local authorities are making progress and some are not. Some are tied into national priorities, because they chose to mention them in their single outcome agreements, so there is a link, as Mr McLetchie said, between those things. When Government wants to discuss with a local authority the progress that it is making, does that discussion take place directly between a cabinet secretary and the local authority or does it involve another mechanism?

Mary Pitcaithly: There is a variety of mechanisms. Last year, such discussions were held between individual cabinet secretaries and individual community planning partnerships—there were 32 of those discussions in the early summer—but that does not mean that there would not be separate and additional discussions about individual issues during the year.

If there was any concern about the progress that was being made on any of the things that you mentioned for which the information is publicly available, separate discussions could be held. It is not just all concentrated in one ministerial visit.

Rory Mair: Specifically on class size reduction, we know that a wide range of significant discussions are on-going at a national level. In our discussions with Government, the national picture is regularly discussed, for example in relation to how much progress is being made, whether it is happening quickly enough and what the issues are.

If a council says, “Look, we’ve not made as much progress on this, and here’s the reason why,” we know that discussions will be held between individual ministers and cabinet

secretaries and the council about the legitimacy of the reason that has been given.

Discussions are happening at both levels just now: there is a national discussion and there are individual discussions to consider why more progress is not being made and whether more can be done on certain things.

To return to my earlier point, we must remember—and we have always understood—that in some areas of Scotland school rolls are not falling, so it is difficult to make quick progress on reducing class sizes. There are different situations in different areas, which is why class size reduction was set as a national target rather than an individual target.

Bob Doris: My view differs slightly from that of Mr McLetchie. He wants to shine a light on the discussions between COSLA and the Government, the oversight group and individual local authorities. This committee quite often goes into private session. For example, we will meet in private today to discuss a report on equal pay. In private session it is much easier to knock heads together and get things done; I appreciate that more now.

However, I do not say that just to let you off the hook when it comes to knocking heads together. COSLA has said, for example, that the national outcome of delivering free school meals is funded from the financial settlement, and that the finance to maintain teacher numbers in the face of falling rolls in some parts of the country is also contained within that settlement. Individual local authorities, however, will tell you that they have not been given money to provide free school meals or to maintain teacher numbers. COSLA says one thing and individual local authorities say another. I do not want you to name individual local authorities, but does COSLA ever knock heads together? Does it ever say, “Step into my office, local authority X, and let’s discuss this,” or do you leave it all to the Scottish Government?

Rory Mair: COSLA is a membership organisation, and as such our job is to represent what our members want to say to other people. It is therefore difficult for us to turn round and tell our members how they should behave. However, we understand that under the new arrangement, if COSLA—on behalf of councils—agrees to do something, we have some responsibility to the partner with which we have made the agreement to ensure that it is delivered.

As you can imagine, COSLA has to wrestle with the question of how we can ever be credible as a partner if we cannot have that type of discussion. If COSLA tells Government or another partner that we will do something, but nobody does it, we will not make progress in further negotiations on

behalf of local government. COSLA must discuss how disciplined we can be, and we do so with leaders regularly.

Bob Doris: I hope that you will continue to do so. Although you are a membership organisation and it is not your job to say, “Step into my office,” and to chastise individual local authorities, you signed up to the concordat. COSLA’s full-time leaders therefore have a strong role in supporting capacity building in local authorities. I want to be reassured that COSLA is proactively doing that in bilateral discussions with local authorities, rather than waiting for the Scottish Government to carry out its round of visits. Local authorities should be being pressed from both sides—from COSLA and the Government.

Rory Mair: I am not going to say exactly how we do this, but we regularly discuss with individual councils and at leaders meetings our credibility when we say, “This is what the whole of Scottish local government will do,” as I explained.

Bob Doris: Mary Mulligan might ask about the voluntary sector’s engagement in community planning partnerships, which are allocated large amounts of money from the fairer Scotland fund. Does the oversight group give guidance on how local authorities and CPPs should engage with the voluntary sector, whether we are talking about engagement on a statutory basis or otherwise?

John Ewing: Yes, the matter is covered in guidance. We expect CPPs to involve the third sector appropriately. We are working with the sector and colleagues in local government to develop frameworks in which that can happen.

The reality in different parts of the country varies, depending on the nature of relationships and the structures that exist to capture the views of the voluntary sector. Mrs Mulligan is familiar with the situation in West Lothian, where there is a strong framework for engagement by the third sector. I think that the Scottish Council for Voluntary Organisations told the committee that in West Lothian the third sector is at the heart of the CPP. For other parts of the country, the national interface is still being developed. Our target is to have a set of national interfaces that covers all 32 local authority areas by April 2011, which will bring together the work of councils for voluntary services and other voluntary sector groups in a framework that will reflect local circumstances and engage directly with the CPP process.

All CPPs have made an effort to get alongside their voluntary sector during the past year. Some have been more successful in doing so than others have been, because of the nature of the structures in which they operate. We all acknowledge that we must do more in future.

Mary Pitcaithly: Our CVS is represented at every level in our CPP and has a seat at the top table on the community planning leadership group, which signs off the single outcome agreement. It is important that the voluntary and community sector has a voice, but it is difficult for one person to have regard to all the interests in the sector, which comprises service providers, local groups, charities and so on. We therefore help our local CVS to set up forums—it is keen to do that—that allow all the interest groups to come together and feed in a view that can be brought to the table at the leadership group, so that when we discuss the outcome agreement or, more important, the achievement of outcomes, the third sector has a clear voice. That is a crucial part of the process of ensuring that we engage with the sector, which is critical. It is an important part of the work of all CPPs, which is probably at different stages of development—although we like to think that we are as good as West Lothian.

Bob Doris: I am glad that you had the opportunity to put that on the record. At last week’s meeting, representatives of the voluntary sector talked about the complexities that are involved in getting individuals to represent the sector on CPPs. To be fair, they mentioned off the cuff two local authorities that are good at engaging the voluntary sector. I will save people’s blushes and not say which authorities they named. The important point is that there should be a focus on capacity building in the voluntary sector.

The Convener: I would like to clarify that although we will go into private session to discuss our equal pay report, in relation to which we received written and oral evidence, all our considerations as part of that inquiry will be published. I say that in case we confused or misled any members of the public.

11:15

John Wilson: I was tempted to follow up on my questions about the Improvement Service by asking about its role and relationships, but I will do that in other ways.

Does the panel think that the production of the interim report has been helpful to our discussions on single outcome agreements, given that the final report will not be available until September? That is when the 32 local authorities will have reported back on the first year of the single outcome agreements. What is the value of the interim report?

Rory Mair: I accept that the interim report is more useful to those of us who are trying to build a framework within which single outcome agreements can be developed. It is not a report on

what they have achieved; it was not designed for that.

We cannot say, shortly after the end of the year, what outcomes have been achieved, because we have not monitored that and do not have the relevant data sets—they will be available in September. However, we can consider whether the process worked and what issues it threw up. That is what the interim report was designed to do, and it has been valuable in that respect, but we understand that it is not the final word on outcomes.

John Wilson: My follow-up question is about who signed up to the single outcome agreements, because I am rather confused about that, and others might be, too. The historic concordat, as the convener described it, was agreed to by COSLA on behalf of the local authorities, whereas the single outcome agreements were signed up to by individual local authorities. Ms Pitcaithly mentioned that the SOAs were signed up to by the 32 community planning partnerships, but my understanding is that they were signed up to by the local authorities—it was the local authorities that the cabinet secretaries visited last year when the SOAs were being signed up to.

Given that, in the main, the CPPs are made up of a range of Government-funded bodies, including the police, fire and rescue services, and, in some cases, Scottish Enterprise, what would happen if one of the partners in the CPP process said that it could not commit to the SOA? If, for example, Strathclyde Police, which covers the whole of Strathclyde, or Central Scotland Police, which covers three local authority areas, indicated that CPP priorities ran contrary to the priorities of the police board in the delivery of local services, what impact would that have? How would the relevant SOAs and CPPs be affected and what role—this might be a question for Mr Ewing—would the Government play in trying to ensure that the other CPP partners fulfilled what they had signed up to?

Mary Pitcaithly: I can confirm that our SOA is signed up to by the council, the health board, the police, the fire and rescue service, Forth Valley College, CVS Falkirk and District, Scottish Enterprise, Skills Development Scotland and the south east of Scotland transport partnership—both of which are new partners for us this year—and the Scottish Government. I imagine that that is a fairly normal range of the partners that are involved in CPPs and which are therefore signatories to SOAs. All the statutory partners that are required to be involved in community planning are required to sign up to the single outcome agreements.

You asked what would happen if the police said that they could not sign up to an agreement. As

you said, the police are publicly funded—they are funded partly by the Government and partly by the local authorities in their area. There would be methods for ensuring the police's accountability to the process and for delivering what they signed up to. Of course, if things changed in the course of the year, there would always be a process for understanding the circumstances around that change. Other organisations are directly accountable to Government and to Parliament, which also provides opportunities for holding organisations to account.

John Ewing: I agree with Ms Pitcaithly. About 15 of the first round of SOAs were signed on behalf of community planning partnerships and the other 17 were signed by local authorities. We are all expecting that the next batch will be signed on behalf of community planning partnerships, which means all members of the partnerships. They have the opportunity to input with regard to any area that they feel does not fit in with their overall priorities, to discuss that at a local level and to try to reach agreement. Our role in the Scottish Government will be to facilitate any of those discussions, particularly with the national public bodies that are answerable to ministers, and to seek to resolve any tensions.

The guidance refers to the fact that the public bodies involved must have regard to their own statutory duties and responsibilities. We have not come up with circumstances in which someone feels that participation in an SOA is contrary to their statutory duty, although theoretically that could happen in future, and we would need to resolve the situation if it did. However, the issue is local co-operation and agreement, and so far all of the partnership organisations are saying, "This is a good way to proceed and we want to engage with it."

Graeme Dickson: It might help if I give you a specific example from the national health service. We have asked all health boards to report to us as part of their planning cycle—their local delivery plans—what they have signed up to in their single outcome agreements. They will be held accountable for the delivery of that as part of the normal annual review process and the mid-year review process. That also applies to what they are doing as part of community planning partnerships.

Mary Mulligan: Is there a risk that in developing single outcome agreements we are developing another layer of bureaucracy?

John Ewing: The process that is being adopted throughout the country draws upon the strategic planning capacity in local government and the servicing of the community planning partnership framework. The single outcome agreements are an expression of where people want to go.

Councils and others are identifying outcomes as a better way of measuring their progress. Their performance management systems will be geared up to give them information about how they are delivering against those outcomes. We do not see it as another layer of bureaucracy; it is more about developing what is there already.

Mary Pitcaithly: There is always a risk that there could be more bureaucracy. In the concordat oversight group, we have tried to be aware of that and we have issued guidance that is designed to mitigate that risk. Some of us have tried to use the opportunity afforded by the single outcome agreements to create single systems, for example in performance management. Over time, that will reduce bureaucracy—at least, that is what we anticipate.

Mary Mulligan: I am glad that you appreciate that there may be a risk—that is important.

Will it be possible for local authorities to cost the development of single outcome agreements?

Mary Pitcaithly: That is difficult. We are often asked how much it costs to do X or Y. Sometimes the cost is the opportunity cost of not having the capacity to do something else. We are really looking at a sort of cost benefit. I could probably consider how many hours various officers have spent on SOAs, as could the police, fire and health services, for example, but we feel that the overall benefit is such that the cost has been worth while. Everything that we do has a cost attached to it. We have not been keeping timesheets that would make it easy to determine that cost, but it would not be rocket science to work it out and to set against it the costs that might be saved in future years if we do not have, for example, a proliferation of performance management systems. That is what is important.

Mary Mulligan: It could be argued that you would say that there was a benefit. The issue is whether others judge that the provision of resources has been worth while and the opportunity cost has been limited.

Mary Pitcaithly: Absolutely. The elected members in my council—Falkirk Council—agreed unanimously that the process had been worth while, so they were content to sign up to the most recent set of outcomes that we set ourselves. That is a step forward. Officers might agree with the approach, but it is helpful when elected members across the board also agree and when members of police and fire boards and others are similarly comfortable with what is happening. The proof of the pudding will be in the delivery of the outcomes. It will be for the community to judge us on that, over time.

Mary Mulligan: Will the Government consider the cost of developing single outcome

agreements, or do you expect Audit Scotland to pick up on the issue in its best value reports?

John Ewing: We would expect our local partners to flag up the issue if there were a problem, but nobody is showing signs of thinking that a disproportionate amount of effort is required.

The Convener: On page 9 of the interim report, under the heading “Actual Outcomes”, you refer to four local authorities, but there is no appraisal of the robustness of the outcome measures. Will you provide the committee with an assessment of the outcomes in a follow-up report? I make a small request that you focus on those four authorities.

John Ewing: We can look into that. The examples on page 9 were included by way of illustration and are not a definitive list—

The Convener: Are there more actual outcomes out there?

John Ewing: As we have said, when you see the single outcome agreements that are currently being produced you will see what outcomes individual local authorities are working towards. The examples on page 9 were—

The Convener: Do you accept that in setting out outcomes for four local authorities you take us to the next point, which is about the robustness of the measurements? Can you provide an assessment?

John Ewing: We can certainly look at the examples, to ascertain whether we can help the committee to develop its thinking on what it might ask when the September reports are available.

The Convener: I do not think that we need to wait, given that four outcomes are set out. If there is a problem, you can let us know.

Mary Pitcaithly: Page 9 just gives examples of outcomes that are being developed, as opposed to outcomes that can be evidenced. However, I think that you will see from the 32 single outcome agreements that progress has been made against a range of targets that have been set for the achievement of outcomes. For example, CPPs will be able to show reductions in the number of young people who are not in education, employment or training.

The difficulty is whether we can say that something has been achieved because we had a single outcome agreement, rather than because of work that was already going on. You touched on that issue, convener. Over time, we will be able to consider whether changes in the pace of improvement or more significant achievements are attributable to the process. We will be able to do that only after a few years; we cannot do so immediately.

The Convener: Yes, but I have already expressed my disappointment that only one paragraph in a 12-page interim report gives examples of “Actual Outcomes”—your language, your heading. I am interested to know how robust your measurements are. I simply request an assessment of that.

Rory Mair: I suggest that we provide the committee with much more detail on the four examples.

The Convener: Thank you, and thank you for taking the time to give evidence to us this morning.

Petition

Public Service Contracts (National Framework) (PE1231)

11:30

The Convener: Agenda item 2 is consideration of PE1231, which has been referred to us by the Public Petitions Committee. Members have received paper LGC/S3/09/16/3, which details the action that has been taken to date by the Public Petitions Committee and contains links to relevant correspondence. An approach is suggested. Paragraphs 10 and 11 of the paper give options for handling the petition. Paragraph 10 states:

“The Committee could consider the petition as a stand-alone item.”

However, the paper also states:

“the Committee will be taking evidence on 3 and 10 June 2009 on the provision of home care services for the elderly”.

There is a recommendation. The paper states:

“The Committee is invited to decide whether it wishes to consider this petition as part of both its evidence sessions on home care services and its inquiry into local government finance”.

I think that we would do that with the second panel of voluntary sector representatives.

Do members have any comments?

David McLetchie: Is it fair to say that a high proportion of the contracts that are awarded by councils to voluntary sector bodies relate to care services?

The Convener: Yes. There will be opportunities to consider that in a forthcoming evidence session.

David McLetchie: I ask in the context of integrating the two matters. Is it fair to view the provision of home care services as a good indicator of public service contracting generally or is there a more significant number of contracts in other sectors that would make a free-standing inquiry on the petition more appropriate?

The Convener: We will have timetable problems if we go for a free-standing approach, given the evidence sessions that we have factored into our work. There will be evidence sessions for the local government finance inquiry, and the petition would be a good fit with that, given that we have already timetabled much of it. We could address issues that are raised by the petition and share our findings with the Public Petitions Committee or any other relevant committee.

David McLetchie: I do not have a problem with that, as long as the bodies from which we take

evidence are representative of those that have the totality of contracts.

The Convener: I do not think that there are any omissions. There will be voluntary sector and trade union representatives and representatives of community care providers. Perhaps the other side of the story is missing.

Susan Duffy (Clerk): The committee agreed last week in principle on the various evidence sessions for the local government finance inquiry. If the committee agrees that the petition can be dealt with not just in the home care services evidence sessions but in a relevant session in the local government finance inquiry, we can ensure that the questions and those who are invited cover the totality of issues that are raised in the petition.

Mary Mulligan: That sounds fine.

The Convener: Do members agree to that recommendation?

Members *indicated agreement.*

The Convener: We will now move into private session.

11:33

Meeting continued in private until 12:41.

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