



The Scottish Parliament  
Pàrlamaid na h-Alba

## Official Report

# LOCAL GOVERNMENT AND REGENERATION COMMITTEE

Wednesday 18 April 2012



---

**Wednesday 18 April 2012**

**CONTENTS**

<b>PUBLIC SERVICES REFORM AND LOCAL GOVERNMENT: STRAND 1 (PARTNERSHIPS AND OUTCOMES)</b>	<b>Col.</b>
.....	843

---

**LOCAL GOVERNMENT AND REGENERATION COMMITTEE**  
**9<sup>th</sup> Meeting 2012, Session 4**

**CONVENER**

\*Joe FitzPatrick (Dundee City West) (SNP)

**DEPUTY CONVENER**

\*Kevin Stewart (Aberdeen Central) (SNP)

**COMMITTEE MEMBERS**

\*James Dornan (Glasgow Cathcart) (SNP)

\*Anne McTaggart (Glasgow) (Lab)

\*Margaret Mitchell (Central Scotland) (Con)

\*John Pentland (Motherwell and Wishaw) (Lab)

David Torrance (Kirkcaldy) (SNP)

\*attended

**THE FOLLOWING ALSO PARTICIPATED:**

Rosaleen Brown (Jobcentre Plus)

Hugh Cairns (Scottish Mental Health Co-operative and Lanarkshire Association for Mental Health)

Ken Dunbar (Aberlour Childcare Trust)

Katie Hutton (Skills Development Scotland)

Andrew Laing (Her Majesty's Inspector of Constabulary for Scotland)

Danny Logue (Skills Development Scotland)

Neil McFarlane (Fife Fire and Rescue Service)

Hugh O'Donnell (Black and Ethnic Minority Infrastructure in Scotland)

Dr Marsha Scott (Engender)

Duncan Thorp (Social Enterprise Scotland)

**CLERK TO THE COMMITTEE**

Eugene Windsor

**LOCATION**

Committee Room 2



## Scottish Parliament

### Local Government and Regeneration Committee

*Wednesday 18 April 2012*

[The Convener *opened the meeting at 10:05*]

#### Public Services Reform and Local Government: Strand 1 (Partnerships and Outcomes)

**The Convener (Joe FitzPatrick):** Good morning, everyone. I welcome you all to the ninth meeting in 2012 of the Local Government and Regeneration Committee. As usual, I ask everyone to ensure that all mobile phones and other electronic devices are switched off. I have received apologies from David Torrance, who is unable to attend the meeting today.

Agenda item 1 is an evidence session for our inquiry into public services reform and local government, strand 1 of which is partnerships and outcomes. We will hear from four panels of witnesses today. Our first panel is Ken Dunbar, chief executive of the Aberlour Childcare Trust; Duncan Thorp, parliamentary policy and communications officer with Social Enterprise Scotland; and Hugh Cairns, chairperson of the Scottish Mental Health Co-operative and a regional manager of the Lanarkshire Association for Mental Health. I thank you all for taking the time to help us with our inquiry.

On the basis of the evidence that we have already taken, we appreciate the importance of partnership working. My first question is for each of the three panel members. How does partnership working work in the voluntary and third sector? Do you see it as a genuine partnership, or do you sometimes feel like consultees? Is it worse or better than that? I am interested to know your impression of how it is working just now.

**Duncan Thorp (Social Enterprise Scotland):** It depends on which part of Scotland you are talking about. I have surveyed our members about their views on community planning partnerships and so on, and they tell me that there are some really good examples. In Edinburgh, the Edinburgh social enterprise network works closely with the local community planning partnership, which is great. In the Outer Hebrides, as well, there is strong partnership working, possibly because of the geography of the area and the nature of the community. There are some good examples of partnership working on the ground fulfilling the

community planning partnership and partnership working principles quite well.

There are areas in which there are certain challenges, but it is the nature of community planning principles and partnership working that they are a devolved thing that is supposed to be different in different parts of Scotland. I do not want to pick on certain parts of the country and say that they are bad or good, but there are challenges in translating those principles into partnership working on the ground. If people are used to promoting their own organisations, it is inevitable that, when they are sit round a table, it will be quite difficult to break down the barriers and implement the necessary culture change. There are a number of challenges to implementing that on the ground.

CPP structures are quite young structures and these things take a long time to come through on the ground. I would say that it is a mixed picture across the country.

**Ken Dunbar (Aberlour Childcare Trust):** I echo that view. Undoubtedly, there will be a mixed picture. I have spent six months with the Aberlour Childcare Trust and almost the same amount of time in Scotland. Previously, I ran an authority in England and was used to local strategic partnerships, total place and local area agreements, which are a totally different language—I am still getting used to the new acronyms. My experience of community planning partnerships in the whole of the United Kingdom has been that, where the voluntary sector, the infrastructure and the development have proceeded well—that takes quite a bit of time to work through because the structures are not always in place—community planning partnerships, or local strategic partnerships as they were called when I worked in the south, tend to flourish.

It will be a mixed picture. Our experience of the initial drafting of single outcome agreements and how the partnerships have worked has been that that has not been as effective as it could have been. The issue is what has been done in the three or four years since the concordat to try to develop a better infrastructure and a better engagement process with the voluntary sector. Given that there are both local and national organisations, the issue is also how best to engage with the national voluntary organisations along with the local community businesses and so on. My view is similar to Duncan Thorp's.

**Hugh Cairns (Scottish Mental Health Co-operative and Lanarkshire Association for Mental Health):** Speaking for the Scottish Mental Health Co-operative, I echo the previous speakers' comments about variances across the country. Some of our organisations have been involved in

the formation of public-social partnerships at an early stage, in Renfrewshire for example. That reflects the fact that the third sector has been involved in strategic discussions around needs and future service models at an early stage, which is the way to go.

Locally, in Lanarkshire, we have had a mixed experience. Those in the third sector are not necessarily treated as strategic partners in planning the future service and future service models. More often we are consulted after strategic decisions have been made about how we can help to shape or deliver the service that the public sector has already decided on. There is certainly room for improvement.

Another important factor is how long the local structures bringing voluntary sector organisations together have been around for, and how they have matured and grown. In some areas of Scotland, they are better formed and more representative of the wider voluntary sector than they are in others. Public authorities sometimes place a lot of credence in those structures as indicating the wider views of the voluntary sector, but the structures do not necessarily capture those views as well as they could.

**Kevin Stewart (Aberdeen Central) (SNP):** Mr Dunbar said that organisations were quite often not heavily involved in the formation of the single outcome agreements. Obviously, SOAs are living documents—they should change and there should be constant input. Has that improved at all?

Without naming and shaming CPPs that are not doing so well, do you think that it would be fair to say that those CPPs that have voluntary sector members at the top table are doing better than those that do not? How does the panel see representation, particularly at the top table of CPPs? How should the fact that there are diverse organisations in the third sector be dealt with?

**Ken Dunbar:** First, I absolutely believe that third sector representation at the top table benefits CPPs, although I accept that engagement with the voluntary sector is difficult, because the sector is a mixed bag of organisations, not a homogeneous group, and it is a challenge to try to get what we call single representatives sitting at the top table. I will go a step further and say that, in my experience—I have experience of three or four partnerships and I have carried out a few peer reviews of partnerships south of the border—partnerships that operated with an independent chair performed immeasurably better than a number of others that were dominated by a public sector lead. There is no guarantee that that will be the case across the board—I know about dysfunctional partnerships from my review work—but the work that was being done by a number that were independently led, by a business or voluntary

sector representative, was immeasurably better than the work that was being done by a number of the public sector-led partnerships.

It is not just about representation. The Glasgow Caledonian University “Presence or Partnership?” report gives some useful insight into how partnerships can work more effectively. Taking the time to build the infrastructure of the organisations—and the structures with the various community groups and bodies—helps to ensure that, in the longer term, partnerships operate on a far more effective footing and add value as opposed to simply commenting on what is going on. As well as monitoring, it is about adding value into that area and bringing things together.

**Kevin Stewart:** And the SOA aspect, Mr Dunbar?

10:15

**Ken Dunbar:** It comes back to the fact that there is a mixed approach. In the few months for which I have been in post, I have been encouraged that, in one or two local authorities that I have visited—I will not name and shame authorities—there has been real engagement in thinking strategically about the long-term changes that need to happen. That has been the case in one or two authorities that I have visited, although it has not happened in some others. I do not want to suggest that it is only about local authorities, because other public sector bodies play a key part. The situation is variable, but I have only six months’ experience of it.

**Duncan Thorp:** The blunt answer is yes. It is definitely the case that the best SOAs are the ones that have included the most voices—in particular those of the third sector. As has been said, it depends on who leads the process. Because of the way in which CPPs were set up, they are very much led by the public sector and local authorities. That was logical in the early days of CPPs, but we have reached the point at which we must look at who is leading the process, because it is important.

It is worth noting that social enterprise is a distinct community within the third sector. CPP structures do not recognise that social enterprises are very distinct, because they are businesses with a social purpose and are therefore different from the traditional voluntary sector and the private sector.

I will talk briefly about the third sector interfaces. There has been considerable concern about the social enterprise community not being involved in the third sector interfaces, which are involved with the CPPs. We have written to all the third sector interfaces to say that social enterprises have a statutory right to be included in the TSIs and that

we are here to help, so if organisations have questions or any issues locally about social enterprise, they should come to us. That was a joint letter with Voluntary Action Scotland—which oversees the third sector interfaces—the Scottish Government and our other partners in the sector.

It is not possible for every voice to be heard on a TSI or a CPP, because of the sheer number of organisations involved. However, an interesting development is that there is now a Glasgow third sector forum, which is in effect a local voice for the third sector. That could be replicated in other communities in Scotland. The aim is to get every single voice heard in that forum. The forum is a body like Social Enterprise Scotland or the Scottish Council for Voluntary Organisations that provides a voice for the local sector in Glasgow. Glasgow is clearly a huge city with lots of third sector organisations.

**Hugh Cairns:** I echo what others have said about SOAs. It is right that the public sector took the initial lead in the development of SOAs, but the time has come for the process to become more open and transparent so that it is easier for third sector organisations to engage with the process and maximise results for local communities in the future.

The other point about SOAs is who takes responsibility for them. Different public organisations have different reporting mechanisms that do not necessarily fully marry up with the SOAs. If third sector organisations are simply providers with reporting mechanisms to the public authorities, how does it all marry up and how do we ensure that we all work towards the SOA as a unified whole for the benefit of local communities instead of reporting in individual silos? When SOAs are refreshed in the coming year for a 10-year period, there is an opportunity for everyone to get round the table, to share a bit of power and to get a bit of equity so that shared and meaningful SOAs are produced that are relevant to third sector and public sector organisations.

**Kevin Stewart:** The panellists have talked about the power of the independent chair. Do you have any views on the incorporation of CPPs?

**Ken Dunbar:** It depends on their structure and purpose. Again, I have not studied every single outcome agreement or community partnership plan, but incorporation might not necessarily be the best vehicle if CPPs are simply a mechanism for co-ordinating work on delivering improvements based on a set of national outcomes and for demonstrating accountability and the presence of an effective monitoring system. However, if I think about those that I have seen working quite well, I think that, if they are charged with carrying out pretty major work on change, transformation, regeneration or whatever, the option should be

considered, not least because it provides an opportunity to bring in a different set of players to lead the process.

Of course, it should not always be about being held to account for the delivery of improvements, although there is a question whether that is actually happening. I think that it is laudable that some authorities have admitted that they have not reached their objectives or delivered on some of their targets but, if CPPs are being used to develop broader strategic influence and a long-term view, incorporated models or vehicles might be a way forward.

**Duncan Thorp:** Incorporation certainly increases accountability; after all, the key question is who or what CPPs are accountable to. The common phrase used in relation to CPPs is—dare I say it—“democratic deficit” and it is felt that there is a lack of democracy in the structures. Basically, people wonder who elected CPPs.

I am not sure whether this already happens in local authority areas—I know that there is a lot of community engagement and consultation—but I wonder whether one solution might be to put the draft SOA to public vote in each area. As an Edinburgh citizen, I have had no input into our SOA. I know that there is a consultation or community engagement process, but I am not quite sure what it is. These documents are so important that that level of public engagement might work quite well.

**Hugh Cairns:** Having some formal process that sets clear parameters and allows people to be clear about what should happen would be useful.

**Anne McTaggart (Glasgow) (Lab):** Going back to Hugh Cairns’s point about linking strategic SOAs and spending decisions, I wonder whether he can say more about how they might be married together and what improvements could be made in that respect.

**Hugh Cairns:** Coming from a health and social care background, I can say that there are a lot of clear interlinking outcomes in that particular area. We should start by bringing all the partners together, defining the outcomes that we either want or are working towards and working back from that to look at the total resources that are being used to reach an outcome, whether they are the best fit or giving us best value, whether expenditure is being made to fit outcomes or whether there is a need to change. If change is needed, it must be considered in the context of total spend, which will include the third sector, the public sector and any other organisation. It is not simply about carrying out internal redesign in silos in the public sector but about making best use of the total resource. In that context, the third sector

itself tends to be more needs led, more cost effective and more flexible.

**Anne McTaggart:** You are saying that that does not happen just now.

**Hugh Cairns:** From our experience, that certainly does not happen.

**Anne McTaggart:** Do other panel members wish to comment?

**Ken Dunbar:** You should bear in mind that, in some cases, we are dealing with generational outcomes. It will take longer than a four or five-year political term to improve the lives of children, young people and their families and, if we are going to make that significant shift in resources from, say, potholes to the early intervention work that we have been talking about—I do not want to get into that discussion just now, but it is all about seeking to transform society—we will need partnerships to have real vision and, indeed, to be brave. That is brave stuff that needs to be tackled by partners and the right people around the table who are prepared to go the extra mile. We must understand how to present that in forums.

**Hugh Cairns:** Preventative spend means not just investing in early intervention and the early years but investing to save, which can be done at any stage of a process with an outcome. For example, preventing someone from going into hospital might happen way down their life scale, but that is about prevention and saving money. Preventative spend can be made at every stage of the journey. It is not just about the early years or planning for 10 years in the future but about taking wee steps back from where we are now and making savings in that way.

**Duncan Thorp:** I reiterate that the process is long term. It is difficult for every organisation to get beyond the mentality of saying, “This is our budget; that is your budget,” which is the natural approach as soon as money is involved. It is important to recognise that the process is long term.

Preventative spend is the ethos of social enterprise. The more local authorities and CPPs engage with and procure from social enterprises and the more social enterprises deliver services, the more a preventative spend approach will be taken automatically.

**Margaret Mitchell (Central Scotland) (Con):** Good morning. I ask all the witnesses whether they have come across a conflict for public authorities in meeting national targets and addressing SOAs. Some submissions suggest that SOAs are the vehicle for focusing on more local aspects and trying to get everyone working in partnership. If there is a conflict, how can it be

rectified? Is that a matter for national Government and the Convention of Scottish Local Authorities?

**Ken Dunbar:** The question was whether there is a conflict. Having spent some time in the world of delivering public sector services, I know fine well that there is a conflict. I doubt whether there is a conflict at the strategic level in local government about the long-term aspirations and the gain from investment; I doubt whether that is challenged. However, there is a challenge in dealing with the mailbag about what is more important and what fits into the local indicators and outcomes that people expect.

The challenge is not easy. Sometimes, it is about the presentation of what the long-term difference might be from the right types of spend at the early stages. That is as much a presentational issue as it is a challenge of engaging with the local population and residents about what needs to be done up front to make a significant change further down the line. I do not say for one second that that is easy.

A lot of the single outcome stuff is about holding to account people and public bodies in general. The reality is that we all have to be held accountable in the process. If we take a three-legged-stool approach, the three sectors—the private, public and third sectors—need to be seen to be held accountable through the process. When they are good—not when they are just present in partnerships but when a real partnership is in place—the accountability will spread across an area and enable more of it to happen. That might help to answer questions about local challenges and might help in presenting the challenges and the fact that achieving change will take a generation.

**Duncan Thorp:** I am sure that there are conflicts between the national and local priorities and that they are common, although I have not particularly heard that. The issue is who national and local organisations are accountable to. National health service boards are accountable to the Scottish Government and third sector bodies are accountable to their local communities. The conflict possibly relates to accountability for the national and the local.

As for joining up national priorities with local priorities, there are gaps. For example, welfare reform is a big upcoming issue. We need to tie the impacts of that into single outcome agreements more.

**Hugh Cairns:** From a local perspective, one can see a slight difference in how local authorities reflect the national objectives in their single outcome agreements. SOAs must take cognisance of local communities' needs but, ultimately, they must show how they relate to the



national objectives that they are supposed to underpin.

10:30

**John Pentland (Motherwell and Wishaw) (Lab):** Ken Dunbar said in his submission that only 15 councils had co-operated with the SOAs. We have heard in previous evidence that CPPs in some areas are working well, whereas in other areas they are working badly. Is there any reason why? Is there a geographical issue in terms of the size of the authority or the boards? Perhaps it is easier to deliver from a smaller CPP than from a larger one. Are people reluctant to be involved and to come out of their silos?

**Ken Dunbar:** The challenge is more to do with the structure of those various bodies and how we engage with them. As I mentioned earlier, one would probably find—I speak from limited experience, but my head of policy has looked at this in some detail—that the community businesses at a local level engage quite well with community partnerships. I doubt that the larger national providers and charities do so.

There is an interesting aspect to that. We are under pressure, just as the public sector is, to keep our costs tight. Having representation on the proliferation of different bodies and community partnerships can be quite difficult, because we do not have the people to do that. It is more about the structure, and how we get the mechanisms and systems in place to enable that engagement to work more effectively.

Apart from the 15 councils that we mention, we have not seen much of a difference, but there has been a slight improvement, as our submission makes clear. There is still a dilemma with regard to how the national charities engage more effectively, not least because we are being pressed by our commissioners to save on costs. Unsurprisingly, they would ask questions if we suddenly appeared at every partnership meeting. What is most important is how we get the system in place to support that engagement.

**John Pentland:** The integration of all partners throws up challenges and barriers. We touched earlier on the issue of financial resource. Would shared budgets lead to better integration? What type of challenges would that involve?

**Ken Dunbar:** Let me be clear: there is no question but that moving towards a tendering process in the delivery of those services will potentially have dire consequences. I am talking from experience, as I have seen the failures. The Christie commission mentioned failure demand in public services. In my experience, in moving down to the lowest cost or racing to the cheapest cost, one inevitably faces problems. A move towards

sharing in savings by examining things on a clear cost basis, and looking collectively at how we can share the savings between the public sector and the third sector will be far more effective in delivering those long-term outcomes. We would want something along those lines rather than a tendering process that comes up with too many risks.

**Duncan Thorp:** The logical conclusion of community planning is a situation in which all budgets within public sector bodies are shared. A possible challenge arises when a different sector such as the third sector is involved, with regard to how that budget is shared with the public sector. Within the public sector it is, in a broad sense, easier to share a budget and bring resources together. There are a lot of cultural challenges but, logically, that should work. However, there is a challenge when the private sector, the third sector or other parts of society are involved.

**Hugh Cairns:** Pooled budgets bring down barriers. Sharing resources, knowledge and experience ultimately leads to people singing from the same hymn sheet and trying to achieve the same outcomes, and it brings people out of their silos. As my colleague suggested, social care procurement significantly inhibits the involvement of the third sector as a genuine strategic partner because of the short-term contracts and reduced terms and conditions for staff. Ultimately, there is a reduced capacity to get involved in wider activities than coalface activities. It is inevitable that someone who is on a short-term contract will ask what the point is of getting involved, given that they might be around for only a few years before the service goes out to tender.

I am not sure that larger national organisations are in a worse position than smaller local organisations. We are all in the same boat as far as the need to make cost efficiencies is concerned. If a large national organisation is operating in a locality, it will have exactly the same opportunities as a local provider in that area to get involved in local processes. I am not sure that the size of a provider makes a difference to the barriers to such involvement.

**Duncan Thorp:** I reiterate what Ken Dunbar said about the national organisations. I have heard it said in our sector that the national organisations are not as engaged, because when CPPs and SOAs came in, they suddenly had 32 local authorities to deal with. That was an issue that was raised in the early days of CPPs. From what I have heard in our sector, that is still the case. National organisations are not meaningfully engaged in local processes. Hugh Cairns made a fair point when he said, if they have local offices in certain areas, that makes a difference, but I am

hearing that some big organisations are not meaningfully engaged.

**Ken Dunbar:** To follow up on Hugh Cairns's point, it is absolutely correct that, where organisations have local offices in particular communities in particular local authority areas, there may well be engagement.

Quite a bit of research and academic work is going on behind some of the work that our organisation and many others are doing, but it is not possible to share that learning across the country to help with the delivery of some of the long-term outcomes.

Hugh Cairns also spoke about the short-termism in the contract procurement process. Added to that is the obsession with pilots that exists in many areas. In the past, I have been a fan of pilots, and I can see how they make a difference. The nature of them is such that they tend to last for three years. By the time a pilot is up and running, it will be into its second year and, by the time it is ready to fly, staff will have started to leave, because they will not be sure whether they have a future. As a result, the outcomes are often sub-optimal. It would be far more effective to have a longer-term process with staged decision points. That would enable people to commit to longer-term delivery, which would make a difference in tackling the issue of how to improve the whole procurement process.

**The Convener:** Do you have anything to add, Hugh?

**Hugh Cairns:** No, thanks.

**Margaret Mitchell:** I ask Ken Dunbar to elaborate on the Aberlour Childcare Trust's view of the procurement and tendering process. Would you like to put on record some of the things that militate against best value?

**Ken Dunbar:** I will do so without naming and shaming anyone and with the caveat that I have only three or four months' experience.

There have been some instances in which the procurement processes that we have gone through for what I will call extremely challenging cases, in which stable personal relationships are critical, have been an eye-opener for me. If "reckless" is not the right word, "careless" certainly is. My concern is about the speed at which some of this is happening. In one example, we had four days to submit something for a young person whom we had looked after and on whom we had just completed an end-of-life plan—that was the severity of the case, which was going through a contract process. The reality is that there is a need to sit back and think through exactly how that sort of thing should work. Frankly, we are in danger of being at a high risk of producing negative

outcomes because of the pressure to save a few pounds rather than deliver better outcomes.

I have only given one example, but there are many more related to the speed at which some of the procurement happens and the risks that are being taken. We have had to take back a service that was contracted out to someone else because the contractor could not actually get up and running from day one. We will naturally do such things as we are a charity that has the interest of the child at the forefront. Had we been working with private sector partners from my past, there would have been a big price to pay for that. However, we have a keen interest in making sure that young people are looked after and cared for well, and we will of course respond in the best way possible. However, where the situation is getting that reckless, there is a need to sit back and think about what the best long-term outcome is and how to achieve that in the most effective way.

**Margaret Mitchell:** I was particularly interested in the timescales. There can be a very short timescale for tendering and then there is sometimes a very long timescale before the results of that process are seen—which is the opposite of what you were saying. Also, are we comparing like for like in terms of taking all the costs into account? Did you suggest that perhaps sometimes there was not an even playing field in tendering because not all the true costs were taken into account?

**Ken Dunbar:** Yes—that is in our submission. I suspect that there is a bit of a challenge with some organisations. I used to run a large trading section in a local authority so I am used to trying to ensure that I get the appropriate allocation of central costs. The truth is that the costs will be manipulated to try to minimise impact. However, we rarely find that we are competing against what I will call local authority in-house provision—it tends to be at the specialist end. The difficulty is that there is an expectation that the charity sector will start to dip into its unrestricted reserves to subsidise the service. That is not sustainable. We did that over the past couple of years and we have taken hard decisions to get into a stable position, but we would no longer exist had we not taken some pretty tough decisions about what we could and could not do.

That said, we should be able to bring to the table that partnership—that tripartite arrangement—where we have philanthropists who are prepared to support us and deliver some of the outcomes. We should be able to come to the table in that true partnership form and say how, over two or three years, we can reduce cost. That is the point about sharing the savings as opposed to coming in at the cheapest possible price. We may well be able to develop partnerships that bring in

concepts such as the social impact bond that will help to deliver some changes and savings in the longer term.

**Duncan Thorp:** On the length of the procurement process, we have been quite closely involved with the Scottish Government's programme on opening up public sector markets and procurement reform—I cannot quite remember the precise name. Social Firms Scotland has been closely involved with that and in reforming the procurement process to make it better for the third sector. It is probably worth your speaking to Social Firms Scotland about that rather than me.

On the cost of procurement, I think that a lot of the time local authorities and others really only look at the basic costs and nothing else, and then say, "Well, they are the cheapest, and they seem to be delivering a good service, so let's go with them." The message that we are trying to get across in social enterprise is that you cannot just look at the on-the-sheet cost; you have to look at the wider benefits. That is obviously what we are all talking about anyway, but the issue is very much about the wider social impacts and measuring what those costs are. For example, if you spend slightly more on a social enterprise, you will save the public purse £8—such measurements need to get up to standard.

**Hugh Cairns:** It has been widely documented, and stated again today, how detrimental this area can be to social care and healthcare services. In the future, we should be procuring for outcomes and measuring areas such as the social impact and the social return on investment. Those elements need to be brought into procurement. The additionality that the third sector can provide also needs to be looked at—for example, the third sector can draw on different grant funds to bring better all-round outcomes to the table. Procurement must change.

**Duncan Thorp:** We have a very good opportunity with the sustainable procurement bill coming up soon. That is the ideal opportunity for us to really push the case for the third sector to prioritise that community benefit.

**John Pentland:** Hugh Cairns's submission says:

"the third sector needs to be recognised much more as a full and equal partner".

What are the challenges out there and how should they be addressed?

10:45

**Hugh Cairns:** One of the challenges—ironically, given that we have just spoken about it—is procurement. Sometimes, procurement is used as

an excuse by the public sector. For example, if we are being involved in strategic discussions around need and the future service model, it might be suggested that, in some way, we are being lined up for a tender, because, ultimately, the service has to go out to procurement.

One way around that is to consider the existing service-level agreements and contracts, redefine the outcomes and additional social benefits that are sought and enter into a refreshed contract that takes more cognisance of local need at the time. That would avoid putting the full contract out to the procurement and retendering process. Procurement is definitely an inhibitor in that regard.

Historically, across the country, there have been various structures in health and social care that do not necessarily lend themselves to power sharing between each other, never mind giving the third sector a bite of the cherry. We need to ensure that third sector organisations are involved as equal partners in redefining future outcomes and in the single outcome agreements.

Some structural changes could be made. For example, you could set mandatory minimum numbers of third sector representatives that must be involved at certain points of the community planning process.

**Kevin Stewart:** I will play devil's advocate. Sometimes, third sector organisations that are involved in discussions about tailoring a new service and end up not getting a contract through the procurement process feel that they are being put upon, to a degree. There is an expectation that organisations that are involved in the process have a high chance of getting the contract. However, I am afraid that that is not the way that things work. That might be why local authorities are a bit reticent about dealing with the third sector at certain stages. Can you comment on that?

**Hugh Cairns:** It is a bit of a double-edged sword. If it is clear at the outset that that is going to be the process—that there is a procurement process at the end of it—we, as a provider, will be keen to give our knowledge to that process because we will know that we are not being led up the garden path. That is fair. However, sometimes, the expectation is built up that we are going to get the contract, but, at the end of the day, people turn around and say, "No, the service is going to be procured."

There is no clarity around procurement across the local authorities. Sometimes local authorities go through a procurement process and sometimes they do not. That is not necessarily dependent on budgets or the level of service that has to be procured.

**Kevin Stewart:** So you would be quite happy to engage, as long as it was clear at the beginning that you might not get that contract at the end.

**Hugh Cairns:** Without a doubt. That is fair. That is the way things are these days, so why not engage? Further, if you have an opportunity to shape the service and are fully aware of what will be expected, you could be in an advantageous position when the tenders are submitted.

**Ken Dunbar:** I fully support that point. We have come through a procurement process in which it was not clear at the outset that it was a procurement process—it was very much a commissioning-led discussion, but it suddenly shifted to procurement without any of the partners around the table knowing that that was going to happen. It was challenging. To give credit to the organisation, it sat back and decided to start again.

Our submission gives an example of a situation where the process of collaboration has worked well—that is where the real benefit is. Our early intervention model in Dundee features a shared arrangement in which management is the responsibility of four organisations that are, effectively, competitors—ourselves, Barnardo's, Action for Children and Children 1st. That is a fantastic example of something that works and builds resilience for that area. If the authorities approach it in that way and try to think about what will deliver the best deal for the area, that is better than just going to tender in a couple of weeks.

Being open and up front is key. We felt that we had no choice but to challenge one process in which the rules of the game changed halfway through. That is time wasting, because we may well take a view that given our time, commitment and resources, we will not spend too much effort on commissioning discussions if we think that something is not core to our business or social care priorities. That is the sort of thing that needs to change, culturally, for us to be able to make some real headway.

**Duncan Thorp:** I agree with many of the points that have been made. There is certainly room for improvement and reform in procurement. We hope that the sustainable procurement bill will do that by prioritising community benefit.

Social Enterprise Scotland comes at this from a slightly different perspective. We operate in the free market—often in quite a fierce market—against private sector businesses, with the added benefits and burdens of being a social enterprise. We do not expect to be awarded a contract just like that because we are a social enterprise. We operate in the market in the same way as everyone else.

There is much room for improvement. Community benefit clauses are the obvious example.

**James Dornan (Glasgow Cathcart) (SNP):** To what extent are CPPs focused on outcomes-based and preventative approaches? Is the language of outcomes reflected in the practical reality of how services are commissioned?

**Ken Dunbar:** I go back to my earlier point. What fills the mailbag locally, what is the local priority for an authority and what are the real long-term benefits from early intervention? I pick up on Hugh Cairns's point. I see early intervention at various stages in the life journey. Work with care leavers is as critical for us as our very effective work in the early years.

Too much of what I have seen involves incremental improvement on indicators, as opposed to the long-term transformational outcomes that might be delivered if we invest up front in some of the key areas in which many organisations work, not just Aberlour.

**James Dornan:** Can I take it from your answer that CPPs are not very focused on outcomes?

**Ken Dunbar:** It would be almost as if I was admitting that there is no difference. That point was made earlier. I have been quite impressed by the engagement in some of the community partnerships. I mentioned one or two authorities that have taken some time to engage everybody. Stakeholder events really start to get underneath what might have to happen to transform an area. That is a positive, but it is mixed bag, really. From what I have seen, some authorities are doing the right thing.

**Hugh Cairns:** For most folk whom we engage with, there is a genuine desire to move towards outcomes. It is still about outputs and inputs rather than outcomes, but everybody is on the journey to outcomes; some are better, more focused and more informed than others.

**Duncan Thorp:** Without wishing to give a cop-out answer, it depends on which community you are talking about. That is the nature of CPPs. It is up to a local community how it structures a CPP and how it makes progress in the broader national framework.

There are good examples, as I have mentioned. The Western Isles has been cited to me as a good example, where the outcomes approach is working well. Edinburgh social enterprises, too, feel very included. In many other areas, that is not the case.

SOAs are sometimes extremely ambitious, which is not a bad thing. However, they talk about the fundamental transformation of communities. When we look at that language, and the ambitious

outcomes, we can see the size of the challenge. It is a long-term process.

**The Convener:** As there are no further questions, I thank the panel members for their evidence. It has been helpful.

10:54

*Meeting suspended.*

10:56

*On resuming—*

**The Convener:** We resume with our second panel of witnesses, who represent equality groups. We have Hugh O'Donnell, who is the parliamentary officer for Black and Ethnic Minority Infrastructure in Scotland, and Dr Marsha Scott, who is the convener of Engender. They are both very welcome.

I ask both the witnesses to tell us what the situation is like on the ground. What is the reality of partnership working? What involvement do equality groups have in community planning?

**Hugh O'Donnell (Black and Ethnic Minority Infrastructure in Scotland):** Thank you, convener and committee members, for inviting BEMIS to give evidence to the inquiry.

BEMIS is fundamentally a networking and capacity-building organisation for grass-roots ethnic minority groups throughout Scotland. We have a membership of about 600 groups and see our primary role, which has been recognised by the current and previous Governments, as that of being a strategic partner of the Scottish Government. Consequently, the groups with which we engage are learning how our country works and how to engage with it.

The research that we have done over the years on behalf of the Government has indicated that ethnic minority groups are generally not well represented and not well engaged with across the public sector, notwithstanding the legal requirements—most recently, those in the Equality Act 2010. That is not always the fault of the public sector organisations; it is often the fault of small organisations, which need to learn how to engage and at what stage they should interact, depending on the issue.

Having examined the situation in the 32 local authorities relatively recently, I found a specific link between ethnic minorities and planning only in Lanarkshire. That is perhaps understandable because of the population density and demographics in that area, but the challenge for ethnic minority groups and public authorities—whether planning authorities or any others—in other parts of Scotland is to get such a

communication process going. Our anecdotal evidence and our research indicate that that is not as effective as it should be.

**Dr Marsha Scott (Engender):** I echo Hugh O'Donnell's appreciation for being invited to speak.

Engender is an information, research and networking organisation. We were originally set up to be a second-tier organisation, which meant that we focused most of our energies on supporting other non-governmental organisations and women's organisations. However, over the past four or five years, we have developed a significant piece of work on supporting equalities practice in public sector and third sector organisations, so we have had some experience with a number of different local authorities and community planning partnerships, mostly in helping them to improve their equality impact assessments. That is the context in which I will put my comments.

11:00

Unfortunately, our experience reflects some of the points that we made in a consultation response on outcomes budgeting in 2003, which some members may have been around for. Sadly, some of that response could be cut and pasted for this inquiry. In particular, the failure to recognise equality outcomes as core to delivering all the rest of the outcomes in an SOA or a community planning partnership is still salient. I know that that will not be a surprise. There is the mantra of "Equality is our core business and is at the heart of everything we do", but the rubber meets the road in the budgets. Community planning partnerships are challenging structures for embedding things such as equality-sensitive budgeting, and that has been grossly exacerbated by the failure of the partnerships and in the national structuring of community planning to embed equality outcomes in the high-level priority areas of work. Consequently, equality work is very much siloed. I suspect that it is still in the heads of many people across all levels of government that equality is something that we think about when we have our equality hat on and not when we think about taxation, revenue raising, transport or all the other things that will actually make a difference to equalities in general and gender equality in particular.

I underscore the fact that, in our experiences of partnership working, there have been incredibly committed individuals in public sector organisations and community planning partners, but for the most part, third sector organisations—other than folks such as us, who have been brought in for capacity building—have been invisible in that process. In general, there is no more evidence that people now get the salience of

gender in addressing the health and wealth inequalities and poverty in our communities than existed in 2003. That is a reflection of the structural difficulties of people working in a context that does not require that they identify outcomes in addressing growing inequalities at both community and national level. I have many opinions about the different ways in which that could be done, of course, but I suspect that members are not quite ready for me to launch into them.

That is my overarching observation, which I am happy to add to.

**The Convener:** That is good. Thank you.

**Margaret Mitchell:** Is the first barrier to equality groups getting involved in community partnerships that community partnerships are a bit complex and equality groups are not too sure what they are about?

On involving the equality groups, should there be an equality duty on CPPs, as there is on public authorities?

I will put on my old equal opportunities hat for my final question. On the language, should we be talking about fairness as well as equality? Do people really get it and identify with what people are attempting to achieve through equality impact assessments?

**Hugh O'Donnell:** Marsha Scott has referred to something that is very much an issue: people say to the equality officer, "You're het!", so the rest of us can sit back and not have anything to do with it. It will be those officers' responsibility to do the mapping exercises, to find communities to engage with and to make them aware. To some extent, equality impact assessments and legislative frameworks will make a difference, but there will continue to be an "It's over there" attitude until there is a psychological shift such that people think that everything we do around the equalities agenda is everybody's responsibility.

If you look at the structure of community planning partnerships, you will find that some have equalities officers. They must follow statutory regulations and they have nice mission statements, which are motherhood and apple pie, but the actuality is that an individual is het for dealing with equality and everybody else lays it to one side.

My use of the term "ethnic minority" goes beyond people having different skin pigmentation, because Scotland has changed so much. I live in Lanarkshire: there, the ethnic minority demographic has—as it has across Scotland—changed with the coming of eastern Europeans and following changes in European economic area countries. The phrase is not simply about people from the south Asian subcontinent.

We tend to think that we operate in a world in which we need to talk to ethnic communities only about things that affect ethnic communities. The reality, ladies and gentlemen, is that the things that affect ethnic communities are exactly the same things that affect the indigenous population. Ethnic communities must have the same opportunity to engage, and they have to understand how the engagement process takes place.

The 32 community planning partnership websites—or the ones that were up and running when I looked the other day—all have English as their first language, but have no reference to how people can access them in any other language. It is not clear what they do because the language, in terms of information, is different; the websites are confusing. The structures of the websites—some of you will remember the mind mapping that went on in previous sessions of the Parliament—are exceptionally difficult for anyone to make sense of. For people in a minority community, it might be twice as difficult. There needs to be some thought given to that.

If there is a genuine willingness to engage in partnership with ethnic minority communities—notwithstanding legal requirements—there must be clarity and transparency about what can be achieved by engaging, and what impact may be made at the point of engagement.

**Dr Scott:** I thank Margaret Mitchell for those questions, which have led to some of the bullet points that I had hoped to weasel into the conversation.

Everybody talks about complexity, but complexity is not a problem. Equalities organisations and equalities workers in the public and third sectors are pretty savvy about how communities work. They get the intent of community planning partnerships—after the initial confusion—if not the structure in each area.

The difficulty is that there is no intrinsic good in community planning partnerships engaging or not engaging with the third sector. It is about what we are trying to accomplish. The problem has been a failure to be clear about what we are trying to accomplish that requires the engagement for which we need the third sector organisations. That reflects the overall problem, which is that the data that are generated by community planning partnerships and their key partners are poor quality because there has been a failure to embed the outcomes that reflect the addressing of community inequalities. The data are rarely collected appropriately—that is, disaggregated by gender, ethnicity, sexual orientation, and all the protected characteristics that we are interested in identifying. In particular, the data are rarely matched with the nature of the deprivation in the

areas in which we are looking to address the most significant inequalities.

Consequently, if I go in with my third sector hat on and say, "If you want to address child poverty in your local authority, tell me where the areas are and which households you are talking about," I can tell you without even looking at their data that they will probably not be able to tell me that. If they can, I can predict that a significant majority of the households that they need to work with will be single-mother households; some 97 per cent of single-parent households on benefit are woman-headed. If we want to address child poverty, we have to address women's poverty.

In the first quarter of 2012, women in Scotland were being made unemployed at a rate of about 300 a day. The UK now has its highest women's unemployment rate in 25 years. Women are coming out of the public sector in Scotland, and that will continue. We predicted that three years ago, and the man-session has turned into a she-session. One of the nettles that has to be grasped in looking at public sector reform is that we have to stop the bonfire of the public sector. Sadly, that does not only affect the services that our community planning partnerships can even begin to plan to offer; we are also generating poverty in communities as we lay off the most needy people. I am sorry—"lay off" is an Americanism. I do not know how that slipped in. We are making redundant the folks who are most on the margins, and they are likely to show up in that 97 per cent.

It might seem that I have gone off at a tangent, but I am talking about what community planning partnerships are for, and what public sector reform is for. The issue is not about complexity, but about the failure to keep our eyes on the prize and to create the data and the logic models that will deliver. I am sorry that that was a long answer to the question, but it was a nice opening for me.

On the public sector equality duties, if you have had a chance to look at our submission, you will know that you have put your finger on it. I could give various examples of the problems, but the one that I will describe exists, I suspect, throughout Scotland. It is about focusing on how inequality drives deprivation and the other problems. Community planning partners are obligated under public sector equality duties. We are just about to have a new set, which are terrific compared with what we have had in the past. There are a few problems with the duties, including that they do not cover community planning partnerships, but they offer a good and robust opportunity to improve practice around the equalities impact assessment, which is a key tool.

The difficulty is that, when we have tried to work with local authorities in community planning partnerships, because the partnership itself is not

accountable under the public sector equality duties, there has been no appetite for joining up the work on equality. We have been invited to go in to several CPPs and do work, more often by a local authority, but also by a police body that is championing equalities within the partnership and has some good practice going on, which we are looking to improve. However, because there is no shared responsibility and some of the partners around the table are less interested, there has been a failure to join up work on equalities within the partnerships.

I do not know exactly how to address that problem. I know that the Government, in its intrinsic creativity, will figure that out, but until it makes community planning partnerships report and be accountable under a similar scheme to the public sector equality duties, we will continue to struggle with accountability.

We also recommend that the committee look at the work of Audit Scotland and the other scrutiny bodies. There has been some improvement, but they have not embedded equalities in their scrutiny of public sector work. For example, where was the screaming and shouting when local authorities made decisions that resulted in millions of pounds being spent on equal pay claims, which continue to be heard in their thousands by tribunals?

11:15

One last thing to mention is fairness—I remembered it because I wrote it down. I quite like the word "fair". As a transplanted American in Scotland, one of the things that I love about living here is that there seems to be a sense of obligation to be fair that I have not experienced living in other countries. However, I am wary of moving to a focus on fairness because fairness can be defined in lots of different ways and is a very relative term. When we look at equality, we have some seriously concrete objectives and data that we can point to, and we can be clear about whether we are making progress. I would not be too excited about replacing our focus on equality with a focus on fairness; I just think that they are related.

**Margaret Mitchell:** The idea behind fairness is the recognition that it is a cross-cutting issue. I understand that you are coming from Engender's point of view, which is very much on the gender aspect. Equally, however, there are the disabled and ethnic minority aspects. By looking at things in that cross-cutting way, perhaps everyone's objectives are more readily taken on board.

**Dr Scott:** I absolutely agree with that. Because Engender works on gender, which is embedded in all the equalities groups, we do a lot of work

around equalities generally rather than just gender specifically. It is true that fairness cuts across all of them. However, the reality is that we need to focus on concrete improvements. I worry that, if we talk about “fairness”, it becomes a game about whose fairness within certain characteristics rather than fairness within the larger population and the intersection around gender, disability, sexual orientation and all that stuff.

**Hugh O'Donnell:** I will comment on incorporation—which was brought up with the previous panel—and on Marsha Scott's observations about accountability. As far as I am aware, none of the community planning partnerships is incorporated at the moment, despite incorporation being part of the 2003 legislation. I wonder whether a statutory obligation on them to incorporate would bring them under the umbrella of compliance with the various bits of legislation that the local authorities and other public bodies are held to. I do not know the answer to that, but the Scottish Parliament information centre might.

**The Convener:** Mr O'Donnell is forgetting which side of the table he is on. If he wants to give us an answer to that question, it would be appreciated.

**Kevin Stewart:** It does not look as though any CPP is going to incorporate soon. The ones that have looked into incorporation have rightly given up the ghost quickly for various reasons—but we will not go there.

I feel that equality should be embedded in everything that we do, but I will play devil's advocate again—as is my wont in the committee. We can have as many equality officers and organisations around the table as we like, but the reality is that that will not necessarily make a difference. In looking at the third sector, the key is to ensure that folk from communities are represented fairly on community planning partnerships. Where I come from, that seems to work quite well. What is your experience of the levels of participation on CPPs among community representatives from the ethnic minorities, from women's groups—or women in general—and from the poorer communities in Scotland?

**Dr Scott:** To be honest, there is no way that anybody could tell you about that from a national perspective because no data are generated that would tell you that. As with pretty much every other community development initiative that we have looked at—including participatory budgeting and a variety of different mechanisms that try to engage the folk who are most affected in communities and the ones whom we might call, in equalities characteristics, the most disenfranchised—there are probably some pockets of good practice.

However, community planning does not have an explicit responsibility to ensure that the people who engage at the coalface are representative of their communities, so the engagement is very much ad hoc. I am happy to speculate that what will happen across community planning partnerships—it is certainly true of the ones that we have looked at and engaged with—is that the closer you are to the coalface the more likely you are to have women at the very lowest levels of power and the highest levels of engagement. Women and poor families tend to be extremely time poor as well as financially poor. So, the more you go up to different levels of engagement, authority, visibility and decision making, the more women will drop out of the process. I would say that that is the case for women across disability, race and all the other characteristics. As far as I am concerned that is true not because of bad intentions on the part of officials working in community planning partnerships but because of the failure to understand how to engage with those people in ways that do not intrinsically burden them more. For example, it is about public transport not allowing them to engage at the same level as people who own cars or people who can take time off or who have retired.

I can remember engaging with a community planning process as part of a redesign with the local NHS. There was a great turnout for the public meeting. However, I think that between 80 and 90 per cent of the people in the room were NHS retirees who were giving back to the community in a good way. They were certainly not representative of the population in the way that we think all government should be.

**Hugh O'Donnell:** I agree entirely with Marsha Scott. It is very difficult for the public sector and ethnic minorities to engage if they are working on different time clocks, priorities and levels of urgency. Having looked at the 32 local authorities, it is very difficult to identify beyond Lanarkshire, which I mentioned earlier, where there is any specific engagement with ethnic minorities or even, with regard to community planning partnerships, with a critical group that has not been mentioned thus far, which is Gypsy Travellers. It is quite difficult to identify where they are. I know that the local authorities engage with them—I am well aware of that—but I am not aware that the community planning partnerships undertake the same level of engagement. There is no indication that they do, and some of the anecdotal evidence that we receive from Gypsy Traveller communities indicates that they are not particularly well represented in community planning partnerships.

The challenge is how to accommodate representation for communities that are trying to make a living, or have childcare responsibilities or,



depending on their lifestyle, are perhaps not in one place all the time. It is exceptionally difficult to do that, but there needs to be more effort to do it than appears to be the case at present.

**Kevin Stewart:** That leads directly to my next question. Are the community planning partnerships that have put in place various regulations about providing childcare and transportation costs for folks who would not be able to engage without such provision doing better than those that have not done that? Have you any evidence of that?

**Hugh O'Donnell:** I have no evidence of that. It would seem logical for that to be the case, but I am not aware that that is recorded anywhere.

**Dr Scott:** It would be impossible to know that on a national basis. The aspects that Kevin Stewart described are certainly good practice, but I do not think that in themselves they will make a substantial difference, because they would need to be embedded. A good way for community planning partnerships to identify what they should be doing would be to do robust equality impact assessments for their processes, consultations and engagement mechanisms. Of course, they are not doing that because they do not have to.

**Kevin Stewart:** One of the things that seems to be coming out from the panel's evidence is that there is not a huge amount of information out there about good practice versus bad practice. We might need to get to grips with that and get to the bottom of it so that we can see who is doing well and who is not. It has been very difficult for the panel to evidence some of what has been said today and we are probably all relying on some of the organisations that we know quite well, rather than looking across the board.

**The Convener:** If witnesses are able to pull together any of that sort of evidence, they could write to the committee with it.

**John Pentland:** Hugh O'Donnell said that Lanarkshire at least recognises the equality groups. Does that mean that your organisation is identified as an equal partner, or are there still barriers to that? If there are barriers to that recognition, could you identify them and say how you would address them?

**Hugh O'Donnell:** That is the case in North and South Lanarkshire. There is a forum that feeds in across the community planning partnerships, and that is very positive.

There are some barriers and they are about awareness, but at least there is a starting point that can feed out to the less engaged communities. We have to think outside the box when thinking about how to engage. It might be the case that the community planning partnership

is obliged to put a statutory notice in the local paper because there are all sorts of bits of legislation that require that. That is fine, but it works only if people buy the local paper and if their command of English is sufficient to read it. If we wish to engage with ethnic minorities, we might have to ask where they are likely to be. Will they go to community centres? Perhaps. Do they have their own publications? Do they have their own religious and cultural institutions where they are more likely to engage? The standard methods of engagement that have been tried and tested across all our indigenous populations might not be so effective when we are dealing with certain communities.

The group in Lanarkshire that I mentioned is going out and doing rights education and training. I am not talking about rights in the sense of people saying, "I am not getting my human rights," which leads to negative headlines in some of the tabloids. I am talking about how things work. If I want my community to have more three-bedroomed houses because my community has bigger families, I need to know how to engage with the community planning partnership that might make a contribution to the strategic housing decision. Engagement is complex and Lanarkshire has made a good start.

Where the biggest populations are, such as the cities of Glasgow and Edinburgh, there are good ethnic community organisations on the ground, and they are there in numbers. In other areas, however, the situation is not quite so clear. A critical mass is required to make such engagement work and that critical mass is not always apparent in other areas. A bit of new thinking is needed.

**James Dornan:** I want to go back to a point that Hugh O'Donnell raised earlier about Gypsy Travellers. He said that local authorities know where Gypsy Travellers are and are in conversation with them—I know that that is true in Glasgow. Would your organisations, however, contact the local authorities to say that you know the problem—using Gypsy Travellers as an example—and would you relate that to the community planning partnership through local council representation on the CPP, to allow the CPP to start to interact with communities that they are not interacting with just now?

11:30

**Hugh O'Donnell:** BEMIS is not a service organisation so, in the scenario that you have painted, we would capacity build Gypsy Traveller communities and support their engagement with the process to ensure that they understand it. It is neither our job nor within our remit to speak on behalf of communities. There are plenty of

organisations that do that—and, indeed, plenty of organisations that speak on their own behalf—but we would support communities that were not familiar with these matters or did not have that awareness. In the past, we have supported communities called before a parliamentary committee to prepare evidence, understand the process, find interpreters or get any other resources they might need to be able to represent themselves and to ensure that you can hear about the relevant issues from the horse's mouth, so to speak.

**James Dornan:** Surely part of that assistance would include telling those communities, "You should go and speak to this person at the local council and ask him to do this or that."

**Hugh O'Donnell:** Yes, but we will not go and knock on the local council's door for them.

**Dr Scott:** There are many different ways of solving the problem. For example, there are lots of ways of supporting the Gypsy Traveller population's engagement in housing and homelessness issues and the current housing policy. However, under its public sector duty, the local authority should be doing that already. There are a number of ways of supporting that particular group's presence in the consultation process, but we can also call policy making to account if that engagement is not taking place.

**James Dornan:** I want to make it clear that I am not suggesting that people do the local authority's work for it. All I am saying is that the obvious route for raising an issue with a CPP is to push the local authority to do so.

**Dr Scott:** Absolutely—and I suspect that that happens every day.

**Kevin Stewart:** There is a lot of emphasis on local authorities in CPPs; indeed, many would say that there is too much of an emphasis and that the partnerships are heavily weighted towards them. I wonder whether, with regard to the Gypsy Traveller situation, the police could have some involvement. For example, at my behest, Grampian Police held an event in Aberdeenshire that brought together all the public bodies, the Gypsy Traveller community and the fixed communities to try to resolve many of the problems in the area. Are we putting too much emphasis on local authorities in this respect?

**Hugh O'Donnell:** My only comment is that the local authority—and, in another context, the health board—provides a diverse range of services. The police certainly have a very wide role in resolving disputes, dealing with controversial issues and, very much like a one-stop shop, telling you where to go and get help. However, when it comes to most of the social issues that are addressed through CPPs, the instinctive reaction is to go to

the local authority. I absolutely take Mr Stewart's point that CPPs are very local authority-heavy in their structure, and there are legitimate reasons for that, such as democratic accountability. However, until that structure is looked at, the instinctive reaction with, say, a social housing or planning consent issue will always be to go to the council.

**Dr Scott:** I mentioned the local authority in the example that we are discussing simply because I jumped to the conclusion that we were talking about a housing issue. Coming back to the intent of the question, I think that when we talk about CPPs we are often just referring to the work of local authorities. That is problematic, but it might also reflect the failure of CPPs to become an entity; most of them are simply a rebadged group of high-level public sector decision makers sat in one room trying to agree on a single outcome agreement. It might be because this is work in progress or because we have not got the structural framework right—perhaps the move toward pooled budgets will resolve this—but we are still getting separate public sector organisations badging whatever work they carry out together as a community planning partnership. The fact is that such partnerships are driven mostly by local authorities, depending on who happens to be the community planning champion in the area.

**The Convener:** As members have no further questions, I thank the panel and suspend the meeting briefly.

11:35

*Meeting suspended.*

11:40

*On resuming—*

**The Convener:** I welcome our next panel: Andrew Laing, who is from Her Majesty's inspectorate of constabulary for Scotland, and Neil McFarlane, who is the chief fire officer of Fife Fire and Rescue Service. I will kick off. A number of the submissions make it clear that a number of issues have still to be overcome before real partnership working is achieved. What are the main barriers that still exist? How do you suggest overcoming them?

**Andrew Laing (Her Majesty's Inspector of Constabulary for Scotland):** In the past two and a half years, we have conducted best-value audits and inspections of police services and police authorities jointly with Audit Scotland, in which we have touched on the community planning agenda and community planning partnerships, so that provides an evidence base.

I submit that there is a mixed bag, as members have heard. There is absolute clarity that the statutory partners are contributing and that systems and processes are in place to ensure that statutory duties are fulfilled. However, the level of performance and interaction depends on a variety of matters, one of which is local relationships, which go down to the individual level.

On inhibitions and barriers, a public sector service that is set up in a functional area such as policing, social work or housing has a difficulty in dealing with a collective partnership that provides services to individuals in the community, because the governance structure always takes us back to the individual organisations. Community planning partnerships are statutory, but they rely on voluntary co-operation between the partners, which presents a difficulty.

In best-value reviews in policing, we have often found that, although police forces are heavily committed to community planning and play a significant part in it—the committee has heard evidence about the approach in Grampian—police authorities often experience little or no challenge on their contribution to single outcome agreements, which are seen as something different. That complexity causes problems.

I suspect that the answer that you look for is complex. It would be encouraging if each functional organisation made a commitment in its strategic plan to contributing to single outcome agreements. That does not happen yet generically across organisations or across Scotland.

**Neil McFarlane (Fife Fire and Rescue Service):** Thank you for inviting me to give evidence on behalf of Fife Fire and Rescue Service and, more important, the community planning partnership in Fife. I am not too sure whether we can identify barriers or whether they exist in Fife Fire and Rescue Service. The issue comes back to the principle of leadership and how leaders of organisations communicate their commitment to the community planning agenda and align their service planning process accordingly.

It is critical that strategic partnerships are set up with a common vision. It is important to use language that people understand and to keep it simple by using terms and definitions that all key partners can easily communicate and understand. That could be a barrier. When we look at how we will deliver high-level outcomes and communicate them to our target audience, which includes members of the partnership and—more important—communities, we must ask whether we use the appropriate medium for going out there and engaging.

That is one thing that we have learned. We have looked at the Christie commission's outcomes in relation to how we achieve better integration of services. A barrier is that we find it a challenge to integrate services more at a local level, particularly in the partnership's community engagement arm.

To pick up on something that Mr Laing said about the governance and accountability arrangements, the issue is very much about identifying that golden thread from the national outcomes to local engagement. From a fire service perspective, that is about considering how we get the firefighter in our organisation to understand that, when he goes out into the community and undertakes community activity, that has an outcome that relates to the national outcomes.

11:45

We need to ensure that, in the governance arrangements that individual services put in place and, more important, when we come together in community planning partnerships, there is some form of synergy and alignment so that we avoid duplication of effort.

It is important that we consider accountability. The key question on that is about who is accountable and who they are accountable to. We need to get people to understand that they will be measured on their performance. On occasion, people struggle to understand how their effort or activity, or input or output—whatever term we want to use—translates into the outcome and how they can evidence that. The important thing is how we communicate what we do. That communication has to come from the leadership of the organisation down through to the final delivery and the end user.

**The Convener:** Andrew Laing said that the approach is perhaps not the same everywhere in the country. We have seen good examples of partnership working. We recently visited West Lothian Council, where we saw the police working hand in glove with social work services, particularly on child protection. That seemed to be easier because of the co-location there. Are there examples in the fire or police services where that kind of hand-in-glove work happens without co-location, or do we need co-location?

**Andrew Laing:** My experience suggests that, as was touched on earlier, co-location at an operational level is hugely important. We see that in the child protection arrangements throughout Scotland. The experience is similar in Fife, where co-located joint services provide a good service. However, good partnership working can happen when the partners are in isolation, too. Partnerships do not have to sit in the same room all the time. For example, under the arrangements

for the management of sex offenders or MAPPA—the multi-agency public protection arrangements—organisations often come together for a short period. In the award-winning youth justice initiatives in Fife, siloed organisations come together for a meeting on a Wednesday morning, they have a good operational meeting to discuss individual cases and then they starburst and go out and do their work. So there does not have to be co-location. In relation to some issues, there certainly has to be a close working relationship at an operational level. The bigger challenge is at the strategic level. Do we have to co-locate all the strategic partners? The West Lothian approach is a good example of that, and it can work, but it is not the only answer.

**Neil McFarlane:** Fife gets a lot of praise because we operate within coterminous boundaries. Several reports by Audit Scotland and other external agencies have identified that as a considerable strength for Fife, but how do we demonstrate a tangible benefit that we can communicate? I agree that there is an opportunity when agencies are co-located in a single office or premises. We have demonstrated that in Fife. Our approach of bringing agencies together in a building through the community planning partnership has been held up as good practice. That certainly improved operational intelligence transferability across the agencies.

I take Mr Laing's point, however. In this day and age of social media and information and communication technology, there is an issue about how we use technology to share information with the key partners who need to get it in time. That is critical. Co-location is important, but it is not the be-all and end-all. The more important thing that we have to consider is how we start sharing the information that the end-user needs for us to deliver a service that delivers the community planning outcomes.

**Margaret Mitchell:** You have identified two key points, which are leadership and co-location. You have also talked about information and a uniformity of the data that is used to measure where we are or provide an evidence base. Will you comment further on that? Secondly, is there any conflict as a result of national outcomes taking precedence over SOAs? If so, how does that play out?

**Andrew Laing:** I can offer one or two comments on that. Neil McFarlane's point regarding leadership is vital. One void that I point to is the fact that we do not seem to have a national training centre where all the agencies can sit together at a strategic level. Recently, the command course for senior officers who aspire to be chief police officers introduced an exercise on single outcome agreements. It brought in a variety

of people, including chief executives and members of health boards' to come in and role play. It was absolutely eye-opening and represents a real opportunity that we are missing. The Scottish Police College delivers police training, the Scottish Fire Services College delivers fire service training and so on. There is a need to take us beyond where we are at the moment.

If you can get the future leaders of Scotland together to start forming relationships, that would be a huge step forward.

The co-location issue has been touched on.

There is a difficulty with information-sharing protocols. Although the main organisations—the police, social work, local authorities and the health service—have good information-sharing protocols, those do not extend to the third sector, as you heard earlier. There are barriers that make it difficult to share at the front end vital information that is necessary in order to protect vulnerable people. That said, it has taken years to develop the current information-sharing protocols, and there is still a lack of confidence that they are broad enough to enable us to pick up a phone and say, "We've got a problem here and we need to deal with it together." We still have to go back and check that we are properly covered.

You asked whether national outcomes lead to conflict with single outcome agreements. The national outcomes are agreed across services or by Government. If I take the police as an example, national policing priorities are developed through a strategic assessment by the Association of Chief Police Officers in Scotland and are agreed with ministers. Those priorities go down through the police system and are developed into localised plans, but they are also captured at chief officer level, so the national policing priorities are taken forward into the single outcome agreements, where they are discussed. There is a convergence.

Do we get to a point where national outcomes are overshadowed by single outcome agreements or the other way around? I suspect that, yes, at a lower level, there might be some conflict. It can be a little difficult to translate some of the strategic priorities around serious organised crime groups and counter terrorism work into a local area. By and large, however, I think that the national objectives are well reflected in single outcome agreements.

**Neil McFarlane:** I briefly touched on leadership at a strategic level. The important thing for me is that leadership applies at all levels, irrespective of the role that we have in the community planning partnership. It is important to understand that we have that role.

To pick up on Mr Laing's point, the fact is that, within our personal development processes, we do not take the leadership skill that people show at an early age and develop it in that context. We are very much focused on our internal organisation when it comes to the development of people, and we do not think about how we can use our skill set to bring in the third sector and add value to the partnership.

I believe that Fife has a good information-sharing protocol, but it has taken us years to get there and we still have a degree of protectionism around the information that we have and whether we can share it. The legislation around data sharing gives us the ability to be open and free and to issue information that is required by the key partners in order to allow them to make informed decisions. I am not sure that we have delivered that yet to the best of our ability, but we are working towards it.

Obviously, in this day and age, we understand that there are compatibility issues when you use different data sets. In the Fife context, we have tried to bring everything into a single data set called the KnowFife data set, which allows people to view the various software applications and try to tease out and analyse the information that they need. More important, we are now using that data at the operational level. It is important that the people who are required to deliver the service take the data, put it into a local context and understand what it means in the local area.

There has always been tension between national and local objectives when it comes to what we need to deliver. From a fire service perspective, our integrated risk management planning guidance suggests that we should deal with local risks. However, we understand that there is a national risk register and it is about how we weigh up national risk against local risk. Our resources are there to deliver on local risk but in the Fife community plan we have tried to introduce, all the way down to local action plans, a golden thread—I mentioned that earlier—that identifies that we will try to meet the majority of national outcomes, but that there has to be an acceptance that when we prioritise our resources, both financial and physical, sometimes the focus is on local risk rather than national outcomes.

**Kevin Stewart:** Before I ask my main question, I have a quick question for Mr Laing. I declare an interest, as I am a member of Grampian police board. Mr Laing said that SOAs are not discussed very often at police boards. Is that down to the old chestnut that boards view operational matters as being entirely for the chief constable?

**Andrew Laing:** I would venture to say no. Single outcome agreements are often seen as being in the remit of community planning

partnerships; they are seen as being governed elsewhere. SOAs sometimes appear on the agenda at joint board meetings, but often no cognisance is taken of them at police authority meetings because they are dealt with elsewhere and the meeting is focused on policing. That suggests that, although SOAs are important, when it comes to governance the mentality is to focus on the functional body that you are looking at.

**Kevin Stewart:** So it is a different chestnut in this case.

My main question is about information sharing, which has been mentioned already. It is interesting that Mr McFarlane talked about Fife trying to bring things together; it might be worth while for the committee to follow up on that and see whether we can get more detail.

The Data Protection Act 1998 comes up time and again when we discuss information sharing, but often we find that it is not as much of a barrier as we thought that it would be. Information sharing seems to be going quite well in getting it right for every child. Is one of the main barriers the fact that the information and communications technology systems that we use do not talk to one another and that our processes now seem to be so firmly based on ICT that it would be anathema to send someone a bit of paper with the detail that is required? Will you comment on the adequacies and inadequacies of ICT when it comes to data sharing?

**Andrew Laing:** I have to go back about 18 months to my experience in my previous operational role, when I had responsibility for information sharing on behalf of Fife Constabulary.

There are two or three issues. ICT is certainly an issue, as systems do not speak to one another. When the system was first introduced to manage sex offenders, the police had full access to it, but in the early stages social work had one terminal—we had to try to widen that out—and the Scottish Prison Service had access through one terminal. That was a problem. Progress has been made and there is much better access now, but that was a difficult starting point, so shared systems can be a difficulty.

Another difficulty is cultural, but there is a much simpler way to overcome it. My experience is that organisations are risk averse when it comes to sharing information. They are hesitant to do it in case they are challenged and the challenge leaves them somewhat exposed. The flipside is that there is a disbenefit to the community and to members of the public, because information is withheld from other organisations. If the culture was that we were risk positive and willing to share information in the context that it would benefit the public and provide added public protection, and that we

would face challenges when they arose, that would free up information sharing.

To do that would require almost a political mandate to say, "Share the information with the best of intentions, recognising that there are acts and regulations to work within, but be more positive about the risks." If we could develop that culture, ICT would probably be less of a barrier. There would be a need for audit trails, but there should be nothing to prevent a police officer from picking up the phone and saying to a social work person, "We've a family here. Can we have a discussion?" There is apprehension at an operational and tactical level about sharing information. It is not just the act or the technology; it is a cultural issue.

12:00

**Anne McTaggart:** What would be the likely impact on localism and engagement with CPPs of moving to a single police and fire service?

**Neil McFarlane:** From the perspective of the fire service, the critical thing is that we commit significant resources to the respective community planning partnerships. We do not see that changing. The Fire (Scotland) Act 2005 requires us to promote safety within our respective community organisations. The bill that is going through Parliament does not change that. It puts a focus on how we improve that engagement and relationship.

We are now looking at a position called a local senior officer. It is about how we establish relationships and build trust between the two respective organisations. Although we work in eight individual services at the moment, because Scotland is quite small from a geographical point of view, we talk to one another. It is about how we identify best practice and take it forward into the new national organisation.

The important thing for me is how we continue to build relationships with the elected members following the elections on 3 May. As the committee is probably well aware, we have decided to set up pathfinder projects to look at local scrutiny, engagement and networking, and to learn best practice throughout Scotland.

As a service in Fife Council, we operate as a unitary authority, so we are being held up as good practice. From a Fife perspective, I see no change. Instead of me as chief fire officer leading the organisation, I will have a senior manager, who will lead the organisation.

Where the challenge will arise relates to the earlier discussion on national risk versus local risk. The national organisation will have resources to deploy to certain areas of the country, based on

risk. If we take the model that we apply now, we have a dynamic, flexible workforce that we can move about to meet local needs, when people are identified as being the most vulnerable in their community. As we move to the national organisation, it is expected that we will follow a similar model, whereby we will have a cohort of resources that we can move to deal with risk when we identify greater priority in certain areas in the county.

The key thing is that we have to learn on the journey, as we appoint the local senior officers. Education is also critical. We need to get the local politicians to understand that, although we are a national organisation, we are very much focused on local delivery. That is the important aspect—there will be no significant change. We are still a local-based community organisation. Our firefighters will still operate from fire stations and we will still engage with the community planning partnerships. In moving to a national organisation, there is no change in the risks that we face.

**Andrew Laing:** The position in policing is probably not dissimilar. There are a number of strands to it, and I will try to break it down a bit to the convergence of planning for policing, and to reform, governance and accountability. To give as full a picture as possible, I will also talk a bit about scrutiny and inspection.

I described the policing planning process as it is at the moment. Under the bill and the future arrangements, there will be national policing priorities, which will be set by ministers. Those priorities will be informed by the police's strategic assessment of the risk and threat of harm to Scotland in terms of police and crime.

A strategic plan will be agreed with the Scottish police authority and the chief constable for Scotland. Divisional commanders will then set and agree local plans for local areas in the context of national priorities and local need across the 32 local authority areas. The planning relationship will still exist; it will not be dissimilar to the description that you have just heard. Local commanders will no longer be chief officers, but lower ranks. That might present a challenge as chief inspectors and chief superintendents engage with chief executives of local authorities.

The gap between national and local priorities should be minimised as it is at present; I am reasonably confident about that arrangement. One of the fundamental changes that police reform brings relates to governance and accountability in policing. There will be much more emphasis on national governance and more direct accountability for all policing at Scottish police authority level. Also embedded in the bill is a requirement for local co-operation, connectivity and engagement.

At present, the relationship between divisional commanders and local authorities and local bodies is generally quite strong; that is almost universal across Scotland. I anticipate that that will be sustained, and that those local connections will remain strong as we move into the future. Those local commanders will then be responsible for engaging with community planning partnerships. Some are responsible for them at the moment, either at a much higher level, such as chief officer level, or at chief constable level. The community planning partnerships should provide a forum for the agreed plans to be monitored, for reports to be given on those plans and for any changes to be made if community need demands it.

As with the fire service, a number of pathfinder projects are being developed. I understand that of the 32 local authorities, somewhere in the region of 23 will be engaged. During this transitional year, we will begin to build those plans—including the level of scrutiny and the relationships—which should put us on a good footing for the period ahead.

One challenge arising from that arrangement is that, from 32 community planning partnerships, we are likely to have—the figures are not exact—somewhere in the region of 20 to 25 or 26 commanders. Some commanders will have responsibility for more than one area and more than one plan, and for more than one relationship with a community planning partnership. It is a significant change, but much of the foundation work is already in place or will be put in place this year. That should provide a level of confidence that the contribution to community planning will still exist.

I turn briefly to scrutiny and inspection, and the role of HMI in the years ahead. As I mentioned during the evidence session on the Police and Fire Reform (Scotland) Bill, the model that I am proposing for the future is based on 32 local authority areas. We will look at how the inspectorate builds and develops relationships with local authorities, local groups and community planning partnerships, which is of importance to this committee. If we seek best value in the future—as I am currently discussing with Audit Scotland—we need to develop new characteristics for that local arrangement. We would expect to see best practice protocols, and we will certainly report on that relationship.

We are building up a performance framework that is based on 32 local authority areas. Even if the police service decides that it will have 23 command areas, for example, we will inspect the 32 local authority areas to ensure that there is parity across all of them, and we will report back on that to the Scottish police authority and ultimately to Parliament as we move forward.

There are four strands in that performance framework. One involves a focus on single outcome agreements, with regard to what the commitments are, what contribution policing makes to them and how far they form the core of the policing plan. There will be much more emphasis on that from HMI.

There has been some apprehension in the police reform debate around the degradation of local relationships. We are working with Audit Scotland and other inspectors and regulators to look at a joint inspection regime. At present, for example, we are doing a best-value review with Audit Scotland of Fife Constabulary and Fife police authority.

In the future—there should be a pilot this year—as inspectorates and regulators we will start to look together at the joint work towards single outcome agreements. They will be the focus and we will go in as a group to consider the contributions of all partners.

That is the planning for the period ahead, which I hope should allay some of the fears that have been expressed that community planning partnerships' relationships with policing might weaken or soften because of police reform.

**James Dornan:** Will the panel members explain whether the existing duty of community planning should be extended to all public sector partners and say whether they are in favour of any other legislative change?

**Andrew Laing:** I will start off on that one. I would argue that the duty should be extended to all public sector partners. If the strategic objectives for Scotland have to be based on communities' and individuals' needs, the silos must get the clear message that they must contribute to the process. I would go further and say that the duty should extend to their including in their annual strategic plans a clear statement of what their contribution will be. That would allow regulators, those who bring them to account and those who govern to tie that directly to what their contribution has been and to monitor it. That would significantly strengthen the role that all public sector authorities have to play in the community planning agenda. I would not necessarily go as far as to say that we should incorporate. That would be difficult, given the functional areas that exist. However, we certainly must strengthen the commitment.

The second strand, which touches on one of the issues that I have just raised, is what role scrutiny, inspectorate and regulatory bodies have in community planning and single outcome agreements. At the moment, I am charged solely with responsibility for looking at policing, but in the future there might be a responsibility for me to look

collectively with other agencies at single outcome agreements and community planning.

I therefore think that there is a way of moving the agenda forward significantly without restructuring the entirety of public services or introducing a raft of new legislation. That is a possibility as we go forward.

**Neil McFarlane:** I work in my organisation on the basis of asking, "What must I do? What should I do? What is nice to do?" When I bring all my managers in the organisation together, I convey that message to them, because physical and financial resources are finite and I cannot do everything. When we consider our service planning process, we look at what we must do, which is always down to our statutory obligations to the local community.

Based on that definition, the simple answer from me is that, yes, there would be a benefit in extending the duty of community planning. It would add value to the community planning partnership as a whole and give a focus to all key stakeholders as we move forward in these financially austere times and they face internal tensions in their organisations. It would allow them to concentrate on ensuring that the resources are available to deliver on the community planning partnership's high-level outcomes.

**James Dornan:** You have no plans for any further legislative change.

**Neil McFarlane:** No.

**John Pentland:** Do you believe that in these times of tight financial constraints the sharing of budgets between partners in CPPs is desirable or realistic? Are there barriers that would not allow that to happen?

**Neil McFarlane:** I find it difficult to see how sharing budgets would add value to how we operate in Fife. We have mechanisms that mean that my service's contribution is not financial but physical resources. The question is how we measure that and how it adds value to the higher-level outcomes.

The community planning partnership's financial structure is heavily reliant on the key stakeholders putting in the physical resources. We devolve budgets to a local level. For example, we have area budgets and common good funds that people can access. However, what is important is to meet the challenge to engage with communities in deciding how the budgets are spent and to assess how they meet our priorities and, ultimately, how they demonstrate that we are delivering on national outcomes.

I do not have a strong view about sharing budgets. The practice in Fife just now indicates that the system is working and I have not

investigated any other community planning partnership that has gone to the extent of sharing budgets fully. The important thing is that we are sharing resources, whether they are financial or physical. It is important that resources are available to deal with the priorities and to deliver the outcomes.

12:15

**Andrew Laing:** I very much back what Neil McFarlane says. In community planning partnerships, a commitment by joint agencies is not just about the money. Money is significant, but it is about sharing resources and contributing thoughts, ideas and innovation.

There should be a shared budget to which partners should contribute and be seen to be contributing. However, if the notion was to top-slice budgets and apply that resource to the community planning partnership, we would get into a whole world of complexity that would need to be worked out at a local level. If you looked across the breadth of the single outcome agreements and asked what share of the policing budget should go to that, that would become really complex. However, in a dynamic environment in which partners are working together and sitting around a table, there should be an assessment of need and an assessment of contribution, and the resource commitment that comes from that process will be dynamic and moveable.

The challenge is in knowing whether the right balance has been struck, whether it is good and whether people are contributing and doing what they should be doing. That brings me back to the point that there is a role for inspection and audit of that. There is a role for regulators to provide an independent assessment of how good a partnership is. It would be utopian to think that there is a model or formula that says how much each partner should contribute. The reality is that, if we get to that, we will stop innovating. The fact that there is a dynamism to the process needs to be reflected, and there should be a professional look by independents who can make a qualitative assessment of what a partnership thinks that it is doing.

**John Pentland:** In the evidence that we heard earlier, the third sector told us that it needs to be recognised as a full and equal partner. Do you agree with that view, or do you see the third sector as consultees only?

**Neil McFarlane:** I think that I agree with the third sector. When the fire service produced "Scotland Together: A Study examining fire deaths and injuries in Scotland" on behalf of the Scottish Government in 2008 and 2009, the statistics showed that there were 45,000 voluntary



organisations in Scotland that employed 100,000-plus staff and had access to 1.3 million volunteers. That is a huge resource for us not to engage with. It is critical that we engage with it. In Fife, voluntary sector organisations are represented on the partnership board at the most senior level, and that representation is cascaded all the way down to the local community action planning groups.

The challenge is in engaging with the whole diverse range of voluntary organisations. We are finding that challenging as an individual service. To pick up on comments that were made earlier about access, a small percentage of the population in the kingdom of Fife come from ethnic minorities and the question is how we access them. There must be a two-way flow. We put resources in, but we rely very much on the third sector and other facets of that to engage with us. The challenge is in how we encourage that engagement.

Earlier this year, we started a new process in which our seven area committees in Fife have been tasked to go out into communities and engage with people and particularly voluntary organisations. We have spoken about operational intelligence. The people who know what happens in local communities are the firefighters in the fire stations and the police officers in the local police stations. They are the ones who should be engaging with the voluntary sector and getting that contribution to add value to what we are trying to achieve.

**Andrew Laing:** I echo many of those comments. Should the third sector be consultees only? No—absolutely not. It is a massive resource pool with a mass of information and professional insight into some of the deep-seated problems—we heard much about that this morning. However, the complexity of engaging with so many organisations if they were made statutory partners would be huge and the community planning partnership would fill halls.

For me, one of the issues is what full partnership means. Many core organisations have so much involvement in so many single outcome agreements that they need to be there, but the roles of some voluntary and third sector agencies are much more defined, so I would much prefer the requirement for engagement in the partnerships to specify the relevant third-party organisations.

If a partnership is looking at a problem that involves social housing, should it necessarily engage with every organisation or just the ones that are heavily involved in that area of work? I think that it should be the latter. I am not saying that the others should be excluded, but organisations have limited resources and we need to make the best use of them, tapping into them

appropriately to ensure that they are as effective as possible.

Third sector organisations should have a much greater role and should not simply be consultees. I am not sure about full partnership, but there should certainly be a requirement to engage more strongly than at present.

**Margaret Mitchell:** Will you comment on the concerns that are expressed in the submission from the national community planning group? To give you an idea of who made the comments, the group comprises the Society of Local Authority Chief Executives and Senior Managers, ACPOS, the Chief Fire Officers Association and the NHS chief executives forum.

The group states that, under the proposals for a single police service and the equivalent proposal for fire and rescue,

“local commanders will have a duty to ‘participate’ in Community Planning and to develop and agree local service plans with the council ... However, the duty to ‘participate’ in Community Planning has already been shown to be inadequate for effective partnership working, and the status of the council and CPP appears to be that of a consultee rather than a decision-maker.”

The intention behind a single police force is that it will improve and strengthen local relationships and help local authorities and community planning partnerships to shape services with local priorities in mind. As the group states,

“The local commander will be under the control of the chief constable”

and will work with his priorities at the national level. How will that pan out in terms of the outcomes, resources and service delivery of the 32 CPPs?

**Andrew Laing:** As I said, ministerial priorities will be devolved down through the various planning levels to local areas. That will stand us in good stead. I am less apprehensive that a degradation in local relationships will occur. While doing the best-value audits and inspections, we have seen good, strong relationships between local commanders and their local organisations.

Part of the challenge for us is to ensure through our inspection regime that there is a balance, given that the commanders will be away doing the bidding of the chief in terms of national priorities. However, the vast majority of local police activity is and will continue to be delivered and developed in consultation with local communities. Particularly in the past few years, we have increasingly seen police officers consistently engaging with local community groups on their wants and needs.

I will give an example from Fife, as Neil McFarlane is here. In Fife, there is a community engagement model whereby police officers sit

down with members of the local community each month and say, "What are your big problems just now?" They still have to take cognisance of the national priorities that are set, but they also sit down and work out a plan for delivering action on people's concerns, which often centre on antisocial behaviour, licensed premises that cause problems and erratic road use. I believe that such arrangements will continue to be developed, and the strength of the relationships between the divisional commanders and the local community planning partnerships will help with that, so I am less apprehensive about that.

An issue that throws up an interesting challenge, although probably more in my world, is that the move to a national police service and a national fire service in Neil McFarlane's world will change significantly the arrangements for audit and inspection. They will move from the Accounts Commission to the Auditor General. At the moment, I make an inspection with Audit Scotland and report to the Accounts Commission, but I will not do that in the future. Audit Scotland will inspect local authority areas and report to the Accounts Commission; I will inspect policing and report through the Auditor General to the Parliament.

That is not a huge issue, and we need to do some work on it, but it starts to put in place an additional layer of complexity, which is that not everything is local any more. We need to understand the different connotations that come about through the change to national organisations and the regulatory structure that falls in behind that.

**Neil McFarlane:** In Fife, we have recognised those concerns. I will give an example. I am an employee of Fife Council and my line manager is the chief executive. I report to the fire authority, which is chaired by the leader of the council administration. The chief executive and the leader of the administration both sit on Fife partnership board so, obviously, in the community planning partnership, they ensure that I deliver a service of the council.

As we move towards a national organisation, my service will no longer be part of the local council. It will be part of a national service, but the intention is for that national service to be delivered locally. That takes us back to the pathfinders on local scrutiny, engagement and networking. That is about determining, in the ensuing 12 months, how we build the relationships of the local senior officer and the local commander with the elected members and other stakeholders in community planning partnerships and then develop local plans.

Just now, we can create a plan that is based on the needs of Fife. I do not think that there will be any difference under the new arrangements. The

local senior officer will develop a plan that is based on the needs of Fife. However, a challenge will arise if there is a conflict of interest between that plan and the national plan. How will we deal with that? The purpose of the pathfinder is to tease that out and develop some kind of arbitration route.

The submission from the national community planning group refers to the potential establishment of some form of national community planning board, to which the Chief Fire Officers Association and "Scotland Together" have referred. That may provide a focus for teasing out the national priorities from the national organisations that can be communicated down through the respective management structures into the local areas.

The opportunity exists to consider that. We are aware of the tensions that may arise, but the journey on which we are about to embark is designed to ensure that we have ways to resolve those issues.

**Andrew Laing:** I will make an additional comment about the pathfinders that Neil McFarlane prompted in my mind. The bill states that the important relationship for setting the local plan is the one between the local commander and the council. The pathfinders that are emerging throughout Scotland look to develop arrangements for that engagement between the local authority and the local police commander.

I have raised this concern before, but it is worth while stating it again: if the local commander—whose rank, let us say, sits at superintendent or chief superintendent level—has a responsibility to report to the community planning partnership on planning and arrangements under the single outcome agreement, but a separate body is set up to consider the local plan, we will have a disjointed system. An additional problem is that the local commander will then spend most of his or her time going to meetings to explain the same thing twice, being held to account—I use the term advisedly—at two different places and not necessarily always getting the same steer.

HMI will encourage the pathfinders to concentrate much more heavily on the community planning partnerships, which will increase their role and status in local authorities—about which I think they are concerned—rather than to set up a separate committee for policing. That is a worry for me.

**The Convener:** I thank the witnesses very much. There was a danger that we would cross into the work of another committee in the discussion, but we stayed just on the right side of the line. I thank the witnesses and the committee members for managing to do that.

We will suspend the meeting briefly.

12:29

*Meeting suspended.*

12:32

*On resuming—*

**The Convener:** I welcome our fourth and final panel of witnesses. We have Rosaleen Brown, external relations manager for Jobcentre Plus, and Danny Logue, director of operations, and Katie Hutton, head of national training programme policy and integration for Skills Development Scotland. You are all very welcome. I thank you for your forbearance, as you have been here for slightly longer than you expected.

I kick off by asking the witnesses how their organisations interact with community planning partnerships and what involvement they have with the single outcome agreements.

**Rosaleen Brown (Jobcentre Plus):** Thank you for inviting me along today.

As I state in my submission, my job is external relations manager and I cover a quarter of Scotland, which takes in nine local authorities. My evidence is therefore based on my operational experience. Across the nine local authorities that I work with—and I have worked with others—the relationships are mixed and different, but buoyant. Jobcentre Plus has put partnerships at the centre of what we do.

Partnership working is not something that happens while other people in Jobcentre Plus are getting on with their work. All staff, from advisers who engage daily with our customers who are residents in each of the local authorities, right through to our district manager, understand how important partnership working is. The job that we do in Jobcentre Plus can focus very much on the client who is in front of us, and the contribution that we make can be a one-off. In the main, however, most of the work that we do depends on how we refer that person on to whatever they need.

As I said, the relationships are mixed. As I state in my submission, we are members of a number of partnerships with local authorities. Some of them are at the executive level, but they are mainly employability partnerships at the operational level.

**Danny Logue (Skills Development Scotland):** Thank you for the opportunity to come along today. I echo some of Rosaleen Brown's points. As a national agency, we have a national role across all 32 local authorities. When Skills Development Scotland was created, the single outcome agreement process had already started, so we came in at a later stage when it had already kicked off.

The single outcome agreements previously referred to the conjoining organisations of Scottish Enterprise, Careers Scotland, Highlands and Islands Enterprise and so on. Since then, we have worked hard with all 32 local authorities and the community planning partnerships, and we are now members of the executive boards of 22 of the CPPs. We are also involved in all 32 local employability partnerships, which have a strong operational focus. Given our remit as a national careers information, advice and guidance service and a skills, learning and training organisation, we do a lot of operational work through those partnerships.

As far as our relationship with CPPs is concerned, it is worth mentioning a point that echoes the Christie commission's recommendations on localism. Although we are a national organisation, our building blocks are at the local level, as our teams are based in local authority structures. Three years ago, we introduced a process of service delivery agreements. The purpose was to ensure that Skills Development Scotland, as a national organisation, reflected local needs and priorities. We wanted to ensure that we aligned our resources and services with what was happening in local CPPs. We are now in the third year of that process and one of its key benefits has been that it has allowed us to ensure that the outcomes that are captured are reflected in the SOAs of all the local authorities.

**The Convener:** Do you have anything to add, Katie?

**Katie Hutton (Skills Development Scotland):**

The only thing that I would add is that, as part of the employability initiatives that we administer on behalf of the Scottish Government, we have been involved in a co-commissioning process with 32 CPP representatives across Scotland. That has involved demand being identified at the local level and an advisory group of CPP representatives for employability agreeing on the relative share of funding that should go out, which is always difficult to agree around a table. In addition, we sit down at a local level and decide on the contract awards for get ready for work and training for work. We do not do that on our own any more—that is decided in conjunction with partners.

**John Pentland:** Is budget sharing realistic and desirable for your organisations? Do you see any barriers to it?

**Katie Hutton:** As part of its post-16 reform work, the Government announced that it would consider a piece of work on what is called the local employability funding project, the ethos of which is about how we can work together more to share and pool resources. We have not seen the detail

of what that work will entail, but it is certainly a vehicle for that sort of thing.

There are some budget-sharing issues that relate to modern apprenticeships. Modern apprenticeships are strongly demand driven, so it is not a case of saying that there should be so many of them in particular areas and divvying up the budgets at the start of the process. It is necessary to follow the demand. There are some issues that need to be teased out to do with potential conflicts of interest when a party that is involved is also a bidder in the process. We have had some evidence on that.

The local employability funding project, on which the Government will be leading, will be a vehicle for examining a budget-sharing approach.

**Danny Logue:** In addition to the budgets that Katie Hutton mentioned, our physical presence is a large resource. We have SDS centres across the country in which our staff, in conjunction with partners, deliver services for young people in school, young unemployed people and adults who are looking for support from us. The importance of that local delivery is reflected in the service delivery agreements that I mentioned earlier, which ensure that all the human resources and capital resources are aligned with the local needs of partners.

**Rosaleen Brown:** There are many good examples of jointly funded initiatives that have been successful. Around the community planning partnership table, we are working to align the budgets and the way in which we spend them so that there is no duplication. Moving towards shared budgets would be a natural progression, so we would welcome the outcome of the initiative.

**Danny Logue:** One point that I should mention is about co-location, which came up in the previous session. I mentioned physical premises and centres. Where opportunities exist to co-locate with Jobcentre Plus or other community planning partners, we do so, because we share clients and provide shared services for them.

**Margaret Mitchell:** In its submission, Jobcentre Plus suggests that employability forums are good vehicles for participation in CPPs, and other witnesses have suggested that they might also help with community engagement. How can they be used to encourage participation and to get people to understand what CPPs are all about?

Secondly, what, in your experience, are the problems associated with data sharing?

**Danny Logue:** As joint members of the local employability partnerships in all 32 local authority areas, we have an opportunity at an operational level to engage with all the organisations that deliver local employability and careers information,

advice and guidance services. We also do a lot of capacity-building work with other organisations and support them in developing certain skills.

Our other services include the my world of work web service, which is a major resource not just for Skills Development Scotland but for our clients and customers. Increasingly, we are thinking about how we share it with our partners and we believe that there is a big opportunity in giving teachers, parents, Jobcentre Plus colleagues and other local authority partners access to those resources.

As for data sharing, the Scottish Government has asked Skills Development Scotland to be responsible for the 16+ learning choices data hub. We will pull together information from schools, local authorities and colleges and we are working with the Department for Work and Pensions on information and data exchange. Given the shared clients and customers that I mentioned earlier, the hub forms the foundation for the exchange of information between those key organisations. We now have data sharing agreements with all 32 local authorities and all of Scotland's colleges and, as I said, we are working with the DWP on the issue.

**Rosaleen Brown:** Employability forums are Jobcentre Plus's main focus. As I said earlier, our clients depend on our knowing what support exists in the community and how we can refer them to it so, through the CPP employability forums, we have built our knowledge of what is available and where the gaps are, and we are working with others to fill them. In that way, we can help both our clients and the community.

I echo the comments that have been made on data sharing. I would not say that our work on the employability forums has allowed us to get round the issue, but we have been able to share vital information—not necessarily on individuals, but certainly on trends—in order to inform our work and help us to develop services together.

**Margaret Mitchell:** I note that eight local authorities, including Falkirk Council and the City of Edinburgh Council, are involved in the approach. However, eight out of 32 does not seem such a high proportion to me. Is one of your goals to increase that figure?

**Rosaleen Brown:** It certainly would be. We want to build on our good practice and extend it to all local authorities.

**Katie Hutton:** We need to strike a balance between the sharing of information on the national training programme and the need to avoid conflicts of interest. The question is about the level of information that is provided. In some cases, we have had to put in place conflict of interest arrangements, particularly with regard to local

council working; after all, councils are bidders in the process, so someone has to sign a conflict of interest statement and say that they will not share the information. Giving data to individual providers gives them a bit of a commercial advantage, so we must ensure that we separate the individual to whom we give the information from their colleagues who will make the bid.

There is also a timing issue. Every partnership wants the information on the day after the month end, but the data has to be cleansed and so on. We are getting better at sharing information and determining who it gets shared with, but it is a learning process.

**James Dornan:** I have a question for all the witnesses and another for Rosaleen Brown. Many CPP structures appear to be quite complex in nature. Is that an issue for the engagement of employment and skills organisations and, if so, can you suggest any solutions?

12:45

**Danny Logue:** On the CPP structures, because our services are delivered locally, we have local staff and managers on the ground who regularly engage with CPP partners. That has not really been a major issue for us at the strategic level, as we build up from the local area. It is also worth mentioning that our chief executive and I regularly engage with chief executives across all the local authorities to ensure that we are aligned with those structures. That is reflected in many local employability partnerships. We are clear about what is there, we know as a skills agency what our focus is in what we are a member of, and we collectively play into all 32 organisations.

**Rosaleen Brown:** I echo what has been said. The structures appear complex when we look at them as a whole, but our approach is from a local point of view. The partnership managers build up relationships, understand the focus of the employability groups of which they are a part, and build up their knowledge.

We must understand each individual partner and their contribution to employability. That can be complex. In mature partnerships, knowledge has certainly been shared, and we now have a better understanding of why the partners are at the table and what they can contribute individually and collectively.

**James Dornan:** I have another question for you, Rosaleen, if you do not mind. Earlier, we heard from a number of people about the tensions between national and local priorities. Jobcentre Plus is run by the UK Government. Are there additional tensions between UK Government priorities and those of the CPPs? If so, how are they resolved?

**Rosaleen Brown:** I have to answer that question from an operational level. There is a lot less tension than you would imagine. I think that that is because of how we have built up the partnership over the past number of years. When there have been any initiatives or policy changes, information has been shared at the Scottish level with the DWP, the Scottish Government and local authorities. At the local level, we look to ensure that the dialogue goes on, and we sit down with our partners to work out how we will deal with policies together, align them and make them fit the needs of the customers whom we share.

There are not a great number of tensions; in fact, there are really good examples of where we have worked together to ensure that we align policies for various groups. With the youth contract, we can see that we are all working together for a group of people whom we understand need our help. We can all share our initiatives in aligning them.

**Danny Logue:** We, the Scottish Government, Jobcentre Plus and local authorities have worked on the BASES—better alignment of Scotland's employability services—programme. In essence, we have tried to ensure that the offers, services and resources that we jointly provide to individual customers whom we can support and to employers are joined up and better aligned. We have tried to ensure that we package up the types of offers and services that we provide at the local level. We, Jobcentre Plus, local authorities and colleges are included in that, and the third sector plays a significant role.

**Katie Hutton:** The priorities are aligned, but there is sometimes tension around the funding and the available budgets for each area. Each local community partnership rightly wants the best and thinks that it is a unique case. That is where some of the tension comes in.

Danny Logue alluded to ensuring that everything is packaged in a cohesive manner so that the community, including the employers, can understand it. It is about constructive dialogue. There have been good examples of such packaging. For example, North Lanarkshire Council produces documentation on all the offers, and more work is being done on that through BASES.

**Kevin Stewart:** In some of the evidence that we have received of late, folk have seen themselves as first division or perhaps second division rather than premier division partners. Where do you guys see yourselves across Scotland in that regard?

**Danny Logue:** Skills Development Scotland very much sees itself in the premier division. That is reflected in the fact that, although we were—because of our organisation's history—not

members of any CPPs when they were set up, we are now members of 22 CPPs, and we play heavily into the other 10 in our engagement strategically and operationally. That reflects the importance of Skills Development Scotland and the value that it can provide in supporting community planning partners through its delivery of services.

**Kevin Stewart:** Has that situation arisen because you have kicked above your weight and shown the CPPs what you have to offer or because of the change in the economic climate?

**Danny Logue:** The first reason is the value that SDS can bring to the table. We play into a significant number of priorities and objectives nationally and in local single outcome agreements and into the ambitions that we look to achieve, including those on prevention. GIRFEC, which has been mentioned, is another area that we play into heavily.

We talked about BASES and Katie Hutton mentioned local employability funds. The nature of the economy and the challenges for youth employment in particular are recognised. Having a youth employment minister has been a great help in focusing resources across the board in the public sector. That gives organisations such as Skills Development Scotland an even greater opportunity to play into and align our services with CPPs' needs.

**Kevin Stewart:** Do your colleagues agree that you are in the premier division?

**Rosaleen Brown:** I like to see us as our colleagues see us. Jobcentre Plus feels welcome at the table and we feel that we make a contribution. That is based on the partnerships that we had long before employability forums were in place. We had good partnerships with local authorities and SDS and we have built on them.

Jobcentre Plus engages with its customers fortnightly—we see residents of communities fortnightly and we understand their needs, which we can discuss with our partners. We also have a contribution to make to employers. We have a great relationship with them, but we know that we need to work with a far wider audience out there. We have built up relationships on the employer side of employability as well.

**Kevin Stewart:** Mrs Mitchell talked about the nine local authorities in Ms Brown's area. For the record, I take it that Jobcentre Plus is involved in all 32 community planning partnerships in Scotland and that your submission is about just your area.

**Rosaleen Brown:** I understand that Jobcentre Plus is involved across Scotland. I work with nine local authorities. I misunderstood the question.

**Kevin Stewart:** We were probably all at sixes and sevens—you probably heard us discussing the subject earlier. It was right to get that information on the record.

**Rosaleen Brown:** I am the external relations manager for east and south-east Scotland, but I am also part of a wider network, so I understand what happens across Scotland. I know that my colleagues at different levels are members of community planning partnerships across the 32 local authorities.

**Katie Hutton:** By nature, Danny Logue is much more optimistic than I am, but I do not disagree with him. The fact that we have service delivery agreements with the 32 local authorities, which relate to our contribution to community planning partnerships, shows that we are in the first division, premier division or whatever it is.

There can be issues; as has been said, personality clashes can happen locally from time to time when people have slightly different viewpoints. If the right people are not around the table, there can sometimes be a lack of collective memory. We do not say that everything in the garden is rosy, as it is not, but given that we have the agreements in place, we are represented on all the employability partnerships and we bring funding and resources to important issues for community planning partners, we are up there.

**Anne McTaggart:** My question is for all the panel members. How do you contribute to community planning partnerships' outcomes and action on prevention?

**Rosaleen Brown:** We sit down at meetings with our partners to look at the partnerships' strategic aims, which are taken back into our organisation. When a partnership looks at strategic planning on employability, we discuss at Jobcentre Plus level how we could contribute to the outcomes.

In the main, they are aligned with our priorities. Much of the wording is about reducing things such as worklessness and poverty, but built into that is the aim of preventing poverty and long-term worklessness. We contribute to that through early intervention. Most of our policies mention the need to engage early with customers and to have early intervention. Our process is about intervening with our clients early to ensure that they are equipped for the world of work and to address the barriers. To me, that is prevention.

The same is true of our work with lone parents. We help them back to work by increasing their employability with the aim of preventing long-term unemployment for them and their families. That is how we address prevention. When we commission any provision that we need in the community, we consider how we can prevent existing barriers from being sustained.

**Danny Logue:** Skills Development Scotland plays an active and key role in relation to some of the national objectives, such as those on a better start for young people and some of the objectives in the single outcome agreements on positive and sustained destinations for young people.

From our perspective, prevention and early intervention start at school. I mentioned getting it right for every child and some of the additional support needs work. We are focusing our resources on the young people who most need our support. Part of the service modernisation that SDS is undertaking is to ensure that we target and prioritise our resources. In relation to young people, that means targeting those who need that level of support.

We also work with schools and local authorities on the curriculum for excellence. On skills for learning, life and work, we play a key role in supporting teachers, parents and young people. With the launch of the opportunities for all scheme at the beginning of April, we have a key role in relation to youth employment. We have to ensure that SDS, working with partners in the community planning partnerships, focuses and targets our resources at the young people who most need them in order to access and secure positive and sustained destinations.

We talked earlier about service delivery agreements. We are working with all 32 local authorities on the production of a youth employment action plan. That is about the stage after young people have left school. We need to identify young people and ensure that they have the right services. We need to target resources to ensure that we help young people move on to positive and sustained destinations.

**The Convener:** As there are no further questions, I thank the witnesses.

12:57

*Meeting continued in private until 13:03.*





Members who would like a printed copy of the *Official Report* to be forwarded to them should give notice to SPICe.

---

Available in e-format only. Printed Scottish Parliament documentation is published in Edinburgh by APS Scotland Group.

All documents are available on  
the Scottish Parliament website at:

[www.scottish.parliament.uk](http://www.scottish.parliament.uk)

For details of documents available to  
order in hard copy format, please contact:  
APS Scottish Parliament Publications on 0131 629 9941.

For information on the Scottish Parliament contact  
Public Information on:

Telephone: 0131 348 5000  
Textphone: 0800 092 7100  
Email: [sp.info@scottish.parliament.uk](mailto:sp.info@scottish.parliament.uk)

e-format first available  
ISBN 978-1-4061-8697-0

Revised e-format available  
ISBN 978-1-4061-8713-7

---

Printed in Scotland by APS Group Scotland

---