



Voluntary Action Scotland

Briefing: Stage 1 Debate – Community Empowerment (Scotland) Bill

Tuesday 3rd February

Voluntary Action Scotland is the national network body that supports, co-ordinates and advocates for Scotland's 32 Third Sector Interfaces (TSIs). Our ambition is to see a Scotland in which voluntary and social enterprise action in all its forms flourishes and delivers strong resilient communities. We believe that Scotland's third sector infrastructure organisations have a crucial role to play in making this happen.

Introduction

Voluntary Action Scotland has taken a keen interest in the Bill as it has progressed through draft form and into Parliament. We believe a strong Community Empowerment Bill can have a significant impact upon how communities engage and shape local services and is necessary to help direct decision making to be more community focussed. We welcome a number of the developments in the Bill so far and can see progress has been made through the work of the Local Government and Regeneration Committee. However, there are still areas that could be clarified and expanded further that could help to tilt this legislation to being even more community focussed, we have focussed on these below.

Community Planning

The Committee report states that *"Overall we are not convinced this Bill goes far enough to move CPPs from their current top-down approach"*¹, we agree fully with the Committee on this point. Effective community planning brings together the totality of local resources and shapes services around the needs of the community, with the communities themselves at the centre of this decision making process. The Bill does not go far enough to force this joint working between statutory bodies nor does it put the needs of the community, as defined by the community, to the fore. This can be strengthened further during the legislative process.

A particular area of concern for VAS is that of the role of the third sector, in particular the Third Sector Interface, in community planning. The Committee report recommends that *"the third sector...should be given a more prominent role, short of becoming a partner at the partnership board of CPPs"* whilst we welcome the sentiment of this, in terms of increased third sector visibility in community planning, it is important for us to point out that TSIs are already full community planning partners and that adopting this recommendation may inadvertently be a retrograde step in terms of third sector involvement in community planning. The joint statement on community planning and resourcing issued by the Scottish Government and COSLA in September 2013 confirms this policy by

¹ http://www.scottish.parliament.uk/S4_LocalGovernmentandRegenerationCommittee/Reports/lgR-15-02w.pdf 2nd Report, 2015 (Session 4): Stage 1 Report on the Community Empowerment (Scotland) Bill, p34



stating *“Making the most of the total resources available locally means ensuring that the Third Sector Interface is a full community planning partner”*². As such we are keen to ensure that the TSI retains its position as a full and valued partner in community planning and that legislation reflects this.

TSIs play a unique role in community planning, connecting and enabling voices and assets from the third sector and bringing these voices forward to help improve our communities. Whilst we do not wish to see duties placed upon TSIs, as they are not statutory bodies, we believe that in order to ensure they continue to be a full member of CPPs it is vital that there is a mechanism within the Bill for them to be written into guidance, perhaps by including reference to “an advocate for the local third sector” on the face of the Bill, this in turn would be described in guidance as the Third Sector Interface. If the Scottish Government fully believes in creating a culture change in the way resources are managed and services designed and delivered it needs to provide parity of esteem to TSIs as a voice for the local third sector. Community Planning should be about harnessing the totality of a localities assets and using them effectively to improve person centred, co-produced, outcomes, this is not possible without the inclusion and recognition of the third sector. We believe it is possible to write an advocate for the third sector into legislation whilst excluding them from certain duties placed upon statutory partners.

Community Engagement

Across all the areas of the Bill the issue of community engagement is vitally important. We are pleased to see this has been picked up on by the Committee and hope a number of their recommendations in this regard are taken forward as amendments.

In order to drive public service reform we must have communities involved at the centre of decision making. Community engagement must therefore happen throughout the process, not as an afterthought as part of a consultation exercise but as a core requirement when making policy and designing services. Engagement must happen in an accessible and inclusive manner, utilising plain English and following updated national standards for community engagement. Decision making processes must be able to demonstrate the role and impact of community engagement on decisions and services that have been designed, this will help to ensure future buy in for communities and, ultimately, will help drive bottom-up decision making. Input from community and third sector organisations should be pro-actively sought by statutory bodies.

We would be keen to see amendments which help enshrine extensive and good quality community engagement at the centre of this Bill.

Capacity Building

In order for all communities to make the most of this legislation we need to ensure that the relevant expertise exists within communities. The policy memorandum acknowledges this by saying *“community empowerment cannot be delivered by legislation alone...the availability of appropriate support, guidance and a culture of nurturing community action is also key”*. This is a sentiment we agree with entirely.

² <http://www.scotland.gov.uk/Topics/Government/Finance/18127/18127> - Joint statement on community planning and resourcing – Scottish Govt and COSLA, 11th September 2013



Across the Bill we see examples of where building community capacity and providing support to communities is essential, particularly in relation to Community Planning, Asset Transfer, Participation Requests, and Community Right to Buy Land. If the capacity does not exist or is not fostered then the Bill will not achieve its full potential.

Again, this community capacity building must not be foisted on communities in a top down manner but fostered within the communities themselves. Central to this is the role of the third sector. The TSIs across Scotland currently work to support community and voluntary organisations and are likely to see their workload increase with this legislation. The statutory partners in community planning, along with the Scottish Government, have a key role to play in ensuring the resources are made available to the third sector locally to support community capacity building. We would be keen to see duties placed upon statutory bodies to support capacity building within their communities.

Alongside this we believe that all community planning partners should have a duty to advertise and promote the new powers bestowed by the Bill in order to raise awareness and educate the public on how to get more involved and make the most of these new provisions.

Co-production

We support our colleagues at the Health and Social Care Alliance's recommendation of adopting the term "co-production" on the face of the Bill.

Co-production is a term which is increasingly in use to describe a strengthening of the relationship between people and public bodies and increasingly resonates with the role of the third sector. Co-production can describe partnership at the individual level but it is also about involving people in decisions about the design and delivery of services. This is an essential mechanism for producing models, services and systems that are person-centred. By including 'co-production' on the face of the Bill it will help to embed it in the Scottish policy landscape.

Co-production has a significant role to play in empowering communities to be actively involved in supporting the design and the delivery of better, more sustainable services, and offers an approach to service design and delivery that makes the best use of the capacities of all stakeholders to create effective, sustainable solutions.

For Further information please contact:

Niall Sommerville

Communications and Policy Officer

Voluntary Action Scotland

E: niall.sommerville@vascotland.org

T: 0141 353 4322