

Written Submission on Draft Community Empowerment Bill

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1. To what extent do you consider the Bill will empower communities, please give reasons for your answer?

This Bill's inspiration by principles of subsidiarity, community empowerment and improving outcomes, and its intention to make for harmonious practical links between these so that they become more of a lived reality for citizens throughout Scotland, is admirable. The need for more local devolution downwards and the ceding of controls by local councils to their communities and community groups was a key finding of the recent Enquiry into the Flexibility and Autonomy of Local Government. Nevertheless this Bill's intentions to promote community empowerment and partnership between groups of citizens and public bodies serving communities might be more fully and effectively realised through the establishment of a more user-friendly and accessible set of procedures for specific forms of community empowerment and partnership (which could be part of a wider public communications strategy on the content of the Bill and its implications for individuals and community groups). For example, there could be clearer steps for community groups taking control of common good property - and in what circumstances - than is currently available within the present wording of the bill. An accessible appendix could provide a general overview of such processes for citizens and groups who relatively lack resources and politico-legal expertise, absence of which might otherwise present a barrier to non-professional groups and inadvertently favour more established interest groups.

2. What will be the benefits and disadvantages for public sector organisations as a consequence of the provisions in the Bill?

To the extent that public sector organisations' *raison d'être* is to serve citizens and communities, it might be argued that this question places public bodies' corporate interests ahead of these. Still, there are risks that the enshrinement in statute of community empowerment in principle without clear practical and accessible procedures and processes for achieving this could prove unnecessarily bureaucratic and burdensome for public bodies, ironically drawing resources away from citizens and communities. In this context, it is important to be clear about procedures, criteria (particularly for refusing requests) and routes to appeal. Transparency about these issues should benefit citizens in their communities, alongside the public bodies that serve them, rather than hindering the latter in their work.

The Bill solidifies and legally enshrines the role of CPPs and the 'outcomes agenda' to local service provision which, in theory, should generate efficiencies as a result of the cross-fertilisation of functions and services (and this is in the spirit of the Christie report recommendations). The development of local improvement plans is a helpful step forward in this regard. However there are significant assumptions here in terms of the ability of local

authorities to take an outcomes-focused and partnership approach with a view to monitoring and evaluating their work to demonstrate impact. There are considerable capacity problems in local contexts in terms of how to take a outcomes-based approach to their programmes and how to evaluate against outcomes. This requires certain skills-sets which are not always available in local areas (e.g. specialisms in research methodologies, evaluation design, facilitation, and evaluation practice). This means that although outcomes-based approaches to community planning have major benefits - in that partners can understand and communicate their contribution to CPP outcomes - there is a risk that this process will be conducted ineffectively (due to deficits in skills and knowledge) and, in short, this could be to the detriment of local improvement plans (with the plan being something which will be expected by local areas as a result of the Bill).

3. Do you consider communities across Scotland have the capabilities to take advantage of the provisions in the Bill? If not, what requires to be done to the Bill, or to assist communities, to ensure this happens?

In line with the above observations, for this Bill to achieve its desired aims, it is important to ensure that the procedures and processes deriving from it are accessible and user-friendly for all community groups, rather than inadvertently privileging established organisations with inbuilt resource and expertise advantages. It is therefore important that the Bill, assuming it is passed, be accompanied by plain language guidelines for community groups who might wish to take advantage of its provisions. Likewise, there needs to be serious attention given to publicising these in order that all citizens and groups, not just established interest groups, are aware of the opportunities it offers.

4. Are you content with the specific provisions in the Bill, if not what changes would you like to see, to which part of the Bill and why?

In relation to Part 1, consideration could be given to strengthening ministers' and / or local authorities and public bodies to develop national outcomes in genuine partnership with local community representatives, such as through participatory budget-setting, consulting citizens' juries on policy priorities or holding online referendums in relation to these matters. In relation to Parts 3, 4, 5 and 6, it would be very helpful if consideration could be given to providing a more accessible summary and / or step-by-step guide for community groups wishing to take advantage of these sections. This could form an appendix to the bill itself, but also form the basis of guidance notes for all interested parties, which needs to be widely publicised in the event of an Act being passed.

In light of the response provided to question 2 above there could be clarity within the provisions of the Bill (or on supporting information/guidance) in terms of the nature and availability of national/central support by government and agencies when it comes to helping to enable CPPs to undertake

outcomes planning and evaluation activity. Are there resources in the Scottish public sector that will be made available to CPPs? Examples include the expertise of NHS Health Scotland, Analytical Services Division of Scottish Government when it comes to monitoring and evaluation. There are also questions about the role of the government's Improvement Service? In short, there are key gaps in the Bill in terms of the nature, availability and provision of national level support.

5. What are your views on the assessment of equal rights, impacts on island communities and sustainable development as set out in the Policy memorandum?

Whilst we have no specific response to these points, we would suggest that our thoughts under points 1, 3 and 4 relate to equal rights promotion, and would help to ensure that the Bill results in a real and vibrant framework for community activities throughout Scotland.