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Planning
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7 August 2023

Dear Ariane,

Community Planning: Post-legislative scrutiny of Part 2 of the Community Empowerment (Scotland) Act 2015

I welcome the Local Government, Housing and Planning committee's report into community planning and I am grateful to all individuals and organisations who gave evidence to inform the committee's report and recommendations.

Ahead of the report's publication, I met with Cllr Heddle, COSLA Vice President, and Greg Colgan, Chair of the Community Planning Improvement Board (CPIB), to discuss shared ambitions for community planning. These meetings were constructive and I look forward to working with all partners to ensure that, as highlighted in the Verity House Agreement, Community Planning Partnerships can use collective resources more effectively and efficiently to deliver shared priorities and improve outcomes for people and communities.

My officials have worked with COSLA, the CPIB and the Community Planning Network to inform the Scottish Government's response to the committee's report. I am committed to continued collaboration with all partners to help improve community planning further.

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I have addressed the committee's specific recommendations in the annex attached to this letter. I hope that you find this useful and I look forward to appearing at the Local Government, Housing and Planning committee again soon.

Yours sincerely,

JOE FITZPATRICK

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ANNEX A – Scottish Government response

The Scottish Government should ensure that its current review of the Community Empowerment Act addresses the variation in performance between CPPs. Where there are examples of CPPs demonstrating best practice the Scottish Government and COSLA should ensure that this is actively shared across CPPs to help improve standards.

The Scottish Government should take the opportunity during its review of Part 2 of the Act to help renew CPPs' focus on the importance of empowerment and participation through identifying opportunities to drive improvement and share best practice. This could include increasing the funding provided to the Improvement Service.

The Scottish Government recognises that appropriate variation in practice can allow community planning partners to target their collective resources most effectively to meet the needs of specific communities across Scotland. The Scottish Government is committed to supporting community planning partners improve the performance of all Community Planning Partnerships (CPPs), including through addressing variation in the standard and effectiveness of CPP activity where necessary.

The CPIB provides an effective forum for sharing good practice across community planning partners at a national level. The CPIB focuses on: identifying, collating and sharing evidence of what works well; bringing together national insights, innovation and improvement support; and offering practical support with CPPs around leadership, governance and analysis. It is important that the CPIB, in their capacity as the sector-led organisation involving all community planning partners, continues to have a significant role in identifying and promoting examples of best practice and helping to improve performance and standards. The Scottish Government has a positive relationship with the CPIB and its chair, Greg Colgan, was a member of the Covid Recovery Strategy Programme Board which was co-chaired by the Deputy First Minister and the COSLA President.

The Community Planning Network brings together officials, mostly from local authorities, who are involved in community planning. The network, with support from the Improvement Service, hosts a group on KnowledgeHub which provides a space to share good practice and ask questions. The network currently meets quarterly and Scottish Government officials are engaging proactively with the network chair and the Improvement Service ahead of the next scheduled meeting in autumn 2023.

The Scottish Government will continue to engage with the CPIB, the Community Planning Network and other partners to support improved collaboration and sharing of best practice.

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In future CPPs should have a clear and defined role in any national guidance on the local response to emergency situations (such as another pandemic).

The key principle of the Scottish Government's response to emergencies is having the right people in the right place at the right time. Our response to emergency situations must be tailored to the specific circumstances of each emergency and these circumstances will dictate the appropriate level of management required.

Although CPPs are not currently referred to in the Preparing Scotland guidance, six of the eight Category 1 Responders in Scotland are statutory community planning partners: local authorities, Police Scotland, the Scottish Fire and Rescue Service, the Scottish Environmental Protection Agency, Health Boards and Integrated Joint Boards. These organisations are subject to the Civil Contingencies Act 2004 and have a defined role in resilience. Officials in these organisations can and should make connections with local structures, including CPPs and resilience partnerships, to support an effective response where appropriate.

The current emergency arrangement allows for anyone necessary to be involved in the preparations for, response to and recovery from the impacts of a wide range of disruptive events. The Scottish Government's position is that making additional statutory community planning partners subject to the Civil Contingencies Act 2004 would place an undue burden on those organisations.

It is important to note that the Scottish Government recognises and values the significant contribution that community planning partners made to our collective response to, and recovery from, the pandemic.

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The Scottish Government should consider refreshing the Community Planning Guidance in view of the comments made in this report by stakeholders. In particular this should include future-proofing the guidance so that it reflects new national priorities such as Community Wealth Building and what CPPs' role will be in this, and also the increasing regionalisation of economic development.

In its development of a Community Wealth Building Bill, the Scottish Government should give early consideration to the role of CPPs in delivering the policy ambitions, whether any legislative changes to their role would be required to facilitate that, and should ensure sufficient guidance is provided to CPPs about their role in community wealth building.

The Scottish Government should consider during its review of Part 2 of the Act how CPPs can best encourage the involvement of the private sector in community planning, for example through Business Gateway which is delivered by local authorities. It should also explore how CPPs can best contribute to increasing economic regionalisation and encourage collaboration between CPPs within regions.

The Scottish Government recognises that a refresh of certain parts of the guidance may be useful to reaffirm collective ambitions for community planning and provide partners with greater clarity on national priorities. To future-proof guidance effectively, it may be more beneficial to focus any updates on the strategic ambitions of community planning rather than on the details of specific policy priorities which may or may not change and evolve over time.

The Scottish Government is confident that the current guidance provides flexibility for CPPs to advance Community Wealth Building (CWB) to improve social, economic and environmental outcomes in their communities. A number of CPPs are already embracing this approach, including through the development of CWB Commissions or Anchor Networks/Charters. Whilst there is good work underway, the Scottish Government would like to accelerate and deepen the implementation of CWB in Scotland and has committed to introducing legislation on CWB within this Parliamentary session.

The Scottish Government recently held a consultation on CWB which included a proposal for a duty to advance CWB. The consultation invited feedback on three options, two of which would require public sector bodies statutorily involved in community planning to produce a collective CWB place-based strategy and action plan for their local authority area or region. Responses to the consultation are now being analysed and an analysis report will be published in autumn 2023; the findings of the consultation will inform the development of CWB legislation, policy and guidance.

The Scottish Government recently agreed wholesale to the recommendations made within the Regional Economic Policy Review. This review was very careful to stipulate that regional working does not replace or take over from local activity and interventions, and that the two things are not mutually exclusive. The review noted that there was an opportunity for CPPs and Regional Economic Partnerships (REPs) to work more closely together, complementing and adding value to one another's aims and outcomes. The Scottish

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Government is currently exploring options to enhance the link between CPPs and REPs where there are clear benefits in doing so.

The Scottish Government values the contribution that private sector partners can make to community planning. Scottish Enterprise, Highlands and Islands Enterprise and South of Scotland Enterprise each have additional responsibilities to support shared leadership and governance of CPPs and play an important role in making sure that the local economy and labour market are considered. Individual CPPs are best placed to identify which local partners are best placed to support their activity, whether that be Chambers of Commerce, local economic forums or Business Gateway.

More broadly, the Scottish Government encourages all community planning partners to understand the connections between social, economic and environmental outcomes; these cannot be seen in isolation and partners should continue to take a holistic approach to improving outcomes for people and communities across Scotland.

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The Scottish Government should consider amending the Act to require CPPs to invite the local Third Sector Interface ('TSI') and local anchor organisations to be partners.

The third sector plays an important role in community planning. The Scottish Government is committed to working with partners, including COSLA, the CPIB and the Community Planning Network to promote consistent and positive engagement with third sector partners across all CPPs.

The Community Empowerment (Scotland) Act 2015 requires CPPs and community planning partners to consider which community bodies, many of which are third sector organisations, are likely to be able to contribute to community planning and make all reasonable efforts to secure and enable the participation of these community bodies in community planning. The statutory guidance states that CPPs should engage with third sector organisations and notes that TSIs should support effective community planning by building links between third sector partners and the CPP.

There are many examples of good practice where CPPs are meeting these expectations and are engaging fully and creatively with third sector organisations. Many CPPs include TSIs as members of their management structures and we heard evidence of TSIs playing an active role in community planning, including Perth and Kinross Association of Voluntary Services co-chairing the CPP board and Engage Renfrewshire chairing the CPP's Forum for Empowering Communities.

The Scottish Government is confident that the current guidance provides appropriate flexibility for third sector involvement in community planning. The Scottish Government will work with community planning partners to consider how best to further emphasise the importance of the third sector and local anchor organisations in any update to guidance.

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The Scottish Government's review of the Act should explore whether its ambitions for community planning are realistic without being backed up by direct investment. CPPs may have an important role to play in new priorities such as Community Wealth Building and the Scottish Government should ensure that they are sufficiently resourced before creating any additional statutory requirements. It should also explore further how community planning partners should best direct their own resources to underpin CPPs' work.

Community planning is focused on ensuring public services work together to make best use of their collective resources to improve outcomes for people and communities. The Scottish Government recognises that there is scope for local partners to collaborate more effectively and is committed to working with partners to explore opportunities for alignment of collective resources. As mentioned, the Scottish Government held a consultation on CWB which ran from January to May 2023. An analysis report of responses will be published in autumn 2023 and this will inform the development of legislation on CWB, including considerations around any additional statutory duties on public bodies.

More broadly, ensuring Scotland's public services remain sustainable and able to continue to improve outcomes and reduce inequalities is one of the three priorities set out in the Scottish Government's Policy Prospectus and reaffirmed in the Verity House Agreement. The Scottish Government will continue to communicate the importance of collaboration and sharing resources effectively in its engagement with public bodies, many of which are statutory community planning partners.

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The Committee believes that given the important part statutory partners other than local authorities have in community planning, Audit Scotland's routine audit of them could include the effectiveness of their participation in community planning.

The Scottish Government should explore how the complex lines of accountability for community planning partners could best be streamlined.

Good governance and accountability are important in order that community planning partners can provide assurance that community planning across Scotland is working effectively for the benefit of local communities and in line with statutory duties set out in the Community Empowerment (Scotland) Act 2015. It is important that all partners take an active role in holding each other to account for delivery against agreed priorities.

The Act places a duty on certain community planning partners (specifically the local authority, NHS board, enterprise body and Police Scotland and the Scottish Fire and Rescue Service) to support shared leadership and governance to ensure the CPP carries out its functions efficiently and effectively. The statutory guidance sets out the requirement for all community planning partners to scrutinise progress and, wherever necessary, challenge each other effectively.

Alongside shared accountability with CPPs, community planning partners are subject to other formal lines of accountability. For example, the Accounts Commission assesses how well local authorities work in partnership with others, including in CPPs, as part of annual performance audits and occasional Best Value audits.

Within the context of the Verity House Agreement, the Scottish Government will engage with COSLA and other partners, including the CPIB, to consider how accountability for community planning could be streamlined alongside maintaining and promoting openness and transparency. The Scottish Government would also welcome further discussions with Audit Scotland regarding how their routine audit of relevant statutory partners could incorporate consideration of community planning.

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CPPs should take proactive steps to ensure that communities of interest or identity are fully included in planning processes to avoid further marginalising key groups who are already at increased risk of inequality. Their voices should for example be clearly reflected in LOIPs and locality plans.

The Scottish Government encourages community planning partners to engage fully and proactively with people and communities within each CPP area to inform their local priorities and activity. It is particularly important that partners continue to engage with communities experiencing disadvantage, including through formal and informal routes.

The Community Empowerment (Scotland) Act 2015 and guidance, provide a strong foundation for LOIPs and locality plans that make a difference to improving local outcomes. These plans should focus on improving outcomes and reducing inequalities and should be built on strong and effective community participation which has a shared understanding of local needs, circumstances and opportunities. The engagement should be inclusive and provide opportunities for the public as well as communities of interest and place to deliberate on the options. With a transparent and clear path for the public to see how their participation have influenced the development of the plans.

The Scottish Government will continue to work closely with COSLA, the CPIB, the Community Planning Network and other community planning partners to embed proactive community engagement to inform LOIPs and locality plans utilising good practice, including the [Participation Framework](#) and [National Standards for Community Engagement](#).

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Community engagement requires a professional skill-set that cannot be met solely by busy CPP officers in local authorities who may lack experience. The Scottish Government should explore how it can support community planning by resourcing a network of local community engagement officers within local authorities, and by encouraging local authorities to ensure they have sufficient community planning officers.

It is important that all partners, not just local authorities, support the effective and efficient delivery of community planning, including the role of community engagement. This is particularly important for those partners which have additional responsibilities to support shared leadership and governance. The Scottish Government will continue to work closely with COSLA, the CPIB and other partners to support full engagement with, and appropriate resourcing of, community planning.

The Community Planning Network provides a space for officials, mostly from local authorities, who are involved in community planning to share good practice. Scottish Government officials engage regularly with network members.

More broadly, the Scottish Government operates a network of [Place Directors](#). The role of Place Directors is to understand, promote and support how public services work together and with communities to improve wellbeing and outcomes on local and national priorities. They provide a bridge between local areas and the Scottish Government, providing two-way intelligence and constructive criticism. The role of Place Directors was reinforced in the Verity House Agreement.

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The Scottish Government should consider commissioning research into the impact made by CPPs in improving inequalities. This could explore how CPPs are, and should be, linking interventions with outcomes data at a local level and outlining a framework for CPPs to use.

CPPs are responsible for identifying and using relevant quantitative and qualitative evidence to identify priority local outcomes and demonstrate progress being made towards improving these outcomes. Community planning partners already make good use of data from the Community Planning Outcomes Profile (CPOP) and the Scottish Index of Multiple Deprivation (SIMD) with support from the Improvement Service. Public Health Scotland's Local Intelligence Support Team (LIST) also provides on-site expert analytical support helping to source, link and interpret data.

The LIST service provides local decision makers with meaningful and actionable intelligence to support and monitor progress on delivering improved outcomes. LIST have historically operated mainly within Health and Social Care Partnerships and some GP clusters, but more recently have expanded to support CPPs in three initial areas (Dumfries & Galloway, Dundee City and Western Isles). Public Health leaders, such as Public Health Scotland, Scottish Directors of Public Health and Scottish Health Promotion Managers, are now actively collaborating with local partners to develop and coordinate this integrated and tailored offer of support, based on local need. This will bring together local and national skill sets and expertise and help CPPs access and use a range of public health data and intelligence.

The Scottish Government does not currently plan on commissioning research into the impact of CPPs, but remains committed to supporting high quality analysis and data to support community planning partners make evidence-based decisions. For example, the Scottish Government recently launched a [Care and Wellbeing dashboard](#) in partnership with Public Health Scotland to support the ambitions of the [Care and Wellbeing Portfolio](#). This dashboard is in the initial stages of development and aims to provide access to a range of evidence disaggregated by health board and local authority level. The Scottish Government and Public Health Scotland will continue to work with community planning partners, amongst others, to ensure it meets local needs and provides a useful resource for accessing data relating to health outcomes and inequalities.

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There is a need to better align outcomes across the public sector, from the Scottish Government's National Performance Framework through to local delivery by statutory partners. This would better underpin the delivery of improved outcomes at all levels and also enable the evidencing of those improvements. The Scottish Government's review of community planning should consider whether Aberdeen CPP's work to align objectives should be used as a case study and incorporated into the Strategic Guidance for CPPs.

The Scottish Government is committed to working with partners to improve shared local and national outcomes. The Verity House Agreement is an excellent recent example of aligning outcomes across the public sector. It commits the Scottish Government and local government to considering systems of accountability and will impact on how we jointly prioritise and manage outcomes, demonstrating a clear commitment to work together to: tackle poverty, particularly child poverty; transform the economy through a just transition to net zero; and deliver sustainable person-centred public services.

The National Performance Framework (NPF) sets an overall purpose and vision for Scotland which is focused on achieving outcomes that improve the quality of life of people in Scotland. It provides a framework for collaboration and planning of policy and services across the whole spectrum of Scotland's civic society, including public and private sectors, voluntary organisations, businesses and communities.

The NPF is a reporting framework that helps all partners understand and demonstrate publicly the progress we are making towards realising a shared long-term vision. Its data helps partners understand the challenges in achieving outcomes and to focus policies, services and resources on tackling those challenges. The NPF supports wider public service reform ambitions to align resources around a common set of outcomes and supporting partnership, collaboration and prevention.

More broadly, the Scottish Government recognises that there are many examples of good practice in community planning and appreciates the importance of appropriate local variation. The CPIB and Community Planning Network play a valuable role in identifying and sharing examples of good practice with community planning partners. The Scottish Government will work with partners to consider how best to promote relevant examples of good practice in any update to guidance.

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The Scottish Government's review of the Act should consider how to foster more sharing of and continuity in CPP leadership, for example through minimum terms or rotating Chairs amongst partners. It should also explore what training is needed to enable effective leadership of CPPs and how this could be provided.

The CPIB provides leadership to the wider community planning sector and supports CPPs to deliver their statutory duties effectively and to make better and more informed decisions that improve the lives of local communities across Scotland. It is important that the CPIB, as the sector-led organisation involving all community planning partners at a national level, continues to play a significant role in identifying and promoting opportunities to improve leadership of CPPs. The Scottish Government also welcomes the role of the Community Planning Network in sharing examples of leadership which are tailored to the local circumstances of individual CPPs.

The Scottish Leaders Forum (SLF) is co-chaired and jointly supported by COSLA and Scottish Government and promotes collective and collaborative leadership. It is focussed on developing a senior leadership development offer to accelerate progress on public service reform and delivery of NPF outcomes. It also supports the development of future leaders for Scotland's public services. The Scottish Government will engage further with COSLA to consider opportunities to support improvements to community planning through the SLF.

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The work that the Scottish Government and COSLA are jointly undertaking to review Local Governance in Scotland should incorporate the role that CPPs have, and any conclusions reached should provide clarity for all partners on the importance of community planning.

The joint Local Governance Review (LGR) with COSLA was established to consider how power, resources and responsibilities should be shared between national and local government, and with communities. Part of the approach involved Ministers issuing an invitation to all public sector partners to submit place-specific proposals for alternative governance arrangements which demonstrate strong potential to improve outcomes.

The Scottish Government agreed with COSLA to focus on the most transformative proposals which can help deliver fiscal, functional and community empowerment ('the three empowerments'). The Verity House Agreement and associated commitment to a fiscal framework will, in part, help to deliver fiscal empowerment. The place-specific proposals with the most transformative potential across the three empowerments were for Single Island Authority (SIA) type models in the Orkney Islands and Western Isles. Joint work to develop these models will involve close working with the relevant CPPs and wider local interests. This work will generate important learning for CPPs in other geographies on how closer integration can improve outcomes for people through the provision of holistic preventative services.

SIA proposals also set out the potential role of alternative local governance arrangements at local authority level in creating conditions to enhance community empowerment. Development of single authority models will help to inform the LGR's Scotland-wide Democracy Matters engagement process, which will ask for views on how to strengthen decision-making in Scotland's towns, villages and neighbourhoods. The views of community planning partners will be important to help ensure any new arrangements for community-level decision-making build on existing good practice, have the right support from public sector partners and can benefit all communities.

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