



**February 2024**

## **Introduction**

UNISON is Scotland's largest trade union with more than 150,000 members across the public, private and voluntary sectors. We welcome the opportunity to respond to the Scottish Government and COSLA 'Democracy Matters: Local governance Phase 2 consultation'.<sup>1</sup>

### **Summary of our approach:**

- UNISON is a long-term supporter of stronger local governance in general, and, in particular, a stronger democratic role for local government.
- There is hypothetical merit in developing innovative structures and processes to engage and empower communities including seldom heard voices.
- Government's stated interest in seldom heard voices will tend to be seen as insincere and disingenuous if local aspirations are fostered and then vetoed by a council tax freeze or similar national diktat.
- Innovation in engagement and participation will only succeed if the powers and financial infrastructure of councils are respected and restored.

The appropriate role of central government is limited to enabling innovation in local governance if a legislative underpinning is required. Implementation should be a function of local government. Any attempt to further subvert the powers, duties and accountabilities of local councils should be resisted.

## **Background**

The consultation is part of the paused local governance review<sup>2</sup>, launched jointly by the Scottish Government and COSLA in December 2017. The review is considering "how powers, responsibilities and resources are shared across national and local spheres of government, and with communities." The Scottish Government said in the Programme for Government in 2018<sup>3</sup> that it wanted to decentralise power to a more local level. It would use the findings from the review "to put in place new

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<sup>1</sup> [Democracy Matters - Scottish Government consultations - Citizen Space](#)

<sup>2</sup> <https://www.gov.scot/policies/improving-public-services/local-governance-review/>

<sup>3</sup> <https://www.gov.scot/publications/delivering-today-investing-tomorrow-governments-programme-scotland-2018-19/documents/>

governance arrangements, and where legislation is needed we will deliver these through a Local Democracy Bill.”

It is instructive that a consultation on local governance, entitled ‘Democracy Matters’, has coincided with the Scottish Government facing widespread criticism for imposing an unwanted and regressive council tax freeze on severely financially pressed local authorities. Indeed, Deputy First Minister and Finance Secretary Shona Robison was accused of bullying council leaders into complying with the freeze - via a letter setting a deadline and warning that any council not agreeing to a freeze would not receive their share of £144 million funding for it.<sup>4</sup> (Later threatening to withhold other funding too.<sup>5</sup>) So much for local democracy! COSLA has condemned the Scottish Government approach, saying it is not appropriate for Ministers to interfere in the democratic decision making of councils, and demanding that no more freezes should be imposed in this Parliament.<sup>6</sup>

In Phase 1, two consultations covered: a “conversation with citizens” on the future of community level decision making, called Democracy Matters (Strand 1 – summary report published in May 2019<sup>7</sup>)(UNISON was part of the enabling group for this); and an invitation to public sector leaders to submit proposals “for alternative governance arrangements at local, regional or national level which can improve outcomes and drive inclusive growth”. (Strand 2 – summary report published May 2019.<sup>8</sup>)

The Scottish Government launched Phase 2 in August 2023 and said in the 2023-24 Programme for Government<sup>9</sup> that it would “complete the Democracy Matters national conversation and use the findings to agree new arrangements for inclusive decision making in our towns, villages, and neighbourhoods.”

The Verity House Agreement<sup>10</sup> between the Scottish Government and COSLA was signed a couple of months earlier, in June 2023. The partners agreed to a range of close and improved partnership working, including on budgets, with less ring fencing and promises of a fiscal framework. However, with current major areas of dispute, it seems the Scottish Government is currently riding roughshod over local government and the VHA is not working, if it was ever fit for purpose.

The VHA signatories did promise to conclude the local governance review by the end of this parliamentary term.

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<sup>4</sup> <https://www.heraldscotland.com/news/24120672.councils-reject-scotgov-ultimatum-agree-tax-freeze-lose-funds/>

<sup>5</sup> <https://www.dailyrecord.co.uk/news/politics/snp-government-refuse-pass-westminster-32195009>

<sup>6</sup> <https://www.cosla.gov.uk/news/2024/council-leaders-urge-government-to-respect-local-democracy>

<sup>7</sup> <https://www.gov.scot/publications/local-governance-review-analysis-responses-democracy-matters/documents/>

<sup>8</sup> <https://www.gov.scot/publications/local-governance-review-analysis-responses-ask-public-sector-organisations-outline-alternative-arrangements-public-service-governance/documents/>

<sup>9</sup> <https://www.gov.scot/publications/programme-government-2023-24/documents/>

<sup>10</sup> <https://www.gov.scot/publications/new-deal-local-government-partnership-agreement/>  
<https://unison-scotland.org/wp-content/uploads/Briefing-133-Scottish-Local-Government-Verity-House-Agreement-.pdf>

Our June 2018 briefing<sup>11</sup> described the context for the Phase 1 Strand 1 conversations which included the Christie Commission principles and the Community Empowerment Act. There were participatory budgeting pilots and plans to give community councils some limited budgetary powers. The briefing noted that UNISON “has made a wide range of submissions on public service reform that broadly make the case for local delivery, and in particular, staff involvement in the design of services in partnership with communities. However, we have also recognised the risks of a localism approach that could lead to further fragmentation of public service delivery. Hence the case for national frameworks on staffing issues.”

The briefing followed a discussion at our April 2018 Scottish Council meeting, with a note of this (see ref 9 below for link) which referred to many delegates being “highly sceptical”, not of the principles being considered, but of the practicalities. It concluded:

“Whilst people are generally sympathetic to the idea of greater local governance and community involvement their experience suggests that it is unlikely to be successful. Various cuts processes in recent years have undermined capacity to deliver local governance meaningfully. They have also disenchanted many people with the whole idea of engaging locally. For processes to work they will need to be transparent with perceivable outcomes and a far greater degree of staff engagement than is currently typical.”

## Overview

Given the scale of cuts since 2018 and the current financial crisis in local government, that conclusion remains deeply relevant now. As we submit this response, those councils which had planned to increase council tax by more than 5% find themselves caught between a rock and a hard place over the threat of freeze funding being withheld if they don't do the Scottish Government's bidding. And all councils are under severe financial pressures (“completely unsustainable”<sup>12</sup>), with many currently asking locals to help prioritise from a list of unpalatable proposed cuts over which should not be made or where least cuts should be made.

We do not believe that the ambitions of Democracy Matters, aiming to bring powers closer to people, are for communities to be pitted against one another in ‘cuts’ surveys, where in a cost of living crisis people can ‘choose’ to keep a community hall or library in their area open rather than one in the next town - while reduced bus services and rising fares make using further away facilities inaccessible to those who most need them.

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<sup>11</sup> <https://unison-scotland.org/local-governance-review-demoracy-matters/> (click on link on web page for UNISON Scotland's **local governance response summary** from Scottish Council discussions)

<sup>12</sup> <https://lgiu.org/press-release/nearly-a-quarter-of-scottish-councils-warn-of-effective-bankruptcy-as-every-single-council-plans-spending-cuts-to-services-affecting-millions-of-residents/> <https://unison-scotland.org/wp-content/uploads/Local-government-funding-e-briefing-Dec-2023.pdf>

Rather than having perhaps new small local bodies or partnerships created in some areas and then expected to consider such ‘choices’ (and how can they realistically without sufficient resourcing themselves?), those types of decisions, while informed by gauging local opinions, are best taken by democratically elected councillors. They can weigh up the range of factors and take into account that the most engaged communities will be less likely to be those where people are struggling financially and don’t have time or energy or childcare or good enough health to participate in consultations even though they will be hit hardest by the closure of leisure centres, local clubs etc. Councillors are accountable to voters and will have to justify their decisions - which sadly in these circumstances will often be devastating for those hit by the loss of quality public services and the long term social, educational, physical and mental health impacts.<sup>13,14,15</sup>

Of course, councillors are right to say that some of these decisions have been to an extent forced on them as the ‘conveyor belt of cuts’ is passed down from the Tory government in Westminster, to the SNP/Green government in Holyrood, then on to local authorities; forced on them by years of austerity, years of council tax freeze<sup>16</sup> supported by the main political parties - and by an unwillingness across the political spectrum to better use the powers of the Scottish Parliament and local government to raise income<sup>17</sup> to fund public services that are on their knees – public services that need help to ‘build back better’ in a socially just, sustainable way.

For these reasons, while we are fully supportive of engaged and vibrant participatory local democracy, and not opposed to discussing new ways for local communities to be better involved in improved decision-making, **our main priority for urgent and necessary reform is to replace the council tax with a progressive property tax.** Along with many others, we signed the STUC’s recent letter<sup>18</sup> to the First Minister and other party leaders requesting a property revaluation, arguing that it is a necessary first step for meaningful local tax reform.

As the letter stated: “Action to address the outdated valuations of property can help address Scotland’s challenges and enable local government to play a leading role in mitigating climate change, reducing poverty, and tackling inequalities.”

There are of course other ways councils can raise funds locally, which are devolved to them, and which some councils have been using<sup>19,20</sup>. More should. These include

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<sup>13</sup> <https://www.bbc.co.uk/news/uk-scotland-glasgow-west-68303238>

<sup>14</sup> <https://www.heraldscotland.com/news/23271261.budget-cuts-fears-axe-fall-scots-library-services/>

<sup>15</sup> <https://www.scottishswimming.com/news/statement-regarding-west-lothian-pool-closures?fbclid=IwAR1JAKUwy0nEhEvK9GrJSoDmAZjPBcpPSd3dwpzJJG5jDtBPWOjKdv1uf8>

<sup>16</sup> <https://unison-scotland.org/wp-content/uploads/Briefing-134-Why-UNISON-opposes-a-council-tax-freeze.pdf>

<sup>17</sup> <https://stuc.org.uk/media-centre/news/1737/stuc-launch-tax-proposals-to-save-scotland-s-public-services>

<sup>18</sup> <https://stuc.org.uk/files/RevaluationNow.pdf>

<sup>19</sup> [Breaking, breaking – this just in: Holyrood can change things! – Scottish Left Review](#)

<sup>20</sup> <https://stuc.org.uk/media-centre/news/1737/stuc-launch-tax-proposals-to-save-scotland-s-public-services>

increasing council tax rates on second and third homes<sup>21</sup>. There are proposals in previous reports from ourselves<sup>22</sup> and the STUC<sup>23</sup> for how the Scottish government can design packages of taxes to raise funds for public services including the use of wealth taxes, increasing LBTT rates, introducing a Land Value Tax etc.

The consultation asks questions about whether “some decisions about a wide range of Scotland's vital public services that are currently the responsibility of either national or local government should be taken closer to the people they most affect.”

Far more decisions should undoubtedly be taken by/closer to local government than national government, but the Scottish Government has been centralising power for some time.

We believe that the most urgent threat to the people most affected by decisions about public services is the decimation of local government as well as the financial pressures on the NHS and other public services. Addressing the financial situation will have the most meaningful impact. Alongside that, democratic decision-making needs strong Freedom of Information laws to support people being able to access information they need to meaningfully take part.

So, while we welcome genuine inclusive public engagement at local levels in decision making and are open to exploring improvements within a democratic and accountable framework, urgent action on council tax reform and extending FOI to cover all public services, however they are delivered are key and must come first.<sup>24</sup>

We note that the Scottish Government promises that the next step after this consultation will include people being invited to come together in different places to consider future arrangements set out in detail. That could include “Citizen's Juries, comprising randomly selected people who are representative of an area being supported to explore detailed proposals in-depth and make recommendations for final improvements.”

UNISON would expect that that stage would also include the detailed proposals being part of a standard consultation process and it would not be left only to ‘Citizen's Juries’ (which should be consultative, not decision making) to recommend final improvements.

UNISON will participate in these more detailed discussions on any specific proposals.

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<sup>21</sup> <https://www.west-dunbarton.gov.uk/council/newsroom/news/2023/december/second-home-council-tax/>

<sup>22</sup> [Breaking, breaking – this just in: Holyrood can change things! – Scottish Left Review](#)

<sup>23</sup> [https://stuc.org.uk/files/Scottish\\_Tax\\_options.pdf](https://stuc.org.uk/files/Scottish_Tax_options.pdf)

<sup>24</sup> <https://www.parliament.scot/-/media/files/legislation/proposed-members-bills/freedom-of-information-reform-bill--consultation-by-katy-clark-msp.pdf>

**Below we give brief responses to some of the questions in the consultation document, which proposes questions on a range of suggested changes taken up in different ways in three different fictional communities.**

## **Powers**

**Question 1. How could your community use these powers to achieve what it wants, now and in the future?**

**Question 2a. What other powers should be added?**

**Question 2b. Should some powers stay with the people who make decisions now?**

It is important to note around powers that in fact the council tax freeze could arguably be considered unlawful.<sup>25</sup>

**The most important reform to local democracy is to protect local decision making from arbitrary interference from central government. That should be a central element of long-awaited local taxation reform, including replacing the council tax with a fair property tax.**

The council tax freeze would in our view be unlawful if the European Charter of Self Government had by now been incorporated into Scots law. Despite former MSP Andy Wightman's success with his Bill, it was overturned by the Supreme Court. Ministers have promised in the VHA to incorporate the Charter into Scots law as soon as possible.

As Mr Wightman said when the new council tax freeze was announced in October 2023, "it is a violation of Article 9 of the European Charter of Local Self-Government."<sup>26</sup> He had previously in 2016 highlighted other ways in which the Scottish Government's approach to council tax and local authority funding breaches the Charter.<sup>27</sup>

For all questions, not just in this section, we want to emphasise points from our background and overview sections in our response above. These include that we would expect most decisions to be taken by, or overseen by, democratically elected councillors/other elected representatives and there should be sufficient resourcing for any changes proposed. However, given the dire state of local government funding – and funding for public services in general – the priority has to be tackling funding issues and ensuring that any major change includes the resources to make it happen rather than relying on already hard-pressed staff with heavy workloads being expected to deliver change on top of existing work. National staffing frameworks are essential. Changes must not be used to save money by cutting pay

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<sup>25</sup> <https://x.com/andywightman/status/1760994200412156216?s=20>

<sup>26</sup> <https://x.com/andywightman/status/1714324898468737455?s=20>

<sup>27</sup> [Council Tax Proposals Breach International Law - Scottish Greens](#)

and terms and conditions for vital public service workers. Change should be for improved democracy and for improved quality services, not for delivering local services 'on the cheap'.

Some of the powers used as examples gave us cause for concern, for example, the reference to powers to take over decision making responsibility for, among other examples, out of hours health services. While we agree that it may be appropriate and useful for those with local knowledge to be given powers to take decisions on some aspects of health spending, such as 'redirecting' "part of the mental health budget to better target children and adolescents", there have to be safeguards around NHS principles and equality of access, as well as the protection of national staffing frameworks etc. So, any changes, including new legal frameworks and powers for community decision-making bodies, have to ensure NHS principles are applicable, along of course with all legal duties, including equality duties.

The consultation document says two of the fictional communities are discussing pooling resources to take on extra powers and budgets over areas of public health. We would assume that would be under a framework where decision making on some budget areas is devolved, with a range of conditions and safeguards – including contingency plans for where services for some reason fail and require to be 'taken back' into full council/health board/Community Planning Partnership /Integrated Joint Board control.

It is noteworthy that both reports from Phase 1 noted that communities indicated they want more influence over local public services rather than responsibility for them. UNISON agrees. Public services should be democratic and accountable, with transparent and inclusive decision-making. This is particularly important in this discussion when we consider the financial, legal and other pressures – including the fact that it is widely recognised that elected councillors need to be better paid for their roles<sup>28</sup> and that many community groups rely on a huge voluntary input of time and expertise.

We would oppose, for example, library services being delivered by volunteers when this is such an essential service which we believe should have stronger statutory protections. And it is one thing to empower communities to take over community halls or other facilities but what happens if they run out of funds – including because the council cuts hit the level of income they expected? Many such buildings are also poorly maintained and in need of considerable capital spending. Some better off communities might manage to raise funds to run a local facility but that cannot be the criteria for ensuring as much equality of access as possible for all.

**It would be wrong to plan services around relying on a cohort of volunteers who will at some stage move on. This enables atomising of underfunding, not empowering of communities. Public services need to be reliable, high quality and accessible to all.**

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<sup>28</sup> <https://www.dailyrecord.co.uk/news/politics/councillors-scotland-deserve-22-pay-32167504>



The Phase 1 reports were also clear that funding is vital to support any proposed changes. Yet it was pointed out that budgets for community capacity building were being cut back (leaving more deprived communities less supported), as well as reductions in the kinds of funding and budgets where decision making could be devolved – and remember this was in 2018, so the financial situation has worsened considerably.

## **Representation**

**Question 3. What are the best ways to make sure people in decision-making roles reflect their communities?**

**Question 4a. What groups would you like to see represented?**

**Question 4b. How should we choose these groups?**

**Question 5a. What would the role of local councillors be?**

**Question 5b. How could we encourage people to take part in decision-making?**

The consultation document gives an example of new community decision making bodies which are half directly elected (incl local councillors) and half selected by different methods “very deliberately constructed to ensure diversity of age and gender” and voices “seldom heard in decision making processes or for whom public services too often fail to meet their needs.”

We do believe that more has to be done at every level to make public services more diverse and inclusive and this includes those in decision-making roles. Proportional representation has helped deliver an increase (not big enough) in the number of women councillors and MSPs. However, there is still a long way to go to ensure equal representation of Black and Minority Ethnic groups, disabled people, LGBT+ and other underrepresented groups.

While we propose that democratically elected, accountable bodies should be the place for major decision making, we are supportive of attempts to improve diversity and inclusion at local levels in innovative ways, as long as evaluation means lessons, positive and negative, are learned and reviews can assess progress and consider if further changes are required.

We note that in the previously mentioned report from Phase 1 on Strand 2, there was reference to some support for changes to the Local Government (Scotland) Act 1973 to allow for variation of the existing section which provides that half the members of an Education Committee shall be councillors, as well as other changes on representation (among other proposals) including the provision restricting the number of non-councillor members on a Committee to one-third, and the duty to allocate seats on committees to political groups because this “presents challenges in a committee involving external representation, something which is increasingly essential for effective partnership working.”



Any such changes should be consulted on, along with other proposals, to fully examine the impact. UNISON would not support changes which restrict democratic accountability. We believe there is not enough democratic accountability in a number of current areas, including in some of the 'partnership working' involved in, for example, city deals and 'green ports' etc.

### **Accountability and Participation**

**Question 6. How can we make sure new decision-making organisations tell the community what they are doing and answer their questions?**

**Question 7. Are community events a good way to get local people to look at what work is being done and decide what should happen next?**

**Question 8. What other ways can we get people involved in making decisions in their communities?**

The answer to Q6 is of course elections! Democracy Matters!

We do not mean that to be a flippant response. It is the case that some of the potential new decision-making bodies could be elected – but of course that also requires resourcing and engagement – and community councils don't always secure enough nominations to require elections, with thought needing to be given to how best to make improvements there.

We agree that digital platforms/online voting and other mechanisms are worth exploring and piloting.

High levels of community participation are difficult to achieve, as our members noted in their discussions in Phase 1. When people feel motivated to act, not just out of the need to 'save our services' from cuts, but out of a belief there is a genuine opportunity to participate in meaningful, hopeful and impactful decisions to improve local services, their enthusiasm and local knowledge and commitment should be harnessed. But, as we noted above, account should be taken of the fact that maybe people want to feel more involved and engaged and to have more influence, without necessarily being expected to take responsibility for delivering some services.

Among the many ways of supporting and enabling that engagement is improving access to information and ensuring that information rights follow the public pound. It is the opposite of local democracy if interested local people are unable to find out key information about a service they want to see improved, because it has been outsourced to a private company or third sector organisation that is not covered by Freedom of Information legislation. As noted above, it is long overdue that FOI laws should be extended to cover all public services, however they are delivered.

And any proposed changes that come from this consultation should not be pursued without clear proposals to ensure genuine equality, diversity and inclusion; it must

not be an exercise that delivers extra funding and infrastructure to already well-resourced communities at the expense of those least able, for many reasons, to engage and demand more for their area.

Much discussed so-called Citizen's Assemblies and Citizen's Juries may have their (fairly limited but useful) place. But we would argue that should normally be in an advisory role rather than a decision-making role, with decisions normally taken by elected councillors or accountable officers on behalf of the relevant public body, within agreed structures with the agreed local input/engagement/consultation.

### **Setting Local Boundaries and Priorities**

**Question 9. What else could make sure the decision-making organisations are doing what the community want?**

**Question 10a. Are there ways to make sure the new organisations are still wanted?**

**Question 10b. Should they only exist for a certain length of time?**

**Question 10c. Should there be a vote on renewing them?**

The main point we would make here is that some of the widely raised issues around single year funding versus preferable multi-year funding would apply in terms of the referenced multi-year community action plan. The Verity House Agreement is due (if the VHA survives) to potentially tackle this, which would help councils as well as smaller, more local bodies, the third sector and others plan more effectively and operate more sustainably.

It is likely to be the case that some projects might be only for a certain length of time. And where elections are to be held, there would obviously be a set term. However, there should be a well laid out framework to cover the range of potential options and arrangements for e.g. any vote on renewal etc. We repeat that there should be contingency plans for the council or health board/IJB as applicable 'taking back' control/stepping in if/as appropriate over a 'failing' community project, rather than it necessarily being lost altogether, with specific arrangements for relevant buildings/other assets.

### **Standards, Resources and Relationships**

**Question 11. How do you think decision-making bodies should get resources – the money, staff and materials to do their work?**

**Question 12a. Are these the right set of standards?**

**Question 12b. Will they make sure decision-making bodies work well and treat people with dignity and respect?**

**Question 13. How could a charter be designed to make sure there is a good relationship between community decision-makers, and their partners in national and Local Government and public services?**

We agree that new arrangements should be “resourced, integrated with existing democratic decision-making structures, and take account of everyone’s needs.” We have noted the Phase 1 reports’ references to the need for proper funding. Without funding, we do not think increased devolved decision making will be able to function and deliver good outcomes in the ways it would need to.

The Verity House Agreement prioritises three key areas: tackling poverty, just transition to net zero and sustainable public services.

We all know climate change and the cost-of-living crisis and coming out of the pandemic are intertwined problems with many linked solutions and a need for local solutions. They may all attract dedicated, committed local people wanting to do the best for their community on these crucial issues. But the task on each is immense and needs the full powers of national and local government and all public services to pull together. That strategic direction can leave room for local input but the options for raising new funds locally are currently limited. The STUC, ourselves and others have made suggestions on how the Scottish government and local government can use their powers to raise funds and we want to see more of those proposals implemented urgently, as highlighted above.

The discussion document suggests a Community Charter has been set out in legislation in the fictional communities, covering how new decision-making local bodies could be resourced and how they could work with the local community and communities of interest. If we agree with any eventual specific proposed new local bodies, that could be a way forward. We do believe there would need to be real clarity about the ‘standards, resources and relationships’. We agree a top priority would be “strengthening human rights through an equal opportunity to participate”, but there must be resourcing for that.

The somewhat idealistic portrayal in the consultation document suggests extremely vibrant successful community initiatives. That would be excellent, and we agree with some of what is detailed in the fictional suggestions, as noted above and below. However, as mentioned, **our members were highly sceptical in considering the likelihood of generating that really positive local engagement in every community in ways that deliver fair outcomes for all.**

We agree that funding arrangements would need to include provision for allocating money fairly to more deprived areas with greater need than other places. We agree clear new standards agreed would have to “place an emphasis on democratic legitimacy, accessibility, human rights”, and support the idea that proposals would need creativity and impact to win engagement.

A framework for calculating budgets where any new decision-making bodies take responsibility for functions would indeed be essential for fairness. But what advantage is there in fragmenting existing service provision? We believe in

improving and extending public service provision and bringing outsourced services back in house. UNISON wants to defend quality public services. The onus has to be on those making any proposals to transfer functions to demonstrate how they will ensure they are sustainable, equitable, and will enhance services. They must not be a sticking plaster 'solution' to the alternative of cuts, available in well off areas while services are decimated elsewhere.

The reference to public sector partners providing advice on matters such as HR, procurement, legal or financial matters, raises a number of issues. Why fragment provision with some functions 'transferred', yet to bodies that are reliant on councils or other public sector partners to operate legally?

We have flagged up the vital role of national staffing frameworks. Fair Work principles must apply and again, we do not believe these proposals should be in any way used as a way of providing services 'on the cheap' with staff (even if 'only' a small number of staff) on lower pay and worse terms and conditions than if employed directly by an existing public sector organisation. Similarly, public sector procurement rules would and should obviously apply. However, there is a cost to this democracy, which must be factored in, including considering the ongoing support costs incurred by the public sector partners.

We also think it would be important to have those involved sign up to standards, such as the Nolan principles or something similar, without making the roles so onerous it deters/prevents some people taking part.

### **Nurturing Community Capacities**

**Question 14a. What types of support might communities need?**

**Question 14b. How could giving this support change the role of councils and public sector organisations?**

**Question 15. Are there other powers and resources that would help new decision-making organisations work with public sector partners?**

**Question 16. Please tell us about anything else you think is important.**

As noted above, there is a cost to this democracy. This section recognises an important aspect of that – both capacity building resourcing being needed, but also, the space and resource for “community experimentation and risk taking.” Not all the new approaches will work as intended, the document states, for the fictional communities. “But a focus on learning rather than blame drives continuous improvement.” We agree, but this room to try and fail requires budgets that will accommodate that. Innovations, whether something like participatory budgeting, or occasional use of citizen’s juries or other mechanisms need to be resourced and need training too. We would oppose this being used to provide ‘services on the cheap’ but you also don’t get important new changes without investment.

We have concerns about the impact of the devastating cuts being implemented across the board in local government and believe there are too many completely unacceptable losses such as (but not limited to) the number of swimming pool and library closures. There is a case for legislation to preserve quality public services, such as in better defining statutory library provision for example.<sup>29</sup> We have argued for investment in communities, in community wealth building, municipal renewable energy companies and mass municipal retrofitting. Climate action needed in communities also includes adaptation measures, such as flood prevention. All these need strategic decisions, with community implementation. Let's help communities be better involved in and have more influence over these. But let's do it properly and in a way that prioritises the most urgently needed actions – at this stage raising more funds to pay for quality public services.

We agree with some of the broad points, but not necessarily all of the detail in the 2020 Jimmy Reid Foundation paper on 'Building Stronger Communities'.<sup>30</sup>

While there may be some improvements that can be made without major restructuring and which we would support, we note that the Phase 1, Strand 2 report (summarising responses from public bodies, including 20 councils, two health boards and a number of other public bodies) noted "consensus across the majority of the responses that there is no desire for a restructure of local government."<sup>31</sup>

There has of course been a range of proposals from various organisations recently, and over recent years, such as wanting to increase the number of Scottish councils or cut the number of health boards - and of course sweeping education changes were proposed in the last Parliament by then Deputy First Minister John Swinney, which he was forced to abandon. UNISON worked hard to expose the massive flaws in the original Scottish Government proposals for a National Care Service which would have seen social work and social care removed from councils, among other major changes. (See our most recent briefing on the current Scottish Government position<sup>32</sup> and the APSE report we commissioned on a real National Care Service.<sup>33</sup>)

Any major restructuring is not, we understand, the likely outcome of the local governance review. It would have to be strongly justified if so – which the Scottish Government was unable to do on those education reforms and on its NCS plans. We urge careful consideration not just of major change, but of priorities at present.

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<sup>29</sup> <https://www.glasgowtimes.co.uk/news/24127351.new-law-required-protect-public-libraries-future-cuts/>

<sup>30</sup> <http://reidfoundation.org/wp-content/uploads/2020/08/JRFDWcommunitiesfinal.docx>

<sup>31</sup> <https://www.gov.scot/publications/local-governance-review-analysis-responses-ask-public-sector-organisations-outline-alternative-arrangements-public-service-governance/documents/>

<sup>32</sup> <https://unison-scotland.org/briefing-139-national-care-service-revised-government-plans/>

<sup>33</sup> <https://unison-scotland.org/wp-content/uploads/national-care-service-scotland-report.pdf>

The Scottish Government cannot even manage to work together with COSLA on the Verity House Agreement, launched only last summer, which doesn't bode well for other partnership work between the two levels of government, especially new plans however worthy.

## **Conclusion**

The local governance review is important, with scope to support communities and local democracy in better ways, but getting any final proposals right and properly resourced has to come before launching into something that could fail without the best thought-through proposals, widely consulted on in detail before any changes are initiated.

The most urgent and important way at present to improve local governance and local democracy is to replace the council tax with a progressive property tax. All political parties should agree to progress this at pace. A property revaluation must be started as soon as possible.

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