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# **A PROPOSAL FOR A SINGLE PUBLIC AUTHORITY IN THE SCOTTISH BORDERS**

**Report by Chief Executive**  
**SCOTTISH BORDERS COUNCIL**

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**25<sup>th</sup> September 2018**

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## **1 PURPOSE AND SUMMARY**

- 1.1 This Report seeks the approval of Scottish Borders Council to the attached 'Proposal for a Single Public Authority in the Scottish Borders' (Appendix A) and its submission to the Local Governance Review jointly announced by Scottish Government and the Convention of Scottish Local Authorities (COSLA) in December 2017.
- 1.2 With the aim of driving a step change in outcomes for the citizens and communities of the Scottish Borders, the proposal advances a vision for a single service delivery vehicle, encompassing the Council and NHS Borders in the first instance. The proposal also examines intermediate practical steps which may be taken to progress this model, and considers how citizens and communities can have 'more say about how public services in their area are run.'

## **2 STATUS OF REPORT**

- 2.1 Joint Scottish Government/COSLA correspondence of 22nd June invited public bodies to submit 'an initial indication' of the kind of issues they would like to discuss within the Review 'by the beginning of September'. Following an approach from the Council, the Scottish Government lead on the Local Governance Review has confirmed that he would be 'very happy' to receive the Council's submission 'shortly after the council meeting on 25<sup>th</sup> September.'

## **3 RECOMMENDATIONS**

- 3.1 I recommend that the Committee approves the document 'A Proposal for a Single Public Authority in the Scottish Borders' (Appendix A) for submission to the Local Governance Review**

## 4 SUBJECT MATTER

- 4.1 Scottish Government's "Programme for Government 2017-18" set out the intention to "decentralise power to a more local level in Scotland and launch a comprehensive review of local governance ahead of a Local Democracy Bill later in this Parliament". In December 2017, the Scottish Government and COSLA jointly launched the Local Governance Review ('the Review').
- 4.2 The Review aims "to review how powers, responsibilities and resources are shared across national and local spheres of government and with communities in the context of significant change to the governance of Scotland over the last two decades, and in recognition that outcomes for citizens and communities are best when decisions are taken at the right level of place."
- 4.3 The Review comprises a two stage engagement process with joint oversight provided by the Cabinet Sub-Committee on Public Service Reform Delivery and COSLA's Political Leadership Team. The first strand involves a highly inclusive conversation with communities about how decision making can work best for towns, villages and neighbourhoods around the country.
- 4.4 The second strand of the Review concerns a dialogue with Scotland's public sector leaders "about how changes to how Scotland is governed can make the lives of Scotland's people better." Specifically, the second strand invites "city regions, regional groupings (e.g. Islands, Ayrshires), individual local authorities, CPPs and other public sector organisations to propose place-specific alternative approaches to governance, powers, accountabilities and ways of working which have the potential to improve local outcomes and drive inclusive economic growth. Proposals could include "differentially devolved" powers and functions, and new public service arrangements (e.g. single public services or regional collaborations) where there is a local democratic mandate for doing so. These could also help to take forward the joint-work already underway between Scottish Government and Local Government to support public service reform."
- 4.5 Having originally been scheduled to complete in October 2018, Scottish Government and COSLA have indicated that the two strands "will [now] run in parallel for a period of around 6 months [from 22<sup>nd</sup> June 2018], and inform a programme of changes to governance arrangements in different places where these can increase the pace and scale of public service reform, focus on shared outcomes, and strengthen local decision making."
- 4.6 To facilitate discussion, Scottish Government and COSLA wish to engender an interactive process with public bodies with "an initial indication of the kind of issues you would like to discuss by the beginning of September". The Scottish Government lead on the Review has confirmed that he is content for Scottish Borders Council to submit its proposal on or shortly after the full Council meeting on 25<sup>th</sup> September, so that the proposal may receive the approval of the Council's Elected Members.

- 4.7 The paper 'A 'Proposal for a Single Public Authority in the Scottish Borders' (Appendix A) represents Scottish Borders Council's submission to the Review. It is the product of internal discussions within the Council, and informally with Health partners and with Scottish Government representatives about the potential for a single public authority for the Scottish Borders.
- 4.8 In brief, the 'Proposal' posits that a single public authority for the Scottish Borders is the logical culmination of Christie and of the course charted by Scottish Government from the National Performance Framework to the Community Empowerment Act - to eliminate boundaries and obstacles between public service providers in delivering improved outcomes and wellbeing for citizens. Exploiting the collective power and concentrated focus of a single organisation would enable the Scottish Borders to pursue a 'step change' in performance, optimising outcomes across a set of priorities specific to the region, but reflective of and complementary to national outcomes.
- 4.9 The Proposal also argues that increased integration and the destination of a single public authority must be matched by an enhanced model of community engagement if the Review's stated aim of 'making sure local communities have more say about how public services in their area are run' is to be realised.
- 4.10 Importantly, the Proposal is a starting point for dialogue with Scottish Government and COSLA for what would represent a long-term project, but it sets out the nature and scale of local ambition
- 4.11 The approval of Council is sought as affirmation of Elected Member support for the 'Proposal' and for a vision of governance and delivery which empowers the Scottish Borders to meet the needs of citizens of the region and to seize opportunities for improvement.

## **5 IMPLICATIONS**

### **5.1 Financial**

No immediate additional costs flow from the recommendations contained in this report. Council officers' engagement in the review process will be met from existing resources. However, practical steps to deliver on integration may have financial implications and these will be reported in relation to the relevant matters.

### **5.2 Risk and Mitigations**

(a) Risks fall into two categories: first, the risks of not pursuing the journey envisaged within the Proposal; and, second, the risks presented by delivering increased integration pursuant to creation of a Single Public Authority.

#### **(i) The risks of not pursuing the Proposal**

- The Review grants the Council and partners an unprecedented opportunity to design a system for engaging with and delivering for the citizens of the Scottish Borders by driving a significant improvement in outcomes through a unified focus on priorities in a single organisation. If the Council was to neglect to make its arguments for a new way of doing things, then it would be failing in its responsibility

to optimise outcomes for the region's citizens and communities.

- In turn, there is risk that, in failing to put forward a vision for the future, that other public bodies advance proposals which may not serve the best interests of the Scottish Borders and its people. For example, this could be in the form of a supra-regional approach to the delivery of local government services in which functions such as planning, economic development, transportation, training and employability are drawn together for strategic determination. Such a model need not necessarily be injurious to the interests of the Scottish Borders, but there is concern that the more remote decision-making is from the Scottish Borders, then the more likely it is to prioritise issues of more limited relevance here, or to ignore what is most salient. The Borders Railway, BGH, European funding and, more recently, the South of Scotland Enterprise Agency (SoSEA) would be unlikely to have found such determined champions out with the Scottish Borders (and Dumfries and Galloway in respect of the SoSEA). Similarly, it may be unrealistic to expect that extension of the Borders Railway from Tweedbank to Carlisle via Hawick may receive greater push from a South-East of Scotland Authority with a broader range of priorities than it would from an authority with a focus on the Scottish Borders.

(ii) **The risks associated with delivering the Proposal**

Among the chief risks associated with delivering increased integration and, ultimately, a Single Public Authority are that:-

- The new model fails to deliver on the vision and outcomes developed for it.
  - The new model fails to properly integrate its processes negating the predicted benefits of co-ordination, and a single-view of the customer.
  - The new model fails to properly integrate different staff groups, particularly at the frontline, impeding its delivery and performance.
  - The demand for health care and its demand for resources undermine the ability of the Authority to plan properly and apply adequate resources to non-health areas of activity.
  - Conversely, financial pressures across a range of services could render the Authority unable to devote adequate resources to meeting health demands.
- (b) A more detailed assessment of the risks will be developed in dialogue with Scottish Government and COSLA about the Council's Proposal.

### 5.3 Equalities

As this Report is concerned with a Proposal for discussion with Scottish Government and COSLA within the Local Governance Review, a detailed equality impact assessment (EIA) has not been undertaken at this stage. An EIA will be required to be undertaken in relation to any substantive decisions or actions which emerge from discussion or directly from the Review.

### 5.4 Acting Sustainably

No direct economic, social or environmental effects flow from this report, but economic, social or environmental effects would follow from implementation of the Proposal, and would be highlighted in relation to substantive decisions or actions which emerge from discussion or directly from the Review where appropriate.

### 5.5 Carbon Management

No carbon management issues flow directly from this report, but such issues may flow from implementation of the Proposal, and would be highlighted in relation to substantive decisions or actions which emerge from discussion or directly from the Review where appropriate.

### 5.6 Rural Proofing

There is no direct rural proofing impact as a result of this report, but impacts may result from implementation of the Proposal, and would be highlighted in relation to substantive decisions or actions which emerge from discussion or directly from the Review where appropriate.

## 6 CONSULTATION

6.1 The Chief Financial Officer, the Monitoring Officer, the Chief Legal Officer, the Chief Officer Audit and Risk, the Service Director HR and the Clerk to the Council have been consulted and any comments received have been incorporated into the final report.

6.2 Others to be consulted if required are –

- Corporate Equalities and Diversity Officer – for any new or revised policies/strategies to assure Equality Impact Assessment.
- Procurement Officer – if you are buying any goods or services.
- Corporate Communications – if what you are proposing involves likely media interest or high public information dissemination.

### Approved by

**Tracey Logan**  
**Chief Executive**

**Signature .....**

### Author(s)

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**Background Papers:** N/A

**Previous Minute Reference:** N/A

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