

The Highland Council

29 June 2016

Agenda Item	12
Report No	HC/27/16

Taking Forward Local Community Planning

Report by Acting Head of Policy

Summary

This report considers the proposals for developing local community planning arrangements, within the context of the new duties contained within the Community Empowerment Act but also other local planning responsibilities contained within the Public Bodies (Joint Working) (Scotland) Act 2014 and the Requirements for Community Learning and Development (Scotland) Regulations 2013.

Members are asked to consider and agree the proposals set out in section 3 to take forward community planning and local partnerships, including that there should be 9 local partnerships for Highland, and note that the Community Planning Partnership Board will make the final decision on how to take forward the new duties at its meeting on 30 June 2016.

1. Background

- 1.1 The Communities and Partnerships Committee has considered a series of reports in recent months regarding the changes to community planning as a result of the Community Empowerment Act. However, it is important for all Members to be sighted on how this is implemented in Highland as it will result in significant changes to partnership working at a local level and all Members will have a role to play within the new arrangements.
- 1.2 Part 2 of the Community Empowerment Act sets out new duties for Community Planning. Discussions have been ongoing, both internally and with partners, with a view on how to take forward local community planning arrangements. This is within the context of the new duties contained within the Empowerment Act but also other local planning responsibilities contained within the Public Bodies (Joint Working) (Scotland) Act 2014 and the Requirements for Community Learning and Development (Scotland) Regulations 2013.
- 1.3 The report outlines the legislative background along with the discussions to take forward local partnerships around geography, resourcing and guidance. Members are asked to consider and agree the proposals set out in section 3 to take forward community planning and local partnerships, including that there should be 9 local partnerships for Highland, and note that the Community Planning Partnerships Board will make the final decision on how to take forward the new duties at its meeting on 30 June 2016.

2. Community Planning Duties

2.1 Part 2 of the Community Empowerment Act sets out new duties for Community Planning at a pan-Highland and local level. As outlined above, the Public Bodies (Joint Working) (Scotland) Act 2014 and the Requirements for Community Learning and Development (Scotland) Regulations 2013 also establishes new duties for community planning for named partners for children, adults and community learning and development at a local level. It is within the context of these new community planning duties that there is a need to establish partnerships at a local level. A diagram illustrating these joint responsibilities, the geography they are required at and the supporting operational structures can be found at Appendix 1. A summary of these new duties is outlined below:

2.2 *Community Planning duties through the Community Empowerment Act:*

2.2.1 Who should be involved in community planning – in Highland there are 15¹ public bodies to be involved and that would form the Community Planning Partnership (CPP). The Partnership will agree how partners contribute e.g. taking part in a particular outcome or across them all. The listed bodies must work together and work with any community body who wishes to take part.

2.2.2 Who leads community planning – this is now a shared duty between 5 public bodies – the Council; NHS Highland, HIE, Police Scotland and Scottish Fire and Rescue Service.

2.2.3 What the CPP needs to do – the CPP must act to reduce inequalities of outcome resulting from socio-economic disadvantage. It must produce a Local Outcome Improvement Plan and also Locality Plans.

Local Outcome Improvement Plan (LOIP) – will replace the Single Outcome Agreement and needs to demonstrate how the Partnership will respond to national outcomes. The LOIP needs to outline key local priorities but also to reflect improving outcomes and tackling inequalities. The plan must be evidence based and be developed involving communities. Statutory partners are responsible for delivering the aims however other local bodies may also be included. The first plan is due in October 2017.

Locality Plans – at a local level in order for partners to tackle inequalities for communities facing disadvantage and make it easier for community bodies to be involved. The plans should be evidence based. The statutory guidance notes that the CPP should use its “understanding of local needs, circumstances and opportunities to identify those localities for which it should undertake locality planning.” The geography for these Locality plans is for the CPP to decide but it is expected that they reflect natural communities. It is proposed to use a combination of the Socio Economic Performance Index (SEP –

¹ For the Highland area the partners are: Highland Council; Police Scotland; Scottish Fire and Rescue Service (SFRS); NHS Highland; HIE; SNH; the Cairngorm National Park Authority; UHI; Historic Environment Scotland; regional college Boards; SEPA; the Scottish Sports Council; Skills Development Scotland; HITRANS; and Visit Scotland.

identifying rural communities) and SIMD, to identify the communities on which the Partnership initially completes Locality Plans for. The first Locality Plans are expected by October 2017.

2.2.4 Supporting community bodies to participate – is a key component of the Empowerment Act in general and specifically in relation to Community Planning. The Partnership will have a duty to support community bodies to participate at all levels therefore it is particularly important for new local arrangements for community planning to be established as organising this will be best done at a local level.

2.3 *Community Planning duties through Public Bodies (Joint Working) (Scotland) Act 2014 and the Requirements for Community Learning and Development (Scotland) Regulations 2013.*

2.3.1 The Public Bodies legislation establishes the new arrangements for the integration of health and social care services. It includes the requirement for each partnership to have a strategic plan, and in Highland this includes local plans at an area level.

2.3.2 The Community Learning and Development (CLD) regulations, made under the powers of the 1980 Education (Scotland) Act, require the Local Authority to work with partners to develop local CLD plans that target individuals and groups with greatest needs. The Highland CPP has determined this should be undertaken for localities and it is possible that Locality and CLD plans may be one and the same given their focus on inequality and the most vulnerable.

2.4 The CPP Board has agreed that one of the Partnership's agreed priorities is to improve engagement with communities in order to enable them to participate in service planning and delivery.

3. Establishing Local Partnerships

3.1 In some parts of Highland local partnership arrangements have been established for some time and are operating well. Elsewhere, there are currently no arrangements in place and whilst it would be preferable to enable partnerships to grow organically, the joint responsibilities that local partners now have mean that there is a requirement to establish a framework at a local level across Highland to deliver on the joint responsibilities contained within the Community Empowerment and Public Bodies (Joint Working) Acts.

3.2 Discussions have taken place in a variety of forums to explore how to take forward local planning arrangements. These discussions have been with Local Chairs, Ward Managers, partners through the Chief Officers Group and District Partnership Chairs. The proposals have also been considered at the City of Inverness Area Committee and at the Communities and Partnerships Committee.

3.3 The discussions have focused around establishing a framework at a local level, building on existing partnerships where they are in place, to enable local partnerships to take forward the new duties. The proposals focus on the geography around which to establish local partnerships, how to resource

community planning and initial guidance for local partnerships.

3.4 **Geography**

The potential to use the geography currently in place for district partnerships has gained support. This approach would also see incorporating the existing District Partnerships into the new partnership arrangements, with some proposed amendments around certain boundaries such as Assynt and Fort Augustus and separating Nairn and Badenoch and Strathspey. While District Partnerships were established by NHS Highland and Highland Council to support local integration, both agencies have been aware that these further requirements on Community Planning Partnerships would impact on their developing role, and that has been discussed with all Partnerships over the last two years.

3.5 The benefits of using the district geography include providing a focus for partnership activity locally, avoiding multiple meetings and alignment with operational geographies for Council and NHS children and adult services to support operations and service delivery.

3.6 However, whilst the alignment with Local Committee geography in some areas of Highland makes utilising the district geography for developing local partnerships a natural step, the challenges of this around Ross and Cromarty and Inverness where a number of partnerships currently span the Committee geography, have been recognised. Around Ross and Cromarty, it has been suggested that, allowing for amendments to the partnership geography for the west in relation to Assynt, it would be worth trialling this approach. The City of Inverness Area Committee considered 4 potential options for taking forward local partnerships at its meeting on 2 June 2016, including the district geography, but Members' preferred option was for one partnership to cover the City Committee geography, with sub-groups to support specific areas of work.

3.7 On this basis, this would create 9 local partnerships for the Highland area:

- Caithness
- Sutherland
- East Ross
- Mid Ross
- Skye, Lochalsh and Wester Ross
- Lochaber
- Inverness City Area
- Nairn
- Badenoch and Strathspey

This was the position agreed by the Communities and Partnerships Committee at its meeting on 9 June 2016.

3.8 Discussions with partners, at the Chief Officer's Group, decided that it would be helpful if they could come to a consensual view on how to progress local planning, and although it was not everyone's first choice, they did agree that utilising the district geography across Highland would be helpful, including for Inverness, and should be recommended as the preferred approach for the partnership. This would result in 10 local partnerships for Highland. However, since the Chief Officer's Group has met, the City of Inverness Area Committee agreed that their preference was for 1 partnership for the Inverness area and this forms part of the recommended approach to Council in this report

3.9 The CPP Board will be asked to consider and make the final decision on the geography on which to establish local partnerships at its meeting in June. The Board will be asked to consider utilising the district geography across Highland but also be asked to consider the views of the Inverness City Area Committee when coming to a decision. It has been agreed that it will be critical to review arrangements after 12 months to establish their effectiveness and amend if necessary.

3.10 **Resourcing**

A further area for discussion around establishing local partnerships has been in relation to resourcing and how these partnerships will be supported. With 5 statutory partners now responsible for leading on community planning, there is a need to consider how this is shared across these agencies.

3.11 It is proposed to take a lead agency approach for resourcing which would establish how the Partnership will be supported at Board, Chief Officer and local partnership level. Each of the 5 statutory partners would take it in turns to Chair, and provide the secretariat, for the Board and Chief Officer Group for one year at a time. At a local level, each partner would take responsibility for supporting 2 local partnerships. (Should the model of 9 local partnerships be adopted, this will need partnership discussion.) The benefits of this approach result in the sharing of responsibility across the five statutory partners, providing greater ownership around community planning.

3.12 The partner supporting at a local level would provide the secretariat support for the partnership, Chair the meeting and be responsible for driving forward the local agenda. Each local partnership would have a place on the CPP Board to ensure links are established between local and strategic level.

3.13 The CPP Board will be asked to agree how partnership activity should be resourced at its meeting in June.

3.14 **Local Partnership Guidance**

Discussions have also taken place on how best to support local partnerships. It is important to enable flexibility to allow partnerships to develop and meet the needs of local communities but there are statutory requirements that partnerships will need to deliver on and it will be important to provide local partnerships with guidance.

3.15 Initial discussions have suggested that early guidance should contain the following:

Name

- Each local partnership adopts the name Community Partnership and to prefix it with the locality name i.e. Caithness Community Partnership, Sutherland Community Partnership etc. This moves away from the use of 'planning' in any name which has resulted in confusion in the past but emphasises the importance of community given the new rights afforded to community bodies.

3.16 *Membership*

- All 5 statutory partners – Scottish Fire and Rescue Service, HIE, Highland Council, NHS Highland, Police Scotland - and Third Sector representation arranged by the Highland Third Sector Interface at each Local Partnership
- Other 10 named partners would attend as and when required on a thematic basis
- Local partnerships to determine other organisational representation including community organisations
- All partners have shared and equal responsibility

3.17 *Core Remit*

- Developing Local Plans for Children and Adults – statutory
- Develop Locality Plans/Community Learning and Development plans focusing on communities facing the greatest level of inequality as a result of socio-economic disadvantage - statutory
- Identify local actions and priorities

3.18 *Meetings*

- Local partnerships meet no less than 4 times annually
- Consider taking a thematic approach to meetings
- Scrutiny of local plans should be action focused and based on evidence
- Meetings should be in public but are not public meetings. There should be the opportunity on each agenda for members of the public to ask questions/raise any points.

3.19 *Links between Strategic and Local Partnerships*

- Each Local Partnership will nominate a representative to sit on the CPP Board. In most circumstances this will be the Chair.

3.20 Beyond the areas noted above, further work is required to consider governance of local partnerships and other operational elements. There is also the need to provide frameworks to support local partnerships to develop Locality plans for their target communities and also Children and Adult plans. In addition, local partnerships will have a key role in the development of the Local Outcome Improvement Plan and work is required to ensure there are the appropriate links between local and strategic level to enable this to happen. It has also been suggested that local partnerships may welcome some support and training, building on good practice elsewhere.

4. Next Steps

4.1 Establishing local partnerships is the first step in taking forward the duties outlined in section 2. The new approach to community planning is a significant change for all partners and work will be ongoing to take this forward over the coming year. As noted at paragraph 3.9, there will be a need to review arrangements after 12 months to ensure that the framework in place is working effectively for partnerships locally.

4.2 At its meeting on the 9 June 2016, the Communities and Partnerships Committee agreed the proposals outlined in section 3 for taking forward local

partnerships in relation to geography, resourcing and initial guidance. This included adopting the view of the City of Inverness Area Committee which was in favour of one local partnership for the Inverness area, creating 9 local partnerships in total for Highland.

- 4.3 The Community Planning Partnership Board will make the final decision on how to take forward the new duties at its meeting on 30 June 2016. If agreed, it is proposed the first meetings of local partnerships take place early Autumn.

5. Implications

- 5.1 Resource implications: There is no new or additional funding to support the new community planning duty. The Act requires that each public body listed must contribute such funds, staff and other resources as the CPP considers appropriate, so it should be jointly resourced; however all public bodies face budget challenges.
- 5.2 Legal implications: The responsibility of delivering Community Planning now rests with 5 statutory partners including the Local Authority. Statutory Guidance, recently out for consultation, will set out how the Government wishes Community Planning Partnerships to meet the duties contained within the Community Empowerment Act.
- 5.3 Equalities implications: The new legal duty to reduce inequality arising from socio-economic disadvantage should enable better partnership action for groups in the community with protected characteristics. Inequality and disadvantage are often associated with protected characteristics e.g. gender, age, disability, ethnicity and sexual orientation.
- 5.4 Climate Change/Carbon Clever implications: None identified at this time.
- 5.5 Risk implications: There is a risk that the Highland CPP does not comply with the new legislation. This is being mitigated by taking early action with partners in advance of the new duties coming into place.
- 5.6 Gaelic implications: None identified at this time.
- 5.7 Rural implications: Arrangements for taking forward community planning are proceeding in rural areas of Highland. The duty to produce Locality plans in disadvantaged areas is being considered for the rural as well as urban context.

6. Recommendation

Members are asked to:

- Note the new duties for community planning contained within the Empowerment Act but also other local planning responsibilities contained within the Public Bodies (Joint Working) (Scotland) Act 2014 and the Requirements for Community Learning and Development (Scotland) Regulations 2013.
- Consider and agree the proposals set out in section 3 to take forward community planning and local partnerships, including that there should be 9 local partnerships for Highland.
- Note that the Community Planning Partnership Board will make the final decision on how to take forward the new duties at its meeting on 30 June 2016.

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Appendix 1: Highland Levels of Community Planning

Highland Levels of Community Planning

