Democracy in Scotland is approaching a pivotal moment

COSLA - the voice of local government in Scotland - has an ambitious vision to put local people at the heart of Scotland’s constitutional future and to empower local government to drive forward real reform and strong local services.

Our vision is determined to improve outcomes for communities, no matter how difficult the financial pressure gets and no matter what obstacles get in the way. We simply cannot afford to do anything else.

Our vision is bold. It demands change if it is to flourish. It calls for an unambiguous place for local government in the governance of Scotland and as a key partner with Scottish Government in the democracy of Scotland. In fact, our proposals could amount to the largest de-centralisation of power ever undertaken.

Our vision is practical. It focuses on real changes in our communities: better housing, more young people achieving better life chances, older people leading longer, better lives, and ensuring that the least well off are not also the unhealthiest. It is an evolution of what we have. But it makes clear that these improvements will not just occur using the powers that local government currently has.

Our vision means letting local people decide on their priorities, their services, and their spending. That is why we are calling for local government to be enhanced, not because councils like power, but because empowering local government means improving the lives of the communities they serve.

Our vision should appeal to any Parliament committed to better and more equal outcomes for its citizens. Regardless of the constitutional debate, it looks again at the purpose of local government, and the tools to deliver its potential.

A positive outcome for local government means a positive outcome for local communities. Nothing matters more than that.
Stronger communities need stronger local democracy...

The political environment in Scotland has never been more demanding or more stimulating. Focus on what matters most- improving lives in our communities, says COSLA President Councillor David O’Neill.

Democratically elected councils and their partners work at the heart of every local community. They provide the services people rely on, and they are uniquely accessible and accountable to their electorate.

Working with their partners, councils have had real success in addressing Scotland’s most significant problems. They are changing lives every day. But at the same time, resources are reducing, demand is growing quickly, and new pressures are escalating, not least of all in relation to the devastating fallout of the UK Government’s welfare and benefit reforms.

In the last year, I have visited every council and I have seen the remarkable resilience with which councils are rising to these challenges and the innovative ways in which they are protecting communities.

Of course, that ability to radically reform public services and work with public service partners is more important now than ever before, because no matter what result the Referendum in 2014 delivers, improving people’s lives in Scotland will require stronger local services and stronger local democracy.

The constitutional debate about Scotland’s future is therefore crucial. We will have a new situation for public services and we must use it to create the conditions that will protect communities and solve problems locally.

In fact, if the Referendum cannot deliver better local outcomes for everyone in Scotland then it is not worth having. Simply repositioning power nationally will not tackle the complex multi-layered issues that communities face. The real task is to put control into the hands of local people, and to make sure that public services are driven by their priorities.

That does not mean that a strong vision for local government calls into question the wholly legitimate role of national government to set national priorities, or our obligation in local government to use local policy and service delivery to deliver benefits for Scotland.

Our argument is simply that making Scotland a fairer, healthier and wealthier place will not be achieved from the top down. Since 1996, successive governments have set out priorities to reduce inequality and improve effectiveness across Scotland. Yet it is local councils that are at the heart of prevention, integration, and “place”, and it is their local services that determine the outcomes that local people experience.

Whether Scotland has a written constitution or not, developing a democracy where local communities have more say; where different needs are met with different solutions; and where new ideas can flourish means that local councils need to be empowered to use their democratic mandate to really influence the issues that matter locally. That is why it is now time to improve and not diminish the resources, capability and powers that councils have to deliver benefits for Scotland’s communities as effectively as possible.

“Whatever the outcome of the Referendum, local government should have the same constitutional protection and security that national government will have.”
We have bold expectations about what can be achieved, and we won’t flinch from pressing for change, because big changes for local government mean being able to deliver big changes in our communities.

**Local democracy is weak compared to Europe**

Our starting point is to develop a new understanding of how all parts of government should work.

Scotland is one of the most centralised countries in Europe. It is no coincidence that our European neighbours are often more successful at improving outcomes, and have much greater turnout at elections.

We cannot hope to emulate the success of these countries without acknowledging that they have more local councils, local elected councillors represent fewer people, and that these councils and their services are constitutionally protected and their funding secured by law, even with regard to national policy making.

We should seek the same benefit, and the same independence that local government has in most western democracies.

**Outcomes not size should drive decision making**

Some might speculate that only a smaller number of larger councils can deliver this scale and strategic importance.

That asks the wrong question. Not only are many of Scotland’s councils large by international comparison, but the record of our smaller councils already speaks for itself. In addition, where it makes sense, councils already operate jointly to deliver services. But that must be a local decision, driven by the local needs of local communities.

Local democracy has a price, but it also has a value which is worth paying for. In fact, too many public services have little or no local democratic control through Scotland’s councils, such as public health, economic development and the welfare system. The real focus should be on bringing power closer to communities, not the size of councils.

**Devolution does not stop at Holyrood or with councils**

Our vision for local government is not a one way street. Just as we believe that national government can be distant, and prone to centralising rather than devolving, some may think the same of us. If we want empowerment for local government, we must empower communities too. Local people must be valued, they must be engaged and they must have a real say in how services are designed and delivered.

What local government does should be as well understood, protected and supported as the role of national government, but that means that local people and communities should be empowered just as much in local policy making.

**Spheres not tiers of government**

It is time to put strong local democracy at the forefront of the political debate in Scotland. Local government can unlock the solutions to our nation’s most profound problems, but needs to be empowered to do so.

It is the people of Scotland and their communities that want governance at two levels, who elect representatives to them, and who should determine and control the services that each provide.

“For too long local government has existed in a situation where its very existence, structures and services can be swept aside just because national government wishes to do so. It’s time that is changed.”

The challenge is to so fundamentally embed local government in law and society in a post Referendum Scotland that its status is fundamentally altered. That does not necessarily require a new constitution, but it does mean protecting not just the institution of local government, but also the range of services that local government provides and the funding needed to deliver them.

**There is a unique opportunity to re-examine the relationship between local and national government in Scotland, and to put it on a formally codified footing.**

That is an exciting challenge, and the real winners will be local communities. We are determined to succeed, and we want to work with anyone who is similarly interested in improving lives in Scotland.
1. Scotland needs to empower local democracy

Scotland’s identity is to a large extent local and people’s expectations are defined locally. Only locally delivered and accountable services are sensitive to individuals and local communities, and only they can respond to the issues that determine positive and negative outcomes within the different communities of Scotland.

People want control and choice over their lives. To do that, they need services that are locally delivered and locally accountable, and we must do more to empower those communities to design and implement these services. Securing all the benefits of localism means enhancing the powers and flexibilities of local government. It cannot mean that Scottish Government uses its public sector funding, legislation or powers to regulate in ways which coerce local government into working only in ways in which national government wants. We need to:

- Empower local democracy by giving local government and its services a strong and unchallengeable place in Scotland’s constitutional future
- Guarantee the resources needed to deliver services effectively, and maximise the freedom and flexibility to raise and use these in ways that deliver on local and national outcomes
- Hold back on legislative proposals that fragment public services locally rather than bring them together
- Halt the erosion of local choice and discretion caused by the imposition of new duties from the centre, and have a presumption against Ministers using or developing powers to act with regard to local government services

2. Scotland needs integration not centralisation

Democracy is about bringing power closer to people. We have to devolve power and guard against central control. Scotland needs real reform, not ill-judged reorganisation.

There is often an assumption that centralisation is the only answer when money is tight. In fact, centralisation is the enemy of everything we stand for in local government. Any reading of history tells us it will lead to increased cost, inflexibility and an inability to respond to local requirements.

Integration is the key to more efficient and more effective working. There is a role for the centre, but it is not to run services. It is to design the frameworks that make local integration, service design and accountability easier. That means improving funding decisions to deliver early intervention and prevention, ensuring that policy and legislation does not undermine local effectiveness. We need to:

- End clumsy, disjointed restructuring or centralisation of local government services
- Promote, as Christie did, a route map where all reforms are planned and fundamentally rooted in the overall umbrella of community planning
- Look again at whether the current public service landscape delivers effectively for all communities. We must decide whether more services, not less, should be repatriated to local rather than delivered by national or non-departmental agencies
3. Scotland needs to focus on outcomes not inputs

People want better outcomes from the public sector in Scotland. The move to genuine outcomes has started, but it has to grow and expand and become the only measure by which services are judged.

Local government has been the driving force behind an outcomes focused approach to service delivery. For too long public services had to focus on inputs: class sizes, police officer or teacher numbers, and ring-fenced budgets for priorities that were centrally determined but often locally irrelevant. This was hugely expensive and did little to prevent problems from emerging in the first place.

We have to understand the link between inputs, costs and outcomes. Better educational outcomes are not achieved by determining class sizes or teacher numbers and the resources diverted to achieving those inputs are at the expense of the real work to support children and their families.

Nevertheless, improving and measuring outcomes is difficult. Better outcomes are determined not just by local government, but by the way all public services do business. All parts of government and all public partners therefore need to be similarly focused–to plan for outcomes, to budget for outcomes and to be accountable for outcomes.

Success will not be achieved by the next election or the next but one – but we need real progress, and we need to prevent a proliferation of competing agendas from diverting attention and resources away from that task. We must:

- Continue the decline of ring fenced resources and centrally determined challenge funds
- Resist any call for a return to inputs that would force any part of the public sector to care about the wrong things
- Undertake joint national and local policy planning to deliver a fundamental shift to early intervention and prevention across the public sector, with associated disinvestment in other forms of provision
- Trust partnerships to make further and faster progress locally by ensuring that all parts of government and all public services are similarly focused

4. Scotland needs local democracy at the heart of improvement and accountability

Councils connect local services to the daily lives of the communities they represent. Local solutions to local priorities are at the heart of democracy, and must be developed not destabilised.

Communities rely on councils, day in and day out, to deliver excellent services. The great strength of local government is its ability to tailor these services to their needs - social problems in Glasgow are not the same as those in Argyll and Bute.

It is outrageous that this transparent and accessible design of services can be described as a postcode lottery. Postcode lotteries are only relevant in the context of a single national service that fails to deliver consistently for all its users. Variation across Scotland is a legitimate local democratic choice about different priorities and different circumstances.

Standardisation is not the answer - it will only deliver consistent mediocrity. In local government, we prefer to pursue excellence - and to achieve that through new ways of working that help delivery on the ground, and through effective benchmarking, self-assessment and scrutiny. We must:

- Support local services that are built around local democratic choice, and turn our back on artificial notions of national standardisation
- Achieve a binding understanding that the proper relationship between local and national government devolves power and resources, and frees up councils from unnecessary statutory duties and direction
- Promote peer review, self-assessment and benchmarking as the route to continuous improvement, not a reliance on nationally decided measures
Our vision is practical, recognisable, and an evolution of where we are now. Above all, it is deliverable in the context of the changing face of Scotland...

Whatever the outcome of the Referendum in 2014, the status quo will not prevail. It is time to be confident about local democracy and recognise the difference that local government makes to people’s lives.

Councils have been the driver of public services and public well-being in Scotland. They are the glue that binds local communities, drives social cohesion, and supports the most vulnerable people in society. They can achieve this because only locally delivered and accountable services are switched on to the issues that matter within different communities.

Scotland needs these local services as never before. We need to be able to step up the pace of change that is happening right now in local authorities, and we need to continue to integrate public services and focus these on meeting the diverse needs of local communities. If we continue to do the right things we can start to close the inequalities gap, and improve outcomes for everyone in Scotland. If we are distracted by proposals that are not evidenced, then this gap will grow and Scotland’s public services will become unaffordable and ineffective.

However, we simply cannot achieve all of this without looking again at the current framework of powers and responsibilities that local government is confined within. Incredibly, despite obvious local needs, local government in Scotland could be swept aside tomorrow. We cannot accept that situation.

Democracy is about bringing power closer to people, and so we have to guard against centralism and deliver real accountability into the hands of local people. But localism does not mean being disconnected from national priorities, and nor does empowering and protecting local government demean any of Scotland’s other institutions. It simply means making local government a modern institution in a modern Scotland with a modern approach to democracy.

“Scotland has a choice to make, not just about its constitutional future, but about how that future can be used to change lives in local communities”

Despite our best efforts, we know that there will also be some less rational voices in this debate. We may hear that the focus on outcomes takes the pressure off services, that the public doesn’t care about local democracy, or that only fewer, larger councils can deliver. Some of these criticisms are spurious or a willful misunderstanding of reality. Solutions to others are being put in place. The point is that our critics often prefer populist looking but unhelpful solutions like structures and inputs, even though these do little or nothing to help improve lives.

Instead, our vision is based on evidence and on fundamental principles of democracy. It is grounded in the real life issues that councils and their communities are facing, and we will rally around it in the negotiations that COSLA and councils are engaged every day.

Improving lives in Scotland means, for the first time, enshrining local government as an equal partner in the governance of Scotland. That vision might seem radical and ambitious, but it is surely one that rings true with all those involved in the debate about Scotland’s future. Across western Europe, communities are already reaping the rewards of independent and empowered local government.

Scotland must be no different.