

Community Wellbeing Board Update

Summary and Recommendations

COSLA is in the process of changing the way workplans are drafted so that they are more consistent. In the past this report has fallen into three parts. On this occasion we are only providing material staff supporting the Board that COSLA staff wish to bring to members' attention, but not requiring political decisions.

This paper invites members of the Community Well-Being Board to:

- i. Note and comment on the update report.

References

Previous immediate reports:

- CWB Board item 2.1 Community Wellbeing Board Update April 2024

Community Wellbeing Board Update

Purpose

1. This paper provides a summary of updates from the teams for information, including oral updates, if needed. Comment and questions are welcome even though no immediate political decisions are required. The material included will often be of relevance to previous positions that have been adopted or flag emerging developments that might require future discussion and decisions.

Background

2. The Community Wellbeing Board covers a wide range of policy areas, as one of COSLA's four policy Boards. The five agreed principles that underpin COSLA's overall work. These are: Strengthening Local Democracy; Working Together Locally; Delivering Outcomes; Focusing on Communities; and Defending Local Choices.
3. The Board is supported through the work of the Communities, Migration, Population & Diversity and Trading Standards Scotland Teams. The Community Wellbeing Board workplan covers the following key areas of work:
 - Community Empowerment and Engagement
 - Community Safety and Resilience
 - Consumer Protection
 - Culture including libraries
 - Employability
 - Housing & Homelessness
 - Human Rights, Equalities and Violence against Women and Girls
 - Justice (community and criminal)
 - Migration & Population Policies, Refugee & Asylum Seeker support & settlement Issues
 - Poverty, Social Security and Welfare Reform
 - Sports
 - Veterans / Armed forces

What's new

4. The appended **update report** covers the following headings:
 - Independent Review of Adult Disability Payment
 - UK Government Announcement bringing forward the Migration of Employment Support Allowance (ESA) claimants to Universal Credit
 - Employability update – Funding and Strategic Plan
 - Independent Working Group on Antisocial Behaviour - 2023/24
 - Publication of Scottish Fire and Rescue Service's "Shaping our Future Service: Your Say"
 - Report of the Action Group on Processions
 - Scotland the Perfect Stage 2024-2035
 - Participatory Budgeting
 - Prison Population
 - Caledonian Programme Funding
5. If there are further additions to be made to what is included in the above COSLA staff will provide an oral comment. Comments and questions from board members are welcome – either at the meeting or through email correspondence.

Next Steps

6. None of the issues highlighted in the annex in of themselves at this time are thought likely to need positions to be established by Members or actions to be pursued by member councils.
7. However, comments from Board members on the generality of the work of the board covered in this report, its annexes and elsewhere on the agenda would be welcome and can help influence the development of COSLA priorities and positions in the longer term.

June 2024

Annex

Independent Review of Adult Disability Payment

1. Launched on 29 August 2022, Adult Disability Payment (ADP) is one of fifteen payments that Social Security Scotland delivers. Adult Disability Payment has replaced Personal Independence Payment for disabled people of working age in Scotland. Almost 2 years into its rollout, the Cabinet Secretary for Social Justice has appointed Edel Harris OBE to Chair an [Independent Review of Adult Disability Payment](#). Work began on the independent review of the devolved disability benefit in February 2024 and the review will issue its final report in July 2025.
2. The independent review will take an inclusive and transparent approach to engaging with disabled people and stakeholders. It will consider people's experiences of the first year of delivery of ADP, as well as the Benefit's eligibility criteria. This builds upon the analysis of the consultation on the [eligibility criteria for the mobility component of ADP published in August 2023](#). There will be opportunities for people to contribute throughout the independent review and COSLA has contacted the Review Group offering to provide information from a Local Government perspective.
3. An interim report identifying any initial priorities, which do not involve substantive changes to service design and are capable of early action, should be provided within nine months of the commencement of the review. A final review report will be provided to the Scottish Government by July 2025 and will be published by the Government upon receipt.

UK Government Announcement bringing forward the Migration of Employment Support Allowance (ESA) claimants to Universal Credit

4. On 19 April 2024 a speech by the Prime Minister included an announcement to bring forward the movement of Employment Support Allowance (ESA) and ESA with Housing Benefit customers to Universal Credit. The UK-wide migration of these cases had previously been planned for 2028. However, the current planning assumption is that the Department for Work and Pensions, (DWP) will begin notifying this group in September 2024 with the aim of notifying everyone to make the move to UC by December 2025. DWP plans to work closely with local authority partners on the detailed approach and will share more information with local authorities when this work is completed.
5. DWP has confirmed that bringing forward ESA migrations will move 800,000 claimants and their 50,000 partners off an inactive regime and provide better opportunities to support these groups into or closer to the labour market. The Department estimate around half of those would also receive over £100 a month more on UC. Claimants who are eligible for UC but have a lower entitlement than they had on legacy benefits will be considered for Transitional Protection (TP).
6. It's been acknowledged that this migration will have an impact for Local Government. The ESA cohort includes a large number of working age Housing Benefit (HB) recipients and whilst local authorities currently administer these HB claims, once migrated they will be in receipt of UC Housing Costs. Over time, the resulting reduction in HB caseloads will impact of the level of HB Administration Subsidy paid by DWP to local authorities. The Department has advised COSLA that its delivery approach and timelines will be informed by detailed planning and engagement with stakeholders.

Employability update – Funding and Strategic Plan

7. On 22nd April 2024, Cllr Chalmers wrote to Gillian Martin MSP, the then Minister for Energy, Just Transition and Fair Work, to request an urgent meeting to discuss the ongoing delays to employability funding. This meeting took place on 30th April and the Minister provided assurances that the distribution of funding was being raised with the Deputy First Minister.
8. On 2nd May, No One Left Behind grant offer letters were sent to local authorities with an allocation of approximately one quarter of the annual allocation. COSLA officers continue to engage with Scottish Government officials on progress towards the allocation of the remaining funds for 2024/25, with officials reporting that progress is gradually being made.
9. Cllr Chalmers has very recently written to the new Minister for Employment and Investment Tom Arthur MSP to congratulate him in his new role and to request a meeting to continue the funding discussions started with his predecessor. COSLA officers are working with Scottish Government officials to identify a suitable date for this meeting.
10. At the April meeting of the Community Wellbeing Board, a paper was brought to members to provide an update on the development of an Employability Strategic Plan 2024-27. Work on this plan continues and a joint decision has been taken by COSLA and Scottish Government to bring the final draft of the plan to the Board in August 2024 for comment and approval. This will allow for further engagement with local authority employability leads via the SLAED People Group, as well as wider partners from the Third Sector and Local Employability Partnerships.
11. Work has also been ongoing around Specialist Employability Support (SES), with an SES Working Group comprising COSLA, local authority employability leads, and Scottish Government officials having been meeting since November 2023. This is part of work to support the Scottish Government's commitment to halve the disability employment gap by 2038 and includes consideration of the findings of the reviews of Supported Employment and Individual Placement Support. A more substantive update on this work will be brought to the August Board meeting alongside the draft Strategic Plan.

Independent Working Group on Antisocial Behaviour - 2023/24

12. The Independent Working Group on Antisocial Behaviour was established in November 2023 by the Scottish Government. Its purpose is to evaluate the effectiveness of the current approach to understanding and preventing antisocial behaviour. The group aims to develop a holistic, long-term, strategic plan to enhance the well-being of communities across Scotland. This includes exploring whether a more preventive approach would be beneficial and how victims of antisocial behaviour can be better supported.
13. Background to the Review
 - In 2022/23, the Scottish Community Safety Network (SCSN) and the Scottish Government conducted a comprehensive qualitative engagement exercise.
 - Over 250 people participated in approximately 25 meetings, representing various interests such as Local Authority professionals, elected members, community councils, emergency services, faith groups, and more.
 - The exercise focused on assessing the current approach to antisocial behaviour (ASB), identifying areas for improvement, and understanding support mechanisms for victims and those at risk of committing ASB.
 - The findings from this review were published in November 2023 under the title "Reviewing Scotland's Approach to Antisocial Behaviour."

- Two broad recommendations emerged: (1) Consider a long-term strategic and holistic approach with a prevention focus, and (2) conduct an in-depth review led by an independent working group with diverse professional experience¹.
14. The group, (also known as "Tackling Antisocial Behaviour,") has membership including experts with a wide range of skills, including youth sector interests. Its Co-chairs are Fiona Dyer (Director, Children and Young People's Centre for Justice) and Lorraine Gillies (CEO, Scottish Community Safety Network). Its workplan involves comprehensive evidence gathering, both quantitative and qualitative, with robust engagement. By the end of 2024, the group aims to jointly report its findings and recommendations to Ministers, the Convention of Scottish Local Authorities (COSLA), and Police Scotland. These findings will be made public¹.
15. Core Questions for Public Input are on: What aspects of the current approach effectively prevent and address ASB? How can the current approach be improved? What enhancements are needed to better support victims and individuals at risk of committing ASB? If you have insights or opinions related to antisocial behaviour, feel free to email them to asbconsultation@gov.scot. Your input is valuable in shaping future policies and community well-being.

Publication of Scottish Fire and Rescue Service's "Shaping our Future Service: Your Say"

16. The Scottish Fire and Rescue Service (SFRS) has initiated a pre-consultation process titled "Shaping Our Future Service: Your Say." This process aims to gather opinions on how the SFRS can best deliver its services.
- The pre-consultation document and questionnaire seek input from communities, staff, representative bodies, partners, and elected members.
 - The views collected during this stage will inform change options for a full public consultation later in the year.
 - SFRS's main purpose is to collaborate with communities and other sectors to enhance safety and well-being throughout Scotland.
 - The 2022 Fire and Rescue Framework emphasises continuous improvement, modernisation, evidence-based decision-making, and efficient resource use.
 - Modernisation proposals include updating the role of firefighters to address emerging risks¹.
17. The consultation notes that Community risks are evolving. While SFRS attends fewer dwelling fires, incidents related to flooding and wildfires are increasing. Also some fire stations have remained unchanged for decades, and investment is needed to better serve firefighter needs. It also notes that The Scottish Government increased SFRS's budget by £29.3 million for 2024-25, bringing the total budget to £393.3 million. Although financial pressures persist, the current collection of views process is not solely driven by financial imperatives. SFRS aims to deliver an optimal service to ensure safety for both staff and communities across Scotland.
18. The SFRS will analyse the views expressed during this pre-consultation phase, with detailed change options being developed based on the feedback received. COSLA and all councils are encouraged to engage with SFRS during this phase. If you have insights or opinions related to Scotland's fire and rescue service, your participation is valuable in shaping its future direction.

Report of the Action Group on Processions

19. The Community Wellbeing Board received a presentation on the Action Group on Processions report at its last meeting. The Action Group was formed to improve procession facilitation in Scotland, building on the work of the Short Life Working Group on Facilitating Peaceful Assemblies. The Short Life Working Group's 2023 report focused on enhancing the notification process and managing marches. The Action Group, comprising representatives from Police Scotland, COSLA, Scottish Government, Edinburgh and Glasgow City Councils, SOLAR, and members of the original Working Group, aimed to address procession-related issues. The report has now been published
20. The Action Group proposes several recommendations:
- **Minimum Standard for Information:** Collaborate with local authorities to establish consistent information on the notification process across all local authority websites.
 - **Clear and Human Rights-Compliant Information:** Ensure publicly presented procession information aligns with human rights standards.
 - **Training and Briefing Enhancement:** Develop training materials for local authority officials and elected members, emphasizing their responsibilities in facilitating peaceful processions while safeguarding human rights.
 - **Transparency and Confidentiality:** Address transparency and confidentiality requirements during local authority website reviews.
 - **Steward and Marshal Training:** Consider extending a successful training program for procession organizers to train stewards and marshals.
 - **Annual Best Practice Review:** Explore an annual review mechanism to share best practices across Scotland.
21. Additional points raised by the Action Group regarding processions include that
- **Licensing Clarification** – that processions do not necessarily require licensing and that in most cases, those seeking to march will have their procession facilitated, even with certain restrictions or conditions.
 - That the purpose of the notification process is to enable local authorities to better facilitate a fundamental human right (the right to assemble and march). It also aims to protect public order, safety, and the rights of both participants and non-participants.
 - With respect to any restrictions on Human Rights, these must be prescribed by law, be necessary to meet positive obligations in protecting human rights and be proportionate, imposing minimal restrictions to address concerns.
 - The notification process should not be burdensome or overly bureaucratic and Relevant information required should be kept to a minimum, aligned with the aims of the notification process.
 - **Stewards and Risk Assessment** – the procession organisers should provide their own stewards, although there is no legal requirement to do so. Also while a risk assessment is not a mandatory condition, encouraging it as good practice is advisable.
 - Late notifications of intent to hold a public procession should always be given due consideration.

Scotland the Perfect Stage 2024-2035

22. After input from the Community Wellbeing Board in December last year the Scottish Government launched its refreshed national events strategy on 28th May 2024. It is under the title “Scotland the Perfect Stage 2024-2035”. Board Members agreed that COSLA officers should continue to engage with Scottish Government and VisitScotland on the implementation of the Strategy, with regular updates provided to the Board as appropriate. No particular concerns were highlighted on the draft Strategy – although one Board members commented that the National Strategy appears to align well with their own local Strategy. Some feedback was given underlining the importance of planning for physical and mental safety at events. These comments were integrated into the strategy.
23. This strategy aims to enhance the event industry’s achievements and address ongoing challenges over the next decade. It focuses on national priority outcomes and critical success factors, emphasising sustainability, resilience, and responsible practices. The strategy centres around three interconnected areas: Developing Events, Developing the Industry, and Developing Scotland. Aligned priority themes include inclusivity, investment, impact measurement, talent development, and quality planning. An action plan will be created based on these priorities, overseen by the Event Industry Advisory Group.

Participatory Budgeting

24. Scottish Government has funded COSLA to help support the implementation of PB in local government. The annual Participatory Budgeting in Scottish Local Government Update Report has been collated for 2022-23 and submitted to Scottish Government. Since 2017, the work of local government in meeting the 1% target has evolved from piloting small grants PB activity, towards integrating PB as a way of delivering local services in partnership with communities.
25. Despite the unprecedented pressures faced by local government over the lifetime of the 1% Agreement, notable progress has been made in delivering Participatory Budgeting with the target being met for the first time in 2021-22. In 2022-23 the target was again exceeded, with spending of more than £150 million through participatory processes and involving 150,000 citizens.

	2020-21	2021-22	2022-23
1% Target	£106 M	£108 M	£118 M
Budget Reported	£79 M	£154 M	£152 M
% Reported	0.7%	1.4%	1.3%
Councils meeting or exceeding target	8	13	14
Councils recording no progress	7	4	4
Councils increasing PB spend		16	17
Participants	48,000	110,000	151,000

26. Reviewing the work of all 32 councils towards the 1% Commitment the following progress can be noted:
- The number of citizens involved in participatory budgeting processes continues to increase year on year
 - At least 26 councils are actively engaged in mainstream PB planning and/or integrating PB approaches across a range of service areas
 - The number of councils reporting that they met the 1% target in the period increased
 - 17 councils reported increasing the amount of budget spent through participatory budgeting
27. As reported in previous years several common challenges continue to inhibit the ability of councils to extend the provision of Participatory Budgeting. These challenges centre around identifying sufficient resource and budget to carry out meaningful, high-quality processes. Despite the ongoing challenges there is an underlying trend of more PB activity being carried out, an increased understanding of PB and increased confidence in using PB.
28. While the continued achievement of the 1% target is significant, there is also a growing recognition that PB is only one of the many tools used for Community engagement and empowerment and that further work is required to position PB within a coherent approach to Participatory Democracy.

Prison Population

29. Due to a sudden increase in the prison population, the Scottish Prison Service (SPS) faces unprecedented challenges. Action has been proposed by the Cabinet Secretary for Justice as necessary to ensure the safety and well-being of SPS staff. Ms Constance had an anticipated conversation with the Community Wellbeing Spokesperson just before the announcement was made to the Scottish Parliament, as at present the prison population has risen by approximately 400 in the last two months (as of May 16, 2024), representing a 13% increase since the beginning of 2023.
30. To address this situation, emergency early release is being considered. This would apply to prisoners serving sentences of less than four years with 180 days or less remaining. Specific safeguards will be in place, including exclusions for sexual offenders, domestic abuse offenders, and life sentence prisoners. Parliament's consent will be sought before any prisoner is released. Victims registered with the Victim Notification Scheme will be informed if a prisoner is released under the emergency release scheme.
31. Approximately 300-500 prisoners may be released under these measures, which represents nearly 5% of the prison population. Only individuals who were already due to be liberated within the next 6 months will be considered for release. The phased release process will require effective planning and avoid large numbers of simultaneous releases. Those sentenced to less than 4 years will not be subject to license conditions or supervision upon release. They will be able to access throughcare support services to assist with reintegration into the community.
32. Releases will begin on 26 June and the process will run until 18 July. The tranches are as follows: Tranche 1 – those with less than 45 days left to serve (at point of regs coming into force) are to be released on 26- 27 June; Tranche 2 – those with 45-89 days left to serve (at point of regs coming into force) are to be released on 3-4 July; Tranche 3 – those with 90-134 days left to serve (at point of regs coming into force) are to be released on 10-11 July; and Tranche 4 – those with 135-180 days left to serve (at point of regs coming into force) are to be released on 17 July -18 July.

33. Scotland's emergency release power aligns with existing powers in England and Wales. The UK Government has had an emergency release power since the early 1980s, allowing the Secretary of State to order release up to 6 months earlier. The UK also uses the End of Custody Supervision Licence scheme for early release.
34. However, automatic early release (AER) policies differ between Scotland and England/Wales. Prior to 2016, long-term prisoners (sentences over 4 years) were released automatically after serving two-thirds of their sentence. The law changed in 2015, allowing most long-term prisoners sentenced after February 1, 2016, to be released with 6 months left to serve. Structured testing and monitoring will support successful reintegration into the community.
35. The Scottish Government plans to consult on changes to AER and long-term prisoner release management. This review aims to address reintegration challenges and align policies with current needs.
36. Scottish local authority and COSLA staff are actively engaged with other partners and stakeholders in the developing arrangements to manage the prison population pressures. Some of this focuses on what can be done within the existing arrangements to reduce the number of individuals going to court. The remainder is about the use of emergency prisoner release and aligned arrangements as mentioned above.

Caledonian Programme Funding

37. The refreshed Equally Safe Strategy, published in December 2023 outlines a priority to hold perpetrators to account while, where possible, supporting behaviour change. This is a key focus of Equally Safe from both a prevention and protection perspective. In May 2022 the Scottish Government published its commitment to "expanding the Caledonian System increasing our investment to £10 million over the next two years, with the aim of making it available to all 32 Scottish local authorities by the end of the current parliamentary term." Previous competitive funding rounds to support local authorities to develop Caledonian Programmes have supported this work in 19 areas, with one LA self funding this development. 11 local authorities have received no support to date.
38. In March 2024 the Scottish Government issued a letter to Local Authorities confirming Section 27 grants allocations for 2024/25 'to facilitate increasing capacity in line with the Justice Vision and National Strategy ' The letter also encouraged those remaining areas not delivering the Caledonian System to give due consideration as to whether they wish to use the Section 27 funding increases in support of roll out of the Caledonian System in their area.
39. LA's have raised concerns and disappointment over this, highlighting the increased pressures and costs requiring Section 27 funding to be invested in development of services and responses locally in line with the Vision for Justice. Discussions are taking place with SG officials in respect to funding for the Caledonian System and COSLA officer will report back to Board in due course.

June 2024