



**LD/23/0106**

There will be a **COSLA Leaders'** meeting on 25<sup>th</sup> August 2023 at 11am at Verity House, Edinburgh.

Jane O'Donnell  
Chief Executive

## **AGENDA**

### **Public Session**

1. Introduction
2. Draft Minutes of Leaders' Meeting held 30<sup>th</sup> June 2023 **LD/23/0107**
3. Scottish Welfare Fund Action Plan Update **LD/23/0108**

### **Private session**

1. Local Government Finance Update **LD/23/0109**
2. Fiscal Framework for Local Government **LD/23/0110**
3. Pay Update **LD/23/0111**
4. Strategic Review of Funding for VAWG Services – COSLA position **LD/23/0112**
5. Scottish Recommended Allowance Foster and Kinship Carers **LD/23/0113**
6. Joint Health and Social Care Winter Planning Priorities **LD/23/0114**
7. Asylum Contingency Accommodation and Unaccompanied Asylum Seeking Children **LD/23/0115**
8. Ukraine Strategic Policy Position Paper, Welcome Accommodation Proposals and Funding **LD/23/0116**
9. Distribution **LD/23/0117**

MINUTE OF MEETING OF COSLA LEADERS

Friday 30<sup>th</sup> June 2023 at 1300hrs

At Verity House and via MS Teams

**Present:**

|                               |                       |
|-------------------------------|-----------------------|
| COSLA President               | Cllr Shona Morrison   |
| COSLA Vice President          | Cllr Steven Heddle    |
| Aberdeen City Council         | Angela Scott          |
| Aberdeen City Council         | Cllr Ian Yuill        |
| Aberdeen City Council         | Cllr Christian Allard |
| Aberdeenshire Council         | Jim Savege            |
| Aberdeenshire Council         | Cllr Gillian Owen     |
| Angus Council                 | Margo Williamson      |
| Angus Council                 | Cllr Beth Whiteside   |
| Argyll and Bute Council       | Pippa Milne           |
| Argyll and Bute Council       | Cllr Robin Currie     |
| City of Edinburgh Council     | Andrew Kerr           |
| City of Edinburgh Council     | Cllr Mandy Watt*      |
| Clackmannanshire Council      | Pete Leonard*         |
| Clackmannanshire Council      | Cllr Ellen Forson     |
| Comhairle nan Eilean Siar     | Malcolm Burr          |
| Comhairle nan Eilean Siar     | Cllr Paul Steele      |
| Dumfries and Galloway Council | Dawn Roberts          |
| Dumfries and Galloway Council | Cllr Gail Macgregor   |
| Dumfries and Galloway Council | Cllr Katie Hagmann    |
| Dundee City Council           | Gregory Colgan        |
| Dundee City Council           | Cllr John Alexander   |
| East Ayrshire Council         | Eddie Fraser          |
| East Ayrshire Council         | Cllr Douglas Reid     |
| East Dunbartonshire Council   | Gerry Cornes          |
| East Dunbartonshire Council   | Cllr Gordan Low       |
| East Lothian Council          | Monica Patterson      |
| East Lothian Council          | Cllr Andrew Forrest*  |
| East Renfrewshire Council     | Lorraine McMillan     |
| East Renfrewshire Council     | Cllr Tony Buchanan    |
| East Renfrewshire Council     | Cllr Owen O'Donnell   |
| Falkirk Council               | Kenneth Lawrie        |
| Falkirk Council               | Cllr Cecil Meiklejohn |
| Fife Council                  | Ken Gourley           |
| Fife Council                  | Cllr David Ross       |
| Glasgow City Council          | Annemarie O'Donnell   |
| Glasgow City Council          | Cllr Susan Aitken     |
| Glasgow City Council          | Cllr Blair Anderson   |
| Highland Council              | Kate Lackie           |
| Highland Council              | Cllr Raymond Bremmer  |

|                             |                           |
|-----------------------------|---------------------------|
| Inverclyde Council          | Louise Long               |
| Inverclyde Council          | Cllr Stephen McCabe       |
| Midlothian Council          | Dr Grace Vickers          |
| Midlothian Council          | Cllr Kelly Parry          |
| Moray Council               | Roderick Burns            |
| Moray Council               | Cllr Kathleen Robertson   |
| North Ayrshire Council      | Craig Hatton              |
| North Ayrshire Council      | Cllr Marie Burns          |
| North Lanarkshire Council   | Des Murray                |
| North Lanarkshire Council   | Cllr Paul Kelly           |
| Orkney Islands Council      | Oliver Reid               |
| Orkney Islands Council      | Cllr James Stockan        |
| Perth and Kinross Council   | Barbara Renton*           |
| Perth and Kinross Council   | Cllr Robin Currie         |
| Perth and Kinross Council   | Cllr Eric Drysdale*       |
| Renfrewshire Council        | Alastair MacArthur*       |
| Renfrewshire Council        | Cllr Iain Nicolson        |
| Scottish Borders Council    | David Robertson           |
| Scottish Borders Council    | Cllr Euan Jardine         |
| Shetland Islands Council    | Maggie Sandison           |
| Shetland Islands Council    | Cllr Gary Robinson*       |
| South Ayrshire Council      | Eileen Howat              |
| South Ayrshire Council      | Cllr Bob Pollock*         |
| South Lanarkshire Council   | Cleland Sneddon           |
| South Lanarkshire Council   | Cllr Maureen Chalmers     |
| South Lanarkshire Council   | Cllr Gerry Convery*       |
| Stirling Council            | Brian Roberts             |
| Stirling Council            | Cllr Chris Kane           |
| West Dunbartonshire Council | Laurence Slavin*          |
| West Dunbartonshire Council | Cllr Martin Rooney        |
| West Lothian Council        | Elaine Cook*              |
| West Lothian Council        | Cllr Lawrence Fitzpatrick |

### **Apologies:**

|                             |                       |
|-----------------------------|-----------------------|
| City of Edinburgh Council   | Cllr Cammy Day        |
| City of Edinburgh Council   | Cllr Alys Mumford     |
| Clackmannanshire Council    | Nikki Bridle          |
| East Lothian Council        | Cllr Norman Hampshire |
| North Lanarkshire Council   | Cllr Jim Logue        |
| Perth and Kinross Council   | Thomas Glen           |
| Perth and Kinross Council   | Cllr Peter Barrett    |
| Perth and Kinross Council   | Cllr Grant Laing      |
| Renfrewshire Council        | Alan Russell          |
| Shetland Islands Council    | Cllr Emma Macdonald   |
| South Ayrshire Council      | Cllr Martin Dowey     |
| Stirling Council            | Carol Beattie         |
| West Dunbartonshire Council | Peter Hessel          |
| West Lothian Council        | Graham Hope           |

*\*Denotes Substitute Provided*

## **Public Session**

### **1. Apologies and Introductions**

The President opened the meeting and thanked Leaders for their attendance. The President reminded members that the COSLA Senior Management Team had recently approved a business case for substantial audio investment in the Caledonian Suite. This would greatly enhance the sound quality for those in the room and joining virtually, and in turn would also provide an improved service to external clients and the running of the Governance meetings. The work would be undertaken in July.

Apologies and substitutes had been noted separately for the Minute.

### **2. Draft Minute of Leaders Meeting held Friday 26<sup>th</sup> May 2023**

The minute was agreed as an accurate record.

Members noted it was disheartening to hear that papers had been leaked to the media in advance of the Leaders' meeting taking place. The President confirmed that concerns had been shared with Group Leaders and highlighted work would be ongoing over summer to seek to ensure confidentiality in advance of meetings.

## **Private Session**

### **3. Local Government Finance**

This report provided Leaders with an update on a range of issues relating to Local Government Finance including Fair Work First, Visitor Levy, funding for Ukraine resettlement, Capital Accounting Review, NDR sub-group and Fiscal Framework.

Leaders queried if education interventions would only be for one year. Officers confirmed that recent communications from Scottish Government stated that the teacher number intervention had only ever been intended as an interim measure, but consultation was ongoing re: learning hours. Leaders also noted that the 'fair work first' principle was now a new policy commitment and queried if this would be funded. COSLA Officers highlighted fair work first was at this stage guidance not a policy, but a paper had been prepared which highlighted the implications for Local Government, and a meeting was required with Scottish Government officials.

## **Amendment**

An amendment was proposed in the following terms, moved by Cllr McCabe, and seconded by Cllr Ross.

*Add:*

*iii. Agreed that, given that some Councils are currently unable to sign grant agreements, discussions with the Scottish Government on the implications of their Fair Work Guidance should be held as a matter of urgency and a report brought back to Leaders in advance of the next scheduled meeting if required.*

*iv. Leaders reaffirm their support for Councils having the power to implement a discretionary cruise visitor levy and request that COSLA officers and office bearers continue to press the Scottish Government to deliver this within the timescales previously indicated.*

*v. Leaders express their disappointment regarding the decision of the UK Government not to extend the alternative funding energy support schemes. They kindly request that the Spokesperson writes to the Government to convey this disappointment. Furthermore, Leaders kindly ask COSLA Officers to work with Councils in gathering information on the potential impact of this decision on the funding received by households in Scotland.*

The Amendment was unanimously accepted by Leaders.

Accordingly, Leaders:

- i. Noted the ongoing officer discussion in relation to Fair Work First and that a substantive paper would be brought back to Leaders;
- ii. Noted the updates in relation to ministerial engagement, Visitor Levy, Ukraine funding, education interventions, UK Government energy support schemes and new burdens funding, Capital Accounting Review, the NDR sub-group and Fiscal Framework;
- iii. Agreed that, given that some Councils were currently unable to sign grant agreements, discussions with the Scottish Government on the implications of their Fair Work Guidance should be held as a matter of urgency and a report brought back to Leaders in advance of the next scheduled meeting if required;
- iv. Reaffirmed their support for Councils having the power to implement a discretionary cruise visitor levy and request that COSLA officers and office bearers continue to press the Scottish Government to deliver this within the timescales previously indicated; and
- v. Expressed their disappointment regarding the decision of the UK Government not to extend the alternative funding energy support schemes. They kindly requested that the Spokesperson write to the Government to convey this disappointment. Furthermore, Leaders kindly asked COSLA Officers to work with Councils in gathering information on the potential impact of this decision on the funding received by households in Scotland.

#### **4. Council Tax Joint Working Group**

This report updated Leaders on recent discussions at the Joint Working Group on Sources of Local Government Funding and Council Tax Reform (JWG). The JWG was proposing a joint consultation by the Scottish Government and COSLA on changes to the Council Tax multipliers, as part of a reform of Council Tax to make it less regressive. Leaders were being asked to agree that COSLA proceeds with the joint consultation.

Leaders highlighted concerns over the consultation including being unclear around the timescales and why there was an urgency for this to be put in place for the next financial

year. It was also highlighted it might be beneficial if an open question was inserted to allow members to express views or any issues. COSLA Officers confirmed that their expectation was that this would be a statutory twelve-week consultation and would follow the standard process. They would work with advisors to ensure there was wide awareness and technical guidance would be followed. Officers confirmed they could feed back any comments Leaders might have on the questionnaire. Leaders also highlighted concerns around the impacts this may have on households in Scotland during a cost-of-living crisis, and queried if this would impact water rates.

Members requested a five-minute recess.

### **Motion**

A motion was proposed in the following terms, moved by Cllr Reid, and seconded by Cllr Meiklejohn, that Leaders accept the recommendations in the report so:

*Leaders:*

- i. Note the update on the Joint Working Group on Sources of Local Government Funding and Council Tax Reform and*
- ii. Agree that COSLA proceeds with a joint consultation on changes to Council Tax multipliers, in order to make Council Tax fairer and less regressive.*

### **Amendment**

An Amendment was proposed in the following terms, moved by Cllr Ross, and seconded by Cllr Fitzpatrick

*Amend Recommendations as follows:*

- i. Note the update on the Joint Working Group on Sources of Local government Funding and Council Tax Reform.*
- ii. Agree that COSLA proceeds with a joint consultation on changes to Council Tax multipliers but urges the Scottish Government and COSLA to conduct a thorough consultation process to consider alternative measures that ensure fairness and affordability for all taxpayers and*
- iii. Believes that Scottish Government should fulfil the long-standing commitment to abolish the unfair Council Tax system and replace it with a fairer and more progressive alternative.*

A vote took place, and the motion was carried with 17 votes for, with 15 for the Amendment.

Accordingly, Leaders:

- i. Noted the update on the Joint Working Group on Sources of Local Government Funding and Council Tax Reform and*
- ii. Agreed that COSLA proceed with a joint consultation on changes to Council Tax multipliers, in order to make Council Tax fairer and less regressive*

## **5. Pay Update**

This report provided Leaders with an update on the Scottish Joint Council, Craft and Chief Officials pay negotiations. It provided an update on meetings that had taken place and the correspondence that had been received as part of the SJC Trade Unions move to industrial ballot. It also provided the current advice from our Local Government professional advisors.

Leaders queried if Local Government would receive any extra funding for pay awards. COSLA Officers confirmed that increasing the quantum for Local Government was a key part of ongoing work but that no formal indication of what if any funding may be available had been given at this stage. It remains the case that Cllr Hagmann in her meetings with ministers continues to press for improved funding including in discussions on the fiscal framework.

## **Motion**

A motion was proposed in the following terms, moved by Cllr Reid, and seconded by Cllr Meiklejohn, that Leaders accept the recommendations in the report so:

*Leaders:*

- i. Note the private and confidential nature of this paper;*
- ii. Note the affordability and sustainability issues associated with the pay claims and that the current offer has fully utilised all of the funding available and represents a strong and credible offer and*
- iii. Note the update provided in relation to each of the three bargaining spaces.*

## **Amendment**

An Amendment was proposed in the following terms, moved by Cllr Ross, and seconded by Cllr McCabe.

*Add:*

- iv. Regrets the lack of progress made in coming to an agreement on the SJC pay claim*
- v. Agrees to convene a meeting of the SJC Steering Group as a matter of urgency with a view to agreeing the basis of a joint approach to Scottish Government for the necessary funding to reach agreement on a pay settlement.*

A vote took place, and the Motion was carried with 17 votes for, to 15 for the Amendment.

Accordingly, Leaders:

- i. Noted the private and confidential nature of this paper;*
- ii. Noted the affordability and sustainability issues associated with the pay claims and that the current offer had fully utilised all of the funding available and represented a strong and credible offer; and*
- iii. Noted the update provided in relation to each of the three bargaining spaces.*

## **6. National Care Service**

This report updated Leaders on the output of National Care Service negotiations between Local and Scottish Government. An initial broad officer-level consensus had been reached around a possible national framework under which continued negotiation, including the development of a local framework, could occur.

### **Amendment**

An Amendment was proposed in the following terms, moved by Cllr Ross, and seconded by Cllr Kane.

*Add*

- iii. Agree that local commissioning ensures services best meet the needs of communities and helps offer security to the Local Government workforce, and as such, Local Government retaining a key role in local commissioning should be central to the development of a future local framework.*
- iv. Reaffirms the belief that responsibility for children's services and community justice should remain with Local Government.*

The Amendment was unanimously accepted by Leaders.

Accordingly, Leaders:

- i. Agreed that the national framework provided at Appendix A offered a basis for further negotiations and more detailed work. This would include seeking a legal opinion on the governance structure set out within the framework.
- ii. Agreed COSLA officers and Local Government partners work with Scottish Government to shape, amend and participate in public National Care Service co-design activity:
- iii. Agreed that local commissioning ensured services best meet the needs of communities and helped offer security to the Local Government workforce, and as such, Local Government retaining a key role in local commissioning should be central to the development of a future local framework and
- iv. Reaffirmed the belief that responsibility for children's services and community justice should remain with Local Government.

## **7. Local Government Data Platform Project**

Following Leaders' decision in May 2020 to support a project to explore the development of an online data portal for Local Government, Leaders considered plans for Phase 1 of the project in April last year and agreed that findings be brought back for agreement. Findings and recommendations from Phase 1 were presented in this report as were plans for Phase 2.

Leaders welcomed the updated, however, emphasised the need for this to be realistic, technically deliverable and ensure this didn't create more work for councils.

Leaders:



- i. Noted the findings from Phase 1;
- ii. Endorsed the recommendations presented at paras 8 and the proposals for Phase 2 presented at paras 9-12; and
- iii. Re-affirmed their commitment to the overall aims of the project, in the context of the Partnership Agreement

## **8. Free School Meals- Delay to Roll Out**

This report set out an approach made by Scottish Government to delay timescales for the roll out of universal free school meal provision for primary 6 and 7 pupils and sought Leader's agreement on this.

Leaders noted the update and were clear that the funding for the full implementation must be met with by the Scottish Government.

### **Motion**

A motion was proposed in the following terms, moved by Cllr Reid, and seconded by Cllr Meiklejohn, that Leaders accept the recommendations in the report so:

*Leaders:*

- i. Agree to assist Scottish Government with their budgetary pressures by agreeing to their proposed delay of universal free school meals to primary 6 and primary 7 pupils, whilst recognising the disappointment in a further delay to the programme and*
- ii. Agree that a new timescale and the total resources to meet the implementation of the interim expansion to the Scottish Child Payment and the universal roll out must be set with COSLA and based on information collected from Councils*

### **Amendment**

An Amendment was proposed in the following terms, moved by Cllr Ross, and seconded by Cllr Forrest.

*Amend as follows:*

- i. Regrets the need for the Scottish Government to request a delay in the roll out of free school meals to P6 and P7 pupils, particularly in light of the continuing high levels of child poverty and current cost of living crisis.*
- ii. In the spirit of the new deal Partnership Agreement, agree to assist the Scottish Government with their budgetary pressures by agreeing to their proposed delay of universal free school meals to primary 6 and primary 7 pupils, whilst recognising the disappointment in a further delay to the programme.*
- iii. Agree that a new timescale and the total resources to meet the implementation of the interim expansion to the Scottish Child Payment and the universal roll out must be set with COSLA and based on information collected from Councils.*
- iv. Agree that in developing a revised timescale for the further roll out of free school meals, due regard must be given to the challenges faced by some councils in respect of population increases and other demographic changes.*

A vote took place and the Amendment was carried with 17 votes for, and 14 votes for the motion.

Accordingly, Leaders:

- i. Regretted the need for the Scottish Government to request a delay in the roll out of free school meals to P6 and P7 pupils, particularly in light of the continuing high levels of child poverty and current cost of living crisis.
- ii. In the spirit of the new deal Partnership Agreement, agree to assist the Scottish Government with their budgetary pressures by agreeing to their proposed delay of universal free school meals to primary 6 and primary 7 pupils, whilst recognising the disappointment in a further delay to the programme.
- iii. Agreed that a new timescale and the total resources to meet the implementation of the interim expansion to the Scottish Child Payment and the universal roll out must be set with COSLA and based on information collected from Councils and
- iv. Agreed that in developing a revised timescale for the further roll out of free school meals, due regard must be given to the challenges faced by some councils in respect of population increases and other demographic changes.

## **9. The Promise**

This paper summarised some of the work undertaken by COSLA, The Promise Local Government Programme Board and the Improvement Service to determine the plans, progress, and performance across Local Government in our collective ambition to keep The Promise.

Leaders welcomed the paper and highlighted the work Councillors had been doing on the This is Who Cares Scotland working to set up care experienced forum and queried if this was something the programme board could assist with. It was highlighted this work included going out to CPP partners and it had been challenging to get buy ins to guaranteed interview scheme and queried if this was something the Board could pick up on. COSLA Officers confirmed this was something they could pick up on through the board and would report back with an update.

Leaders:

- i. Agreed that The Promise Local Government Programme Board, supported by the Improvement Service, develop a core set of indicators to understand and determine progress towards Keeping The Promise
- ii. Agreed that The Promise Local Government Programme Board, supported by the Improvement Service, develop 'stretch targets' for each core indicator to drive local delivery and national advocacy for Local Government's work and commitment to Keep The Promise and
- iii. Agreed that COSLA officers and The Promise Local Government Programme Board work with partners, including The Promise Scotland and Scottish Government, to develop national indicators for The Promise on a multi-sector basis.

## **10. Unaccompanied Asylum-Seeking Children**

This paper provided Leaders with an update on the work of the UASC Short Life Working Group which was considering the establishment of a regional reception centre for UASC in Scotland.

Leaders noted concerns over large reception centres being misaligned with the intention of promise model of the past. Larger Local Authorities were under significant pressure and walk ins were increasing. As the system had been funded at a lower level than the dispersal system, they continued to advocate for equality of funding for unaccompanied Asylum- Seeking Children. COSLA Officers acknowledged this had been recognised as an issue.

Leaders:

- i. Noted the considerations of the UASC Short Life Working Group and wider engagement that had taken place with local authorities on the use of reception centres for UASC;
- ii. Agreed that a UASC reception centre in Scotland was not currently viable, but that COSLA should continue engaging on means of addressing ongoing pressures in relation to the NTS, including through models of provision such as reception centres, if they were deemed viable and appropriate; and
- iii. Agreed that challenges in relation to UASC be considered more systematically across the various structures governing work on looked after children in Scotland.

## **11. Asylum Dispersal**

This paper provided Leaders with an update on plans from the Home Office to increase the number of asylum applicants being accommodated in Scotland, and on progress made on the roll out of their full dispersal approach across Scotland. It sought Leaders' agreement on positions in relation to these changes.

Leaders:

- i. Noted the change to UK Government policy on accommodating asylum applicants, current progress with full dispersal planning and the challenges the accommodation provider was facing.
- ii. Agreed the proposed positions set out in paragraphs 21-25 in relation to room sharing in asylum accommodation, the use of vessels and large sites to accommodate asylum applicants, the full dispersal plan and the Streamlined Asylum Process; and
- iii. Agreed that COSLA continue to pursue dialogue with UK Government in order to ensure the safe and appropriate housing of asylum applicants in Scotland.

## **12. Educational Psychologists Training Programme**

This paper updated Leaders on the current training model for Educational Psychology in Scotland and proposed a transition to a revised approach, to better meet the needs of councils' Educational Psychology Services and wider stakeholders.

Leaders:

- i. Agreed that COSLA officers continue to work with professional advisers, as well as colleagues in the profession, Scottish Government, and academia to progress work towards the development of a doctorate model proposal and

- ii. Agreed the use of existing programme funding to uplift third year salaries for Educational Psychologist trainees to National Minimum Wage/National Living Wage level.

### **13. COSLA Meetings SIG**

This paper provided an update on the work undergone by the recently formed Special Interest Group. As Leaders would be aware following an increase in the duration, frequency, and agenda items of COSLA Leaders meetings over the past few years, in March, Leadership Sounding Board agreed to establish a short-life Special Interest Group (SIG) to explore these matters and to identify any options which might improve efficiency and expedite the decision-making process.

Leaders:

- i. Discussed the issues and recommendations set out in the paper; and
- ii. Agreed that officers implement the recommendations, noting that some would require further exploration and that Leaders would be kept informed of the progress made over the coming months.

### **14. Distribution**

This report asked Leaders to consider and agree recommendations from the Settlement & Distribution Group (SDG) in relation to three distribution areas:

- Funding for Firework Control Zones - £227.5k revenue 2023/24
- Ukraine Scottish Government Funding - £3.2m revenue 2023/24
- Summer Programme Funding - £4m revenue 2023/24
- 

Leaders were also asked to note:

- Child Poverty Practice Accelerator Fund
- Road Safety Improvement Fund

Leaders welcomed the updates and queried if any work had been done on firework control zones. Officers confirmed the work had begun and a meeting had taken place with the previous minister. A discussion had also taken place at the Community Wellbeing Board.

Leaders agreed the various recommendations.

### **Date of Next Meeting**

Councillor Morrison closed the meeting at 3.35pm and thanked all members for attending. Councillor Morrison added she hoped Leaders would enjoy some time off during recess and the next COSLA Leaders meeting would be held on Friday 25<sup>th</sup> August 2023.

## **Scottish Welfare Fund Action Plan Update**

### **Summary and Recommendations**

This report updates Leaders on the Scottish Government's proposed policy improvements contained in the recently published [Scottish Welfare Fund Action Plan](#). Given the already challenging budgetary constraints faced by Local Government's administration of the fund, Leaders' views are sought on the Action Plan's potential for delivering the desired improvements, whilst ensuring that the scheme's delivery is sustainable.

This paper invites Leaders to:

- i. Note the improvement actions included within the Scottish Welfare Fund Action Plan;
- ii. Consider these in light of the existing budgetary constraints;
- iii. Provide officers with a steer on how discussions with the Scottish Government should proceed, with COSLA asking either:
  - That Scottish Government increase SWF funding (both programme and administration budgets) to reflect current levels of demand and its revised policy commitments under the Action Plan, or
  - That Scottish Government reduce the scope/eligibility for the fund, so it can be delivered within its current (2023/24) "flat-cash" budget settlement; and
- iv. Note that any discussion around distribution of funding will follow COSLA's financial governance process and processes, with any decisions to be brought back to COSLA Leaders.

### **References**

Previous reports and Reference Documents on Scottish Welfare Fund:

- [Scottish Welfare Fund Action Plan](#)
- [23-04-21 CWB Board Item 6.2 Review of Scottish Welfare Fund Report](#)
- [Scottish Welfare Fund Review – Final report](#)
- [22-12-02 CWB Board Item 6.2 Review of SWF and Cost of Living Update](#)
- [21-11-12 CWB Board Item 7.3 SWF Review Report](#)
- [21-09-17 CWB Board Item 5.2 Scottish Welfare Fund and SISG Update](#)
- [21-04-30 LD2185 Scottish Welfare Fund Report](#)
- [21-03-05 CWB Board Item 4.1 Social Welfare Fund](#)
- [20-01-24 CWB Item 3.1 Scottish Welfare Fund Update](#)
- [19-06-28 Leaders Item 01 Scottish Welfare Fund Update](#)
- [19-03-29 SL Item 02 Scottish Welfare Fund](#)

## **Scottish Welfare Fund Action Plan Update**

### **Purpose**

1. To provide Leaders with an update on the Scottish Welfare Fund (SWF), particularly the recently published SWF Action Plan, and to seek views on the Action Plan's potential for delivering the desired improvements, whilst ensuring that the scheme's delivery is sustainable.

### **Current COSLA Position**

2. The Scottish Government committed to an independent review of the SWF as part of the 2021 Bute House Agreement. Carried out during 2022/23, the evidence considered largely reflected the heightened pressure on the fund during the Covid-19 pandemic. Whilst these pressures have changed over time, the cost of living crisis has meant that SWF demand, (particularly for Crisis Grants) has remained high.
3. The resulting [Ipsos Scotland report](#) was published on 24 March 2023. The Scottish Government then established a Policy Advisory Group to advise Ministers on proposed actions using the Review findings as the evidence base. The [Action Plan](#) resulting from this work was published on 30 June 2023. The Policy Advisory Group consisted of representatives from COSLA, Local Authority delivery partners, Scottish Prison Service, Citizens Advice Scotland, the Trussell Trust, and Child Poverty Action Group. The diversity of the members ensured a variety of viewpoints informed the policy development process.
4. Whilst COSLA and Local Government representatives support many of the proposed 22 improvement actions, all the Policy Advisory Group's members emphasised concerns around high demand on the Fund and its long-term sustainability based on the scheme's current eligibility and qualifying criteria.
5. The Ipsos report clearly highlighted the pressures on SWF. These include increased demand and inadequate administration funding (with a recurrent view that this needs to at least double in size). The report also established that many local authorities are topping up SWF. Whilst it is evident that this is not sustainable, it is thought that some of the improvement actions may also incur additional costs, not (yet) factored into Scottish Government SWF Administration funding.
6. The Scottish Government Policy Advisory Group's Terms of Reference confirmed that funding considerations were solely a reserved matter for Scottish Ministers. Nonetheless, funding and sustainability were points made by many throughout the process. In April 2023 the Community Wellbeing Board agreed that COSLA should pursue two approaches. The first is for the Scottish Government to increase SWF funding (both programme and administration budgets) to meet the scheme's revised policy commitments. The second is to reduce the scope/eligibility for the fund, so it can be delivered within its current (2023/24) "flat-cash" budget settlement. It should be noted that the second approach recognises the increasing number of devolved forms of welfare that are now being delivered to households by the Scottish Government, (e.g. Scottish Child Payment).
7. COSLA's position was highlighted during an introductory meeting held in May 2023 between the Community Wellbeing Spokesperson and the recently appointed Cabinet Secretary for Social Justice. The position stated by Scottish Government is that SWF

funding will be determined following the usual budget setting process. Given this, COSLA is required to establish its position for budget discussions which should be capable of responding to the aspirations expressed for the scheme in the SWF Action Plan.

## What is changing?

Table 1 below provides an overview of the workstreams and timescales for implementing the changes proposed in the Scottish Welfare Fund Action Plan.

| <b>Table 1:<br/>Delivering Improvements to the Scottish Welfare Fund</b>                                     |   |   |
|--|---|---|
| <b>Delivery from Autumn 2023 to the end of Spring 2024</b>   |   | <b>Delivery from Autumn 2023 to the end of Summer 2024</b>  |
| <b>Workstream 1:<br/>Improving Fund Administration, Accessibility and Experience</b>                         | <b>Workstream 2:<br/>Updating Statutory Guidance</b>  | <b>Workstream 3:<br/>Creating a New Data, Monitoring and Audit Approach</b>                           |
| <i>Action 1:</i> Investigate and introduce further training for Local Authority decision-makers.             | <i>Action 5:</i> Provide clearer definitions on eligibility and what constitutes 'exceptional circumstances'. | <i>Action 20:</i> Review and establish a new process for data collection.                             |
| <i>Action 2:</i> Re-establish regular Practitioners' Forums.   | <i>Action 6:</i> Incorporate principles of the Social Security Scotland 'Our Charter'.                        | <i>Action 21:</i> Strengthen the usefulness of annual reporting.                                      |
| <i>Action 3:</i> Improve Local Authorities' direct communication with applicants.                            | <i>Action 13:</i> Review timescales and assessment prioritisation.  | <i>Action 22:</i> Develop an approach for ensuring there is a commitment to learning and improvement. |
| <i>Action 4:</i> Develop and provide standardised communication messages.                                    | <i>Action 14:</i> Restructure to improve accessibility and ease of use.                                       |   |
| <i>Action 7:</i> Investigate and examine options for more centralised support for Local Authorities.         | <i>Action 15:</i> Review income thresholds for applicant eligibility.   |   |
| <i>Action 8:</i> Investigate if language barriers are a significant issue and implement long-term solutions. | <i>Action 16:</i> Assess the type and quantity of evidence required for decision-making.                      |   |
| <i>Action 9:</i> Prepare standardised decision letters to all applicants.                                    | <i>Action 17:</i> Review methodology to calculate cost of living award rates.                                 |   |
| <i>Action 10:</i> Explore and implement specific requirements for advertisement.                             | <i>Action 18:</i> Implement guidelines and standards for Tier 1 Reviews.                                      |   |
| <i>Action 11:</i> Develop and implement a refined and standardised application form.                         | <i>Action 19:</i> Introduce annual review and establish Statutory Guidance Review Committee.                  |   |
| <i>Action 12:</i> Provide guidelines for application referrals.  |   |   |

8. Whilst Local Government welcomes the focus that these Actions will bring to SWF administration, the majority accentuate best practice rather than presenting any fundamental shift in the purpose of the scheme. Discussions with local authority SWF practitioners and with COSLA's own Welfare and Social Security Advisory Group have identified that some may incur either additional costs and/or increased administrative burdens. The points listed in Appendix 1, (whilst not exhaustive) provide some commentary on the above actions from Local Government's perspective.

## Proposed COSLA Position

9. Leaders are being asked to provide officers with a steer on how discussions with the Scottish Government should proceed, with COSLA asking either:

- That Scottish Government increase SWF funding (both programme and administration budgets) to reflect current levels of demand and its revised policy commitments under the Action Plan, or
- That Scottish Government reduce the scope/eligibility for the fund, so it can be delivered within its current (2023/24) “flat-cash” budget settlement.

### **Next Steps**

10. Taking a steer as above from Leaders, COSLA officers will work collaboratively with Scottish Government and local authorities to explore, develop and implement actions which will, work within the current context of devolved Social Security and result in sustainable improvements to Scottish Welfare Fund administration with better overall outcomes for the fund’s clients.
11. Any further discussion around distribution of funding will follow COSLA’s financial governance process and processes, with any decisions to be brought back to COSLA Leaders.



## Appendix 1

- Action 1 – Whilst the Ombudsman already provides feedback to local authorities in respect of learning from its SWF External Review caseload, it is unclear what capacity exists within SPSO, (and other agencies) to undertake additional training, for local authority decision makers.
- Action 2 - SWF decision makers welcome the Scottish Government’s re-instatement of regular Practitioner’s Forums. Since, where these are well run, they can provide opportunities for local authority administrators to compare notes, seek advice from their colleagues in other councils and partnering agencies whilst providing a forum for the sharing of best practice.
- Action 3 – Includes establishing and “resourcing” a freephone and a “requirement” for decision makers to phone applicants to communicate SWF decisions and signpost to other services. It is currently unclear which party would resource or host a freephone. Many councils already contact SWF applicants by telephone and make onward referrals for further support. Whilst this may be regarded as best practice, these actions can be resource intensive. If this becomes a standard requirement, some councils may incur additional administrative burdens.
- Action 4 – Whilst many councils already produce SWF communication material COSLA and Local Government officers will continue to work with Scottish Government and SPSO to standardise SWF messaging.
- Action 5 – Largely relates to reviewing the definition of “exceptional circumstances” in regard to (repeat applications). Whilst this may appear to be a nuanced action, the outcome of such a review could have significant financial consequences. Whilst SWF is designed to only provide “occasional assistance” to those experiencing crisis or to those seeking to establish their home, in recent years repeat applications have been a major cause of council’s SWF expenditure exceeding budget.
- Action 6 – Alignment of SWF decision making with Social Security Scotland’s Charter to ensure these are grounded in dignity fairness and respect should match well with Local Government’s existing principles.
- Action 7 – The provision of “centralised support” for local authorities would appear to be an action for Scottish Government. Resourcing limitations, data sharing and discretion could all be significant factors, however COSLA and Local Government officers will work closely with Scottish Government to consider options.
- Action 8 – COSLA and Local Government officers will work closely with Scottish Government to investigate and to consider options for improvement.
- Action 9 – The majority of councils will already issue decision letters which advise applicants on their right to review and signpost to locally available welfare rights and where available, debt advice services. It will be important that any standardisation of SWF letters should avoid undermining existing localised messaging and/or incur any additional I.T. costs, (i.e. for developing correspondence templates etc).
- Action 10 – Any requirement to further advertise and promote the SWF scheme could have significant funding implications for councils. Aside from the cost of advertising, further promotion of a scheme which in many cases already exceeds its given budget presents a risk of additional spend and a case for additional funding.

- Action 11 – A standard SWF application form was created by Scottish Government when the scheme was implemented in 2013. Whilst councils generally provide PDF versions of this ‘paper’ based form, SWF applications are more commonly made via council websites. Standardisation of council’s own online SWF applications may incur additional software development costs which would need to be funded.
- Action 12 – COSLA and Local Government officers will work closely with Scottish Government to investigate and to consider options.
- Action 13 – Plan states that the review of timescales and assessment prioritisation due to be considered within the Statutory Guidance provision will be “subject to future funding considerations”. COSLA officers to discuss with Scottish Government.
- Action 14 – COSLA and Local Government officers will work closely with Scottish Government to investigate and to consider options.
- Action 15 – COSLA and Local Government officers will work closely with Scottish Government to investigate and to consider options. However, it should be noted that any easing of SWF eligibility thresholds could significantly impact expenditure and would require to be funded.
- Action 16 – Changing the type and quality of evidence required for decision making could potentially affect time/effort required to administer claims. Any additional burdens would need to be funded.
- Action 17 – COSLA and Local Government officers will work closely with Scottish Government to investigate and to consider options for reviewing and developing guidance. However, it should be noted that any changes made to calculating SWF award rates could significantly impact expenditure and would require to be funded.
- Action 18 – SPSO already provides some feedback to local authorities in respect of learning from its SWF External Review caseload. Guidelines and standards may be useful, however, the reinstatement of regular Practitioner’s Forums should provide further opportunities to share learning and inform internal review decision making.
- Action 19 – COSLA and Local Government officers will work closely with Scottish Government and any Statutory Guidance Review Committee which is established.
- Action 20 – Whilst this appears to be an action for Scottish Government, any additional management information this may require from local authority I.T. systems could incur software development costs which will need to be funded.
- Action 21 – As above, (Action 20).
- Action 22 – Develop a partnership approach between Scottish Government and SPSO. Similar to Action 1, it is unclear what capacity exists within SPSO to commit to ensuring that there is a commitment to SWF learning and improvement using quality measures.

**11 August 2023**