

DRAFT MINUTE OF MEETING OF COSLA COMMUNITY WELLBEING BOARD

Friday 17 September 2021, 10.30am  
Via Microsoft Teams

**Present**

COSLA Spokesperson	Councillor Kelly Parry
Aberdeenshire Council	Councillor Anne Simpson
City of Edinburgh Council	Councillor Amy McNeese-Mechan
Dumfries & Galloway Council	Councillor Andy Ferguson
Dundee City Council	Councillor Anne Rendall
East Ayrshire Council	Councillor Jacqui Todd (Substitute)
East Lothian Council	Councillor Jim Goodfellow
East Renfrewshire Council	Councillor Colm Merrick
Falkirk Council	Councillor Jim Flynn
Glasgow City Council	Councillor Jennifer Layden
Inverclyde Council	Councillor Jim Clocherty
Moray Council	Councillor Louise Nicol
Perth and Kinross Council	Councillor Peter Barrett
Renfrewshire Council	Councillor John McNaughtan
Scottish Borders Council	Councillor George Turnbull
Shetland Islands Council	Councillor Alastair Cooper
South Ayrshire Council	Councillor Ian Davis
South Lanarkshire Council	Councillor Maureen Chalmers
Stirling Council	Councillor Chris Kane
West Dunbartonshire Council	Councillor Diane Docherty
SLAED	Pamela Smith

**Apologies**

Aberdeen City Council	Councillor Lesley Dunbar
Angus Council	Councillor Colin Brown
Argyll & Bute Council	Councillor Robin Currie
Clackmannanshire Council	Councillor Jane McTaggart
Comhairle nan Eilean Siar	Councillor Kenny John MacLeod
East Ayrshire Council	Councillor Jim McMahon*
East Dunbartonshire Council	Councillor Sandra Thornton
Fife Council	Councillor Judy Hamilton
Highland Council	Councillor Ben Thompson
Midlothian Council	Councillor Stephen Curran
North Ayrshire Council	Councillor Louise McPhater
North Lanarkshire Council	Councillor Danish Ashraf
Orkney Islands Council	Councillor David Dawson
Renfrewshire Council	Councillor Marie McGurk*
ALACHO	Tony Cain
Social Work Scotland	Lillian Cringles
Social Work Scotland	Jane Martin
SOLACE	Sandra Black
SOLACE	Malcolm Burr

\* denotes substitute provided

## **AGENDA**

### **1. Introduction**

#### **1.1. Welcome and Apologies**

Councillor Parry welcomed Board Members to the meeting and apologies and substitutes were noted.

#### **1.2. Minute of Previous Meeting of 18 June 2021**

### **Items for Discussion and Decision**

### **2. Presentations and Board wide items.**

#### **2.1. Update on Workplan**

Members were presented with the updated Board Workplan, and updates were provided on specific items.

It was noted that the changes to Universal Credit were imminent with the loss of the £20 a week top likely to have a significant impact on families with or without work. It will be important to see what the impact is on homelessness and applications for the Scottish Welfare Fund. It was agreed that a report should be brought to a following board meeting on the emerging effects on the end of COVID-19 support measures.

Members were content to agree the updated Board Plan.

#### **2.2. National Care Service Consultation**

This report provided members with an overview of the Scottish Government's consultation, 'A National Care Service for Scotland' and its potential implications for Local Government, in particular the community justice area. It outlined proposed activity to be taken forward during the consultation period and sought the views of members of the Board to guide COSLA's response to the proposals set out in the consultation on community justice.

Cllr Barrett felt that the strength of the views of Leaders was not adequately conveyed in the paper. Some critical services will be severely impacted by the proposals from the Scottish Government, it will make the services disjointed. It is taking us in the wrong direction and creating uncertainty for The Promise. It was felt that the salient points were there but it will need to be edited.

The SG proposal lacks crucial detail particularly with there being no depth about the management of the service(s). It was also noted that there is intended to promote human rights approach and for it to be person centred. Restructuring the IJB in the way proposed goes against our community empowerment work. There are other smaller scale interventions that could work, including the safe drug consumption, that simply could not be taken forward by a national body. There is no evidence that IJBs are not working, and this comes on top of the rough time that staff have had over the last 18 months, it won't support staff morale.

A member felt the time line for consultation should be further extended, and the consultation be restructured, starting with principles first and then seeing how the new structures would support these. There is a need for good strong arguments for change. The board felt strongly that the proposals are out of synchrony with community justice being seen as local and part of the community. There was felt to be a lack of significant evidence, with this being needed and there not to be a rush to conclusions.

It was noted that the main Scottish Parliament parties wanted to have an NCS but there really is a need to discuss its shape and not to lose the good elements of health and social care that could be achieved.

Members agreed to:

- i) Note the information provided in the report relating to the publication of the Scottish Government's consultation on a National Care Service, including COSLA's response to date;
- ii) Agreed to note the points laid out in sections 14 and 15, and that these were likely to be strengthened as a result of the discussions at the proposed workshop to which the Cabinet Secretary for Justice was invited.
- iii) Noted that the feedback from both the meeting and the workshop will inform COSLA's overall response to the consultation to be brought to the October meeting of Leaders for agreement.

### **2.3. Programme for Government**

The report and its annex included abstracts from the Programme for Government that had been published on 6th September. It was anticipated that the September Leaders' would consider a fuller report with input from COSLA's policy teams. The aim of the process was to allow COSLA to identify those measures of relevance to Local Government where there are potential or clear risks to, or indeed opportunities to promote, COSLA's principles.

It was noted that Patrick Harvie MSP had been written to, welcoming his new ministerial role and indicating an interest in discussing his housing remit with him. Some other aspects of his work will also have an indirect effect on housing, with respect to sustainable heat.

Members agreed to note the contents of the report.

### **2.4. Equally Safe at School (ESAS) - Whole School Prevention of VAWG**

This paper highlighted the national launch of the new Equally Safe at School website and programme for schools. This is a deliverable agreed by co-owners and stakeholders of Equally Safe as one of the 118 actions committed to in the Equally Safe Delivery Plan (2017 – 2021). The work has been led by Rape Crisis Scotland, working together with pilot schools in local authorities and further supported by supported by the University of Glasgow. The paper invited the Board to recognise the positive contribution being made to the prevention and eradication of violence against women and girls through this programme and its' offer in respect to Local Governments response to the gendered effects of the pandemic, outlined in the Local Government Blueprint.

Rape Crisis Scotland offered Members a short presentation on the free resources now available to all schools in Scotland to support their work to prevent and tackle gender inequality, gender stereotyping and gender based violence and harassment in a school community. The presentation included a short film created by young people highlighting the issues being tackled.

Members welcomed the development and launch of the Programme and highlighted other GBV prevention work ongoing in their own areas with young people, including Mentors in Violence Prevention (MPV). Cllr Docherty highlighted her concerns that language used in respect to the issue of violence against women should better reflect that, whilst both men and women may experience incidents of domestic abuse and other forms of Gender-Based violence, women are considerably more likely to experience repeated and severe forms of abuse, including sexual violence, perpetrated overwhelmingly by men, and that this is a consequence of women's unequal status in society.

Members agreed the recommendations in the paper including that Equally Safe at School (ESAS) should be highlighted as an important resource in preventing and tackling Gender-Based violence in a whole school setting and that the views from COSLA's Children and Young People's Board on the challenges facing or opportunities for Local Government to embed prevention of VAWG in schools and youth/ place based approaches should be sought to inform the upcoming Equally Safe Funding Review.

### **3. Migration and Population**

#### **3.1. Humanitarian Protection Schemes**

The paper updated the Board on the approach being taken by Scottish Local Government to various humanitarian protection initiatives. It outlined the current COSLA position on humanitarian protection schemes for people from Afghanistan, Unaccompanied Asylum Seeking Children, as well as referring to an update on the Nationality and Borders Bill and the next steps.

Members noted the update, the current COSLA position and the next steps that were set out in the paper.

#### **3.2. New Scots Refugee Integration Delivery Project**

This paper updated the Board on the outcome of the New Scots Refugee Integration Delivery Project funding exercise and the next phase of delivery for the project.

On 13<sup>th</sup> August, the Scottish Government announced 56 projects that will receive funding to deliver initiatives designed to help New Scots settle in their adopted communities through the £2.8 million grant scheme which forms part of the New Scots Refugee Integration Delivery Project. Twelve of the successful projects will be delivered by local authorities across Scotland, with these projects securing around a third of the total fund and most involving partnerships across different regions and sectors. The paper provided a list of the funded projects which will be delivered by local authorities.

The Project will run until December 2022 and during this time, officers will be working with local authorities to monitor and evaluate projects and undertake empirical research to identify the challenges, opportunities, and impact of delivering activities aimed at enhancing refugee integration. Additional research will also be commissioned to identify the specific role of local authorities in supporting refugee communities in Scotland. The purpose of this work is to develop a suite of 'tools' to sit alongside the New Scots strategy which will offer practical guidance to organisations in Scotland, and elsewhere, working to support refugee integration.

Members noted the update and approved proposals for the ongoing engagement of local authorities to support the aims and outcomes of the Project and the New Scots strategy.

#### **3.3. COVID Framework for Migrants with No Recourse to Public Funds**

This paper outlined urgent public health and human rights risks in relation to the provision of support for people with no recourse to public funds (NRPF) during the recovery period of the pandemic. Local authorities have provided leadership in managing the public health risks of Covid-19 for people with NRPF who are destitute and rough sleeping. However, Scottish Government have still to set out any advice or a position on ongoing support for those who are affected and there is a significant level of risk for local authorities in assessing the use of powers locally, particularly given the current rise in coronavirus cases.

There is a need for Scottish Government – as part of the commitment to work with local authorities and our third sector partners in the Fair Way consortium – to clarify the national position on the public health response to rough sleeping and evictions of people with NRPF during this period and to help to co-ordinate a plan to prevent rough sleeping. This will involve implementing the Covid-19 Framework for Local Authorities and working with the Fair Way consortium to implement a safe and sustainable approach to providing accommodation.

The Board agreed that COSLA should ask Scottish Government to:

- i. Work with COSLA to ensure that local authorities have any necessary funding or other resources needed to meet the costs of providing temporary accommodation to people with NRPF and EEA nationals under public health duties;
- ii. Work with third sector partners to ensure that they can upscale their provision to meet the needs of adults with NRPF who are at risk of rough sleeping and who do not have clear long term eligibility to accommodation and local authority support; and
- iii. Together with COSLA, work with Fair Way to agree a plan and timescales for safely transitioning people to access accommodation through this model.

### **3.4. Supporting Hong Kong British National (Overseas) Migrants**

The Ministry of Housing, Communities and Local Government (MHCLG) has provided grant funding to COSLA to facilitate the integration and welcome of British National (Overseas) (BNO) status holders from Hong Kong. This paper updated the Board on progress made in developing a strategy and key workstreams to support this work.

COSLA is establishing mechanisms to engage with key officers across councils and our partners in order that we can best support local integration efforts. A range of specific activities are also being undertaken including the provision of caseworker support for local authorities regarding the rights and entitlements of Hongkongers, the development of web-based resources, and engagement activity to build a picture of the particular needs of the BNO population and to support councils accordingly.

The Board approved COSLA's broad approach to supporting the integration of Hongkongers with BNO status in Scotland's communities and the range of activities outlined in the paper.

### **3.5. Local Government Response to the Nationality and Borders Bill**

This paper set out COSLA's proposed response to the Nationality and Borders Bill consultation. It detailed a number of concerns and challenges for Scottish Local Government should the bill be enacted.

The Board agreed that COSLA should continue to seek meaningful dialogue with UK Government on the aspects of the Bill that are of greatest concern, and lobby for changes to the Bill as it goes through the legislative process. Specifically, it was agreed that engagement should focus on the following key areas:

- Our concern that the Bill, if taken forward as it is at present, could create significant inequalities, increase destitution, public health and safeguarding risks and financial and practical challenges for Local Government;
- That aspects of the Bill do not align with devolved approaches in relation to refugee integration, as articulated in the New Scots Strategy, as well as associated strategies, including on ending destitution and homelessness;

- That the Government's proposals will establish a multi-tiered humanitarian protection system, which unfairly distinguishes between those seeking protection depending on how they entered the UK; and
- That some of the proposals are unlikely to achieve their stated objectives, may not be compatible with international law, and/or may be subject to legal challenges, creating risks for individuals' rights and uncertainty for Local Government, particularly as we seek to support devolved plans to incorporate human rights into domestic legislation.

The Board also agreed that COSLA should develop a comprehensive briefing on our key positions in relation to provisions in the Bill to inform scrutiny in the next stages of the legislative process, and develop a plan for sharing this on a cross-party basis with Members of the UK Parliament and the House of Lords.

## **4. Equality and Human Rights**

### **4.1. Collaborative Framework between COSLA and Public Health Scotland on Gender Equality and Gender-Based Violence**

This paper informed members that a formal partnership arrangement between COSLA and Public Health Scotland to enhance current collaboration and provide a foundation for a strengthened whole systems approach to gender equality and GBV locally and nationally, be proposed to Leaders on the 24th of September for their consideration.

The Board members agreed to:

- noting the commitment from PHS and COSLA to work in partnership with the Improvement Service to support a more integrated, whole system approach to embedding gender equity and tackling violence against women and girls
- pending Leader's approval of the proposal Collaborative Framework between COSLA and Public Health Scotland on Gender Equality and Gender-Based Violence, to provide oversight of progress in delivering the proposed improvements outlined under section 9.

### **4.2. Domestic abuse and trauma-informed practice: companion document**

The report highlighted the development by the Improvement Service of the Domestic abuse and trauma-informed practice: companion document developed by the Improvement Service (see 21-09-17 CWB Board Item 4.2a Guidance on Trauma and Domestic Abuse - Companion Pack), and sought the Boards approval for COSLA's endorsement of this resource, prior to its publication.

Members agreed to approve COSLA's endorsement of the draft Domestic abuse and trauma-informed practice: companion document, developed by the Improvement Service and to recognise its importance as a guide for professionals supporting women, children and young people affected by domestic abuse and/or perpetrators, in a trauma-informed way.

### **4.3. Improving the Lives of Gypsy/Travellers**

This report updated the Board on progress in delivering priority actions in the national plan 'Improving the Lives of Gypsy/Travellers'. It highlighted ongoing work to ensure a public health approach is in place to support roadside encampments through the Covid-19 recovery period; updated on the work councils have undertaken to improve sites through investing existing capital funding to deliver more and better accommodation; and work to establish future funding needs.

The Board agreed a number of key actions to further progress this work. Specifically, it was agreed that:

- i. COSLA will continue to prioritise work that improves the lives of Gypsy/Travellers and remains committed to a public health and human rights based approach to this work;
- ii. To continue to strengthen support for people living on roadside encampments, work will be undertaken to:
  - a. Establish the resource implications and local authority funding needs to enable implementation of the Covid-19 Framework;
  - b. Develop a shared understanding of what a safe and meaningful offer of support entails;
  - c. Clarify options for providing access to sanitation roadside; and
  - d. Identify any other support that local authorities require.
- iii. COSLA will produce a report highlighting the work that local authorities have undertaken in difficult circumstances to deliver site improvements using the £2m capital investment. COSLA will also work with local authorities to draw learning from the projects and share this with the Ministerial Working Group to inform future decisions in relation to the Gypsy/Traveller action plan; and
- iv. COSLA will undertake work to consider the funding needs of councils who have applied to the Gypsy/Traveller accommodation fund and wider capital investment needs for site development and improvement.

Further reports will be taken to the Board and to Leaders, to seek agreement on any subsequent asks of Scottish Government and/or further recommended changes to the approach to supporting roadside encampments and investment in more and better accommodation.

## **5. Poverty, Employability and Consumer Protection**

### **5.1. Employability Evaluation Framework, Continuous Improvement and Update**

The report advised that Scottish Government has undertaken initial work to scope out an approach to both an evaluation and a continuous improvement strategy for “No One Left Behind” and the “Young Person’s Guarantee”. It intended to raise awareness on work done to date, opportunities for local government engagement and next steps. It sets out a COSLA position for Board consideration. That proposed position is to support the principles of evaluation and continuous improvement approaches but for COSLA officers to work with Scottish Government to ensure co-ownership, designed for local and national benefits, do not add disproportionate burdens on local authorities, aligns with local approaches, and is focused on learning rather than ‘performance measurement.

The Board also received a broader employability update that confirmed Scottish Government funding amounts for 2021/22, updated on an awaited Ministerial decision on progressing to the next phase of ‘No One Left Behind’ and reported on COSLA Leader’s commitments to the Young Person’s Guarantee and to support local people most disadvantaged in the labour market through Local Government’s role as an employer. Information will be gathered from LAs as a benchmark for improvement.

Members agreed to

- i. endorse the direction of travel set out in the report;
- ii. agree the Proposed COSLA Position and Next Steps.

### **5.2. Scottish Welfare Fund and Self Isolation Support Grant Update**

The report provided Members with an update on the Scottish Welfare Fund and the additional pressures placed on Council's administrative capacity by the delivery of Self Isolation Support Grants.

Members agreed

- i. that officers continue to work closely with Scottish Government and local authority SWF leads in respect of SISG eligibility, processes and resourcing issues.
- ii. the proposed position that COSLA engages constructively in the review of the Scottish Welfare Fund and positions itself to influence the scope and approach taken.
- iii. that in any review of the Scottish Welfare Fund, COSLA should continue to press for a full review of funding, particularly as it relates to administrative funding
- iv. to note that any discussion around distribution will follow COSLA's financial governance principles and processes, with any decisions to be brought back to COSLA Leaders.

### **5.3. Children's Disability Payment Pilot and Social Security Update, UC**

This report updated Members on recent developments regarding Social Security Scotland's implementation of the Child Disability Payment, (CDP) and the scheme's related Supporting Information process currently under development with local authorities.

Cllr Goodfellow expressed some concern about the potential for increased workloads on schools and asked how the transfer of existing Disability Living Allowance (DLA 'Child') claims to the devolved benefit would be handled. Cllr McNeese-Mechan raised similar concerns in respect of potentially significant additional pressure being brought to bear on the named professionals from which the supporting information will be sought.

In response, John Cunningham confirmed that the aim of the new process was to transfer the burden from parents/guardians having to seek this information from professionals themselves and place it with Health and Local Authorities which in turn would be funded. He also confirmed that the process would initially deal with only new CDP claims and that existing DLA 'Child' claims would transfer from DWP to Social Security Scotland under a further programme of work that was due to be completed by spring 2023.

Members agreed to:

- i. note the update in relation to Child Disability Payment outlined in the report
- ii. that COSLA should continue to work positively with the Scottish Government and others to help to minimise the burden on claimants in order to promote Child Disability Payment entitlement and access.
- iii. that COSLA continues to seek assurances from Social Security Scotland in respect of its commitment to develop a more robust, longer term technical solution.
- iv. the proposed COSLA position and next steps outlined in the report.

### **5.4. Consultation on Reform of Competition and Consumer Policy**

This paper provided members with an overview of the UK Government consultation – Reform of Competition and Consumer Policy and provided a draft response for consideration.

Board members after noting the content of the consultation and with no amendments, agreed the response to the consultation be submitted to BEIS

## **6. Housing, Homelessness & Community**

### **6.1. Draft Consultation Responses on: Social Housing Charter; Short Term Lets Guidance**

This report provided Members with draft COSLA responses to two consultations, the Scottish social housing charter review consultation and the Short term lets - draft licensing order and business and regulatory impact assessment (BRIA) consultation. The board commented on the charter and the response to the Short Term Lets consultation, seeking minor changes to the draft response in respect of notification, prior to submission.

The Board agreed to:

- i. Approved the responses with the minor changes noted above.

### **6.2. Ending Homelessness Together Annual Report**

This report provided Members with update on delivery of the joint Scottish Government COSLA Ending Homelessness Together Action Plan. Members discussed the report and sought clarification on some areas in relation to funding which the policy manager agreed to check. Members were also thanked for providing short case studies and examples for the draft annual report.

The Community Well-Being Board:

- i. Commented on the draft annual report on the Ending Homelessness Together Action Plan;
- ii. Shared local practice for highlighting in the report; and
- iii. Agreed to delegate sign off of the final version to the COSLA Community Wellbeing Spokesperson.

### **6.3. Participatory Budgeting**

The report informed members of the progress being made by local government on the 1% Framework Agreement. It also asked councils to note the planned meeting of members to discuss future mainstream PB progress and provide comment on draft briefing materials.

Members of the Board agreed to:

- i. Note the reported progress being made derived from 2020/21 Proforma Returns by councils.
- ii. Note the forthcoming meeting of elected members to be hosted by COSLA politicians to discuss progress around the 1% Framework Agreement.
- iii. Note the publication of the 'Future of Participatory Budgeting in Scotland Framework' by the National Participatory Budgeting Steering Group.
- iv. Approve the updated Elected Member Mainstream Participatory Budgeting paper.

## **7. Policing and Justice**

### **7.1. Policing and the SPA's Engagement Plan**

This report provided an overview of the SPA's proposed Engagement Plan and pr an update on scrutiny of policing, as well as joint working with Police Scotland/SPA. Members of the Board broadly agreed the SPA's proposed engagement plan with local authorities and noted the work on the review of Local Police Plan.

## **7.2. Water Safety**

This item provided members with an update on water safety, in light of the tragic fatalities that occurred in Scotland during the summer in respect of drowning. Members noted the report and the Ministerial Advisory Group that has been established to consider water safety issues.

**The date of the next meeting was noted as 12 November 2021**