



**The Socio-Economic Duty
A Consultation**

RESPONDENT INFORMATION FORM

Please Note this form **must** be completed and returned with your response.

Are you responding as an individual or an organisation?

- Individual
 Organisation

Full name or organisation's name

Argyll and Bute Council	
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Phone number

Address

Argyll and Bute Council Kilmory Lochgilphead, Argyll, PA31 8LD
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The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

- Publish response with name
 Publish response only (without name)
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Information for organisations:

The option 'Publish response only (without name)' is available for individual respondents only. If this option is selected, the organisation name will still be published.

If you choose the option 'Do not publish response', your organisation name may still be listed as having responded to the consultation in, for example, the analysis report.

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

- Yes

No

SUMMARY OF QUESTIONS

QUESTION 1 – The key terms defined in this section are:

- Socio economic disadvantage
- Inequalities of outcome
- Decisions of a strategic nature
- Due regard

Do you agree that the definitions of these are reasonable and should be included within the Scottish Government’s forthcoming guidance on the socio-economic duty?

Yes, the terms outlined, namely:

- Socio economic disadvantage;
- Inequalities of outcome;
- Decisions of a strategic nature; and
- Due regard.

These are consistent with the understanding of the current frameworks/strategies in place, i.e. the child poverty framework regarding the 3Ps. It seems extremely logical that when bringing in a new socio economic duty that the government will align the frameworks at a national level, making it much simpler to apply a consistent approach across Scotland.

We welcome the focus on disadvantaged communities of interest as well as communities of place, but would like to see further regard given to rural disadvantage, particularly as it is not easily measured by SIMD, so this can be taken account of better in designing policies and in matters of distribution of resources.

We are concerned about the realism of expectations in relation to this duty. Page 10 of the consultation reflects an expectation for all public authorities to reduce poverty. Local authorities do not have all the levers to do this, nor the financial capacity. This seems to exceed the duty which is about decision making.

This new duty would have to sit alongside other duties for local authorities such as the duty of “best value”. We would welcome guidance which illustrates how giving due regard to this new duty would sit alongside other statutory duties.

From a procurement perspective will ‘decisions of a strategic nature’ include Regulated/OJEU level procurements, as these are areas where we already consider socio-economic elements within our decision making?

However clarity is required with regard to the following paragraph on page 13 of consultation:

For many public authorities, tackling disadvantage and reducing inequalities in outcomes related to such disadvantage is already part of their core business. For them, the duty will give that part of their work a boost, by giving it a statutory basis where one doesn’t exist already; ensuring it remains a priority; and helping them secure commitment and help from key partners.

QUESTION 2A – Do you agree that the socio-economic duty should apply to the Scottish public authorities named here? If not, please specify which you do not think it should apply to and why?

Yes. The duty **must** extend to all public authorities and **must** be rigorously supported.

QUESTION 2B – Do you think the duty should apply to any other public authorities, similar to those listed in the Equality Act 2010? If so, please name them and explain why you think the duty should apply.

In order to realise the radical reforms that Christie spoke of in 2011, there is a requirement to look beyond traditional models of delivery. Progress has made with the implementation of the Public Bodies (Joint working) Scotland Act 2014, and similarly the Community Empowerment Act.

The socio-economic duty will need to link very closely to the equalities duty in appearance as well as in law. Therefore, it should apply to all public authorities covered by the Equality Act in Scotland. For example, it should be **consistently** applied across Community Planning Partners, thus making sure that every public sector organisation has that same aim. Furthermore, Local Planning Authorities should also be included. It is not enough to rely on local authorities and NHS boards to make the fundamental changes in society. There needs to be a transformational/structural approach through linked legislation.

QUESTION 3A – Do you have any comments on the steps set out in SECTION 3?

Step 1: Identifying which strategic decisions public authorities take.

The guidance here is welcomed. However we would like further examples of strategic decision making which extend beyond setting budgets. This should include development and approval of strategic plans and policies within which operational decisions will then be made, as well as decisions about strategic investments.

Step 2: Identifying inequalities of outcome caused by socio-economic disadvantage.

Keeping the processes of identifying such aspects in as similar a way as to identifying issues for those with protected characteristics is likely to be/feel less burdensome and more likely for such processes to be embedded in a routine way. It would be helpful if there were an agreed set of indicators which measure inequalities of outcome, building on the outcomes listed on page 11, and to have the data for these outcomes collected systematically at a local and national level. This data will then allow progress to be measured in each area on a common basis. This data can then be supplemented by local data which can help build on a consistent national picture.

A local fairness or poverty commission would then be able to use a consistent starting point for analysis supplemented by insights from local people affected by socio-economic disadvantage to then make improvements for the better. Such insight could also be used to change and refine key measures.

If there is a requirement to establish fairness or poverty commissions at a local level to demonstrate strategic foresight – how will this be resourced? Will this be aligned to funding already provided by the Scottish Government to the Poverty Truth Commission and the

proposed announcement of funding for three new similar bodies based locally? What is meant by local i.e. local authority level?

Step 3: Exercising the duty during decision-making

Making an adjustment to existing Equality Impact Assessments (EQIA) is a practical suggestion. However, there would need to be a consistent legislative approach so that all organisations are responsible for producing a standard IA.

Step 4: Monitoring the Impact over the longer term

We welcome the proposal to build on existing measurement frameworks and to use as many existing indicators as possible. However, as discussed at Step 1 above, we strongly recommend that a number of key indicators are selected from these existing frameworks which are then used to measure the impact over the long term. Keeping consistent indicators over a lengthy period is essential to being able to measure long term progress.

Council officers agree that it is not sensible to try to identify another measurement framework to monitor the impact of the socio-economic duty which is a broad ranging strategic duty. The measurements/data available (Council Tax Reduction, free school meals and educational attainment) are not sensitive to small change and progressing on these outcomes will be more likely to be influenced by implementation of the living wage and any future changes to taxation. (That does imply that we should not, as public authorities, also be implementing actions to reduce the negative impact of socio-economic deprivation).

It should be noted that measures such as educational attainment is both a cause and effect (not just an outcome).

QUESTION 3B - What other actions could public authorities take to demonstrate that they are meeting the duty?

We are content with the 4 high level steps indicated.

QUESTION 3C – Could you offer suggestions as to how public authorities could improve budgetary analysis and reporting so as to take better account of inequalities related to socio-economic disadvantage?

No not specifically, but it should be borne in mind the comment of other factors having a bigger effect and any analysis done by public authorities should be proportionate to their impact. Public performance reporting carried out by public authorities could be expanded to include sections about how they have carried out their socio-economic duty in the previous year and any impacts of their actions. This would be most effective when aligned with an agreed set of existing measures and indicators as referred to above.

QUESTION 3D – Can you offer examples of how public authorities and others have made best use of the expertise of people with direct experience of poverty?

This should be a feature of all person or population centred services and programmes. It should not be one-off activities. All such programmes should include engagement with key stakeholders both in designing the service upfront as well as getting continuous feedback from users and building in improvement. The Universal Support Delivered Locally programme run by DWP was a good example where there were a number of trials across the country. Argyll and Bute Council's local trial was informed from the outset from engagement through focus groups held with the target audience. In addition we developed

case studies with users and found these to be very powerful in informing key learning from the trial.

QUESTION 3E - What kind of guidance and support on meeting the duty would be most useful for public authorities?

The case studies/examples are helpful so guidance of this type may be useful.

QUESTION 3F – Do you have a view on whether public authorities should use existing monitoring frameworks to track whether the socio-economic duty is making a difference to outcomes over the long term?

Existing monitoring frameworks should be used, with guidance on how to ‘socio-economic proof’ outcomes.

QUESTION 4A - Once the socio-economic duty is introduced, the Scottish Government is keen for public authorities to look strategically across all planning processes in place to maximise their impact. What could public authorities and the Scottish Government do to make sure that the links between the different duties are managed effectively within organisations?

Council officers welcome the use of the same framework of 3Ps (prospects, pockets and places) as for Child Poverty Bill – helps draw out links between these bills. This bill is not yet in force so care will need to be taken to ensure these links are made effectively. There are similar considerations with the related duties to overcome economic disadvantage in the Education Scotland Act 2016 and proposed Education Bill.

Strategic Planning for all councils is informed by and aligned to local Outcome Improvement Plans. Specific reference to this as a route for the new duty would ensure that it is addressed jointly by Community Planning Partnerships and their constituent bodies.

However, effectiveness will be dependent upon resources being provided to public authorities to fulfil these duties. Without resources and a consistent approach for all, any impact will be modest.

QUESTION 4B – Can you offer examples of good practice in taking an integrated approach to issues such as poverty, equality, and human rights?

Case Study 1: Dunoon Grammar School, Work Based Vocational Learning (WBVL) programme

A cornerstone of the WBVL is the EXit into employment (EXite) programme which is a course aimed at young people (secondary school years S4 to S6). The Principal Contractors for the physical works in Dunoon are required to provide the programme of placements covering the core building/ construction disciplines / trades and key project support disciplines submitted in their tender submission.

McLaughlin & Harvey Ltd (M&H) the contractor commissioned and currently undertaking the Queens Hall regeneration work in Dunoon has provided Dunoon Grammar School with the necessary detail to enable them to programme the opportunities into their timetable/options for S4-S6. M&H has completed the health & safety Compliance checks with Argyll and Bute Council for work experience placements from Dunoon Grammar School. In addition, M&H has gone out and visited all of the Cowal Primary Schools to discuss how the project and the schools might work together e.g. the project will support Innellan Primary in the delivery of STEM syllabus/activities. Once demolition activities are complete each of the primary schools will be offered the opportunity for a site visit.

Case Study 2: New Money Skills Argyll programme

New Money skills Argyll programme which is the first of its kind in Argyll and Bute, focusing on improved financial capability as a means of reducing social isolation. There are nine partner providers within this programme providing:

1. Debt Advice.
2. Money Advice.
3. Money Management.
4. Fuel Poverty/Affordable Warmth.
5. Digital Literacy.
6. Income Maximisation.

The three target groups for this programme are: lone parents, low income and workless households. This financial inclusion programme is looking at poverty, debt and social isolation together and in doing so the aim is to vastly improve the lives of the most vulnerable in Argyll and Bute. It is a person centred approach focusing on an individual's needs in a holistic manner covering a wide range of needs through a single action plan which is then delivered through multiple agencies who have the best expertise and geographical presence to assist the person in the most effective way based on their needs.