

A SINGLE AUTHORITY MODEL FOR SCOTLAND

A PIPED DREAM OR REALITY FOR IRELAND?

The fact that Scotland is moving in the direction of a Single Authority Model should be watched with interest on this side of the Irish Sea, in view of the ongoing debate here in Ireland about the potential of local government to take on the role of a unified local public service platform, writes Kim Fellows, LGiU Scotland.

The introduction of a unified local public service platform in Scotland seems to be advancing following recent moves by the Scottish Government to address public service delivery on the islands of Scotland.

The Scottish Government's Programme for Scotland (2017-18) included a clause which committed the Government to *support those island authorities who want to establish a single authority model of delivering local services – including health and social care.*

We will support proposals that are developed with stakeholders, including trade unions, and which clearly improve people's lives, create efficiencies and protect local democracy and our NHS.

The Single Authority Model – known as SAM – is the latest terminology for the concept variously known as the 'Single Public Authority' or the 'Single Purpose Authority'.

SAM's simple premise (something long understood in the rest of the OECD) is that efficiency, economy of scale



and effective delivery of services are all best served by merging the public agencies operating in tandem on the ground, rather than merging each one with its opposite numbers in other local authority areas.

FOCUS ON ISLAND DEVELOPMENT

In the current case with its focus on island development, an island group with a population of 20,000-30,000 does not necessarily need multiple boards, chief executives and all the other paraphernalia of separately-governed public agencies.

It may be a simple premise, but putting it into operation would require primary legislation and a significant U-turn in British, not to mention Scottish, public policy, as the prevailing trend in public sector governance is towards nationalisation or increasing regionalisation.

The Scottish Police Authority and Scottish Fire & Rescue Service have each been tied up into a single agency. NHS Scotland has an agenda for regionalisation that already makes it more difficult for NHS boards to engage fully with their local community planning partnerships.

Very few of the statutory community planning partners listed in Schedule 1 of the Community Empowerment (Scotland) Act 2015 are located solely within the geographical boundary of a single local authority.

It is a universal truth that public bodies are wholly dedicated to subsidiarity where it devolves powers to themselves, but curiously reticent when it comes to devolving power further down the chain.

POST-INDEPENDENCE REFERENDUM

Nonetheless, Scotland's three island councils – Shetland, Orkney and Comhairle nan Eilean Siar – got together in 2013 to create a campaign – Our Islands, Our Future – which successfully advanced the argument that Scotland's islands should be granted a special status.

Exploiting the Independence Referendum of 2014, in which they laid out their vision for a stronger future, the islands played Scottish and UK governments off against each other to generate public commitments from each of special consideration for Scotland's islands, whatever the outcome of the referendum.

The Scottish Government convened a dedicated Island Areas Ministerial Working Group, which reported in June 2014 under the title 'Empowering Scotland's Island Communities'. The Islands (Scotland) Bill, sponsored by the former Minister for Transport and the Islands, Humza Yousaf MSP, and currently at Stage 3 in its passage through the Scottish Parliament, is the most substantial manifestation to date of Scottish Government's commitment.

The islands are now gearing up to strike their own deal with the Scottish and the UK governments, which focuses on improving socio-economic outcomes for people who live and work on the islands. The deal seeks political and economic commitment from both governments to a programme of investment which will secure the islands' population and employment targets over the next 10 years. An integral part of the deal will be a licence to explore new models of governance for



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the islands, with the flexibility to generate solutions that fit the islands' specific needs.

COMMITMENT TO SUBSIDIARITY

The Scottish Government has an avowed commitment to subsidiarity, expressed by the then First Minister, Alex Salmond MSP, in the Lerwick Declaration of 25 July 2013: *"We believe that the people who live and work in Scotland are best placed to make decisions about our future – the essence of self-determination; therefore we support subsidiarity and local decision making."*

'Empowering Scotland's Island Communities' broached the idea of a single authority model for the islands. One model of public service delivery, considered in detail by the Island Areas Ministerial Working Group, was the concept of one local public authority delivering all services in its area.

This is consistent with the principle of subsidiarity and has significant potential to ensure particular functions properly reflect local needs and wishes, with more direct accountability between the providers of the service and the local electorate as users of the service.

INTEGRATION JOINT BOARDS

A first step along the road had already been taken with the Public Bodies (Joint Working) Scotland Act 2014, which created

‘integration joint boards’ to which functions of the relevant local authority and health board were delegated.

‘Empowering Scotland’s Island Communities’ noted that the approach was working particularly well in the island authorities, where both bodies were co-terminous and accustomed to working closely together on primary health and social care.

There is scope for an integration joint board to form the nucleus of a new kind of public sector body, to which additional duties could be added incrementally. The report concluded: “Once the chosen means of collaboration between each council and NHS Board has successfully bedded in, the unique circumstances of each island area should allow such collaborative working to be further developed and new models for public service delivery explored.”

In pursuing a greater degree of autonomy from state control, Scotland’s islands are not unusual. Rather, they are seeking to align themselves with the many islands across the world which enjoy a flexible relationship with their sovereign state.

Godfrey Baldacchino (Island Enclaves, 2010) notes that the decolonisation of former colonies started in the 1940s with the most populous and gradually tailed off, with the remaining colonies being almost exclusively small islands. A number of these have held referenda to assess local support for independence, only to have it soundly rejected, despite encouragement from their former colonial powers.

The reason is that continuing dependency is hugely advantageous to these islands, not only from the point of view of national security but also economically. Whether you provide offshore financial services or merely issue your own postage stamps, many highly profitable activities work best on islands.

Even those islands which are firmly anchored within the legal and fiscal frameworks of their mother states can benefit from economic and governmental concessions which have little impact on the far larger economy of the state, but can be exploited locally to make a significant difference to the socio-economic wellbeing of island residents. It is this potential which Scotland’s islands wish to tap into.

FIRST TENTATIVE STEPS

The Programme for Scotland was a milestone but marks only a first tentative step along the path leading to SAM. So, how do those islands with an interest progress the matter further? The



answer may lie in the Local Governance Review, a joint initiative between Scottish Government and COSLA which is scheduled to report in November 2018. The purpose of the review is to strengthen local decision making and give communities their say on how more decisions can be taken at a local level.

On 24 May 2018, Scottish Government published a consultation paper, Democracy Matters – Your Community. Your Ideas. Your Future, described as “a short set of questions to support a conversation with people about local communities deciding their own future”. The paper firstly asks whether people would like more control over local decision-making in principle, and the poses the questions:

- Are there existing forms of local level decision-making which could play a part in exercising new local powers?
- Are there new forms of local decision-making that could work well?
- What kinds of changes might be needed for this to work in practice?

There can be no doubt that the centralisation in recent years of public services such as the police and fire services have taken them a step further away from local decision-making. Putting local public services under the umbrella of a democratically-elected SAM would restore local decision-making and bring some services under local democratic control for the first time.

There is still a long road ahead, but we can expect SAM to have some interesting conversations with local communities in the islands over the coming months, which will be of interest to an Irish audience.