

Community Empowerment and Renewal Bill



RESPONDENT INFORMATION FORM

Please Note both pages of this form **must** be returned with your response to ensure that we handle your response appropriately.

1. Name/Organisation

Organisation Name

Edinburgh Voluntary Organisations' Council (EVOC)

Title Ms Mrs Miss Mr Dr Please tick as appropriate

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3. Please indicate which category best describes your organisation (Tick one only).

Executive Agencies and NDPBs	<input type="checkbox"/>
Local authority	<input type="checkbox"/>
NHS	<input type="checkbox"/>
Other statutory organisation	<input type="checkbox"/>
Representative body for private sector organisations	<input type="checkbox"/>
Representative body for third sector/equality organisations	<input type="checkbox"/>
Representative body for community organisations	<input type="checkbox"/>
Representative body for professionals	<input type="checkbox"/>
Private sector organisation	<input type="checkbox"/>
Third sector/equality organisation	<input checked="" type="checkbox"/>
Community group	<input type="checkbox"/>
Academic	<input type="checkbox"/>
Individual	<input type="checkbox"/>

Other – please state...

4. Permissions - I am responding as...

Individual

Please tick as appropriate

Group/Organisation

(a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please tick as appropriate Yes No

(b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick **ONE** of the following boxes

Yes, make my response, name and address all available

or

Yes, make my response available, but not my name and address

or

Yes, make my response and name available, but not my address

(c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

Are you content for your **response** to be made available?

Please tick as appropriate Yes No

(d) 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?

Please tick as appropriate

Yes

No

Please ensure you return this form along with your response.

Thank-you.



**The Scottish Government
Consultation on the proposed
Community Empowerment and Renewal Bill
September 2012**

**Input from
Edinburgh Voluntary Organisations' Council
and the
Third Sector Strategy Group
on behalf of
Edinburgh's Third Sector**

In September 2011 The Scottish Government announced its intention to proceed to a Community Empowerment & Renewal Bill, and invited initial comments.

In November 2011 Edinburgh Voluntary Organisations' Council provided a [submission on behalf of Edinburgh's Third Sector](#). This input should be read with that document (Appendix One.)

[Edinburgh Voluntary Organisations' Council](#) (EVOC) is the Capital City's CVS (Council for Voluntary Service.)

The [Third Sector Strategy Group](#) (TSSG) is a city-level grouping of Third Sector interests which draws its membership from a range of thematic and geographic forums and networks. The TSSG feeds Third Sector partners into the [Edinburgh Compact Partnership](#) – part of the Edinburgh Partnership 'family.'

Key contacts are as below:

EVOC – Ella Simpson, Director: Ella.Simpson@evoc.org.uk

TSSG – Milind Kolhatkar, Community Planning Officer:

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www.EVOC.org.uk

www.EdinburghCompact.org

When the Stranger says: "What is the *meaning* of this city?

Do you huddle close together because you *love* each other?"

What will you answer? "We all dwell together

To make *money* from each other?" or "This is a *community*?"

T S Eliot – The Rock

A: Context and Process

EVOC's mission is to support the voluntary sector to build and enable resilient, sustainable and inclusive communities. The Third Sector Strategy Group brings together the breadth of interests representing the range of voluntary and community sector agencies in the city. Third Sector agencies in the city see themselves as both delivering services on behalf of funders and as a conduit to communities which are least often heard by power.

EVOC and the TSSG jointly embarked on a process of engagement, to gather views on the Scottish Government's proposed Community Empowerment & Renewal Bill, under the banner of [ThinkSpace](#) – described as 'where ideas are shared and possibilities are explored.' The city's Third Sector was invited to respond to an online survey, drawing out key themes of interest. Third Sector agencies and community groups were also invited to a ThinkSpace event – run in collaboration with the [Edinburgh Partnership](#) and the city's [Neighbourhood Partnerships](#). Thanks are due to our partners for help with planning, promoting, and delivering this engagement event.

This submission does not seek to respond particularly to the questions as laid out in the consultation document, but rather seeks to highlight key themes raised by colleagues and partners intended to inform the Bill Team's thinking.

Community is 'contested territory.' It has been described as a 'site of struggle.' Depending on one's perspective, a 'community' could mean a neighbourhood, a union of like-minded people, a town or city, or even an assemblage of disparate people online. This complexity can lead to uncertainty, or it can refer to a rich seam of strength in diversity.

B: High-Level Themes

The Role of Legislation

We heard clearly that while Legislation doubtless has a role in shaping social change, this role would have to play out within a more or less enabling context. The general view was that while Legislation can foster change, on its own it could be a more or less blunt instrument.

Legislation can be a powerful influence for good, and it is a useful way for the legislature to send a signal to society. It is in the application of the law, however, that real change will take place – and it must be recognised that different communities (or different sections of a community) can have differential access to the application of (or protection under) the law.

Democracy

If communities were to be empowered, we heard, would that mean a transfer of power away from some other group? The view was expressed that in an active, engaged democracy communities (and individuals) would already be empowered. Equally, it was recognised that social structures, democratic processes, and legislation can all at times inhibit people's exercise of power.

Far from an apathetic and disengaged populace, we heard evidence of communities which engage in a range of ways, using all the tools at their disposal to bring about the change they wish to see. For some, representative democracy - where people have access to (and are heard by) their elected representatives - works well. People clearly wished for more, however. Whilst recognising that elected members had the authority, the accountability and the responsibility to exercise power on behalf of communities, communities themselves wished to participate in more meaningful ways. In the jargon, there was an evident appetite to move from representative democracy towards participative democracy.

Inequalities

The unequal distribution of resources within our society damages community life for all of us. The city's Third Sector is led by the guiding principles of Mutuality, Equality and Human Rights. The Bill Team must consider the

potential for community empowerment to impact significantly on reducing inequalities.

Government obviously has a broad duty to promote equality and to tackle inequalities. This proposed Bill, however, represents a real opportunity to take particular action intended to redress power imbalances within our society. A robust impact assessment – ideally built around the lived experiences of citizens - should be conducted to highlight opportunities for this proposed legislation to build a more equal Scotland.

C: Community Aspirations

Community Ownership or Influence ?

People we spoke to were not uniformly keen on asset ownership per se. We heard the view that an 'urban community right to buy' might represent a range of opportunities, but raised just as many questions as answers. On balance, the prevailing view was that people and communities would prefer to have greater influence over the use of and disposal of publicly-owned land and buildings, rather than taking on all the legal and technical responsibilities that come with ownership.

The outcomes that people wanted centred around what publicly owned buildings or land might be used for, rather than who owned the land or building. If ownership unlocked an asset for use by community groups, that would be desirable, but care would need to be taken that the responsibilities of ownership were not overly onerous.

Influence over What ?

The Third Sector in Edinburgh clearly has an appetite to influence public policy. EVOG both represents the interests of the city's Third Sector at partnership forums and supports others to represent sectoral or thematic interests around Community Planning tables.

As relationships with the Public Sector grow stronger, the Third Sector is increasingly encouraged to participate in shaping service design. At the sharp end, following a user-led approach, Third Sector organisations routinely include people and communities in service delivery.

Edinburgh has embarked on a couple of neighbourhood-level experiments with including people in budget decisions. That these processes continue should be taken as evidence that partners see value in this approach.

This fits with a theme that has growing currency within Edinburgh's Third Sector – Co-Production. [EVOC uses the following definition of Co-Production](#), which links in powerful ways to the community empowerment agenda.

Co-Production is about equal and reciprocal relationships between people (or groups of people.)

Co-Production is about Equal and Respectful, Trusting and Purposeful relationships between

(a) policy-makers and those affected by policies,

(b) service-providers and service-users, and between

(c) budget decision-makers and those affected by budget decisions.

These three describe Co-Production of Policy, of Services and of Budgets.

To Co-Produce is to build (something) together, to co-create, to jointly develop.

If Edinburgh communities were enabled to engage meaningfully in policy development, service design and delivery and in budget decisions – these would be marks of truly empowered communities.

Enabled to Engage

We heard considerable evidence of a willingness and a desire to engage with power. People, individually and jointly, took it as read that they wished to play an active role in the life of our city.

We heard, also, that it is not always easy to engage. Disabling and inhibiting factors abound and progress can be slow. Legislation should work to remove the barriers, to support the enablers, and to provide communities with the resources and the tools to engage in effective ways.

There is a powerful potential role here for the Third Sector – as anchor organisations, as advocates, and as 'experts on tap' available to support community action. The Sector already plays that role – but it is not often supported to perform that function, and the pace of change can be slow.

Build on what already exists

People's experience of engaging with Community Planning can vary. Within the scope of one piece of Legislation and led by a single Local Authority, local variations continue to appear. This can be frustrating to communities, and can be difficult terrain for the Third Sector to negotiate.

We heard an appetite for a concerted effort to strengthen Community Planning – so that the existing legislation is used to its best effect – before considering further legislative layers which could end up being confusing rather than adding clarity.

D: Looking Forward

An Appetite for Empowerment

It has been a source of some encouragement to EVOC that the Third Sector continues to articulate an appetite for empowerment. Despite the inhibitors, the blockages, the impediments – people still wish to play a full and active role in their local communities; and communities still expect to have influence and bring power to bear in order to make positive change.

In conclusion, we present a few ideas about what a future social landscape might look like – where relationships of trust were the norm, where people expected to be take responsibility, where those with power clearly exercised it on behalf of the communities they serve.

Start Young: A culture of empowerment cannot be built overnight. The more that children and young people are meaningfully included in decisions which affect their lives the more they will come to expect parity of esteem when they become adults.

Tell a Good Story: As communities articulate their aspirations a story of the future will emerge. It is the responsibility of all to mould and shape the narrative towards positive ends. Those who have power must use it to enable agency and voice for those who are less well-off. Those people who are traditionally excluded from power must speak up and tell a positive story of the future we all want to share.

Honesty is the Best: Communities have an in-built ability to see through disingenuous dissembling. People tend to know when we are being 'talked at' or 'done to.' Not all communication is engaging; and not all engagement is empowering. Of course there are times when just providing information is the appropriate thing to do. When we mistake information provision for engagement, or when we conflate engagement with empowerment, that is when we damage the delicate relationships of trust on which an empowered future must be built.

E: Particular Responses

A quick-and-dirty survey of those people who attended our ThinkSpace event yielded the following results – ranked in order of preference (1 = Top.)

Q: Which of these will most support Community Empowerment?

1. An Overarching Public Sector 'duty to engage'
2. Strengthen Community Planning
3. A Public Sector duty to apply the National Standards of Community Engagement
4. Participatory Budgeting
5. A Community Right to take over underused or unused public assets
6. Strengthen Community Councils
7. A named Local Authority 'accountable officer' for Community Participation
8. An Urban Community Right to Buy
9. A Community right to use unused or underused public land temporarily
10. Strengthening Tenants' Rights

Appendix One



Edinburgh Voluntary Organisations' Council
14 Ashley Place, Edinburgh EH6 5PX

Scottish Government – Community Empowerment & Renewal Bill

Edinburgh Voluntary Organisations' Council Submission On Behalf Of Edinburgh's Third Sector – November 2011

Prompted by a letter dated 20th September 2011 from Alasdair McKinlay of the Scottish Government's Housing and Regeneration, Culture and the Commonwealth Games Directorate, Edinburgh Voluntary Organisations' Council (EVOC) held an open ThinkSpace event on Wednesday 16th November to gather the views of Third Sector colleagues on their aspirations for the Scottish Government's proposed Community Empowerment & Renewal Bill. EVOC welcomes the opportunity to share the Sector's views at an early stage in the development of this Bill.

A diverse group spent the morning together considering current (Edinburgh, Scottish and UK) contexts, the story of community empowerment in Scotland, and prospects for communities to play a more active role in shaping the factors which influence our lives. Running through the discussion was the theme of change – and the shifting role for Scotland's Third Sector in actively influencing positive change on behalf of the communities we serve.

Given the range of influencing factors leading up to the present interest in Community Empowerment, the group particularly considered two key drivers: the role of Asset Transfers in empowering communities, and the desire to reshape Public Services with communities at the heart of service design and delivery.

We have not attempted to reproduce here the full detail of the conversation, but have drawn out the key themes which clearly evoked significant interest from Edinburgh's Third Sector.

DEFINITIONS

The group clearly felt that definitions were important, calling for clarity in communications. Particularly, it was felt essential that all parties were clear about the terms Assets, Community and Ownership.

Assets

Whilst much of the focus in discussions so far has been on physical assets, it is the Sector's view that this definition could be broadened out. It was felt important to answer questions like: Under what conditions might a service be an asset? or When might a physical 'asset' actually be a liability?

Community

The Sector clearly recognises that 'community' is a flexible and contested concept. Depending on the context, people will identify with different communities at different times and for different purposes. A narrow and inflexible definition of community could inhibit ownership and belonging rather than growing community cohesion.

CoProduction

Third Sector voices welcome the growing interest in a CoProductive approach which puts people at the heart of service re-design and helps create the conditions where people (seen as 'reservoirs of value' rather than merely as 'bundles of need') play an active and engaged role in service delivery.

Democracy

The broad Community Empowerment agenda should be framed in the context of enabling an Engaged and Informed Democracy that enhances citizens' agency and voice. Third Sector voices consistently call for the balance to shift from a remote representative democracy to a pluralist participative democracy.

Ownership

This term is seen to be central to the whole process of Community Empowerment. The Sector recognises clearly the divergence between two linked definitions of the term – Ownership as 'belonging to' (Hands off *my* cake!) and Ownership as 'belonging with' (Welcome to *our* place!)

Placemaking

Beyond re-designing *services* with people and communities at the heart of shaping change, the Sector has a powerful aspiration for *places* to be shaped and structured

for people rather than for the convenience of planners – or, worse, for powerful vested interests.

Subsidiarity

The group felt strongly that the *locus* of decision-making was of central concern. Recognising that certain decisions had to be made on a wide geographical basis (city-wide, national and international) it was the group's view that communities generally felt a greater ownership of decisions that were made at a level 'close to the ground,' exemplifying a 'human scale.'

KEY THEMES

With considerable experience in engaging with communities, articulating a voice for those least often heard, and responding to needs by creating and shaping the services that people need, Edinburgh's Third Sector clearly sees itself as rooted in communities. Increasingly the Sector engages with public agencies – and, importantly, with Community Planning Partnerships (at local and city level,) but this engagement is only seen as useful insofar as it brings about change for those communities traditionally denied a voice. Given the range and diversity of Third Sector organisations, groupings and interests it is unhelpful to pretend that the Sector is one homogenous entity. There are, however, certain key concerns which bind the Sector together, and certain key themes most in the Sector would recognise as their own – it is EVOC's role to explicate and articulate these key concerns and themes.

Role for the Third Sector

The Third Sector traditionally sees itself as rooted in communities and as articulating a voice for those least often heard. This ethos of being responsive to changing community needs and of being an intermediary between citizens and the State continues to resonate. The Scottish Government's support for Community Planning and its Change Funds (to pick two examples) presume an enhanced role for Scotland's Third Sector. EVOC's view is that the Third Sector is more than willing and able to play a more active and engaged role in shaping national social policy and local delivery. This enthusiasm for a stronger role in public service design, service delivery, and 'bridging the gap' between communities and the public sector requires support and resourcing – just as expectations of Third Sector organisations are growing, many groups are experiencing a reduction in funding. The Sector plays an important role in Scottish civil society which – while cost-effective, is not cost-free.

Prompted by pressures on funding brought on in large measure by the global financial recession and its continuing impacts, the role of Local Authorities appears to be changing – with some explicitly 'retreating' to statutory services and leaving the Third Sector to respond to broader social needs and pressures. Unless such

changes are managed so as to lessen the negative impacts on our most vulnerable citizens, it is likely that pressures on the Third Sector will increase to unsustainable levels.

Never particularly well-resourced, Community Councils are also 'feeling the squeeze.' While opinions on the effectiveness of these statutory bodies will vary, Edinburgh's Third Sector is alive to opportunities to engage more effectively with Community Councils, working together to deepen democracy.

Democracy

The prevailing narrative suggests that people are increasingly disengaged from politics, that voter apathy continues to drive low turnout at elections, and that most people have come to have low expectations of public authorities and public services.

Edinburgh's Third Sector tends to view that narrative as partial, inaccurate, and – possibly - politically expedient for certain interests. While citizens and communities can often be dissatisfied with their local councils and/or councillors, their desire for an active engagement with – and influence over – their communities is obvious, with volunteering levels rising and engagement with 'non-traditional' politics growing.

Possibly people are disengaged from traditional representative democracy (where the only 'engagement' expected of citizens is that once every five years they 'choose' between very similar-seeming candidates) and have a hunger for a more participative democracy which reflects a more active and informed engagement built to create real change.

The Third Sector continues to be staunchly apolitical – in the sense that we are not aligned with one political party or another. The Sector *is*, however, deeply political - in the sense that it wishes to play an active role in shaping the socio-political-economic context within which it operates.

CoProduction

The language of CoProduction - which presumes equal and respectful, trusting and purposeful relationships - increasingly resonates with the Third Sector. This approach has the potential to empower communities, deepen democracy and reduce inequalities – all issues of enduring importance to the Third Sector.

Evidence suggests that involving people meaningfully in the CoProduction of services can deliver better, more sustainable services and enhance people's sense of agency and control. This model should not, however, be seen as replacing excellent quality universal services. The Third Sector, similarly, should not be seen as 'a cheap option,' in the delivery of public services.

CoProducing policies, services and budgets will go a long way – in our opinion – to empowering communities and ensuring that people have the wherewithal to

exercise the range of their human capabilities. The Third Sector will wish to play a pivotal role in enabling the development of this form of engagement.

Community Ownership of Public Assets

While ownership can be empowering, not all ownership empowers. Owning a derelict building which soaks up resources can be a profoundly disempowering experience.

It is quite right to concentrate on the relationship people bear to the physical assets they use – but presuming that ownership is the only way to enhance ‘belonging with’ is overly reductive. Most communities wish to ‘belong with’ their local library or school or community centre – but not all communities expect the centre to ‘belong to’ them.

In this context the differences between urban and rural communities in Scotland need to be more clearly understood. An enabling environment which encourages people to have greater control over how local assets are used might include a community right to buy, but this one size will not fit all communities.

CONCLUSION

Generally speaking, Edinburgh's Third Sector is enthusiastic about the opportunities for the proposed Community Empowerment and Renewal Bill to enable a more active and engaged role for citizens in determining their life circumstances.

An assets-based, appreciative culture informs the Third Sector ethos – but this can often be seen to be at odds with the risk-averse, over-cautious culture which can influence Public Sector thinking. The Third Sector seeks to move away from the model where services are designed for administrative convenience to an approach which meaningfully puts people and communities (their needs and their assets) at the heart of service design and delivery.

In drafting the Bill Scottish Government needs to consider the differences between rural and urban communities, and must pay particular attention to the needs of those communities which are traditionally disengaged and disempowered.

The Third Sector sees itself as belonging with Scottish Civil Society and thus sees itself as having a vital role to play in shaping the relationships between citizen and state.

Any community empowerment activity will aim to deliver a deeper and more meaningful democracy, and this will require better engaged and informed communities. Capacity will need to be built within communities, but equally the capacity of the statutory sector will need to be built – equal and respectful, trusting and purposeful relationships must be developed in order to CoProduce social value.

The Third Sector continues to see a role for itself in Community Engagement and Empowerment. Firmly located within Scottish Civil Society, we see our role as facilitating and supporting change and as enabling agency and voice for those people and communities who are least often heard.

As Scottish Government progresses towards publishing its Community Empowerment & Renewal Bill, EVOC will continue to engage. Any questions on this submission, particularly, should be addressed to Milind Kolhatkar in the first instance.

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