

**Report to Partnership Meeting – 3<sup>rd</sup> April 2009**

**COMMUNITY PLANNING**

**SINGLE OUTCOME AGREEMENTS (SOAs) 2009  
GOVERNANCE & ACCOUNTABILITY of SOAs**

**SUMMARY**

Advice from the Director General Economy and Chief Economic Advisor to the Scottish Government indicates that signing up to SOAs is a formal corporate commitment of each Council and Boards of Public Sector Partners. HITRANS within its legal commitments has a duty to engage in Community Planning and the Board is therefore asked to consider each CPP's draft SOA prepared by each of the 5 Councils.

HITRANS has received copies of the Draft Single Outcome Agreements as submitted to Government from each of the Community Planning Partnerships in the HITRANS area and these have been provided to Board Members. The Report recommends that the Board consider the Draft submissions and responds to each Partnership confirming our commitment to the SOA and indicating, where considered appropriate, any way in which the Board considers value could be further added to the Draft Document.

**RECOMMENDATION**

The Board is asked to consider the five draft Community Planning Partnership SOAs and agree to agree to adopt each SOA as a corporate commitment of HITRANS, acting as a partner, taking on board the suggested additional input to and comment on each SOA as detailed in Appendix 2.

**DETAIL**

As a companion document to the Guidance for Community Planning Partnerships on Single Outcome Agreements issued from the High Level Steering Group (HLSG) on Single Outcome Agreements, a note, as included in the Appendix 1 to this Report, has been issued by the Concordat Oversight Group (COG).

The Guidance recognises that as second phase SOAs, from 2009, would be an agreement between the Scottish Ministers and Community Planning Partnerships (CPPs) and thus signed by Councils, statutory community planning partners and, as a minimum, those public bodies in the CPP. It was therefore considered that there was a need to identify good practice and workable options for governance and accountability which will support the collective delivery of national and local outcomes.

The note attempts to spell out some of the broader issues of governance and accountability and the expectations different partners and stakeholders might have of these. The guidance aims to set out what councils and their partners are committing to in signing an SOA and the subsequent implications to them of these commitments.

HITRANS can contribute to community planning and has offered to become full partners of each of the Partnerships established by the five constituent Councils. The Board agreed this

action at its Meeting in October 2007 and a request was subsequently made to each Council, as leaders of the local community planning process to consider this request. Most CPPs were then, and still are, in the process of developing the structure of their Partnership and establishing how best it can help deliver the Government's Purpose at a local level, through implementation of Single Outcome Agreements. HITRANS has provided input to each SOA as noted by the Board at its meeting on 6 February and it is now appropriate, based on the Guidance included in Appendix 1, for the Board to consider each Draft SOA as submitted to Government by the CPPs and agree to adopt each SOA as a corporate commitment of HITRANS.

**Report by:** Dave Duthie  
**Designation:** Partnership Director  
**Date:** 25 March 2009

## **Appendix 1**

### **Note on Governance and Accountability for SOAs**

1. The Guidance to Community Planning Partnerships issued in October 2008 indicated that further good practice advice on governance and accountability might be useful. Discussions with Councils and their partners since then have indicated that this was seen as desirable, as the October 2008 Guidance was quite narrowly focused on the expected structure and content of an SOA, and the arrangements for the development, agreement and signing of SOAs in 2009. This note attempts to spell out some of the broader issues of governance and accountability and the expectations different partners and stakeholders may have of these.

### **Background**

2. The governance and accountability framework for SOAs flows out of the Concordat between national and local government in Scotland who between them have the political accountability for the performance and good value of all of our public services. The Concordat combines support for an agreed framework of national outcomes with a commitment to SOAs based on local needs, local circumstances and local priorities. Phase 1 of SOA development was focused on initial agreement with Scottish Ministers and Councils: This next phase brings the SOA into the Community Planning Partnership.
3. Two points are worth noting. All the statutory public sector partners to Community Planning are ultimately accountable to Ministers and Parliament or Councils. In that sense, an agreement between Ministers and Councils could be seen to cover other partners as well. However, partners have an independent statutory basis conferred by Parliament, and powers, duties and accountabilities that flow from that. As constituted public boards, they will have to consider their commitment to the SOA against that background.
4. The second important background factor is the law and guidance with respect to Community Planning itself. That places a duty on Councils to lead the Community Planning process; on named partners to participate in the process and on Ministers to facilitate and support the process. For present purposes, two key points need emphasised. First, although there is provision for it in law, no CPP in Scotland has chosen to incorporate itself as a partnership. In terms of good governance and accountability for performance as public finance, CPPs operate on the authority of the parent bodies, not their own authority.
5. Second, Community Planning is not just about public partners but also about communities, the third sector and the private sector. Most CPP Boards in Scotland have that wider representation. Accountability for public finance and public performance however, still unambiguously lies with the public partners within Community Planning. It is important that the wider CPP engages with and agrees the SOA but public accountability for it lies with the public sector partners.
6. For those reasons, the Guidance issued in October noted that all statutory and, 'other relevant', public partners would be signatories to the SOA, not the partnership, which as an unincorporated body cannot commit the individual public sector partners. This is not to demote the CPP, or the community, third sector and private sector representatives on the CPP Board. It is to be clear about the current status of CPPs, and the fact that only Councils and their public partners can be ultimately accountable for public spending and public performance. The whole CPP should agree the SOA but the accountable signatories will be the public partners individually.

## **Governance and Accountability**

7. The logic of the guidance is that the public governance and accountability for SOAs locally flows from the Councils and the Boards of the statutory and other public sector partners. That being the case then it is important to spell out clearly what Councils and their partners are signing up to when they sign the SOA with Ministers. At minimum, this includes:
  - (i) That partners are signing up to the whole SOA, not selected parts of it.
  - (ii) That signing up is equivalent to adopting the SOA as a formal corporate commitment of the Council or Board.
  - (iii) That such a commitment is to support the delivery of the SOA in all possible ways compatible with their duties and responsibilities.
  - (iv) That all partners are willing to review their pre-existing structures, processes and resource deployment to optimise delivery of outcomes.
8. What this patently does not mean is that each partner is signed up to deliver all of the services and infrastructure necessary to achieve outcomes: None of them has unrestricted general empowerment. What it means is they are corporately committed to the agreed outcomes for the area and its people and, within the constraints of their duties and responsibilities, will take every opportunity to promote and support the achievement of outcomes. For example, Health Boards are not empowered to be economic development agencies, but they are entirely able to review how they use their procurement and recruitment capacity to better support local economic outcomes.
9. In relation to the Enterprise Agencies, whilst they remain statutory Community Planning partners their remit has changed. They no longer have responsibility for a number of functions that are of importance to local economic development (*i.e. Skills, Business Gateway, and in the case of Scottish Enterprise local regeneration*). These are now the responsibility of Local Government or Skills Development Scotland. While the work of Scottish Enterprise in particular is now more firmly focused on the achievement of national outcomes, the Enterprise Agencies continue to have an important and beneficial role to play within SOAs. This role includes working with local partners to establish economic challenges and opportunities, to contribute to articulating realistic and stretching economic outcomes and where national and local outcomes are complementary, to contribute to the delivery of local outcomes.
10. Once the Council, the Boards of partners and the CPP have agreed on the outcomes to be achieved (and it is critical that they explicitly decide and own the SOA), it would normally be delegated to Chief Officers to come up with appropriate recommendations about implementation arrangements.
11. This will be likely to include each partner looking at how they individually can contribute to outcomes and prioritising these contributions through their corporate, service and financial planning processes. It may be helpful here for each partner to think in terms of 'lead' and 'value added' roles with respect to outcomes. A 'lead' role is where a partner has a substantial primary role in delivering the outcome; a 'value added' role is where that is not the case but value can be added by innovative thinking, targeted partnering, etc. Each partner will need to do work on this themselves and, for accountability, show that a 'golden thread' runs from the SOA through their planning, resourcing and performance management processes. This individual work needs to be shared, and a matrix of contribution and performance commitments created for reporting individual and collective progress.

12. As importantly, most outcomes will need to be delivered on a partnership basis, from intelligent alignment through to integrated partnerships, and it will be important that the SOA drives review, development and innovation here. The SOA focuses questions about whether existing arrangements are 'fit for purpose', including the wider CPP itself or specific delivery partnerships that are part of it. The presumption of the SOA is moving beyond 'business as usual' and the whole process is developmental. Critically, the SOA provides the basis for strengthening and deepening Community Planning which remains a statutory commitment for all partners.
13. The potential of a Chief Officers Group here is important. Driving SOA commitments through partnership, corporate and service planning and improving budgetary alignment and resource allocation is an executive leadership, not a co-coordinative role. Discussions with SOLACE, ACPOS, CFOAS and the NHS Chief Executives Group indicate that current schemes of delegation would encompass this role, and would bring more senior level engagement with implementation issues than has sometimes happened at earlier stages of Community Planning. Accountability will be directly back to the Elected Members or Boards.

### **Key Points**

14. It is clear that external scrutiny, and the performance and accountability frameworks for public bodies, will progressively be focused on national outcomes and SOAs. The Guidance on SOAs for public bodies emphasises this. The Guidance to Health Boards makes contribution to local outcomes a key part of their performance and accountability framework and BV2 will provide a similar framework for Councils. This means that individual and collective performance management and self-assessment around outcomes is critical. Strong baselines; robust measure of performance; challenging targets and comparability with others need developed at the outset as a basis for governance and accountability.
15. The guidance already issued emphasised that outcomes cannot be 'done to' people and communities, geographical or community of interest. Public services need to engage people and communities, and work with them to achieve mutually shared outcomes. The immediate challenge for the public signatories of SOAs will be to assess whether the mechanisms and levels of engagement achieved to date are sufficient for the delivery of the SOA and, if not, how these can be strengthened and improved.
16. Finally, the development of SOAs is a work in progress, and has been explicitly and repeatedly defined as a 'developmental process'. It would not be inappropriate therefore to have short-term outcomes related to developing and improving governance, performance management, and accountability to local communities built into the SOA itself, accompanied by progress measures and targets. This could certainly flow from National Outcome 15, but is, in any case, an entirely legitimate local priority.

### **Conclusion**

17. The above is not an innovative proposal: It is largely a statement of where we are. It does not preclude possible future developments (e.g. widespread incorporation of CPPs) but it does spell out the only public governance framework available for the next round of SOAs. Moving beyond this position, and developing the CPP as a more robust basis for collective governance and aligned performance management, is an important task for the next phase of SOA development.

## **Appendix 2.**

### **Comments on Draft SOAs:**

#### **Draft Single Outcome Agreements**

##### **Comments on current Drafts as submitted to Scottish Government**

The development of SOAs for 2009/10 by Community Planning Partnerships is an iterative process in which the initial draft as submitted at the end of February 2009 is subject to consideration by Government, and Partner Organisations at a corporate level before the final Document is signed off by all Partners later in the year.

The Board is therefore asked to consider each Draft as currently developed and to consider endorsing the full SOA in principal, and feeding back any positive input from a HITRANS perspective which would add value to the final SOAs.

The following comments are offered for consideration of the Board:-

##### **Moray Community Planning Partnership SOA 2009/10 -27 Feb 2009**

The Document clearly identifies the issues facing Moray and in particular the critical part that improved transport services and infrastructure can play in delivering the 15 national outcomes within the Moray area. In terms of local priorities 8/9 regarding Roads/ Transport and Economic Development, mention might have been made of the need for better public transport connectivity from the Area to both Aberdeen and Inverness airports to promote sustainable inward investment and tourism. The key roles of the strategic transport corridors their development both in terms of infrastructure and services is highlighted. With the promotion of improved bus based public transport by extending the JET bus service to Elgin through the European START project, and the efforts being made by NESTRANS to improve links at Aberdeen Airport, improvements in this area should become apparent during 2009/10 to the overall benefit of the community.

##### **Argyll and Bute SOA 2009 Submission**

Argyll and Bute Partnership goals are aimed at promoting economic development in three areas, in the town centres and waterfronts, in the strategic transport network, and in vulnerable areas. Strategic transport outcomes as reflected in the RTS and the LTS are therefore included as elements in the means by which the Partnership will seek to achieve improvements in National and Local Outcomes.

In National Outcomes 6 and 14, on health and the environment respectively, the efforts being made to improve overall health by encouraging walking and cycling through Travel Planning scheme implementation will help achieve the outcomes identified. Targets in this area might help focus commitments to monitor and implement travel plans now in place.

## **Orkney Community Planning Partnership SOA 2009/11**

The draft SOA identifies clear aims of the Partnership and in transportation terms focuses on the means by which transport service improvements can help Orkney achieve its aims and how in doing so that will assist Government in achieving its National Outcomes.

While HITRANS is not currently being considered for full membership of the Orkney CPP it can and does add value to realising the aims of the CPP and supports the Partnership and Council in achieving its identified 'asks' of Scottish Government. This input from HITRANS is recognised within the SOA.

## **SOA between the Highland Community Planning Partners and the Scottish Government 27 Feb 2009**

In the Draft SOA HITRANS are not being asked to be a party to the Agreement nor corporately to commit to its delivery. It is understood this document is currently under significant review, and in particular the task of identifying local outcomes has yet to be completed and incorporated in the SOA. Only seven specific Partners are being invited to sign the Agreement, and four others are involved through alignment of strategies. This appears to be at odds with Guidance from Government and the duty of Regional Transport Partnerships in engaging in Community Planning. Clarification will be sought as to how HITRANS can best engage in Community Planning in the Highland Council area and work with the other partners in delivering the Government's National Outcomes at a local level.

The Scope of the Agreement, as defined in Para 2 covers only local authority services in Highland. The document however states that it is focused on regional priorities aligned to national outcomes.

At a regional level HITRANS is working on initiatives that will add value to the economy, improving access, safeguarding the natural environment and reducing carbon emissions and would welcome the opportunity to offer input into how the local outcomes, when identified, can best be achieved through partnership actions in the transport