



## Submission to the Call for Evidence from the Commission on the Future Delivery of Public Services (The Christie Commission)

March 2011

Scottish Environment LINK is the network for Scotland's voluntary environmental NGOs, over 30 bodies, collectively representing around half a million people and a range of environmental interests. LINK members share the common goal of contributing to a more sustainable society and are active in supporting and securing a range of both legislation and policy development focussing on the environment and its role in Scottish life and the country's economy.

We are pleased to have this opportunity to submit views on future public service delivery. We are very much behind the focus on improved outcomes, higher quality services which address underlying causes of need as well as symptoms, and innovation which produces better outcomes as well as removing obstacles and opening opportunities for improvement. Significant progress has been made in the last decade, in legislative and other ways, which point Scotland on a path to sustainability - but this is a challenging goal (with particular reference to our current consumption compared to developing countries) and in reaching it public service provision can play a major part.

A major issue is the need to recognise both the **broad and narrow definitions of 'public services'**. A **narrow definition** would be that "public services" are those services currently, or foreseeable, provided by individuals, families, the state and voluntary organisations (or purchased by them from the commercial private sector) for the purposes of promoting wellbeing in our society and the social welfare of citizens. In this narrow definition, the services are primarily perceived as tackling problems in the field of social policy. The vision described in the published remit for the Commission suggests that this narrow definition is to be the focus of its work.

"We have a vision of Scotland's public services that (*inter alia*):

- are delivered in partnership, involving local communities, their democratic representatives, and the third sector
- support a fair and equal society
- protect the most vulnerable in our society
- are person-centred, reliable and consistent
- are easy to navigate and access
- are appropriate to local circumstances, without inexplicable variation
- are designed and delivered close to the customer wherever possible, always high quality
- include accessible digital services, that are easy to use and meet current best practice in the digital economy

Such a description of Scotland's future public services can only fit within the narrow definition described above. This narrow definition is also completely consistent with the remit and findings of the Scottish Government's **Independent Budget Review (IBR)**.

LINK members strongly advocate that, in addition to the narrow definition, a **broad definition** of "public services" must be acknowledged in future. For example, when a government provides environmental, economic or social regulation, it provides a service to the public, for the improvement of their lives or their protection – a "public service". When a commercial enterprise such as a shop, a bank or a hotel provides a service to the public, it too is a "public service", regardless of whether it is purely social in its scope (and this is particularly important in smaller towns with smaller numbers of enterprises or services at the heart of their communities). Similarly, the voluntary sector provides many, many "public services", covering, for example, sport, the arts and environmental campaigning. These public services do not fit neatly into the narrow definition above, and fall outside the strict field of social care, although they too deliver clear social benefits.

Such public services are distinctly compatible with the Scottish Government's vision as given in the Commission's remit. They:

- are (often) delivered in partnership, involving local communities, their democratic representatives, and the third sector;
- tackle causes as well as symptoms; and
- support a fair and equal society.

They also importantly relate to Scotland's work and targets in meeting our international obligations for e.g., reducing our consumption, curbing the country's emissions, developing safer and greener technologies which will support and provide sustainable livelihoods for Scotland's future generations. In examining "structures, functions and roles, to improve the quality of public service delivery and reduce demand through, for example, early intervention", the Commission cannot do this within the narrow definition alone and needs to place the task in the context of that broader definition, our broader society and our physical environment.

In particular, where the remit states that the "Commission should take a long term view and not be constrained by the current pattern of public service delivery, but should recognise the importance of local communities and the geography and ethos of Scotland as well as the significant direct and indirect contribution the delivery of public services make to Scotland's economy", we are strongly of the view that an approach encompassing the wider perspectives of the whole of public policy is essential.

## **Sustainability and the longer term**

One of the biggest challenges facing the world is containing and directing development within sustainable parameters. This must be a key principle behind public service delivery in future - in both the hard and the easier economic



times. The most widely supported definition of sustainable development is Brundtland's, i.e., "development that meets the needs of the present without compromising the ability of future generations to meet their own needs." It is in this context that LINK members are responding to the Commission's main lines of questioning.

### ***1- How best can our public services achieve positive outcomes for and with the people of Scotland?***

The environment (its protection and enhancement) is a "service to the public". While usually not a service to individual citizens, as individuals, it is still a service – provided by Government to the public at large. Similarly, achieving environmental sustainability will be a service to the public – and a long-term service.

The services provided include utilitarian ones such as safe food and water, reliable (and we would argue responsible) transport and travel, flood management, carbon sequestration, access rights leading to improved health and "intrinsic value" services such as enjoyment of natural beauty (especially within the setting of our landscapes), scientific knowledge and recreational opportunities. Evidence demonstrates that people place considerable value on just "knowing the environment is there and safe" and on its contribution to the "image and culture" of Scotland. This latter value contributes hugely to the attraction of Scotland as a tourism destination. 'Green tourism' is worth £100s of millions to our economy, and the pristine image of Scotland matters enormously to its exports including whisky and all sorts of agricultural products. These in turn link to the role of sustainable development within education and training, and the importance this will play in future.

The benefits of these services play out, though, in the longer term – and not in the short-term of tomorrow's headlines or the next election's prospects. If we can persuade people that it is best for environmental and health reasons to walk to work or have their children cycle to school, the benefits might still be being reaped in 50 or 60 years, with lessened demand on the NHS and social care because people are fitter. If we can cut emissions and sequester carbon now we can look forward to far less expenditure on the effects of climate change because they will have been lessened. If people have are persuaded now to enhance and enjoy their natural environment and take their recreation in Scotland's wonderful landscapes, in future years we might have a less stressed society and one with less absenteeism at work and fewer mental health problems. Similarly, empowerment of communities in an assets based model for improving health should mean that individuals and communities can gain the ability to take control over how to tackle their own problems.

LINK asks the Commission to consider not just the short term but to seriously address the long term issue of what effect the environment has on people's lives and how achieving sustainability might improve the long term prospects of our communities. Little if any research evidence exists to place values on the type of environmental improvements we have used as examples above, but if, for example, increased outdoors recreational activity does cause significant long term improvements in health, it is time that we began to quantify the benefits.



The cumulative savings of small investments in creating recreational opportunity now might well be vast over coming decades.

## ***2 - How best can wider organisational arrangements (including functions, structures and processes) support and enable the delivery of effective services?***

For all the reasons given above, the “service” provided by central Government, its agencies and local government in protecting and enhancing the environment must not be forgotten. Health and education are not the only services – there are many others, some listed above - and, indeed, the environment can contribute to health and to education - often very cost-effectively.

These environmental services are provided in various ways: through legislation; via regulation; by the provision of advice; and through financial and fiscal incentives/disincentives. In some cases they are delivered directly through public service organisations, for example in the form of local authority rangers, archaeologists and sustainability and biodiversity officers. All of these services need adequate funding – although the investment is probably repaid many times over in the cumulative impact of the services delivered. Additionally, similar services are provided by the Scottish government and its agencies: water quality assurance in rivers, lochs and the seas; designation and proper management of our special sites for nature; and the control and prevention of pollution.

Given its role in Scottish life and livelihood, the natural and built environment must not be an accidental victim either of current budget cuts or of future re-organisation of public service delivery.

To take one specific example of how organisational arrangements and silos need to be tackled, the cost to the NHS of falls on icy pavements is considerable, to say nothing of the cost to the individual, especially older people, yet it is local authorities who have to shoulder the cost of gritting the pavements which offers part of the solution. In short, there needs to be an improved way of sharing costs and savings between the NHS and local authorities.

## ***3 - What shared values and ethos should underpin Scotland public services, and how best can they be embedded in the delivery of public services in the future?***

LINK believes that the four key principles in the 1997 report of the Consultative Steering Group have served Scotland exceedingly well – and should apply not just to the Scottish Parliament but to all of Scottish public life. The original words are given below but they should be expanded to apply to all public bodies and services.

- **“Sharing the power** - the Scottish Parliament should embody and reflect the sharing of power between the people of Scotland, the legislators and the Scottish Executive;
- **Accountability** - the Scottish Executive should be accountable to the Scottish Parliament and the Parliament and Executive should be accountable to the people of Scotland;



- **Access and Participation** - the Scottish Parliament should be accessible, open, responsive, and develop procedures which make possible a participative approach to the development, consideration and scrutiny of policy and legislation;
- **Equal Opportunities** - the Scottish Parliament in its operation and its appointments should recognise the need to promote equal opportunities for all."

In addition to these key principles LINK suggests the following principles should be applied to the services provided by government, its agencies and the services it funds.

- **Consistency:** The tools of government should be applied proportionately. For example, if regulation (and indeed the criminal law) are used as tools to order the use of cars and other vehicles because of their importance (and dangers), we believe that similar tools of government should be used for land management, which is of huge importance to our sustainable future. But at present, mandatory regulations and laws are applied to the one while the other is governed by inefficient subsidy, fiscal and other incentives, and often ineffective voluntary codes of practice.
- **Sustainability:** Duties of sustainability (using the UK Government's accepted definition) have been attached to a whole variety of legislation and services. This should be spread across all government and public services, the alternative being further inconsistency but more tellingly the massive squandering of our natural resources by government in its activities. A start has been made in this direction with the new Public Bodies Climate Change Duty under Part 4 of the Climate Change (Scotland) Act 2009, which came into effect on the 1<sup>st</sup> Jan 2011. It requires public bodies, to exercise their functions, in a way:
  - (a) best calculated to reduce greenhouse gas emissions;
  - (b) best calculated to adapt to the impacts of climate change;
  - (c) that it considers is most sustainable.

We believe that sustainable options will benefit and enhance the natural environment with knock-on benefits for society and the economy. The delivery of this duty must be carefully and rigorously monitored – and consideration given to its extension to all services funded by public monies.

- **Openness and honesty:** The services provided by government, its agencies and services funded by government should not be ashamed in any way of acknowledging their true nature. That they are 100% (or lesser percentages as appropriate) funded and directed by government should be openly acknowledged and stated up front. Government should not hide behind masks such as by establishing trusts and other "arms-length" organisations which all too often allow (or create) the impression that they are non-governmental. Nor should government agencies or parts of the central government be allowed to sell services disguised as "memberships" as though of non-governmental bodies.
- **Independent Voices:** Where government at local or national level is providing services through contracts with non-governmental organisations it is essential that the representative voices of such are NOT silenced by the threat of the withdrawal of funds. The steady pressure of officials and ministers to curtail such independent voices has been a pervasive – and



often unacknowledged – part of Scottish life for many years, despite protestations to the opposite effect.

There could, of course, be more effective, more efficient means to deliver the environmental services mentioned above. For instance, sometimes regulation (if enforced) may be cheaper (and more consistent with polluter pays principle) than relying on advice and incentives or a direct service. This is often at odds, however, with an emphasis on the voluntary principle, for example in rural land management, as opposed to unambiguous regulation for many other spheres of policy.

Where government and its agencies are to provide services, LINK makes a strong case in its submission to the IBR

(<http://www.scotlink.org/files/policy/PositionPapers/LINKPaperProtectEnvTimeOfCut.pdf>) (November 2010) for the architecture of government to be the subject of real consultation with all of the appropriate stakeholders in the area of governance. In the paper the need for clarity between core functions and secondary, non-essential functions at a time of financial austerity is made.

Protection and enhancement of the environment in which the people of Scotland live is an underlying value and part of the ethos of public service provision and should be acknowledged as such going forward. Often it is the poorest people who are forced to live in the poorest environments: the quality of the physical environment and the benefits to society and economy with a healthy environment supports should underlie all public services.

