



membership resources

Briefing 08/42 September 2008

Moving Scotland forward: The Government's programme for Scotland, 2008/09

To: All Chief Executives, Main Contacts and Email Contacts (Scotland)

CC: All Chief Executives, Main Contacts (England, Northern Ireland and Wales)

A publication by the Scottish Government

Key issues

The Scottish Government unveil proposed Bills

Legislative programme for the year 2008/09

1. Introduction

The Scottish Government administration, have indicated that it has adopted a single overarching purpose, to focus government and public services on creating a more successful country, providing opportunities for all of Scotland to flourish, through increasing sustainable economic growth. The Government is determined to work in partnership with wider Scottish society in order to deliver these pledges.

The current administration has looked to acknowledge the importance of working in partnership with local government in order to develop a new and productive relationship. This is enshrined in the now historic Concordat. This new relationship puts local government at the heart of governance in Scotland sitting alongside the Scottish Government as an equal partner. All authorities are working together to achieve agreed outcomes and to deliver growing success for the people of Scotland.

The over-arching aim is to close the growth gap with the rest of the UK by 2011, and move forward to emulate the recent success of other small, independent countries. Even within an increasingly challenging global economic environment, the Scottish Government believes that the agenda for government and a programme for economic progress will put Scotland on course for long-term success.

The Government claim that the approach adopted by them is based on:

- Vision - working to meet the rising ambitions of the people of Scotland;
- Trust - using responsibility wisely and fairly, and empowering local government and our communities; and
- Competence - getting the big decisions right and always putting Scotland's interests first.

The Scottish Government state that it is focused on sustainable economic growth and that everyone should be able to share in a better, fairer way of life. They are seeking to deliver a more inclusive Scotland so that, no matter where people live, more opportunities will be available.

How this will be taken forward will flow from a broad social partnership bringing together Scottish society as real partners in a process that is focused on delivering these commitments. The key to achieving these aims lies in reaching out and bringing together business, local government, the third sector, trade unions and other stakeholders. Multi buy in from other political parties is required to pass the legislation.

The document can be viewed in full at:

<http://www.scotland.gov.uk/Publications/2008/09/01093322/0>

2. LEGISLATIVE PROGRAMME 2008-09

The Government's legislative priorities for the coming year are:

- **Public Services Reform Bill**
- **Scottish Parliament and Local Government Elections Bill**
- **Budget Bill**
- **Flood Risk Management Bill**
- **Marine Bill**
- **Climate Change Bill**
- **Legislation Reform Bill**
- **Arbitration Bill**
- **Abolition of Council Tax Bill**
- **Rural Schools Bill**
- **Children's Hearings Bill**
- **Health Bill**
- **Legal Profession Bill**
- **Criminal Justice Bill**

Public Services Reform Bill to take forward the simplification agenda for fewer national public organisations and other reforms to improve scrutiny and accountability. The Bill will also include proposals for establishing Creative Scotland.

Scottish Parliament and Local Government Elections Bill, acting on the Gould Report, so that Scottish Parliament and local government elections are held at different times.

Budget Bill, will be approached this in a spirit of seeking consensus on what is best for Scotland, seeking approval for spending plans for 2009-10, will be taken forward in the same spirit.

Flood Risk Management Bill, hopes to build on the pledge made last year to introduce legislation to modernise the current law on flood prevention. The Scottish Summit on Flooding was part of the preparation for this, as was consultation on the bill proposals.

Marine Bill, the administration remains committed to introducing a new law for Scotland's marine environment. The Sustainable Seas Task Force, which includes partners and people with an interest in the use and conservation of Scotland and this bill will form the basis of a consultation that was previously launched in July.

Climate Change Bill, the commitment to reduce Scotland's emissions over the period to 2011 and, in the longer term, by 80% by 2050 demonstrates the resolve to tackling climate change. These targets were incorporated in the *Government*

Economic Strategy in support of the Government's Purpose. The longer-term target will be placed into law through the Scottish Climate Change Bill and will hopefully make the effort to reduce emissions by 2050.

Legislative Reform Bill, will be used to revise and replace the law on aspects of procedure and interpretation of legislation.

Modernisation of Arbitration Bill, ensuring arbitration fulfils its potential as an alternative to going to court to resolve disputes.

Abolition of Council Tax Bill, following public consultation, it is now hoped that council tax will be replaced by a Local Income Tax, based on ability to pay.

Rural Schools Bill, follows on from publishing proposals for rural schools and improving consultation on all proposed school closures, in responses to proposals.

Children's Hearing Bill, will consult on the details of the reform of the Children's Hearing system and then develop it further through the bill.

Health Bill, this will include measures to support the delivery of a new smoking prevention action plan, setting out the next steps in controlling the availability and promotion of tobacco. It will also debar commercial companies from bidding to provide GP services, to ensure that the central role of General Practice continues to be delivered from within the traditional NHS family.

Legal Profession Bill, will be introduced to provide for alternative business structures, giving consumers more choice. The Bill will deliver the first significant reform of the legal profession since 1980 and will make it possible for legal services to be delivered in new ways and allow Scottish law firms to compete internationally, while ensuring strong regulation to protect the public.

Criminal Justice Bill, will hope to take action to make sentences served in the community more robust, immediate and visible, as set out in the report of our review of community penalties. Drawing on the findings of the Prisons Commission they will also drive forward reforms and initiatives to prevent offending and reduce re-offending - focusing especially on early intervention, providing positive opportunities for young people and keeping them out of prison. It is hoped to achieve a flexible and coherent penal policy that ensures prison remains the right disposal for serious and violent offenders with measures to deliver interventions, support and appropriate restrictions for the entire length of the sentence. A priority will be to ensure that criminal justice works as intended to protect victims and witnesses and to ensure appropriate sentencing.

3. Conclusion

This report gives a flavour of a Scotland where community planning is central to local authorities. Therefore putting the role of local government at the heart of activity in this area should not be overlooked by councils.

It is clear from these proposals that the Scottish Government hopes to create a better, more dynamic society. Whilst APSE welcomes any change for the better, it is felt that a great deal of caution should be taken as there is no clear and concise view as to whether these proposed changes will benefit Scotland and in particular, the consequences for authorities trying to deliver services. Through these Bills the Scottish Government is hoping to transform public health, drive educational attainment and changing the way the environment is viewed, albeit these are long term aims, but APSE will watch this closely and will lobby the Government where necessary to support the effects of the Bills on service delivery.

At the heart of many of these changes will be local government as these changes will have a massive impact on funding streams should the Bills come to fruition. It is believed that the abolition of council tax for example may have a direct impact on service delivery should the new income tax be implemented. However, APSE welcomes any change for the better should it combat the effects of climate change but again, local authorities will be pivotal in its implementation.

As a minority Government there may be strong opposition to some of these Bills particularly if it is believed that any of them will have a detrimental affect on the people of Scotland. It remains unclear at this stage how much support, if any, the Government will receive regarding these pledges. It will be APSE's role to ensure that the views of those delivering services to the public are heard.

APSE would welcome any comments on this, which should be sent to ptaggart@apse.org.uk

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