



Scottish Labour Party Policy Forum

Building a Confident Democratic Scotland

UNISON Scotland's response to the Scottish Labour Party's 1st Stage Policy Forum Document.

June 2005

Introduction

This paper constitutes UNISON Scotland's response on Building a Confident Democratic Scotland.

UNISON is Scotland's largest trade union representing over 150,000 members working primarily in the public sector. This response has been informed by a major consultation exercise Scotland 2010. We circulated 10,000 copies of a consultation paper encouraging workplace discussion of the key issues in the SPF consultation papers.

Good Government

Good government should be based on underpinning principles. We should explicitly describe our approach to public services in a similar manner to that set out by the Welsh Assembly Government. There are three broad approaches; hierarchies, markets and partnership. In Scotland we have rightly adopted partnership as the main approach but have sometimes been timid about advocating the benefits for a country of Scotland's size, culture, geography and population.

UNISON Scotland believes that the following five principles should be adopted:

- Extending **democratic accountability** to the quango state and the unelected regulators through real participation and involvement of service users and staff.
- Building **capacity** that then allows a culture of **innovation** to flourish.
- The **recruitment and retention** of high quality staff through fair pay and conditions.
- High **performance** assessed by systems appropriate to the complexity of public service provision.
- Cross boundary collaboration through **public service networks** that promote co-operation, not fragmentation and competition.

Democratic Accountability

UNISON Scotland believes that democratic accountability requires public bodies to be open and transparent in their dealings with the public and for government at all levels to explain and accept responsibility for its actions. Democratic accountability also entails government ensuring adequate opportunities exist for people to participate in and influence the policy making process. This is more than consultation, it involves deliberate methods of involvement. To facilitate this involvement organisational structures need to be decentralised to appropriate levels for each function. Without the fragmentation caused by privatisation and the growth of unelected bodies.

We believe that wherever practicable public bodies should be directly elected. Where this is not practicable boards should comprise an amalgam of elected representatives, appointed laypersons and staff representatives. This includes equality of representation making such boards representative of the communities they serve. All public bodies should have a statutory duty to meaningfully involve users as partners, not as customers in the decision making process. This involves a high degree of transparency and the provision of capacity for users to fully participate.

Efficient Government

The Efficient Government Initiative is an important way of insuring that funding goes to where it is needed most. But it is important to note that the Best Value regime has already played an important part in this. All public sector organisations should be aware of opportunities to work more efficiently and effectively. However, we are concerned that in the past ‘efficiency savings’ have simply been a mask for real cuts in services or privatisation. We would be more impressed if the Executive tackled real waste such as the £5.8bn wasted on the additional cost of PFI schemes as compared to conventional procurement.

UNISON Scotland welcomed the PPP Staffing Protocol that ended the two tier workforce for new PFI schemes. However, its implementation has been flawed particularly over the scoping of FM services and the principles need to be extended to all contracting situations across the public sector.

We welcome the Scottish Executive’s position that ID cards will not be needed to access devolved services. UNISON is not convinced that the case has been made for identity cards. We believe the technology is not ready, the substantial costs unjustified and they will do little to tackle terrorism and identity fraud. In addition there are justified concerns over the amount of information stored, who will have access and how it will be used.

Relocation

Giving the importance to the Scottish economy of the public sector, we support the relocation of jobs when genuinely new agencies are created. However, it is important to recognise the impact this policy can have on individual staff and the effectiveness of the organisation. We believe that any relocation plan should be fully costed and negotiated with the relevant trade unions.

Pensions

The Scottish Executive has devolved responsibility for public authority pension schemes. These are currently the subject of a detailed review. It is vital that this review delivers a pension scheme that recognises that pensions are deferred pay on which public sector workers make substantial contributions. Pension benefits must provide a decent standard of living on retirement to avoid an increase in poverty and dependence on means tested benefits. The pensions consultative structures in Scotland also need to be strengthened.

Fresh Talent

Scotland’s population is falling and is declining at a faster rate than anywhere else in Europe. This decline is coupled with a significant shift in Scotland’s age profile. UNISON Scotland supports the Fresh Talent Initiative as an imaginative method of addressing the consequences of population change. This Initiative is aimed at attracting people from the UK and overseas to live and work in Scotland. As a nation that has traditionally exported people to all corners of the world, Scotland is keen to extend a welcome to skilled individuals who wish to come here to further their careers and quality of life. It also sends a clear message to the racists that Scotland will not tolerate their poisonous message.

This policy does however highlight one of the limitations of the devolution settlement. This is one area that may benefit from consideration of devolving at least some aspects of immigration policy. If the service was devolved we may have avoided the problems at Dungavel. We also need to ensure that new Scots are properly supported and initiatives such as UNISON’s Refugee Learning Project can play an important role in this.

Scotland in the UK, Europe and the World

European Union

We believe that devolution has enabled Scotland to make a direct contribution in Europe recognising that the European Union has a major influence on our daily lives. We welcome the extended role Scotland is now playing in a Europe of the regions.

We support the programmes of social reforms initiating from Europe, which have benefited Scotland. However, we are concerned about the neo-liberal direction of many Commission initiatives that are contrary to Scotland's culture. We believe the Scottish Executive should build alliances with other regions to resist this trend.

A particular concern is the Services Directive that will impact on Scotland's public services making it difficult to regulate effectively. The 'country of origin' principle means that service providers are subject to the laws of their country rather than where the service is actually provided. This will lead to a downward spiral of safety, consumer protection and terms and conditions of staff. The EU is also seeking to export this principle to the developing world through bilateral aid and the GATS negotiations.

EU Constitution

The consultation paper presumes that the new constitution is 'clearly in Scotland's best interests' We disagree. The constitution has specific implications for the future of public services. The constitution would for the first time give Brussels new powers to decide, by majority vote, what counts as a 'public service'. This could also mean that it is up to the EU to identify which areas of Member States' public services would be exempt from competition policy, and which areas would be opened up to competition from the private sector.

UNISON believes that a European Constitution should establish a clear set of objectives for Europe. Establishing a clear social base for the European Union would act as a restraint on the labour market deregulation currently being pursued by many European governments. We believe that people, not big business must be put centre stage in Europe.

The citizens of France and the Netherlands recognised this and we believe the people of Scotland would rightly reach a similar conclusion.

The Euro

Whilst enabling tourists to use the Euro in Scotland is a sensible policy this should not be confused with support for the UK entering the Eurozone. UNISON remains opposed to UK membership of the Euro. Our principal concern is the Economic and Monetary Union's (EMU's) impact on public spending, the provision and quality of public services and the knock-on effect on jobs within the public sector. We fear that the existing convergence criteria (which limits public expenditure deficit to 3% of GDP) will effectively cap expenditure for years to come adversely affecting jobs, pay and terms and conditions in the public sector

Relations with Westminster

As we contemplate the third term of the Scottish Parliament it is right that we review if the balance of devolved and reserved powers is right. Important new powers in areas such as rail and energy have been devolved in this term. We believe there is merit in considering further devolution in areas of policy including equalities, energy, broadcasting, civil service, drugs,

firearms, immigration, council tax benefit, job centre plus, gaming and consumer protection. A Commission, like the Richards Commission in Wales, may be the way forward.

Rise of the Far Right

Racism has no place in workplaces and communities across Scotland. Racism flourishes when it is unchallenged. The lies spread by far right groups must be answered. We believe that the Scottish Labour Party should be at the forefront in confronting and defeating the 'isolationist' attitudes of UKIP, BNP and other far right organisations. Our MP's, MSPs, MEPs and Councillors should be at the forefront of combating racism.

We support the Executive's 'One Scotland Many Cultures' campaign, which is designed to raise awareness of racist attitudes and highlight its negative impact and recognise the valuable contributions that other cultures have made to our society. Trade unions have played an important role in promoting this message and combating the far right.

Scotland's for Peace

UNISON believes that Scotland's land, water or resources should not be used for weapons of mass destruction or the systems that support them; unproved attacks on other countries; testing weapons and training personnel for use in such attacks. Instead we wish Scotland to be known for its contribution to peace and international justice. We should build on Scottish support for the Making Poverty History campaign in addressing the issues of aid, trade, debt and respect for workers rights across the world.

Local Government, Local Democracy

Local Democracy

UNISON Scotland supports Labour's vision for Local Government as set out in the paper. However, in practice local government has not always been treated with the parity of esteem it deserves. In particular financial settlements have not recognised the many additional functions local government has undertaken. We believe that Labour should develop a new concordat with local government that recognises its democratic legitimacy.

We also believe that this democratic legitimacy has been strengthened by the adoption of a fairer voting system. We must also address the issues of gender balance and ethnic minority representation. We support fairer and more flexible provisions for the remuneration of councillors including access to the Local Government Pension Scheme and severance payments on the same basis as applies to members of the UK and Scottish Parliaments. We believe that this would encourage more people to stand as currently many people find it impossible to combine with employment and caring responsibilities. Whilst we welcomed the reforms on politically restricted posts they could go further in limiting them to the absolute minimum with an effective right of appeal.

UNISON Scotland believes that the voting age for local government elections should be reduced to 16 and we further believe that 16-year-olds should be given the opportunity to stand in these elections. Young people in Scotland can marry at the age of 16, be called up to the armed forces, pay tax and National Insurance. We believe that age discrimination is not only patronising, but also serves to alienate young people from society and the political system. We should also look at ways of involving young people in the political system pre-16.

Council Funding

UNISON broadly supports the retention of an improved Council Tax. We believe that the Council Tax provides a stable yield for local councils at low administrative costs.

It should be reformed to make it more progressive through revaluation and changes to banding. The non-property-based alternatives (Local Income Tax) are administratively complex and easier for the wealthiest members of society to avoid. A tax on employment when property should have a place in any 'basket' of taxation.

Whilst Council Tax Benefit is a reserved matter (a power that we should consider devolving) it is vital that there is a relationship between household income and the amount of Council Tax payable. Low take-up of this benefit remains a concern largely due to the stigma of a means tested system. We therefore believe there is merit in reviewing the system by raising the savings limit and moving towards a simple and understandable 'maximum liability to Council Tax'.

We believe local authorities should raise and control revenue, maximising its autonomy and freedom from central control. Business rates should be returned to local authority control and grant support should be allocated with minimum ring fencing.

There should be a level playing field between local authority borrowing and private finance to ensure a genuine value for money assessment. At present discriminatory subsidies for PFI schemes mean this wasteful and expensive form of finance is regarded as 'the only game in town'.

UNISON is concerned that additional responsibilities have not been fully reflected in local government grant settlements. In particular local authorities will face a very large bill for historic pay discrimination and require additional funding to avoid a serious impact on other services. General pay settlements also need to be fully funded if local authorities are to recruit and retain quality staff. Much funding for the voluntary sector also comes through local government and it is important that this is provided on a sustained basis to ensure that they are able to recruit and retain quality staff on fair employment terms.

Local Government Structure

UNISON Scotland supports the development of Improvement Plans for each local authority and regional area to promote integrated planning and improve service delivery. It will also help overcome the complications due to short term funding decisions. This should be part of a strengthened community planning process that recognises that most solutions require a multi-agency collaborative approach. All public bodies should be required to work in Public Service Networks to deliver these solutions.

We believe that the Scottish Executive should explicitly set out its public service model in a similar way to the Wales Assembly Government. The partnership model of collaborative working is the only practical and effective model for Scotland.

The market in public services is not an approach UNISON supports. Whether it is Tory vouchers or New Labour 'choice' the concept is clearly absurd when it comes to vital public services. Users of services when faced with critical decisions do not want to peruse brochures from competing marketing departments. If good services drive out bad what happens to those unfortunates caught in the process. Markets also require surplus provision that simply doesn't

exist and would be wasteful of public resources to create. In Scotland with our disparate population and geography such choice is in any case illusory.

The 32 council structure imposed by the Tories was at least in part aimed at weakening the voice of local government as an important counterweight to central government. There may well be a case for strengthening the strategic role of councils and considering if NDPBs and government agencies can be transferred to democratic control. Always remembering that structural change can be an expensive distraction from service delivery.

Arts and Culture

UNISON Scotland supports a new inclusive definition that positions culture within a context of opportunities for all those living in a Scotland of many cultures. A move away from an ethos of privileged cultural access and labelling that suggests that one art form is intrinsically more valuable than another. This may require legislation to set out a new framework enshrining key cultural rights

Art and Culture can play a significant role in building social capital within communities. UNISON Scotland believes that long term planning and stability is essential for support of the Arts. The only way that Arts can be taken into the community is to provide support to help them build audience numbers, which in turn will lead to more participation from audiences and communities. It is important that any strategic overview makes accessibility a major priority, and those local funders address the issue of accessibility in any projects they fund.

UNISON particularly supports initiatives in schools to support young people gaining confidence via new skills in art and music. This is something worth exploring in areas of social deprivation, where access to equipment and lessons may be harder to access.

Local authorities are crucial to the delivery of local cultural strategies working within the context of community planning. This means that arts centres, libraries and museums have to be adequately funded. If we are serious about peoples 'rights' to culture the Scottish Executive will need to both broaden and strengthen the obligations on local authorities to provide cultural services - and provide the appropriate resources for them to carry this out. Current in-house local authority cultural provision should be maintained, and a survey to investigate any further role should be undertaken, working to increase joined-up provision, not further fragment it.

We await with interest the recommendations of the Cultural Commission. However, we would be sceptical about any proposals that did not retain the 'arm's length principle' as a valuable protection for freedom of expression.

Sport

UNISON welcomes initiatives that require more co-ordinated joint working and links with communities. Community planning partnerships and partners are required to action the recommendations within the Sports 21 national strategy. Local Authorities employ sports club development officers and Active School Co-ordinators to promote sporting and physical activity opportunities. An example of this involves multi-agency work training parents as volunteers to coach young people to carry out specific sporting activities.

UNISON supports the development of play and physical activity strategies, which make strategic decisions about providing facilities and resources to promote sport and clubs. We are particularly concerned over the loss of playing fields to developers to fund PFI Schools.

Schools have a particularly important role in developing our sporting potential. We have one of the lowest levels of PE in developed countries. We must substantially increase the number of hours of PE in schools. Schools facilities should be developed and made available for community use. Not restricted by PFI contracts.

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