



Public Services Reform (Scotland) Bill

The UNISON Scotland submission to the call for evidence from the Scottish Parliament's Finance Committee on the Public Services Reform (Scotland) Bill.

August 2009

Scottish Parliament Finance Committee Call for Evidence: Public Services Reform (Scotland) Bill

Introduction

UNISON Scotland welcomes the opportunity to respond to the call for evidence by the Scottish Parliament's Finance Committee on the Public Services Reform (Scotland) Bill. UNISON Scotland has over 160,000 members in Scotland, most of whom work in the public sector across Scotland; including around 60,000 in the NHS and voluntary sector, over 25,000 in social care and almost 400 employed by the Care Commission, who will be affected by changes proposed in the Bill

Although the Finance Committee is the lead committee on this Bill, the range of the issues involved in the Bill means that three other Scottish Parliamentary committees are also looking at specific aspects of the Bill in their own calls for evidence. UNISON Scotland will respond separately to each of those calls for evidence where we have an interest.

UNISON Scotland Response

The UNISON Scotland response is based on the general principles of the Bill as well as some more specific issues highlighted in the call for evidence.

UNISON Scotland is generally in favour of the key principles of this Bill although there are some issues that we would like to highlight to the committee.

The Finance Committee is seeking views on the general principles of the Bill and in particular—

- **The Scottish Government's overall policy objectives in introducing the Bill and, in particular, whether the Bill is likely to—**

"help simplify and improve the landscape of Scottish public bodies, to deliver more effective, co-ordinated government that can better achieve its core functions for the benefit of the people of Scotland"

As mentioned above, UNISON Scotland supports the general principle of this Bill, namely the reduction of quangos. However we have some concerns regarding restructuring of the scrutiny bodies referred to in parts four and five of the Bill and would like greater clarification on how this would impact on our members within the relevant bodies. Further details on this issue can be found in our response to the calls for evidence from the Education, Lifelong Learning & Culture and the Health & Sport Committees of the Scottish Parliament.

- **Whether, in light of the current financial situation, this is the appropriate time to be pursuing both the Bill in particular and the wider public services reform programme?**

One of the key aims of this Bill is to simplify and improve the landscape of Scottish public bodies. UNISON Scotland has concerns about the large number of unelected quangos within Scotland and believes that reducing the number of these bodies is a worthwhile aim. In the current financial situation it is probably more important to ensure that public funds are used in a democratically accountable manner and that there is a continuing reduction in the number of quangos within Scotland.

UNISON Scotland would also like to highlight that this Bill presents an opportunity for the Scottish Government to establish a statutory pay bargaining framework for all public bodies. This would result in a clearer, more consistent and cohesive structure for pay bargaining within this sector.

- **Whether the simplification of public bodies identified in part 1 of the Bill is consistent with the policy objectives of the Bill?**

UNISON Scotland believes that there is consistency between the policy objectives of the Bill and the simplification of public bodies identified in part one of the Bill.

- **Whether the order-making powers proposed in part two of the Bill are appropriate in seeking to deliver a—
“public sector landscape and public sector functions that are proportionate, responsive and efficient.”?**

As highlighted in the Policy Memorandum, there are a variety of different procedures when changes to public bodies and their functions need to take place, some requiring primary legislation. UNISON Scotland believes the proposals within the Bill provide for more consistency and flexibility and welcomes the requirement for parliamentary approval, thus ensuring scrutiny of any proposed change.

While this part of the bill will allow certain functions to be transferred/delegated to local authorities, UNISON Scotland would want to ensure that the necessary funding to carry out additional functions was also transferred.

- **Whether the proposed duty on listed scrutiny authorities to secure continuous improvement in part 6 of the Bill is likely to ensure that users of public services are better involved?**

While supporting the involvement of service users UNISON Scotland feels that there should also be a role for the staff in the scrutiny authorities to be able to feed into the continuous improvement framework.

- **Whether the proposals in parts four and five of the Bill are consistent with the five guiding principles recommended by the Crerar Review**

of public focus, independence, proportionality, transparency and accountability?

UNISON Scotland broadly welcomed the Crerar Review; it was in line with our calls to cut the burden of scrutiny while increasing the involvement of users, the public and public sector staff. UNISON Scotland's submission to the Crerar review highlighted the heavy administrative burden of excessive and overlapping scrutiny and review processes which currently divert too much staff time away from actually delivering the service.

However, we would like more clarification on a number of issues, not least the role of self-evaluation and the impact this would have on service providers. While respecting the role that self-evaluation can have in reducing the burden of scrutiny there is still a need to ensure that regulation is rigorous enough for services such as child protection.

Further detail on the changes proposed in parts four and five of the Bill can be found in UNISON Scotland's response to the calls for evidence from the Education, Lifelong Learning & Culture and the Health & Sport Committees of the Scottish Parliament.

- **Whether the cost estimates set out in the Financial Memorandum appear to be robust and any comments on the other accompanying documents?**

UNISON Scotland is not convinced that the anticipated savings, as outlined in the Financial Memorandum, will occur – even in the longer term. In particular we do not believe that money set aside for issues such as voluntary redundancies, will be sufficient. The Scottish Government will need to ensure that adequate resources are allocated to the new body and recognise that the continual push for efficiencies will not help with this.

In addition as the new inspection regime will rely more on self-evaluation there is an argument that the burden on the new scrutiny authorities will be reduced considerably whilst the burden on local government services will increase disproportionately.

As mentioned earlier this bill misses an opportunity to establish a statutory pay bargaining framework for NDPBs listed in Schedule 3.

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