



Scottish Borders Community Planning Partnership Case Study: Change of Strategic Board to Become an Unincorporated Association

Context

In 2021, Scottish Borders Community Planning Partnership (CPP) undertook a review with the aim of understanding and addressing the challenges that CPP's were facing. The work was facilitated by the Improvement Service and focused on capturing and reflecting the learning from Covid-19, the strengths and weaknesses of arrangements, resources, priorities, performance monitoring and a refresh of the Community Plan (Local Outcomes Improvement Plan (LOIP)).

Whilst reviewing the governance arrangements it was agreed as part of this to look at the legal structure of the CPP, which remained a committee of Council from its inception following the establishment of CPP's under the **Local Government (Scotland) Act 2003**.

Approach

A Working Group was established to review the CPP's existing arrangements and develop a set of recommendations. As with any review, information was collated and all risks and implications of potential changes were assessed. The aim was to be able to present clear options for the Board to consider before making an informed decision about the future legal structure of the Community Planning Strategic Board.

Aware of the review work being undertaken by the CPP, the Council had agreed at its meeting on the 25th August 2022 that the CPP could remove itself as a committee of Council should it wish to do so following the review.

At workshops held in November 2023 and January 2024 the Delivery Board discussed the pros, cons and risks of the Community Planning Strategic Board becoming an unincorporated association, agreeing recommendations for consideration by the Strategic Board.

As part of this consideration, it was important that there was a commitment from Scottish Borders Council to continue to provide staff resources to support the administrative requirements of the CPP Strategic and Delivery Boards, as well as officer support to assist the CPP in delivering its duty as set out in Part 2 of the **Community Empowerment (Scotland) Act 2015**.



Summary and Learning

At its meeting on the 7th March 2024, the Community Planning Strategic Board agreed to amend the legal arrangements and remove Community Planning from the Council's committee structure, with the Strategic Board becoming an unincorporated association. This move provided greater freedom to include statutory and non-statutory partners in the governance of the partnership and better reflected the shared responsibility to deliver Community Planning. Partners were all supportive of this shift as there was an understanding that the legal structure should reflect the partnership as just that, a partnership, rather than being a committee of council.

While there weren't any limitations to the work of the CPP, being a committee of Council meant that any changes to membership or operating arrangements, including dates of meetings, had to be agreed by the Council. Being removed from the Council structure gives the Partnership the ability to make changes without recourse to Council. No longer being a committee of Council is significant as it clearly demonstrates that the CPP is a true partnership and not led by a single organisation.

There were no challenges as such encountered by the CPP in either reviewing the legal structure or implementing the agreed change. As with any review, information was collated and all implications assessed, with sufficient time being required to research all options fully in order to present them in a clear and well thought out manner. Having information available from Scottish Borders Council and other Community Planning Partnership colleagues in a timely manner was therefore invaluable to allowing this piece of work to take place.

Scottish Borders Community Planning Partnership is currently in the process of finalising an operating and governance framework that will include both the Strategic and Delivery Boards, Theme Delivery Groups, and partnerships that are part of the CPP's governance structure. This document will replace the operating arrangements set out the Scottish Borders Council's Scheme of Administration.

Cllr Caroline Cochrane, Chair of the CPP Strategic Board, said "This piece of work allowed us to take stock of where we were, where we had been and where we needed to get to. With the support of the Improvement Service, we were able to reset and make sure that our Partnership was fit for the future. The introduction of the biennial self-assessment has come at a really good time for us; it will enable us to review our current position and make any changes required to make sure we stay on track."