

Scottish Government response to the Institutionalising Participatory and Deliberative Democracy working group

March 2023

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The Institutionalising Participatory and Deliberative Democracy (IPDD) working group was convened by Scottish Government in summer 2021, and its report was published in spring 2022.

The report set out how Scottish Government's reform agenda can embed good participatory and deliberative processes into our democratic system. The report's recommendations centre on establishing infrastructure that supports high quality, routine involvement of people in decisions affecting them, with a focus on ensuring the engagement of people furthest from government.

This document sets out Scottish Government's response to the IPDD working group's recommendations.

The Scottish Government thanks the IPDD working group for their work, bringing their considerable expertise to advise on a path which can over time lead to routine, clear and more effective ways for people in Scotland to have direct influence over the decisions affecting them, their families and their communities.

Context

It is a decade on from the publication of the Christie Commission on the Future Delivery of Public Services, and the Scottish Government's response to this. The Christie Commission principles – a focus on people, performance, partnership and the prevention of harm – continue to shape the Public Service Reform agenda in Scotland. At the heart of this is the recognition that no single actor can achieve transformational change alone, and that people should be involved in and able to influence the decisions affecting them.

Ensuring that public services are delivering what people need to improve their lives and outcomes remains a vital driver of reform. There is broad acceptance that this means significant changes to the ways that policies and services are developed and implemented, with the role of partners, stakeholders and the people affected evermore vital.

It is recognised that new skills and processes are needed to further drive change and ensure everyone in Scotland can be involved in decisions that matter to them. Much has been done already. The [Community Empowerment Act](#) has provided opportunities for individuals and communities to effect change. A review of the Community Empowerment Act is currently underway, offering an opportunity to consider how we embed public participation in decision making. Scottish Government has also developed advice and guidance for public servants as their role has changed. This includes a [Participation Framework](#) and the [Scottish Approach to Service Design](#). There have been a range of innovative participatory and deliberative processes, including two Citizens' Assemblies, Citizens' Juries, mini-publics, user research, service design, [lived experience panels](#) and participatory budgeting. People have been actively involved in the development of policies such as the new [National Care Service](#), and [the Promise to care experienced children and](#)

[young people](#) that they will grow up loved, safe, and respected. Our digital consultation hub has been running for six years and we have incorporated digital engagement activities like online crowdsourcing into the policy development process.

Scottish Government recognises that involving the people of Scotland in decisions that affect them is key to delivering a stronger and more resilient Scotland. The benefits of participatory and deliberative engagements are wide ranging. We are living in times characterised by many complex, interlinked challenges: the climate emergency, substantial economic turmoil and the cost of living crisis, the Covid-19 pandemic and its legacies, as well as the continued impact of Brexit. By drawing on the considered views of the public, the government will be better equipped to take the complex and difficult decisions that we are facing. Public understanding and input into these difficult decisions can help us chart a route through that is fairer and that meets the fullest range of peoples' needs.

It is vital that people feel listened to at a time when feelings of powerlessness and frustration can take hold. This will in turn improve public trust in government and will strengthen Scotland's democracy, fundamental at a time when misinformation is circulating widely and global public confidence in government is uncertain.

Scottish Government has committed to increasing the use of participatory processes to deliver priority policies, to holding annual Citizens' Assemblies, and a Citizens' Assembly for under 16s. The IPDD working group was set up to make recommendations and outline practical steps and resources required to deliver these commitments. Their report makes 19 recommendations across two key themes: embedding a range of participatory and democratic innovations, which can be used as a basis to establish routine use of Citizens' Assemblies in Scotland.

This document sets out what the Scottish Government will now do to deliver its commitments on participatory and deliberative democracy, responding to each recommendation. Where a response covers multiple recommendations, this is noted. While the delivery of some of these recommendations will sit with Scottish Government, many of the longer term recommendations reflect the need for this work to be collaboratively delivered across a broad range of stakeholders, public institutions and the people of Scotland.

This work is important and complex and it may take time to get right – this response is one step in that process. The financial situation facing the Scottish Government is, by far, the most challenging since devolution. As a result of inflation, at the time of its announcement the 2022-23 budget was worth significantly less than when it was introduced to Parliament in December 2021.

Participation is important if we are to make the fairest use of available resources now and in the future. Ambitions for participatory and deliberative democracy have, like many other areas of government, been subject to difficult re-prioritisation. Where we have not been able to commit to the delivery of a recommendation that we agree is of importance in the short term, there remains a commitment to revisit this work when public finances allow.

[Participatory and Democratic Innovations](#)

Early foundational actions

1. Adopt values, principles and standards for institutionalising participatory and deliberative democracy in Scotland

Scottish Government will adopt the [values, principles and standards for institutionalising participatory and deliberative democracy in Scotland](#). This will sit with a Participation team. They will take on the authority to advise on the expertise and resources needed to uphold these values, principles and standards across the work of government. Within this team's remit will be the development of training and resources to embed these values, principles and standards across the work of government.

This response also covers the Citizens' Assembly recommendation 3. 'Adopt the values, principles and standards set out in this report to underpin all future Citizens' Assemblies, and work to build a trusted system that supports and understands these'.

2. Establish a Unit within Scottish Government with responsibility for Participation, including establishing Citizens' Assembly infrastructure

Scottish Government acknowledges that this recommendation is core to ensuring that investment in participation is proportionate, focused and able to support good practice development across government.

In the current financial year, Scottish Government will look across its existing workforce to bring together expertise that can begin taking forward priority actions. This will form the basis for a multi-disciplinary Participation Team which will have the skills and authority to oversee key pieces of participatory work, and the authority to uphold the IPDD values, principles and standards across government.

A core function will be providing practical support to government officials to plan, deliver and evaluate participatory work in a way that maintains the values, principles and standards set out by the IPDD working group. To do this, the team's work will initially include:

- developing a set of resources and activities (training, guidance) to provide ongoing support for participation work across government
- development of a procurement framework for recruitment, design and delivery of high quality participation
- providing consistent advice, oversight and strategic continuity to participation work across government, including on the governance, delivery and oversight of Citizens' Assemblies and other deliberative processes
- research work to maintain quality of evidence bases, institutional learning, monitoring and evaluation

In the short term, Scottish Government will bring together a virtual team of existing staff who have some of the required skills and experience to deliver this function.

This team will make direct links to the Children's Rights Unit, Equality Inclusion & Human Rights, and Community Empowerment.

An audit will be carried out to determine what leadership, governance, budget, skills and experience will be required from within the organisation to fully deliver this function – this may include areas such as Communications, Service Design and Social Research. This work will form the basis for a paper for Ministers' consideration, outlining the resources required to create a dedicated multi-disciplinary Participation Team. In addition, it will advise on how and when Scottish Government will buy-in skills as required – for example, commissioning design and facilitation from practitioners with skills in the field of participation and deliberative democracy.

In the medium term, a Participation team will support developing participation and deliberation skills internally. It will continue to be important that external expertise is available to provide strategic and independent oversight, design and facilitation.

In the longer term, Scottish Government will develop this remit into a team which is multi-disciplinary and practice led with overall responsibility for Participation (including Citizens' Assemblies), and which encourages investment in skills, competencies and knowledge.

Due to current budget challenges, this ambition will be reviewed in following financial years.

This response is also relevant to the following Citizens' Assembly recommendations:

1. 'Put in place infrastructure to deliver on commitments to run routine Citizens' Assemblies, starting with Citizens' Assemblies already scheduled by Scottish Government'
4. 'Ensure development of annual Citizens' Assemblies is sponsored and organised by a practice-led Unit that has clear responsibility and can ensure continuity of approach across policy areas'
6. Establish a common research framework to evaluate all future Citizens' Assemblies, identifying budget, commissioning and transparency

3. Organise a children and young people's democracy symposium to co-develop a Citizens' Assembly for under 16s

Our [action plan to progress the human rights of children and young people](#) was published in November 2021. It includes a commitment to establish a Children and Young People's (CYP) Consortium to support a sustainable, meaningful and inclusive approach to children and young people's participation in decision-making.

Through different pieces of work, we have successfully managed the involvement of children and young people (CYP) in the UNCRC Implementation programme. There is now a growing need to introduce across government structures and guidance to ensure participation with CYP is meaningful, coordinated, and strategic.

The Children's Rights Unit (CRU) will develop and implement a new internal mechanism called the 'CYP Participation Framework'. This will be established by

summer 2023. The approach will address the increasing need for CYP participation across Scottish Government and will establish a mechanism that supports quality engagement with a lasting structural legacy. The CRU will work closely with colleagues from Policy and Procurement, and stakeholders within the sector to create the new framework.

The framework will provide the mechanism to enable future Citizens' Assemblies and other participatory and deliberative processes with CYP.

4. Organise a local government roundtable and work with local government to progress opportunities for participatory and deliberative democracy

Scottish Government and COSLA have established a working group that will consider meaningful short-term changes to Council Tax, alongside a new Fiscal Framework for Local Government. This working group will also consider approaches to longer term reform, including the development of effective deliberative engagement on sources of local government funding and Council Tax. These approaches can include a roundtable that leads to work with local government.

Current Parliament

5. Support upcoming reviews and legislation to embed participation and deliberation across the system

Scottish Government has committed to a review of Community Empowerment legislation, to work to embed Human Rights and the rights of the child, and to a Local Democracy Bill that will follow the conclusion of the Local Governance Review.

During the course of this Parliament, we will identify opportunities to embed participatory and deliberative approaches into legislation and regulation. The Participation team (outlined in response to recommendation 2) will advise on aspects of this. This advice will support relevant teams to work collaboratively with government colleagues, with stakeholders outside government, and with members of the public to ensure their active and inclusive engagement and influence. A priority focus of this engagement will be marginalised groups who will be most impacted by this work.

6. Initiate the co-creation of a National Participation Strategy

Scottish Government welcomes the proposal for a national strategy that sets out how the people of Scotland could be engaged in the development and delivery of policy and public services, and that builds on the values, principles and standards outlined by the IPDD working group.

The Participation team will be tasked with initial scoping of this strategy and identification of partners to take this work forward collaboratively. We recognise that it may not be appropriate for government to lead on the development of this. As outlined by the IPDD working group, this collaboration will include government, local government, civil society, academia and communities.

Due to current budget and capacity constraints, it is likely that this work will commence towards the end of this Parliamentary session and will continue into the following Parliament. Any delay would be to ensure that the Participation team has the capacity and resources to support this collaboration effectively.

7. Work towards improving training provision, including by establishing Scotland's Participation Academy, in partnership with academia, the public sector, and civil society

Scottish Government recognises the need to build the participation skills and capabilities of people across public services and civil society, and that this is required to realise ambitions for participatory and deliberative democracy. Within the Participation Team's remit will be the development of training, guidance and awareness raising to embed these skills across government.

A key step in a wider process of improving training provision will be the scoping and development of a National Participation Strategy. As with recommendation six, this work will require collaboration across several organisations and institutions and would not necessarily be led by government.

This will be followed by an assessment of the options for the best routes to improving training provision across Scotland, including considering the development of a Participation Academy. This will include considering how best to enhance and build on existing resources and expertise, for example within current academic institutions and civil society.

As noted above, work to develop a National Participation Strategy is likely to commence towards the end of this Parliamentary term. Work to assess options for improved training provision is likely to take place in the following Parliament and should be seen as a longer term ambition.

Longer term ambition

8. Work towards establishing a National Centre for Participation in Scotland

This recommendation specifies that "In this Parliament, develop costed proposals for an independent National Centre for Participation, that can be launched in the following Parliamentary term. An ambition for the next Parliamentary term is to then establish the National Centre for Participation in Scotland."

Scottish Government recognises the value of this as a longer term ambition, but is unable to commit to these timeframes. The establishment of a National Centre for Participation in Scotland – or comparable body – would be contingent on available future budget and on the outcomes of work to develop a National Participation Strategy and improved training provision. This will be reviewed during the following Parliamentary term.

9. Consider the proposals of the Citizens' Assembly on the Future of Scotland for new infrastructure associated with the Scottish Parliament, including a Citizens' Chamber or Citizens' Committee

A recommendation from the Citizens' Assembly on the Future of Scotland (CAoFS) focused on the establishment of a Citizens' Chamber or Citizen's Committee. As set out in the [Scottish Government's initial response](#) to CAoFS, there would be a challenge in incorporating a representative selection of the public directly into existing government and Parliamentary institutions that are based on regularly elected representative democracy. The Scottish Government plans to engage with the Scottish Parliament on the best way to take these forward.

Recommendations for routine use of Citizens' Assemblies

The IPDD working group recommendations are divided across two connecting themes: participatory and democratic innovations, and using this as a basis to build the skills and expertise to establish routine use of Citizens' Assemblies in Scotland. This recognises that Citizens' Assemblies are a valuable method, but are only one way to involve people in decisions.

Citizens' Assemblies bring together a randomly selected group of people that is broadly representative of the general population. This group is supported to learn about and develop shared understanding on an issue, and to then deliberate on solutions in a structured and respectful way. Examples from Scotland and around the world show that this can provide credible and detailed responses to difficult issues.

Citizens' Assemblies are generally most appropriate for complex issues of national significance which will affect a large portion, or all of, the population. There are many instances when involving people in an important decision is better approached through smaller scale methods, for example lived experience panels.

Scottish Government has made commitments relating to Citizens' Assemblies, proposing that Citizens' Assemblies become part of our democracy. Clear policies and approaches are required to ensure that Citizens' Assemblies function to a high standard, are properly embedded in the work of government to ensure impact, and have transparent and independent governance, oversight and scrutiny. We recognise that a priority for the IPDD working group is that future Citizens' Assemblies operate in this environment and to these standards.

A key step in this process will be to undertake an impact assessment of Scotland's two previous Citizens' Assemblies, considering the impact recommendations have had and what lessons can be learned from this. This will help ensure that decisions about required infrastructure and resources for Citizens' Assemblies are evidence-based, and will inform further details of the initial responses provided to each recommendation in this section.

We recognise that large-scale methods other than Citizens' Assemblies may be required in the future. It is the primary intention of Scottish Government to establish sustainable and effective infrastructure for public participation, which can provide a basis for a wide range of participation and deliberation methods.

1. Put in place infrastructure to deliver on commitments to run routine Citizens' Assemblies, starting with Citizens' Assemblies already scheduled by Scottish Government

Scottish Government's commitment to annual or routine Citizens' Assemblies creates a new part of our democratic infrastructure. We want to ensure that Citizens' Assemblies are cost effective and have real impact on policies. There are existing commitments to Assemblies - these would represent the first of the annual Assemblies. Their delivery will enhance our understanding and learning about holding effective Assemblies, as we continue to build the capabilities and skills needed.

The establishment of a Participation team (outlined in response to Participatory and Democratic Innovations recommendation 2) and the delivery of an impact assessment of Scotland's previous two Citizens' Assemblies will be key steps in informing the required infrastructure to establish routine Citizens' Assemblies.

During this Parliament, consideration will be given to how government can best set in place longer term resourcing that delivers a clear programme of Citizens' Assemblies. This will draw on internal and external advice and evidence, and will uphold the values, principles and standards outlined by the IPDD working group. Responses to the other recommendations in this section provide detail on the staging of that process and longer term ambitions.

See also the response to Participatory and Democratic Innovations recommendation 2.

2. Support further work to develop the Citizens' Assembly for under 16's building on the outcomes of a children and young people's democracy symposium

The 'CYP Participation Framework' (outlined in response to Participatory and Democratic Innovations recommendation 3) will provide a mechanism to enable future Citizens' Assemblies and other participatory and deliberative processes with CYP.

The Framework will list pre-qualified suppliers who have:

- the skills and expertise in clearly defined areas
- the capacity and capability to supply the required services at pre-agreed costs established at the award of the Framework Agreement

Policy teams will use this Framework to easily select the most suitable supplier. The Framework will:

- enable efficient and high quality identification, recruitment and engagement with an agreed list of organisations (suppliers) to support CYP's participation in policy development and decision-making processes

- ensure access to organisations with the skills and expertise to engage with particular CYP age groups, and with those who may be furthest from their rights

This will be overseen by the Children's Rights Unit to ensure a more collaborative, streamlined and strategic approach to participation by:

- creating a database of all work commissioned
- creating an evidence bank for carrying out Children's Rights and Wellbeing Assessments, reducing duplication and ad-hoc engagement whilst also tackling engagement fatigue felt by stakeholders
- embedding Open Government principles for participation strategy and guidance
- remaining established for a minimum of four years, at which point it will open again to new suppliers - this will ensure participation opportunities remain fair and transparent

3. Adopt the values, principles and standards set out in this report to underpin all future Citizens' Assemblies, and work to build a trusted system that supports and understands these

See the response to Participatory and Democratic Innovations recommendation 1.

4. Ensure development of annual Citizens' Assemblies is sponsored and organised by a practice-led Unit that has clear responsibility and can ensure continuity of approach across policy areas

We will draw on advice from the Participation team (outlined in response to Participatory and Democratic Innovations recommendation 2) and evidence from an impact assessment of Scotland's previous two Citizens' Assemblies to consider the longer term resourcing needed for Citizens' Assemblies.

This is likely to include identifying resources and skills for:

- effective assembly governance, transparency and scrutiny (including the role of Parliamentary scrutiny and that of an independent Strategic Oversight Group)
- establishing processes for deciding the remit and question for each Assembly
- participant recruitment processes which are trusted, transparent, fair and weighted to facilitate inclusion
- pastoral care that supports anyone to participate
- provision of high quality and balanced evidence and required research capacity
- skilled design and facilitation
- ensuring an Assembly's recommendations have impact

This will include considering options for including in the resourcing and remit of an expanded Participation team the sponsorship of independent delivery teams for Citizens' Assemblies.

See also the response to Participatory and Democratic Innovations recommendation 2.

5. Collaborate with local government, public services and Parliament to establish and agree clear agenda setting guidelines for all Citizens' Assemblies

Clear agenda setting guidelines will be needed for future programmes of Citizens' Assemblies. As acknowledged by the IPDD working group, a number of commitments to Citizens' Assemblies have been made for the current Parliament.

In subsequent Parliamentary terms, consideration will be given to developing a fair, transparent and accountable agenda setting process. This will draw on advice from the Participation team, a Strategic Oversight Group and on collaboration with civil society, local government and Scottish Parliament.

6. Establish a common research framework to evaluate all future Citizens' Assemblies, identifying budget, commissioning and transparency

A common research framework is important to evaluate all future Citizens' Assemblies, as part of a process of placing research at the core of learning, monitoring and supporting the impact of participation and democratic innovations. Evaluations of the two previous Citizens' Assemblies have provided valuable learning, and demonstrate the central importance of evidence-based reflection and development to achieving 'institutionalisation' of participatory and deliberative democracy.

We will undertake an impact assessment of Scotland's two previous Citizens' Assemblies, considering the impact recommendations have had and what lessons can be learned from this. This will ensure that decisions about required infrastructure and resources are evidence-based, and will inform further details of the responses provided to each recommendation in this section.

The proposed Participation team will be multi-disciplinary and will include research work to maintain quality of the evidence bases, institutional learning, monitoring and evaluation.

The establishment of a core Research Group or comparable body would be a subsequent step. The transparent use of research is key to ensuring impact and will:

- monitor and evaluate each Assembly's recommendations
- develop a methodological and evidence base
- oversee continuous improvement and innovation

The independence of this research work is also of fundamental importance. Consideration will be given to the arrangement of a Research Group to ensure that these aims can be met within available budget.

See also the response to Participatory and Democratic Innovations recommendation 2.

7. Connect to the Scottish Parliament Committee system for scrutiny of Citizens' Assembly processes and recommendations

The Scottish Parliament has considerable experience in the use of deliberative work to support Committees. Experts from the Scottish Parliament's Participation and Communities Team were involved in the development of the IPDD report, and have more recently instigated a public Action Inquiry to consider how the Scottish Parliament can embed deliberative processes in its work.

The Citizen Participation and Public Petitions (CPPP) Committee has recently expanded its remit to include consideration of participation and Citizens' Assemblies. In summer 2022 the CPPP Committee took evidence from several members of the IPDD working group and from the Minister for Parliamentary Business. We welcome this interest and will work with the CPPP Committee in whatever way assists them to decide how the Scottish Parliament will scrutinize the participatory and deliberative processes that Scottish Government undertakes.

Scottish Government agrees that in the longer term, steps should be taken to involve the general public and Citizens' Assembly participants in scrutinising the development and delivery of deliberative engagement. Transparency and regular reviews and publication of progress on all recommendations are key to this.

We will draw on evidence from an impact assessment of Scotland's previous two Citizens' Assemblies to consider this longer term process. It is likely that fully developing this process will take into the following Parliamentary term, as key aspects of it will be dependent on an established funding arrangement for Citizens' Assemblies.

8. Adopt the initial governance proposals set out in this report to provide reassurance on independence and an ethical and credible process, with commitment that governance for new democratic innovations will be set out in a National Participation Strategy

Clear roles and responsibilities are necessary to deliver credible Citizens' Assemblies. We will draw on advice from the Participation team, evidence from a comprehensive impact assessment of Scotland's previous two Citizens' Assemblies, and international evidence to consider options for this. Developing an established governance model that covers all aspects outlined by the IPDD working group will take into the following Parliamentary term, and aspects of this will be dependent on the establishment of a National Participation Strategy.

9. Establish a Strategic Oversight Board to bring external expertise in to review and guide democratic innovations

An independent Strategic Oversight Board is a key feature of Citizens' Assemblies that uphold the values, principles and standards outlined by the IPDD working group. This provides:

- accountability, strategic advice, and oversight of public participation
- external expertise to review and guide democratic innovations

- the scope to adjudicate disputes or complaints from assemblies – and if necessary escalate these to Ministers

Work will take place to establish an independent Oversight Board before the commencement of the next Citizens' Assembly. Learning and advice for this will be drawn from the [National Participatory Budgeting Strategic Group](#).

10. For each Citizens' Assembly process, establish an independent and practice-led Secretariat (within or close to the Participation Unit) with delegated authority to organise and deliver the process

An independent and practice-led Secretariat with delegated authority to organise and deliver each Citizens' Assembly process is key to upholding the values, principles and standards outlined by the IPDD working group.

We will draw on advice from the Participation team and evidence from an impact assessment of Scotland's previous two Citizens' Assemblies to consider the process of building up a body of staff with responsibility for Participation and Citizens' Assemblies. This will include considering the longer term aim of establishing for each Citizens' Assembly an independent Secretariat that is sponsored by the Participation team, to ensure investment in skills and continued capacity building.

Due to current budget challenges, this ambition will be reviewed in following financial years. In the interim, relevant policy teams for each Citizens' Assemblies will provide funding for delivery and will receive advice from the Participation team.

[Additional actions regarding Citizens' Assemblies](#)

The IPDD working group notes that the use of the term 'citizen' in Citizens' Assembly implies that citizenship is a criteria for participation in an Assembly, and that this is not the case. Scottish Government agrees that it is important to make clear that the participation of people without citizenship status is welcome and encouraged, as part of an approach that has inclusivity at its core. It is proposed that Scotland's future Assemblies are named more inclusively, for example replacing the word 'citizen' with 'people'.



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