

Scotland's Rural College

Learning Lessons from early Islands Communities Impact Assessments

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Rural Policy Centre



**Learning Lessons from early Islands
Communities Impact Assessments
Jane Atterton, July 2019**



Leading the way in Agriculture and Rural Research, Education and Consulting

Learning Lessons from early Islands Communities Impact Assessments

Rural Policy Centre Research Report

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18 July 2019

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Executive Summary

- The Islands (Scotland) Act 2018 was granted Royal Assent in July 2018. The Act introduces a number of measures to underpin the Scottish Government's key objective of ensuring that there is a sustained focus across Government and the public sector to meet the needs of island communities, now and in the future.
- One of the provisions of the Act which has not yet come into force relates to Island Community Impact Assessments (ICIAs, or island proofing) as further preparatory work is required. ICIAs require relevant authorities to take into account island communities from the outset (where possible) and how the policy, strategy or service impacts on those communities. The Act says that an ICIA *"must be prepared in relation to a policy, strategy or service which in the authority's opinion, is likely to have an effect on an island community which is significantly different to its effect on other communities (including other island communities) in the area in which the authority exercises its functions."*
- This project forms part of the preparatory work on conducting ICIAs. Four early ICIAs were reviewed to explore the information identified and gathered. It also reviewed experiences of rural proofing in England, Northern Ireland, Canada and New Zealand to reflect on lessons that could be learned for future island proofing in Scotland.
- The four ICIAs that were reviewed covered very different policy areas (motor sports on public roads, the social security system, planning and fuel poverty) and were variable in their length, level of detail and format. Two had undertaken specific islands-based consultation and information-gathering work, and three set out a range of differential impacts from the proposed policy change and recommended improvements and/or mitigating actions. None of the four considered variations in circumstances across Scotland's islands in any great detail.
- It is fair to say that rural proofing experiences in England, Northern Ireland and Canada have been mixed (it is too early to draw conclusions from New Zealand). The process has been strongly critiqued in all three countries, including in relation to: the use of a single rural proofing checklist; the lack of clarity in the language used; the lack of knowledge and understanding of rural issues amongst most policymakers in other departments (and lack of knowledge/uptake of training); a lack of obligation to rural proof and a lack of penalty if its not undertaken; undertaking rural proofing too late in the policymaking process; inadequate data to support the process; a confusion over roles and responsibilities; a lack of clarity on the outcomes/purpose of rural proofing; and the basing of rural proofing around rural needs and a deficit model. Nevertheless, lessons can still be learned from these experiences to inform the ICIA process in Scotland.
- The report provides recommendations for the future island proofing process in Scotland, including a suggested seven-section ICIA template and associated guidance document (effectively, a seven-stage island proofing process): 1. Define the issue; 2. Understand the situation; 3. Identify people and organisations that need to be involved or require consultation and appropriate ways to do this; 4. Development and design; 5. Refine the initiative and identify resource implications; 6. Deliver/implement the policy/programme/service and associated monitoring; 7. Evaluation and review.
- Providing a short, simple template for authorities to use in instances where they decide an ICIA is not required would also be useful, as would a template for use by authorities in preparing

their annual island proofing monitoring return (to be submitted to whichever organisation is deemed appropriate to collate such information).

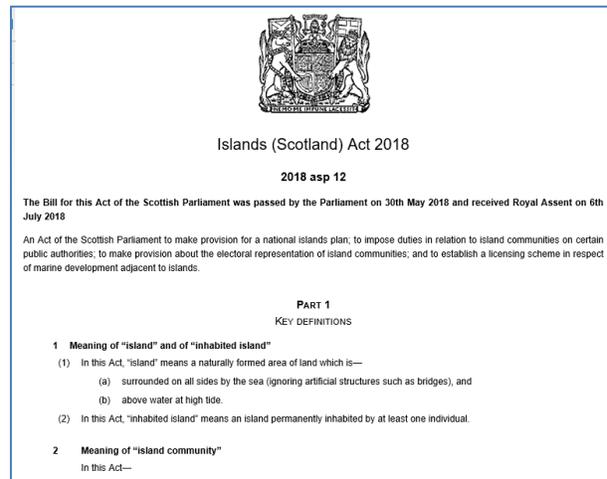
- The major difference in the approach to ICIA's and the experiences of rural proofing reviewed here is that authorities are only expected to conduct ICIA's in instances where the policy, programme or service *"is likely to have an effect which is significantly different from its effect on other communities"*. In contrast, all policies need to undergo rural proofing. While still resulting in some resource implications for public authorities, this will be less onerous than rural proofing and will thereby avoid some of the major challenges encountered regarding the additional workload implications for policymakers. While the legislation sets out how authorities should make the decision on which service, programme or policy to island proof, it may be appropriate to provide further guidance for them, for example, in terms of what constitutes a *"significantly different"* effect, the maximum number of ICIA's an authority is expected to complete in a year, or in terms of particular themes to focus on in ICIA's each year. Testing out different approaches may be useful in the first few years of ICIA implementation.
- Further recommendations are provided regarding the wider island proofing process, including ensuring: clear roles/responsibilities at all geographical scales; clear scrutiny and reporting requirements; ministerial commitment and reporting; clear rationale for island proofing; adequate resourcing for undertaking ICIA's; clear consultation mechanisms; sharing examples of best practice; consideration of an independent island watchdog role; and consideration of the appointment of an independent island proofing advisory group.
- Finally, the report concludes by providing recommendations relating to the need for an accurate and up-to-date evidence base on island proofing to ensure the process is based on robust data, including in terms of monitoring and evaluation, in order to achieve improved outcomes for Scotland's island communities.

1. Introduction

The Islands (Scotland) Act 2018 was granted Royal Assent on 6th July 2018. The Act introduces a set of specific measures to underpin the Scottish Government's objective of ensuring that there is a sustained focus across Government and the public sector to meet the needs of island communities, now and in the future.

The majority of the Act's provisions came into force on 4th October 2018, including the development of a National Islands Plan, a Shetland mapping requirement, a duty to consult island communities, and the development of a scheme under which requests by local authorities for devolution of functions and additional powers can be made.

Two key elements of the Act have not yet come into force as guidance, regulations or other preparatory work are required first. One of these elements is the focus of this project: *provisions relating to Island Community Impact Assessments (ICIAs)*.



2. The Project

This project aims to:

- *Review at least four early ICIAs to identify evidence challenges, good practice and critically consider any methodology used to give Scottish Government lessons learned on ICIAs as they are being implemented by public bodies across Scotland.*

The project objectives (and key research aims) are to:

- *Produce a desk based assessment identifying and analysing the information gathered on the early ICIAs;*
- *Consider tools and frameworks that already exist and how they might be adapted in relation to island communities;*
- *Help to inform the development of a template and guidance that can be used to direct the way in which ICIAs are conducted;*
- *To make some recommendations on the evidence gaps that would be appropriate for further research;*
- *To write up a short report which will be reviewed by RESAS and other relevant Scottish Government colleagues (including through a presentation of emerging findings) and then made publicly available.*

Although the Section 8 ICIA provisions of the Islands (Scotland) Act 2018 have not yet come into force, some ICIAs have already been produced by Scottish Government and other agencies. Four of these were provided to the researcher for this short project, which was undertaken in June-July 2019. In addition to reviewing the four existing ICIAs, relevant tools and frameworks used in rural proofing were identified and reviewed in order to provide recommendations to inform the way in which ICIAs (or island proofing) are undertaken by public authorities in the future.

This report forms the main output from this project and will inform the guidance and template for ICIAs. This work on ICIAs is being progressed alongside a large-scale consultation on the National Islands Plan (online and through around 50 consultation events on islands) undertaken during the summer of 2019¹. This consultation, undertaken by the Scottish Government Islands Team and academics from the University of Strathclyde, involved an ambitious two stage process which began in April 2019². The consultation offered an opportunity for island communities to share their views on the National Islands Plan and ICIAs with the Scottish Government. The first stage consisted of an online survey via Citizen Space, which was combined with qualitative data gathered through a second stage of the consultation consisting of a series of consultation events on Scotland's Islands. The online consultation included a series of questions on ICIAs, to allow for island communities, local authorities and island representatives to input into the guidance development. Publication timeframe of this guidance is still to be agreed, and work on this is ongoing, alongside this project.

¹ For more information, see:

<https://www.strath.ac.uk/research/strathclydecentreenvironmentallawgovernance/ourwork/research/labsincubators/eilean/islandsscotlandact/consultations/> and: <https://www.gov.scot/publications/national-islands-plan-islands-communities-impact-assessment-guidance-consultation/pages/6/>

²For further information and a presentation on the consultation see:

https://www.sruc.ac.uk/info/120736/island_webinar_series/2119/proposed_national_islands_plan_-_erica_clarkson_and_francesco_sindico

3. Islands Communities Impact Assessments (ICIAs)

The importance of island proofing was initially set out in the ‘*Empowering Scotland’s Island Communities*’ prospectus published by the Island Areas Ministerial Working Group (2014). This argued the need for a duty to be placed on the Scottish Government and other relevant public authorities to island proof their functions and decisions, where those functions and decisions will have an islands impact (p.23).



Part 3 of the Islands (Scotland) Act 2018 relates to duties concerning island communities of which Section 8 – Islands Communities Impact Assessments (ICIAs) is a key provision. The Act places a duty on the Scottish Ministers and other relevant authorities, including a number of public authorities, to have regard to island communities in exercising their functions. For Scottish Ministers this will include the development of legislation. This ‘having regard to’ island communities – which can also be termed island proofing – is based on the principle of building a broad-based islands awareness into the decision making process of all parts of the public sector, by considering the particular needs and circumstances of island communities when authorities are exercising their functions and making decisions.

ICIAs require relevant authorities to take into account island communities from the outset of devising a policy, strategy or service, and to understand how this will impact on those island communities and how these impacts may be different from non-island communities.

The Act says that an ICIA:

“must be prepared in relation to a policy, strategy or service which in the authority’s (includes Scottish Ministers) opinion, is likely to have an effect on an island community which is significantly different from its effect on other communities (including other island communities) in the area in which the authority exercises its functions. If the relevant authority does not prepare an ICIA in relation to a policy, strategy or service which has an effect on an island community, it must publish, as soon as is reasonably practicable afterwards and in such a manner as it considers appropriate, an explanation of its reasons for not doing so.”

In practice, an ICIA should describe the likely significantly different effects of a policy, assess the extent to which it can be developed or delivered to improve or mitigate the outcomes for island communities, and explain the financial impact of this mitigation. The Act was developed in partnership with local government and other key stakeholders, and this collaborative approach is important for the development of the ICIAs.

Consultation is required (see Section 2) to ensure that island communities are fully involved in establishing the process both for the assessments and for potential reviews, the latter of which will need to be done through Regulations. As such, Section 8 of the Act and the related provisions

cannot be commenced until this preparatory work has been undertaken, and this project is a part of this work.

This project reviews four early ICIAs (provided to the researcher by the Scottish Government) and reflects on existing tools and frameworks used in rural proofing in different countries, from which useful lessons may be learned for island proofing.

4. Review of early Islands Communities Impact Assessments (ICIAs)

4.1 Introduction

The Scottish Government provided four completed early ICIAs to review in this project, relating to different policy/legislative areas:

- Motor sport on public roads (Scotland) Regulations 2019 - Transport Scotland;
- Regulations making provision in relation to Social Security Appeals – Scottish Government;
- Planning (Scotland) Bill – Post Stage 2 – Scottish Government and the Strategic Islands Group;
- Fuel Poverty (Targets, Definition and Strategy) (Scotland) Bill – Scottish Government.

This section of the report discusses these early ICIAs, and after some brief background information is provided in each case, specific reference is made to:

- The key differences highlighted in respect to islands communities;
- The methodological approach used and evidence collected;
- Any ‘good practice’ approaches which could be more widely adopted in future.

4.2 Motor sport on public roads (Scotland) Regulations 2019

Background: This ICIA was undertaken by the Road Policy Team in the Roads Directorate at Transport Scotland and relates to a Scottish Statutory Instrument (SSI) with provisions to amend the Road Traffic Act 1988 to legalise motorsports on public roads. This would allow local authorities to authorise motor sports events jointly with the Motorsports Governing Body by issuing a Motorsports Order. It was envisaged that this would bring considerable benefits at local level (e.g. through local spending by competitors, their families/teams and visitors) as local authorities would be able to approve rallies more often than through the current arrangement. It was not envisaged that a large number of events would be authorised under this SSI which was initially targeted to cover the Jim Clark Rally in the Scottish Borders and the Isle of Mull Rally, the only two closed road events that have taken place in Scotland in recent years (although neither have been held on closed roads recently due to tragic fatal accidents in 2013 and 2014 and subsequent issues with insurance cover).

Island Communities Impact Assessment	
Title of policy/ practice/ strategy/ legislation etc.	Motor sport on public roads (Scotland) Regulations 2019
Lead Minister	Michael Matheson MSP, Cabinet Secretary for Transport, Infrastructure and Connectivity
Lead official	George Henry, Head of Road Policy
Directorate	Roads Directorate
Division	Transport Scotland
Team	Road Policy Team

Stage 1 - Planning

1. What is the aim of your policy/strategy/plan?

The purpose of the Scottish Statutory Instrument is to introduce a two stage authorisation process to allow motor sports to be held on closed public roads in Scotland. This closes the relevant motorsports governing bodies (i.e. Motorsports UK)

Methodological approach and evidence collected/used: The ‘Motorsports on closed public roads public consultation’ was designed to gather public views to inform the Scottish Government’s policy on motorsports on closed public roads, and to assist in the development of future legislation in this area. The consultation was held between 3 December 2018 and 28 January 2019 and a total of 3,788 responses were received. 98% of respondents supported the introduction of a two-stage application process for motorsports events to be held on closed public roads.

Responses included a number from island businesses, representative organisations and community groups (e.g. Mull Community Council and Marketing Mull and Iona) who were generally supportive of the proposals, particularly because they would give local authorities the flexibility to hold additional events, including during the less busy tourism periods in the winter months.

An ICIA summary template was completed for publication on the Scottish Government website. This included information on: the aims/expected outcomes of the SSI; a summary of the evidence used (in this case the public consultation); any specific islands issues or concerns raised.

Differences in respect to island communities: The ICIA concluded that the provisions within the SSI do not raise island specific issues or concerns and, therefore Transport Scotland argued that: “We do not believe an ICIA is required as the provisions make no distinction to various communities across Scotland.”

Any ‘good practice’ approaches used: This ICIA drew on island-specific evidence collected through a public consultation.

4.3 Regulations making provision in relation to Social Security Appeals

Background: The Scottish Government committed to island-proofing its Social Security (Scotland) Act 2018 in advance of the Islands Act placing a formal requirement on them to do so. The Scottish Government also committed to island-proofing the secondary legislation required in setting up the new Chamber of the First-Tier Tribunal for Scotland to hear appeals in the Scottish social security system.



Methodological approach and evidence collected/used: A full six-part public consultation on the draft Regulations was undertaken between 22 January 2018 and 16 April 2018, as well as a consultation with senior members of the judiciary as required by the 2014 Act. The Scottish Parliament’s Social Security Committee also undertook an evidence gathering session during the full public consultation period. A total of 25 written responses were received to the public consultation and independent analysis of these responses was undertaken. Respondents included organisations representing island interests.

Differences in respect to island communities: The main issues raised by island respondents related to accessibility and choice.

It was recognised that Skype and other forms of video conferencing can improve accessibility and avoid the need to travel distances (e.g. to appointments) which can be time consuming, expensive and difficult for people living in rural and island communities. However, respondents also suggested that digital would not be the best delivery model for everyone, particularly given the digital connectivity challenges in many rural and island communities. Therefore it was argued that other delivery channels would need to be available, including through face-to-face contact which is vital for some people (e.g. due to digital exclusion, disability or communication difficulties). The ICIA noted that the Scottish Government was keen to ensure that as much information as possible was available online and that appeals can be submitted online, but that it recognised the digital challenges that exist in many island and rural communities. In relation to this point, the ICIA concluded that: *“The Scottish Government is aware that people want tailored solutions to suit their different preferences and needs, and will therefore work to ensure the availability of digital, telephone and face to face communication challenges where possible.”*

The ICIA noted that the regulations were amended following the consultation process in order that any impacts that were identified could be mitigated as far as possible. It also recognised that the regulations may have to change from time to time, to reflect changes in economic and social conditions and as the new Chamber becomes more experienced in delivering the new system. The ICIA also noted that the Scottish Government had sought to involve expert organisations and people outside of government in developing the secondary legislation.

The ICIA concluded by noting that Scottish Ministers were aware of the duty to consult island communities before making a material change to any policy, strategy or service which, in their opinion, was likely to have an effect on an island community which is significantly different from its effect on other communities. Through this ICIA, and particularly the consultations, it was established that there would be no significantly different effects of the regulations on island communities. Similarly, it was concluded that there would be no financial impact for island communities resulting from the provision in relation to social security appeals.

However, it was concluded that there may be a financial impact on individuals required to travel considerable distances to attend a tribunal. To negate the financial implications of attending, it was stated that there would be a short set of regulations made under ancillary powers in the 2018 Act to enable a scheme to be set up for payment of travel and subsistence expenses and (where appropriate) payment of allowances towards the loss of remunerative time.

Any ‘good practice’ approaches used: This ICIA drew on evidence collected through a publicly accessible consultation, a (required) consultation with senior members of the judiciary and evidence-gathering by the Scottish Parliament’s Social Security Committee.

The ICIA noted that the Social Security (Scotland) Act 2018 places a duty on Scottish Ministers to publish an annual report on the performance of the Scottish social security system and this will include information on the impact of island-proofing. It is also noted that the Scottish Government will be able to identify and highlight any areas where the regulations have not performed as

intended once the tribunal gains further experience in running the new system. Appropriate remedial action will then be taken forward. The Scottish Government's close working with the Scottish Courts and Tribunal Services (SCTS) will help to ensure that SCTS can report back any procedural difficulties allowing remedial action to be taken.

This ICIA clearly sets out the action taken to mitigate the particular financial impacts highlighted for island individuals through the process (in this case, introducing a scheme for parties/witnesses to claim travel and subsistence expenses and [where appropriate] allowances towards the loss of remunerative time).

4.4 Planning (Scotland) Bill – Post Stage 2

Background: The Scottish Government made a commitment to island proof the Planning (Scotland) Bill in 2017, in recognition of the particular challenges and opportunities for planning arising from the special circumstances of island communities, and in advance of the provision regarding ICIAs becoming legislation. This ICIA sets out the challenges and opportunities arising from each of the 20 proposals for change which were outlined in the earlier consultation '*Places, People and Planning*' (January 2017) and the subsequent Scottish Government Position Statement (June 2017).

Methodological approach and evidence collected/used: The ICIA noted that the Planning (Scotland) Bill is part of a wider programme of planning reform which has been supported by a wide collaboration with planning authorities and other stakeholders throughout Scotland since Autumn 2015. Following ongoing engagement during the course of the planning review, an intensive island proofing exercise was undertaken through a collaborative workshop held on 29 September 2017.

The ICIA noted that the recommendations have been considered, and will be considered further, by the Scottish Government as part of the preparation of future work on planning reform, including the Bill, policy and guidance.

Differences in respect to island communities: The ICIA addressed 20 proposals and their potential island-specific effects. In summary, the key island differences noted were:

- The need to allow flexibility for the islands, as their needs are very different to those of towns and cities. Therefore, island areas should be permitted to diverge from Scottish Planning Policy (where appropriate) due to the different delivery challenges they face;

Planning (Scotland) Bill – Post Stage 2

Island Communities Impact Assessment

Joint Statement by the Scottish Government and members of the Strategic Islands Group.

UPDATED – June 2019

Introduction

The Planning Bill is part of a wider programme of planning reform which has been supported by wide collaboration with planning authorities and other stakeholders throughout Scotland since the review of the system began in Autumn 2015.

In 2017, the Scottish Government made a commitment to island proofing the Planning Bill, in recognition of the particular challenges and opportunities for planning arising from the special circumstances of island communities. Following ongoing engagement throughout the course of the planning review, an intensive island proofing exercise was undertaken through a collaborative workshop, held on Friday 29 September 2017.

The main theme that emerged through all the discussions was the need to allow flexibility for the islands - acknowledging that their needs were very different to that of towns and cities.

The Bill was introduced to the Scottish Parliament in December 2017. Stages 1 and 2 of the Parliament's scrutiny has now been completed.

In the meantime, the Islands (Scotland) Act 2018 introduced a new duty for relevant authorities to have regard to island communities in carrying out their duties, including through the preparation of an island communities impact assessment. The

- The greater potential to achieve stronger alignment between community and spatial planning in island settings, given the smaller scale of local authority areas.
- When advocating regional partnership working (e.g. to identify regional housing targets or shared issues), the need to recognise that islands are not a geographically contiguous region so this proposal may not be applicable. It was noted therefore, that any duty or powers should be worded flexibly to allow for regional collaboration only where relevant, rather than being universally required.
- The small size of island authority planning teams, combined with the logistics of site visits, may mean that the desire for stronger local development plans and a two year plan preparation period may be unrealistic in these locations. Instead, it was recommended that island authorities should be allowed to deviate from national policy by defining their own triggers for plan updates to allow them to respond to local issues and pressures. The resourcing constraints in islands authority planning team may also place a limit on the number of communities that can come forward with Local Place Plans, therefore expectations might have to be managed carefully. Again flexibility is required.
- The viability of a housing site in the islands should not be subject to an appraisal if it is to be allocated in the local development plan. This is because the housing requirements and market situation on islands is very different, and Conventional Housing Market Areas do not operate in all island or rural local authority areas and are not an effective tool. There is no building by volume house builders and a significant share of planning applicants are single farmers or private individuals on windfall sites. Proposals must be realistic about expectations and delivery and there needs to be flexibility to recognise the different conditions in different places.
- Some concerns were raised that if housing numbers were set for some areas and not others (including islands in the latter), that might create a two tier planning system with investment being directed to those areas with the highest numbers. It was recommended in the ICIA that the NPF could set targets for specific parts of the country where there was demand but allow other areas (e.g. islands) to set at a local level. However, in doing so, consideration must be given to infrastructure needs across Scotland as a whole. The distinct development context and demand profile of the islands suggests that island authorities should be able to determine their own targets at a regional and sub-regional level (again, flexibility is required).
- It was recognised that many island communities are already very engaged in planning (e.g. through efforts to use digital communications and the place standard in Argyll and Bute and Shetland) but it can still be difficult to involve people at the development plan stage. Greater efforts to involve children and young people could relate particularly well to wider demographic objectives aiming to ensure more people stay on the islands. Community trusts could be particularly well placed to provide a long-term view.
- Relating to the proposal to improve public trust, it was noted that repeat applications do not tend to arise in the islands, and that enforcement may bring particular logistical challenges for island authorities.
- The ICIA raised some views that the Housing Needs and Demands Assessment was not relevant to an islands context and that it can be an onerous process for small (island) planning teams.

- Alternative housing delivery models, such as self-build, are already well established in the islands. The ICIA recommended that other areas could learn from island authorities in identifying sites in their local development plans for self-build housing.
- The ICIA noted that there is a high proportion of land on some islands which falls within designated areas. Also, planning policies on islands are already quite relaxed, so not having to make an application for planning permission would be unlikely to make a difference to anyone looking to relocate to the islands.
- The ICIA discussed infrastructure levies and argued that, in an island context, there would be benefit from a levy being chargeable only in the case of a small number of high value projects, rather than to all development. Again, flexibility is required to take account of the different situation on islands.
- The ICIA noted that island authorities have some experience in sharing skills on an ad hoc basis (e.g. sharing conservation expertise between Orkney and Western Isles) which is beneficial and works well. The ICIA recommends that island authorities consider further sharing of resources through continuing liaison.
- The ICIA noted that there had been a recent increase in the maximum fee but that this was not impacting on the resourcing of island authorities given the smaller number of major developments encountered. In contrast, island authorities can have a higher proportion of non-fee paying work (such as Environmental Impact Assessments) and this can take up significant resource to realise positive development outcomes.
- The proportion of householder applications in some of the islands was reported to be relatively low and so expanding permitted development rights to include more small scale householder applications would have less benefit there than in non-island communities.
- In relation to digital issues, it was noted that improved broadband to support digital improvements is essential and this will also open up opportunities for homeworking/repopulation of the islands. The ICIA recommended that comments be fed back to the digital task force to allow for special island circumstances to be taken into account in wider recommendations.

Any 'good practice' approaches used: A collaborative workshop was held as part of an 'intensive island proofing exercise'. The ICIA clearly sets out the differential effects that were identified for island communities relating to the different planning related proposals as they progressed through the Scottish Parliament, and the associated recommendations.

4.5 Fuel Poverty (Targets, Definition and Strategy) (Scotland) Bill

Background: The Scottish Government committed to conducting an ICIA for the Fuel Poverty (Targets, Definition and Strategy) (Scotland) Bill prior to the Islands (Scotland) Act 2018 coming into force, but "*in its spirit*" in order to ensure that the specific perspectives and concerns of those who live in island communities were taken into account.

Methodological approach and evidence collected/used: Government officials met with the six local authorities which comprise inhabited islands, and island community members through visits and stakeholder meetings in March 2019. The meetings provided an opportunity for participants to be updated on the progress of the Bill through Parliament, to raise concerns on its impact on their communities, and to discuss the unique challenges faced by island communities. These discussions, combined with evidence from previous consultations, directly informed this assessment. Alongside this, the written responses to the Committee's call for evidence at Stage

1 of the Fuel Poverty Bill were also considered, together with the evidence heard by the Committee in Autumn/Winter 2018, and subsequent reports written by the Committee and by other stakeholders (e.g. the Scottish Rural Fuel Poverty Taskforce).

Island Communities Impact Assessment for the Fuel Poverty (Targets, Definition and Strategy) (Scotland) Bill

May 2019



Differences in respect to island communities: The key concerns raised related to how the rural, remote rural and island uplift to the Minimum Income Standard (MIS), which will form part of the fuel poverty definition, will reflect lived experience on the ground. There were calls for flexibility around scheme delivery and funding in island communities in order to exploit the unique circumstances that island living presents, as well as recognising and stepping up to its challenges. A set of mitigating actions were identified as necessary in order to support the Scottish Government's aim of reducing fuel poverty within island communities within the context of the Fuel Poverty Bill. These actions included:

- Reviewing how funding is allocated to ensure that extreme fuel poverty, which is a particular challenge in the islands due to a range of factors (e.g. higher fuel prices, more off gas grid properties so it is harder to find opportunities to reduce fuel costs, generally older housing stock which is harder to improve to energy efficiency standards, more adverse climatic conditions, etc.), is taken into account (alongside fuel poverty) as part of the Fuel Poverty Strategy.
- The Strategy will work with island communities to design, pilot and implement delivery flexibilities that will support the tackling of hard to treat extreme fuel poverty. A qualitative section will be considered for inclusion in the reporting cycle for the Strategy.
- The Scottish Government will ensure that island authority representatives are fully involved in the development process for the final Strategy in order to ensure that the additional challenges faced by island communities, due to differences in housing characteristics for example, are taken into account.
- The Scottish Government will create a remote rural, remote small town and island minimum income standard uplift to be used in the measurement of fuel poverty, with the uplift for island areas to be determined separately. Taken alongside the modelled estimates of energy consumption and fuel bills that already take account of geographical variances in fuel costs and weather conditions (soon to be down to postcode district level),

this will ensure that the new definition is tailored to island communities' lived experience and will provide an accurate view of fuel poverty in these communities.

- The Scottish Government committed to seek views from all island local authorities before the end of Summer 2019 as the regulations are prepared for the enhanced heating regime.
- The Scottish Government committed to work with the six island local authorities to develop the learning from the Home Energy Efficiency Programmes for Scotland (HEEPS) Equity Loan Pilot Scheme on Na h-Eileanan Siar, and to consider how that can be expanded to ensure that help is available to those who need it.
- The Scottish Government will conduct an ICIA on the final Fuel Poverty Strategy to be published at the same time as the Strategy.

In addition to this, a range of measures were considered in which it was decided that there would be no differential impact on island communities, for example, in relation to setting a national target (of maximum 5%) of households to be in fuel poverty by 2040. However, it was recognised that the approaches to meeting this target may be different in different places.

The ICIA highlighted the importance of '*using robust island data*' to identify the prevalence of (extreme) fuel poverty and made reference to the criticism that the survey sample in the Scottish Housing Condition Survey was too small for island proofing purposes. In response, however, the Scottish Government noted that the sampling approach in this survey means that island communities are accurately represented (perhaps more so than mainland communities). Local authority data may be available to supplement national survey data, including through case studies, and the ICIA noted that, despite potential challenges with national level data: "*Knowledge can be easier to obtain in the islands due to small catchment areas, closer networking and strong community ties*".

Any 'good practice' approaches used: This detailed ICIA drew on a range of published information, including written evidence submissions and survey data (e.g. from the Scottish House Condition Survey comparing the key issues and characteristics of island communities compared to mainland communities), and consultation events with island local authorities and community members. A good deal of the information gathered through the consultation events was referred to in detail in the ICIA, and the ICIA provided an in-depth account of the actions taken in response (and of instances where actions were not taken, with an explanation provided).

4.6 Summary of existing ICIAs

The four ICIAs reviewed for this project were all very different, in terms of the policy areas they covered, but also in terms of their level of detail and length, and the evidence that was drawn upon, including existing published evidence, new material collected through public consultations (some specific to the islands), and more formal evidence-gathering sessions (including through relevant Scottish Parliament Committees).

The key points from the ICIAs are:

- Motor sport on public roads:
 - Public consultation, including some island specific responses
 - No island specific concerns or issues raised so concluded that no ICIA required.
- Social Security Appeals (Section 4.2):
 - Public consultation, including some island specific responses, consultation with members of the judiciary, and Parliamentary evidence gathering.
 - Main issues raised related to differing accessibility and choice in islands compared to non-islands;
 - Recommended that, alongside a move to more digitally available services and information, face-to-face and telephone engagement must still be possible;
 - Recommended that island proofing activities should be included in the annual report from Ministers on the performance of the Scottish social security system;
 - Recommended the introduction of a system to cover travel, subsistence and lost remunerative time (where appropriate) for those attending tribunals.
- Planning (Scotland) Bill – Post Stage 2:
 - Engagement through the wider planning review process and an island specific collaborative workshop;
 - Main issues and recommendations highlighted related to the need to allow flexibility for the islands to diverge from national planning policy where appropriate, for example, relating to: regional partnership-working; the small size of islands planning teams; the challenging logistics for site visits; the differing housing markets, housing requirements and house building approaches in island communities; and the need to determine targets locally.
- Fuel Poverty (Targets, Definition and Strategy) (Scotland) Bill:
 - Evidence from previous consultations on fuel poverty and new evidence from direct engagement with island communities through visits;
 - Actions identified as necessary to support the reduction of fuel poverty in the islands, included: reviewing how funding is allocated to ensure extreme fuel poverty levels are taken into account as well as fuel poverty levels; implementing delivery flexibilities to take account of differing island circumstances; qualitative as well as quantitative information included in annual reports; involving island representatives in developing the fuel poverty strategy and creating a remote rural, remote small town and island minimum income standard uplift, with the uplift for islands to be determined separately; conducting an ICIA on the final Fuel Poverty Strategy.

The four ICIA's reviewed were all undertaken by Scottish Government or a relevant Scottish Government agency (in the case of the motor sports on public roads ICIA, Transport Scotland). In the first two ICIA's listed above, consultation with island stakeholders/communities was limited (which is not surprising in the motor sports case as the effects for island communities were concluded to be no different from those for other communities), while in the second two ICIA's, island specific consultation and information gathering was undertaken. As outlined in Section 3, in practice, an ICIA should:

- Describe the likely significantly different effects of a policy;

- Assess the extent to which it can be developed or delivered to improve or mitigate the outcomes for island communities; and
- Explain the financial impact of this mitigation.

It is worth noting that while the social security, planning and fuel poverty ICIA set out a range of differential impacts and recommended improvements/mitigating actions, only the social security appeals ICIA discussed the financial implications of the mitigation (in terms of the new scheme to cover travel and subsistence and loss of remunerative time, if appropriate). There is only very limited recognition in some of the ICIA of the diversity in circumstances between and within Scotland's islands, and it is worth reiterating that the Islands (Scotland) Act 2018 says that ICIA must consider the differential impacts between island and non-island communities and between different island communities (Section 8.1) .

5. Review of experiences of rural proofing to inform approaches to island proofing

5.1 Introduction

At the outset, it is important to note that no other countries were identified where island proofing is currently undertaken. However, there are many examples of other kinds of proofing, including climate change, gender, age future, sustainability, rural, etc. proofing. As a result of the limited time to undertake this study, it was decided to focus on experiences of rural proofing as this is most closely aligned to island proofing.

This section therefore reviews experiences with rural proofing, with reference to several countries that have implemented rural proofing in the past, or that currently do so: England, Northern Ireland, Canada and New Zealand. The situation in Scotland is also briefly reviewed – although it has never formally adopted rural proofing - as a result of the focus of this report on Scotland's island proofing. Focus is particularly placed on how effective rural proofing has been, the tools and frameworks that are used, and criticisms of it. Alongside the evidence presented in the four early ICIA's (in Section 4), this information informs the recommendations put forward in Section 6.

5.2 What is rural proofing?

Rural proofing is typically a formal process through which all policy areas take rural issues into consideration. As EU Commissioner for Agriculture Phil Hogan described in 2017:

“It is about making sure that rural communities are heard and their wellbeing considered when policies are formulated and budgets are drawn up. However it is more than just checking for potential impacts and implications of policies. It is also about designing schemes and strategies that reflect the needs and aspirations of rural communities, about recognising the rural potential to deliver innovative, inclusive and sustainable solutions. Effective rural proofing should therefore proactively include rural communities and their potential in the policy design stage” (ENRD 2017, p. 27).

The 'rural challenges' that policy-makers may need to take into account include: covering higher policy and practice delivery costs; different needs and preferences amongst rural residents; the need for cross-cutting coordination as rural issues span several policy areas; and budgetary constraints which limit the resources available. Responding to these challenges requires processes for evidence gathering, consulting with stakeholders, and liaising across different parts of Government to identify where and how to best address rural issues. Such processes can take different forms and one such approach is rural proofing.

As the ENRD (2017) confirms, the concept of rural proofing is gaining political momentum at national and European levels, not least as a result of the Cork Declaration 2.0. At a time of increased scrutiny of public budgets, rural proofing is being seen as a powerful tool for getting

value for money and ensuring that policies reinforce each other to achieve the maximum benefits for all areas, and that the negative consequences for rural areas are avoided.

Sections 5.3-5.7 of this report now turn to review rural proofing processes in England, Northern Ireland, Scotland, Canada and New Zealand to inform future approaches to ICIA in Scotland.

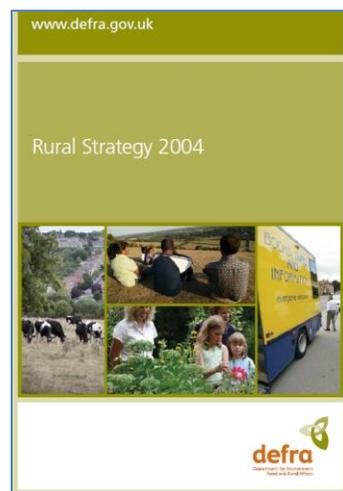
5.3 Rural Proofing in England

5.3.1 Background and critique of rural proofing

The UK Government launched its: “*clear and continuing formal commitment to undertake systematic procedures to ensure that all of its policies, programmes and initiatives, both nationally and regionally, take account of rural circumstances and needs*” in the 2000 Rural White Paper (DETR/MAFF 2000). This commitment was subsequently refreshed in the 2004 Rural Strategy (Defra 2004).

The commitment stated that, as part of the policy-making process, through from design to delivery, policymakers should systematically think rural by:

- Considering whether their policy is likely to have a different impact in rural areas, because of particular rural circumstances or needs;
- Making a proper assessment of those impacts, if these are likely to be significant;
- Adjusting the policy, where necessary, with solutions to meet rural needs and circumstances (DETR/MAFF 2000).



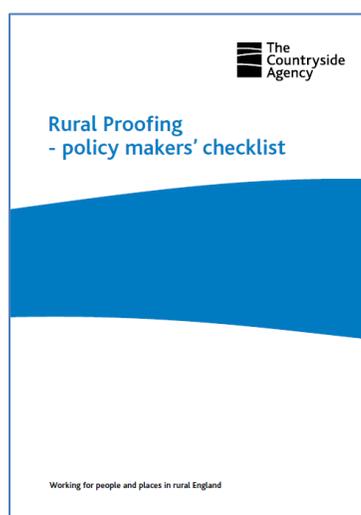
It is worth returning to the Islands (Scotland) Act 2018 here to note its fundamental difference in approach to island proof only when the policy, programme or service “*is likely to have an effect on an island community which is significantly different from its effect on other communities*” which contrasts to the approach of undertaking rural proofing in England in relation to all policies, programmes and initiatives.

Rural proofing responsibilities and institutions have shifted somewhat since then but, in principle, individual policymakers in their different Departments have been responsible for undertaking rural proofing, with Defra (the Department of the Environment, Food and Rural Affairs) acting as rural proofing ‘champion’ across Government and the (now defunct) Countryside Agency (CA) and its successor the Commission for Rural Communities (CRC) responsible for independently monitoring and reporting on progress, including through annual rural proofing reports (i.e. acting as a ‘rural watchdog’). The annual reports included details of some rural proofing successes, perhaps most notably the building of rural considerations into Defra and Treasury work on Public Service Agreement (PSA) targets and the 2004 Spending Review. However, in general its implementation has been slow, incomplete and inconsistent, and it has been strongly critiqued (see for example Atterton 2008; Shortall and Alston 2016).

The mainstreaming agenda has gathered pace across Government in England since 2008. Mainstreaming involves a review of all policies to ensure that all people receive comparable policy treatment by government no matter what their location i.e. ensuring that policies are tailored to local needs, whether rural or urban. Rural mainstreaming refers to the need for rural circumstances to be considered as part of everyday policymaking and not separately throughout government and rural proofing is the method used to ensure that this is correctly carried out. In this way, the aim is to avoid having specific rural policies but rather to review existing and new policies to ensure that rural and urban residents receive equitable access to policies and programmes (Atterton and Skerratt 2016; Shortall and Sherry 2017).

Rural proofing in England has been subject to robust critique since its inception, in relation to a number of different aspects of the process, including:

- The use of a **single rural proofing 'checklist'** (see for example, Countryside Agency 2002) which effectively turned the process into a somewhat meaningless tick box exercise,



particularly given the requirement to undertake rural proofing for all policies, programmes and initiatives. The checklist only covers the more typical policy challenges in rural areas and does not allow for the variety of policy issues, challenges and opportunities across hugely diverse rural areas to be taken into account. The checklist is not a substitute for in-depth consultation with rural communities and other stakeholders (Atterton 2008).

- **Lack of clarity in the language used** regarding rural proofing. For example, the checklist refers to a policy impact being 'significantly different' in rural areas but who decides what is a significantly different impact and how is that decision reached? What about situations when the rural impact is actually significantly positive?
- In general, **policymakers across Government Departments lack adequate knowledge and skills** to be able to fully undertake rural proofing and (importantly) to make the necessary adjustments to policies, despite the training, guidance, advice and evidence provided by Defra (about which there has generally only been limited awareness amongst policymakers). The process was largely reliant on the judgements of individual (and often junior) policymakers rather than being embedded into the systems and culture of Departments (Commission for Rural Communities 2007) and in general senior civil servants and Ministers have not been supportive.
- A **lack of obligation to rural proof** (despite it being mandatory) as there are no penalties or sanctions for not doing it. Equally, there are no incentives to undertake 'good' rural proofing and it is usually not viewed by policymakers as a priority.
- The instigation of rural proofing **too late in the policymaking process**, rather than at the outset and right through to the implementation and evaluation stages.
- Difficulties in terms of **inadequate or incomplete data and the lack of rural-urban markers or classifications** used in datasets in order to inform rural proofing. There has

always been a lack of clarity on whether formal public consultation or systematic evidence gathering were necessary parts of the process.

- **Confusion of responsibilities** regarding rural proofing, including between national level stakeholders (e.g. in terms of doing, monitoring, guiding, etc. rural proofing) and the national and regional/local levels. Combined with this, there has been a lack of resources and knowledge at regional/local level for undertaking rural proofing.
- A **lack of clarity (and reporting) on the desired outcomes, purpose or goals** of rural proofing and too much focus on the process of rural proofing. It is generally assumed that rural proofing is about ensuring ‘fair and equitable’ outcomes for rural areas, but what does this actually mean in reality? How are fair and equitable defined, and who is responsible for defining this? The effectiveness of the Countryside Agency’s/Commission for Rural Communities’ monitoring role has also been questioned.
- Rural proofing is based around **rural needs and a ‘deficit model’** rather than the opportunities that rural areas offer, and the positive contributions that they can make (Defra 2008). As Lowe and Ward (2007) argue, emphasis should be placed on rural areas being able to make a full contribution to economic prosperity and therefore being entitled to equitable attention in mainstream policies and programmes, rather than rural proofing being seen as ‘special pleading’ for rural areas.

Since its launch and despite its shortcomings, various stakeholders have called for rural proofing in England to be reinvigorated or refreshed (rather than abandoned) (Shortall and Sherry 2017, p5), including, for example, the CRC (CRC 2007), the Rural Advocate’s report in 2007/8 (CRC 2008), the OECD’s review of rural policy in England (OECD 2011), and an independent rural proofing review in 2015 (Lord Cameron of Dillington 2015).

Most recently, the House of Lords Select Committee on the Rural Economy recommended: “A *comprehensive and publicly accountable approach to rural proofing such that policies across Government are consistent with the rural strategy*”. An annual report to Parliament should set out how the Government has made progress against the strategy and provide an update on Departments’ rural proofing obligations (House of Lords Select Committee 2019). The recently published Government response to the recommendations states that:

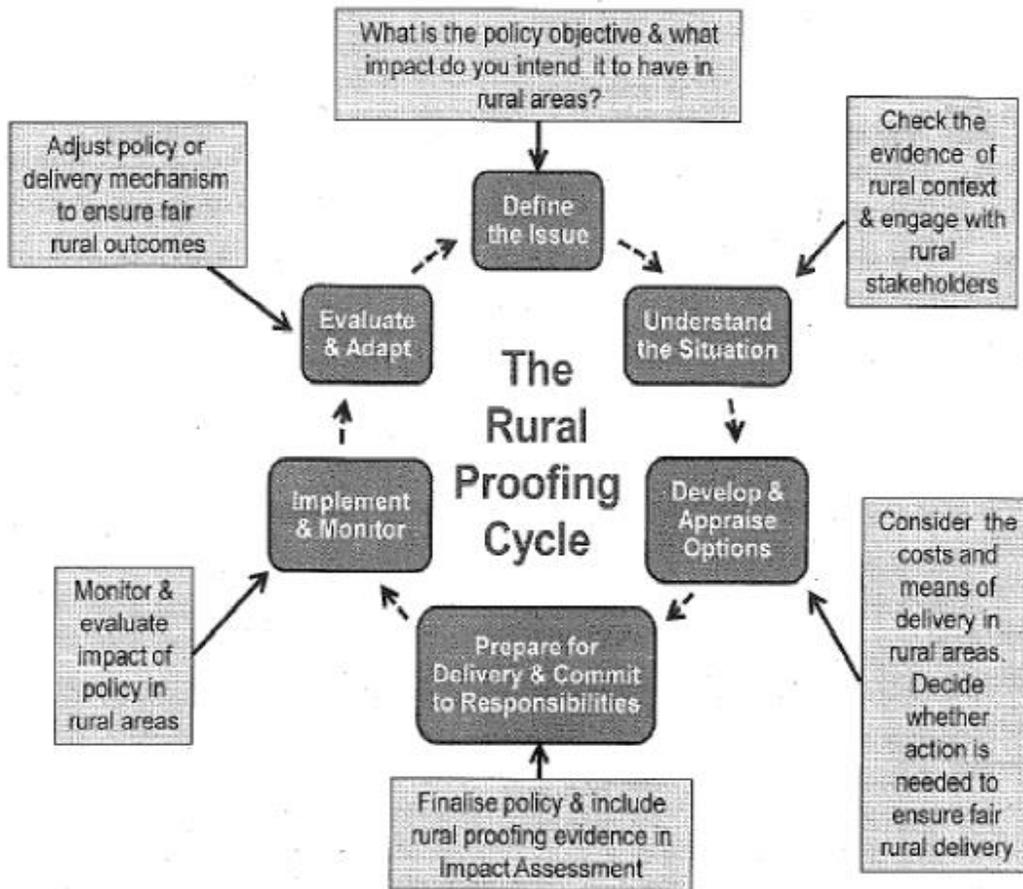
“Without doubt, these distinct characteristics must be recognised in policy making and the government believes that rural proofing is the best means to achieve that through embedding an appreciation of rural issues at all levels of delivery, rather than risk rural areas being placed in a silo through having a single rural strategy.” (Defra 2019).

5.3.2 Rural proofing tools and frameworks

Defra’s (2013) rural proofing guidelines included a diagram showing rural proofing the policy cycle which is worth reproducing here (Figure 1).

Figure 1: How to rural proof policy

Rural proofing policy cycle



Defra's most recently issued guidance (Defra 2017) includes an outline of a four stage rural proofing process (see Figure 2).

Figure 2: Defra's four stage rural proofing process

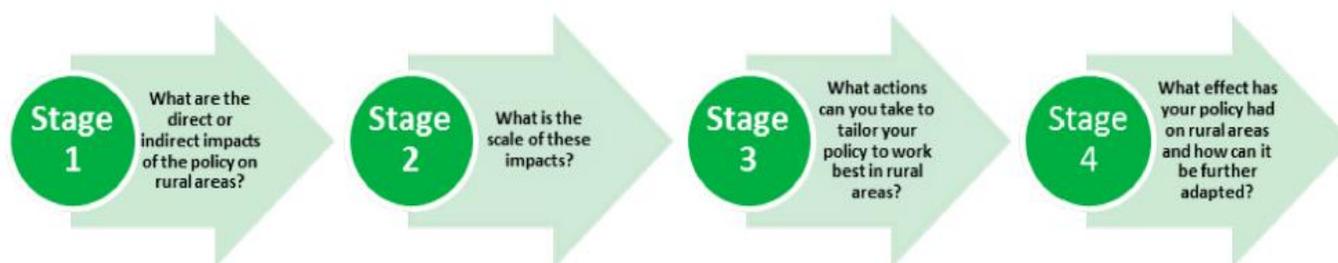


Table 1: How to assess the rural impact

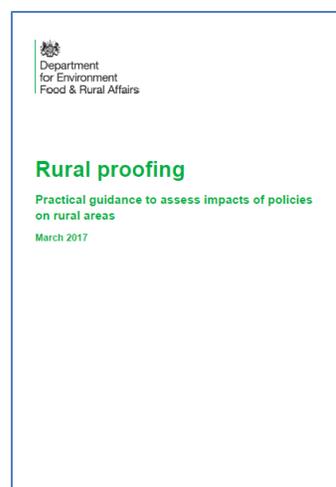
Stage	Key question to consider	How can this question be answered?
1	What are the direct or indirect impacts of the policy on rural areas?	To identify if a policy intervention is likely to have an impact on rural areas, you should review available evidence and, where necessary, consult rural stakeholders. We give some examples of potential rural impacts in this guidance.
2	What is the scale of these impacts?	The focus of this assessment should be on the change that occurs as a result of the policy intervention. Your analysis should help you understand if the impact in rural areas is different to urban areas and the scale of the impact.
3	What actions can you take to tailor your policy to work best in rural areas?	Where you have identified rural impacts that are different to urban impacts and are large enough to warrant mitigation, you should look to tailor the policy to ensure that it is delivered in a way that addresses the needs of rural areas. This guidance provides an overview of different delivery mechanisms that could be used in rural areas.
4	What effect has your policy had on rural areas and how can it be further adapted?	Rural proofing should be applied at all stages of the policy cycle, including after the policy has been implemented. Where you find rural issues to be significant, this should be considered as part of the monitoring and evaluation phase and included in the Post Implementation Review or evaluation plan. You should review policies regularly and update them to ensure delivery is as intended.

The guidance provides information on the work that should be undertaken at each stage. For Stage 1, in terms of identifying impacts, the guidance includes a table of the most common issues and questions which should be considered (Defra 2017, p.6-7):

1. Access to services and infrastructure;
2. Living and working in rural areas;
3. Environment;
4. Distribution, equality, devolution and funding.

An example Stage 1 is also included.

Stage 2 is focused on assessing the scale of the impacts and the guidance notes that issues related to all aspects of living and working in rural areas should be considered. A decision tree is



provided along with additional information on the main rural proofing issues (relating to services and infrastructure, living and working in rural areas, environmental impacts and distribution, equality, devolution and funding) (see Defra 2017, p. 10-16) to guide the process of evidence gathering. The guidance states that the assessment of the issues (which could be quantitative or descriptive) should focus on the marginal change that occurs between what would have happened without the intervention being considered and what would happen as a result of that intervention. It should also take into account the policy context and other factors in rural areas that could affect the policy and its implementation.

Stage 3 reviews the ways in which the policy could be tailored to rural areas, in instances where different rural impacts are identified and are large enough to warrant mitigation. For example, the guidance includes a list of example delivery mechanisms that could be considered, such as, exemptions/reductions for rural areas, mobile, outreach or home services, transport timetables, digital or local delivery, or joint delivery to achieve economies of scale (Defra 2017, p. 17-8).

Finally, Stage 4 is the evaluation and monitoring stage after the policy has been implemented. The guidance emphasises the need for good quality and relevant monitoring data alongside well-designed research methods to evaluate the rural impacts and provide an understanding of the success of delivery mechanisms.

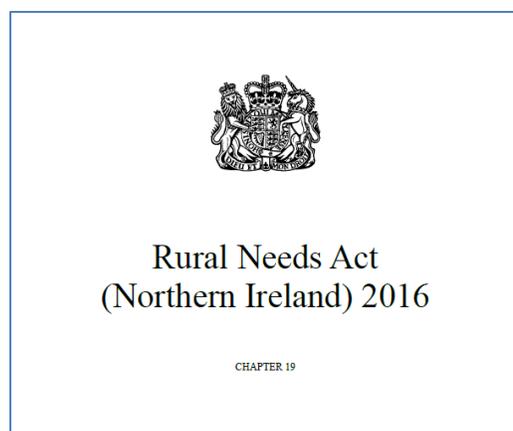
The guidance also includes links to different sources of rural evidence, the names of key rural stakeholders, and a short checklist with actions to take when rural proofing, including: allowing for higher delivery costs in funding formulae or allocations; looking at alternative means of providing and accessing services in rural areas; allowing local delivery bodies the flexibility to find local solutions; and using rural networks and meeting points that already exist (Defra 2017, p. 22).

5.4 Rural Proofing in Northern Ireland

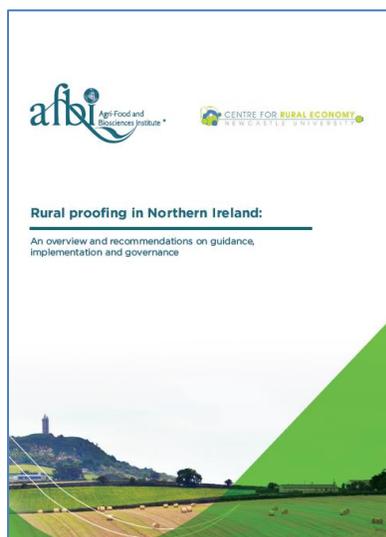
5.4.1 Background and critique of rural proofing

The Northern Ireland Executive committed to rural proofing in 2001, issuing guidance (DARD 2002) and offering some specialist support whilst requiring government bodies to record rural proofing activities in annual reports. A review in 2005 highlighted mixed results with rural proofing so revised guidance (with the help of external stakeholders) and additional dedicated support resources were put in place, including giving the Department of Agriculture and Rural Development (DARD, more recently renamed the Department for Agriculture, the Environment and Rural Affairs, DAERA), a formal role as rural champion (as is the case for Defra in England), to proactively engage with other government departments on rural issues and to provide training and guidance on how to assess policies appropriately for their rural impacts. An Inter-Departmental Rural Proofing Steering Group chaired by the Minister of Agriculture and Rural Development and involving senior representatives from other departments was also formed, to coordinate the rural proofing process and review its effectiveness (Shortall and Sherry 2017, p. 6-7).

Rural proofing remained inconsistently applied, however, despite consideration of how the emphasis could be shifted from process to outcomes (Northern Ireland Assembly Research and Library Services 2009) and the issuing of revised guidance (DARD 2011). This led to increased calls for it to be made a statutory responsibility in legislation. Hence, in 2015 the Minister of Agriculture and Rural Development introduced legislation to the Northern Ireland Assembly to put rural proofing on a statutory footing and to further devolve responsibility to include non-departmental public bodies and local government.



In 2016 the Rural Needs Act (Northern Ireland) was passed making Northern Ireland the only country or region to have legislated for rural proofing (Shortall and Sherry 2017). As in England, the rural proofing requirement extends to all policies, strategies and plans. The Act contains three main areas of responsibility for public authorities relating to: the consideration of rural needs (Section 1 of the Act); monitoring and reporting on how the public authority has complied with this requirement (Section 3 of the Act); and co-operation and sharing of information with other public authorities (Section 4 of the Act) (DAERA 2017, p. 4). Under the Act, DAERA is responsible for:



regularly reviewing the bodies to which the Act applies; providing advice, commissioning research and collating and publishing an annual monitoring report; a Ministerial statement to the Assembly; and making arrangements to secure co-operation and exchange of information between public authorities (DAERA 2017, p. 5).

Shortall and Sherry were commissioned to investigate 'developing more effective rural proofing and rural champion models' through focus groups and interviews with representatives from government departments, arms-length bodies, local government, rural organisations and other stakeholders. This research produced evidence-based recommendations on developing guidance materials to assist public authorities in complying with the Act, as well as on implementing the monitoring and reporting obligations. The key challenges highlighted by this work and the associated

recommendations (see Shortall and Sherry 2017) include:

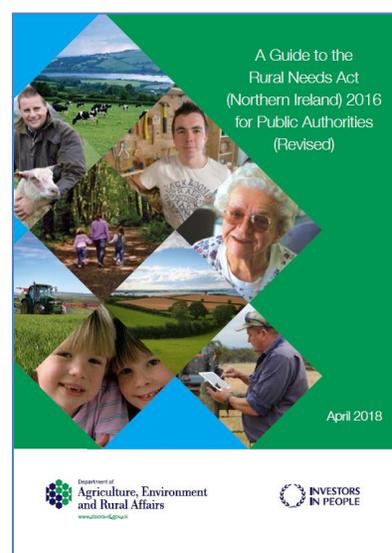
Guidance Challenges and Recommendations

- Challenge: Confusion around rural proofing terminology (e.g. 'rural', 'need', 'due regard', equitable, desirable and essential, etc.).
 - Recommendations: provide definitions for the key terms.
- Challenge: Lack of clarity about why the Rural Needs Act was introduced and how it differs from rural proofing.

- Recommendations: rural proofing will require a much more robust evidence base in all stages of the process; DAERA to commission work to improve understanding of rural need; DAERA to collect and monitor all responses to how rural needs were addressed by public bodies and report on these annually to the Assembly; training for MLAs and councillors in rural proofing (e.g. to understand the difference between desirable and essential and the fiscal constraints under which rural proofing operates).
- Challenge: Lack of clarity about how to apply the Rural Needs Act in different contexts and how to rural proof high-level strategies and plans because they set targets for broad outcomes instead of specific actions.
 - Recommendations: Support from DAERA for public authorities to develop guidance that is appropriate for their activities (e.g. governance-focused, consultation-focused or spatial analysis – focused approaches).
- Challenge: Lack of clarity regarding the Rural Issues Statement with people not sure what to do, where to find evidence or who to consult; policymakers requested a standard template and examples of best practice.
 - Recommendations: Change the name Rural Issues Statement to Rural Impact Assessment; retain the current format (design, evidence, consult, monitoring and evaluation); provide in rural proofing training a fictional example of what a Rural Impact Assessment may look like; provide a list of potential evidence sources and a broad-ranging list of potential stakeholders on the DAERA website; DAERA to collate and publish examples of good practice going forward.

Monitoring Challenges and Recommendations

- Challenge: Confusion about who is responsible for monitoring rural proofing and what the sanctions are if it does not occur; frustration that the point of rural proofing is not clear.
 - Recommendations: develop a timeline for the different steps of the rural proofing process (public authority compiles the information on how it has paid due regard to rural need; information included in annual report and sent to DAERA; DAERA publishes an annual report containing this information and lays this before the Assembly; Minister makes statement to Assembly about the content of the report); DAERA's role is one of monitoring and reporting progress but not imposing sanctions; the Minister's report is an opportunity to highlight examples of good practice or weaknesses; any public authorities that do not follow best practice to be provided with feedback and guidance from DAERA; review other similar work for examples of good practice (e.g. the Equality Commission); identify one person in each authority to be designated with responsibility for rural proofing and be part of the 'Rural Proofing Expert Group' to reflect, share best practice and



provide a support network; consider moving the rural champion role from DAERA to another committee; DAERA should advise other public authorities about the future plans for a unit/individuals within the Department to have overall responsibility for the delivery and monitoring of rural proofing.

Governance Challenges and Recommendations

- Challenge: Confusion about DAERA's role in governance of rural proofing
 - Recommendations: DAERA show clear ownership of the Rural Needs Act and subsequent rural proofing to implement the Act; DAERA provide guidance on what is the appropriate grade to be responsible for rural proofing; DAERA to review and make publicly available Rural Impact Assessments as well as the monitoring returns; DAERA must lead by example by undertaking Rural Needs Impact Assessments for all of its policies and strategies and making them widely available; DAERA should form a governance body to implement the Rural Needs Act formed of responsible people in public authorities; DAERA should appoint an individual to function as a rural champion, providing independent feedback on how the Act is being implemented and ongoing recommendations.

5.4.2 Rural proofing tools and frameworks

DAERA's (2017) rural proofing guidance outlines the six steps that need to be undertaken in rural proofing (p11-16) and provides a template for this (p19-26) (see Figure 3), the annual monitoring and reporting requirements and additional guidance and support. It also provides some clarification on key terms, including 'due regard', 'rural' and 'need' (see p7-10).

Figure 3: Rural Needs Impact Assessment Template

Step 1: Define the issue

Key questions to consider: What are the objectives of the strategy, policy, plan or service? What impact do you intend it to have in rural areas? How is 'rural' defined for the purposes of this policy/strategy/service/plan? What would constitute a fair rural outcome in this case?

Step 2: Understand the situation

Key questions to consider: What is the current situation in rural areas? What evidence (statistics, data, research, stakeholder advice) do you have about the position in rural areas? If the relevant information is not available, can this be sourced? Do you have access to the views of rural stakeholders about the likely impact of the policy? Are there existing design features or mitigations in place to take account of rural needs?

Step 3: Develop and appraise options

Key questions to consider: Are there barriers to delivery in rural areas? If so, how can these be overcome or mitigated? Will it cost more to deliver in rural areas? What steps can be taken to achieve fair rural outcomes?

Step 4: Prepare for Delivery

Key questions to consider: Do the necessary delivery mechanisms exist in rural areas? Have you considered alternative delivery mechanisms? What action has been taken to ensure fair rural outcomes? Is there flexibility for local delivery bodies to find local solutions? Are different solutions required in different areas?

Step 5: Implementation and Monitoring

Key questions to consider: Have you set any rural specific indicators or targets to monitor? How will the outcomes be measured in rural areas? Are there any statistics or data that you will collect to monitor rural needs and impacts?

Step 6: Evaluation and Review

Key questions to consider: What processes are in place to evaluate and review the implementation of the policy, strategy, plan or service? Have rural needs been factored into the evaluation process? How will lessons learned in relation to rural outcomes be used to inform future policy making and delivery?

The template finishes with requiring a signature from the person undertaking the Assessment and an approver.

The guidance states that the level of analysis undertaken in the Impact Assessment should be proportionate to both the scale of the potential impact and the significance to rural areas.

The Guide (DAERA 2017) also contains a template for completing the Annual Monitoring Return. The Return should then be included in relevant public authorities' own annual reports and submitted to DAERA for inclusion in the annual report on the Rural Needs Act to be laid before the Assembly (see Figure 4).

Figure 4: Annual Monitoring Return Template

1. Describe how your organisation has had due regard to rural needs when: a) developing, adopting, implementing or revising policies, strategies and plans; and b) designing and delivering services.
2. Please provide a list of policies, strategies, plans and/or services for which your organisation has completed a Rural Needs Impact Assessment or has otherwise taken rural needs into account.

DAERA's 2017 guide also contains a list of ten 'frequently asked questions' (p27-29) covering such things as: what to do if you conclude that the policy/strategy/plan/service does not have a rural impact and no specific rural needs are identified (this needs to be documented in the Assessment and retained as evidence that rural needs have been considered); similarly, if a policy is deemed to have positive rural impacts these should also be documented in the Assessment; completing an Assessment even if a policy or service is outsourced; the level of detail required in an Assessment; the availability of training materials, etc.

Finally, the guide (DAERA 2017) includes a sample Rural Needs Impact Assessment relating to library opening hours (p32-40).

While individual civil servants in their respective Departments must complete an Impact Assessment, DAERA, which maintains a rural proofing advisory or watchdog role, provides training and issues guidance (see DAERA 2017), and produces an annual audit of the rural proofing process across Government. The annual audit – known as the Rural Needs Act Monitoring Report - is based on each public authority's annual report and is laid before the Northern Ireland Assembly by the Minister who also makes a statement. This should include a breakdown of all policies, strategies, plans or services that have been developed, adopted, implemented or revised through the monitoring period, and public authorities are responsible for establishing their own internal system for monitoring and collating this information on an ongoing basis. The Rural Needs Act legislation does not contain any framework for how non-compliance will be challenged, or the existence or nature of resulting sanctions.

5.5 Rural Proofing in Scotland

It is perhaps just worth briefly reflecting on the rural proofing situation in Scotland, to set the recent commitment to islands proofing as part of the Islands (Scotland) Act 2018 in a wider rural policy

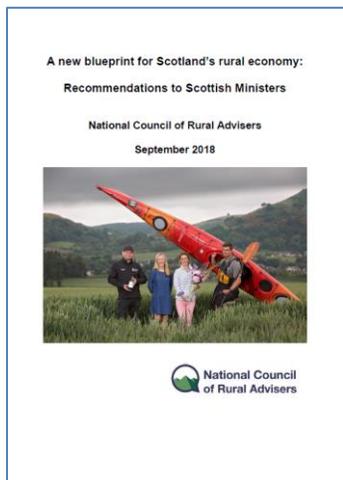
context. In contrast to other parts of the UK³, Scotland has not formally adopted rural proofing as the process for ensuring consideration of cross-cutting rural issues. Rather, a process of mainstreaming has been followed, addressing rural issues as a matter of course within more general policy debates. It is argued that policymakers in Scotland automatically think rural as so much of the country is rural, and particularly remote rural, unlike much of rural England, for example, which is relatively accessible to urban centres. As the ENRD (2017) argues, the emphasis has been placed more on consultation with stakeholders and discussions between different parts of Government, for example, through the cross-Government Policy Group. This was formed by the Scottish Government's Rural Communities Policy Team and meets on a quarterly basis bringing together representatives of different Government Departments, including transport, health, housing, rural, etc., to discuss rural issues and share information and evidence. The aim is to reduce silo-working in Government and increase buy-in to, and understanding of, rural issues across Government (Atterton and Skerratt 2016).

It is also worth noting that Scotland also a Rural Parliament (as is the case in several other European countries) established in 2014 and run by Scottish Rural Action to help give a voice to rural communities to inform policies and decisions on issues affecting rural Scotland. There are two rural Committees in the Scottish Parliament providing vehicles for close scrutiny of a breadth of rural and non-rural legislation as it makes its way through the Parliament.



Source: Photo taken from <https://www.sra.scot/>

The argument that is used against adopting formalised rural proofing in Scotland is related to the dominance of rural areas in Scottish geography, including many very remote communities, which



is somewhat different to elsewhere in the UK (and England particularly). However, there have been repeated calls from stakeholders for rural proofing to be done in Scotland. For example, the final report from the National Council of Rural Advisers (NCRA 2018) called for the strategic importance of the rural economy to be recognised and “...*effectively mainstreaming it within all policy and decision-making processes.*” However, it is noted that this requires a change in mindset, culture and structure and that takes time. While the report does not mention rural proofing specifically, Action 2a, for example, states “*All government Ministers and officials to ensure new policies and strategies deliver for rural economic interests and contributions, supported by the REAG.*”

³ It is worth noting that Wales also has a formal commitment to rural proof, although this is not discussed here.

It will be interesting to see how, and how far, the introduction of island proofing and ICiAs through the Islands (Scotland) Act 2018 impact on calls for rural proofing to be formally adopted in Scotland.

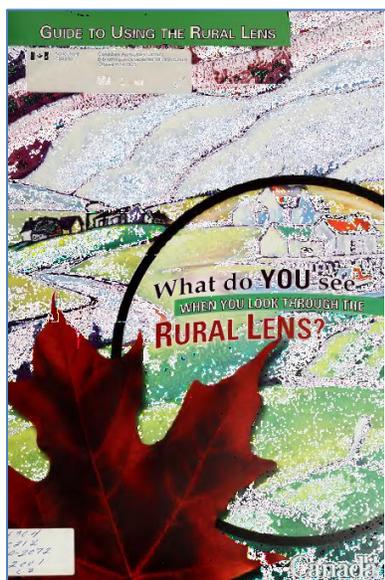
5.6 Rural Proofing in Canada⁴

5.6.1 Background and critique of rural proofing

In 1996, Canada created a 'Rural Secretariat', tasked with bringing together government departments around rural issues and priorities and promoting dialogue between rural Canadians and the federal government. Until its mandate was not renewed in 2013, the Secretariat acted as the "*rural conscience*" of the federal government through a variety of initiatives, including the Rural Lens. The Rural Secretariat was housed within the Department of Agriculture and Agri-Food, a sectoral line department within the federal government.

In 1998, the Canadian Rural Partnership was announced in the Federal Budget. It was a horizontal policy initiative that empowered the Secretariat with a mandate and funding. Key initial activities of the Rural Secretariat under the Canadian Rural Partnership were the creation of a 'Rural Lens', also in 1998.

The Rural Lens was created as a policy tool to review federal policies and programmes from the perspectives of people living in remote and rural regions. The Lens was designed to be applied by any government department early in the development of a programme or policy using a guide prepared by the Rural Secretariat.



Mirroring the general assessments of rural proofing in the UK, in Canada too there was little evidence to suggest that many departments applied the Lens in the early development stages of a programme or policy. Instead, it tended to be applied in the later stages of policy development which meant that the Rural Lens was always "*checking in its rear-view mirror to make sure rural Canada was not left behind*"⁵, rather than being proactive. A Rural Lens Unit was created with the responsibility of reviewing draft policies and programmes and Memorandums. Upon completion of this review, the Unit would submit a report back to the relevant government department on how their policy or programme could be improved to better reflect rural and remote realities. However, sponsoring departments had no responsibility to report back to the Rural Lens Unit nor to the Rural Secretariat on how they had implemented these comments. It is also worth noting that any credit for 'good' use of the Rural Lens was given to the individual

⁴ The information in this section is taken from Hall and Gibson (2016).

⁵ At this stage, draft policies/programmes only require the approval of the federal cabinet before being voted on in parliament.

department concerned, rather than to the Rural Secretariat, meaning that its role and importance were somewhat hidden.

As Hall and Gibson (2016) argue, the success of the Rural Lens and Rural Secretariat tended to be 'behind the scenes'. When the Lens operated efficiently, policymakers in other departments understood the potential impacts of their programmes and policies on rural communities and revised them to reflect these realities, and there is evidence that the successful application of the Rural Lens did lead to some new initiatives targeted at rural communities and some enhanced engagement with rural Canadians and greater partnership working. However, challenges were encountered, including the location of the Rural Secretariat in the (sectorally focused) Department of Agriculture and Agri-Food) which meant that it had no authority to enforce horizontal coordination despite its mandate, and that departments focused on non-agricultural sectors often did not see the association with the Lens or Secretariat (Hall and Gibson 2016). The Secretariat also had a small number of employees and limited financial resources, impacting on its ability to undertake long-term planning and its political importance. On the other hand, this prevented competition from other departments leaving the Secretariat to focus on its mandate and work with other departments.

5.6.2 Rural proofing tools and frameworks

The Rural Lens was effectively a checklist of rural considerations structured around a set of questions (see Figure 5 for example questions that were included).

Figure 5: Rural Considerations included in Canada's Rural Lens

- How is the initiative relevant to rural and remote Canada?
- Is the impact specific to a selected rural or remote environment or region?
- Have the most likely positive and negative effects on rural Canadians been identified and, where relevant, addressed?
- Is the initiative designed to respond to the priorities identified by rural Canadians?
- Have rural Canadians been consulted during the development or modification of the initiative?
- How is the benefit to rural Canadians maximised (e.g. cooperation with other partners, development of local solutions to local challenges, flexibility for decision making, etc.)? (OECD 2006)

The Rural Lens was designed to be applied by any government department early in the development of a new policy or programme. The Rural Secretariat also created a Guide to Using the Rural Lens publication in 2001 (Rural Secretariat 2001) to facilitate the adoption of the Rural Lens by federal government departments and setting out a 10 stage process (see Figure 6). The Rural Secretariat was also available as a resource to assist any department in implementing the

Rural Lens. However, there was no legislation that required government departments to apply the Lens and no sanctions if it was not applied.

The Guide (Rural Secretariat 2001, p1) begins by setting out what the Rural Lens is:

“Its an element of the Canadian Rural Partnership, a tool to help you factor the needs of rural and remote Canadians into new policies, programs and regulations.”

The guide then explains why the Rural Lens should be used:

- To strengthen your initiative by ensuring that all Canadians and the communities they live in – rural, remote and urban – benefit.
- To help the Government deliver on its commitment to improve the quality of life in rural and remote Canada, as outlined in the 1997, 1999 and 2001 Speeches from the Throne.
- To strengthen your Minister’s contribution to the Annual Report to Parliament on Rural Canada (coordinated by the Rural Secretariat).
- To maximise the opportunity to make good public policy by testing its impact on rural and remote Canada right at the start, thus reducing the likelihood of making modifications at the end of the development process to include rural and remote considerations.

The Guide is then divided into two sections: ‘What stage are you at?’ and ‘How to use the Rural Lens’. It also sets out what rural means and the key characteristics of rural and remote Canada, the Government’s vision for rural Canada, and the priorities identified by rural Canadians for focused attention.

Figure 6: A Guide to Using the Rural Lens (taken from Hall and Gibson 2016 based on Rural Secretariat 2001)

Stage 1: Concept

Define the initiative (policy or programme) – *including title and objective (e.g. capacity-building program for rural communities)*

Stage 2: Environmental Scan and Impact Assessment

How is the initiative relevant to rural and remote Canada?

Is it specific to a particular rural or remote region?

What are the potential financial and economic impacts on rural and remote regions?

What are the potential social impacts on rural and remote regions?

What are the potential environmental impacts on rural and remote regions?

What are the potential cultural impacts on rural and remote regions?

How can the effects on rural and remote regions be measured?

A table is provided in which to record the impacts on rural, remote and urban areas with example consultations and research provided for further information.

Stage 3: Identify people and organisations that need to be involved or require consultation

Again, a table is provided in which to record rural, remote and urban people/organisations, with links to directories and lists of potential consultee rural associations and organisations.

Stage 4: Development and design

Including a list of questions and issues to consider when determining how to accommodate rural realities in the delivery of programs/services.

Stage 5: Communication through appropriate media avenues to reach rural and remote regions

Including a list of different ways to communicate effectively with rural, remote and urban audiences.

Figure 6 cont.

Stage 6: Validation and consultations (if needed)

Identify who is involved, who needs to be consulted and when and identify their concerns.

Again tables are provided in which to record the people/organisations involved and their particular concerns.

Stage 7: Refine initiative and identify resources

Including guidance about including results from the consultation and how to ensure that as many as possible (if not all of the) concerns outlined at Stage 6 are addressed.

Identify resources including funding, human and organisational, including partnership working.

Stage 8: Approval

Including guidance on presenting the initiative, and accompanying briefing material, to the relevant Government Ministers.

Stage 9: Deliver program

This is the implementation stage whereby delivery mechanisms may vary for rural, remote and urban areas (which would have been built in in the design stage).

Stage 10: Monitoring and evaluation

Including performance indicators and an evaluation plan to answer the question of 'how has this initiative affected rural Canada?'; initiatives to be included in Annual Report to Parliament on Rural Canada.

It is worth noting that, since 2016, there has been no formal mechanism within the Government in Canada to ensure new policies and programmes are appropriate for rural communities. The Rural Secretariat ceased to exist in 2013 and no federal department has assumed this role. At the time, the Government made a commitment to still use the Rural Lens but no formal mechanism exists to do so. There are units within federal departments with an emphasis on rural, however, these units do not have a mandate beyond their departments.

5.8 Summary – reviewing rural proofing in England, Northern Ireland, Scotland, Canada and New Zealand

It is fair to say that rural proofing in England, Northern Ireland and Canada (Sections 5.3, 5.4 and 5.6) – the countries where it has been implemented for the longest period of time – has had mixed success. In general, despite some successes - where differential rural impacts have been identified and, most importantly, policies/programmes modified as a result, rural proofing has been inconsistently applied as the result of a variety of challenges experienced by policymakers, including a lack of knowledge and skills, a lack of clarity on roles and responsibilities, a lack of obligation, reward or sanction to/not to rural proof, and inadequate data to support the process.

Despite this, the New Zealand Government has recently decided to begin rural proofing (see Section 5.7) as has the Swedish Government, and tools and mechanisms are currently being designed in the latter. In Scotland, despite the recent commitment to island proof, rural proofing has never been an approach formally adopted by the Government.

Despite this mixed success, the experiences of rural proofing in these countries provide useful learning for Scotland as it implements the island proofing element of the Islands (Scotland) Act 2018. Based on Section 4 of this report which reviewed four early ICIA's and Section 5 which reviewed international experiences of rural proofing, Section 6 concludes this report by providing some recommendations for completing future ICIA's in Scotland.

6. Recommendations⁶

6.1 Introduction

Based on the review of early ICIAAs and experiences of rural proofing, this section of the report sets out some recommendations for island proofing in Scotland through ICIAAs. The section is divided into three sub-sections. The first provides clear recommendations on the potential template and guidance for island proofing. The second builds on this and provides some recommendations relating to the wider process of rural proofing. The third section suggests some of the key evidence gaps that need to be filled in order to support the island proofing process to ensure that ICIAAs achieve their purpose of enabling public authorities to have regard to the particular needs and circumstances of island communities in exercising their functions.

6.2 Recommendations with regard to ICIA template and guidance

England, Northern Ireland and Canada have all issued (and often refreshed) the template and associated guidance for rural proofing as explained in earlier sections of this report. While the success of rural proofing has been mixed, it does seem apparent that having an agreed template for rural proofing is very helpful, as long as it doesn't become a tickbox exercise to complete it.

The four early ICIAAs reviewed here were all very different in terms of their structure, length, level of detail, etc. An agreed template would be useful for policymakers to follow, with detailed guidance provided alongside. This guidance should include information on key stakeholders with whom to engage, key issues to consider, key sources of information, etc. It should also clearly define all relevant terms so as to avoid confusion during the process of undertaking an ICIA.

Drawing on the rural proofing templates reviewed in Section 5, and especially those used in Northern Ireland and Canada, and the four early ICIAAs reviewed here, the following could be suggested as seven appropriate sections for an ICIA template and associated guidance (i.e. seven stages for the island proofing process) to be adopted in Scotland:

1. Define the issue:

- What are the objectives of the policy/programme/strategy?
- How islands are defined for the purpose of this policy/programme/strategy?
- The intended impacts/outcomes and how these potentially differ in the islands?

2. Understand the situation:

- What is the current situation in the islands?
- What ('official' statistical) evidence is available about the current situation in the islands? How does the situation differ between different islands?

⁶ Particular thanks to [Professor Sally Shortall](#) for providing comments on a draft of this section based on her experience of studying rural proofing in different countries, and her knowledge of rural and island policymaking in Scotland.

- Are there any existing design features or mitigations in place to take account of island needs?
- 3. Identify people and organisations that need to be involved or require consultation and ways to do this:**
- A list or directory of potential consultee people/organisations should be provided (in associated guidance)
 - Are stakeholders' views already taken into account and how will they be gathered?
 - Could include a list of effective ways to communicate with island communities, existing island networks and groups, etc. (in associated guidance)
- 4. Development and design:**
- Could include a list of questions and issues to use in consultations when considering how to accommodate island realities in the delivery of policies/programmes/services (in associated guidance). This might include:
 - Do the necessary delivery mechanisms exist in the islands? Have alternative delivery mechanisms been considered? What actions have been taken to ensure fair island outcomes? Do local bodies have the flexibility to find local solutions? Are different solutions required in different areas? Will it cost more to deliver in the islands?
 - What monitoring and evaluation processes are required? Will they differ in island locations?
- 5. Refine initiative and identify resource implications:**
- Review information gathered through the consultations and how concerns have been addressed.
 - Identify resources required, including funding, human and organisations, including partnership-working.
- 6. Deliver/implement the policy/programme/service and associated monitoring:**
- This is where delivery mechanisms may vary in different places (as set out in the design stage)
 - Have any island-specific indicators/targets been set that require monitoring?
 - How will outcomes be measured in the islands? Is any specific data required?
- 7. Evaluation and review:**
- Have island circumstances been factored into the evaluation process?
 - Including an evaluation plan to answer the question of 'how this initiative has affected Scotland's island communities' to be included in annual island proofing report to Scottish Parliament (see below)
 - How will lessons learned in this ICIA be factored into future ICIA's to inform future policy making and service delivery?

There is a balance to be struck between making the process overly burdensome for policymakers but ensuring that it is robust and meaningful. A detailed and clear guidance document is critical alongside the template for policymakers, and this should include the information mentioned in the eight stage process above, plus: more contextual/background information on islands and clear signposting to where more is available; clear definitions of key terminology used; signposting to where further support is available; signposting to best practice ICIA's; signposting to key

stakeholders, etc.. Importantly, as is in the case in the 'Guide to using the Rural Lens' in Canada, the rationale for why the Rural Lens has to be used is clearly set out at the start of the document. There must also be clarity on the extent of consultation required during the ICIA process, and guidance provided on how this consultation should best be undertaken. The rural proofing guidance in Northern Ireland states that the 'level of analysis undertaken in the Rural Needs Impact Assessment should be proportionate to both the scale of the potential impact and significance to rural areas' but more explicit guidance for island proofing in Scotland might be useful.

It is also worth considering the usefulness of providing a second template for public authorities' annual island proofing monitoring returns (to be submitted to whichever organisation is deemed most appropriate). The simple two-part template used in Northern Ireland (see Section 5.4.2 and Figure 3) may be worth considering for application here.

In addition, providing a short, simple template for authorities to complete in instances where they decide an ICIA is not required would also be useful. One model is that already used by Transport Scotland in relation to the motor sports on public roads regulations review earlier, which describes the aim of the policy, programme or strategy, the impact/s on island communities, the consultation undertaken with island communities in considering the impact/s, and why/how the conclusion was reached that no ICIA was required.

All of these templates can continue to be modified and improved over time as more ICIA's are carried out and the knowledge/experience of all organisations involved increases.

6.3 Wider recommendations relating to the island proofing process

There is a major difference in the approach to ICIA's and the experiences of rural proofing reviewed here, which is important to re-emphasise here. The Islands (Scotland) Act 2018 explains that ICIA's only need to be conducted in instances where the relevant authority believes that the policy, programme or service "*is likely to have an effect which is significantly different from its effect on other communities*". This is a fundamentally different approach to rural proofing, with **all** policies required to go through this process in England and Northern Ireland, for example. In relation to islands, relevant authorities can screen out some policies, programmes or services (and provide appropriate justification for doing so).

While still resulting in some resource implications for public authorities, this will be less onerous than rural proofing and will thereby avoid some of the major challenges encountered with the latter regarding the additional workload implications for policymakers. While the legislation suggests that it will be up to individual authorities to decide which policies, programmes or services require to be island proofed (i.e. those where the effect is likely to be "*significant different*" for island communities), it may be appropriate to think about further guidance for authorities in making this decision (what constitutes a "*significantly different*" effect in relation to different issues, for example). It may also be appropriate to provide guidance on the maximum number that authorities are expected to undertake per year (perhaps guided by their staffing levels), or even to encourage

all authorities to focus on (a) particular thematic issue/s per year (e.g. transport, housing, etc.). While these are different approaches to that set out in the legislation, they may encourage authorities to undertake more robust and meaningful analyses rather than facing the pressure of having to undertake an ICIA for every policy, programme and service. Testing out some alternative approached in the first few years of ICIA implementation may be a useful approach to take.

Alongside the availability of a template and associated guidance, there are other useful lessons regarding the wider island proofing process which are also worth highlighting here:

1. **Clear roles and responsibilities at all geographical scales:** It is vitally important for all stakeholders to know and understand their responsibilities when it comes to island proofing. The completion of ICIA's should be done by the individuals responsible for the policy or programme within the relevant public authority, at national, regional or local levels. Clarity is required about the role for the Islands Policy Team in Scottish Government as they potentially have a critical role to play here, for example, in raising awareness of the need to undertake island proofing, in providing guidance, templates, advice and potentially training, and in championing the ICIA process too. The team is currently small, and if given these responsibilities, it will need to be appropriately resourced to do this effectively. At the same time, having a unit to lead island proofing elsewhere in Scottish Government (i.e. outwith the rural/islands team) may help to gather wider cross-Government support. It may also be worth considering creating a cross-Government policy group to focus on islands (in parallel to the existing rural group) and raise awareness of island-specific circumstances and issues across policy portfolios. However, it is not just Scottish Government that is required to undertake ICIA's, a range of other public bodies are too, not least island local authorities, health boards, etc. Having a wider islands proofing forum where these organisations can share experiences, lessons, best practice, etc. with one another is also important.
2. **Clear scrutiny and reporting requirements:** Although island proofing is now a legislative requirement (unlike rural proofing in England and Canada for example) there needs to be regular and ongoing scrutiny to ensure that it is undertaken, and that it is undertaken correctly and fully. Importantly, island proofing is about more than just identifying different island impacts; appropriate modifications need to be made to policies or programmes if these differential impacts are identified. There is potentially a further scrutiny role for the Scottish Government's Islands Policy Team here. Clear reporting mechanisms for the relevant public authorities are required, to ensure that island proofing activities are regularly monitored, not least to inform future work in this area.
3. **Ministerial commitment and reporting:** Following the Northern Ireland example where the Minister reports annually to the Assembly on rural proofing activity and progress, a similar approach would also be useful in Scotland. In Scotland, the Minister for Energy, Connectivity and the Islands (Paul Wheelhouse MSP) should be asked to report annually to the Scottish Parliament on the ICIA's completed and any key lessons learned (based on the public authorities' annual reporting, as described in Section 6.1). Alongside this, senior level civil servant buy-in is also critical. The minister or senior civil servant could act as

'island proofing champion'. The agreed arrangements need to 'stand the test of time' and be independent of policy and political cycles.

4. **Clear rationale for island proofing:** The desired impacts and outcomes for island proofing need to be clearly explained. This includes clarity over whether the desired outcome is island mainstreaming or having separate islands programmes (taking care not to encourage the marginalisation of island issues), for example, although this may vary from case to case. Island proofing also needs to be regarded as a positive process whereby considering islands means better policy making for all people, not special pleading for islands (Atterton 2008) (see also Section 6.2).
5. **Adequate resourcing for undertaking ICIA:** Packaging islands proofing as a positive initiative is particularly important at a time when the public sector has been facing/continues to face unprecedented budget cuts and funding, personnel and resources are increasingly limited. Undertaking island proofing should not be perceived as an additional burden but rather as a means of achieving more efficient spend and allocation of ever scarcer resources. However, the reality is that completing ICIA is not resource neutral and appropriate resourcing is required for relevant public authorities to complete this work, even if island proofing is kept as light touch as possible.
6. **Clear consultation mechanisms:** These are required to ensure that local authorities, communities and other island stakeholders can fully input into ICIA to ensure that all island circumstances are taken into account in policy, programme and service decisions (see also Section 6.2).
7. **Sharing examples of best practice:** This will help to increase awareness and understanding of island proofing and what it can achieve (as outlined by GHK 2008 for example). This may be another role for the Islands Policy Team or could be achieved through other rural/island networks, such as the Scottish Rural Network (see also Section 6.2).
8. **Consideration of an independent island watchdog role:** This is worth considering, either through an independent body (such as Audit Scotland) or through an individual rural champion (outwith Government) to comment on progress, best practice and areas for future improvement.
9. **Consideration of the appointment of an independent advisory group:** This would be made up of individuals who have knowledge and experience of different approaches to proofing (likely especially rural proofing), and wider knowledge of a place-based policy approach in different contexts. The role of the board would be to provide ongoing advice and input on how the ICIA process is emerging based on lessons learned elsewhere. The individuals could be drawn from within the UK, and other relevant countries.

6.4 Recommendations on evidence gaps appropriate for further research

It is clear from the experiences of rural proofing outlined in Section 5 and from the work carried out on the early ICIA in Scotland, that having access to up-to-date and accurate evidence on islands and their particular circumstances and issues is critical to ensuring a thorough and robust island proofing process. Without this evidence it is not possible to measure baseline

circumstances, nor to appropriately determine what the impacts might be and how significant they might be, and how they might differ from the urban impacts, if a policy, programme or service is implemented. Only with detailed evidence can appropriate modifications be made and appropriate monitoring and evaluation undertaken. This evidence needs to cover the whole breadth of economic, social and environmental topics as ICIAs will potentially cover all policy domains.

Accurate and local-scale data is also critical to ensuring that the diversity in circumstances across and within the islands is recognised and acknowledged. When analysing official data and using the six or eight fold classifications, it may be worth considering including a new islands classification. While this would help to demonstrate how islands (rural and urban) places differ from non-island (rural and urban) places for example, it would not enable exploration of the diversity of circumstances within islands.

It is worth reiterating that the data that could potentially be used in assessing differential impacts and determining appropriate solutions may be both quantitative and qualitative, and available from formal 'official' sources (such as UK and Scottish Government surveys) as well as data generated by local communities based on local knowledge and experience. It may be worth considering whether having one island data portal, administered by a relevant independent organisation⁷, to house all relevant island data would be useful.

As mentioned above, providing access to information in the form of best practice examples on how to complete ICIAs would also be useful. Again, this could be done at individual public authority level, or through a central portal, which could also encourage the sharing of further ideas and information.

One of the challenges identified in terms of rural proofing elsewhere has been appropriate monitoring and evaluation procedures. Encouraging standardised procedures for this from the outset would help to avoid confusion. Ongoing learning from such monitoring and evaluation is critical to ensure that the process of completing ICIAs remains appropriate in terms of workload and does not become too burdensome for policymakers in organisations where staffing resources are likely already stretched.

6.5 Conclusion

Based on a review of four early ICIAs and of experiences of rural proofing in several countries, this study provides some recommendations for undertaking future ICIAs in Scotland. A balance is key in terms of putting in place a process which is clear and manageable for policymakers in public authorities but which is robust and meaningful enough to ensure that specific island impacts are recognised and, where necessary, mitigated for in policies, programmes and services to improve outcomes for island communities.

⁷ Such as the Scottish Islands Federation or perhaps an academic organisation with knowledge/experience of working on island issues.

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