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ISLAND COMMUNITIES IMPACT ASSESSMENTS: GUIDANCE AND TOOLKIT



THE
ISLANDS
SCOTLAND ACT 2018
ACHD
NAN EILEAN
ALBA 2018

This Guidance is issued under Section 11 of the Islands (Scotland) Act 2018 and relates to the duty imposed by Section 7 of the Act.

Introduction

This guidance provides the tools to help you complete an Island Communities Impact Assessment (ICIA) as required under the Islands (Scotland) Act 2018¹ (the Act). In particular, this guidance is about the Section 7 duty of the Act according to which a Relevant Authority must have regard to island communities in carrying out its functions.

This guidance stresses the importance of consultation and robust community engagement so that islanders are given a platform to voice their opinions, concerns and suggestions. It also addresses the need to consult island communities in order for a Relevant Authority to comply with the Section 7 duty.

It's important to also note that the Act (Section 11) requires that a Relevant Authority must have regard to this guidance.

Our islands face particular challenges around distance, geography, connectivity and demography, so it is important that policy makers consider these properly. It is also important that you make sure islands receive fair and equitable treatment and that your policy, strategy or service outcomes are tailored to their unique circumstances.

This guidance will tell you how to assess and take into account the impacts your policies, strategies or services might have on island communities in Scotland. It sets out a seven-step process for you to follow and provides you with a template at Annex B that you can use to carry out your assessment.

We hope that we have provided you with a clear and transparent process that will help you to fully document your evidence and reasons for your decisions. Should you feel that you require support in understanding the detail in this document, we can provide you with mentoring or further advice. Please make contact at the earliest opportunity (probably before you begin your assessment). We can also arrange to deliver a seminar to your team if that would be helpful.

From time to time we will review this document to ensure that it remains fit for purpose. As such, we welcome any comments you may have on it. You can contact us at info@islandsteam.scot

The Islands (Scotland) Act 2018

The Islands (Scotland) Act 2018 was passed by the Scottish Parliament in 2018 and is only one of a handful of place-based pieces of legislation to focus specifically on islands in the world.

The measures it contains, like the Island Communities Impact Assessment, are designed to meaningfully improve outcomes for island communities. The provisions in Sections 7 to 14 of the Act came into force on 23 December 2020.

¹ The object of this guidance is to help Relevant Authorities to comply with the duty under Section 7 of the Islands (Scotland) Act 2018 which relates to the need to have regard to island communities in carrying out your functions.

Before carrying out your ICIA, you might find it helpful to look specifically at the two main duties under Sections 7 and 8 of the Act.

- Section 7 states that a Relevant Authority must have regard to island communities in carrying out its functions.

Section 10 sets out how a Relevant Authority demonstrates compliance with the duty imposed by Section 7. It will do so:

(a) by making such arrangements as it considers appropriate to review any policy, strategy or service (as the case may be) which it develops or delivers in carrying out its functions, and

(b) either;

(i) in the case where the authority must prepare an island communities impact assessment under section 8(1), by preparing that assessment, or

(ii) in any other case, by making such an assessment or taking such other steps as the authority considers appropriate.

Under Section 10 of the Act, part of how a Relevant Authority demonstrates compliance with the Section 7 duty is by making arrangements it considers appropriate to review any policy, strategy or service. This will mean that existing policies, strategies and services will require to be reviewed by a Relevant Authority going forward, regardless of whether there is any formal application for review.

- Section 8 states that a Relevant Authority must prepare an ICIA 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 from its effect on other communities (including other island communities) in the area in which the authority exercises its functions.

Steps One to Five will help you comply with the Section 7 duty. **Again, it's really important to remember that effective and meaningful consultation throughout the process with island communities will be vital.**

A template has been provided at Annex C for you to record how you have complied with the Section 7 duty having regard to the requirements of Section 10. Effective consultation will be an important part of being able to demonstrate compliance with the Section 7 duty.

The Act lists those Relevant Authorities who are required to comply with the duties under Sections 7 to 12 of the Act. This list can also be seen at Annex A of this guide. Each Relevant Authority is responsible for ensuring it fulfils its duties under the Act.

[Section 13](#)² of the Act states that the Scottish Ministers must prepare an ICIA in relation to legislation which, in their 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 Scotland. **So, this guidance is also designed for use by the Scottish Ministers when developing policies, strategies and services to be implemented by prospective legislation.**

2 <https://www.legislation.gov.uk/asp/2018/12/section/13/enacted>

You can see all of the [relevant provisions](#),³ but if you have any questions about any of this, or if you would like a hard copy of the Act, please contact us at info@islandsteam.scot and we will be happy to help.

The National Islands Plan

In December 2019, Scottish Ministers published the first-ever National Islands Plan, which was created with the input of many islanders and those with a strong interest in Scotland's islands. The Plan sets out thirteen Strategic Objectives which will also be critical over the next five years to improving the quality of life for island communities.

The Plan recognises that Gaelic is important to many of the island communities and is included in many of the Strategic Objectives. The Plan recognises that every member of society has a right to live with dignity and to enjoy high quality public services wherever they live. This commitment is also an explicit National Outcome within Scotland's National Performance Framework.

So, when you are developing your policy, strategy or service, it is important that you consider the [National Islands Plan](#)⁴, its commitment to fairness and its Strategic Objectives. Please email us at info@islandsteam.scot if you would like a hard copy in Gaelic or English.

What is an island community?

The Islands (Scotland) Act 2018⁵ defines an island community as a community which consists of two or more individuals, all of whom permanently inhabit an island (whether or not the same island), and is based on common interest, identity or geography (including in relation to any uninhabited islands whose natural or cultural environment and terrestrial, marine and associated ecosystems and history contribute to the natural or cultural heritage or economy of an inhabited island). To make sure that that you take into account the uniqueness of each of our island communities, you should be as inclusive as possible – specifically through consultation with island communities. When you are developing your policy, service or strategy you must listen very carefully to the voices of islanders and provide them with feedback throughout the process.

Why is an ICIA important?

Making sure that your ICIA is done well is important because island communities can face many challenges when compared with mainland and urban areas. For example, on an island it can be more difficult to access public services or high-quality employment. Also, the consequences of geography can create particular problems for island communities. These might include for example, a higher general cost of living, more expensive and more complex transport options, higher fuel or construction costs as well as environmental factors and infrastructure issues such as poor digital connectivity.

3 <https://www.legislation.gov.uk/asp/2018/12/introduction/enacted>

4 <https://www.gov.scot/publications/national-plan-scotlands-islands/#:-:text=The%20National%20Islands%20Plan%20provides%20a%20framework%20for,replaces%20the%20proposed%20plan%20published%20in%20October%202019>

5 Islands (Scotland) Act 2018, Section 2(1) provides the following definition: "island" means a naturally formed area of land which is— "(a) surrounded on all sides by the sea (ignoring artificial structures such as bridges), and (b) above water at high tide."

Islands also have cultural assets which can be positively or adversely affected by policy changes. The profile of Gaelic is important to many island communities. Public authorities operating in island communities have the potential to make an important contribution to Gaelic in sectors such as employment, housing, education, arts, community matters and more. An ICIA should also consider what impact the policy, strategy or services may have on the languages and the cultural heritage relevant to that island community.

Island rurality can exacerbate inequality already experienced on account of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. These characteristics are known as “protected characteristics” as defined in the Equality Act 2010. Issues which impact on all islanders to some extent, such as those relating to access to transport or adequate housing for example, may be acutely felt by some groups more than others and require targeted measures in order to redress the inequality experienced.

Island Communities Impact Assessments are also designed to cover existing policies, strategies and services, particularly when being updated or revised - not just new ones.

Done well, your ICIA will:

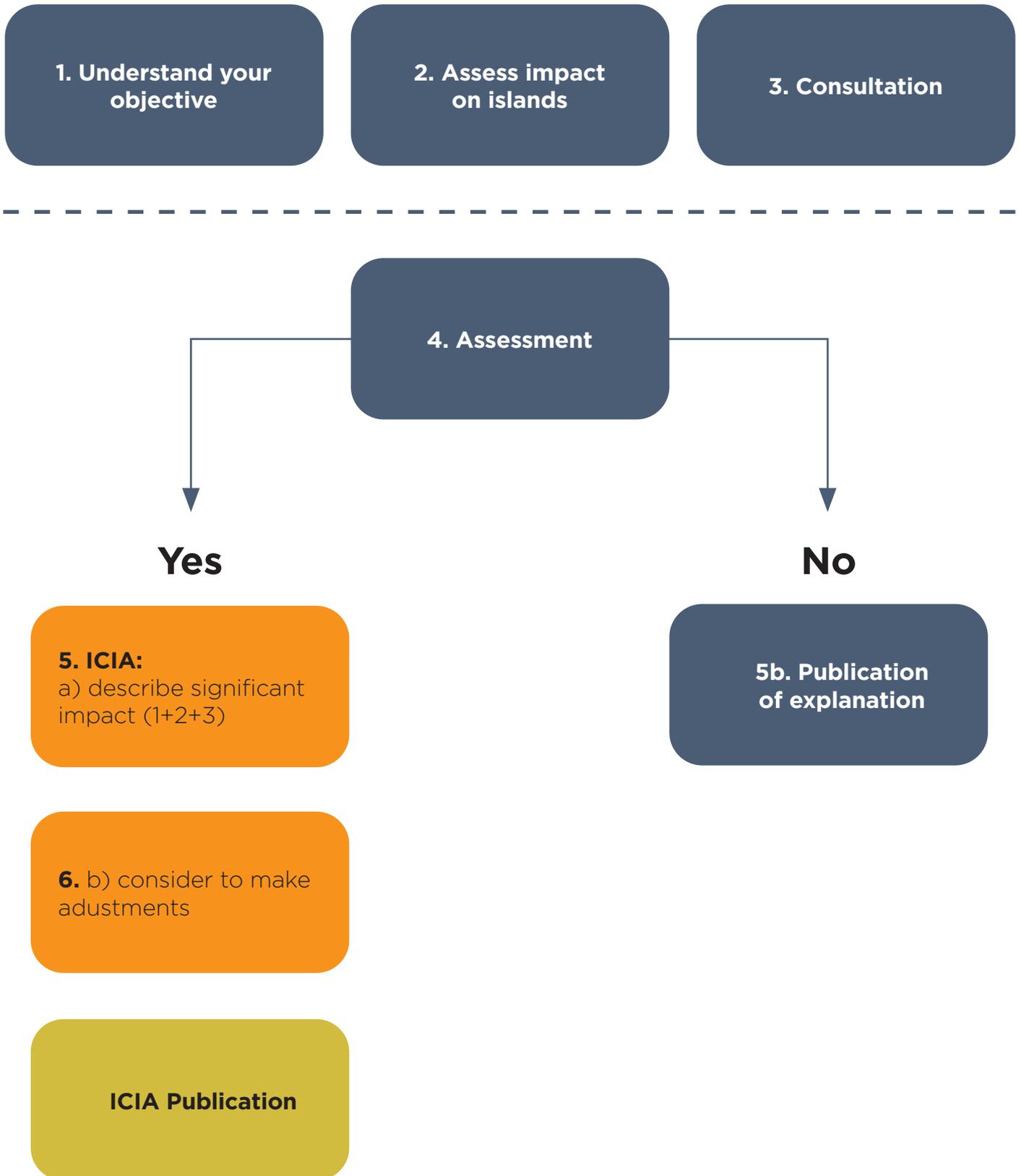
- make sure that you keep islands and their communities in mind throughout the development, implementation and delivery of your policy, strategy or service.
- help us to support strong, resilient and vibrant island communities.
- help us to meet the four principles of fairness, integration, environmental protection (green) and inclusiveness that underpin the National Islands Plan and our work to support island communities.
- promote the **voices** of island communities.
- recognise that every person in Scotland has a right to live with dignity and to enjoy high quality public services wherever they live.

We know that you will need to strike a balance to ensure your approach to the process is not unduly burdensome, but it is critical that it is robust and meaningful. **Crucially, your ICIA should not be a “tick box” exercise.** It’s important to remember that any decisions you make should be clearly set out and well documented. This will help you in the event of a review of a decision relating to an ICIA under Section 9 of the Act.

Section 9 of the Act provides that the Scottish Ministers must by regulations make provision about reviews of decisions of relevant authorities relating to island communities impact assessments under section 8(1).

[These regulations, to be known as the Island Communities Impact Assessments \(Publication and Review of Decisions\) \(Scotland\) Regulations 2020](#) came into force on 23 December 2020. These regulations introduce a process whereby applications can be made to Relevant Authorities to carry out a review of a decision relating to an ICIA. It will therefore be important for you to be able to demonstrate compliance with Section 8 of the Act (and in the case of Scottish Ministers, where the ICIA relates to policies, strategies and services to be implemented by legislation, section 13).

Carrying out your Island Communities Impact Assessment



Step One – Develop a clear understanding of your objectives:

A good ICIA will be most effective when considered early and throughout the whole duration of development and implementation of your policy, strategy or service. We strongly suggest that you begin your ICIA at the very beginning of your work so that the needs of island communities are held in mind as you develop your thinking.

You should consider the scale of each individual ICIA. While some ICIA's will be completed quickly – given the scope of the policy, strategy or service – others will necessitate a longer period of consultation or data gathering. We suggest that this should be factored in during the planning stage.

It is important to emphasise that consultation can be used to support different steps of an assessment to gather islands data and obtain different island perspectives for your proposals. While Step Three specifically addresses consultation, it might also be considered necessary or beneficial at all other steps throughout the process.

Your first step should be to develop a clear understanding of the objectives and intended outcomes of your policy, strategy or service and then, more specifically, to identify if there are explicit island needs or any potential direct or indirect impacts for island communities. Remember to think about each island individually because what might not have any impact on one, may impact adversely on another. If you have any questions about the impact your work might have on an island, please don't hesitate to contact the Islands Team for advice.

Things to remember in Step One:

- If your policy, strategy or service is a regional or area-based one or if it is intended to have the same impact across the region or area, you should think about whether there are potential island impacts which differ from the regional impact or whether there are any barriers which may unfairly disadvantage islanders.
- For policies, strategies, and services which are wholly or mainly aimed at island communities, you should consider whether there is a need to adapt your plans to account for variations across island communities. Island communities are unique and there can be lots of variation across things like proximity to services, transport links and infrastructure.
- If your policy, strategy or service is mainland-focused, you should consider if there is a corresponding need in island communities, and think about how this has been otherwise taken into account or catered for.
- It's also a good idea to identify any benefits for the island community, such as better access to services.

Step Two – Gather your data:

In Step Two, you should begin to dig deeper and examine the differences that occur in islands communities, and between island groups, in contrast to mainland Scotland. Where possible, robust island data should be considered to identify these differences – this can include statistics, stakeholder views and other data.

Sourcing of islands level data can sometimes be difficult but we can help you with this. As the ICIA process develops, there will be a repository of data which can be sourced including the percentage of Gaelic speakers across island communities

You may already have evidence from other consultations, customer feedback and monitoring exercises that you could refer to. You could also draw on additional information such as national surveys and any available island level data. You might also find it helpful to look at the [Right First Time](#)⁶ practical guide for public authorities in Scotland to decision-making.

You may also find it useful to look at examples of ICIA's on www.gov.scot

Once you've considered what the evidence tells you about the impact and whether this is significantly different for island communities or between island groups, you should consider whether there are any gaps in your information and how these should be filled. Do you need this information before you can carry out an ICIA? You may want to produce an interim report detailing the extent to which there is or there is not an impact on islands that is different from what can be expected on the mainland.

Things to remember in Step Two:

- You might want to consider working with island experts and contacts from different organisations such as the Scottish Islands Federation.
- Make sure that you give yourself enough time to carefully collate and consider all of the available data and information.
- Do you want to produce an interim report detailing the extent to which there is or there is not an impact on islands that is different from what can be expected on the mainland?

6 <https://www.gov.scot/publications/right-first-time-practical-guide-public-authorities-scotland-decision-making-law-second-edition/>

Step Three – Consultation:

In Step Three you can engage further with the people likely to be affected by your policy, strategy or service. **As previously indicated, earlier consultation could be beneficial or necessary at Steps One and Two.**

The importance of consultation cannot be emphasised enough. Effective consultation will ensure that your ICIA will be based on meaningful engagement with island communities from inception to conclusion. By providing feedback, you will also build a stronger, more meaningful and productive relationship with island communities.

Consultation should adhere to the following principles:

- **Continuous** – Stakeholder engagement and consultation should begin as early as possible and continue until your proposal is complete.
- **Broad-Based** – Consideration of the scope of consultation about your proposal should be wide enough to include all those affected and ensure a full spectrum of diversity in views and opinions.
- **Not Burdensome** – Timeframes for consultation should be realistic and should not impose additional unnecessary workloads on organisations or people who may be expected to respond to multiple consultations over a period. This could result in “consultation fatigue” and may reduce the quality of the responses you receive.
- **Transparent** – You should outline the objectives of your consultation and the context surrounding your proposal. All relevant supporting information should be made available.
- **Consistent and Flexible** – Use of a consistent framework for consultation allows respondents to become familiar with the process and can negate concerns for respondents in relation to fatigue from responding to numerous different frameworks.
- **Subject to Evaluation and Review** – Consultation processes should be evaluated, reviewed and updated as a means towards continuous improvement.
- **Defined Goals** – Consultations should be “a means rather than an end”. They should be used as a means of informing decision-making rather than a substitute for decision-making.

Consultation can give you lots of good information on the likely impact of your work, as well as providing you with a wider context relating to specific islands and the people who live on them. However, carrying out a consultation is just one of the arrangements that the Relevant Authorities may find useful when reviewing their policies, strategies and services.

The most appropriate stakeholders to engage with will vary from case to case, but you should make it easy for people to give their views by using meetings as well as written consultations, ensuring materials are available in different formats such as large print or in appropriate languages like Gaelic. You should give particular consideration to island communities and their community councils and how best to ensure ease of participation. It's also important to remember that not everybody on an island has or chooses to have access to the internet. We suggest that your questions are tailored and directed specifically to island communities in respect of any proposal.

Things to remember in Step Three:

- Where appropriate, you should make your consultation materials available in Gaelic and any other appropriate language.
- You might want to consider using local print media, local radio and posters as not every island has reliable access to the web. Don't rely on people looking things up on the internet.
- Think about the weather and travel. Getting to the islands can be tricky at certain times of the year. You may want to think about holding your consultation events virtually.
- Consider speaking to the Scottish Government's Islands Team who will be able to give you advice on how best to reach out to island communities.
- Are there any other consultations or processes that you could link into?
- Consider developing a communication plan for reaching your target audience, and encouraging and using input and feedback?

Step Four – Assessment:

Once you've carried out your consultation, you should set out your analysis of the results or outcomes, the needs of island communities and the potential impacts of your work. We've provided you with a template at Annex B which you could use to record your findings.

It might be that there are no significant impacts on the island community, but you should still be careful to record this and evidence the process in reaching that conclusion.

A crucial part of your assessment is determining whether in your opinion your policy, strategy or service 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 effect, a Relevant Authority must not make a decision that is so unreasonable that no reasonable person acting properly could have taken it. This will require to be taken into account by you when making a determination about what the likely significantly different effect could be.

In forming an opinion on whether your policy, strategy or service is likely to have an effect on an island community which is significantly different from its effect on other communities (including other island communities), the following should be considered.

- Does the evidence show different circumstances or different expectations or needs, or different experiences or outcomes (such as different levels of satisfaction, or different rates of participation)?
- Are such different effects likely?
- Are such different effects significant?
- Could the effect amount to a disadvantage for an island community compared to the mainland or between island groups?

We've included here some questions which you could consider when thinking about the potential impact of your work on island communities. In particular you should aim to link your assessment to the [National Islands Plan Strategic Objectives](#).

Demographic

A key issue for islands is the relatively small number of children and young people and people of working age.

Key things to consider:

Q. Does your proposal take into consideration the current demographic structure of the islands and the challenges faced by populations that might have a greater percentage of older people than other areas?

Q. Could your policy exacerbate the islands' demographic challenges? For example, could it encourage young people to leave the island?

Economic

The islands' main industries are significant employers and make a vital contribution to wellbeing as well as being extremely important from an environmental perspective.

Key things to consider:

- Q. Will your policy, strategy or service have any particular impacts on the key island industries and, therefore, on the islands' economies and environments?
- Q. Will your policy, strategy or service have an impact on the islands' infrastructure or natural environment and biodiversity?
- Q. If a fast or high-capacity broadband or mobile network will play a significant part in implementing your policy, strategy or service, how can alternative mechanisms be used to ensure fair access for the islands?
- Q. Will your policy, strategy or service have any impact on the types of small businesses which are a feature of the islands' economies? Specifically, if the policy is to be delivered through suppliers, will there be a requirement for those suppliers to meet accreditation standards that are more difficult for islands companies to achieve?
- Q. Has the cost and time taken in travelling between island communities been taken into consideration – particularly for those on low incomes or reliant on infrequent public transport?

Social

Deprivation and social exclusion in the islands tends to be dispersed, unlike more populated areas where there is a tendency for deprivation to be concentrated.

Key things to consider:

- Q. If a measure of deprivation is to be used to target your initiative; does it take into account dispersed deprivation in islands?
- Q. Will your policy have a cost of living impact? Is there any risk that impact could be in island communities?
- Q. Will your policy have an impact on households experiencing fuel poverty?
- Q. Does your policy make any consideration for the part-time and self-employed nature of many island jobs? The availability of childcare provision in island communities may be of particular relevance.

The profile of Gaelic is important to many island communities. Public authorities operating in island communities have the potential to make an important contribution to Gaelic in sectors such as employment, housing, education, arts, community matters and more. The questions below ask public authorities to consider Gaelic in island communities.

With reference to your policies, strategies and services could you make clear in your ICIA what the impact is on the Gaelic language in island communities, if any, compared to other areas (including other island communities) and what (if any) support you are currently providing?

If an ICIA indicates that policies, strategies and services are having (or are likely to have) an impact on the Gaelic language, which could result in island communities being impacted in a significantly different way from other areas (including other island communities), what steps are being taken by your authority, in line with the National Islands Plan, to mitigate or improve their impact on the Gaelic language?

You may consider at this step that further, more refined, consultation would help you form your opinion.

Once you've finished your assessment of whether your policy, strategy or service is likely to have an effect on an island community which is significantly different from its effect on other communities (including other island communities), the outcome will determine if you need to do an ICIA. [Section 8](#)⁷ is the relevant part of the Islands Act and is Step Five.

If you do not prepare an ICIA in relation to a policy, strategy or service which has an effect on an island community, you must publish, as soon as reasonably practicable, an explanation of your reasons for not carrying out an ICIA. The flow chart that accompanies this guide sets this out for you.

Things to remember in Step Four:

- Have you considered what the potential barriers or wider impacts might be and how you aim to address these? You should have regard to demographic, economic and social considerations.
- Are the differences you've identified significantly different for the island community compared to mainland or other islands?
- Have you considered if any effects amount to a disadvantage for an island community compared to the mainland or between island groups?
- Have you recorded your findings carefully in case you are asked to carry out a review of your ICIA?
- If you have concluded that you do not need to carry out an ICIA, where will you publish your reasons for not doing one?

7 <https://www.legislation.gov.uk/asp/2018/12/section/8/enacted>

Step Five – Preparing your ICIA:

Now that you have gathered all the information required while developing your policy, strategy or service through steps one-four, step five is preparing the Island Communities Impact Assessment itself. You should look at the criteria specified in [Section 8\(3\) of the Act](#).⁸ This is mandatory and so it's important to take care when compiling your ICIA. The Act states that you need to:

- describe the likely significantly different effect of the policy, strategy or service; and
- assess the extent to which you consider that the policy, strategy or service can be developed or delivered in such a manner as to improve or mitigate, for island communities, the outcomes resulting from it.

Section 13 of the Act relates to the preparation of ICIA's by Scottish Ministers in regard to legislation. This provision does not therefore relate to other Relevant Authorities. By virtue of Section 13, an ICIA must:

- describe the likely significantly different effect of the legislation,
- assess the extent to which the Scottish Ministers consider that the legislation can be developed in such a manner as to improve or mitigate, for island communities, the outcomes resulting from the legislation, and
- set out the financial implications of steps taken to mitigate, for island communities, the outcomes resulting from the legislation.

Once you have described the likely significant different effect of your proposal, you will need to set out ways to deal with this. You should consider whether you can make changes that could improve or mitigate, for island communities, the outcomes resulting from it.

Things to remember in Step Five:

- Have you set out clearly any impacts or effects of your work?
- You should begin to consider what changes or mitigations can be made to ensure there is no impact?
- Have you used plain language?
- Do you need to make your ICIA available in any other languages?

8 <https://www.legislation.gov.uk/asp/2018/12/section/8/enacted>

Step Six - Making adjustments to your work:

By Step Six, you should have a range of information from which to draw some conclusions and make recommendations.

You should decide if you are rejecting the policy, strategy or service, improving or adjusting it or simply adopting it as proposed. If you decide that you need to make some adjustments, you should remember that delivery mechanisms could vary across different island communities – what might work for one island, may not work for another even if that island is in the same local authority area or archipelago.

You might want to pilot the policy, strategy or service or some of the mitigations in order to assess whether you can achieve your objectives without adverse effect. Or, you may consider using island-specific indicators or targets for monitoring purposes.

It's important that you continue to consider the needs of islands as you develop your adjustments. It may also be that you would wish to consider whether to refresh or complete a new ICIA as your policy, strategy or service develops.

Things to remember in Step Six:

- Make sure you have all the information you need to consider if you need to make any adjustments.
- If the outcome of the ICIA (that has been properly carried out), is that nothing can be done to mitigate the effect of your policy, strategy or service, is there a need to further justify the adverse impact that the policy may have?
- If you don't need to make any adjustments, can you clearly set out why?
- Do you need to adjust the objectives you set out in Step One?
- Do you need to test your proposals or mitigations?

Step Seven – Publishing your ICIA:

It's important that you keep stakeholders, relevant colleagues and Ministers updated on your progress, and when you're ready to publish your ICIA.

It will be important to publish all ICIA assessments. Previously, in terms of the Islands (Scotland) Act 2018, a Relevant Authority was only obliged to publish its reasons for not carrying out an island communities impact assessment for a policy, strategy or service which has an effect on an island community. Through new regulations, all island community impact assessments are to be published in the interests of transparency.⁹ This provision will allow the public access to decision-making on whether an ICIA has been carried out or not. From an island community perspective transparency will be met if ICIA's can be easily retrieved and consulted.

Your ICIA should be completed by the individuals responsible for the policy, strategy or service within the Relevant Authority and it should be approved and signed off by a senior member of your organisation. In the Scottish Government, this should be at ministerial level.

Section 12¹⁰ of the Act also requires a Relevant Authority to publish information about the steps it has taken to comply with the Section 7¹¹ duty during a reporting period. A reporting period is any period determined by the Relevant Authority of up to a maximum of one year. A Relevant Authority can publish the information in any way it considers appropriate (for example in an annual or other report). We suggest that Relevant Authorities publish the information on their own websites.

We've provided an Annual Reporting Return Assessment Template for you at Annex C of this guide to help Relevant Authorities (with the exception of the Scottish Ministers) to comply with the reporting requirements under the Section 12 duty.

Things to remember in Step Seven:

- Have you arranged to have your ICIA signed off by a senior member of your Relevant Authority?
- Have you decided where you will publish your ICIA?
- Have you decided how you will comply with the reporting requirement in Section 12 of the Act?

9 [The Island Communities Impact Assessments \(Publication and Review of Decisions\) \(Scotland\) Regulations 2020 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

10 <https://www.legislation.gov.uk/asp/2018/12/section/12>

11 <https://www.legislation.gov.uk/asp/2018/12/section/7/enacted>

Annex A

Duties in Relation to Island Communities: Relevant Authorities (introduced by section 7(2) of the Islands (Scotland) Act 2018)

Scottish Administration

1. Scottish Ministers
2. Keeper of the Records of Scotland
3. Keeper of the Registers of Scotland
4. Registrar General of Births, Deaths and Marriages for Scotland

Scottish public authorities with mixed functions or no reserved functions

5. Accounts Commission for Scotland
6. Audit Scotland
7. Bòrd na Gàidhlig
8. Caledonian Maritime Assets Limited (company number SC001854)
9. Children's Hearings Scotland
10. Creative Scotland
11. Crofting Commission
12. Crown Estate Scotland (Interim Management)
13. David MacBrayne Limited (company number SC015304)
14. Highlands and Islands Airports Limited (company number SC097647)
15. Highlands and Islands Enterprise
16. Historic Environment Scotland
17. The Local Government Boundary Commission for Scotland
18. Mental Welfare Commission for Scotland
19. Mobility and Access Committee for Scotland

20. Scottish Children's Reporter Administration
21. Scottish Courts and Tribunals Service
22. Scottish Enterprise
23. Scottish Environment Protection Agency
24. Scottish Fire and Rescue Service
25. Scottish Further and Higher Education Funding Council
26. Scottish Housing Regulator
27. Scottish Land Commission
28. Scottish Legal Aid Board
29. Scottish Natural Heritage
30. Scottish Police Authority
31. Scottish Qualifications Authority
32. Scottish Social Services Council
33. Scottish Sports Council
34. Scottish Water
35. Skills Development Scotland Co. Ltd (company number SC202659)
36. Social Care and Social Work Improvement Scotland
37. VisitScotland

Health Boards (including Special Health Boards)

38. Common Services Agency for the Scottish Health Service
39. Healthcare Improvement Scotland
40. NHS 24
41. NHS Ayrshire and Arran
42. NHS Borders
43. NHS Dumfries and Galloway
44. NHS Education for Scotland
45. NHS Fife
46. NHS Forth Valley
47. NHS Grampian
48. NHS Greater Glasgow and Clyde

49. NHS Health Scotland
50. NHS Highland
51. NHS Lanarkshire
52. NHS Lothian
53. NHS National Waiting Times Centre
54. NHS Orkney
55. NHS Shetland
56. NHS Tayside
57. NHS Western Isles
58. Scottish Ambulance Service
59. State Hospitals Board for Scotland

Integration Joint Boards

60. An integration joint board established by virtue of Section 9 of the Public Bodies (Joint Working) (Scotland) Act 2014

Local Government

61. Argyll and Bute Council
62. Comhairle nan Eilean Siar
63. Highland Council
64. North Ayrshire Council
65. Orkney Council
66. Shetland Council

Regional Colleges

67. Ayrshire Regional College
68. University of the Highlands and Islands

Regional Transport Partnerships

69. Highlands and Islands Regional Transport Partnership
70. Shetland Regional Transport Partnership
71. Strathclyde Regional Transport Partnership

Annex B

Island Communities Impact Assessment: Template

Step One – Develop a clear understanding of your objectives:

- What are the objectives of the policy, strategy or service?
- Do you need to consult?
- How are islands identified for the purpose of the policy, strategy or service?
- What are the intended impacts/outcomes and how do these potentially differ in the islands?
- Is the policy, strategy or service new?

Step Two – Gather your data and identify your stakeholders:

- What data is available about the current situation in the islands?
- Do you need to consult?
- How does any existing data differ between islands?
- Are there any existing design features or mitigations in place?

Step Three – Consultation:

- Who do you need to consult with?
- How will you carry out your consultation and in what timescales?
- What questions will you ask when considering how to address island realities?
- What information has already been gathered through consultations and what concerns have been raised previously by island communities?
- Is your consultation robust and meaningful and sufficient to comply with the Section 7 duty?

Step Four – Assessment:

- Does your assessment identify any unique impacts on island communities?
- Does your assessment identify any potential barriers or wider impacts?
- How will you address these?

You must now determine whether in your opinion your policy, strategy or service is likely to have an effect on an island community which is significantly different from its effect on other communities (including other island communities).

If your answer is **NO** to the above question, a full ICIA will NOT be required and you can proceed to Step Six.

If the answer is **YES**, an ICIA must be prepared and you should proceed to Step Five.

To form your opinion, the following questions should be considered.

- Does the evidence show different circumstances or different expectations or needs, or different experiences or outcomes (such as different levels of satisfaction, or different rates of participation)?
- Are these different effects likely?
- Are these effects significantly different?
- Could the effect amount to a disadvantage for an island community compared to the mainland or between island groups?

Step Five – Preparing your ICIA:

In Step Five, you should describe the likely significantly different effect of the policy, strategy or service.

- Assess the extent to which you consider that the policy, strategy or service can be developed or delivered in such a manner as to improve or mitigate, for island communities, the outcomes resulting from it.
- Consider alternative delivery mechanisms and whether further consultation is required.
- Describe how these alternative delivery mechanisms will improve or mitigate outcomes for island communities.
- Identify resources required to improve or mitigate outcomes for island communities.

An ICIA by Scottish Ministers in regard to legislation must:

- describe the likely significantly different effect of the legislation,
- assess the extent to which the Scottish Ministers consider that the legislation can be developed in such a manner as to improve or mitigate, for island communities, the outcomes resulting from the legislation, and
- set out the financial implications of steps taken under this subsection to mitigate, for island communities, the outcomes resulting from the legislation.

Step Six – Making adjustments to your work:

- Should delivery mechanisms/mitigations vary in different communities?
- Do you need to consult with island communities in respect of mechanisms or mitigations?
- Have island circumstances been factored into the evaluation process?
- Have any island-specific indicators/targets been identified that require monitoring?
- How will outcomes be measured on the islands?
- How has the policy, strategy or service affected island communities?
- How will lessons learned in this ICIA inform future policy making and service delivery?

Step Seven – Publishing your ICIA:

- Have you presented your ICIA in an Easy Read format?
- Does it need to be presented in Gaelic or any other language?
- Where will you publish your ICIA and will relevant stakeholders be able to easily access it?
- Who will sign-off your final ICIA and why?

ICIA approved by:	.....
Position:	.....
Signature:	.....
Date completed:	.....

ICIA approved by:	.....
Position:	.....
Signature:	.....
Date approved:	.....

Annex C

Annual Reporting Return Template

Name of Relevant Authority:	.....
Reporting Period:	.....

Please describe how your organisation has had regard to island communities in carrying out its functions.

Please provide a list of policies, strategies or services for which your organisation has completed a Section 10 assessment ICIA.

What other steps has your organisation taken for those policies for which an ICIA was not required (under the Section 10(b)(ii) assessment).



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