



**The Health and
Social Care
Alliance
Scotland
(the ALLIANCE)**



**The Civil Society Covenant –
ALLIANCE response**

12 December 2024

Introduction

As the third sector intermediary and membership organisation for health and social care in Scotland, the Health and Social Care Alliance Scotland (the ALLIANCE) welcomes the opportunity to respond to the consultation on the Civil Society Covenant Framework. The ALLIANCE is a strategic partner and critical friend of the Scottish Government and has positive working relationships with other public bodies in Scotland, including territorial and national Health Boards, Integration Authorities, local government and the Confederation of Scottish Local Authorities (COSLA). We have also engaged – albeit less frequently – with the UK Government.

Although the Covenant will apply to UK public bodies, we hope that the insights shared here from the ALLIANCE and our members will help to inform the Covenant's application and implementation in Scotland.

While the draft principles included in the Covenant are a positive starting point, it is currently unclear how these will, in practice, overcome barriers or make any meaningful difference without dedicated time, resources, and significant practical, cultural and systemic changes.

Throughout our response, we make reference to the third sector or third sector organisations rather than civil society organisations as the terms relate directly to the ALLIANCE's work. The third sector includes charities, social enterprises and community groups which deliver essential services, help to improve people's wellbeing and contribute to economic growth¹.

About you and your organisation

Organisation name

Health and Social Care Alliance Scotland (the ALLIANCE)

What is your organisation's annual income?



£8,507,870.

Where do you operate?

Scotland
UK wide
International

What does your organisation focus on?

Health (including mental health)
Social Care
Disability
Equality and Human Rights
Children and young people
Older people

Type of organisation

Charitable company (limited by guarantee)

What role does your organisation play?

Community organisation
Frontline
Service delivery
Other – Scotland’s national third sector intermediary for health and social care; inform and influence policy and practice.

Is your organisation led by and for marginalised communities?

No.

Your Relationship with public bodies



1. How do you engage with public bodies?

Recipient of funding
Influencing decision-making
Influencing service design
Supporting public bodies to engage volunteers

2. Which public bodies do you engage with?

Local government (for example, a local authority, local council, or Mayoral combined authority)
Central government departments (for example, the Department of Health and Social Care)
Arms length bodies (for example, NHS England)
Local or regional public bodies (for example, Integrated Care Boards)
Other – the ALLIANCE primarily engages with national and local public bodies in Scotland, including (but not limited to) Scottish Government, local authorities, national and territorial Health Boards, Integration Joint Boards, Non-Departmental Public Bodies

3. Do you experience barriers when engaging with public bodies? Please tell us more about your experience.

Yes.

The ALLIANCE is a strategic partner and critical friend to the Scottish Government and has built positive relationships with public bodies in Scotland like territorial and national Health Boards, Integration Authorities, COSLA, and local government. We have also engaged – albeit less regularly – with the UK Government. The ALLIANCE and our members have experienced barriers to engaging with public bodies, as set out below.

Undervalued contribution

There can be a lack of value of third sector contributions. Public bodies do not always trust or respect the third sector's combined knowledge and



expertise. For example, qualitative data is often collected by third sector organisations and captures the first-hand experiences of people's lives. However, this invaluable data can be seen by public bodies as "anecdotal" rather than "evidence based" and thus less valuable because it does not demonstrate hard data or "hard outcomes"². This can lead to unsustainable policy and practice that are not based on people's lived experiences. The Scottish Council for Voluntary Organisations (SCVO) has also described the third sector as being "overlooked"³. This has led to a perceived lack of trust from public bodies in the third sector, minimising innovation and leading organisations to become more risk averse.

Capacity and funding

The third sector is a provider of health and social care services as well as an important contributor to strategic decision and policy making⁴. Third sector organisations contribute to assessing and understanding needs, identifying future needs, carrying out engagement and influencing activity, and redesigning services and care pathways. Third sector organisations deliver support to those who are unable to access public bodies and provide the services that the public sector cannot. However, despite dealing with ever increasing demand and complexity in cases, they do so without adequate resourcing and capacity⁵.

The Covenant and principles need to be accompanied by systemic organisational and cultural change. Such extensive change cannot be done at speed, and if done so, could act as a barrier to involvement for the third sector due to its limited capacity.

A barrier often cited is short term, insufficient and insecure funding to third sector organisations. This creates barriers to longer term planning and can make it hard for public bodies to feel certain that services will still exist. In the ALLIANCE's Stretched to the Limit report, we investigated the impact of the cost of living crisis on our third sector organisational members and found that the majority who responded were facing growing financial



pressures⁶. These included increased demand for services, reductions in grant funding and higher bills; almost half were unable to offer their employees pay uplifts.

Rather than financial instability, third sector organisations need certainty. However, a growing number of public sector grants that are awarded by the Scottish Government and Local Authorities are confirmed very late in the financial year and have a very short time scale in which to apply, deliver and report⁷. This puts additional pressure on staff – particularly part time workers – to achieve outcomes and provide robust monitoring information.

The ALLIANCE has repeatedly emphasised the importance of funding the third sector as an investment in prevention, health, wellbeing, and equality. However, despite the Scottish Government’s commitment to Fair Funding, this is still not consistently implemented in practice. For example, funding is not automatically increased to ensure third sector employers can cover the cost of Fair Work criteria in contracts and grant agreements. The Scottish Government have publicly stated that long term funding is their aspiration, yet SCVO describes progress so far as having “fallen far short of what is required”⁸.

Often public body funders like to see new ideas and projects⁹. Funding arrangements can lead to public bodies feeling like they can direct the activities of organisations that should be independent of them. Although innovation and solutions are crucial outcomes of the work that the third sector does, value must also be placed on existing services and programmes that work to achieve positive outcomes for people. Funding restrictions limited to only supporting new projects will impact the ability of organisations already delivering positive, long running services and our independence is an asset that should be valued and maintained.

Inaccessible and inconsistent communication

Inaccessible and inconsistent communication is a key barrier to third sector organisations building relationships and engaging with public bodies. We



have been told that people working in the third sector have been excluded from public body decision making processes because they were not given the information in time, and when given information, it did not meet their communication and language needs¹⁰.

One reason for this might be due to personnel in public bodies moving on or around departments. This can make it difficult to maintain and sustain connections and referral routes, and gather information.

Consultation and engagement

The ALLIANCE and our members are encouraged by the willingness of public bodies to consult and engage with us. This has allowed us to input into and collaborate on various workstreams and policy areas. However, repeated consultation without evidence of meaningful change, or feedback loops, can lead to ‘consultation fatigue’ and alienation.

Some of our members have told us of mixed experiences in terms of meaningful engagement, involvement and representation in public body meetings and events. Whilst some felt valued, other third sector members talked about attendance and inclusion being tokenistic, frustrating and disrespectful. Others have said that decisions affecting their organisations, and the areas they work in, were made without public bodies involving them at all¹¹.

Due to the scale of the third sector, and varied organisations within it, we understand that involving everyone equally can be a challenge. It has been noted that there can be a clear lack of understanding from public bodies about the third sector, the context in which it works and what it is able to do. This is reflected by short consultation timescales given by public bodies which do not allow for meaningful engagement. As long as the majority of public consultation is done on a voluntary basis, some organisations and groups may also need additional resources for the time they spend helping to inform decisions and supporting others to do so¹².



Geographic consistency

Some of our members have told us that there is a concentrated focus from public bodies on building relationships and working with third sector organisations within the central belt of Scotland. When there is such focus, a postcode lottery occurs whereby smaller, remote or rural organisations do not garner the same level of attention as those that are more prominent¹³. This not only means that the third sector organisations are left out of the loop but also that public bodies are not aware of what is happening locally.

Bureaucracy

ALLIANCE third sector members have told us that public body governance is seen as ‘onerous’ and bureaucratic at times. This approach has felt like it creates a ‘clinical’ atmosphere, reducing staff autonomy and hampering innovation. Bureaucracy takes a lot of time, which could be better spent on “reflection, service design and quality improvement”¹⁴. The key to resolving this is shifting a focus from process to relationships.

4. What supports an effective relationship between civil society organisations and public bodies?

Fairness

Public bodies in Scotland should progress and fully implement the commitments to Fair Funding and its accompanying principles for the third sector in line with the SCVO definition¹⁵. This includes making multi year funding deals the norm by 2026.

Accessible communication

All public bodies should communicate accessibly and inclusively with all third sector organisations. To support this, training should be provided to all staff on how to implement the Principles of Inclusive Communication¹⁶.



Collaboration and equal partnership

More can be done to build positive collaborative relationships and involve the third sector as equal partners, treating them with a parity of esteem by recognising the strengths that come from a diversity of views and perspectives. The sector gathers insights from the people it works for and with as well as solutions and innovations. The foundations of such relationships must be respect and dignity.

However, there remains a power imbalance between the third sector and public bodies, with third sector involvement in decision making being dependent on the discretion of public bodies¹⁷. For the third sector to be an equal and meaningful partner, organisations must be engaged as a strategic partner at all stages of a project not just when a service is being commissioned, or a public body needs to conduct a piece of engagement work.

5. What actions should civil society organisations take to improve the relationship with public bodies?

ALLIANCE members have noted that avenues of direct dialogue with government are not open to the third sector in the same way they are to public sector staff, which can lead to inadequate support for the sector and a lack of comparable pay uplifts¹⁸. The third sector should continue to communicate openly and honestly with public bodies to push for change.

6. What actions should public bodies take to improve the relationship with civil society organisations?

Human rights based approach

The ALLIANCE believes that a guiding foundation of both public bodies and third sector organisations' work – and our working relationships – should be taking a human rights based approach (HRBA). When applying the



Covenant in practice the PANEL (Participation, Accountability, Empowerment and Legality) principles should be consistently applied¹⁹.

Inclusive communication

Communication practices of public bodies are vital to improving the relationship with third sector organisations. In following a human rights based approach, public bodies should implement the Principles of Inclusive Communication²⁰. In practicing person centred, tailored and accessible communication, public bodies will equitably engage a wider variety of organisations, people and perspectives and encourage transparency and openness.

Commissioning and procurement

A human rights based approach should also be adopted within commissioning, procurement and funding procedures. Procurement practices have increasingly driven and undermined commissioning decisions, where price and a competitive market environment, characterised by competitive tendering between providers, dominate²¹.

Competitiveness and protectionism can create an environment where it is difficult to foster positive working relationships²². As reflected in the Independent Review of Adult Social Care (the Feeley Review), our partners and members want an end to this emphasis on price and competition and to see the establishment of a collaborative, participative and ethical commissioning framework for adult social care services and supports, squarely focused on achieving better outcomes for people using these services and improving the experience of the staff delivering them²³.

Key to this will involve adjusting financial arrangements for inflation rates to offset the difficulties being encountered with rising costs, and prioritising services which reduce demand for acute interventions from public bodies, realise human rights and uphold dignity.



Fair funding

Long term, multi-year, sustainable and fair funding should be the norm, and funding contracts require a kinder, more positive monitoring process focused on “soft outcomes” and impact²⁴. This would provide stability for third sector organisations, allow them to grow and develop their services, be flexible in their response to changing need in their communities and therefore support the delivery of integrated health and social care.

Public bodies could analyse the economic contribution of the services delivered by the third sector, generating evidence of their value to health and social care to promote further investment in the sector²⁵. Public bodies must also collaborate with the third sector as equal partners. They should consider cooperative sharing of resources, time, information and contributions. This would also allow for the sharing of learning to inform good practice.

Transparency

Public bodies can feel like a maze to navigate because of their siloed nature and the third sector’s limited access to or awareness of staffing, structures, roles and responsibilities. It should be made easier for third sector organisations to communicate, engage and connect with relevant public body staff and departments. To achieve this, public bodies need to be more transparent about their structures, staff roles and responsibilities so that the third sector understands the best routes of engagement²⁶.

Public bodies should also be proactive - identifying and reaching out to organisations and communities they have not worked with before - and continue to liaise directly with intermediaries like the ALLIANCE, who are a connecting bridge between the public and third sectors. Concerted efforts from both public bodies and organisations to understand each other's sectors and ways of working will improve relationships, and lead to good practice learning. A way to know whether efforts have been effective, and



where further improvements are required, is to undertake intersectional and disaggregated data monitoring and evaluation.

Training and skills development

Consideration should be given to providing tailored support to smaller third sector organisations operating in rural and remote Scotland. One of our third sector social care member organisations, which works in a rural area, has noted the difficulty of developing their staff's skills base due to a combination of not having the resources to provide adequate training, staff being unable to take time off work for training or sit professional qualifications, and there not being any meaningful increase in pay for those who did²⁷.

7. What supports civil society to innovate and find solutions to societal problems?

Short termism and short-term funding cycles create uncertainty in the third sector which is “squashing innovation”²⁸. Innovation relies on a solid funding base, which can provide resources for staffing and fair pay, research, analysis, review and improvement activities.

The third sector could benefit from access to wider, cross sector training and upskilling opportunities so that the workforce feels confident and empowered to innovate and find solutions to societal problems. We have heard from ALLIANCE third sector members that they would like to increase their knowledge and understanding of funding procedures and procurement processes. Upskilling and training opportunities would also provide parity in participation, allowing the third sector to engage and influence fully with public bodies on an equal footing.

Third sector organisations are often deeply rooted in 'easy to ignore' communities. Due to this, they can gather disaggregated and geographically specific data that is often missed by nationalised data sets. Efforts should be made to support organisations to monitor, gather,



evaluate and share relevant and useful data that could help find both local and national solutions.

Your feedback on the Civil Society Covenant Framework principles

1. Do we need a Covenant to improve the relationship between civil society organisations and government?

Yes.

2. To what extent do these four principles support an effective relationship between civil society and public bodies?

The ALLIANCE believes that the Civil Society Covenant Framework principles would support an effective relationship between the third sector and public bodies and provide the initial building blocks to improving the relationship. However, we do not want this to become mere rhetoric. To ensure that a difference is made, the framework must be adequately resourced and implemented in practice with accompanying actions to record improvement milestones and progress.

3. What changes or additions, if any, would you make to the draft principles?

For the draft principles to achieve their intended aims, we recommend that the following changes be made:

Principle 1: Recognition

We welcome this principle, especially its aim to recognise the value of the third sector. However, we suggest that the principle be renamed to 'Recognition and Respect'. This rewording adds action to the principle so that the contributions and value of the third sector are not simply noticed but actively considered and included.

Principle 2: Partnership



We suggest that Principle 2 is reworded to ‘Partnership and Collaboration’. This principle should include action to ensure that public bodies empower the third sector to meaningfully participate in – if not lead – decision making.

We agree that civic rights are an important inclusion. However, equality and all human rights should be the foundation of all the principles and Covenant as a whole. As well as being explicitly mainstreamed in every principle, we recommend an additional principle is formulated which focuses on a joint commitment to respecting, protecting and fulfilling human rights, and embedding a human rights based approach in all areas of work.

Principle 3: Participation

We recommend that this principle be renamed to ‘Participation and Co-production’. Principle 3 states that it will ‘support effective consultation processes’. Consultation can be a valuable tool for gathering viewpoints and building consensus, however, it can perpetuate a hierarchical transactional relationship between the parties involved and provide limited opportunities for meaningful participation in decision making. Instead, the aim should be re-stated to ‘support effective consultation and co-production processes’. Co-production means delivering public services in an equal and reciprocal relationship between stakeholders. Decisions and actions that are co-produced are more sustainable in the long term. We also recommend that this principle explicitly reference the importance of accessible information and inclusive communication, which are essential to ensuring meaningful and informed participation in decision-making.

Principle 4: Transparency

We recommend that Principle 4 be reworded to ‘Fairness, Transparency and Accountability’. All stakeholders involved in the Covenant framework should be motivated and empowered to take accountability for upholding the principles, reflecting on success and improvements that are needed and sharing what actions will be taken for success to be achieved. Part of



this should include undertaking intersectional and disaggregated data-gathering and evaluation.

4. How can we ensure civil society organisations and public bodies uphold these principles?

The principles are proposed to apply across the UK. As the ALLIANCE is a national third sector intermediary in Scotland, we are concerned with how the principles will be applied in devolved nations in relation to devolved matters. To work in practice, Scottish public bodies and third sector organisations would also have to be signatories to the Covenant and implement relevant actions that reflect the principles.

As stated in answer to question 6, third sector organisations and public bodies must be made aware of the Covenant through accessible and inclusive promotion and awareness raising, and their role and responsibilities must be made clear.

The Covenant's implementation and impact should be monitored and evaluated for its effectiveness, whether it improves relations and in what way, and meets its intended aims. One way this could be done is by public bodies and third sector organisations publishing clear and accessible plans for how they intend to implement the Covenant.

Regular reviews of the Covenant should be scheduled so areas of success and improvement are highlighted. Thought should be given to who would be responsible for monitoring and evaluation, and who would be accountable for overseeing any changes that are both needed and made.

About the ALLIANCE

The Health and Social Care Alliance Scotland (the ALLIANCE) is the national third sector intermediary for health and social care, bringing together a diverse range of people and organisations who share our vision, which is a Scotland where everyone has a strong voice and enjoys their right to live well with dignity and respect.



We are a strategic partner of the Scottish Government and have close working relationships with many NHS Boards, academic institutions and key organisations spanning health, social care, housing and digital technology.

Our purpose is to improve the wellbeing of people and communities across Scotland. We bring together the expertise of people with lived experience, the third sector, and organisations across health and social care to inform policy, practice and service delivery. Together our voice is stronger and we use it to make meaningful change at the local and national level.

The ALLIANCE has a strong and diverse membership of over 3,600 organisations and individuals. Our broad range of programmes and activities deliver support, research and policy development, digital innovation and knowledge sharing. We manage funding and spotlight innovative projects; working with our members and partners to ensure lived experience and third sector expertise is listened to and acted upon by informing national policy and campaigns, and putting people at the centre of designing support and services.

We aim to:

- Ensure disabled people, people with long term conditions and unpaid carers voices, expertise and rights drive policy and sit at the heart of design, delivery and improvement of support and services.
- Support transformational change that works with individual and community assets, helping people to live well, supporting human rights, self management, co-production and independent living.
- Champion and support the third sector as a vital strategic and delivery partner, and foster cross-sector understanding and partnership.



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¹ Scottish Government, *Third Sector*, available at: <https://www.gov.scot/policies/third-sector/>

² Health and Social Care Alliance Scotland (the ALLIANCE), *Implementing the Framework for Community Health and Social Care Integrated Services: Third and Independent Sectors as Partners*, (2020) available at: <https://www.alliance-scotland.org.uk/wp-content/uploads/2020/03/Exploring-Third-Sector-Report-Final-.pdf>.

³ SCVO, 'SCVO welcomes Scottish Government's latest commitment to progress Fairer Funding' (April 2023), available at: <https://scvo.scot/p/59273/2023/04/19/scvo-welcomes-scottish-governments-latest-commitment-to-progress-fairer-funding>

⁴ SCVO, "State of the Sector – Size and Shape", (2024) available at: <https://scvo.shttps://www.gov.scot/policies/third-sector/cot/research/stats-size>.

⁵ Health and Social Care Alliance Scotland (the ALLIANCE), *Stretched to the Limit: Scotland's Third Sector and the Cost of Living Crisis*, (2023) available at: <https://www.alliance-scotland.org.uk/blog/news/stretched-to-the-limit/>.

⁶ Health and Social Care Alliance Scotland (the ALLIANCE), *Stretched to the Limit: Scotland's Third Sector and the Cost of Living Crisis*, (2023) available at: <https://www.alliance-scotland.org.uk/blog/news/stretched-to-the-limit/>.

⁷ Health and Social Care Alliance Scotland (the ALLIANCE), *ALLIANCE member survey highlights continuing pressure on third sector finances*, (2024) available at: <https://www.alliance-scotland.org.uk/blog/news/alliance-member-survey-highlights-continuing-pressure-on-third-sector-finances/>

⁸ SCVO, 'SCVO welcomes Scottish Government's latest commitment to progress Fairer Funding' (April 2023), available at: <https://scvo.scot/p/59273/2023/04/19/scvo-welcomes-scottish-governments-latest-commitment-to-progress-fairer-funding>

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¹⁰ Health and Social Care Alliance Scotland (the ALLIANCE), *Implementing the Framework for Community Health and Social Care Integrated Services: Third and Independent Sectors as Partners*,



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¹¹ Health and Social Care Alliance Scotland (the ALLIANCE), *Implementing the Framework for Community Health and Social Care Integrated Services: Third and Independent Sectors as Partners*, (2020) available at: <https://www.alliance-scotland.org.uk/wp-content/uploads/2020/03/Exploring-Third-Sector-Report-Final-.pdf>.

¹² Health and Social Care Alliance Scotland (the ALLIANCE), *'More than Equal, Valuing and supporting the expert contribution of people with lived experience' report has been published*, (2024) available at: <https://www.alliance-scotland.org.uk/blog/news/more-than-equal-valuing-and-supporting-the-expert-contribution-of-people-with-lived-experience-report-has-been-published/>

¹³ Health and Social Care Alliance Scotland (the ALLIANCE), *Implementing the Framework for Community Health and Social Care Integrated Services: Third and Independent Sectors as Partners*, (2020) available at: <https://www.alliance-scotland.org.uk/wp-content/uploads/2020/03/Exploring-Third-Sector-Report-Final-.pdf>.

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¹⁵ SCVO, *What is fair funding?*, (2024) available at: <https://scvo.scot/policy/fair-funding-procurement/fair-funding/what-is-fair-funding>.

¹⁶ Scottish Government, *Principles of Inclusive Communication: An information and self assessment tool for public authorities*, (2011) available at: <https://www.gov.scot/publications/principles-inclusive-16-communication-information-self-assessment-tool-public-authorities/pages/9/>.

¹⁷ Health and Social Care Alliance Scotland (the ALLIANCE), *'Co-designing the National Care Service: aspiration rather than reality?'*, (2023) available at: <https://www.alliance-scotland.org.uk/blog/opinion/co-designing-the-national-care-service-aspiration-rather-than-reality/>.

¹⁸ Health and Social Care Alliance Scotland (the ALLIANCE), *Stretched to the Limit: Scotland's Third Sector and the Cost of Living Crisis*, (2023) available at: <https://www.alliance-scotland.org.uk/blog/news/stretched-to-the-limit/>.

¹⁹ Scottish Human Rights Commission (SHRC), *Human Rights Based Approach*, available at: <https://www.scottishhumanrights.com/projects-and-programmes/human-rights-based-approach/>.

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²² Health and Social Care Alliance Scotland (the ALLIANCE), *Implementing the Framework for Community Health and Social Care Integrated Services: Third and Independent Sectors as Partners*, (2020) available at: <https://www.alliance-scotland.org.uk/wp-content/uploads/2020/03/Exploring-Third-Sector-Report-Final-.pdf>.

²³ Feeley, D., *Independent Review of Adult Social Care in Scotland*, (2021) available at: <https://www.gov.scot/publications/independent-review-adult-social-care-scotland/pages/11/>.

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²⁸ Health and Social Care Alliance Scotland (the ALLIANCE), *Implementing the Framework for Community Health and Social Care Integrated Services: Third and Independent Sectors as Partners*, (2020) available at: <https://www.alliance-scotland.org.uk/wp-content/uploads/2020/03/Exploring-Third-Sector-Report-Final-.pdf>.

