

# **ISLANDS (SCOTLAND) ACT 2018**

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## **EXPLANATORY NOTES**

### **OVERVIEW OF THE ACT**

#### **PART 3 – DUTIES IN RELATION TO ISLAND COMMUNITIES**

##### **Duty of certain authorities in respect of policies, strategies and services**

###### *Section 8 – Island communities impact assessment*

18. This section places a duty on relevant authorities to undertake an impact assessment when developing, redeveloping and delivering a policy, a strategy or a service, if it is anticipated to have a significantly different effect on an island community compared with other communities in Scotland (including other island communities as well as non-island communities).
19. The question of which other communities differential impact is measured against will depend on whether the authority operates locally or nationally. Where the relevant authority's scope is limited geographically (for example a Health Board) then the assessment of differential impact would only include other communities in the same geographical area; whereas national bodies must consider the impact on communities across the whole of Scotland.
20. Subsection (3) sets out the information that an island communities impact assessment must contain: a description of the differential effect which is anticipated; and the authority's assessment of the extent to which development or delivery can be carried out in such a way as to improve or (in the case of potentially adverse effect) mitigate the outcomes for island communities resulting from the policy, strategy or service in question.
21. The intention is that island communities impact assessments will become a normal procedural step in public authorities' decision-making processes, in the manner of the equality impact assessment, used in relation to the duties contained in the Equality Act 2010.
22. Subsection (4) provides that if a relevant authority does not prepare an islands communities impact assessment under this section then it must publish an explanation of its reasons for not doing so.