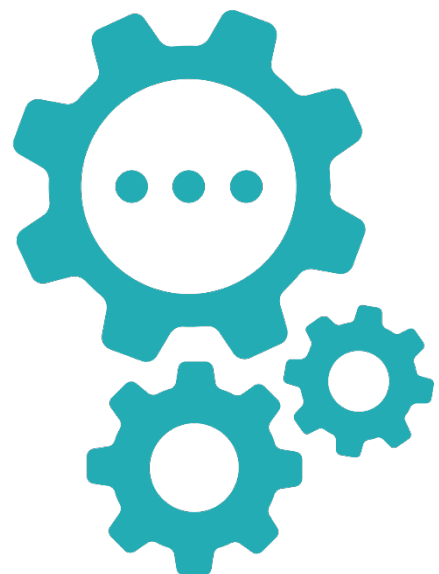


Community Empowerment (Scotland) Act 2015

Participation Requests

Summary Guidance for Community
Participation Bodies



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Introduction

Participation requests have been introduced under the Community Empowerment (Scotland) Act which was passed in July 2015. They are a new means by which community groups can request to have greater involvement in, and influence over, decisions and services that affect communities and community life. This involvement is described as an **outcome improvement process**. The community groups are referred to throughout as **community participation bodies** and the public bodies who will receive the requests (such as councils, health boards, etc.) are referred to throughout as **public service authorities**.

Participation requests are a new way of doing things so it is important that the community participation bodies who intend to submit them as well as the public service authorities that will receive them are aware of the opportunities the legislation provides, and are clear about the processes that need to be followed.

This Summary Guidance is aimed at community participation bodies and has been developed to highlight the key purposes and features of participation requests quickly and easily.

Please note that this is summary guidance. There is more detail contained in the Regulations, Full Guidance or Part 3 of the Act itself. All of these documents can be found at <http://www.gov.scot/Topics/People/engage/CommEmpowerBill>.

A community participation body

This is a community group or community council who can make a participation request. The Act sets out the criteria for the community group so that it can qualify as a community participation body. If you are a community council then you automatically meet the criteria. Your group doesn't need to be constituted to be able to make a participation request, so long as you meet the criteria. However, having a constitution will make it easier to show that you meet the criteria.

A public service authority

This is a public body such as a local council, health board or a national agency such as Police Scotland. The full list of relevant bodies is included as an appendix to this Summary Guidance.

What is participation and why is it important?

The broad aim of the Community Empowerment (Scotland) Act is that communities can have more influence over the services and decisions that affect their lives. Some of the benefits of better participation include:

- *The way in which public services are planned, developed and delivered is influenced by, and responds to, community need.*
- *People who find it difficult to get involved (for example, because of language barriers, disability, poverty or discrimination) help to influence the decisions that affect their lives.*
- *The various strengths and assets in communities and across public and private sector agencies are used effectively to deal with the issues communities face.*
- *New relationships are developed between communities and public sector bodies which build trust and make joint action possible.*

Purposes and possible uses of participation requests

There are a number of possible purposes that participation requests can be used for. Some of these include:

- To help people **start a dialogue** about something that matters to their community, through highlighting needs, issues or opportunities for improvement.
- To help people have their **voice heard** in policy and service development, through contributing to decision-making processes.
- To help people **to participate** in the design, delivery, monitoring or review of service provision, through contributing to service change or improvement.
- To help people **challenge decisions** and **seek support for alternatives** which improve outcomes.

Section 1

Before making the request

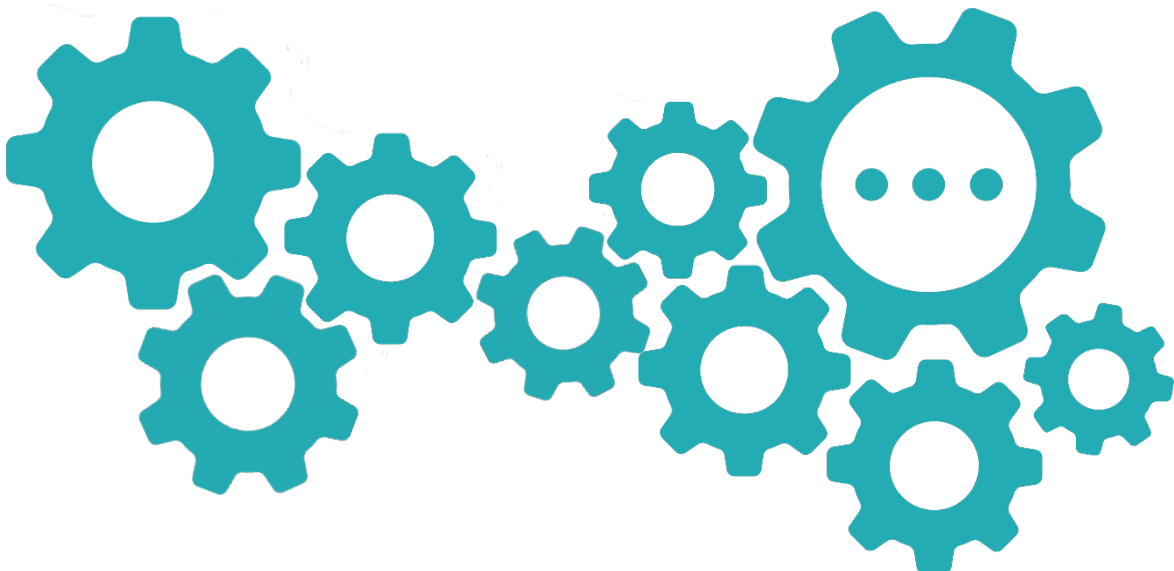
Before submitting a participation request you will need to consider a few things.

The first thing that you may want to check out is to see if there are any existing ways in which you can be involved in improving outcomes for your community. All public service authorities have a responsibility under the Act to let people know about the processes they already have in place. These may be suitable for your purposes and so you may not need to submit a formal request.

You will also need to be clear about your own eligibility as a group, which public service authority (or authorities) you wish to submit your request to, and the particular outcomes that you want to improve.

Checklist

- You have an issue, a concern, an idea or an opportunity that you want to explore
- You want to be involved in doing something about it
- You have knowledge, skills, experience that you can bring
- You're clear about the outcome(s) you want to improve and you know which public service authority you need to speak to
- You are an eligible group
- You haven't had an opportunity to do anything about this before or the processes you have been involved in haven't worked satisfactorily



Section 2

Making the request

Having decided to submit a participation request you now need to go through the formal process. All public service authorities will have their own form which will need to be filled in. What is in these forms may vary but they will all ask about the outcomes you want to achieve and what your group will bring to the process.

The following are some points of guidance that you may find useful when completing the form:

Outcomes

The form asks you to describe the **outcome** you want to improve. Outcomes are the effect or the difference that has been made as a result of a service, an activity, or a policy decision. To get to an outcome it is often useful to ask yourself “what difference will this make?” The answer you get to that question will help to form your outcome.

Here are a couple of examples of outcomes:

Example 1: Your group wishes to see an area of waste ground developed for community use.

Q. “What difference will this make to our local community?”

A. “There will be an improved environment, and there will be an increase in physical activity levels”
(these are your outcomes)

Example 2: The local community would like an extension of opening hours of a community library.

Q. “What difference will this make to our local community?”

A. “There will be improved access to local community facilities which will help to improve opportunities for learning and reduce social isolation.”
(these are your outcomes)



Why should you be involved, what do you bring, and what difference will your involvement make?

The form also asks you to give the reasons why your group should be involved, what knowledge, expertise and experience you bring, and the difference you will make by being involved. This gives you an opportunity to provide much more detail about why you want to progress with your request and the added value that would arise from your group being involved in improving the outcome. For example:

- You may have good local knowledge about what interests or concerns the community. You may also have strong connections with other groups who are interested in your ideas or concerns.
- Group members will have a wide range of knowledge, skills and experience that they can bring to the issue – energy and enthusiasm are sometimes as important as certificates or qualifications!
- By being involved you can ensure that the wider community are kept informed and continue to support the work as it progresses. You can also ensure that actions taken are appropriate and respond to what the community needs.

What do you need to do? – action list

- Find out who the appropriate person is to speak to. All public service authorities are required to publish information about their participation request processes including their main point of contact. This will normally be made available on their website.
- Discuss your idea or concern with the contact person. Check to make sure this is the correct authority or if any other public service authorities need to be involved.
- Check to see what support is available (if you need it) to submit your participation request, and where this might come from (e.g. council, health, voluntary sector, community development trust, etc.)
- Access the form and any local guidance that is available. Fill out the form and submit it to the relevant public service authority
- Provide more information if requested.
- You will receive a validation notice from the public service authority.

Section 3

What happens next – the decision and the outcome improvement process

If your participation request only involves one public service authority they are required to notify you of their decision within **30 working days**. If your request involves more than one public service authority then this is extended to **45 working days**.

If your request is refused the public service authority must provide good reasons for doing so. There is no formal appeal process at the current time although there is provision within the Act to establish this at a future date should it be required.

If your request has been agreed, you will now enter into an **outcome improvement process**. This process will be the means by which the aims in your participation request can be achieved – it will be how your ideas are turned into action. There may be an existing process in place which you will be able to join but if a new process is needed this must be established within **90 calendar days** of your participation request being agreed.

What the process will look like will depend on the nature of your request but may include the following common elements:

Early discussion

This will allow you to speak with the lead public service authority (and other appropriate partners) about what steps need to be taken to achieve your aims and how your group can be involved in the process.

Planning

This will allow all the partners to jointly plan what needs to be done, by whom, and by when.

Action

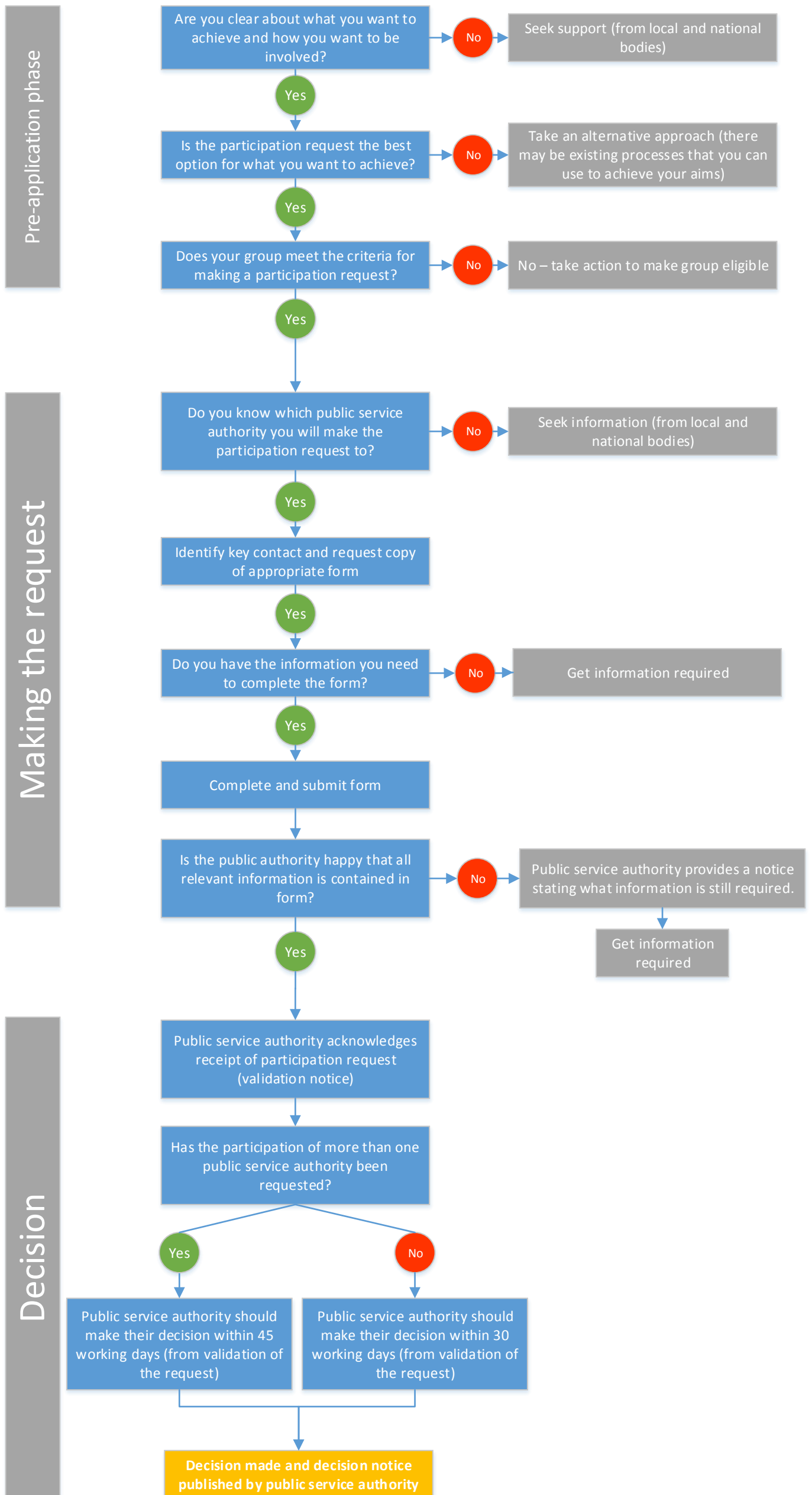
This is the main part of the process where the agreed actions are taken which will achieve the agreed aims.

Reviewing

This provides an opportunity for all partners (including community participation bodies) to reflect on progress made, targets not met or still to be achieved, and any further actions needed.

Appendix 1

Participation Request – flow chart



Appendix 2

Scenario and Worked Example

Here is an example of a possible scenario and what the completed participation request form might look like:

Library opening hours

The opening times of a local library have been amended without any apparent consultation, which in turn affects the operation of other community services which operate from within the same building. These include a local community hub that provides services to local people, including a food co-op, café and employability drop-in.

The hub's services are significantly impacted by the new reduced library opening hours. In addition to practical difficulties around shared Wi-Fi, overflow space and play facilities, the projects (and the library) will no longer benefit from the higher numbers of people who come in knowing that all services are available at the same time.

The hub volunteers would like to discuss the possibility of closing the library at a different time of the week. This would ideally be during a quieter period within the centre. Volunteers feel that retaining Tuesday opening hours would be better for local communities as it would give them access to more services and allow for better partnership working between services and sectors. Ultimately, they wish to participate in decision making around Library services.

Example of completed participation request form

1. Details of Community Participation Body

The Anytown Community Hub is a local community project run by a voluntary management committee and constituted as a SCIO (constitution supplied). The majority of volunteers are from the local area and they have a good knowledge of local residents and issues in the community.

2. State which public service authority to who the request is being made:

Anytown Council.

3. Name of any other public service authority which the community participation body requests should participate in the outcome improvement process:

N/A

4. The outcome that community participation body want to improve:

There will be improved access to local community facilities which will help to improve opportunities for learning and reduce social isolation.

5. The reasons why the community participation body should participate in an outcome improvement process:

As a local community-run project we have clear knowledge and evidence of community need in relation to the services provided via the community hub and other projects, along with evidence of need in relation to library access. We also believe that there will be reduced access to services as a result of reduced library opening hours.

6. Knowledge, expertise and experience the community participation body has in relation to the outcome:

Our volunteers and project staff have a wide range of skills and experience in supporting people to improve their employability and increase their confidence in using digital tools and in accessing services.

We have a detailed understanding of the needs of community members regarding local services. Not only are we mostly local community members ourselves but, by providing a service that is well used by many members of the community, we have direct and continuous contact with local people. We

therefore have a first-hand knowledge of the reasons they attend the community hub and the other services alongside it. Similarly, we appreciate the barriers that stop people from using these services.

7. How the outcome will be improved because of the involvement of the community participation body:

Our direct experience of the issue, and of working with and within the community, should ensure that decisions about library opening hours work best for the local community. This will lead to more appropriate library opening hours that maximise the use of both the hub and the library to the benefit of the local community. In addition, services will be more relevant and effective, which will improve literacy, employability and digital literacy.

8. Is the community participation body a community controlled body?
Yes (constitution supplied)

Appendix 3

Information, support & advice

For further information about participation requests, other aspects of the Community Empowerment (Scotland) Act, and advice/support for participation more generally, here are a range of useful contacts:

Information

The **Community Empowerment (Scotland) Act** can be accessed at www.legislation.gov.uk/asp/2015/6/contents/enacted

Find guidance and further materials on the different parts of the Act on the **Scottish Government** webpage on the Act www.gov.scot/Topics/People/engage/CommEmpowerBill

Scottish Community Development Centre (SCDC) provides an introduction to the Act and links to further information www.scdc.org.uk/what/community-empowerment-scotland-act/

National support

SCDC supports and promotes community development in Scotland www.scdc.org.uk/

The refreshed **National Standards for Community Engagement** are located at www.voicescotland.org.uk/

Community Ownership Support Service (COSS) supports community groups to take part in asset transfer www.dtascommunityownership.org.uk

Highlands and Islands Enterprise (HIE) works to strengthen communities in the Highlands and Islands of Scotland www.hie.co.uk

Information relevant to **community councils** can be found at www.communitycouncils.scot/

Local support

Find a link to your **local authority** on the Scottish Government website www.gov.scot/Topics/Government/local-government/localg/usefullinks

Third Sector Interfaces (TSI) provide support for the local third sector. Contact details can be found at www.vascotland.org

You might find it useful to link up with any **community development trusts** in your area. Development Trust Association Scotland has a Directory of Members www.dtascot.org.uk

Community Learning and Development (CLD) teams support local community development. See your local authority's website for more information

Appendix 4

List of public service authorities

A local authority

A health board

The board of management of a college of further education

Highlands and Islands Enterprise

A national park authority

Police Scotland

Scottish Enterprise

The Scottish Environment Protection Agency

The Scottish Fire and Rescue Service

Scottish Natural Heritage

A regional transport partnership