



REPORT TO: POLICY AND RESOURCES COMMITTEE ON 3 SEPTEMBER 2019

SUBJECT: PARTICIPATION REQUESTS ANNUAL REPORT 2018/19

BY: CORPORATE DIRECTOR (CORPORATE SERVICES)

1. REASON FOR REPORT

1.1 To present to Committee the Participation Requests Annual Report 2018/19 (**Appendix 1**)

1.2 This report is submitted to Committee in terms of Section III (B) (45) to deal with matters relating to public reporting.

2. RECOMMENDATION

2.1 It is recommended that Committee:-

- i) considers and approves the Participation Requests Annual Report 2018/19 for submission to the Scottish Government; and**
- ii) agrees that the Participation Requests Policy is amended to include the Cairngorms National Park Authority as a Public Service Authority.**

3. BACKGROUND

3.1 Part three of The Community Empowerment (Scotland) Act 2015 (the Act), implemented on 1 April, 2017, introduced a new means by which community groups can request to have involvement in, and influence over, decisions and services which affect communities. This involvement is described as an outcome improvement process and is initiated by a Participation Request.

3.2 Participation Requests are a framework for initiating dialogue and are not intended to replace good quality existing community engagement or participation processes and do not replace the Council's current complaint procedures. During the period, departments within the council continued to work closely with and support a wide range of community based groups and organisations on the development of two locality plans, based on identified community need, whilst working in collaboration to address issues such as

the closure of some town halls (Community Asset Transfers), public toilets, grass cutting etc.

- 3.3 The Committee approved the Participation Request Policy on 8 May 2018 (para 9 of the Minute refers) and, as required by the Act, has put in place a process which allows consideration of any requests made by community bodies.
- 3.4 The Act requires Public Service Authorities to publish an annual report on Participation Requests (part 3. s.32).
- 3.5 An interim evaluation on the use of Participation Requests across Scotland highlighted that public services should consider how to promote Participation Requests to marginalised groups.
- 3.6 The Council's Participation Request Policy was approved by Policy and Resources Committee on 8 May 2018. To ensure the Policy is up-to-date, it is proposed to add the Cairngorms National Park Authority as a Public Service Authority. No other changes are proposed to the policy.

4. PARTICIPATION REQUESTS TO MORAY COUNCIL 2018/19

- 4.1 During 2018/19, Moray Council did not receive any formal Participation Requests.

5. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

Participation Requests can support the 10 Year Plan (LOIP) aim of creating stronger, more resilient, influential, inclusive and sustainable communities. The process will encourage greater community participation in all areas of the Moray Corporate Plan and develop relationships and innovation in future years.

(b) Policy and Legal

On 8 May 2018, the Policy and Resources Committee approved the following policy statement in relation to Participation Requests.

*The Moray Council welcomes **Participation Requests** from local community groups who believe they could help the Council to better meet the needs of **service** users, to offer volunteers to support a **Service** or even propose to **take** over the delivery of the **Service under the terms of the Community Empowerment (Scotland) Act 2015 and the Participation Request (procedure) (Scotland) regulations 2017.***

(c) Financial Implications

There are no financial implications arising directly from this report.

(d) Risk Implications

Changes in government policy, legislation and regulation: the Scottish Government is currently undertaking a review of local governance. It is anticipated that central to any changes brought forward through the

Local Democracy Bill will be the principles of subsidiarity and participation.

Reputation management: a Participation Request applicant may not be satisfied with the decision of the Council or the outcome of the process which could generate negative views.

Community Empowerment: without appropriate advice, applicants may have unrealistic expectations of what can be achieved through Participation Requests.

(e) Staffing Implications

There are no staffing implications arising directly from this report. Future staff capacity should be commensurate with (a) the requirement to deal appropriately and timeously with Participation Requests, (b) the requirement to promote and raise awareness of the process and (c) the provision of support offered to community groups.

(f) Property

There are no property implications arising directly from this report.

(g) Equalities/Socio Economic Impact

An Equality Impact Assessment is not required as the report is to approve the submission of the annual report to the Scottish Government. There will be no differential impact, as a result of the report, on people with protected characteristics.

In future, in light of the expectation by Government that Participation Requests should be promoted to marginalised groups, an Equality Impact Assessment will form part of the Annual Report.

(h) Consultations

Consultation has taken place with the Legal Services Manager, Lissa Rowan, Committee Services Officer and Equal Opportunities Officer and any comments have been incorporated into this report.

7. CONCLUSION

- 7.1 This report meets the reporting requirements of the Community Empowerment (Scotland) Act 2015 for the period from 1 April 2018 to 31 March 2019.**
- 7.2 The report provides details of the actions to be taken to promote the use of Participation Requests.**

Author of Report: Jill Sowden, Community Support Officer
Background Papers: Held by author