



Getting in on the Act (online)

Introduction to The Community Empowerment (Scotland) Act 2015

(This presentation will be provided by email following workshop)

*** The main presentation is being recorded, and we'll share this too**

Welcome



Presenter: Andrew Paterson, Policy and Research Officer, CHEX

Producer: Sam Jordan, Information and Communications Manager, CHEX

CHEX: Promotes and supports community-led health across Scotland.





Zoom guidelines

Keep microphone off during presentation

Turn
camera
on/off

You can also go
into the
participant
section and raise
your hand – Sam
will keep an eye
on this

Speaker View

Gallery View

Switch between
speaker and gallery
view

Use chat to find links to
activities and also to ask
questions



Mute



Start Video



Invite



Manage Participants



Share Screen



Chat



Record

What we'll cover

- 10:05..... Introductions
- 10:15..... Quick **overview** of Act
- 10:25.....**Community planning**
- 10:35.....**Taking over assets + activity**
- 11:00.....**5-minute comfort break**
- 11:10.....**Participation requests + activity**
- 12:00.....**End** (but available for questions)

Where are you joining us from?

You're going to see a map of Scotland appear on your screen

Click on 'options' and select 'annotate'

Mark down where you are!

Introductions

In breakout rooms...

Please introduce yourselves to each other (Name and organisation)

Where are you joining us from?

In 5 minutes you'll automatically be brought back in to main 'room'.

Purpose

Introduce the 'Community Empowerment Act'

Explore how it can be used by community-led health organisations

Community-led health

Community-led health is a way of improving health and wellbeing that starts with what people say is important to them.



Social model of health

Health and wellbeing is about much more than the treatment of disease and illness.

Links our health and wellbeing to the world around us, including our **work, education, housing, leisure** and to the way we organise ourselves as a **society**.



What do we mean by community?

‘community’ is a group of people united by at least one common characteristic, including place, identity or shared interest.



The Community Empowerment (Scotland) Act 2015

Giving people more say over what happens in their communities through...

- ownership or control of land and buildings
- strengthening their voices in decisions about public services

Builds on 'key pillars' of public service reform

- participation
- partnership
- prevention
- performance



What's in the Act?

**National
outcomes**

Common good property

Allotments

**Asset
transfer**

**Participation
requests**

Non-domestic
rates

Participation in public
decision making

Supporter
involvement in
football clubs

**Community
planning**

Delegation of forestry
Commissioners' functions

**Community
rights to buy
land**



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Community planning



+



+



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SCOTTISH
FIRE AND RESCUE SERVICE
Working together for a safer Scotland

+



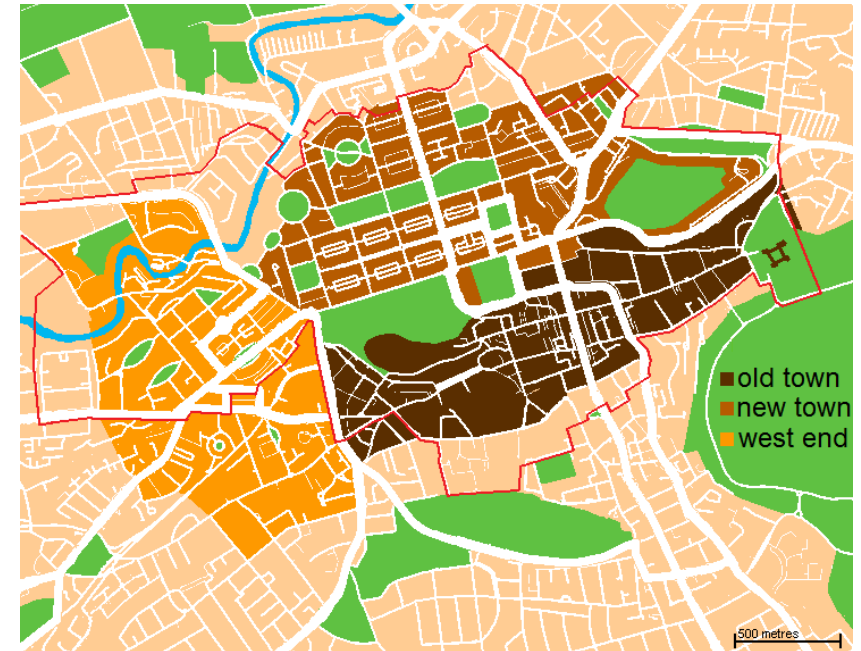
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Community planning

Community Planning Partnerships must:

- **involve community bodies at all stages of community planning and support them to do this**
- **have a focus on tackling inequalities**
- **Produce Local Outcome Improvement Plans and locality plans**



Community Planning Partners must...

report on these plans and on **community involvement**



Example – Space & Broomhouse Hub



Council Business Plan & Edinburgh Partnership Community Plan



Source: The Edinburgh Partnership

Community planning offers...



An understanding between statutory and community partners being built through regular interaction

Joint/shared budgets help investments being made into third sector and communities, and for statutory partners to take responsibility for and make connections between outcomes and investment

Creating a context for Christie Commission recommendations to be made real



Taking over assets

Community right to buy land

Allows communities throughout Scotland to apply to register an interest in privately owned **land and buildings**, and the opportunity to buy that land when it comes up for sale.

Extends community right to buy (Land Reform Act 2003) to **urban** as well as rural areas

Enables communities to purchase land and buildings **where the owner is not willing to sell** that land...

- where land is **abandoned, neglected** or **causing harm** to the environmental wellbeing of the community
- and for furthering sustainable development

Asset transfer

A community organisation can use this to take over publicly-owned land or buildings...

...in a way that recognises the public benefits that the community use will bring.



Not just ownership...

Can request to own the land or building outright, but can also apply to use or lease.



Can be made to

Local authorities

Scottish Ministers (including agencies such as Forest Enterprise Scotland and Transport Scotland)

Crofting Commission

Further Education colleges which are incorporated colleges

Health Boards, both regional and Special Health Boards

Highlands and Islands Enterprise

Historic Environment Scotland

National Park Authorities (Cairngorms and Loch Lomond and Trossachs)

Regional Transport Partnerships

Scottish Canals

Scottish Courts and Tribunals Service

Scottish Enterprise

Scottish Environment Protection Agency

Scottish Fire and Rescue Service

Scottish Natural Heritage

Scottish Police Authority (who own all land and buildings used by Police Scotland)

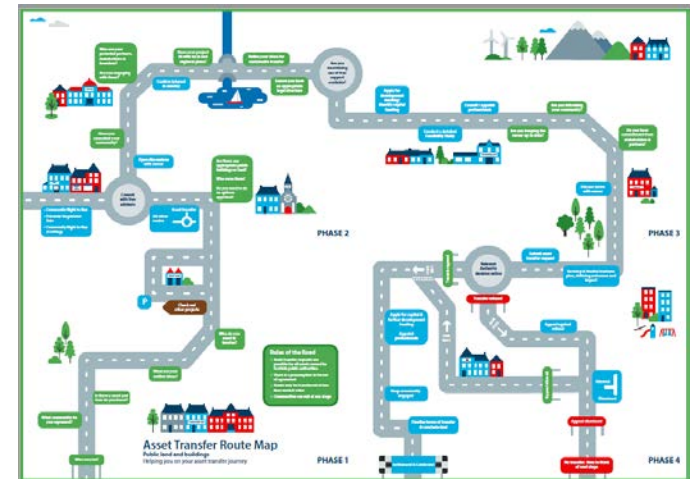
Scottish Water



All must create and maintain publicly available lists of every asset they own

Rights include...

- To **request information** on any public asset that interests you
- To **request the transfer** of a public asset
- To **acquire that asset** if the public body cannot offer a good reason not to
- To **appeal** any adverse decision



Public authority must

- **Agree to requests**, unless there are reasonable grounds for refusal
- **Not dispose of asset** once transfer request received (unless already started!)
- Consider **inequality** in reaching its decision
- Take a decision within **six months** of “validation date”

Example -People First Fraserburgh

People First Fraserburgh is a charitable organisation run by & for adults with learning difficulties.



In 2018 it completed the purchase of vacant council premises at 51 Mid Street for a nominal fee of £1.

Details



Banff and Buchan Community Asset Transfer Officer's Group **worked with** People First Fraserburgh to assist finding alternative accommodation. Also **supported** by Outside the Box.

Reduced price due to **social, economic and environmental benefits** generated by the transfer.

Building was improved and made more accessible at a cost of £35k before asset transfer took place - **paid for** by Grampian Housing and Robertson's construction, who are building flats at People First's old site.

Reflections

Group felt that **leasing** premises **restricted** what they could do. Had to spend a lot of time and effort asking for changes to buildings.

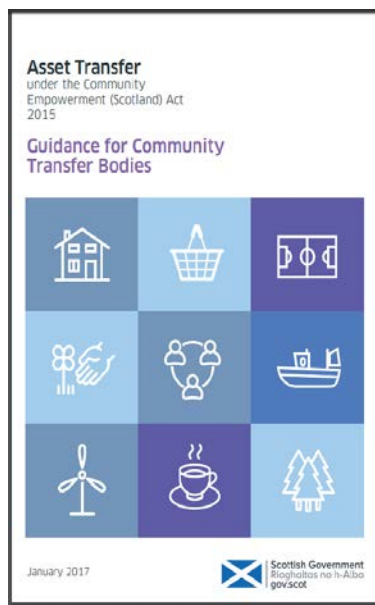
Reflects Aberdeenshire Council asset transfer **policy**.

Asset transfer can happen **without** the Empowerment Act.



www.dtascommunityownership.org.uk

coss@dtascot.org.uk



Activity – asset transfer (10 mins)

Click on the asset transfer activity link for your group in the chat area.

In breakout rooms...

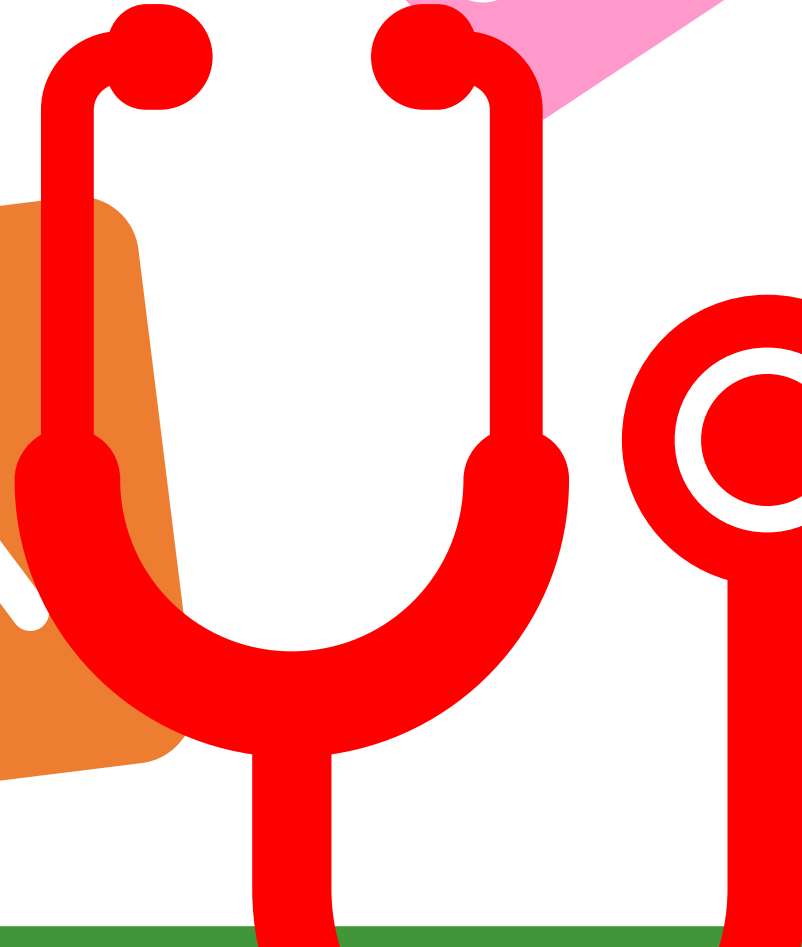
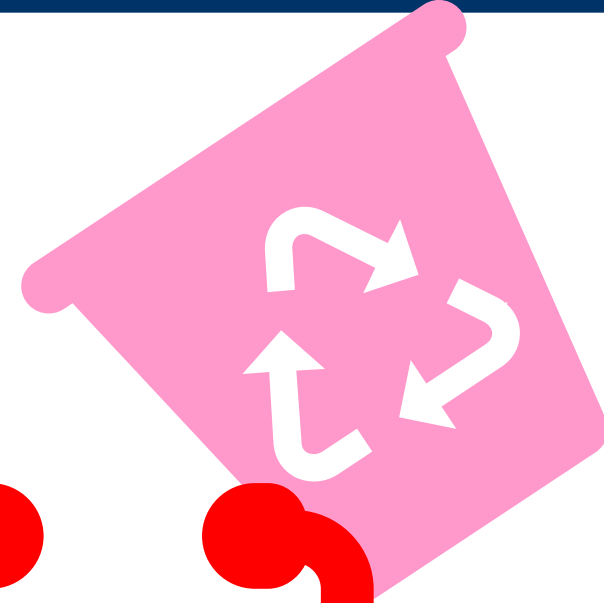
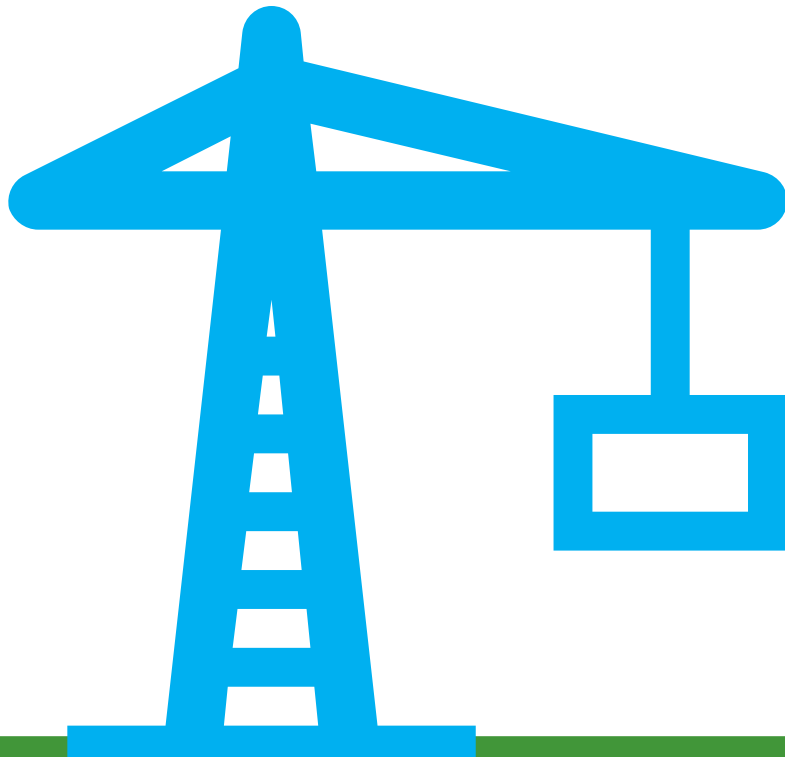
Discuss:

- Opportunities
- Challenges and risks
- Would you consider making one?

Break

Participation requests

A way for people to have their say about what improvements they would like to see to public services they use.





Starting points?



Your community and public services

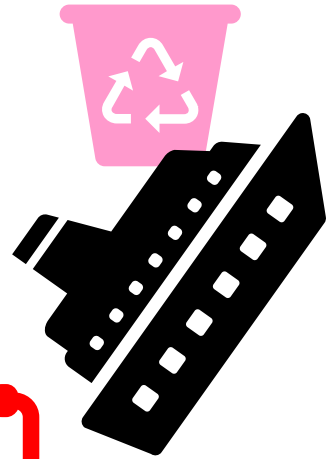
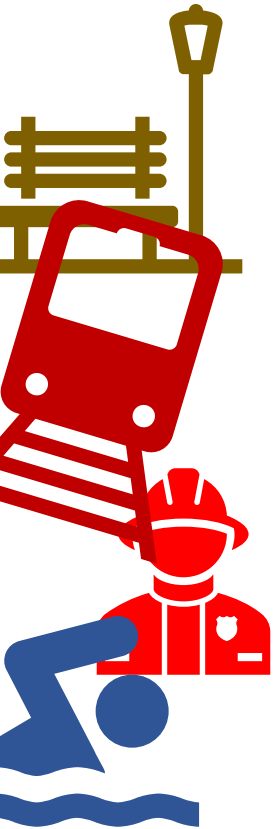
Write down or just think about...

What is your community?

What public services matter to your community?

How could they be improved?

Save these thoughts for later!



Participation

“

Ways for people to have their voice heard in decisions that affect them, and ideally influence these decisions.

”

Why would we want to participate?

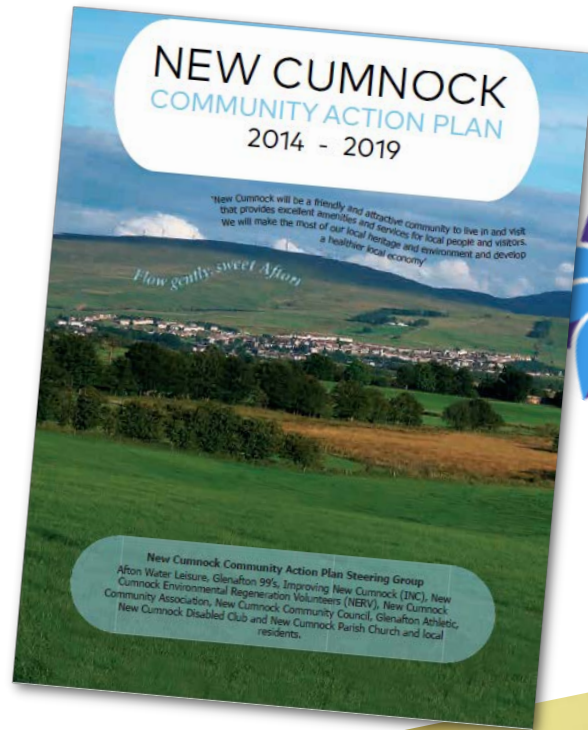
From the Scottish Government:

“Public bodies can get better results locally by working together and **with our communities** so that public services improve for the people who use them”

- People who use services have important knowledge, experience and ideas
- People get a lot from taking part



Ways to participate



The basics

A community group

‘Community participation body’

can ask to have a **discussion** ‘Outcome improvement process’

with **organisations in charge of public services**,
such as hospitals, schools and transport

‘Public service authorities’

about how to **improve outcomes** of these services

Who can make participation requests?

Your group must:

- be able to say who your community is
- mostly be from the community
- be open to other people joining
- use any money you make to benefit the community
- provide a statement of aims and purposes



Can be made to...

- Local authorities
- Health Boards
- Colleges
- National Park Authority
- Police Scotland
- Scottish Enterprise or Highlands and Islands Enterprise
- The Scottish Environment Protection Agency
- The Scottish Fire and Rescue Service
- Scottish Natural Heritage
- Regional Transport Partnerships



How to make a participation request

Fill in a form which will ask you to...



- Show you are the right type of group to make a participation request
- State an **outcome** that you think can be improved (we'll come back to this)
- Then answer some questions about what your group will bring and why you should be involved

How to make a participation request

How to make a participation request

Search “NHS Grampian” “participation requests”



» Low Graphics » Accessibility » Other Languages » Site Map » Help Text Size: A A A

NHS Grampian

Home | About Us | News & Media | Involving You | Charities & Donations | Contact Us & Give Feedback

You are here: Home » Involving You » Community Empowerment (Scotland) Act 2015 Participation Requests Guidance

Enter search keywords go » Advanced Search

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» Public Health
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- » Public Representatives on NHS Groups and Committees
- » Making a difference
- » **Community Empowerment (Scotland) Act 2015 Participation Requests Guidance**
- » Contact us

Participation Requests Guidance

Community bodies can now make participation requests to NHS services.

Part 3 of the **Community Empowerment (Scotland) Act 2015** came into force on 1st April 2017. Essentially, community groups have the right to work with NHS services to improve their outcomes. All **participation requests** are to be routed to the Public Involvement Team. The Public Involvement Team will assess all participation requests, and where granted will coordinate the necessary arrangements across the system. An **NHS Grampian Participation Request Policy** has been written to help staff meet their statutory responsibilities under the Act. The policy includes a template for community bodies to use when making a participation request. Scottish Government **guidance** is also available.

All community body participation requests should be submitted in writing to:

Public Involvement Team
Foresterhill House
Ashgrove Road West
Aberdeen
AB25 2ZB

Alternatively participation requests can be emailed to:

nhsg.involve@nhs.net

Further advice and support is available from the Public Involvement Team on 01224 558098.

Community Planning Aberdeen have produced information about **the Participation Request process** along with contact details for the Community Planning Partners - please note this information applies only to Aberdeen City.

Who you are



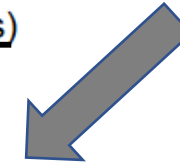
Then
answer
some
questions
about what
your group
will bring
and why
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be involved



Community Participation Request Form

To make a community participation request please provide the following information in writing or by email:

1. Details of the Community Participation Body (CPB) (name and address)
2. Details of the lead public authority the request is directed towards
3. Details of any other public authorities who should be involved in the process
4. Describe the outcome the CPB want to improve
5. Describe why the CPB should be involved in improving the outcome
6. Describe the knowledge, expertise and/or experience the CPB has in relation to the outcome
7. Describe how the CPB expect the outcome will be improved because of their involvement
8. Is the community participation body a community controlled body (if not, please explain the basis on which the body making the request is a community participation body)



Who you are
making request
to

State an
outcome that
you think can
be improved



Show you
are the right
type of
group

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State an
outcome that
you think can
be improved

What's an outcome?

Outcomes are the change you want to see.

E.g. **improved health** and **reduced child poverty**.

But **not**: a new bus route or saving the local library



Think: “Where do we want to be?”

Recap

A community group

can ask to have a **discussion**

with **organisations in charge of public services**

about how to **improve** these services

You may be wondering...

**Can't the request
simply be refused?**

Not quite...

Services should agree or explain why not

economic development

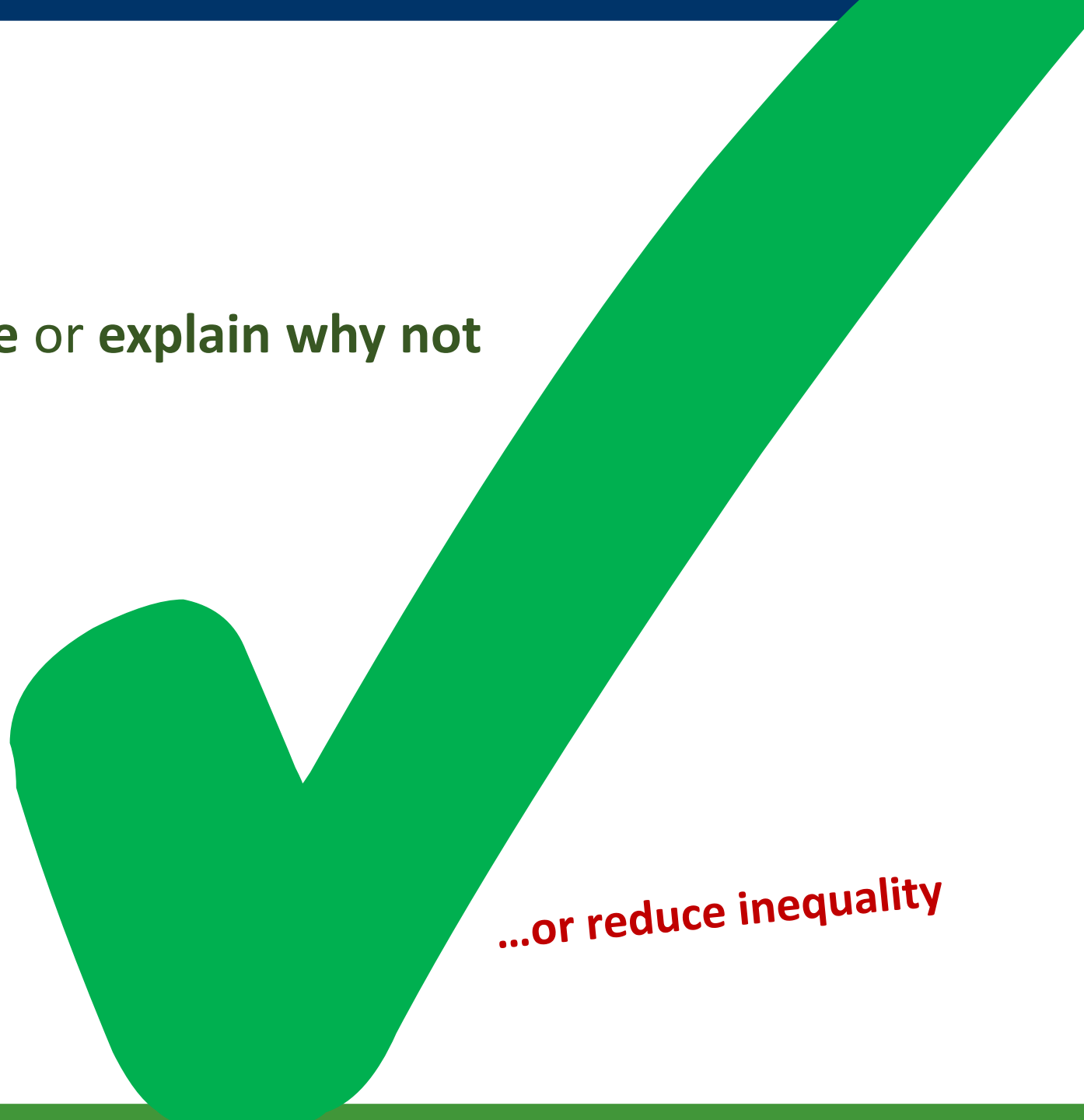
public health

regeneration

environmental wellbeing

social wellbeing

...or reduce inequality



Don't get in a tangle

You don't have to show you will meet all of these

economic development

public health

regeneration

environmental wellbeing

social wellbeing

...or reduce inequality

Timeline

Once request validated, decision must be made within 30 days...

...or 45 days if request is to more than one authority



What happens then?

If request is granted then an **outcome improvement process** is set up

Must be established within **90 days** of request being agreed to



This process can take different forms....

- **Meetings, discussions and actions** to make things better!
- A **pre-existing** process, e.g. community safety partnership
- A **new** process



What makes a good process?

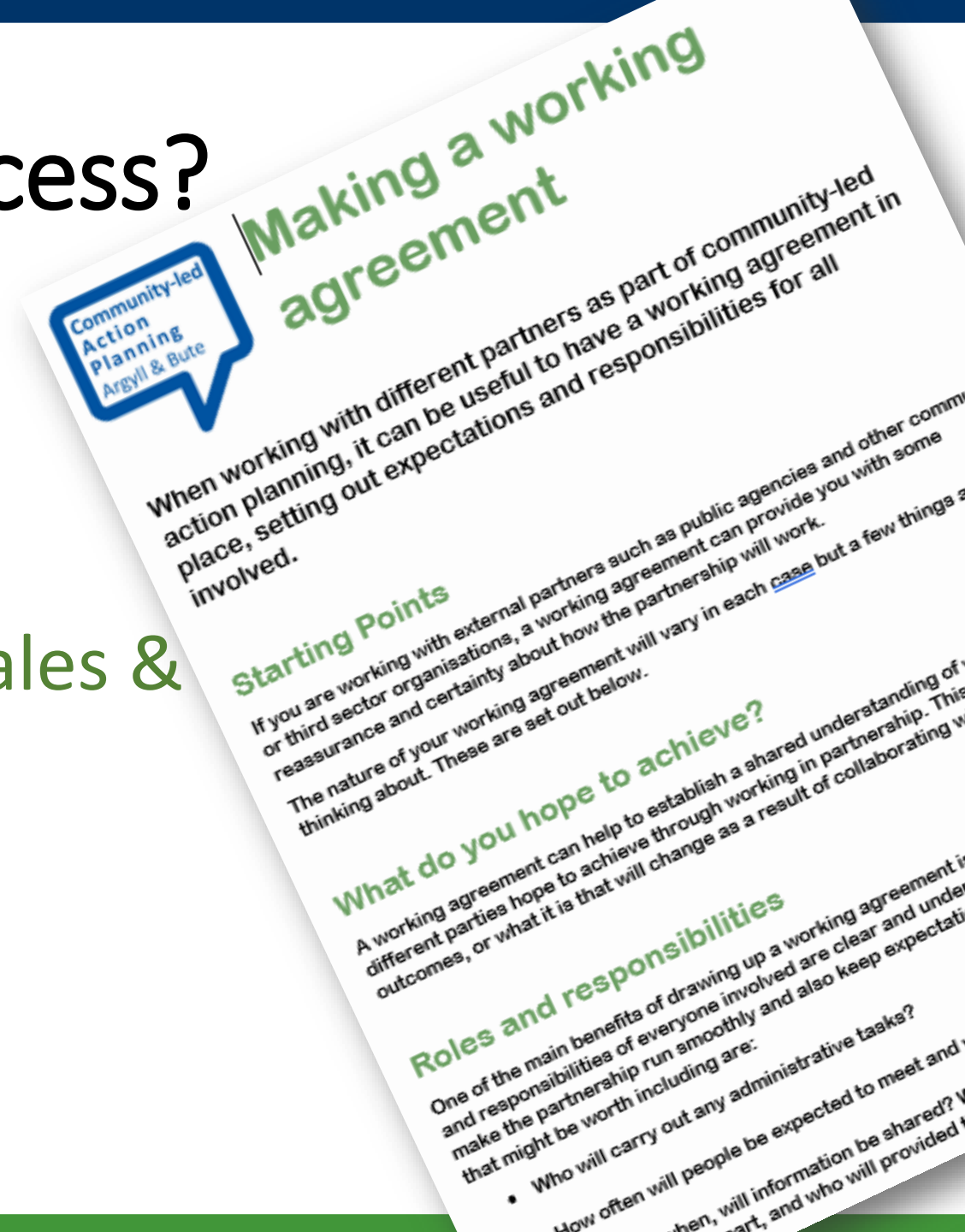
Agree on...

What change you want to see

Who should be involved

Roles, responsibilities, timescales & reporting

How you will work together



Support

Support should be available:

- To help make a participation request
- To take part in resulting meetings etc.



Result?

A **conversation**, not a **guarantee**



- The public service authority must **report on the process** once completed
- And also **report annually** on the participation requests they have received.

Example 1: Portobello Community Council

In April 2017, **Portobello Community Council** submitted a participation request to **Edinburgh City Council** to be involved in the sale of the Westbank Street land, known locally as the 'Pitz' site.



The request was agreed to in June 2017 which would allow further engagement with the community before the preferred bidder was chosen.

The Outcome Improvement Process

Included an online survey and focus groups with the community about the use of the land.

Separate to this, **Action Westbank** was formed which was funded by the Scottish Government (*Making Places*) to conduct a **community-led design process**. This was used to make case to councillors, who supported group.



Result

In Oct 2018 Edinburgh City Council decided to withdraw Westbank Street site from open market and to *work with the local community to establish a master plan for the site.*

The original tenant has eventually decided to further develop the site as a sports facility, which is broadly supported by the community.

Example 2: Tillydrone Community Flat

In March 2019, Tillydrone Flat Association submitted a participation request to Aberdeen City Council. in order to prevent the relocation of the community flat to a new community campus.



The flat is a trusted safe space for vulnerable groups and provides an early years creche, whereas new facility would only provide child-care for children aged 3 and over.

What happened next?

Aberdeen City Council validated the form and agreed to the request in April 2019.

A new outcome improvement process was set up to explore issues around relocating and how these would impact on future outcomes for people using the flat.



The council's Manager of Communities and Housing met with Flat's Committee, consisting of local residents with lived experience of the service. This was the first time residents had a chance to give their views directly.

Result

Just before Christmas 2019, the group heard that the Council had decided not to relocate the community flat which is just the outcome that TFA were after.



“

A participation request was the only way that the discussion was opened up. It gave us a voice in a formalised environment

”

Development Worker, Tillydrone Flat Association

Participation request challenge! (15 mins)

Click on the participation request activity link for your group in the chat area.

In breakout rooms...

- 1) What is the **issue** your group wants to address?
- 2) **Who** will you make the participation request to?
- 3) The **outcome** that you want to improve
- 4) **What will you bring** to the discussion?

Thank you!

- Will send slides and links to further info
- Please feel free to get in touch
0141 248 1934
- 07507107585
andrew@scdc.org.uk
- Join CHEX!

Community food growing

Part 8 (Allotments)

Duties on local authorities to:

- Take reasonable steps to meet demand for allotments
- Develop food growing strategies
 - Identify land for allotments and community food growing
 - Consult Grow Your Own groups?

