

Consultation on the Draft Participation Request (Procedure)(Scotland) Regulations 2016



RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response.
Are you responding as an individual or an organization?

- Individual
 Organisation

Full name or organisation's name

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The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

- Publish response with name
 Publish response only (anonymous)
 Do not publish response

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

- Yes
 No

Participation Requests under the Community Empowerment (Scotland) Act 2015: Consultation on Draft Regulations

Questionnaire

Q1: Should the use of a statutory form be required in the regulations?

Yes X No

Please give reasons for your response.

Yes, as it will give a consistent and coherent approach for communities to promote their public participation requests and for local authorities and public bodies to process them. It will also assist in discussing requests between organisations where outcomes will depend on close co-operation.

Q2: Should it be possible for a community body to put in a participation request without using a form?

Yes X No

Please give reasons for your response.

Yes, but this should only be in cases where there are issues for the community body or group in completing the form electronically. This maybe is because they don't have the capacity or access to computers to complete the form.

Q3: What else might a statutory form usefully cover beyond the example set out in Annex B?

None as it is important to keep the form as simple as possible. The form needs to be seen as the opening of a conversation between the community group and the local authority and/or other public bodies.

Q4: Is 14 days a reasonable amount of time for additional public service authorities to respond?

Yes No

If not, please suggest an alternative timescale and explain reasons for the change.

There needs to be realistic amount of time for other public services to respond to the participation request. This might involve approval by another public body' management team, committee or Board. For this reason it is considered that 30 days is a more practicable time-scale. It is recognised this will have a knock on impact on the proposed 30 days period of time to agree or refuse the request set out in Question 8. For this reason the period of time for considering the request should be at least 60 days.

Q5: What, if any, are the particular/specific ways that public service authorities should promote the use of participation request?

It is considered that the promotion of public participation requests would be via normal channels of communication used by the local authority or public body such as web sites, social media, organisational newspapers/newsletters and public, local networks and community engagement meetings and events.

Q6: What are the ways that public service authorities should support community participation bodies to make a participation request and participate in an outcome improvement process that should be set out in the regulations?

Encourage officers to work more with community and voluntary groups.

Q7: What types of communities could the regulations specify that may need additional support? Please give reasons for your response.

The regulations could make reference to the need for additional support for community bodies that comprise the statutory equality groups, including those covering disability, race, young and older people, and disadvantaged communities in both urban and rural areas.

Q8: How long should the public service authority have to assess the participation request and give notice to the community participation body? Is 30 days a reasonable amount of time?

Yes No

If not, how long should the period for making a decision be? Please give reasons for your response.

The timescale for decisions should be at least 60 days. This reasons for this are that:

- It is anticipated that a significant number of public participation requests will require service outcomes that involve a range of public organisations. Time will be required to allow these organisations to make decisions whether to get involved in the request, and
- Local authorities and other public bodies have political or managerial governance approval processes in place for decision making. It is envisaged that many participation request decisions will have to be agreed using these processes - meeting 'cycles' normally take place within a two month period.

Q9: Are there any additional information requirements that should be included in connection with a decision notice? Please give reasons for your response.

It is considered no additional information is required.

Q10: What other information, if any, should the regulations specify should be published in relation to the proposed outcome improvement process? Please give reasons for your response.

It is considered no other information is required.

Q11: What other information, if any, should the regulations specify should be published in relation to the modified outcome improvement process? Please give reasons for your response.

It is considered no other information is required.

Q12: Section 31 sets out the aspects that the report of the outcome improvement process must contain. What other information, if any, should the regulations require the report include? Please give reasons for your response.

It is considered no other information is required.

Q13: : Do you have any other comments on the draft Participation Request (Procedure)(Scotland) Regulations 2016?

There are no other comments.