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**PARTICIPATION REQUEST FROM SCOTTISH BORDERS COMMUNITY  
COUNCILS' NETWORK**

**Report by Director - Resilient Communities**

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**SCOTTISH BORDERS COUNCIL**

**25 August 2022**

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**1 PURPOSE AND SUMMARY**

- 1.1 This report presents a Participation Requests submitted to Scottish Borders Council by Scottish Borders Community Councils' Network (SBCCN) seeking to work with the Community Planning Partnership "give the community perspective and knowledge as a member of the [Community Planning Partnership Strategic] Board at the highest level in determining policies that effect the community."
- 1.2 Participations Requests were introduced in April 2017 under the Community Empowerment (Scotland) Act 2015. They are a way for communities to get involved in improving services provided by public authorities such as Scottish Borders Council
- 1.3 It is proposed that the Participation Request is agreed and the process (Outcome Improvement Process) put in place to achieve the identified aim of the Request is that SBCCN becomes a member of the Community Planning Partnership Strategic Board - a committee of Scottish Borders Council and therefore covered by the Council's Scheme of Administration.

**2 RECOMMENDATIONS**

**2.1 It is recommend that Scottish Borders Council:**

- a) **agrees to SBCCN's Participation Request,**
- b) **agrees that SBCCN be invited to join the Strategic Board with the Chair representing the Network, and**
- c) **agrees that the necessary amendment is made to the Council's Scheme of Administration.**

### **3 BACKGROUND**

- 3.1 Part 3, Participation Requests, of the Community Empowerment (Scotland) Act 2015 (the Act) sets out a process whereby community groups can be involved in discussions with public service providers (known as Public Service Authorities - PSAs) about how services can be improved.
- 3.2 When a group makes a participation request they have to identify an outcome to be improved. The outcome has to be relevant to the public service authority that the participation request is being made to.
- 3.3 On receipt of a valid request the PSA has steps and timescales that it must follow when deciding whether to agree or refuse the request.
- 3.4 Section 24 of the Act states that, "where a participation request is made by a community participation body to a public service authority ... the authority must decide whether to agree to or refuse the request". Under subsection (5), "the authority must agree to the request unless there are reasonable grounds for refusing it".
- 3.5 If a Participation Request is agreed the PSA must put in place a process to facilitate the improvement that the community group wishes to achieve. This process is known as the Outcome Improvement Process (OIP).
- 3.6 Part 2, Community Planning, of the Act updates the Local Government in Scotland Act 2003 setting out responsibilities shared between five statutory partners. The Community Planning Partnership is required to tackle local challenges and improve local outcomes, with a particular focus on reducing inequalities, by working together as a partnership and with local communities and businesses.
- 3.7 In the Borders this is done through the five Area Partnerships, which report to the Joint Programme Board which in turn reports to the Strategic Board. All work of the Partnership is agreed and signed off by the Strategic Board.
- 3.8 Members of the Scottish Borders Community Planning Strategic Board are the five statutory partners, NHS Borders, Police Scotland, Scottish Borders Council, Scottish Fire and Rescue Service, and South of Scotland Enterprise. Other community planning partners, who are part of the Strategic Board, are the Borders are the Registered Social Landlords, Borders College and the Third Sector Interface.
- 3.9 The Strategic Board is a committee of Scottish Borders Council. The constitution is set out in the Council's Scheme of Administration therefore any changes, including membership, must be approved at a meeting of Scottish Borders Council.

### **4 SCOTTISH BORDERS COMMUNITY COUNCILS' NETWORK**

- 4.1 Scottish Borders Community Councils' Network (SBCCN) is a network of all community councils in the Borders. Membership is automatic and free.

- 4.2 There are 69 community council areas in the Borders although, currently, not all of them have a community council in place.
- 4.3 SBCCN receives an annual grant of £1,250 from Scottish Borders Council to support its objectives which include support, advice and training to community councils.
- 4.4 As a representative body SBCCN speaks on behalf of community councils who in turn act to ascertain, co-ordinate and express the views of the community which they represent.

## **5 SBCCN'S PARTICIPATION REQUEST**

- 5.1 A valid Participation Request has been made to Scottish Borders Council by SBCCN. The request seeks to work with the Community Planning Partnership to "give the community perspective and knowledge as a member of the Board at the highest level in determining policies that effect the community."
- 5.2 Agreement of the request would require an Outcome Improvement Process to be put in place.

## **6 BENEFITS OF SBCCN'S INVOLVEMENT IN THE COMMUNITY PLANNING PARTNERSHIP**

- 6.1 As it currently stands community representation only exists at Area Partnerships. The Strategic Board does not include any representatives from community based organisations. It is recommended that, if there is support for the request, the Outcome Improvement Process is membership of the Strategic Board.
- 6.2 SBCCN would bring the views of community councils, from across the Borders, to the Board providing an important community voice. In conjunction with the input provided by the Third Sector Interface they would reinforce the community perspective in decisions made by the Board.
- 6.3 SBCCN's membership would support the principle of Public Sector Reform that says people should have equal opportunity to participate in decisions shaping their local community and society.
- 6.4 It would also be in line with the community empowerment agenda by providing communities the right to participation in decisions and processes agreed by the Strategic Board, as well as supporting the role of community planning which is to work with local communities to shape and deliver better services.
- 6.5 The addition of SBCCN to the Board would help deliver on one of Scotland's National Outcomes: we live in communities that are inclusive, empowered, resilient and safe.

6.6 It is also in line with one of the Council's priorities for 2022/23: Empowered, vibrant communities – support and empower people to achieve strong, active, resilient and sustainable communities and realise opportunities for improving people's lives.

## **7 REVIEW OF SCOTTISH BORDERS COMMUNITY PLANNING PARTNERSHIP – GOVERNANCE AND MEMBERSHIP**

7.1 Governance is being looked at as part of the current review of the Scottish Borders Community Planning Partnership. This will include a review of current membership to ensure that it is fit for purpose. In some ways the Participation Request pre-empts this by recognising that community involvement needs to be strengthened.

7.2 The review, which is being taking forward through a multi-agency task group, seeks to ensure that decision making is carried out through an effective structure that includes membership that is fit for purpose. It is anticipated that a renewed governance structure will reflect communities of interest, or their representatives, as well as geographic communities.

7.3 Learning from community planning partnerships across the country will feed into this work to develop a representative Community Planning Partnership in the Scottish Borders.

## **8 PARITY WITH OTHER COMMUNITY PLANNING PARTNERSHIPS**

8.1 A desktop review of membership of other Community Planning Partnerships across Scotland shows that approximately 30% have community involvement at Board level. This is through community councils, community trusts, civic forums, faith and youth groups.

## **9 CONSULTATION WITH THE COMMUNITY PLANNING PARTNERSHIP STRATEGIC BOARD**

9.1 Members of the CPP Strategic Board have been informed of the Participation Request received by the Council and asked if they are supportive of the recommendation that the Request be agreed and SBCCN be invited to join the Strategic Board. Members of the Board, who have submitted a response, are supportive of the recommendation.

## **10 IMPLICATIONS**

### **10.1 Financial**

There are no costs attached to any of the recommendations contained in this report.

## **10.2 Risk and Mitigations**

Not agreeing to the request and proposed recommendation, of inviting SBCCN to join the Strategic Board, would leave the Community Planning Partnership without direct community representation at the decision making level. This could leave the Council open to criticism at a time when community empowerment is central to national aims and many policy objectives.

Not agreeing the Request would be at odds with one of the Council's priorities for 2022/23: Empowered, vibrant communities – support and empower people to achieve strong, active, resilient and sustainable communities and realise opportunities for improving people's lives.

## **10.3 Integrated Impact Assessment**

An Integrated Impact Assessment has been completed considering the Equality Duty and the Fairer Scotland Duty, no negative impacts were identified.

## **10.4 Sustainable Development Goals**

The checklist has been completed and it is anticipated that the inclusion of SBCCN as a member of the Community Planning Partnership Strategic Board will encourage community involvement and will increase working with partners.

## **10.5 Climate Change**

The addition of SBCCN to the Strategic Board could enhance the resilience of communities through the inclusion of community perspective in decisions taken by the Board.

## **10.6 Rural Proofing**

N/A

## **10.7 Data Protection Impact Statement**

There are no personal data implications arising from the proposals contained in this report.

## **10.8 Changes to Scheme of Administration or Scheme of Delegation**

The Scheme of Administration will be required to be changed to include Scottish Borders Community Councils' Network as a Community Planning Partner in the constitution of the Community Planning Strategic Board, and to nominate a representative (usually the Chair) to attend meetings of the Strategic Board.

## 11 CONSULTATION

11.1 The Director (Finance & Corporate Governance), the Monitoring Officer/Chief Legal Officer, the Chief Officer Audit and Risk, the Director (People Performance & Change), the Clerk to the Council and Corporate Communications have been consulted and any comments received have been incorporated into the final report.

**Approved by**

**Jenni Craig, Director - Resilient Communities**

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**Background Papers:** None

**Previous Minute Reference:** None

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