**Community Empowerment (Scotland) Act 2015**

**Participation Request Application Form**

**(1) Details of Community Participation Body (Note 1)**

**Name of Community Body:**

**Contact Name:**

**Contact Address:**

**Contact Telephone Number:**

**Contact Email Address:**

**Website (if available):**

Please ensure that you include a copy of your written constitution or governance documentation if available (Note 2)

**Constitution/Governance Documentation Enclosed:** Yes  No  N/A

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**(2) Name of the public service authority to which the request is being made: (Note 3)**

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**(3) Name of any other public service authority which you request should participate in the outcome improvement process: (Note 4)**

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**(4) What outcome does your organisation/group want to improve: (Note 5)**

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**(5) Please give reasons why your organisation/group should participate in an outcome improvement process: (Note 6)**

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**(6) What knowledge, expertise and experience does your organisation/group have in relation to the outcome?: (Note 7)**

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**(7) How will the outcome be improved because of the involvement of your organisation/group?: (Note 8)**

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**(8) What type of community participation body are you?: (Note 9)**

|  |  |  |
| --- | --- | --- |
|  |  | Please tick |
| (i) | A community controlled body |  |
| (ii) | A community council |  |
| (iii) | A group without a written constitution |  |
| (iv) | A body designated by Scottish Ministers as a community participation body |  |

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**(9) Additional Information: (Note 10)**

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**Name: Signature:**

**Position in Group: Date:**

**Please send this form to: Community Investment Team**

Fife House, North Street, Glenrothes, KY7 5LT

Email: [Participation.Requests@fife.gov.uk](mailto:Participation.Requests@fife.gov.uk) Tel: 03451 555 555 ext.441242

**Participation Requests – Notes on Completing the Application Form**

These notes are provided as an aid to ensuring that your organisation is eligible to make a Participation Request and that you have considered a range of factors. Fife Council has a pre-application process which may assist you but you are not obliged to go through any such process before making a Participation Request. If you would like this additional support please contact Zahida Ramzan, Policy Co-ordinator, Community Investment Team ([Zahida.ramzan@fife.gov.uk](mailto:Zahida.ramzan@fife.gov.uk)).

**Note 1** – Please provide the name of the community participation body making this request (see Note 9 below) giving full details to enable contact to be made with you.

**Note 2** – Before the process can begin we require to see your constitution or governance documentation where applicable. It would help to speed up the process if you enclose it with this application.

**Notes 3 & 4** – A Participation Request can be made to one or more designated public service authorities i.e.

|  |  |
| --- | --- |
| Fife Council | Scottish Enterprise |
| NHS Fife | The Scottish Fire & Rescue Service |
| Fife College | SRUC Elmwood |
| Scottish Natural Heritage | Police Scotland |
| SESTRAN (Regional Transport Partnership | The Scottish Environment Protection Agency |

Please specify the organisation to which this request is being made in section 2 and any other organisation you feel should be involved in section 3.

Whatever your plans are, you are strongly advised to discuss your proposals with the organisation before making the formal request. Fife Council for example has a pre-application process which will consider your outline proposals and, if approved, will support you to develop your detailed request. For more information contact: [Participation.Requests@fife.gov.uk](mailto:Participation.Requests@fife.gov.uk)

You are not legally required to go through a pre-application process before making a Participation Request.

**Note 5** – When putting forward the Participation Request you must specify an outcome that will result from the delivery of an improved service. An outcome is the change that results from what organisations provide or deliver e.g. the desired outcome of developing a playpark may be an increase in physical activity levels of children.

**Note 6** – You should set out the reasons why your organisation / group considers it should participate in the outcome improvement process.

**Note 7** – Please provide full details of any knowledge, expertise and experience your organisation / group has in relation to the outcome specified in section 4. It is not about being ‘expert’ in an academic or theoretical sense but how you can make use of your own ‘know how’ and awareness of the improvements that can be made.

**Note 8** – Please provide an explanation of the improvement in the outcome which your organisation / group anticipates may arise as a result of its participation in an outcome improvement process.

**Note 9** – To make a participation request, your community organisation needs to be a ‘community participation body’. This is defined in section 20 of the Act. Your organisation can be either a community controlled body, a community council, a community body without a written constitution or a body designated by Scottish Ministers.

**Community Controlled Body**

* Does not require to be incorporated but must have a written constitution which sets out what a group is for and how it is organised.
* Having a written constitution is a simple way of showing that the community participation body is open, inclusive and representative and making sure that all members know how the body will operate.
* If a group is incorporated it is legally a single body rather than a group of individuals. This means the body can enter into contracts which continue even if the membership changes. Being incorporated protects members from liabilities, otherwise they could be required to pay for any debts or damages incurred by the body.
* To qualify as a community controlled body the constitution must include:
* a definition of the community to which the body relates which is clear enough to show whether a person is a member of the community or not.
* provision that membership of the body is open to any member of that community
* provision that the majority of the members of the body is to consist of members of that community
* provision that members have control of the body i.e. are in charge of decisions made e.g. only community members can vote at General Meetings; a majority of Board must be made up of community members; and chair must be a community member if they have a casting vote in board meetings.
* a statement of the body’s aims and purposes, including the promotion of a benefit for that community.
* provision that any surplus funds or assets of the body are to be applied for the benefit of that community.

**Co-operatives**

* Bodies incorporated as co-operatives, which distribute their profits or dividends to members of the body, are not eligible to make participation requests.

**Communities of Interest**

* The legislation on participation requests does not define what a “community” can be. It simply requires a community participation body to define the community it relates to, and to ensure that the body is open to and controlled by members of that community, and uses its assets to benefit that community.
* A community can be any group of people who feel they have something in common.

**Community Bodies Without a Written Constitution**

* A community participation body could also be a more loosely associated group of people.
* Under section 20 (4) of the Act it provides that community groups which have similar features to that of a community controlled body, but no written constitution, can make a participation request.
* It will be for the public service authority to determine whether a group meets the requirements under the Act. It is therefore the responsibility of the community group to provide such information as the authority needs to be satisfied.

**Community Councils**

* Community Councils are able to make a participation request under the Act.
* When making a request it would be useful for the Community Council to supply an agreed Scheme of Establishment with the Local Authority and have a written constitution.
* The Community Council should demonstrate how it has engaged with local people in the area that could be impacted by the outcomes improvement process.

**A Body Designated by Scottish Ministers**

* There is provision in the Act for Scottish Ministers to designate a body to be a community participation body.
* Ministers will normally only designate a body if it works in a similar way to a community controlled body and there is a good reason why it is not able to meet the requirements of the Act e.g. A charitable trust which cannot change who is on its Board.
* There are no current bodies in this category.

**Note 10** – Any other information in support of the Participation Request can be included in this section or attached separately. For example, you could explain who your community is, the total number of people in the community, and how many of them are members of your organisation and/or you could describe the support you have for the Participation Request within the community your organisation represents. To demonstrate the support you have for the proposal you could outline what activity has been carried out to find out people’s views e.g. a community survey, vote taken at a public meeting, consultation event. If you have been in contact previously regarding the outcome it would be helpful to know. If you require any additional support to be able to participate in an outcome improvement process please provide details e.g. administrative or practical support, support for equal participation, community development support.

**Please note a Participation Request is not treated as having been made until all the required information is received by the public service authority.** Only outline information is required for a request to be accepted as complete, however more information may help the public sector authority to properly assess and react positively to the request.When the public service authority is satisfied that it has all the relevant information you will be sent an acknowledgement. This will include the following information:

* the validation date for the request – this is the date on which the last of the required information was received (the date the request was received if complete). **This is the date from which other time limits will be calculated.**
* The time period for the public service authority to notify you of its decision – this is 30 working days from the validation date, unless additional public service authorities are involved in which case the time period is extended to 45 working days.