Participation Requests: Evaluation of Part 3 of the Community Empowerment (Scotland) Act 2015

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Participation Requests: Evaluation of Part 3 of the Community Empowerment (Scotland) Act 2015

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Executive Summary

This report presents findings from an evaluation of Part 3 of the Community Empowerment (Scotland) Act 2015 (the Act). Implemented on 1 April 2017, Part 3 of the Act introduced participation requests, offering an opportunity for increased community engagement between community participation bodies and public service authorities. The Scottish Government is statutorily required to evaluate Part 3 of the Act within three years of its enactment and to report on how participation requests are being implemented by public service authorities, utilised by communities, and what impact they have on community empowerment and reduction of inequalities of outcome. The evaluation should also consider the need for an appeals mechanism. As part of the Scottish Government's commitment to review participation requests, a team at Glasgow Caledonian University was commissioned to undertake research to document and evaluate the processes and outcomes related to participation requests, with a particular focus on how Part 3 of the Act addresses (or reproduces) social and economic inequalities.

Methods

The evaluation focused on the extent to which participation requests may contribute to a series of intermediate and longer-term outcomes which were set out in a study conducted by Myers, Geyer and Craig (2017)[1], who assessed the evaluability of Part 3 of the Act and developed a Theory of Change model to describe how the implementation of Part 3 of the Act might contribute to change. The evaluation was carried out in four stages and adopted a range of methods to collect primary data (in-depth interviews with key stakeholders [n=30], participant observations [n=6] and a focus group with four participants). Secondary data were sourced through the collation of key documents including participation request annual reports from public service authorities. Qualitative data were analysed in NVivo. Quantitative data were extracted and analysed in SPSS.

Findings: public service authority implementation and community participation body use

- According to available public service authority annual reports, between 2017 and 2019 public service authorities received 46 participation requests. Of these, 27 were accepted and 14 were refused.

- The majority of participation requests were received by local authorities (95% in 2017-2018 and 100% in 2018-2019) and submitted by community councils (68% in 2017-2018 and 52% in 2018-2019).

- Public service authorities promoted participation requests through varied pathways (website, first point of contact, external and internal training and events). Extensive promotion was constrained by financial and time pressures on public service authorities.

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[1] Myers, F., Geyer, J. and Craig, P. (2017) Evaluability assessment of Parts 3 and 5: participation requests and asset transfer requests. NHS Health Scotland, Edinburgh. Available at: http://www.healthscotland.scot/media/1696/evaluability-assessment-of-parts-3-and-5-of-the-community-empowerment-act-dec17-english.pdf

- The interpretation of participation requests frequently varies between public service authorities and community participation bodies.

  - Some public service authorities struggled to see the added value in the introduction of participation requests, arguing that the underlying principles of participation requests were already embedded throughout their working practice. Some defined participation requests as 'prescriptive legislation', viewing submitted participation requests as representative of a failure in existing systems, approaches and processes designed to enable dialogue.

  - Community participation bodies interpreted participation requests as a mechanism through which community groups gain power or legitimacy – public service authorities are not able to overlook or dismiss submitted participation requests, given the formal process. This was particularly the case in areas where it was felt that public service authorities were failing to actively involve local communities in addressing problems or developing solutions.

- There is potential for the absence of an appeals mechanism to undermine the rationale behind Part 3 of the Act, as public service authorities can refuse requests based on loosely and locally-defined criteria. Although it is too early to determine whether an appeals process is needed, this should be kept under review as the data on the numbers of participation requests, acceptances and refusals develop.

- According to available public service authority annual reports, between 2017 and 2019 only two public service authority annual reports made reference to disadvantaged or marginalised groups.

Findings: intermediate outcomes of participation requests

- *Public service authority culture change*
  Many community participation bodies and public service authorities confirm that participation requests are a mechanism which encourages a change in culture within public service authorities. Change in culture relies on the public service authority and community participation bodies acknowledging the (potential) positive outcomes of participation generally and participation requests specifically.

- *Communities' involvement in public service authority decision-making*
  Evidence suggests that outcome improvement processes can enable improved community participation body involvement in public service authority decision-making and contribute to service improvement. The evaluation highlighted potential limitations to the participation request process (cost implications; lengthened decision-making timelines; conflicting commercial interests and local community participation).

- *Increased understanding of public service authority decision-making*
  By engaging with public service authorities through the participation request process, some community participation bodies noted that there is improved

transparency: they are now better aware of the processes involved and the rationale behind public service authority decision-making. The outcome of improved transparency for one community participation body means that they are better able to communicate with the wider community, answer concerns and work to develop solutions.

- *Improved communication and trust*
  The evaluation highlights that participation request submissions may be a symptom of a reduction in trust placed in public service authorities by community participation bodies. At the same time, participation requests may also act as a vehicle to build trust and improve communication between public service authorities and community participation bodies – a valuable outcome where previous relationships have been strained. To enable trust and build communication, much relies on key stakeholders, including community participation bodies and public service authorities, placing value on transparency and participation. If public service authorities do not support participation requests, and the wider ethos behind the Act, it is possible that participation request submissions will exacerbate tensions between the public service authority and the communities it serves, contributing to an adversarial culture, rather than leading to improved communication and trust.

Findings: longer-term outcomes of participation requests
Given the recent introduction of Part 3 of the Act (April 2017), it is too early to draw conclusions in relation to the longer-term outcomes of participation requests. The *potential* for participation requests to enable longer-term outcomes includes:

- *Potential for increased community empowerment*
  Some community participation bodies reported that participation requests had enabled aspects of empowerment[2], including exercising greater participation in local democracy and increased volunteering in the community. One community participation body reported that the participation request process had been 'overwhelmingly positive' in terms of community engagement. Challenges remain in terms of assessing or measuring changing levels of empowerment within communities.

- *Improved public services*
  Some of the public service authorities identified the potential for participation requests to result in improvements to services, particularly in terms of increasing service inclusivity and responsiveness to community needs. Given the participation request purposes listed in annual reports, evidence suggests that participation requests are being submitted in order to improve services in local areas.

- *Reduced inequalities of outcome*
  There is some evidence that participation requests are more likely to be successfully used by higher capacity groups, including those with significant professional experience and time to undertake the participation request process.

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[2] https://www.gov.scot/policies/community-empowerment/

There is a risk that this may lead to an increase in inequalities, as suggested by Myers *et al.* (2017), but there is insufficient evidence to draw conclusions on this point as yet.

Recommendations

Recommendations for the Scottish Government include:

- Ensuring public service authorities meet statutory annual reporting duties to enable on-going monitoring of Part 3 of the Act. Such monitoring will enable future assessments of the longer-term impact of participation requests.

- Supporting the participation of marginalised and disadvantaged communities by (a) continuing to work with partners to identify actions that may help to overcome barriers to participation of marginalised or disadvantaged groups, where participation requests might support their aims; and (b) developing more accessible information and guidance about participation requests.

- Consideration of an appeals process: investigating how such a process would work and be fair and robust.

- Raising awareness among public service authorities of the intentions behind Part 3 of the Act. Lack of understanding and support towards participation requests has the potential to create an environment in which participation requests are more likely to be refused, or not submitted. Such positions are contrary to the intention of the Act and may limit the achievement of intended outcomes.

Recommendations for public service authorities include:

- The identification of a key, internal contact person. This would help to speed up the participation request process, act as an effective conduit between community participation bodies and public service authority personnel, drive culture change in public service authorities and allow other public service authority personnel to focus on other responsibilities.

- Wider promotion of participation requests to raise internal and external awareness of Part 3 of the Act. This can happen through disseminating the policy intent of participation requests, identifying the breadth of public service authorities covered by Part 3 of the Act, making explicit the objectives of an outcome improvement process, and making clear the range of community groups that can use participation requests.

- Public service authorities should encourage participation from disadvantaged and marginalised communities, in order that they may contribute to developing services that effectively support their needs. Active promotion, tailored and accessible participation mechanisms and related support may enable this.

Conclusions

Early findings suggest that participation requests can help to enable participation, establish shared understanding and build improved communication between public service authorities and communities. Participation requests represent a means by which communities can have more influence in decision-making. To maximise the impacts of participation requests, and to achieve the desired longer-term changes in community empowerment envisaged by the Act, government and public service authorities need to take further steps to promote participation requests and improve engagement – focusing on less advantaged communities in particular – and to continue to improve monitoring and tracking of the results.

Limitations

This study was conducted using available quantitative data. Due to limited reporting by public service authorities, our findings may not reveal the full picture of participation request activity in Scotland. Qualitative data derive from a limited sample. While steps were taken to ensure that the sample had a breadth of knowledge and experience of participation requests and wider participation, the findings reported here may not represent the full range of perspectives on participation requests.

1. Introduction

This report presents findings from an evaluation of Part 3 of the Community Empowerment (Scotland) Act 2015 (the Act). Implemented on 1 April 2017, Part 3 of the Act introduced **participation requests**, offering an opportunity for increased community engagement between community participation bodies and public service authorities (PSAs).

The Scottish Government is statutorily required to evaluate Part 3 of the Act within three years of its enactment, and to report on how participation requests are being implemented by public service authorities, utilised by communities, and what impact they have on community empowerment and reduction of inequalities of outcome. The evaluation should also consider the possible need for an appeal mechanism[3].

As part of the Scottish Government's commitment to review Part 3 of the Act and its impact on community empowerment, in 2018 the Scottish Government commissioned a team at the Yunus Centre for Social Business and Health, Glasgow Caledonian University, to undertake research to document and evaluate the processes and outcomes related to participation requests, with a particular focus on how Part 3 of the Act addresses (or reproduces) social and economic inequalities. Specifically, the evaluation seeks to answer the following questions:

1. Whether, how, and to what extent, is Part 3 of the Act being implemented as intended in the legislation and guidance?
2. To what extent does implementation of Part 3 of the Act improve community–public authority engagement, dialogue and relationships, and with what potential contribution to improved public services?
3. What is the pattern of take up and use of Part 3 of the Act among different community groups? What are the potential implications of these patterns for local inequalities of outcomes?
4. Whether, how, and to what extent do communities feel more empowered as a result of the availability, take up and use of Part 3 of the Act?

By exploring these questions during the early stages of the policy implementation, this report contributes to the Scottish Government's commitment to review the Act and impact it has on community empowerment.

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[3] The Act enables Scottish Ministers to introduce an appeals mechanism, although this may not be deemed to be necessary.

The evaluation was informed by a study conducted by Myers, Geyer and Craig (2017)[4] who assessed the evaluability of Part 3 of the Act and developed a Theory of Change model (Figure 1) to describe how the implementation of Part 3 of the Act might contribute to change. This model identified key activities, outputs, and intermediate and longer-term outcomes relating to the implementation of Part 3 of the Act. We have structured our approach to undertaking and reporting on this evaluation to reflect the structure and components of Myers *et al.*'s (2017) Theory of Change.

Figure 1 Theory of Change for Part 3 of the Act (Myers *et al.*, 2017)
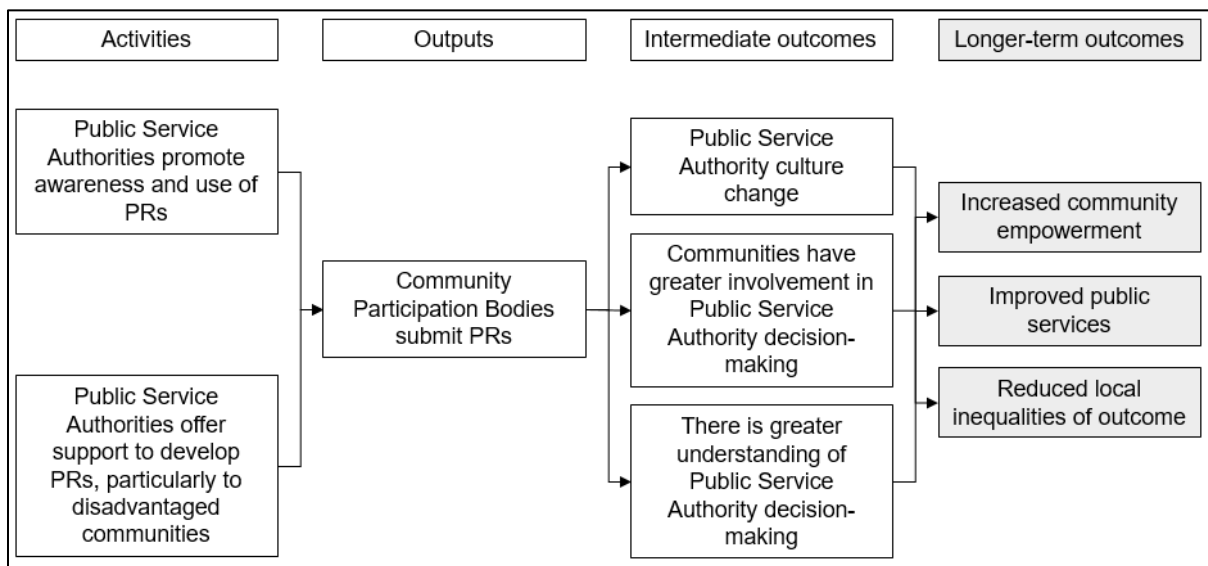
This report is structured as follows: Section Two outlines the background to participation requests; Section Three details the approach undertaken for this evaluation; and Section Four reports on participation request activity and trends (addressing research questions 1 and 3), Section Five presents findings relating to the implementation of participation requests (research questions 1 and 3) and Section Six details findings related to intermediary outcomes of Part 3 of the Act (research question 2). Section Seven outlines evidence pertaining to longer-term outcomes of Part 3 of the Act (research questions 2 and 4). Section Eight presents a case study of a participation request submitted by Portobello Community Council. Section Nine presents a revised Theory of Change for participation requests, drawing on the findings of the evaluation. Recommendations, limitations of the study and conclusions are presented in Sections Ten, Eleven, and Twelve respectively.

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[4] Myers, F., Geyer, J. and Craig, P. (2017) Evaluability assessment of Parts 3 and 5: participation requests and asset transfer requests. NHS Health Scotland, Edinburgh. Available at: http://www.healthscotland.scot/media/1696/evaluability-assessment-of-parts-3-and-5-of-the-community-empowerment-act-dec17-english.pdf

2. Background to participation requests

The Community Empowerment (Scotland) Act 2015 is central to empowering community bodies: strengthening their voices in local decision-making, ownership of land and buildings and supporting public sector reform by improving the process of community planning and its outcomes.

The Act provides a mechanism for community bodies to seek dialogue with public service providers on their own terms, when they feel they can help to improve outcomes. It gives them a right to be heard. Participation requests are focused on extending and improving community participation in improving outcomes for their communities. Participation request legislation came into force on 01 April 2017. The text of Part 3 of the Act is available online[5].

'Community participation body' (CPB) is the term given to the group of people who can submit participation requests. To qualify as a community participation body, a group must meet certain requirements. For instance, the group must be a geographic community or a group with shared interests or backgrounds. The majority of group members must come from the defined community, and the group needs to be open to other community members. Any profits generated through their activities must be used for community benefit and a statement of the group's aims and purposes must also be provided.

Participation requests have been introduced as complementary to – rather than a replacement for – existing participation and engagement processes. Other types of participation and engagement processes may be taking place alongside or instead of participation requests. These include: community-led action plan steering groups; action plans to ensure resilience in the face of emergencies; community participation in the development of healthcare strategies or redesign of services; and participatory budgeting.

Participation requests follow a structured process involving key steps (Figure 2). The process begins when a community participation body submits a participation request to a public service authority, requesting to participate in a process with a view to improving an outcome. Public service authorities then assess the request, in line with defined criteria detailed in the Act, and subsequently agree or refuse the request. Unless there are 'reasonable grounds' for refusal, public service authorities must agree to the request and set up an 'outcome improvement process'. If a request is refused, public service authorities must provide a reason justifying the decision. Refused participation requests do not advance to an outcome improvement process. At present, there are no grounds for appeals.

Where a participation request is agreed, public service authorities and community participation bodies must discuss how the outcome improvement process will work and how long it should take. The Scottish Government Guidance on participation

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[5] http://www.legislation.gov.uk/asp/2015/6/part/3

requests (2017, p.43) defines an outcome improvement process as 'a process that will help improve the outcome set out by the community body'. While the Guidance provides outcome improvement process examples, individual outcome improvement processes may differ in their structure and in how long they should take, depending on the agreements made between community participation bodies and public service authorities. At the end of the process, public service authorities must publish a report summarising the process, detailing whether the outcomes were improved and how the community body contributed to that improvement.

Figure 2 Stages of the participation request process[6]

Making a request
- Participation request made by a community participation body (definitions at Section 20 of the Act)
- Participation request submitted to a public service authority (definitions at Schedule 2 of the Act)
- The request must contain certain information (detailed in Section 22 of the Act)

Decision
- Public service authority assesses the request (matters to be considered in Section 24 (3) of the Act)
- Public service authority agrees/refuses request (in-line with criteria at Section 24(5) of the Act)
- Public service authority informs the community participation body of the decision (decision notices detailed at Section 24 (6) of the Act)

Outcome improvement process
- Outcome improvement process proposed and discussed (in-line with Sections 25 and 26 of the Act)
- Outcome improvement process established within 90 days (in-line with Section 28 of the Act)

Reports
- A report is published at the end of an outcome improvement process (report content detailed at Section 31 of the Act)
- Public service authorities have a statutory requirement to publish an annual report on participation request activity (details at Section 32 of the Act)

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[6] Adapted from the Scottish Government Guidance on participation requests (2017) Available at: https://www.gov.scot/publications/community-empowerment-participation-request-guidance/

3. Approach to this evaluation

3.1. Evaluation stages

The evaluation was carried out in four consecutive stages with areas of overlap and continual analysis throughout the data generation (Table 1). Myers *et al.*'s (2017) Theory of Change informed the design, implementation and thematic framework adopted for the research.

3.2. Methods

To address the research questions, the study adopted a range of methods to collect primary data including in-depth interviews, participant observations and a focus group. Secondary data was sourced through the collation of participation request key documents including annual reports.

3.2.1. Data collection with public sector authorities

Across Stages 1 and 2, we undertook in-depth interviews (n=15) with stakeholders from ten public service authorities named in the Act and with one key stakeholder from a national organisation involved in promoting and supporting participation requests. Interviews with those responsible for participation request processes and supporting communities to submit participation requests helped to generate an understanding of how the Act has been implemented by public service authorities. The interviews were also used to give insights into intermediate and potential longer-term outcomes of participation requests.

During Stage 2, we held a focus group with four stakeholders from a public service authority that, according to their annual reports, sought to favour other pre-existing participatory processes over participation requests (Section 3.3.1 for further detail). Topic guides for these participants were developed to generate data related to how the Act has been interpreted and implemented, explore the alternative participation and engagement mechanisms offered by the public service authority and understand how participation requests are perceived and understood, in comparison to other processes.

3.2.2. Data collection with community members

During Stage 2, the research team conducted in-depth interviews with community members (n=12) from five community participation bodies with participation request submissions. Two of these community participation bodies had submitted two participation requests each. In total, seven participation requests were considered within the evaluation. The interviews were conducted in person or by telephone. The topic guides for these participants were developed to generate data related to the experience of the participation request application process; community participation bodies' motivations for submitting participation requests; the support offered by public service authorities; actual and anticipated outcomes from the participation requests; and perspectives on the meaning and possible measurement of community empowerment.

Table 1 Stages of the research, aims and activities

Stage 1 (Apr. 2018 – Sept. 2018)	Stage 2 (Sept. 2018 – May 2019)	Stage 3 (June 2019 – Sept. 2019)	Stage 4 (Sept. 2019 – Jan. 2020)

Aim: to identify activities and outputs related to participation requests
• Understanding implementation processes
• Identifying early patterns in participation request submissions across Scotland
• Highlighting how participation requests were being interpreted by public service authorities
• Exploring public service authority perspectives on potential outcomes
Data collection (primary)
• Interviews with public service authority representatives (n=13)
• Interviews with one key stakeholder from a national participation request support organisation
Data collection and analysis (secondary; 2017-2018)
• Formal participation request reports (n=38) supplemented with available documents
• Collection of informal data from public service authorities (detail provided in Section 4.1) (n=12)
	Aim: to explore the experiences of community organisations involved with participation requests.
	Data collection (primary)
	• Interviews with community representatives (n=14)
	  ○ 12 from five community participation bodies
	  ○ 2 from two community groups
	• Interviews with public service authority stakeholders directly involved in an outcome improvement process (n=2)
	• Focus group with participants (n=4) from a public service authority
	• Participant observations (n=6)
	Data collection and analysis (secondary; 2018-2019)[7]
	• Formal participation request reports (n=29) supplemented with available documents
	• Collection of informal data from public service authorities (detail provided in Section 4.1) (n=3)
		Aim: to analyse primary and secondary data
		• Comparative data analysis using 2017-2018 and 2018-2019 annual reports
		• Analysis of the qualitative data
			Aim: Final analysis
			• Development of a revised Theory of Change
			• Two stakeholder workshops were held with participation request stakeholders (30); emerging findings were discussed and comments helped to further develop the revised Theory of Change
			• Producing final reports

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[7] Due to delays in public service authority reporting, secondary data collection and analysis for 2018-2019 was also conducted under Stage 3 (Section 3.2.4).

In addition to the interviews conducted with community participation bodies with participation request submissions, we also undertook interviews (n=2) with representatives from two community groups operating in an area where a public service authority had adopted a different approach to participation requests by actively minimising participation requests in favour of alternative participatory processes. The intention of the community group interviews was to explore how participation requests were perceived and understood, in comparison to other processes.

3.2.3. Participant observation

During the evaluation, a member of the research team attended meetings (n=6) of community organisations included in the sample, on occasions when participation requests were a key part of the meeting agenda. Attending these meetings allowed the research team to observe how the community organisations and the wider community were engaging with participation request processes. Further, these observations offered the opportunity to understand how participation requests fit within the broader work of the organisations, as well as the other mechanisms they engaged with to achieve their aims. During two of these meetings, the evaluation team were given an opportunity to formally solicit views on participation requests. During the course of the evaluation, two of the organisations took part in meetings related to outcome improvement processes. In one case, this consisted of a formal meeting between the community organisations and a public service authority. In another, an informal community engagement event was attended by the wider community. The research team attended both meetings, allowing us to observe interactions between community participation bodies and public service authorities, and understand the different ways in which an outcome improvement process may take place.

3.2.4. Secondary data: annual reports on public service authorities

Secondary data collection spanned Stages 1–3. Two sets of annual reports were collected and analysed for the evaluation: 2017-2018 (capturing the period 1st April 2017 to 31st March 2018) and 2018-2019 (capturing the period 1st April 2018 to 31st March 2019). Despite public service authorities having a statutory duty to publish annual reports which outline participation request activities, low publishing rates in both periods meant that additional steps were taken to collect data from public service authorities. During Stage 1 of the evaluation, these steps included Scottish Government email communication informing public service authorities of the evaluation (April 2018) and reminding public service authorities of their statutory duty to publish their reports (July 2018); and evaluation team email communication requesting information from public service authorities on the intended online location of the published reports[8] (June 2018) and requesting that all public service authorities submit their reports (July 2018). During Stages 2 and 3 of the evaluation, emails from the Scottish Government were sent (May, June and August 2019) to public service authorities to remind them of the statutory duty to publish participation request annual reports.

Section 4.1 details the number of reports submitted by public service authorities. Findings presented for the period 2017-2018 include all reports and data made

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[8] The Act does not specify where the reports should be published online.

available by 31st July 2018. Findings presented for the period 2018-2019 include all reports and data submitted by 23rd August 2019. Once collected, both sets of reports were analysed using the same systematic approach. Findings from reviews of annual reports for both periods are available online[9]. In addition to the collection of annual reports, the research team gathered documents relating to participation requests from public service authority websites. Relevant documents included application forms and, in some cases, the outcome improvement process reports that outline any subsequent changes occurring as a result of participation requests. Including these data sources has allowed for analysis of the types of organisations that are submitting requests, the purpose of the request and the nature of any changes that may have occurred. Data were not available for all participation requests and some reports were incomplete with missing data; this is noted in the tables and figures throughout the report.

3.3. Sampling

This evaluation adopted purposive sampling of public service authorities, community participation bodies and other stakeholders, with the aim of ensuring that the sample would have broad and diverse experience and knowledge of participation requests.

3.3.1. Sampling of public service authorities

Public service authority interview participants were identified following the collation and analysis of annual reports for the 2017-2018 period. Information from the annual reports enabled a mapping of participation request activities and the identification of key people responsible for participation requests within public service authorities. For this evaluation report, interviewed public service authorities are labelled as 'PSA'.

The sample was chosen to reflect overall levels of participation request activities in different public service authorities. Given that local authorities received the majority of submitted participation requests (see Section 4.2 for further details), the majority (68%) of interviewees were stakeholders from local authorities. However, given that local authorities are only one type of public service authority named in the Act, it was important to represent the range of organisations involved. Table 2 shows the breakdown of the sample by public service authority type. PSAs 6-10 are different types of public service authority, as defined in Schedule 2 of the Act (Appendix 1 Public service authorities). In addition:

- PSAs 6 and 8 had not received any participation requests
- PSA 9 had been named as a secondary organisation on a participation request application[10]

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[9] https://www.gov.scot/publications/independent-evaluation-of-community-empowerment-act-parts-3-and-5-interim-findings
[10] According to the Scottish Government Guidance (p. 28), in addition to the public service authority to which a participation request is made, community participation bodies can elect to include additional public service authorities in an outcome improvement process, if the community participation body believes additional public service authorities should participate.

- PSA 2 were taking a different approach to participation requests (because they were trying to minimise participation request submissions by promoting other forms of engagement and participation)

Table 2 Sample by public service authority type

Code	Public service authority Type	Stage one participants	Stage two participants
PSA 1	Local Authority	2	2
PSA 2	Local Authority	2	4[11]
PSA 3	Local Authority	1	0
PSA 4	Local Authority	1	0
PSA 5	Local Authority	1	0
PSA 6	Transport	2	0
PSA 7	Health	1	0
PSA 8	Education	1	0
PSA 9	Other	1	0
PSA10	Other	1	0
Total participants		**13**	**6**

3.3.2. Sampling – Communities

Five community participation bodies were included in the final sample. To identify community organisations for the sample, the evaluation considered the spread and level of participation request activities reported by public service authorities in 2017-2018 annual reports (see Table 1, Stage 1). Based on details from the reports, the evaluation sought to include community participation bodies that would reflect a variety of experiences and contexts: for example, whether their participation request was accepted or rejected, and whether the participation request resulted in a change to any service.

For this evaluation report, interviewed community participation bodies are labelled as 'CPB'.

The original sample included four community participation bodies. However, attempts to contact one community participation body in the sample were unsuccessful and additional community participation bodies were contacted. Prompt responses were received from relevant community participation bodies and they were included within the revised sample. During the course of the evaluation, one community participation body, CPB 5, submitted a second participation request, therefore the total number of participation requests covered within the evaluation was seven (Table 3).

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[11] These four participants, from PSA 2, participated in a focus group – as detailed in Stage 2 (Table 1).

Table 3 Number of participation requests included in the sample

Participation requests		Community participation body code	Public service authority code	Community participation body Interviewees	Observations
1	Accepted	CPB 1	PSA 4	2	1
2	Accepted			1	0
3	Accepted	CPB 2	PSA 5	1	1
4	Refused	CPB 3		2	1
5	Accepted	CPB 4		2	1
6	Accepted	CPB 5	PSA 1	2	1
7	Accepted			2	1
		Total		**12**	**6**

In addition, two interviews were conducted with representatives from two community groups that operate in an area where a public service authority (PSA 2) was actively and explicitly seeking to minimise participation request submissions. These community groups have been coded as CG 7 and CG 8 (Community Group). In total, the sample included 14 interviewees (community participation bodies=12, CG=2) and six observations were carried out (Table 1, Stage 2).

3.4. Analysis

3.4.1. Analysis – Interviews, focus group and observations

The interviews and focus group were audio-recorded and transcribed verbatim. All interview participants, and their respective public service authorities /community participation bodies, were anonymised. Framework analysis was used to analyse the interview transcripts and field notes. This method is frequently used in policy research which aims to assess the impact of a policy as well as understand the ways in which a policy is implemented[12]. Using framework analysis helped us to identify connections within the data and answer the research questions. The thematic framework was informed by the Theory of Change developed in Myers *et al.*'s (2017) Evaluability Report (Figure 1). The framework was continually refined to ensure it reflected the themes within the data, and led to the development of a revised Theory of Change (presented in Figure 6).

Qualitative data were analysed in NVivo, a qualitative data analysis computer software package, to capture descriptive information about the actions undertaken by public service authorities to support and promote the use of participation requests.

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[12] Srivastava, A. and Thomson, T. (2009) Framework Analysis: A Qualitative Methodology for Applied Policy Research. *Journal of Administration and Governance.* 72. Framework analysis uses a five stage process (Familiarisation; Identifying a thematic framework; Indexing; Charting; Mapping and interpretation) and involves sifting, charting and sorting gathered data in accordance with key issues and themes.

3.4.2. Analysis – Secondary data

Quantitative data were extracted from the reports and analysed in SPSS, a software package designed to conduct statistical data analysis. The analysis synthesised the number of participation requests that were received, agreed and refused across public service authorities, and any changes to services that were identified by the public service authorities during the reporting period. Public service authorities were categorised by type (for a full list and the categorisation see Appendix 1) in order to explore differences across the different types of public service authorities. Further, the Scottish Government Guidance on participation requests (2017)[13] published for public service authorities was used to assess the content of the report (in terms of what may be missing in the reports). This approach enabled consideration of the extent to which this part of the Act is being implemented as intended.

Participation request application forms were analysed to supplement data within the annual reports. Details of organisations submitting participation requests, their purpose and the outcomes were coded in order to build an understanding, over time, of all participation requests submitted across the two reporting periods. Given that the annual reports are publicly available documents; these data were not anonymised.

3.5. Ethical considerations

A member of the research team provided all participants with an information sheet detailing the aims and purposes of the research. These sheets made clear that participation was voluntary and they could withdraw from the study at any stage. Participants were given an opportunity to ask questions about the study before deciding whether to take part. In the case of telephone interviewees, verbal agreement to take part was audio recorded at the beginning of the interview. Face-to-face interviewees and focus group participants signed consent forms. All data has been anonymised with no personal details divulged in research outputs. We approached one community participation body during the evaluation, seeking permission to present their participation request as a case study. We explained that, outwith the specific case study section of the evaluation, their responses would remain anonymous. The community participation body provided written consent to present their participation request as a case study.

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[13] Scottish Government (2017) Participation Requests under the Community Empowerment (Scotland) Act: Guidance. Available at: https://www.gov.scot/publications/community-empowerment-participation-request-guidance/

4. Level of participation request activity

This section considers participation request activities across Scotland between 2017 and 2019, detailing the reported figures, potential trends and common themes.

4.1.   Annual reporting figures

Part 3 of the Act requires that public service authorities publish annual reports detailing participation request activities. Although there is no standardised form for reporting, the Act states that annual reports must include:

- Number of participation requests received
- Number of participation requests agreed
- Number of participation requests refused
- Number of participation requests that resulted in changes to a public service, and
- Action taken to promote participation requests and support communities to make participation requests.

It is important to note that reports show the number of requests received, agreed to and refused *in that year* – many requests may be received in one year and decided the next year. As presented in Table 4, not all public service authorities submitted annual reports but some of them provided data informally to the research team. The findings presented here derive from annual reports 2017-2018 and 2018-2019 submitted by public service authorities as well as the informally provided data. These figures provide an *indication* of the ways in which participation requests are being implemented, understood and used.

Table 4 Data submitted by public service authorities

2017-2018			2018-2019		
Formal Report	Informal submission	No submission	Formal Report	Informal submission	No submission
38	12	26	**29**	3	44

In the 2017-2018 reporting period, of the 76 public service authorities required to report on participation request activities, 38 public service authorities submitted reports, 12 did not submit a full report but provided numeric data on participation request activities, and 26 did not share any information. Consequently, the participation request activity of 66% of public service authorities is taken into consideration for 2017-2018. In the 2018-2019 reporting period, of the 76 public service authorities required to report on participation request activities, 29 submitted reports, 3 did not submit a full report but provided numeric data on participation request activities, and 44 did not share any information. Therefore, the 2018-2019 data provided by 42% of public service authorities is considered here. The response

rates (taking into account formal and informal submissions), broken down by public service authority type, are provided at Table 5. With the exception of transport network public service authorities, the rate of reporting reduced across the periods for all public service authority types.

Table 5 Response rate by public service authority, formal reports and informal submissions

	2017-2018	2018-2019
Local Authorities	81%	53%
Health Boards	50%	29%
Education	33%	20%
Transport networks	71%	86%
Other	63%	40%
Overall response rate	**66%**	**42%**

4.2. Number of participation requests received 2017-2019

Table 6 sets out the available data summarising the total number of participation requests received by public service authority, by type (see Appendix 1 for public service authority categories), and the number of participation requests that were either accepted or refused. In total, 46 participation requests were received across both periods, 27 were accepted and 14 were refused.

Table 6 Number of participation requests across public service authority types

Public service authority (type)	Received		Accepted		Refused	
	2017-2018	2018-2019	2017-2018	2018-2019	2017-2018	2018-2019
Local Authorities	18	27	11	15	6	8
Health Boards	0	0	0	0	0	0
Education	0	0	0	0	0	0
Transport networks	0	0	0	0	0	0
Other	1	0	1	0	0	0
Totals	19	27	12	15	6	8

For the reporting period 2018-2019, public service authorities received 27 participation requests, accepted 15 and refused eight. This is compared to 2017-2018 when public service authorities received 19, accepted 12 and refused six. One participation request had not received a decision at the time of reporting. Compared to 2017-2018, the data suggests an increase in participation request submissions. Of the 27 that were received in 2018-2019, public service authorities deemed four of these 'invalid' because community participation bodies did not provide a clear intended outcome on the application. The invalid requests are not included in subsequent analysis.

Across both reporting periods, local authorities received the highest number of participation requests (n=18 [95% of total] and n=27 [100% of total] in 2017-2018 and 2018-2019 respectively). Whilst in 2017-2018 there was one participation request submitted to a public service authority in the category of 'Other', in 2018-2019 no participation requests were received by non-local authority public service authorities. The significantly high numbers of participation requests submitted to local authorities, as compared to other public service authorities may suggest a need to raise awareness that public bodies other than local authorities, including health boards and transport networks, are also included within the participation request legislation. This is an area that may require further exploration to understand participation request trends in greater detail.

4.3.　Participation request activity – common themes and potential trends

Using the data available, we can identify some common themes and possible emerging trends in participation request activity, participation request purpose, and the uptake of participation request by community participation body type.

4.3.1. Category of purpose

Across the annual reports in both reporting periods, the provision of information about the specific nature of the participation requests was inconsistent: some public service authorities reported this information and others did not. Indeed, the Act only *recommends* that the nature of the request is published: there is no requirement to publish the purpose of requests. By drawing together information presented in the reports, and triangulating this with publicly available application forms and outcome improvement process, Figure 3 details the number of participation requests by purpose, across the two reporting periods[14].

For the reporting period 2017-2018, the purpose of one participation request was not indicated. Two requests related to decision-making on land use, one request related to improvement of appearance, one focused on environmental sustainability while another one related to the representation of community organisations on public body committees. Three participation requests focused on infrastructure and service provision. Finally, a slightly higher number of participation requests were submitted

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[14] Categories presented in Figure 3 were developed by the evaluation team.

relating to the provision of specific services (n=4) and traffic management issues, including road and pavement infrastructure (n=6).

For the reporting period 2018-2019, the purposes of two participation requests were not indicated. There were two requests related to decision-making on how money is spent, two related to decision-making on how land is used, one to improve access to current amenities and services. A slightly higher number is evidenced in participation requests related to general infrastructure and service provision (n=5), including requests to be involved in decision-making about local events and local regeneration plans. Other requests were for community representatives to sit on public body committees (n=3), related to specific service provision (n= 4) and traffic management, roads and pavements (n=3).

Figure 3 Number of participation requests by category of purpose
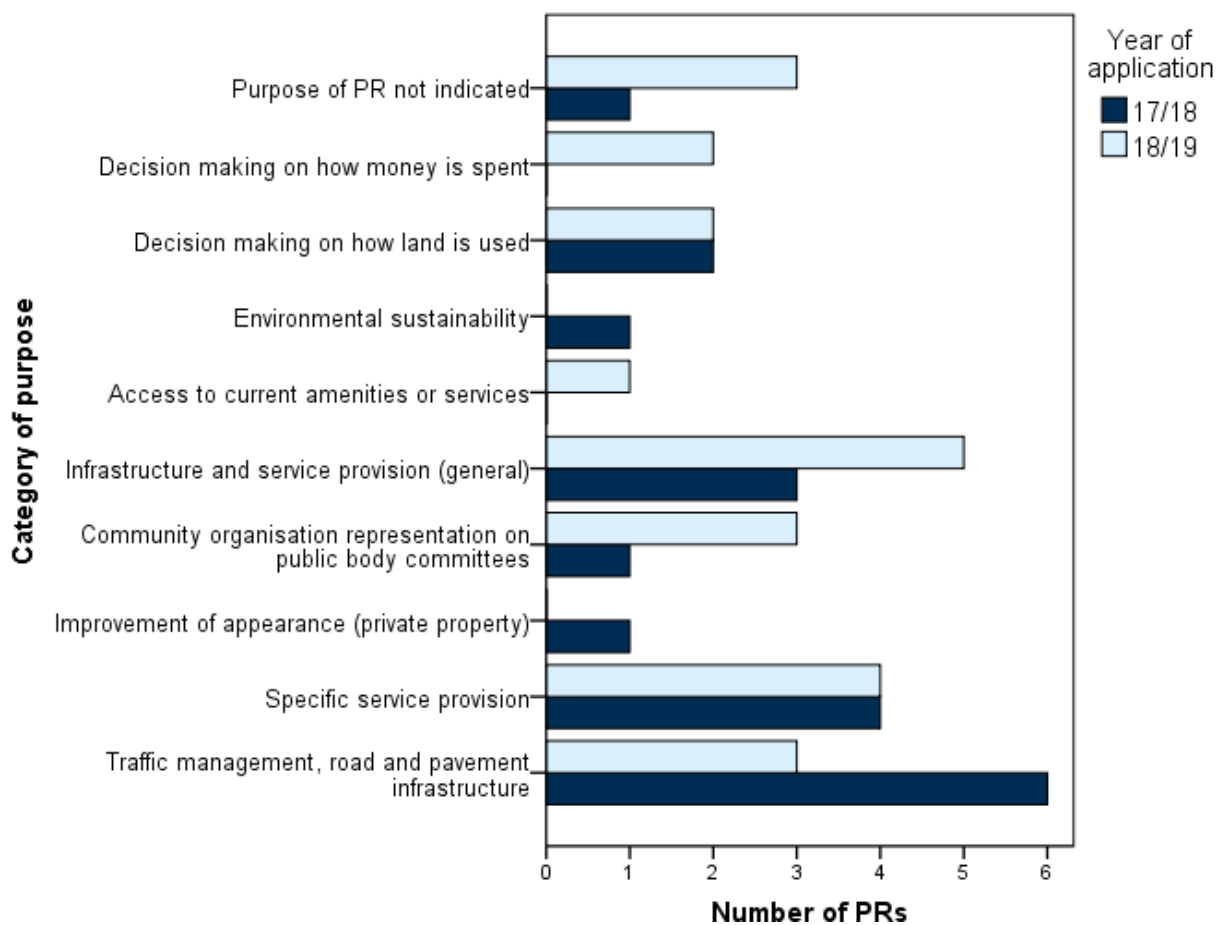
4.3.2. Uptake by different community participation body types

Across both periods 2017-2018 and 2018-2019, according to the available data, the majority of participation requests were submitted by Community Councils (n=13 in 2017-2018, n=12 in 2018-2019), suggesting that Community Councils are the most common form of community participation body to submit participation requests. In the reporting period 2017-2018, one participation request was submitted by a development trust, two by community groups, and two by a local charity. The community participation body type for one participation request submitted in this

period was not indicated. In the reporting period 2018-2019, four participation requests were submitted by a local charity, two by development trusts and one by a sports club (Figure 4). Community participation body type for four submitted participation requests was not indicated in this period.

Figure 4 Number of participation requests by community participation body type
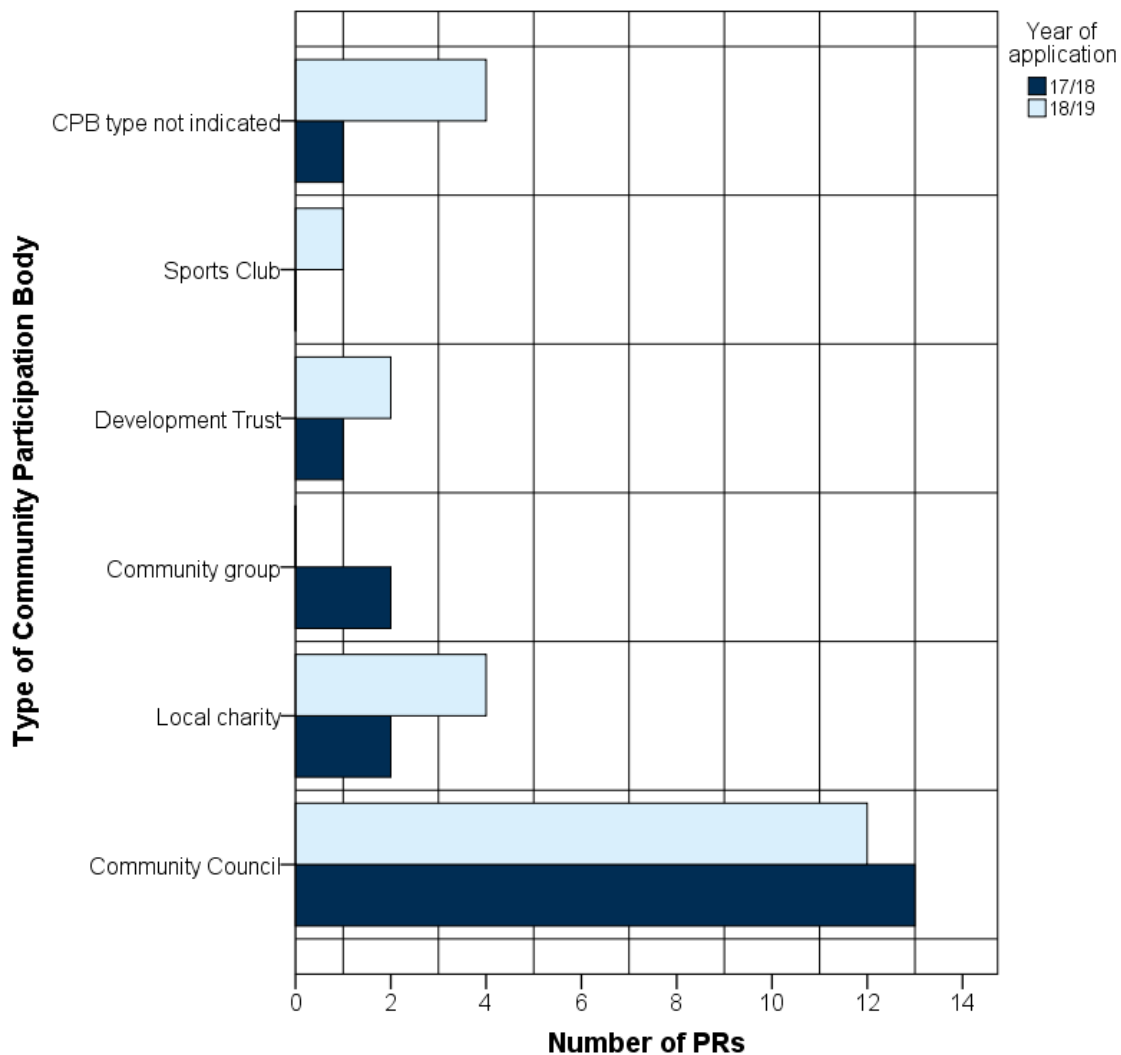
The Act specifically notes that community participation bodies do not have to be incorporated, or have a written constitution. In principle, this opens up participation requests to a wide variety of informal groups. In practice, however, the data shows that well-established and formalised community participation bodies such as community councils, development trusts and charities, tend to submit the majority of participation requests. This tendency for participation requests to come from more formal organisations and community councils raises two key considerations.

First, there is a potential for this tendency to have an impact on the extent to which participation requests may reduce local inequalities of outcome: research on community councils suggests that they do not currently reflect the socio-economic,

gender, or ethnic diversity of Scotland[15]. It is possible, of course, that the participation requests may have a positive impact on reducing inequalities despite coming from organisations that lack diversity.

Second, the lack of submissions by informal groups raises questions surrounding how well participation requests are understood by wider communities and the effectiveness of public service authority promotional activities. While many public service authorities had listed participation requests on their website, only some of them have been active in promoting participation requests to the wider public. It may be that the lack of submissions by informal groups is an outcome of public service authorities not being 'particularly proactive' (PSA 7) in terms of promotion. Indeed, during the interviews, there was a sense from some organisations that lack of promotion was behind low – or no – submissions.

> *"You think to yourself, 'how come we're getting so little of these requests? Is it because we're not promoting it correctly? It is because people are simply unaware?' You do start to question why we anticipated it being something that was quite high volume." (PSA 4)*

While public service authorities stated that limited resources could partly explain the minimal promotion of participation requests, alternative participatory processes (developed prior to the Act) continue to be utilised by both public service authorities and community groups. These, and their potential influence on participation request submissions, will be discussed further at Section 4.4.

4.4.   Use of alternative and existing processes

A further factor potentially influencing the level of participation request activity is the existence of alternative processes. The Scottish Government Guidance on participation requests states that participation requests are 'not intended to replace good quality existing community engagement or participation processes but are rather designed to complement and enhance them' (Scottish Government, 2017, p.8): participation requests are 'viewed as an opportunity for communities to establish *formal* dialogue with public service authorities' (Scottish Government, 2017, p.8) (emphasis added). It is not assumed that increasing participation requests are necessarily positive or negative.

Where public service authorities demonstrate commitment to the existing variety of engagement processes, this has, for some, resulted in minimising participation request submissions. One approach adopted by some public service authorities was the introduction of a pre-application stage as part of the process, where communities are encouraged to pursue alternative approaches to participation to get their desired outcome.

> *"The initial invitation is to a conversation, and what the elected members at committee had said was, 'If we can resolve things and we can talk to*

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[15] Paterson, A., Nelis, P. and Escobar, O. (2019) Strengthening Community Councils. What Works Scotland and Scottish Community Development Centre. Available at: https://static1.squarespace.com/static/5943c23a440243c1fa28585f/t/5cbec89df4e1fca95331a06f/155 6007160957/Strengthening+Community+Councils+-+web.pdf

*people and we get our directorates working in their direction without
having to go down a more formal route, that's what we would do.'"
(PSA3)*

Indeed, one public service authority report states that the reason there have been no participation requests is due to the success of other participatory mechanisms, while another public service authority highlights that the need for a formal approach such as participation requests should be the 'exception rather than the rule'. Whether this is 'ill-informed or not' (PSA 4) is yet to be seen, but it is likely that the outcome of this approach – to minimise participation requests through the application of other processes – has impacted upon the number of participation requests submitted. Within the public service authorities that have made statements about reducing the number of participation requests, no participation requests have been submitted to date. Public service authority focus on alternative and existing processes is further considered at Section 5.2.

5. Implementation of participation requests

This section focuses on the implementation of participation requests, considering whether, how and to what extent Part 3 of the Act is being implemented as intended in the legislation and the Scottish Government Guidance on participation requests (2017). Specifically, this section considers progress made and challenges faced by public service authorities when implementing the Act. Finally, this section considers actions taken by public service authorities to promote awareness of participation requests and to provide support to communities wishing to submit participation requests, with particular emphasis on disadvantaged groups.

5.1. Processes within public service authorities

Across the public service authorities interviewed, a similar participation request process has been implemented, in line with the Scottish Government Guidance on participation requests (2017). Policies make clear reference to assessment criteria, timescales, and many list the possible outcomes to which a community might contribute through participation request, including economic development, regeneration, public health, social wellbeing, environmental wellbeing and reduction of inequalities.

Public service authority stakeholders described the process behind participation request submissions, and particularly the importance of having a key contact person within the public service authority, who receives a participation request and forwards it to relevant teams to action. Key contacts should have a full understanding of the legislation and process, acting as an adviser to all parts of the public service authority. For example:

> *"When someone makes an electronic request even for information and so on, this is something we're reviewing, we are tending to say, 'Right, that subject or topic is around a certain service area, it falls within…', whatever it may be, parks, it may be planning, it could be whatever area within the whole organisation. My role at the moment is to make sure that the liaison and the information and the (Scottish Government) Guidance around what we can or can't do, according to the legislation, is adhered to." (PSA 4)*

In most cases, the key contact person also offers support and advice to the service areas and ensures that the timescales outlined in the legislation are adhered to.

Whilst public service authorities had put processes in place and could demonstrate an understanding of the requirements of the legislation, there was a significant discussion of the need to encourage informal dialogue between public service authorities and communities prior to a formal participation request application. Reasons for pursuing this approach related to public service authorities' desire to find alternative – and possibly more suitable – existing participation processes.

At the time of interviewing, one of the public service authority stakeholders was undertaking a review of the participation request process and procedures that have

been put in place within the public service authority. The review enabled a process of reflection with regards to introducing a provision for early discussions and/or expressions of interest to highlight less formal participation processes:

> *"In terms of going forward with this [participation request process], I'm encouraging us when we go to review our process, it'll need to go to committees and so on, but I want to try and encourage an informal dialogue." (PSA 4)*

Some public service authorities have included a pre-application stage as a formal part of the process, and they use this stage to encourage communities to pursue alternative approaches to participation. This reflects a desire among some public service authorities to pursue alternative routes through which communities can attain desired outcomes:

> *"The initial invitation is to a conversation, and what the elected members at committee had said was, 'If we can resolve things and we can talk to people and get our directorates working in their direction without having to go down a more formal route, that's what we would do.'" (PSA 3)*

5.2. Interpretation of legislation: understanding participation requests as a participatory mechanism

The Scottish Government Guidance on participation requests (2017) states that participation requests are considered an 'opportunity for communities to establish formal dialogue with public service authorities'. In practice, how participation requests have been interpreted varies between public service authorities and community groups.

Given their existing relationships and related processes[16] with their communities, some public service authorities struggle to see the added value in the introduction of participation requests. Two public service authorities in the sample, which had not received any participation requests, argued that the principles of participation requests were already embedded throughout their working practice. While the Guidance (2017) states that participation requests should not replace existing practices of participation, another public service authority (PSA 8) viewed Part 3 of the Act as unnecessary 'prescriptive legislation'.

From the perspective of some public service authorities, receiving participation requests represents a failure in the existing systems, approaches and processes designed to enable dialogue between the public sector and communities. As a result, the intention of some public service authorities was to limit or maintain low levels of participation request submissions, arguing that low participation request submission rates indicate community satisfaction in existing community engagement systems. In discussing the rationale behind minimising participation request applications – as stated in their participation request annual report – some interviewees stated:

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[16] Existing processes may include Local Community Planning Partnerships, Community Councils, Tenants and Residents Associations, Participatory Budgeting and Community engagement on re-design of healthcare services.

"We felt it was probably quite a bold statement to put in that report saying that we aim to minimise because that's possibly not what the government wants to hear but our rationale was sufficiently strong…It isn't an idea as much as who we are. The personality of the council and the CPP and how we work, to be honest, is challenged by the idea of participation requests being something that lands on us from a distance and which are not something that we're already aware of and don't form part of the fabric of our relationship with our community organisations." (PSA 2)

"I would class it as failure in my view if I got a formal request for participation… Many of my colleagues within [public service authority] would feel they have failed if they ever got a formal participation [request] because… we should have anticipated participating with these stakeholders or if they had an idea that we hadn't thought about – and that's perfectly foreseeable – that they hadn't picked up the phone to say, 'Hello, would you help me? I'd like to do X.'" (PSA 7)

"I've heard people from the mostly local authorities say, 'If we get a participation request it shows we're not doing our job properly'. They use the 'sign of failure' expression a few times." (Key Stakeholder)

The minimisation of participation requests may be a valid position if existing processes meet community needs. However, some community groups feel that public service authorities disregard or overlook their attempts to engage with decision-makers, and in this context participation requests represent a legitimising route. This also relates to the promotion of participation requests presented at Section 4.3.2: the active promotion of participation requests is crucial in raising awareness among community groups who feel compelled to pursue a formal path to participation.

As reported in an interview with a community group, there are also challenges associated with how the interpretation or impact measurement of the legislation is understood:

"We had an event in [community] actually organised by one of the MPs, [name], and someone from the government came and spoke about community empowerment, spoke about participation requests, and I actually asked the question, 'could they tell me, or the government tell me 'what is the measure of success when it comes to participation requests?', and he actually said, 'Well, if there's none.'"" (CG 8)

Challenges associated with quantifying the outcomes and successes of participation request processes are echoed in some of the annual participation request reports submitted in 2018-2019. One public service authority report stated that the establishment of an improvement process, which follows an agreed participation request, would be viewed as a 'failure of our support to communities and our Local Community Planning structures'. Further to this, another public service authority report states that the reason there have been no participation requests is due to the success of other participatory mechanisms and another public service authority

highlights that the need for a formal approach such as participation requests should be the 'exception rather than the rule'.

The interviewees highlighted that community and public service authority perspectives on effective community engagement may not be well aligned. A representative of a community group noted that, while the public service authority takes pride in their 'super-duper' systems that are in place (CG 7) to enable participation processes, this opinion may not be widely shared:

> *"It's like the emperor's new clothes… they're saying, 'Look at this fabulous shiny participation process we've got and isn't it wonderful', and we're saying, 'It's not working. Therefore, here's something you can wear', and they're going, 'But I don't need anything because this is what I've got, it's great.'" (CG 7)*

The same participant felt that community members make council officers' lives 'difficult' because 'they're getting a hard time from their seniors about us submitting participation requests':

> *"I'm saying, 'Just put in a participation request', the local authority are anxious. Their body language, their language, 'You don't need to do that, you don't need to do that' … they're going to take pride in having no participation requests because that proves how great their processes are." (CG 7)*

The representative of CG 7 supports participation request policy and legislation, although not necessarily how it has been interpreted by their public service authority, which works to reduce participation requests. CG 7 noted that the public service authority's intention to minimise participation requests may negatively affect the morale of community groups and discourage participation:

> *"It could be a disempowering process and actually have negative consequences on the groups or individuals who are trying to raise [participation requests]." (CG 7)*

A further perspective surrounds the apparent 'clout' participation requests provide: some community groups in the sample interpret participation requests as a mechanism through which community requests gain legitimacy – public service authorities are not able to overlook or dismiss submitted participation requests, given the formal process. As identified by one public service authority:

> *"It's good from a community group perspective. They've got that formal piece of legislation to say: 'Well, you can't ignore me, Mr. Council'." (PSA 5)*

This perspective of 'additional community power' was echoed by a number of community groups, particularly those in areas where it was felt that public service authorities were failing to actively involve local communities in addressing problems or developing solutions:

> *"We have now got a legitimate entry to discussions, and in that sense it is hugely important for us… So, in our case it's a crutch, it's a legal crutch that we'll bash over their heads if we don't get what we want." (CPB 5)*

Given that some public service authorities interpret participation request submissions as both prescriptive legislation and representative of systems failure, while community groups interpret participation requests as a positive legitimising mechanism, there may be further work required to ensure that the policy intent of participation requests is made clearer to all public service authorities, and particularly those focused on minimising participation requests. This perception has the potential to create environments where participation requests are more likely to be refused, or not submitted - outcomes contrary to the intention of the Act, and may limit the *intended* outcomes which include public service authority culture change and improved relationships between communities and public service authorities.

5.3. An appeal mechanism – public service authority and community participation body considerations

Part 3 of the Act does not currently provide a mechanism for appeal for the decision of a public service authority to refuse a participation request. At Section 3.102 in the Scottish Government Guidance on participation requests (2017), it is made clear that by April 2020, Scottish Ministers must report on the operations of participation requests and consider the possible need for an appeal or a review process. The lack of an appeal process in Part 3 of the Act was raised by some interviewees – both public service authorities and community groups. For some participants, who had wider knowledge of the Community Empowerment (Scotland) Act, comparisons were made with the appeal mechanism for asset transfer requests (Part 5 of the Act):

> *"The way it was set up, it doesn't have an appeals thing, it doesn't have… there's no appeal to the Scottish Ministers, for example… I don't see why, when they set it up, they didn't make a community asset transfer and participation request exactly the same." (PSA 3)*

There is potential for the absence of an appeal mechanism to undermine the rationale behind Part 3, as public service authorities can refuse participation based on loosely and locally defined criteria. Considering that participation requests can be refused if there are 'reasonable grounds' to do so[17], currently public service authorities retain power over the process:

> *"(Part 3 is) an essential bit of policy for us because it gives us a way for them to pay attention and have rules that they need to abide by… but obviously none of that matters if they can get away with just not validating it." (CG 7, operating under a public service authority working to minimise participation requests)*

It is because of the absence of an appeal process, that some public service authority and community interviewees described participation requests as 'worthless' or 'lacking teeth':

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[17] The Guidance does not detail what may be reasonable grounds for refusal as 'this must be determined in the circumstances of each individual case' (Scottish Government Guidance, 2017).

"The participation requests need to have some… they're worthless if you can just keep not addressing them at a local authority level." (CG 7)

Despite the absence of an appeal mechanism, two community participation bodies noted that if their participation requests were rejected, they would seek dialogue with the Scottish Government or a public service authority Executive Director anyway, to commence a form of informal appeal process.

"It's no good putting a good idea on paper if they don't support it… if [public service authority] had refused our request, we would have gone straight to the Scottish Government and said, 'Your law is not being observed', and see what would happen. So, they need to monitor that just a little bit more closely." (CG 8)

Further consideration of an appeal mechanism is given in Section Ten – Recommendations.

5.4.   Awareness raising and support for participation requests

The Scottish Government Guidance on participation requests (2017) states that public service authorities have a responsibility to promote participation requests. At present, public service authorities have a duty to promote participation requests through a website (specific website locations differ between public service authorities) and social media channels. The Guidance also recommends that public service authorities take additional steps to promote participation requests, including the appointment of a point of contact, the use of a range of communication channels and making particular efforts to promote participation requests to more marginalised and disadvantaged communities.

In 2017-2018, public service authorities promoted participation requests through different pathways (Table 7). During this period, information provided online was the most common method of participation request promotion. Twenty-seven public service authorities also identified first points of contact for participation requests on their websites. Many reports made reference to the Guidance document and public service authority procedures and policy documents. Nine public service authorities reported delivering external information events to promote awareness of participation requests. Examples of these events included presentations at Community Planning events and co-hosted events with third sector agencies. Five public service authorities noted the events and activities they had organised to promote awareness of participation requests internally. Examples included delivering briefings to elected members and Community Planning Partners and holding training seminars and workshops for council officers.

Table 7 Types of promotion activity – 2017-2018 and 2018-2019

	Number of public service authorities reporting	
Promotion activity	2017-2018	2018-2019
Website	30	15
First point of contact for participation requests	27	7
Internal training for public service authority staff	-	5
External information events	9	2
Internal information events	5	2
External training for community members	-	1

Across the 29 formal reports submitted for the period 2018-2019, 26 included limited qualitative data related to activities supporting participation requests by and within public service authorities; in comparison with 2017-2018, the level of detail provided in terms of promotion reduced significantly. The reduction in the number of public service authorities reporting promotional activity does not necessarily indicate a reduction in activities. The various pathways for promotion and support in 2018-2019 are identified in Table 7.

In 2018-2019, online information appeared to be the most common form of promotion and support activity (websites providing links to the Scottish Government Guidance on participation requests (2017), procedures and policies specific to the public service authority and links to support and information offered by Scottish Community Development Centre). The second most commonly reported activity was the inclusion of a named first point of contact, with seven public service authorities using this method to promote participation requests.

Examples of external information events to promote awareness of participation requests included co-hosted events with third sector interfaces; and co-hosted events with the Scottish Community Development Centre. Examples of internal information events included regular briefings for elected members; and regular briefings with relevant council officers and members of staff. Alongside specific information and awareness raising there were six public service authorities which stated that they had held training events (either external or internal). Examples included an e-learning module for citizens; training for elected members; and training for specific staff including community planning partners and senior management teams. During an interview, one public service authority highlighted the possibility of a wider, national campaign to raise awareness of the Act, arguing that they felt there would be value in such a campaign.

While all public service authorities in the sample had listed participation requests on their website, some conceded that they have not been overly active in specifically promoting participation requests to the wider public.

"We are compliant and we don't want to shoot ourselves in the foot but… I wouldn't say we're overly aggressive in going out there. It is on our website." (PSA 8)

"[We] haven't done anything particularly proactive… yes, we could be accused of not promoting it." (PSA 7)

Some interviewees felt that participation requests had not been submitted due to lack of promotion by the public service authority. Often, poor promotion was linked to financial and time pressures and priorities faced by public service authorities who had no resources to promote the new policy. Some public service authorities suggested that participation requests are viewed as an additional burden for public service authority personnel. Two public service authorities highlighted the context of reducing staff, combined with increasing pressures and responsibilities to process participation requests:

"It's challenging because it's coming in at a time where you are reducing staff constantly. Parks resources have reduced by 75% in the last 10 years… That's similar to probably all local authorities across the UK so, therefore, when you've got someone coming in saying, 'you can manage parks in a better way', that's great, but you need that resource and that officer's time to actually physically go and sit down and look at that idea and work that through. That's just across the board. You'll get that with every service department to say, 'Who's actually going to do this? Who's going to do the work? Who's going to sit down and work through and cost up the model and look at the legislation that's required behind it and stuff like that?'. There is that additional burden that's on the local authority and the officers' time to actually work through the idea." (PSA 5)

"For us to be able to do it in this backdrop of less and less people and more and more pressure. For instance, if I phone a housing officer and I ask them to help me with something that's to do with participation request, they're more likely to say, 'look, I haven't got any time in the day to do what I'm already doing'... It's tighter than it's ever been. I notice it's tighter in those areas, like in the localities where they have much less staff and they struggle sometimes to do all the workload… they'll sometimes say, 'This isn't as important to us as what it maybe seems to you'." (PSA 4)

5.5.   Equalities and disadvantaged groups

Myers *et al*. (2017) suggest that there is potential for participation requests to exacerbate inequalities, for example if more advantaged groups or communities make greater use of the legislation. As such, the Scottish Government is interested to explore the effect of participation requests on inequalities and, in particular, to understand whether, how and to what extent participation requests may address or exacerbate inequalities. It is important to note that, in addition to this evaluation, the Scottish Government has commissioned additional work aimed at tackling concerns

around participation requests and inequalities[18]. The Scottish Government Guidance on participation requests (2017) highlights a range of activities that may be required to promote participation requests to specific groups with protected characteristics and 'disadvantaged and marginalised groups' more broadly.

In the period 2017-2018, no public service authority annual reports made reference to disadvantaged or marginalised groups. In 2018-2019, only two annual reports made reference to these specific groups. One public service authority noted that they had discussed participation requests with organisations representing various equalities groups and that they would continue to 'review how to better tailor support for more marginalised groups'. A second public service authority highlighted that a process had been established to monitor and analyse participation request submissions from an equalities perspective in order to be 'fully aware of any underrepresentation from protected characteristics groups and [so we] can work with partners to ensure that we increase focus on opening up channels to maximise opportunities for participation.' Although the two public service authorities highlighted that they would seek to ensure that the participation request process and related materials were simple and accessible, it was not clear how this would be achieved.

Some public service authorities included the publication of leaflets and posters as part of their promotion activity. This is one of the suggestions made within the Scottish Government Guidance on participation requests (2017) to help reach groups who have less access to digital technology. However, other suggestions from the Guidance, including translation of materials, accessible venues and interpreters, were not mentioned in any of the reports. Interviews with community participation bodies indicated that they became aware of participation requests through a number of mechanisms including local MSPs, community council meetings, public service authority weekly bulletins, personal contacts and national press coverage following the launch of the Act. Interestingly, while public service authorities' approach to raising awareness is currently focused on listing information online, none of the community participation bodies indicated that they were initially made aware of participation requests through public service authority websites.

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[18] During this evaluation, and in response to the claim that participation requests may exacerbate inequalities, the Scottish Government commissioned SCDC to conduct work on addressing inequalities with three pilot communities in high Social Index of Multiple Deprivation postcodes, and also addressing accessibility barriers such as language, disability, and transport.

6. Intermediate outcomes of participation requests

Previous sections detailed activities, implementation and uptake, taking into account progress made and challenges encountered. This section explores the intermediate outcomes associated with the implementation of Part 3 of the Act. The outcomes identified within the Theory of Change (Figure 1) in Myers *et al.*'s Evaluability Report (2017) are: public service authority culture change; communities have greater involvement in public service authority decision-making; and greater understanding of public service authority decision-making. In addition, based on the data generated through this evaluation, this section presents evidence of an additional intermediate outcome – *Improved communication and trust between communities and public service authorities*.

Sections Six and Seven provide further analysis of the 'expectations' that communities thought they would/could achieve through a participation request. Where appropriate, these are subsequently reflected in the revised Theory of Change (Section Nine).

6.1. Public service authority culture change

In Myers *et al.*'s Theory of Change (2017), the outcome related to public service authority culture change is based on an assumption that participation requests will help to build and encourage more equal relationships between communities and public bodies, normalising community and public body partnerships. This section explores whether and how participation requests stimulate such changes in the relationships between communities and public service authorities.

Despite the relatively low numbers of participation requests across public service authorities, there was a sense, from public service authority interviews, that the provision of participation requests has been part of wider changes. Throughout the interviews, public service authority participants highlighted the importance of culture change within public service authorities and noted key challenges with this. They also highlighted the ways in which participation requests were helping to drive a change in culture.

Most community participation bodies indicated that their relationship with public service authorities had been challenging both historically and during the process. In defining these relationships, some community participation bodies had described them as 'very difficult' (CPB 4) and 'pretty negative' (CPB 3). Some public service authorities and community participation bodies highlighted that the culture of public service authorities does not encourage more equal relationships between communities and public bodies and undermines the underlying ethos of the Act, generally.

> *"There's a certain amount of detachment in local government where the local authorities have, up until now, enjoyed plenty of income and money and they've decided things for the community as opposed to involving the community in certain things. It's this detachment that has in a way*

detached the interconnection between local government and the community, because we don't consider ourselves to be anything other than just volunteers representing the community. As a consequence, things happen over which we have no authority or knowledge of." (CPB 5)

"Those that are in power have to be willing to share that power and that's where the locality planning part of what we do in [public service authority] is so important… initially the councillors weren't too keen on sharing that power." (PSA 2)

"These people [public service authority] don't like you standing up for yourself and that's what we do … and sometimes that's why our councillors don't come to our community council meetings because they know we won't stand for any rubbish. If they're not doing their job we'll call them out on it, and that's pretty bad at the end of the day because we shouldn't have to do that, but yes, it happens." (CPB 3)

"I'm not naïve. I think councils don't like being interrupted or stopped having made decisions … councils typically find it hard to make decisions and often are bound by policy and all sorts of political stuff that goes on. Making a decision is quite hard and then for a community to pop up and say, 'hang on a minute, we don't like this decision', and then to have to go through a whole process of improvement or participation request-type processes is probably an irritation to councils. I don't think we should be naïve and think that they won't try and tick boxes and run through a process without properly engaging with it or doing it in a meaningful way." (CPB 1)

Among public service authorities, there was agreement that participation requests are part of a wider agenda of encouraging collaboration between organisations and stakeholders to embed community participation in service delivery and design, much in-line with the proposals presented by Christie Commission (2011). Participation requests are viewed as one mechanism through which to encourage a change in practice. It was recognised that participation requests offer additional power to communities, as compared with other mechanisms as there is a legislative requirement for public service authorities to engage with communities through participation requests. The formal process means that public service authorities are not able to overlook or dismiss submitted participation requests, as discussed previously at Section 5.2. The legislative requirement was felt to be necessary within some public service authorities where there was not a consistent approach or understanding of community engagement and participation:

"What participation requests potentially can do and … will do, going forward, is to keep highlighting that and making it a bit more of a consistent thing across the whole organisation so that departments are now beginning to say, 'Oh, I need to take notice of this legislation and I need to get my department up to scratch in terms of the dialogue and the quality of the dialogue that it has with the citizens that it serves'." (PSA 4)

"This is a piece of legislation that's come in to get communities involved more in decision-making processes and it wasn't to be seen effectively as another workload... the idea was to improve the services the council actually provides at the moment and a lot of staff don't see it that way. They just see it as community groups finding another vehicle to complain about how services are being delivered and it's getting that message across because in a number of cases I had to remind colleagues that we're supposed to be proactively promoting this piece of work, this Act, to say 'We want to get you guys involved in the process'." (PSA 5)

Predominantly, the necessity for culture change within public service authorities was highlighted by stakeholders from local authorities who emphasised that, in the past, within councils' decision-making practice, little consideration was given to community perspectives. As such, participation requests help to increase value placed on including communities in decision-making.

"There are all sorts of consultations going on, left, right and centre about the budget etc. that is in a way just listening to what people are saying and trying to accommodate across the council what different areas are looking for, what different sets of people are looking for, and trying to accommodate that as opposed to maybe what would have happened in the past where it was a council saying, 'No, this is what we're doing', and maybe didn't listen as much or take account as much of what the people on the ground felt was important for their wee village or their wee town. It was a broad brush, one size fits all approach." (PSA 1)

That being said, culture changes can only occur over a prolonged period of time. One public service authority highlighted that, while a new policy certainly helps to change culture, wider institutional change cannot be achieved quickly:

"The work is to try to bring change through the entire council. Pretty good support from our Chief Executive who is definitely up for change but trying to get that transformation message to filter down through all of the council, through middle management to right down on the ground, it can be challenging because cultures build up over years and decades, don't they, and people evolve ways of doing things... I think there's a critical mass thing in this that once it gets beyond a certain point, it becomes the norm and it's drip fed over time. I'll not say it's one person at a time but it kind of is." (PSA 3)

Further, CPB 1 noted that wider culture change may be enabled by emerging good practice case studies, such as the case study presented at Section Eight, where participation requests have been able to generate good outcomes for both the community and the public service authority:

"It terms of actual culture change, to me it happens with good examples and so if we can get a good outcome here and… these guys can say, 'oh, that was fun', and they're appreciated and they come along and the community likes them rather than loathes them. You can't get culture change just in a vacuum, it has to be, 'oh right, my life's going to be better, my job's going to be better, I'll take that approach'. So, I hope we get a good outcome and can become a good example for both the

community and the public bodies to go, 'Oh right, that's a good route to take.'" (CPB 1)

From the perspective of a non-local authority public service authority, there was less focus on participation requests as a support for culture change because there was less of a perceived need to alter the organisational culture. Whilst this public service authority was fully compliant with the Act, supportive of the ethos of participation requests and recognised the value of community engagement and participation, some stakeholders noted that they were unsure whether participation requests offered anything beyond what the public service authority already offered.

"It would be hard to get any more value added through this process because we do have quite an active role with the communities just now. We have community development managers so it's hard to see where the added value would come into this." (PSA 8)

While some community participation bodies reported negative relationships with public service authorities, this was not consistent across the sample. Other community participation bodies, including CPBs 2 and 5, reported that they have 'fairly' or 'pretty' good relationships with public service authority individuals. Further, CPB 1 indicated that the introduction of participation requests had catalysed enthusiasm within a public service authority for participatory working. The same participant indicated that initiating the participation request process allowed the public service authority to engage in positive discussions – something the community participation body had not previously experienced in exchanges with the public service authority.

"It did give them an 'in' into appearing to be positive in their engagement, and we responded positively. So, it did create a different basis into it. I mean, we have had a lot of engagement with them before, but this was… before we've either complained or rolled over, and this time it was like we weren't complaining or rolling over, we were saying: 'let's work together on this', and the participation request was part of that process of enabling that to happen." (CPB 1)

That being said, CPB 1 indicated that they are 'having to work very hard on maintaining good relations with [the public service authority]'. It was clear, however, that both the public service authority and community participation body involved with participation requests 1 and 2 (PSA 4 and CPB 1) (Table 3), acknowledge the value in community participation in general and in participation requests in particular. This was not the case for all interviewees. If there is not institutional support for participation request, however, it is possible that submissions enable an adversarial culture. One representative from CG 7 noted the potential for participation requests to introduce or exacerbate discord between stakeholders:

"If [public service authority] never validate our request all you've created is … an adversarial culture. They're pretty annoyed that we've put that in … So, that's not changing a culture, that's just closing the door, that's closing ranks against a community organisation. It makes it much more difficult for us to meet them in any kind of meaningful partnership if they see us as an adversary." (CG 7)

CG 7 operate under a public service authority actively seeking to minimise participation requests (PSA 3); the public service authority regards participation requests as a failure of existing participation processes. On a similar note, PSA 1's reporting of a participatory process indicates an element of discord between community participation body and public service authority:

> *"Whenever I speak with [name] or any of the community council now, they still bang on that they haven't been consulted and it really winds me up because they have been consulted. We've took them along very much with us during the [outcome improvement] process…They still feel like they've been let down on the consultation and you think, 'Oh my God, how much do you want?'" (PSA 1)*

As a result of the more negative outcomes of participation, while the interviewee would 'rather keep [the community council] on board and keep them involved… higher up, there's this reluctance to further engage' with the community council (PSA 1). Community expectations are considered further at Section 6.2.

While many community participation bodies and public service authorities confirm that participation requests are helping to drive a change in culture, the data suggest that this may not be the case across all the organisations in the sample, and that much relies on the public service authority and community participation bodies acknowledging the (potential) positive outcomes of participation generally and participation requests specifically.

6.2. Communities' involvement in public service authority decision-making

A potential outcome of participation requests identified in Myers *et al.*'s (2017) Theory of Change (Figure 1) is the changing level of community involvement in public service authority decision-making. Myers *et al.* (2017, p.20) note that participation requests are 'intended to enhance existing community engagement and participation processes (where required), and ultimately lead to greater involvement of communities in public service authority decision-making'. The assumption is that increased community involvement in decision-making can result in service improvement.

In many cases, the participation request process and community participation body involvement had influenced the outcome of public service authority decision-making.

> *"The local groups and the people around there, and this is not arguable, this is a fact, they did influence the final decisions on that… I can tell you that, and I'm convinced that as a result of the participation request process, that made that group, those specific people who live and work in that area, able to influence the outcome of what the council does with that land. That, in itself, is a good example of participation requests working to the best advantage of the people." (PSA 4)*

In the annual reports, some public service authorities had provided examples of where and how participation requests had resulted in changes to public services (Table 8).

Table 8 Changes to public services as a result of participation requests

2017-2018	2018-2019
• Agreement between the Council and Helensburgh community council which ensures that better communication in relation to roads issues will be available. (Argyll and Bute Council) • Action taken to improve the external appearance of a private property - resulted in improvements to community environment. (Clackmannanshire Council)	• Officers met with representatives of the Hall Committee and agreed to add in new storage facilities and improve disabled access to the Hall. (Perth and Kinross Council) • Addition of gates for pedestrian and vehicle access. This was considered to provide a reasonable solution to all foreseen combinations of movements of vehicles and pedestrians. (Orkney Islands Council)

Prior to engaging in the participation request process, one community participation body indicated that their attempts to engage in a public service authority decision-making process had not been fruitful:

> *"Previously, certainly in my first co-opting on the community council, what would happen is the councillor would come, we would raise concerns and issues. The councillor would say they'd go and see about it and then we would eventually get something back, feedback, and it took quite a while. We never got access at that stage to really… the movers, the shakers."* (CPB 2)

Prior to the participation request process and in addition to raising concerns with councillors, members of CPB 2 had engaged with the Community Planning Partnership, 'presented reports, done surveys, made recommendations, sought… cajoled, embarrassed, gone to the press, been angry people in the local newspaper', and had approached a number of councillors representing three different political parties, yet the community participation body had not made progress nor engaged in meaningful dialogue. Through the participation request process, however, they note:

> *"We now have access to the people who advise the councillors and what we're now getting is direct decisions, why decisions are getting made. We're now getting the opportunity to put in other concerns and raise questions and get answers."* (CPB 2)

In discussing the community involvement, during the second meeting held as a result of the participation request, a representative of CPB 2 noted:

> *"We had the stakeholders. We had the police, we had the council, we had the roads department, parking, cleaning. So, we were suddenly getting together in the same room everything that affected the community. So, we could now ask direct questions. Before, if you were*

> *lucky, you'd get maybe one or two questions to the councillor… so, it's working so far in so far as we're now raising concerns and we're getting answers back." (CPB 2)*

CPB 2 note that, through this process and because they have "explanations and answers to things that we didn't know before", this has enabled them to do two things: firstly, they are better able to disseminate information to the residents of their communities. Secondly, by identifying a problem and receiving a response from the public service authority, they now have the opportunity to look for solutions to the problem. In addition, through the appointment of a key person at the public service authority, CPB 2 now no longer have to approach councillors directly. Rather, they report that their key person is an effective conduit, working to provide answers and address concerns.

While some community participation bodies and public service authorities acknowledge that community involvement in public service authority decision-making has progressed through the participation request process, a representative of one community participation body, whose participation request had been refused, was less positive and sceptical of the extent to which community involvement will influence the final decisions made by public service authorities.

> *"At the end of the day, it's always going to be these officials, these people in government that are going to have the last say because they'll only want to listen to what you've got to say if they're in agreement… if you're in agreement with them. Honestly, that's what it is. I've been doing this for too long, I've spoken to many MPs, MSPs, councillors, I don't have faith in any of them. None of them, nope." (CPB 3)*

The interviewees highlighted some steps which could be taken to improve community involvement. For example, CPB 2 stated that, during dialogue with the public service authority, the material made available to the community 'wasn't the most satisfactory': the councillor involved was not fully informed and could only provide information that they themselves had been given. Similarly, CPB 1 note that they 'never really were clear on how [their] evaluation fed into the eventual selection of the bidder' – i.e. the decision made by the public service authority. In addition to greater clarity or transparency, community participation bodies noted that involvement would be improved by having access to a wider group of stakeholders. For example, CPB 2 noted that they would like to include 'the higher echelon of the council' as well as private limited company stakeholders, although they recognised that these latter groups are not required to engage with community organisations.

Further limitations to the participation request process were discussed by the interviewees. One public service authority highlighted that community participation can lengthen decision-making processes, and have cost implications – an unintended outcome of Part 3 of the Act and a key consideration, given the resources available to public service authorities.

> *"We said, 'look, we understand what you're asking for and you want to be involved in this and you want to be involved in that, but I have to deliver it efficiently, which means I don't design it by committee'. Ultimately somebody has to make decisions. The issue I have with construction projects is you don't have that same flexibility to take on people's wishes.*

Some of it's very obvious, you go, 'Well, it's just not safe to do that', some of them you go, 'It'd be great if we had all the money in the world, but we don't'. So, can we afford to build it? That's the first question for us, and can we afford to operate and maintain it? Because that's the other question. So, we might be able to afford to build it, but actually the costs of operating it and maintaining it means that we're not viable. So, there has to be perhaps greater consideration given to… is it a one size fits all for community participation requests, or do we have to look at subtly different processes depending on what it is the community wants to participate in?" (PSA 1)

PSA 1 suggested that different participation processes may be needed in different contexts – infrastructure and policy, for example. Further, community participation bodies highlighted that the extent to which communities are involved in public service authority decision-making may be dependent on timing; if a public service authority decision-making process is already at a late stage, community involvement may not be well received:

"[public service authority] have an application pending with the Scottish Government to the Communities Capital Regeneration Fund and they probably don't want us involved until there's an outcome on that, a decision on that fund application… Because once the money hits the ground they have to build the building and they probably don't want to be talking to us about, 'Well, what kind of building? Is it the right building? Is it the best use of that money? Could it have been used better elsewhere?' They probably don't want that discussion." (CG 7)

A transport public service authority (PSA 6) indicated that local community participation can be at odds with commercial interest and national legislative requirements – in terms of the need to deliver statutory services and consider the wider context:

"When we make a decision about whether to provide a socially necessary [transport] service, we have to do it on the basis of what the likely demand will be, we have to make sure that the [transport] service will provide access to certain local services etc. but we also have to make sure that the [transport] service doesn't in any way compete… with the commercial service. So, that tends to restrict your options in a sense. So, you could have a discussion with a community group about that service or about how those decisions were made, but there might be relatively limited scope to make significant change. Yes, it is this issue of expectation versus the practical realities of what we as an organisation are required to do as well." (PSA 6)

The data also highlighted a key consideration for the evaluation surrounding the nature of participation – do participation requests enhance truly meaningful participation or merely encourage community consultation? The experiences of CPB 1 suggested that the involvement of the community was initially limited to consultation during the outcome improvement process:

"The online questionnaire, they basically asked, do you want this to be commercial or let or residential? That was my interpretation of it… It got

me really annoyed because they didn't say, 'What do you want with the site? Is this okay?', it just said, effectively, 'do you want this to be residential or…?', so assuming the sale was going ahead. It wasn't asking people about it or what they want." (CPB 1)

The nature of the process initiated by the public service authority suggested that 'the council were on a mission to sell the site' (CPB 1) – something that the community were opposed to. As a result, 'many in the community reacted very badly to it' (CPB 1). They stated that one of the focus groups, initiated as a result of the participation request process, responded with a clear message to the public service authority: 'This isn't an okay process you're engaged in' – meaning both the process of the consultation and the proposed sale. That being said, while early involvement may have been limited to consultation, over time, as the outcome improvement process continued, the relationship between CPB 1 and the relevant public service authority developed into more meaningful participation.

The experiences of CPB 5 were similar to CPB 1's early participation request process, in that they felt that the public service authority had already made a decision and community participation was not meaningful:

"I also suspect that even before the participation request was granted that [public service authority] had made its mind up on what it was wanting to do, and the terms in which the participation request was granted … you felt they were trying to shove us sideways. They were adhering to the letter of the legislation rather than the spirit of it." (CPB 5)

A final consideration under this outcome, community involvement in public service authority decision-making, pertains to expectations of outcome. Some public service authorities discussed the potential relationship between improved community involvement in decision-making processes and raised community expectations:

"Engagement leads to expectation. So, if I engage with you, the expectation is that you will get what you want…. It's a real difficult fine line to deal with. I'm not negating that we shouldn't do engagement. I'm an advocate of it… If you go to a public meeting and it's suggesting they're about to close a [public service], the expectation of the whole of the public in that particular community says, 'We don't want it to close' that by default, we won't do it… Yes, we're listening to you but we're going to close it anyway, 'Well, what's the point in listening to us if you've already made up your mind?'. The Empowerment Act that the government put in place further supports that expectation." (PSA 7)

However, this statement contradicts the view of some community participation bodies who stated that, even if they do not get the outcome they desired, being involved in the process is a significant improvement. Transparency is further discussed at Section 6.3.

6.3. Increased understanding of public service authority decision-making

According to Myers *et al*. (2017), greater community participation in public service authority processes through mechanisms such as participation requests may lead to increased understanding of these processes. This section explores whether and how participation requests contribute to community understanding of public service authority decision-making. As reported in Section 6.2, participation requests have enabled the community participation bodies to engage with public service authority decision-making by being invited to join a dialogue with key stakeholders engaged in the decision-making process. By engaging with public service authorities through the participation request process, some community participation bodies noted that they are now better aware of the processes involved and the rationale behind public service authority decision-making.

> *"We've sat there and we've watched what's being discussed, especially with regards to our own stuff because we want to know what's actually being said and who's supported us at the end of the day." (CPB 3)*

CPB 5 indicated that a key motivation behind their participation request was to gain an understanding of public service authority decision-making:

> *"[We wanted to be] able to approach them and get a reason, or get a reason why something wasn't being done, or an idea when it was going to be done." (CPB 5)*

The importance of enabling communities to better understand public service authority decision-making was raised by PSA 2, who claim to be very active in terms of community engagement.

> *"You are always going to get people that are involved in the community that are never quite happy with your response, but as long as they can't question your process. So, by clearly identifying what your process is and saying, 'Look, you might not be happy with the outcome, nobody might be happy with the outcome', … I think some people don't know the rationale behind some of the decisions that are being made as well. So, to involve them and let them see exactly… be transparent with them as to what's going on." (PSA 2)*

It is important to note that PSA 2 seek to actively reduce participation requests and instead adopt alternative mechanisms, outside of the Act, to enable participation. Their experiences suggest that participation requests are just one potential mechanism to enable understanding of public service authority decision-making.

That community participation bodies place value on gaining a better understanding of public service authority decision-making processes was raised by PSA 2, as well as community participation bodies. Further, community participation body interviewees also acknowledge that full involvement in the process may not be achievable, given the sensitive or confidential nature of some aspects of the process (financial contracts, for example).

> *"You can fire off an email or you can actually contact them directly and say, 'I'd like to understand, tell me why is this being decided? What are*

the pros and cons that you've actually seen', regardless of what we think it would be nice to know… some of it might be sensitive financially … but that's fine, you can tell us that and say, 'We can't tell you this because it's privileged'. That's fine, we get that, but if they get that information bit, why not?" (CPB 2)

At Section 6.2, the importance of transparency in enabling community involvement in public service authority decision-making was introduced. Here, under this outcome, transparency was raised again. Community participation bodies and public service authorities link greater transparency with participating in discussions.

"It's just about being honest with people is the key to this… There can't be any hidden agendas in this stuff. It has to be about: what do you want us to do? We can do that, that and that, but we can't do this, and if we can't do this then we need to explain why we can't do it." (PSA 4)

"If you can get the residents to engage then … you have people who are better informed, so you don't have people who are resentful or angry or whatever, so it's a win-win. If you treat us like mushrooms and keep us in the dark, we won't take well to it… even if I don't get the answer I want, if somebody explains to me then that's beneficial as far as I'm concerned. As long as somebody tells me. Open, transparency, be honest, tell us." (CPB 2)

For CPB 2, the outcome of improved transparency is that they are better able to communicate with the wider community, answer concerns and work to develop solutions. As such, participation requests have contributed to community understanding of public service authority decision-making.

6.4. Improved communication and trust

In addition to the outcomes identified by Myers *et al.* (2017), the evaluation identified a further potential outcome of the participation request process. Throughout the interviews, the topic of 'trust' was raised by both public service authorities and community participation bodies. Community participation bodies do not place much trust in public service authorities, while public service authorities identify that communities do not always trust the motivations and decisions of authorities. Establishing trust may rely on culture change in public service authorities and enable involvement in public service authority decision-making and, therefore, improved trust is presented as a potential additional outcome of participation requests.

"If you know people and you trust them, you talk to them. If you don't trust them, which is a problem for a lot of councils and I think we're there too, although we're coming on with that, I think we're moving on that. If you don't trust them, you don't talk to them, you definitely don't. If you see them as authority figures who do things to you, you're not going to have a conversation really." (PSA 3)

"[We need to] improve the relationships we've got with communities to build up a bit more trust because over the last few years, there's been a depreciation of trust." (PSA 4)

Interestingly, one public service authority proposed that participation request submissions are a symptom of this reduction in trust placed on public service authorities.

> *"It would appear [participation requests are] driven from an initial angst or a feeling of betrayal or lack of trust and that's what's driving these community groups to say, 'Hey, what about us? We're still here and we're important and we do represent the community'." (PSA 4)*

At the same time, however, PSA 4 goes on to identify participation requests as a vehicle to build trust between public service authorities and community participation bodies.

> *"I see it as a vehicle to enhance the relationship we have and the trust that we have with the citizens of [area]. It's about the people and the citizens that we serve because ultimately, in the past, there's been too much of, 'Why is the council doing that? It doesn't care what we think'." (PSA 4)*

Indeed, submitting participation requests and entering into a dialogue between community participation bodies and public service authorities may enable a process of trust building. At the same time, it is important to note that some participants indicated that participation requests have also enabled greater understanding of community perspectives on the part of public service authorities.

> *"It's improved the communication, it has developed into communication, and it's being able to see somebody else's point of view and it works both ways. He sees our point of view and we can see his point of view, so there's a mutual understanding developed." (CPB 5)*

Mutual understanding of priorities and processes is an important potential outcome of the implementation of Part 3 of the Act. To enable trust and build communication, much relies on key stakeholders, including community participation bodies and public service authorities, placing value on transparency and participation. As discussed at Section 6.1, if public service authorities do not support participation requests, and the wider ethos behind the Act, it is possible that participation request submissions will exacerbate tensions between the public service authority and the communities it serves, contributing to an adversarial culture, rather than leading to improved communication and trust.

Importantly, and as highlighted by PSA 2, which claims to have a well-established relationship with their community, participation requests are one of several mechanisms for building trust with communities and, as such, should not be treated as the only tool facilitating trust building. Indeed, the Act specifies that participation requests should complement, rather than replace, existing practices of participation.

7. Longer-term outcomes of participation requests

This section considers the potential for participation requests to deliver longer-term outcomes, exploring whether participation requests may enable increased community empowerment, deliver improved public services and, finally, contribute to a reduction in local inequalities.

7.1. Potential for increased community empowerment

Myers *et al.* (2017, p.21) note that enabling communities to have the power to enter into a dialogue with public service authorities and an opportunity to exercise their voice "contribute[s] to greater community influence over the decisions that matter to them". This section considers the potential for participation requests to enable increased community empowerment, presenting common perspectives on what community empowerment entails, how these relate to participation requests, and some key challenges.

7.1.1. Perspectives on community empowerment

According to the Scottish Government, when communities feel empowered, there is:

- greater participation in local democracy;
- increased confidence and skills among local people;
- more people volunteering in their communities;
- greater satisfaction with quality of life in the neighbourhood.[19]

During the interviews, community participation bodies and public service authorities defined 'community empowerment' from their perspective. Their responses were quite distinct, ranging from the importance of being heard to increased confidence and taking ownership (Table 9).

In defining an empowered community, CG 7 note that there 'definitely' should be an increase in confidence and skills among local people. CG 7 also define a disempowered community:

> "They're quite weak. They've not got a lot of knowledge about the policy and their rights amongst the policy. They are still quite controlled by the local authority and local authority officers." (CG 7)

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[19] https://www.gov.scot/policies/community-empowerment/

Table 9 Defining empowerment – perspectives from the sample

Definition	Indicative quotes
Being heard/ valued	• "To be able to sit down with people, to discuss a meaningful way, differences of opinion, to listen to suggestions from communities." (CPB 3) • "Listening to the community and letting the communities have their say." (CPB 4) • "[Empowerment is] their opinions getting recorded as well and noticed, and communities know… the grass-roots level know that we're trying to… reach these people instead of actually just coming in with that, 'Oh, well, we know best so we'll be doing this'." (PSA 2) • "You actually feel valued because you're part of something and your opinion matters." (PSA 2)
Engagement	• "That's what community empowerment should be about. We're really trying to follow the spirit of getting the community involved and having things done for the community rather than to the community. (CPB 2) • "It's whether or not the community is actually engaged in the process." (PSA 4) • "Communities feeling that they're involved and feeling that they matter." (PSA 2) • "The indicators [for community empowerment] would be that our local community councils would be writing to us or inviting us to attend their community council meetings to raise their concerns." (PSA 7)
Community spirit	• "Old fashioned community spirit - it's that 'helping each other'… something going wrong in the community and everybody coming together to try and actually help out and do it. That's the bit that actually comes again with community empowerment, folk actually caring." (PSA 2)
Civic pride	• "Civic pride and actually just having somebody else's back." (PSA 2)
Taking ownership/ influencing	• "People having a go, being resourced and taking on… taking ownership of their own destiny, becoming architects of their own destiny." (CG 7) • "Empowerment is just the breaking down of barriers and supporting communities to be able to meet their own needs, whatever that is, and for the capacity of that community." (PSA 1) • "It's the ability for people to influence decisions and to make that change happen that they want to happen." (PSA 2)
Local democracy/ decision-making	• "To take forward projects that they feel are important and relevant to their particular area." (PSA 1) • "It's giving back to the community, to the users, the people who stay here, a say in what happens." (CPB 4)

Greater satisfaction	• "Happiness, feeling happy, feeling joy, feeling delight" in relation to their communities. (CG 7)
Increased confidence, increased skills	• "It's about confidence. It's about genuine confidence and not just the rubbish confidence that comes in knowing it all and pointing fingers and telling everybody what they should be doing but confidence and skills and influence." (PSA 3) • "We're looking for an increase in confidence and skills." (PSA 2) • "It's about showing other people that, no, you don't have to just sit back and take what these people want to throw at you." (CPB 1)
Transfer of power	• "You have to actually give up some power to empower somebody else." (PSA 3)
Equity	• "For me it means equity doesn't it? That equity of being able to participate." (PSA 2)

As such, from the perspective of CG 7, an empowered community would have strength and knowledge of policy, where there are more equitable power relations between the community and local authority. Finally, CG 7 notes that, where communities are disempowered, there is a sense that a community has to seek permission when 'having a go at things, taking things on, creating activity, delivering a service'. On the other hand, an empowered community would have the confidence, agency or autonomy to act alone. From the perspective of PSA 7, an empowered community is able to hold services to account and challenge the decision-making of public service authorities. All participants described community empowerment as a positive process/ state. Clearly, while descriptions were wide ranging, there is great overlap – between Scottish Government, community participation bodies and public service authorities – in defining what community empowerment entails.

7.1.2. Participation and community empowerment

Given that Part 3 of the Act came into force relatively recently (April 2017), this section considers the *potential* for participation requests to enable the empowerment of communities. Within a wider context of wider participatory processes (including participation request), interviewees commented on aspects associated with community participation:

> *"The more that communities get confident about what they can bring to the table, the more they are then able to do things independently on their own as well." (PSA 1)*

> *"We've got lots of examples where communities are really moving forward and taking ownership and control of things." (PSA 1)*

There were indications that the participation request process had enabled communities to exercise greater participation in local democracy – a key indicator in achieving community empowerment, according to the Scottish Government[20].

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[20] https://www.gov.scot/policies/community-empowerment/

"I'm convinced that as a result of the participation request process, that made that group, those specific people who live and work in that area, able to influence the outcome of what the council does with that land. That, in itself, is a good example of participation requests working to the best advantage of the people." (PSA 4)

CPB 1 noted that the introduction of participation requests enabled the community participation body to exercise greater participation in local democracy, where previously available participatory mechanisms had failed:

"There were many months we sat through meetings and it seemed bleak. The decision had been taken. The council were all saying there is no likelihood of change. We probably went through a year of that and then suddenly, we can go through this participation request outcome improvement and gradually the council came around to see the community's point of view." (CPB 1)

Some community participation bodies noted that participation requests had enabled members of the community to volunteer and engage with the process. The outcome of the participation request process has been 'overwhelmingly positive' (CPB 1) for CPB 1's community. CPB 1 participated in an engagement event as part of the participation request process and reported a level of community volunteerism and engagement they had not previously experienced:

"It was a weekend of intense engagement. As you watch people draw up plans in front of you, it's extraordinary, and lots of people volunteering; architects volunteering their time to make it happen." (CPB 1)

7.1.3. Potential challenges

A key challenge associated with understanding whether participation requests can increase community empowerment relates to the assessment or measurement of changing levels of empowerment within communities. Clearly, underpinning the development of indicators relies on a definition of what community empowerment entails. Some community participation bodies questioned the indicators of community empowerment developed by the Scottish Government[21]:

"What does that mean? You see… they have good intentions and they write lovely words, phrases like that. Nobody ever says, 'What does it mean?' … it is very difficult to find out an explanation for it." (CPB 5)

Most of the public service authorities were relying on anecdotes to provide evidence to demonstrate that participation requests – as well as wider participatory approaches – were, or were not, increasing empowerment. This has implications for the implementation of the Act and further support may be required to disseminate the broad indicators developed by the Scottish Government (and presented at the start of this section) or develop a shared understanding of what community empowerment may entail (which takes into account contextual differences).

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[21] https://www.gov.scot/policies/community-empowerment/

PSA 2, who claimed to be very active in terms of community participation, had recently started exploring specific indicators for community empowerment, borrowing from other countries that have explored means of measuring empowerment.

> *"We're looking at social capital and we're looking at what evidence is there to show that capital has been built or improved. We're starting to look at that and [name] just sent me a couple of things the other day that might be indicators. I've been looking at the Tamarack Institute in Canada, some of the work they've been doing, looking at America and particularly Australia. They're big on community empowerment at the moment and just looking at what indicators have they been able to identify that we could potentially use. There's no sense in reinventing the wheel when somebody has already done it, so do a bit of research, pull that together." (PSA 2)*

Finally, as discussed at Section 6.1, public service authority culture and a lack of support for participation requests in particular, and resistance to participation more widely, may undermine the implementation of Part 3 of the Act. As a result, this also has implications for the extent to which participation requests may affect change and enable community empowerment:

> *"When it works properly and you throw the resources at it, it has the potential to be fantastic and very empowering but, again, it's whether the will is there and whether we get it right in terms of who is going to culturally change and get in that bandwagon of thinking." (PSA 4)*

7.2.   Improved public services

According to Myers *et al.* (2017, p.21), an overarching aim of the Act is to 'increase the pace and scale of public sector reform, leading to improvements in services resulting in better outcomes for communities'. It is assumed that increased community involvement in decision-making, through participation requests and other processes, can support service improvement.

While public service authorities have a statutory duty to publish annual reports outlining participation request activity, there is no requirement for public service authorities to publish the purposes of submitted participation requests. As such, we do not have full information about the purposes of all participation requests submitted to date. The list below presents a sample of purposes of submitted participation requests, gathered from annual reports from 2017-2018 and 2018-2019:

- To make improvements to a play park, due to damage and need for improved access
- To work with local authority to plan the use of the Town Centre Fund recently allocated to local authority by the Scottish Government

- To improve and encourage equitable participation in decision-making around participatory budgeting
- To establish more coherent and co-ordinated traffic (including pedestrian traffic) management
- To participate in discussions to enable enhanced availability of local affordable housing

- To enable better collaboration between community council and local authority in relation to large events
- To be more involved in the discussions about the improvements of the bus service in the local area
- Improve administration of local Common Good Fund
- Maintenance of grassed areas in local community

- To be involved in discussions regarding the siting of a new secondary school
- Request for representation on a project team and to contribute to the project briefing process to ensure the views of the community are taken into account

Public service authority interviewees also discussed the potential of participation requests to improve services, where communities propose alternative approaches to service delivery.

> *"[participation request] gives me the opportunity for you to say to me, '[name], we can run your service better, here's the reason why we can run it better'… and I need to then formally review that and say, 'You're right, I don't need to pay people to do that'… if they're going to a politician and saying, 'I think you could deliver a council service better based on how you deliver social work, how you deliver education. This is a better mode of delivering it', and then somebody listening to that and saying, 'Right, okay, how do we educate kids better, how do we deal with adoption better? What's the process for adoption that actually streamlines that position?'. That's the sort of things I would expect that would be good for a community participation." (PSA 5)*

While PSA 9 indicated that participation requests may not 'fundamentally' change services offered, because they are governed by statute, participation requests may have an important role in better shaping the service 'to be more inclusive or more responsive to community need'.

Interestingly, while some of the public service authorities identified the potential for participation requests to result in improvements to services, the perspectives of community participation bodies differed somewhat. For the most part, the expectations of community participation bodies focused on having a voice or being involved in a process, rather than on influencing change or improving services. However, given the sample purposes of the participation requests submitted, it is clear that participation requests are being submitted in order to improve services in local areas.

7.3.   Reduced inequalities of outcome

Within the Theory of Change (Myers *et al.*, 2017, p.21), it is argued that 'participation requests may make a contribution to a reduction in local inequalities of outcomes through encouraging greater engagement between communities, particularly disadvantaged ones, and public service authorities.' It is envisaged that this engagement leads to improved services that are better designed to meet local needs. Given the recent enactment of Part 3 of the Act, it is too early to draw strong

conclusions in relation to the impact of participation requests on inequalities. As such, this section presents findings related to the potential for participation requests to address inequalities, rather than evidence that inequalities have reduced or increased.

Firstly, PSA 3 noted that there has been a shift within local authorities, where a focus is increasingly being placed on addressing inequalities:

> *"There's been a real marked shift within this council for me over the past five years in terms of that real focus on disadvantaged communities which is great because I didn't join this to work with the very privileged communities…if we can do light touch in that and there's things they can get on with and do themselves, great, but just trying to put that real focus on disadvantaged communities." (PSA 3)*

Further, PSA 5 highlighted that participation requests have the potential to develop services to address inequalities by offering more informal groups the opportunity to form a participation body to affect change. Given that the Act specifically notes that community participation bodies do not have to be incorporated, nor have a written constitution, this opens up participation requests to a wide variety of informal groups and gives them a stronger voice:

> *"If you've got a group within an education establishment that have got kids with the same illness therefore one [person] making a noise, there's not much happening but if you bring [educational establishments] together in participation and say, 'We know what's best for our kids from an educational perspective', it's putting that idea forward to the education professionals and letting the education professionals say, 'We've looked at it, we think it's a good idea', or we think it's a bad idea, and the good thing about it is that we'll hear the reason why they don't think it's going to work and tell people why." (PSA 5)*

The evaluation highlighted several implications for addressing inequalities, all related to the form of community participation bodies engaged in participation request submissions.

Firstly, in the periods 2017-2018 and 2018-2019, the data suggests that participation requests are less likely to be submitted by informal, less established community participation bodies. The lack of submissions by informal groups raises questions regarding whether participation requests have been promoted effectively by public service authorities and whether participation requests are well understood within wider communities.

A second, related tendency that emerges from this data is that community councils are most active in terms of submitting participation requests (see Section 4.3.2). Given that research suggests that they do not reflect the diversity of Scotland[22], this may have implications for the ways in which participation requests could have an

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[22] Paterson, A., Nelis, P. and Escobar, O. (2019) Strengthening Community Councils. What Works Scotland and Scottish Community Development Centre. Available at: https://static1.squarespace.com/static/5943c23a440243c1fa28585f/t/5cbec89df4e1fca95331a06f/1556007160957/Strengthening+Community+Councils+-+web.pdf

impact on local inequalities of outcome, although it is possible that the participation requests may have a positive impact on reducing inequalities despite coming from organisations that lack diversity. Moreover, it is likely that in time more informal groups will become aware of the participation request process and will use the Act to influence local decision-making.

Finally, stakeholders noted a trend towards submission from higher capacity communities. These communities were characterised as having significant professional experience and time to undertake the participation request process:

> *"When you're looking at who is making participation requests and you see that there are quite a lot of community councils and no community groups – that I'm aware of – are making them in very disadvantaged areas. It's just very clear that there is a disparity there. It's the things that everyone could see happening in a way right at the very start of the Act."* *(Key stakeholder)*

> *"[The community] had people who had some professional insight into this type of work already, so when the [street name] thing came along there were people who were ready to jump up and run with [participation request submission]." (CPB 1)*

This tendency for high capacity groups to engage with participation requests was described as a potential 'risk' by Myers *et al.* (2017, p. 21) where they note that 'one of the risks … is that participation requests may contribute to an increase in inequalities, e.g. if there is greater take up by more advantaged communities'. One possible explanation of this is that public service authorities prefer to promote other participation mechanisms in communities where capacity building is necessary:

> *"Where we're already working with groups, often partnership working happens without it going down the participation request process because there's already a council officer engaged who can then pull in other council officers to work with groups. So, what we've been seeing so far is requests have mostly come in from groups who work autonomously and have quite a high skillset. That doesn't mean to say that groups who require more capacity building aren't taking things forward, but they're taking them through the informal routes because we're already supporting that." (PSA 1)*

While early indications show that participation requests are likely to be used by higher capacity groups, whether or not this leads to an increase in inequalities, as suggested by Myers *et al.* (2017), is not yet clear. Public service authorities appear to be using other, pre-existing engagement and participation processes with less advantaged communities. However, it is important for public service authorities to ensure that participation requests are an option for all communities if they deem it necessary, regardless of their capacity.

8. Good practice case study: Portobello Community Council

This case study highlights a participation request submitted to Edinburgh City Council by Portobello Community Council (PCC). The aim is to highlight good practice and areas for further learning and development. The positive outcomes evidenced here indicate the potential of participation requests for other communities.

8.1. Developing transparent processes

When Portobello Community Council became aware of the potential sale of a local site, they submitted a participation request to be involved in the selling process. The subsequent outcome improvement process involved a series of community focus groups and an online survey. The purpose of the process was to gather community perspectives on how the land should be developed in order to inform developers bidding on the land. In addition to this, two representatives from the community council were involved in the bid evaluation process.

The community council members involved described the process as more transparent compared to other decisions:

> "It felt reasonably good to be involved in the sense that these things usually happen behind closed doors, or historically have happened behind closed doors and you never know what the decisions are based on."

8.2. Inspiring creativity

Although frequently challenging for the community, the participation request process was eventually successful. Continuing to work with councillors and council officers, the community set up an action group, Action Westbank, to promote more community involvement. This culminated in a community-led design weekend in which 600 people came together to develop alternatives for the site. Whilst not formally part of the outcome improvement process, it was felt that the participation request was a 'crucial step' in opening up communications with the council and bringing the community together in a positive and proactive way.

In October 2018 Edinburgh Council made the decision to work with the community to develop a master plan for the site. Reporting on the progress since then those involved described an improved working relationship and a sense that the council were enjoying being able to work in a more creative way:

> "They're used to a particular way of working and this is not what they're used to, and they're excited. When you meet them they get excited about this, they love it. It's like… because this is something new and this is obviously where they should be."

8.3.   Ongoing communications

In August 2019 the communications between Action Westbank and Edinburgh City Council were ongoing as they worked together to design a 'Place Brief' that will be used to inform a new set of bidders. Building explicitly on the work of the community-led design weekend, it was hoped that a closer working relationship between the council and the community will lead to a better outcome for the development of the site – meeting the financial needs of the council and community aspirations.

More recently, the current tenant of the site has released plans for investment in the development and expansion of the existing sports facilities. This has been welcomed by the wider community. Whilst the eventual outcome of the outcome improvement process was not the one anticipated, or desired, by the community, the process of the working through the participation request and the events that followed have had a positive impact on the relationship between the council and community. There was greater insight into the decision-making processes at the council level, and new insights for the council on how to work best with communities during planning processes:

> *"When you tell them at the beginning, the empowering thing to me is that actual \engagement, that discussion or that moment where somebody is asked, 'You can say what you want, we're not going to judge you, we're not going to disregard you. You can be as opinionated about it as you want and you can be as outrageous about it as you want, just tell us what you think'. That can be very liberating for people and can give them a lot of self-esteem and enthusiasm about not only their own life but it can actually make them go away and think, 'I actually don't think that's that bad, that council, they care', and whilst that's very, very limited in what we did, if we were doing that on a bigger scale and we put a lot more resources into it, can you imagine the power that would… how powerful that could be for the communities."*


Figure 5 Community-led design weekend[23]

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[23] Source: www.bellfield.scot

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9. Theory of Change

Throughout the design and implementation of the research, Myers *et al.'s* Theory of Change (2017) (Figure 1) was used as a reference point. This section reports on the final stage of the evaluation: the development of a revised Theory of Change. The revised model draws from primary and secondary data collected during the evaluation (presented in Sections Four to Seven). Based on the data, and research findings, we have proposed some revisions to the original Theory of Change. These are indicated by dashed lines in Figure 6.

Figure 6 Revised Theory of Change
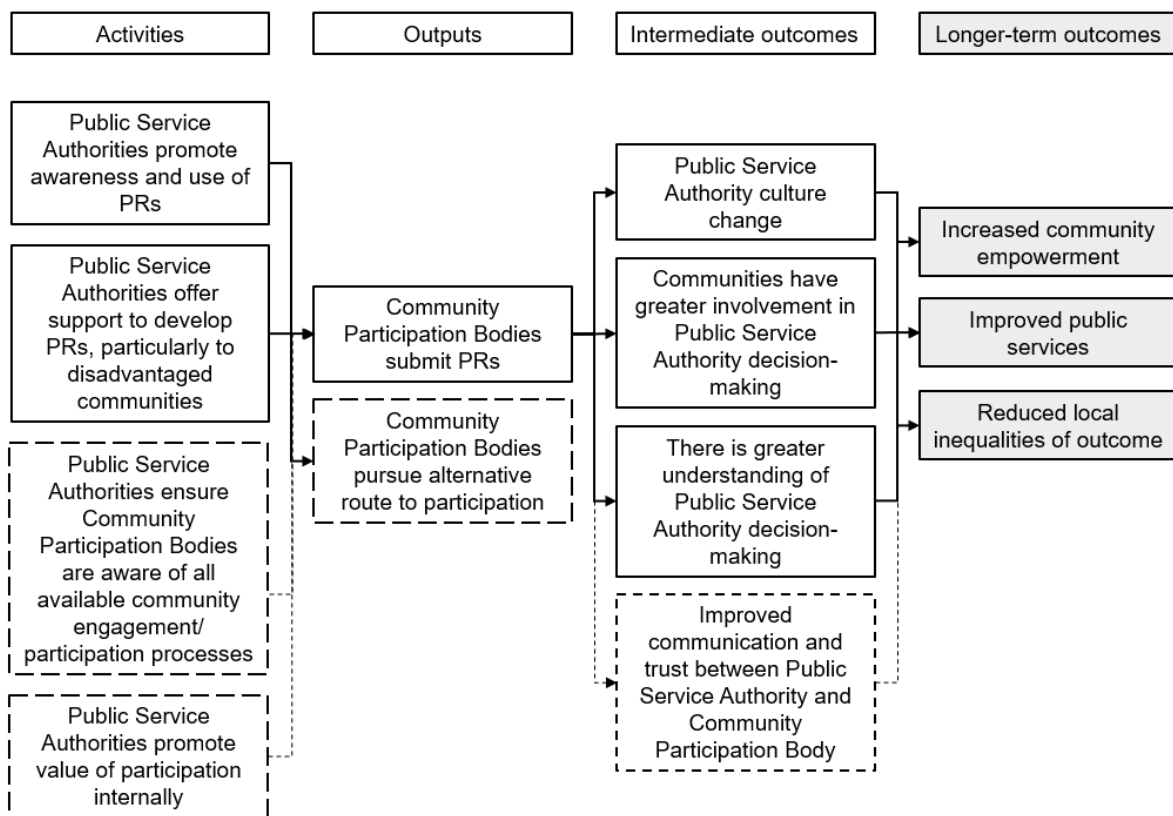
Activities

In addition to the activities of Myers *et al.'s* (2017) Theory of Change, *'public service authorities ensure community participation bodies are aware of all available community engagement/participation processes'* has been added to the model. Given that participation requests are complementary to, rather than a replacement of, existing participation and engagement processes (for example, community-led action plan steering groups; action plans to ensure resilience in the face of emergencies; community participation in the development of healthcare strategies or redesign of services; and participatory budgeting), an awareness of all available pathways to participation enables community participation bodies to identify and utilise the most appropriate approach to achieve community aspirations.

A second proposed additional activity is: *'public service authorities promote value of participation internally'*. This addition relates to the existing activity, *'public service*

authorities promote awareness and use of participation request*s'*, and the outcome, *'public service authority culture change'*. The evaluation has highlighted that some public service authorities may not consistently view participation positively, thus undermining the potential for participation requests to generate intermediate and longer-term outcomes. Promoting the value of participation within public service authorities may enable a culture change, mitigating against the potential of an adversarial culture and support wider principles of the Act.

Outputs

We propose *'community participation bodies pursue alternative route to participation'* as an additional output that adds to Myers *et al.*'s (2017) Theory of Change. This output is a potential consequence of community participation bodies gaining an awareness of all available community engagement and participation processes (for example, through pre-application processes). Pursuing alternative routes to participation represents an exit pathway from the participation request Theory of Change and, as such, this output is not linked to intermediate or longer-term outcomes, although it is possible that by engaging with public service authorities to explore all available routes to participation, this can enable communities to gain greater understanding of public service authority decision-making. Importantly, other pathways enabling participation between community participation bodies and public service authorities can also lead to specific intermediate and longer-term outcomes; these, however, were beyond the scope of this evaluation.

Intermediate outcomes

Findings from the evaluation highlighted an additional potential intermediate outcome of participation request: *'Improved communication and trust between public service authorities and community participation bodies'*. As discussed at Section 6.4, by entering into a dialogue between community participation bodies and public service authorities, participation requests may enable improved communication and a process of trust building. This may be a particularly significant outcome in circumstances where, historically, the relationships between public service authorities and community groups have been somewhat strained. Again, the achievement of this outcome relies on key stakeholders, including community participation bodies and public service authorities, placing value on transparency and participation. This outcome may be enabled by public service authorities; the revised Theory of Change therefore includes an additional activity: *'public service authorities promote value of participation internally'*.

Longer-term outcomes

Given that participation requests are still in the early stages of development in Scotland, we have not revised the longer-term outcomes presented in the Theory of Change. Over time, as participation requests become embedded across Scotland, additional longer-term outcomes may emerge.

10. Recommendations

The subsequent section presents recommendations related to participation requests. These recommendations are proposed to facilitate the achievement of the longer-term intended outcomes of participation requests as set out in the policy documents. Our recommendations are targeted at two key stakeholder groups involved in the participation request process: the Scottish Government and public service authorities.

Recommendations for the Scottish Government:

1. To monitor the impact of Part 3 of the Act, including longer-term outcomes of the legislation, the government should ensure that public service authorities meet statutory annual reporting duties. This process can be facilitated by developing clear and consistent reporting techniques (for example, development of a reporting template that indicates the level of detail to be provided by public service authorities) and defining where public service authority reports should be submitted. Ongoing and improved reporting will enable future assessments of the longer-term impact of participation requests.
2. To support public service authorities in encouraging the participation of marginalised and disadvantaged communities, the Scottish Government should continue to work with its partners to identify actions that may help to overcome any barriers to participation of marginalised groups or disadvantaged communities, where these consider that participation requests could be useful to their aims. Specifically, the Scottish Government could develop more accessible information and guidance about participation requests (for example, translation, easy read documents) for use across public service authorities.
3. Given that there is no appeals process for Part 3 of the Act, the possibility of an appeals process should be explored and aspects of how it could work investigated. The challenges of making an appeals process robust and fair should also be explored. This should be kept under review as the data on the numbers of participation requests, acceptances and refusals develop.
4. To avoid a situation in which public service authorities view participation requests as a failure of other engagement mechanisms, it is important to support public service authorities in developing a better understanding of the intentions of Part 3 of the Act. Lack of understanding and support towards participation requests has the potential to create an environment in which participation requests are more likely to be refused, or not submitted. Such positions are contrary to the intention of the Act and may limit the achievement of intended outcomes.

Recommendations for public service authorities:

1. To facilitate submissions, public service authorities should identify a key internal contact person with responsibility for participation requests. This 'first point of contact', who understands the Act as well as community engagement and participation, would help to speed up the process, act as an effective conduit between community participation bodies and public service authority personnel, drive culture change in public service authorities and allow other public service authority personnel to focus on other responsibilities.

2. Wider promotion of participation requests[24] to raise internal and external awareness of Part 3 of the Act is needed. This can happen through disseminating the policy intent of participation requests, making explicit the objectives of an outcome improvement process, and making clear the range of community groups that can use participation requests. Finally, given that most participation requests are received by local authorities, other types of public service authorities (for example, health boards and regional transport partnerships) should be more proactive in raising awareness of participation requests.

3. Considering equality issues, public service authorities should encourage groups from marginalised communities to take part in processes and contribute to developing services that effectively support their needs. This can happen through an active promotion of Part 3 of the Act with relevant communities, as well as developing more tailored and accessible participation mechanisms including translations and easy read documents.

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[24] As stated at Section 4.4, the intention is not to increase participation request submissions *per se*, but to raise awareness.

11. Limitations of the study

The evaluation team conducted this study using the quantitative data available. As detailed in the *Approach to this Evaluation*, due to limited public service authority reporting, the findings detailed here may not represent the full picture of activity in Scotland. In addition, the qualitative data collected in Stages 1 and 2 of the evaluation were generated through interviews, a focus group and participant observations with a limited sample. While steps were taken to ensure that the sample had a breadth of knowledge and experience of participation requests and wider participation, the findings reported here may not represent the full range of perspectives on participation requests.

The limitations of this research highlight opportunities for future research, monitoring and evaluation of participation requests in Scotland. Some of these are highlighted in the preceding recommendations section.

12. Conclusions

This report presented findings from an evaluation of Part 3 of the Community Empowerment (Scotland) Act 2015. The report focused on addressing four key questions (listed in Section One) to understand the impact of Part 3 of the Act and the ways in which it has been implemented by public service authorities and used at local level. Specifically, the report reported on activity and trends (Section Four); outlined processes associated with the implementation of participation requests (Section Five); detailed findings related to intermediate outcomes of Part 3 of the Act (Section Six); and outlined evidence pertaining to longer-term outcomes of Part 3 of the Act (Section Seven).

Overall, the evaluation found that Part 3 of the Act is largely being implemented as intended in the legislation and the Scottish Government Guidance on participation requests (2017). Further action is required to support public service authorities and community participation bodies to maximise the potential of participation requests to generate the intended intermediate and longer-term outcomes, particularly where public service authorities have interpreted participation requests as indicative of the failure of alternative or pre-existing participatory mechanisms. Specifically, action is required to promote participation requests and the range of public service authorities covered by the Act, enable a culture change, and ensure that the policy intent and the objectives of an outcome improvement process are made clear to all key stakeholders. The evaluation also highlighted that as part of this work consideration should be given to an appeals process. Given the significant challenges to introducing an appeals process and in ensuring its fairness and robustness, alongside the very small numbers of participation requests completed using the legislation, this is likely to be a longer-term piece of work.

Across all groups and based on the available data, uptake and use of the Act increased between 2017-2018 and 2018-2019, with the majority of participation requests originating from community councils. Local authorities received the largest share of participation requests across the same periods. In terms of equality issues, the evaluation highlighted that steps should be taken to enhance the promotion of the Act amongst disadvantaged communities to encourage them to use participation requests to support needed changes within their communities. At present, annual public service authority reporting makes minimal reference to disadvantaged or marginalised groups. Public service authorities should provide improved and proactive support for community participation bodies, while awareness and intent of participation requests should be disseminated to wider groups, considering a range of methods.

There are some indications that participation requests can improve community-public service authority engagement, facilitate understanding and establish trust, although these findings are not consistent across the sample. Public service authority culture and resistance represent a considerable barrier where these outcomes have not been achieved. There are some early indications that participation requests may contribute to improved services that better meet local needs. However, the potential of this will be better understood over a longer period of time.

Given the recent enactment of Part 3 of the Act, assessing longer-term outcomes (increased community empowerment, improved public services and reduced

inequalities of outcome) is problematic. That being said, early findings – and the best practice case in particular – suggest that participation requests can help to enable participation, establish shared understandings and build improved communication between public service authorities and communities. Participation requests represent a means by which communities can have more influence in local decision-making. If participation requests are used effectively, communities will be able to generate a desired change, potentially encouraging them to remain involved in pursuit of positive outcomes at the local level.

References

Christie Commission (2011) Commission on the future delivery of public services, Public Service Commission. Available at: [https://www2.gov.scot/resource/doc/352649/0118638.pdf]

Myers, F., Geyer, J., and Craig, P. (2017) Community Empowerment (Scotland) Act 2015. Evaluability assessment of Parts 3 and 5: participation requests and asset transfer request, Edinburgh: NHS Health Scotland. [Available at: http://www.healthscotland.scot/media/1696/evaluability-assessment-of-parts-3-and-5-of-the-community-empowerment-act-dec17-english.pdf]

Paterson, A., Nelis, P. and Escobar, O. (2019) Strengthening Community Councils. What Works Scotland and Scottish Community Development Centre. [Available at: https://static1.squarespace.com/static/5943c23a440243c1fa28585f/t/5cbec89df4e1fc a95331a06f/1556007160957/Strengthening+Community+Councils+-+web.pdf]

Scottish Government. (2015) Community Empowerment. [Available at: https://www.gov.scot/policies/community-empowerment/]

Scottish Government. (2017) Participation Requests under the Community Empowerment (Scotland) Act: Guidance. [Available at: https://www.gov.scot/publications/community-empowerment-participation-request-guidance/]

Srivastava, A. and Thomson, T. (2009) Framework Analysis: A Qualitative Methodology for Applied Policy Research. *Journal of Administration and Governance.* 72.

Zebrowski, C. and Sage. D. (2017) Organising community resilience: an examination of the forms of sociality promoted in community resilience programmes, Resilience, 5(1), 44-60, DOI: 10.1080/21693293.2016.1228158

Appendix 1 Public service authorities

Local authorities
Aberdeen City
Aberdeenshire
Angus
Argyll and Bute
Clackmannanshire
Dumfries and Galloway
Dundee City
East Ayrshire
East Dunbartonshire
East Lothian
East Renfrewshire
City of Edinburgh
Falkirk
Fife
Glasgow City
Highland
Inverclyde
Midlothian
Moray
Na h-Eileanan Siar
North Lanarkshire
North Ayrshire
Orkney Islands
Perth and Kinross
Renfrewshire
Scottish Borders
Shetland Islands
South Ayrshire
South Lanarkshire
Stirling
West Dunbartonshire
West Lothian

Health boards
NHS Ayrshire and Arran
NHS Borders
NHS Dumfries and Galloway
NHS Fife
NHS Forth Valley
NHS Grampian
NHS Greater Glasgow and Clyde
NHS Highland
NHS Lanarkshire
NHS Lothian
NHS Orkney
NHS Shetland

NHS Tayside
NHS Western Isles

Boards of management of colleges of further education
Ayrshire College
Borders College
City of Glasgow College
Dumfries and Galloway College
Dundee and Angus College
Edinburgh College
Fife College
Forth Valley College
Glasgow Clyde College
Glasgow Kelvin College
New College Lanarkshire
North East Scotland College
Royal Conservatoire of Scotland
South Lanarkshire College
West Lothian College

Regional transport partnerships
Highlands and Islands Transport Partnership
North East of Scotland Transport Partnership
Shetland Transport Partnership
South East of Scotland Transport Partnership
South West of Scotland Transport Partnership
Strathclyde Partnership for Transport
Tayside and Central Scotland Transport Partnership

Other
Cairngorms National Park Authority
Highlands and Islands Enterprise
Loch Lomond and the Trossachs National Park Authority
Police Scotland
Scottish Enterprise
Scottish Environment Protection Agency
Scottish Fire and Rescue Service
Scottish Natural Heritage

social research

The views expressed in this report are those of the researcher and
do not necessarily represent those of the Scottish Government or
Scottish Ministers.

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