Scottish Environment Protection Agency

PARTICIPATION REQUEST APPLICATION FORM

**This is a participation request made under Part 3 of the Community Empowerment (Scotland) Act 2015.**

A Participation Request must be submitted in writing, either as a hard copy or by email. We would prefer if you could complete this application form but if you can answer all the questions by submitting separate document(s), this would also be fine. You can attach additional information as extra sheets or electronic documents.

Please email the completed form and supporting documents to [involving.you@sepa.org.uk](mailto:involving.you@sepa.org.uk) or post it to:

SEPA

Involving You  
Strathallan House  
Castle Business Park  
Stirling  
FK9 4TZ

There are four steps to go through:

1. SEPA will verify your participation request and check that you’re eligible to apply. We’ll acknowledge your request and let you know who from SEPA will respond to you. If you’re not eligible to make a participation request, we’ll explain why.
2. We’ll respond within 30 working days to participation requests made only to SEPA. This rises to 45 working days for requests that also involve another public body. If your participation request is refused, we’ll let you know why.
3. Your application form and supporting documents (redacted as appropriate) will be made publicly available on the SEPA website. We also publish the decision notices relating to all eligible participation requests, whether accepted or refused.
4. If your participation request is accepted, an outcome improvement process will begin. This will involve SEPA working with you to improve and maintain the outcome. Once complete, we’ll publish a final report on this process on our website. Each year, we publish on our website an annual report that summarises all participation requests made to SEPA during that year.

**PART ONE: ABOUT YOU**

Please provide the following information about you as the community body making the participation request:

Name of community body:

Contact name:

Position:

Contact address:

Contact email address:

Contact telephone number:

Website (if available):

**Correspondence will be by email unless you indicate otherwise.** Please tick if you wish correspondence to be by post. **☐**

**PART TWO: ELIGIBILITY REQUIREMENTS**

**2.1 What type of community participation body are you?**

To be eligible to make a participation request the Community Empowerment (Scotland) Act 2015 requires you to be one of the following types of body. Please confirm which type of body you are:

|  |  |  |
| --- | --- | --- |
| **Type of community participation body** | **Yes/No** | **Action** |
| A community-controlled body? |  | If yes, please go to question 2.2 for eligibility requirements |
| A Community Council? |  | If yes, please go to question 2.3 for eligibility requirements |
| A body designated by the Scottish Ministers as a community participation body? |  | If yes, please go to question 2.4 for eligibility requirements |
| A group without a written constitution? |  | If yes, please go to question 2.5 for eligibility requirements. |

**NB:** If you are not one of the above types of body, you will not be eligible to make a participation request.

* 1. **Eligibility Requirements for a Community-controlled Body**

To be eligible, a community-controlled body (whether corporate or unincorporated) must have a written constitution, Articles of Association or Registered Rules that includes the following requirements under Section 19 of the Community Empowerment (Scotland) Act. Please provide evidence of this and confirm that it includes all of the following:

|  |  |
| --- | --- |
| **Community-controlled Body Eligibility Requirements** | **Yes/No** |
| 1. A definition of the community to which the body relates. See Note A |  |
| 1. Provision that the majority of members of the body is to consist of members of that community. See Note B |  |
| 1. Provision that the members of the body who consist of members of that community have control of the body. See Note C |  |
| 1. Provision that membership of the body is open to anyone who is a member of that community. See Note D |  |
| 1. A statement of the body’s aims and purposes, including the promotion of a benefit for that community. See Note E |  |
| 1. Provision that surplus funds or assets of the body are to be applied for the benefit of that community. See Note F |  |

**2.2.1 What type of community-controlled body are you?**

Please indicate what type of community-controlled body you are and your registration number, if relevant.

|  |  |  |
| --- | --- | --- |
| **Type of Community-controlled Body** | **Yes/No** | **Registration Number** |
| Company |  |  |
| Scottish Charitable Incorporated Organisation (SCIO) |  |  |
| Community Benefit Society (BenCom) |  |  |
| Unincorporated organisation (no number) |  |  |

* 1. **Requirements for Community Councils**

If you are a Community Council making a participation request, please could you provide the following:

|  |  |
| --- | --- |
| **Community Council Requirements** | **Yes/No** |
| Agreed Scheme of Establishment with the Local Authority |  |
| Written constitution |  |

**2.4 Eligibility Requirements for a body designated by the Scottish Ministers as a community participation body** See Note G

To be eligible, please confirm that the community participation body has been individually designated as a community participation body by the Scottish Ministers?

**No ☐ Yes ☐**

If yes, please give the title and date of the designation order. Please provide a copy of the designation order:

Title:

Date:

OR, please confirm if the community participation body falls within a class of bodies which has been designated as community participation bodies by the Scottish Ministers?

**No ☐ Yes ☐**

If yes, what class of bodies does it fall within? Please provide a copy of the designation order.

* 1. **Eligibility Requirements for Community Bodies Without a Written Constitution**

To be eligible, under Section 20(4) of the Community Empowerment (Scotland) Act a group without a written constitution wanting to make a participation request must have similar features to that of a community-controlled body. Please provide evidence of this and confirm that it includes all of the following:

|  |  |
| --- | --- |
| **Community Bodies Without a Written Constitution Eligibility Requirements** | **Yes/No** |
| 1. The group comprises a number of individuals who are members of the group. |  |
| 1. There is no written constitution. |  |
| 1. There is a definition of the community to which the group relates. See Note A |  |
| 1. Membership is open to any member of that community. See Note D |  |
| 1. Provision that decisions are made or otherwise controlled by members of the group, who are members of that community. See Note E |  |
| 1. Provision that surplus funds or assets of the group are to be applied for the benefit of that community. See Note F |  |

Please explain the basis on which the community body without a written constitution making the participation request considers itself to be a community participation body.

**PART THREE: PUBLIC SERVICE AUTHORITY**

* 1. **What is the name of public service authority to which the participation request is being made?** See Note H
  2. **What is the name(s) of any other public service authority(s) which the community participation body requests should participate in the Outcome Improvement Process?** See Note H

**PART FOUR: OUTCOME IMPROVEMENT**

The following questions are all mandatory. Please refer to any relevant separate documents or information to support your answers.

* 1. **What is the outcome that you want to improve?** See note I
  2. **What are the reasons why you think that you should participate in an Outcome Improvement Process?** See note J
  3. **What knowledge, expertise and experience does your community participation body have in relation to the specified outcome?** See note K
  4. **How do you anticipate the outcome will be improved because of your involvement?** See note L
  5. **Additional information.** See note M

This could include information on any evidence that you have in relation to the proposed outcome improvement or describe the support that you have within the community.

**Notes**

1. The group may represent the community in a particular area or people who have a common interest or characteristic. The definition should be clear enough to show whether a person is a member of the community or not.
2. People (and organisations) who are not members of the defined community may be allowed to join the body, but the governing documents must require that those who are members of the community must always be in the majority.
3. Having “control of the body” means that the members of the community are in charge of the decisions made by the body. This may be arranged by providing that only community members can vote at General Meetings, a majority of the Board must be made up of community members and the Chair (and Vice-Chair, if you have one) must be community members, if they have a casting vote in board meetings.
4. Membership of the body must be open to anyone who is a member of the defined community. There must not be any additional requirements. Fees must be set at an affordable level. The legislation on participation requests does not define what a “community” can be. It simply requires a community participation body to define the community it relates to, and ensure the body is open to and controlled by members of that community, and uses its assets to benefit that community. Whether an organisation is eligible to make a participation request depends on their meeting the requirements under the Act, not on what community it represents.
5. The aims and purposes may include activity that goes wider than the defined community, such as raising money for charity, promoting their interest to other people or sharing experience with communities in other areas. But at least one of the purposes of the body must clearly be for the benefit of the community they represent.
6. Any money or property the body has, after covering its running costs, must be used to benefit the community as a whole. Bodies incorporated as co-operatives, which distribute their profits or dividends to members of the body, are not eligible to make participation requests.
7. The Scottish Ministers can designate a body to be a community participation body. They will do this by making an order. Ministers can either designate an individual body, or could designate a class of bodies, if they decided in future that all organisations of a particular type should be able to make participation requests.
8. Specify the public service authority to which the request is being made. These are listed in Schedule 2 in the Community Empowerment (Scotland) Act 2015, ie:

* A local authority
* A Health Board
* The Board of Management of a college of further education
* Highlands and Islands Enterprise
* A National Park Authority
* Police Scotland
* The Scottish Environmental Protection Agency
* Scottish Enterprise
* The Scottish Fire and Rescue Service
* Scottish Natural Heritage
* A regional Transport Partnership

1. Specify an outcome that results from, or is contributed to by virtue of, the provision of a service provided to the public by or on behalf of the authority (including through exercising its functions, duties, or responsibilities).
2. Set of the reasons why the community body believes it should participate in the outcome improvement process.
3. Provide details of any knowledge, expertise and experience the community body has in relation to the outcome specified in question 4.1.
4. Provide an explanation of the improvement in the outcome specified under question 4.1 which the community body anticipates may arise as a result of its participation in an outcome improvement process.
5. Any other information in support of the participation request can be included in this section or attached separately. It may be helpful for the community participation body to outline if they have previously been in contact with Scottish Natural Heritage regarding the outcome. The community participation body may also want to provide information on any additional support they may require to be able to participate in an outcome improvement process, eg: translation services.

**PART FIVE: SIGNATURES**

Two office-bearers (board members, charity trustees or committee members) of the community participation body must sign the form. They must provide their full names and home addresses for the purposes of prevention and detection of fraud.

This form and supporting documents will be posted on SEPAs website - [https://www.sepa.org.uk](https://www.sepa.org.uk/)/ - for any interested person to read and comment on. Personal information will be redacted before the form is uploaded.

**We, the undersigned on behalf of the community participation body as noted at Part 1, make a participation request as specified in this form.**

**We declare that the information provided in this form and any accompanying documents is accurate to the best of our knowledge.**

Signatory One

Name:

Address:

Date:

Position in the community participation body:

Signature:

Signatory Two

Name:

Address:

Date:

Position in the community participation body:

Signature:

**PART SIX: CHECKLIST OF ACCOMPANYING DOCUMENTS**

|  |  |
| --- | --- |
| **Essential Document** | **Tick if submitted** |
| If you are a Community-controlled body - written constitution, Articles of Association or Registered Rules |  |
| If you are a Community Council - Agreed Scheme of Establishment with the Local Authority and written constitution |  |
| If you are a body designated by the Scottish Ministers as a community participation body – a copy of the designation order |  |
| If you are a community body without a written constitution - evidence to support that you meet the eligibility criteria |  |
| Evidence that supports the answers to questions 4.1 to 4.5 |  |

So that we can check that nothing is missed, please list any documents which you are submitting to accompany this form.

END OF FORM