



Community Participation and Engagement

Annual Report 2018/19

Introduction

1. The Community Empowerment (Scotland) Act 2015 was issued in July 2015. This Act is presented in 12 part, which are noted below for information:
 - Part 1 – National Outcomes
 - Part 2 – Community Planning
 - Part 3 – Participation Request
 - Part 4 – Community Rights to Buy Land
 - Part 5 – Asset Transfer Requests
 - Part 6 – Delegation of Forestry Commissioners' Function
 - Part 7 – Football Clubs
 - Part 8 – Common Good Property
 - Part 9 – Allotments
 - Part 10 – Participation in Public Decision-Making
 - Part 11 – Non-Domestic Rates
 - Part 12 - General
2. The Act aims to cover all public sector organisations, therefore, a number of the sections do not apply to the NHS.
3. To comply with the Act, NHS Dumfries and Galloway must adhere to Parts 3 and 5, the Participation Requests and Asset Transfer Requests.

Part 5 – Asset Transfer Request

4. An Asset Transfer Request is a request in relation to land owned by the relevant authority, where a request have been put forward for the ownership of the land to be transferred to a Community Transfer Body.
5. If the land or building being requested is leased by the relevant authority, the Community Transfer Body has the right to request that the property be leased to the Community Transfer Body for the term not exceeding the contractual lease arrangements already in place with the public body.
6. Guidance is held within the Act around the eligibility criteria for a Community Transfer body, which could be an existing Scottish Charitable Organisation or Community Benefit Society and must have no fewer than 20 members.

Part 3 – Participation Requests

7. A Participation Request is a request for a pre-existing body to participate in an outcome improvement programme for a specific service or project.
8. Requests of this type can only be made by a Community Participation Body, which is explained in the Act as a group where the majority of members are members of that community and must have a written constitution, for example a Community Council.

9. In making such a request, the Community Participation Body must specify the reasons for the request and also the potential outcome that could come out of a successful change to service delivery.
10. It should be noted that a Participation Request can be submitted to one or multiple public bodies to review and make a decision on, in line with their procedures.
11. For requests with multiple public authorities it is essential that we follow similar procedures to ensure a consistent approach, whether the request is being presented to the Health Board or the Local Authority.

NHS Board Requirements

12. To comply with the Act, the NHS Board must undertake a number of actions, which are noted below:
 - Develop a Community Participation and Engagement Strategy and publish it for public review.
 - Develop a Community Asset Transfer Strategy and publish it for public review.
 - Develop a Community Asset Transfer Procedure and publish it for public review.
 - Develop a Participation Request Strategy and publish it for public review.
 - Develop a Participation Request procedure and publish it for public review.
 - Create a page on the Board's external website which is easily accessed and contains all of the above documents.
 - Take an Annual Report to NHS Board charting the requests that have been received, the decision that was made and how the Board came to that decision, whether the request was approved or rejected.

Community Participation and Engagement

13. A Community Participation and Engagement Strategy has been developed and has been published on the Health Board's public website.
14. This strategy provides an overarching vision of how NHS Dumfries and Galloway aim to improve and sustain our local health services within the region.

Participation Requests Progress Update

15. A process for handling Participation Requests received into the Health Board has been developed and has been published on the Board's public website. The process has been prepared in conjunction with the guidance and also the procedure set out by Dumfries and Galloway Council, to ensure a consistent approach is defined as per the recommendations within the Act.
16. To date no Participation Requests have been received by the Board.

Community Asset Transfer Progress Update

17. NHS Dumfries and Galloway have a number of properties within the estate, which would be eligible under Part 3 of the Community Empowerment (Scotland) Act 2015. A map of the property locations and a more detailed list has been published on the Board's public website for review.
18. To date the Board has received one Asset Transfer Request, the details of which are noted below. Upon receipt of the initial information a meeting was arranged with the requester to gather more information. Following the meeting the Scottish Government Asset Transfer Request form was issued, however, no further information has been received.

Community Transfer Body	Date Request received	Property being requested	Request Status
Dumfries and Galloway Care Trust	Note of interest received 8 th May 2018	The former Ambulance Station and Boilerhouse on the Nithbank Site	Dumfries and Galloway Care Trust formally withdrew the interest expressed in the The former Ambulance Station and Boilerhouse on the Nithbank Site
Support in Mind Scotland	Note of interest received 16 th August 2018	Mountainhall House Kaleidoscope	Support in Mind have been progressing a feasibility study and a meeting has been arranged on the 5th of June with the Estates and Property team to take the formal process of application forward .

Published Information

19. The Act mentions that to ensure compliance with the legislation public sector organisations are required to publish a selection of data on their external website for easy reference.

20. NHS Dumfries and Galloway have created a page on their public website to give details of how a Community Transfer Body and Community Participation Body can apply for a Participation Request or an Asset Transfer Request. The page contains details of the requests that have been received, the outcome of the decision process for each request and a copy of the Community Participation and Engagement Annual Reports.
21. For easy reference the page on the Board's public website can be found under the About Us section, which contains the basic information that the community bodies will need to begin the request process. The web page address has been noted below:

http://www.nhsdq.scot.nhs.uk/About_Us/Community_Engagement

Conclusion

22. NHS Dumfries and Galloway aim to work closely with community bodies to handle all requests received in a timeous manner and to provide support and guidance to the requester, as required.
23. A full report will be presented to the NHS Board on an annual basis, with all requests being highlighted to the Board's Management Team throughout the year, to ensure a consistent and well managed approach to the way the requests are handled within the specified timelines.