



CONSULTATION GUIDE 2005

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Introduction

As a part of the commitment to ensuring that East Devon District Council's consultation strategy becomes a reality, this guide – on best practice, standards, approaches and other useful information – has been brought together to form a toolkit that will assist in planning and organising consultation activities.

This does not provide a prescriptive formula for consultation, but it does provide summaries of a number of different approaches that can be 'dipped into' and considered when developing consultation activities. Our intention in producing this guide is to bring to life the principles agreed by the Council.

This guide will evolve over time as more good practice emerges and legislation demands updating. The guide will be based on the intranet where it can be readily updated.

The Consultation Strategy can be found under Appendix A.

General Principles

- The Council is committed to consulting service users and stakeholders in the setting and prioritising of the Council's objectives, so that we deliver our services cost effectively, and how, when and where our customers would like them.
- Consultation is an integral part of promoting a strong local democracy.
- When we consult, the Council remains the ultimate decision making body, whose role is to balance the differing needs of members of the community.
- Effective consultation is an essential to meeting our Corporate Goals and becoming an Excellent Council.

How to use this guide

This guide has a six stage model to follow, to cover all the aspects of your consultation process from planning to evaluation.

Additionally, there are sections on other areas that have to be considered at every one of the six stages – factors like legal implications and involving diverse groups.

Finally, within the appendices, you will find the Consultation Strategy, a useful guide to drafting a questionnaire, and a summary of the results from surveying the public on how the Council consults.

Commitment Statement

Need - Before any new consultation begins, a thorough search will be made to find out whether relevant questions have already been asked of the recipients or stakeholders. We will avoid unnecessary repetition and take into account existing information before carrying out further consultation.

Inclusiveness - Consultation will aim to be inclusive. To achieve this, the Council will give particular consideration to the needs of people termed 'hard to reach'. It is the Council's job to ensure that those whose views are frequently excluded or overlooked, are actively sought as part of consultation. This will result in the consultation being representative of the community as a whole.

Openness - The consultation process should be open and transparent to consultees about the reasons for consultation and the way in which the outcomes of the consultation will realistically influence the decision. It is important to be clear about what participants can contribute to the process, what they will gain from taking part and the extent to which their input can influence decision-making.

Commitment - We endeavour to show respect for both stakeholders and taxpayers by giving consultation the appropriate priority, time and resources, and demonstrating that it is a genuine attempt to understand and incorporate other opinions.

Timeliness - It is important to ensure that timescales will allow for good quality consultation. We will give consultees adequate time to prepare their response and allow sufficient time for the results of consultation to be collated, analysed and considered.

Responsiveness - Those being consulted must perceive that their voice will be taken seriously. There is no point in spending time and money on a consultation exercise if there is no willingness to listen to the results.

Feedback - We will provide accessible feedback both on the results of the consultation and on how they have been used, in order to encourage greater participation in the future.

Productivity - The Council will adopt clear processes of consultation which, where possible, produce results that are measurable and can be evaluated objectively.

Different levels of involvement

Consultation can take a number of forms. It may be a one-off exercise or extend over a period of time. The table below outlines the different types of consultation available:

Type	When to use it	Explanation
1 – Informing	Where a decision has been taken and consultation is not required.	Telling local communities what East Devon District Council is planning.
2 – Researching	Where information is needed to help make a decision.	Gathering information on general opinions, attitudes and priorities to inform decision making.
3 – Consulting	Where views will be taken into consideration when making a decision.	Obtaining specific views on proposals or initiatives and taking them into account when decisions are made.
4 – Involving	Where we are asking for ideas and encouraging involvement in making a decision.	Seeking out new ideas and suggestions and encouraging staff or the community to participate in the decision-making process.
5 – Partnership	Where we are making a decision with others.	Initiating joint working and decision-making with the local community and other stakeholders.

The key differences between these levels of involvement are:

- The level of control over the process
- The degree of inclusiveness
- The amount of time involved in the decision making process
- The depth of relationship between the consulter and consultee
- The transparency of information and decision making.

Consultation co-ordination

To make the Council’s Consultation Strategy effective, all services must work closely together to help:

- Prevent one group being consulted too heavily – “consultation overload”
- Prevent duplication
- Monitor effectiveness
- Learn good practice from each other
- Cost effectiveness

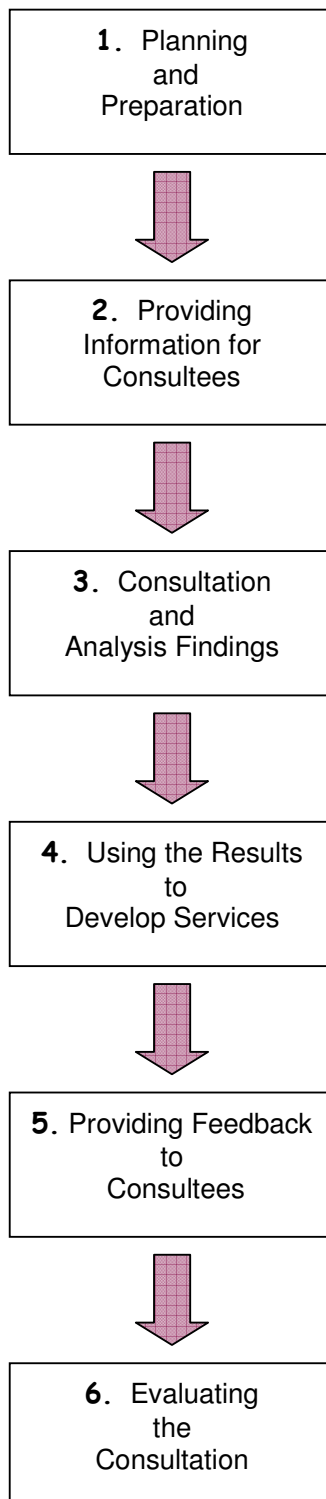
The co-ordination will be supervised by the Funding and Consultation Co-ordinator, with a representative from each service acting as liaison as set out below:

Funding and Consultation Co-ordinator	Service Consultation Representatives
<p>Role: Coordinate and develop consultation activity in line with the Council’s consultation strategy and guide to good practice.</p>	<p>Role: Encourage consultation activity within the service, in line with the Council’s consultation strategy and guide to good practice.</p>
<p>Responsibilities:</p> <ul style="list-style-type: none"> - Act as the central information point for the Council on any consultation issues - Maintain and update the consultation calendar - Manage quarterly meetings to provide information and support to the Service Consultation Representatives - Provide quarterly updates to the Strategic Management Team. 	<p>Responsibilities:</p> <ul style="list-style-type: none"> - Act as the information point for the service and liaise with the Funding and Consultation Coordinator - Provide service information in order to update the consultation calendar - Attend quarterly meetings to share consultation information and activities - Report to Directorate Management Team as required.

Service representatives will meet regularly with the Funding and Consultation Co-ordinator to address any issues arising, such as good practice or difficulties faced with any particular consultation exercise. Consultation is planned in advance and written into the annual Service Plans and then into the consultation calendar. Any sudden consultation initiatives not identified in the Service Plans should be discussed with the Consultation Coordinator and taken to the Strategic Management Team where necessary. This process will identify whether the consultation is a priority and whether the Council has the capacity to undertake it within the financial year.

The Funding and Consultation Co-ordinator is happy to give advice on getting the consultation process started.

The Six Stage Consultation Model



Planning and Preparation

Planning and preparation of how consultation will take place is vital to effective consultation. Please ensure that you take any plans for consultation to your Service Consultation Representative before you start this process.

Answering the following questions will help you to identify the most appropriate methods to use

- Why are we consulting? Is there a decision to be made? How will the findings be used to inform the decision? If there is no decision, what is the purpose of the consultation?
- Has there already been consultation on this issue?
- What status will the views of those consulted have in the decision making process?
- Who do we want to consult with?
- Which consultation methods will provide the information that we are looking for?
- What information do we need to provide to the consultees to enable them to participate effectively?
- What timescales are necessary for effective consultation, and how can our planning timescales accommodate these?
- What arrangements need to be made to ensure the project includes all relevant social groups?
- What resources and support are needed for this consultation to be effective?
- How will the data be analysed and presented?
- How will the information be fed back to consultees?
- How will the consultation be evaluated?
- Can we work in partnership with another organisation to undertake the consultation?

Controversial situations and when not to consult!

Where situations are controversial, some methods of consultation will be more suitable than others. It is important that the methods chosen allow stakeholders to be involved from the start and to compare and explore each others interests. This may lead to them being less blinkered in their thinking and help them to understand others points of view.

In some circumstances it may prove beneficial to involve an independent facilitator or mediator to manage the situation.

When NOT to consult

There are situations where consultation may do more harm than good:

- When the Council cannot demonstrate that there is real commitment to the process.
- When all of the key decisions have already been made and consultees would have no real influence or input.
- Where there is insufficient detailed knowledge (about the areas of conflict or interests of stakeholders)
- Where there is not enough time (see Consultation Process flowchart for timeline)
- Where there are insufficient resources to do the job properly.

Identifying Stakeholders

Who will you involve?

You need to have an understanding of the different groups affected by the issue at stake before deciding who to involve and which methods to use.

It is important to think broadly about your target audience beyond the direct users or organisations that have a known interest. Your policy/ decisions may impact on other sections of the population. It is important to think about the things that will motivate individuals to participate and any potential barriers to their participation before you issue invitations.

Categorising Consultees

Several ways of categorising people have been recommended. You may find it useful to view the 'public' as falling into the following categories, although this is not an exhaustive list:

- **The public as 'customers' and 'citizens.'** The public will generally offer different perspectives on policy or service delivery issues according to whether they are involved as customers or citizens. Involving the public as citizens will often provide a longer term or broader view on a particular issue, whereas the views of customers of particular services or those who are affected by the policies are likely to be shaped by their direct experience of them.
- **Specific population groups.** These can include people with disabilities, people from black and minority ethnic groups, young people and older people. (See Involving Diverse Groups).
- **Civil Society Groups.** This term encompasses the full range of formal and non-formal stakeholders including different representative organisations, pressure groups and informal temporary groupings.
- **Staff/Employees.** These can range from front-line staff to chief executives.
- **Town and Parish Councils.**
- **Other organisations** who may have an interest in a particular project (for example, English Heritage)

Bear in mind that in some cases, there are statutory consultees where we are obliged to consult certain groups and organisations.

Representativeness

When we talk about consultation we tend to focus on the need for it to reflect the population as a whole. This is not always the case. If we are looking to build relationships or generate ideas then the source is not always the most important focus.

Methods of Consultation

There are many consultation and engagement. There are a wide variety of techniques that can be used; a written document may not always be the best approach. It is always best to use more than one method to reach the widest possible audience.

On the following pages is a summary table of different approaches, together with the benefits and disadvantages of each, including:

Surveys
Referenda
Focus Groups
Interactive Voting
Public Meetings, Road Shows, Exhibitions and Open Days
Telephone hotline/Interactive Voice Response (IVR)
Planning for Real
Visioning Exercises

These methods need to be thought about in the context of:

- The purpose of the consultation
- The outcome you are seeking
- The need to stimulate responses from particular stakeholder groups
- How interactive you need the process to be
- How much 'ownership' of the results you want the stakeholders to have.

The cost of different consultation techniques varies significantly, and this should be taken into account when choosing a method. It is also important to think about developing ongoing processes that will enable users to become involved in decision making processes, rather than a 'one off' consultation exercise.

Consultation Method	When do I use it?	What is it good for?	What are the drawbacks?
<p>Surveys A flexible technique, surveys can be sampled or open to all, self-completion and returned by Freepost or completed on-line. May involve interviews, over the phone or face-to-face, in the street or at home.</p> <p>Service users or members of the public are sometimes recruited to interview other service users or their peers.</p> <p>Specialist software packages can be used to design/analyse surveys. Profiling is sometimes used, particularly in market research to target surveys and interpret results.</p>	<p>Use surveys when you need a broad, statistical measure of performance or an overview of perceptions about a service or issue.</p>	<p>Measuring performance and benchmarking.</p> <p>Making comparisons with other surveys or comparisons over time.</p> <p>Testing 'qualitative' opinion.</p> <p>In random sample surveys identifying confidence levels and margins of error, allows you to predict the accuracy of your results.</p> <p>In quota sample surveys you can aim to collect results that are representative of the community you are surveying.</p>	<p>Surveys don't always allow you to enter into a two-way dialogue.</p> <p>Quota sampling can be complex. Random samples (unless very large) may not give an accurate picture of the views of groups that make up a small proportion of the community.</p> <p>Low survey response rates mean that there has been a high level of self-selection with certain groups likely to be over-represented.</p> <p>It is easy to ask questions because they are 'interesting' rather than because you 'need to know'.</p> <p>Questionnaire design and analysis demands particular skills and often take longer than anticipated.</p> <p>Understanding survey results sometimes raises as many questions as it answers.</p>

Telephone Surveys		Telephone surveys generally achieve a higher response than postal surveys.	Telephone surveys can be intrusive and exclude 5% of households without a phone.
Face-to-Face Surveys		In face-to-face surveys participants appreciate the personal contact and interviewers can go into greater detail on complex questions.	Interviewers can be leading, resulting in biased results.
On-line Surveys	On-line surveys are generally used in conjunction with other survey types, unless aimed solely at ICT users.	On-line surveys cut out the need for data in putting, which can be done automatically as people respond.	On-line surveys can be hard to validate and there is a risk that people might respond more than once. Not everyone has easy access to the internet and the number of responses is often fairly low.

<p>Referenda Asking a question of the whole population – usually the electorate but can also be everyone living in a defined area.</p>	<p>Use a referendum when it is important for everyone to have a say and when the results can and will be acted upon.</p>	<p>Provides a clear mandate for action. Gives everyone the opportunity to participate. High profile-stimulates debate.</p>	<p>No guarantee that the results will be representative. Can be costly. Needs to be carefully managed to avoid undermining the role of elected members. Can be seen to set a precedent.</p>
<p>Citizens' Panel A representative group of residents, which reflect the demographics of the district.</p>	<p>The panel should be used to survey a representative group of East Devon citizens or to recruit participants for a focus group.</p>	<p>Higher than average response rate as panel members are more willing participants. Cost-effective as the panel can be consulted many times over and changes can be tracked over time.</p>	<p>Panel members receive more information than average citizens so may become less typical. Need to renew panel membership periodically. Risk that panel members will become overloaded or too familiar with the issues.</p>
<p>Citizen's Juries A group of 12 – 16 “non-expert” citizens, recruited to be broadly representative of the community, who take evidence and deliberate over 4 or 5 days before making final recommendations to the commissioning body</p>	<p>Use a citizen's Jury when you have a clear question that demands an informed response. Only use when the will exists to act upon the jury's recommendations.</p>	<p>Gaining an informed and considered opinion, often on a complex and significant issue. Shows a genuine commitment to involving people in making decisions. Generates media interest and stimulating wider debate.</p>	<p>Costly – so pick the issue very carefully. Requires significant officer support to collect together evidence, even when external consultants are used. The commissioning body must have the will to accept the jury's recommendations or else the whole</p>

			<p>process loses credibility.</p> <p>The small number of people involved means that a Citizen's Jury is not statistically reliable but the process arguably produces results that reflect how people would feel, if they were fully aware of the evidence.</p>
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<p>Focus Groups A market research technique where a group of around 10 people discuss an issue for between 1-2 hours, with the help of a skilled facilitator.</p>	<p>Use focus groups when you want detailed feedback on a particular issue or to generate a reaction to a new proposal.</p> <p>Use focus groups to help understand why people think or act in a certain way.</p>	<p>Creative discussion between participants often generates ideas and different ways of thinking about things.</p> <p>Greater depth of understanding, offering in-sight into the reasons 'why' and not just 'what' people think.</p> <p>Can help to build consensus about what is important overall.</p> <p>Works well when participants have something in common: age group, gender, ethnicity or a shared experience of service use etc.</p> <p>Possible to hold the group in a location convenient for participants to encourage attendance.</p>	<p>Small numbers mean that focus groups are not statistically reliable.</p> <p>One or two forceful participants can dominate a single group, so ideally need to carry out more than one and make comparisons between them.</p> <p>Ideally, you need to carry out focus groups with different sections of the community.</p> <p>Focus groups generate a large volume of information, which is time consuming to write-up, code and analyse.</p> <p>Increasingly the term 'focus group' has political associations, which means that some are less receptive to their use.</p>
<p>Interactive Voting 'Ask the audience' type technology for use at public meetings or conferences or with focus groups.</p>	<p>Use interactive voting when immediate feedback is important and when you are clear in advance about the questions that you want to ask.</p>	<p>Makes the audience 'active' rather than passive.</p> <p>Anonymous – encourages people who might not otherwise feel confident enough to participate.</p> <p>Embracing new technology to create</p>	<p>Needs careful planning – although some adlibbing is possible questions are best prepared in advance.</p> <p>People with disabilities are likely to need support.</p>

		<p>a sense of openness and transparency.</p> <p>Immediate response – cuts out the need for data inputting.</p>	<p>If over-used may appear 'gimmicky'.</p> <p>Using the technology requires particular training.</p> <p>Can be expensive if there are large numbers involved.</p>
<p>Mystery Shopping The mystery shopper attempts to use or find out about a service in person, over the telephone or via the internet and reports on the quality of service that is received.</p>	<p>Use mystery shopping to test the quality and consistency of front-line services, it allows you to see the service from a users perspective.</p>	<p>Current – makes use of experiences at the time, rather than asking people retrospectively.</p> <p>Provides accurate information on service delivery issues.</p> <p>Can be used to track performance over time.</p> <p>Might be carried out on a reciprocal basis with other departments or authorities.</p>	<p>Needs to be accepted by staff as a positive way of making improvements, rather than as a way of finding fault –results need to highlight good as well as bad practice.</p> <p>Staff should be notified that mystery shopping will be happening but not when it will be happening.</p> <p>Care needs to be taken with timing to reflect the work patterns of front-line staff.</p> <p>Questions and details need to be 'real' in order to elicit a meaningful response but shopper may need to be no more knowledgeable than an 'average' customer.</p>

<p>Public Meetings, Road Shows, Exhibitions and Open Days One-off rather than ongoing, they don't have to be the traditional evening spent in a hall. If well managed, public meetings and open days offer great potential for using a variety of techniques to stimulate a meaningful exchange of views.</p>	<p>Use public meetings, exhibitions and road shows to enter into a two-way dialogue, which is open to all.</p>	<p>A visible form of consultation. An opportunity to explain and to give information. If managed effectively, can be a good way to generate informed public debate.</p>	<p>Low turn out. Can be confrontational, needs skilled management. Often not representative and many people are put-off from speaking in a large group. No place or time is ideal for everyone, many people will inevitably be excluded.</p>
<p>Stakeholder Conferences Like public meetings but with people who are already involved or known to have an interest.</p>	<p>Use stakeholder conferences when there is an identifiable network of groups or individuals that are known to have an interest (or 'stake') in the issues being consulted on if managed properly.</p>	<p>Often well attended – stakeholders are already interested and so are more likely to be motivated towards sharing their views. Informed debate – stakeholders have some level of knowledge and can offer informed opinions. Networking opportunities between participants.</p>	<p>Can exclude groups or individuals that are not a part of existing networks. Certain stakeholders may be seen to dominate the agenda, harder for individuals to make their views known. Stakeholders can easily become over-consulted – resulting in consultation fatigue.</p>

<p>Equalities Fora/User Panels, Steering and Interest Groups Regular meetings of equalities, interest or user-groups, with either a fixed or open membership. May be self organised and/or selected, or selected by the Council. The nature of the group and especially how representative it is varies accordingly. They also vary in any rights to make recommendations to Council or to share in decision making.</p>	<p>Equalities fora, user panels, steering and interest groups offer an opportunity to discuss issues with people who have direct experience and knowledge, or who bring excluded or otherwise overlooked points of view.</p>	<p>Can help generate new ideas and provide early warning of potential problems.</p> <p>Allows follow up discussions, and building up rapport and trust over time.</p>	<p>May not be representative – might have to check out significant findings on statistically representative sample.</p> <p>As with all such groups, the members need to be clear on what basis they have been selected, their role and how much power they have.</p> <p>May need turnover of membership so do not become too close to the organisation.</p>
<p>Telephone Hotline/Interactive Voice Response (IVR) A telephone hotline is a Freephone number set up specifically for consultation. An IVR system answers the call automatically and allows people to complete a survey over the phone.</p>	<p>If managed properly, a telephone hotline can be a useful addition to any survey or consultation work. An IVR system offers a more robust methodology in itself.</p>	<p>Easy way for people to participate at a time that is convenient for them.</p> <p>Using an IVR system allows people to answer pre-defined questions over the phone and cuts out the need for subsequent data inputting.</p>	<p>Need to set up a Freephone number.</p> <p>If not using IVR, telephone lines need to be staffed continually. Using an answerphone or voicemail makes for a 'lukewarm' rather than 'hot' line!</p>

<p>Planning for Real Using models or plans of a building or area, people are invited to move parts around, to identify problems and solutions, or to stick post-it notes on with comments.</p>	<p>Planning for Real has been used since the late 1970s to give local people a 'voice' and professionals a clear idea of local people's needs in order to bring about an improvement to a neighbourhood or community.</p>	<p>Allows communication in a medium most people feel comfortable with, especially younger people and people with literacy difficulties.</p> <p>Good use of local knowledge. People can see the results of different options and their input helps to develop new ideas.</p> <p>Allows people to raise problems in a non-confrontational way.</p> <p>Works well for physical planning and environmental issues.</p>	<p>People need to attend to be involved so may exclude some and not be totally representative.</p> <p>Can take a lot of time and effort to organise.</p>
<p>In-depth Interviews Interview lasting up to 3 hours, usually semi-structured to allow some areas to be covered in detail. Most often one-to-one but younger people sometimes prefer a paired interview with a friend.</p>	<p>Use in-depth interviews to generate a detailed understanding, especially when the issues are difficult or sensitive.</p>	<p>Allows an individual to give their full views without the influence of a group.</p> <p>Can generate enough detailed material for a case study.</p>	<p>Time consuming and requires a lot of effort for a relatively small number of views.</p> <p>Need for a skilled interviewer.</p> <p>Risk that individuals might be identified, need to protect confidentiality.</p>

<p>Complaints/Suggestions/Comments Comment cards or complaints forms, in reception or at point of service delivery, or on the Internet.</p>	<p>Use suggestion and complaint schemes to monitor and improve service delivery.</p>	<p>Being aware what's going wrong – a free source of detailed information about how services are working, or not.</p> <p>Complainants who are properly dealt with are likely to be more satisfied even than if nothing had gone wrong in the first place!</p>	<p>Need good systems to ensure that comments and complaints are dealt with systematically so that lessons can be shared and learnt.</p> <p>A small number of complaints might not be representative of the overall service and might take a lot of staff time to resolve.</p> <p>A good and well-publicised complaints scheme should encourage more complaints, but a high number of complaints can be seen as an indicator of failure.</p>
<p>Desk Research/Secondary Analysis Identifying and examining existing surveys and reports, or further analysing existing data, perhaps focusing on the relevant parts of a larger survey.</p>	<p>Use desk research to find out about and learn from consultation that has already been carried out.</p> <p>Use secondary analysis to look again at part or all of the results of an existing survey – most survey data is 'under analysed' and under used.</p>	<p>Can be cost effective, avoids duplication by making the best use of existing knowledge.</p> <p>Reduces the risk of asking the same people the same questions all over again.</p> <p>Can help to refine particular consultation questions.</p>	<p>Can be time consuming and particular skills are required to find, analyse, interpret and report on information.</p> <p>You have to accept 'what is there' rather than being able to commission exactly what you need (it may not be exactly the right information or in exactly the right format).</p> <p>National surveys often suffer from 'missing data' and what is there</p>

			might not exactly match the population you are interested in locally.
<p>Visioning Exercises Using specialist techniques with stakeholders to explore possible futures. The aim is to produce consensus about the way ahead.</p>	Use visioning exercises for community planning, for partnership working and for corporate or district-wide issues.	<p>Brings stakeholders together so that they can start to deal with conflicting interests.</p> <p>‘Consensus’ may be not just a point between the extremes and something less than each party wants, but creative, with new ways of thinking about issues.</p>	There may be conflicts of interest which cannot be resolved, or not simply.
<p>Creative Methods Using personal diaries, videos, photos, drama or case studies to encourage people to express their thoughts and feelings and to stimulate discussion with others. Could include a role-play of how people would ideally like to experience a service.</p>	Use creative methods to find new ways of looking at old problems. A good addition to any consultation exercise. Not just for use with ‘disadvantaged’ groups, creative methods can also provide insight into the thinking of chief officers and executives.	<p>Participatory – enjoyable and rewarding. Can be a good way of motivating people to become involved.</p> <p>Participants might have the opportunity to learn new skills as part of the consultation, for example in making a video or in photography.</p> <p>Can produce material to ‘liven-up’ research reports.</p>	<p>Requires a ‘leap of faith’ by participants.</p> <p>Relies on skilled and experienced facilitators.</p> <p>Some people may feel self-conscious and inhibited, particularly with drama.</p> <p>Maybe difficult to analyse what is really meant or to summarise findings accurately.</p>

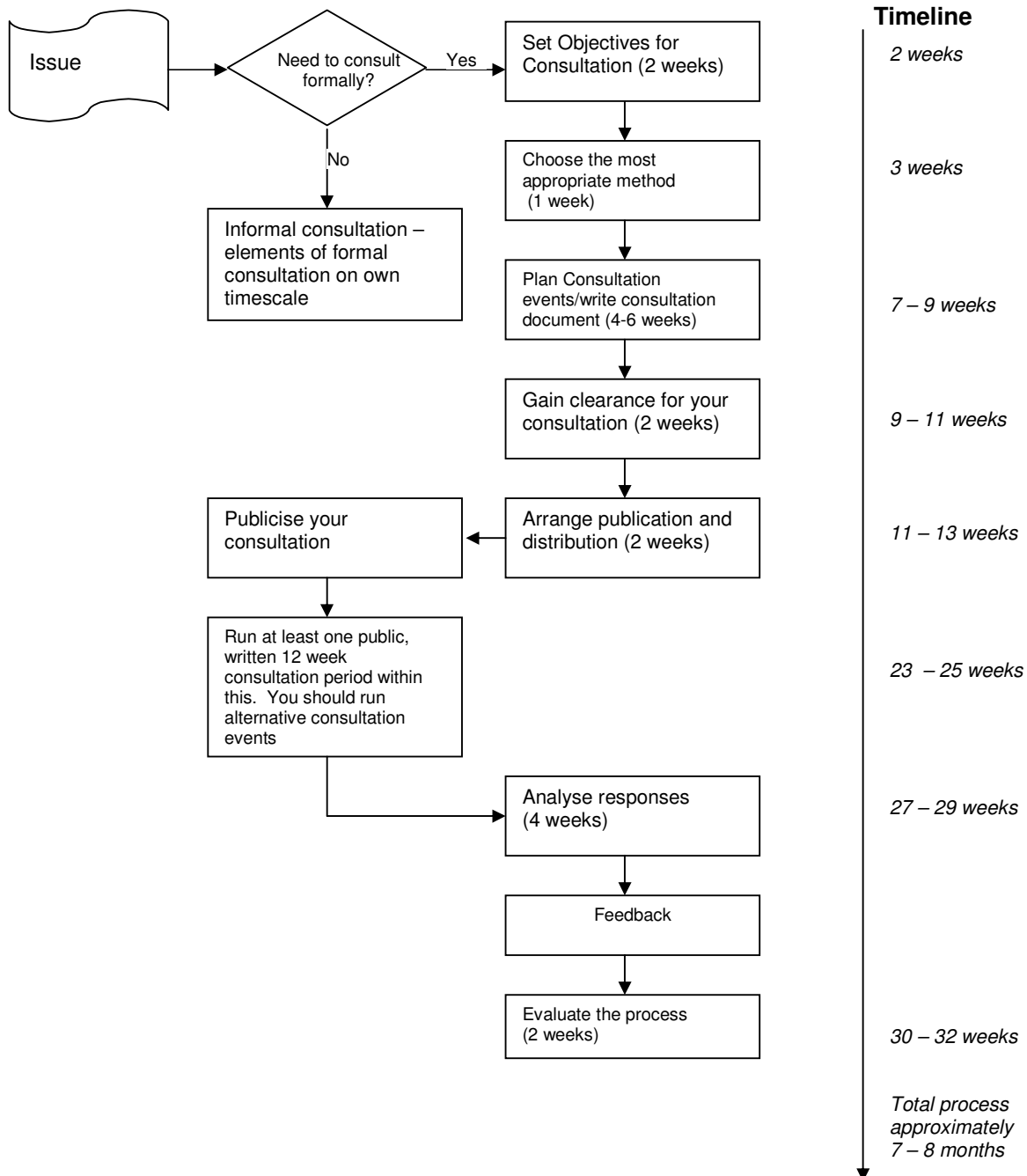
<p>Inviting Written Comments Publication of a consultation document, sent out with a request for comments from the public at large, from interest groups or named individuals.</p> <p>Sometimes promoted through media, or via leaflets, either limited coverage or to all households.</p>	<p>Invite written comments to show that you are open and inclusive and that everyone is welcome to have their say.</p>	<p>Lets people know that you are listening.</p> <p>Responses take into account information given in leaflet, so more informed.</p> <p>May be qualitative or quantitative.</p> <p>Personalised letters are more likely to elicit a response.</p>	<p>Frequently get low response rates, usually only a few hundred to a feature in the local paper.</p> <p>Information given in the leaflet or newspaper may not be neutral, so may skew the responses.</p> <p>When open-ended questions are given rather than 'tick boxes' it may be hard to analyse responses and very time consuming if several thousand responses were to be received.</p> <p>Distribution: not everyone reads their local newspapers. Lists of interest groups go out of date very quickly. The same lists are often used indiscriminately, resulting in some interest groups feeling over-consulted – need to choose carefully.</p>
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<p>Scrutiny Commissions and Select Committees Formal groups of councillors and co-opted representatives, meeting on a regular cycle to review council performance, to investigate cross-cutting and service specific issues and to develop policy.</p>	<p>Scrutiny commissions and select committees have a monitoring role as well as working proactively to review and develop council policy by making recommendations to the council's executive members and cabinet.</p>	<p>Tied directly into the policy making process.</p> <p>Allows direct systematic dialogue between councillors and community interests.</p> <p>Evidence based.</p>	<p>Scrutiny uses a range of techniques to solicit views.</p>
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Consultation Process Flowchart

This chart is intended to be used at the planning part of consultation, to help give an idea of what processes are involved and how long they will take for a formal consultation.

More informal consultation may only have some elements of this chart and take place over a shorter timescale.



Providing information for Consultees

Communication

It is often useful to raise public awareness of your consultation and how people can contribute to it. The best way of doing this will vary according to the nature of your consultation. It can often be as simple as putting out a press release or placing an advert in a publication. The Communication Officer will usually do this for you.

Key points for **all** methods of consultation need to be borne in mind to help communicate your message to your consultees:

- Explain fully why you are consulting, what on, what the results will be used for and what feedback can be expected
- Use clear, plain English or language suitable for your target group
- Avoid jargon and acronyms
- Have translation versions available if appropriate
- Have large print, audio and visual presentation options available
- Consider how you are going to distribute any information, such as by post, or e-mail

Any materials produced for consultation whether displays, pictures, printed information or surveys need to make sense to the target group and to be distributed in a way that will make sure that they get to that group.

You should seek advice from the Communication Officer as early as possible when planning a consultation.

Visual Guidelines

East Devon District Council has a corporate identity that reflects the nature of the district. It is a strong brand, developed to be recognised by our customers across East Devon.

The visual guidelines are available to staff on the intranet.

In summary

The Corporate Logo must be used and should be placed in the top, right hand corner of any document and be consistent in size and colour to the original.

In written documents the font size should be Arial 11 with a standardised form for letter, memos, reports, agendas etc.

In all public meetings and events EDDC colleagues should wear some form of Council identification.

EDDC use a Powerpoint – Visual Presentation Template. This is available on the intranet under Documents/General Documents.

Templates for CD covers are available from the Policy Team.

Please note that wherever possible these guideline should be followed. However, in certain circumstances such as consultation with visually impaired people or young people, it may be more appropriate to adopt different styles and sizing, but keeping some element of the corporate branding.

Working in partnership with other organisations may involve compromises on corporate branding.

Consultation Analysis

The precise method of analysis will depend on which methods of consultation are chosen.

In general the following can be applied;

1. Ensure that accurate and complete records are kept of all responses
2. Try to sort the responses into particular types to help you identify variations in perspectives on issues such as business groups, employee's representative groups, and individual views
3. Identify the key policy issues, themes and proposals emerging and summarise the primary viewpoint into a 'framework grid'
4. Examine the primary viewpoints and consider the implications for each. Separate the practical/realistic solutions from those that you know cannot be pursued
5. Prepare an outline response setting out the key themes identified through the consultation and how you propose to resolve them

Where appropriate, the analysis will be referred to Strategic Management Team and/or Executive Board and the appropriate Overview Committee.

Using the Results of Consultation to Develop Services

Many authorities have reported that much of the consultation that they carry out is not used effectively!

The main way in which authorities can use the results of consultation is to be seen to take consultee's views into account when making decisions. These may be one-off decisions, or they might concern the development of policies, the details of service delivery or the targets sets for services. How easy it is to link consultation and decision making will depend on the sort of consultation undertaken and the care with which it has been planned.

It may sometimes seem difficult to link consultation directly to decisions, for example when carrying out regular testing of service satisfaction, or when there is an open agenda, seeking views on what changes people would like to see. In both cases, consultation can still be linked to decision making as long as you work out at the planning stage how consultation fits into the bigger picture.

It will be vital to build proposed consultations for the future and suggested changes as a result of previous consultations, into service planning days.

Providing Feedback

People take time out of their busy lives to contribute to involvement exercises and it is therefore important for them to know how their views have been taken into account. Without feedback, people will assume that you are not listening.

Feedback should include two elements:

- The outcomes of the exercise
- Any resulting decisions.
- Long term outcomes

Feedback to participants and others with an interest in the particular policy/decision can enhance the final policy by showing that it the public were involved in the process. It should be viewed as a crucial part of the communication strategy for the consultation exercise.

Providing feedback is vital! Good feedback tells consultees what the overall findings of the consultation are, how these have influenced the decisions made, and the reasons behind the final decision. It does not have to be costly; existing communication mechanisms can be used.

It is important for feedback to be honest especially when consultees were critical, or when you have decided to do something that the majority of consultees did not support. By demonstrating that you have paid attention to what consultees have said, feedback can help strengthen the credibility of consultation work. It also helps to ensure the participants feel valued in the consultation process, and builds a more trusting relationship. This will increase the likelihood that consultees will take part in future pieces of work.

What form should feedback take?

- Where individuals are consulted and contact details are known, direct feedback can be given by customers preferred method such as by letter, text message or email.
- Press release, news item.
- Reports back to focus groups.

Evaluation of Consultation

It is good practice to undertake an evaluation of both consultation exercises and ongoing consultation work to measure the effectiveness of the methods used against the original consultation objectives. This will provide information about:

- The effectiveness of consultation methods used, so that future consultation exercises can be improved
- How the views and priorities of local people have been taken into account in coming to decisions on service delivery
- The satisfaction levels of consultees with various aspects of the process.

Evaluating the effectiveness of your consultation should not be left until the end of the process. It will be much easier to do if you have included it in your initial planning. If you've planned properly, identified the objectives of the consultation, and how you are going to measure them, then the evaluation process should be straightforward.

If you are able to answer the question 'what would I do differently or the same next time?' then your evaluation will have been valuable.

Key areas to consider

- Purpose/Objective
- Who you consulted and level of response
- Methods
- Timescale
- Information provided to consultees
- Effect of the consultation
- Costings

Reporting the evaluation

Externally you need only present a paragraph in the final report. Internally you need to share the evaluation and learning points with other services. Ensure that the results of the evaluation are used to improve future consultation processes (See Consultation Co-ordination).

Where appropriate, the evaluation should be reported to Strategic Overview Committee.

Legal Implications

Statutory Duties

Is there a statutory procedure which must be followed?

Some consultation requirements are laid down by legislation. You should establish from the outset whether this is the case. For example, the local planning authority is required to give notice to neighbours about planning applications, and the local housing authority to consult tenants if it proposes to change some tenancy conditions. Often the legislation will specify exactly what must be consulted on, the documents that a person must receive, when the consultation period is to end, and what the council must do with the responses. Failure to stick to the letter of these requirements can mean that the council's decision can be challenged as invalid, or that it has no legal effect at all. This can be expensive and embarrassing if the result is that the Council can't collect money on time, or that a policy decision cannot be implemented while a legal challenge takes time to go through the courts. The best way to check whether there may be a statutory procedure to comply with is to ask your line manager, since this is an operational issue. Legal advice can be sought if necessary, and in general if a major policy decision is to be made it is advisable to do this before the consultation process begins.

If no statutory duty exists, but the Council has committed itself to consult and set out its policy and procedure to do so, failing to carry it out as promised could also be challenged legally – the concept of “legitimate expectation”.

The Local Government Ombudsman could also have a finding of maladministration against the Council if the Council has not followed its own policy or statutory requirement when consulting.

Is there a mixture of statutory and voluntary consultation?

In some cases the Council may decide to do some voluntary consultation, in addition to the statutory consultation. If this is so, make sure that you still follow the statutory procedure for those entitled to it, and that in consulting more widely you do nothing to contravene statutory requirements.

Is it a non-statutory consultation exercise?

The important issue here is to carry out the consultation process you promised. Otherwise there is a risk of legal challenge on administrative law grounds. For example, if a Council has gone on record as saying it will never change its policy on its youth service without consulting those groups likely to be affected, and does not do so before making a decision, any decision would be open to challenge in the courts.

Be clear what the Council will do with the responses and ensure that any committee report is sent to the legal service for comment in the normal way

Again, there may be statutory requirements to follow. For example, the statute may say the Council ‘must have regard to’ the comments received. This means that the Council must consider those responses, but may still reach a different conclusion from the one the consultees asked for. If you are preparing a report for members, make sure you set

out any statutory requirements and the options that are open to members and the consequences of each.

Remember the need to comply with anti-discrimination legislation

The Council must not discriminate on the grounds of race or sex in terms of its services (which includes grants), unless permitted by the law, for example where it is funding a worker of a particular sex because of the nature of the job- e.g. a female worker in a women's refuge. The Council is also committed to a policy of Equality and Diversity in the broadest sense, so, for example, any grant application should be assessed on non-discriminatory criteria.

Data Protection Act 1998

Under the Data Protection Act 1998, any personal information you collect on people whilst consulting must be protected and processed fairly. Those individuals must also be told what you intend to do with the information and how long you will hold that information for.

Any data capable of identifying an individual falls under the act – this includes name, address, telephone number, National Insurance number, benefits references as examples. Even a post code may identify an individual if the address is in a rural area.

If possible, try not to collect personal information such as name, address or date of birth unless necessary for your consultation. You may want to use another method to profile consultees, such as age range and gender.

If you require personal information from your consultees, you will need to add a statement concerning Data Protection to your survey or correspondence, stating what the information will be used for, how long it will be kept and that it will be used and secured in accordance with the Act. Please contact the Data Protection Officer for suitable wording for your particular consultation exercise.

If you do retain personal information (for the purposes of contacting them with feedback) you must safeguard it and keep it secure. Do not pass the personal information on, or use for any other purpose, as this breaches the Act. Contact the Data Protection Officer for advice.

It is also important not to retain personal information for longer than is necessary.

Freedom of Information Act 2000

The Freedom of Information Act allows any individual to request a copy of information held by a public authority. Some exemptions exist, but in the main any information held could potentially be requested and released.

Requests could be made for any information relating to your consultation exercise and is worth bearing in mind. To help avoid requests being made, it is worth planning when you might publish the analysis of your consultation, as well as the thought process to the final decision made post consultation – especially if the decision appears to be in conflict with the views expressed in the consultation. Being up front with publishing allows the process to be open and transparent, helping to reinforce the whole exercise of consultation.

Ethical and Confidential Considerations

In considering what form your consultation will take, you will need to consider the issues set out below when planning your consultation exercise, and how you will deal with the participants of the consultation.

- Be aware of the boundaries and any limitations of your professional competence. If you are not sure how best to plan your consultation even with the use of this Guide, please ask.
- Have regard to the physical, social and psychological well being of any participants of the consultation. Whatever form your consultation takes, take care that it does not adversely affect any of these factors.
- Prospective participants of any consultation should be made aware of their right to refuse participation whenever and for whatever reason they wish.
- Privacy and confidentiality are key:
 - The Data Protection Act requires us to protect any personal information given by participants
 - Where such personal information needs to be shared with other agencies, the participants consent must be obtained
 - Responses from participants must be stored securely, and only retained for as long as is necessary.
 - Any information given in confidence will not attract legal privilege, and therefore could be requested by a court
 - Clear statements on any consultation documentation about confidentiality, the use of the information provided and the use in accordance with the Data Protection Act must be used
- Avoid pre-empting the outcome of any consultation, especially in communication with the public
- Be open in publicising anonymised consultation findings even if the final decision appears to be going against those findings.

Risk Management

There are risks that can occur in any project such as exceeding budgets and slippage of milestones.

In addition, when consulting, think about the following risks:

- Lack of engagements and commitment to the consultation
- Issues too complex (or not clearly presented) to be understood
- Low participation and/or response rates
- Narrow range of respondents
- Lack of agreement about the issues or conclusions
- Public perception of low commitment from EDDC
- Poor trust or understanding by stakeholders
- Mistaking stakeholders participation for the views of the users

It is important to identify which of these risks are most likely to affect your piece of work or have the highest impact and decide what action you will take to control these risks.

Strategies that may help include:

- Complying with the Consultation Strategy and Guide to Good Practice
- Consult with the Funding and Consultation Co-ordinator
- Allocating enough time to identify all of the stakeholders and planning their participation in the consultation
- Effective stakeholder engagement from the beginning (especially where there may be areas of conflict)
- Building the capacity of groups and individuals to participate in the consultation
- Ensure that the methods used are best for the piece of work you are carrying out
- Being transparent about the objectives
- Planning for what to do if things go wrong
- Ensure that legal and ethical implications are considered.

Involving Diverse Groups

It is important that you are able to gain a broad range of views from different groups in society when consulting. You should be aware of the barriers which may affect different peoples ability to contribute and consider ways of overcoming these. More specific information about the groups below will be discussed later on.

Children and Young People
Ethnic Minorities
Faith Communities
People with Disabilities
Small Businesses
Voluntary Organisations

Understanding your audience

You will need to develop an understanding of your target group and any specific needs the group may have. Ways of doing this include using census information, drawing on previous research or guidance, and talking to the target group directly and/or organisations that represent or work closely with them.

Based on this knowledge, decision makers will need to respond sensitively and consider what actions need to be taken to enable their involvement. Possible measures include:

- Organising interpreters or signers
- Running separate meetings for men and women
- Ensuring venues are fully accessible
- Making material available in a range of different formats
- Asking for peoples views about the best ways to involve them.

Social Inclusion Checklist

You may find this checklist useful to work through when considering how to involve diverse groups:

When you are writing policies and procedures, reviewing your services, or when creating or buying a new service: you may wish to double check against this list that you have not forgotten to consider important issues regarding our diverse local communities:

Areas we must consider	Examples of issues we must accommodate	What is your solution?
APPROPRIATENESS	<ul style="list-style-type: none"> • Is the service or project based on what people have actually said they want and need or only what you <u>think</u> they want and need 	
ACCESS	<ul style="list-style-type: none"> • No car • Little or no public transport • Need 'buggy' or bike parking • Have to rely on others for transport (eg young people, rural communities) • No access to usual information sources eg Internet/library/local paper • No telephone • Different or poor language skills 	
DISABILITY	<ul style="list-style-type: none"> • Limited mobility • Poor, or no, hearing or sight • Mental health illness (eg psychoses, compulsions, phobias, dementia, depression etc) • Accompanied by carer • People with learning disabilities • Represented by another person • Fear of being stigmatised • Too frail or unwell to travel, or to follow usual procedures 	
OTHER EMOTIONAL & PERSONAL ISSUES	<ul style="list-style-type: none"> • Shyness/unassertiveness/fearful of new situations • Highly emotional (angry, attention seeking, frustrated, stressed, tearful, frightened, aggressive) • Recently bereaved • Addictions 	
CARE RESPONSIBILITIES	<ul style="list-style-type: none"> • Impossible, or difficult, to spare time, or to travel because the person (often young person) has a responsibility to look after children, or adults 	

Areas we must consider	Examples of issues we must accommodate	What is your solution?
RESTRICTED SKILLS, KNOWLEDGE, OR ABILITY	<ul style="list-style-type: none"> • Illiteracy • Dyslexia • Lack of confidence • Lack of understanding • Difficulties in understanding • Forgetfulness • Inability to concentrate • Poor educational attainment • Fear of being stigmatised 	
PEOPLE WITH RELIGIONS, LANGUAGES, CULTURES BELIEFS, PREFERENCES, OR SEXUAL ORIENTATION, DIFFERENT FROM YOURS	<ul style="list-style-type: none"> • Different cultural norms • Different dress • Different religious observances • Different appearance • Different diet • Different first language • Different attitude to alcohol • Fear of being treated differently, or less favourably • Fear of not 'fitting in' • Fear of ridicule, or offensive comments 	
PEOPLE WITH LIMITED MONEY	<ul style="list-style-type: none"> • Can't afford services • Can't afford required equipment, materials, transport, etc that are associated with the service • Ashamed of asking for concessions or 'charity' • Worried about being visibly less affluent or 'stigmatised' as such • Fear of ridicule 	
PEOPLE WHO FEEL THEIR CHOICES ARE LIMITED BY THEIR CLASS, GENDER, BODY IMAGE, OR AGE	<ul style="list-style-type: none"> • Services perceived to be 'highbrow' or 'posh' • Services felt to be aimed at men, or mainly for women • Services felt to be aimed at fit people • Services felt to be aimed at old people, or for young people • Fear of ridicule 	
FEAR OF CRIME	<ul style="list-style-type: none"> • Worried about safety • Worried whether children or home/belongings will be safe • Worried about being exploited 	
FEAR OF LOSS OF PRIVACY, OR CONFIDENTIALITY	<ul style="list-style-type: none"> • Uncomfortable with mixed gender activities • Reluctant to divulge personal information 	

Peter Jeffs EDDC

Consulting People with Disabilities

Much consultation is reactive and informal, researching mainly those who are already users of services. Service providers need to be proactive and to encourage, rather than expect, people with disabilities to participate in the consultation process.

This section of the Guide is aimed at helping you to contact disabled users and potential users, to bring them into the consultation process; to ensure that your consultation planning and processes are effective; and to promote services to people with disabilities generally.

Including people with disabilities in consultation about services in general helps to break down barriers and increase disability awareness in the community. Other local organisations can be influenced by your example.

Who to consult and how to reach them

If your service has a register of users and you can identify that it represents the diversity of the community, including those who are disabled, you have a ready-made user group to consult.

Different approaches will be necessary if your service is used by the public in general.

There will always be people who can be easily identified and who will make their voices heard and this needs to be balanced by contributions from those who are less able to speak up for themselves. You also need to make it possible for people to give their views confidentially and anonymously if they wish to do so.

You could ask for third-party feedback from elected members or trustees, and suggest the direct involvement of disabled consultants. Ask them to let you have the information in writing or suggest they ask the people with disabilities whose views they are representing to become involved in one of your consultation groups. Some groups are used to voicing their views, although they may offer useful insights, they do not necessarily know everything that users want.

To target both users and potential users who are disabled, you may find it effective to approach any existing users groups you have as well as existing groups and networks of people with disabilities and other disability organisations.

If you are targeting organisations 'for', rather than 'of', people with disabilities, it is important to recognise that their views are not necessarily the same as those of people with disabilities themselves.

To reach some groups you will need to consider which media is the most effective communicator, for example, talking newspapers or email groups.

Be proactive in reaching traditionally isolated groups such as those who have dual sensory loss, learning difficulties, or live in residential accommodation.

Using the knowledge of staff, especially those working at service delivery points, can be effective in identifying individual users who could make valuable contributions to consultation.

Consulting staff as well as users is valuable. This enables them to have input into any changes that may affect the way that they work and to talk about any concerns that they may have. It will also help you to identify related training needs.

If you are planning to target people with disabilities specifically you could:

- Engage a local Access group on a voluntary or professional basis
- Establish a professional and representative group of people with disabilities with relevant interests and experience
- Engage interested disabled service users for a general access focus group or impairment specific groups
- Include disability consultants in an internal working party
- Use established disability organisations, local or national, taking care that they are a group of, rather than for, people with disabilities to ensure representative views.

Making your consultation meetings fully inclusive

Key requirements are:

- Accessible and targeted information about the meeting
- Assistance with transport to the meeting, where needed
- Accessible building with adequate toilet facilities
- Communication support; eg induction loop, interpreters
- Accommodation for personal assistants
- Supporting documentation in accessible formats

and:

- Check access needs at the start
- Set ground rules
- Ask the right questions, such as about barriers faced rather than about impairments
- Ensure that people speak one at a time at a pace to suit other participants and interpreters
- Allow additional time for communicating with people who have sensory or learning impairments
- Use appropriate and respectful language
- Allow enough time for breaks.

In conclusion

To achieve the best accessibility and inclusivity for people with disabilities, there is no doubt that time and effort on consultation is well spent.

For people with disabilities, who may distrust organisations like the Council, it is no exaggeration to say that effective and accessible consultation with them has the potential for life changing outcomes.

If a traditionally marginalised group of people with disabilities is consulted, the consultation process itself can be empowering as well as informative.

Those facilitating the process will learn how to remove barriers to access; provide information accessibly; run inclusive meetings; and ensure that everyone's views are taken into account.

Those contributing will be encouraged by being listened to and will learn effective ways to present their views, with consequent positive effects on their self esteem and their readiness to speak up for what they want.

Children and Young People

Children and young people are young citizens. Although they do not have voting rights, or are liable to pay Council Tax, they live in the same areas, they use and receive many of the same services and they have the same rights and responsibilities as other members of local communities. They represent a section of every community that has its own needs, views and aspirations. Children and young people have the right to express their views and to be heard as set out in The United Convention on the Rights of the Child and the European Convention on Human Rights.

Reasons for active involvement

- Children and young people have a right to be involved in the decisions that affect them.
- Services will be more effective, better targeted and received.
- The health of our democratic community depends on the active involvement of children and young people.
- Children and young people will benefit from being involved in decision making.
- Local and national policies encourage and require it and our performance will be evaluated on how we do this.

Children and young people also have the right not to get involved if they wish.

What are the benefits of involving children and young people

For the organisation and its partners

- Information can be gained from children and young people as citizens and customers about their changing attitudes and needs, their views as to what constitutes quality in service provision and barriers to accessing services.
- Children and young people can bring fresh perspectives and new ideas about services, policies and democratic processes, helping tackle key objectives and promoting social inclusion.
- Services and policies can be designed, delivered and evaluated based on actual rather than presumed needs.

For the children and young people

- Children and young people can build on existing skills and develop new ones, increasing confidence and self-esteem.
- Children and young people may better understand particular organisations and how to influence them.
- Children and young people benefit from new and better services that are more responsive to their needs.

Successful models of active involvement of children and young people in local democracy have seen them participate in a variety of circumstances – in Council chambers, schools, community centres, bowling alleys, leisure centres. Different groups of children and young people and different issues will need different approaches. It is not always going to be a quick or easy task. It can take time and effort to ensure that children and young people and others are fully able to participate. In particular, hard-to-

reach groups such as vulnerable children, children in care and children and young people with disabilities will require support to help them participate.

Values for the active involvement of children and young people

- Children and young people's participation is a visible commitment that is properly resourced.
- Children and young people's involvement is valued.
- Children and young people have an equal opportunity to participate.

Taken from 'hear by right – Standards for the active involvement of children and young people'

Small Businesses

Small businesses are often disproportionately affected by new policies and legislation. It is therefore important to ensure effective consultation with them.

Small businesses usually have far less resource to handle consultations and are often not thinking that far ahead. You will need to think innovatively to capture their attention.

A few helpful tips:

- Keep consultations as simple as possible. A summary or short version should be produced if possible.
- Think about the format of the consultation and use as many methods as you can. Online may be ideal for some small businesses, but others will require alternative methods of communication. Some systems will not handle large files.
- Including small firms early in the consultation process will help ensure that their direct experience informs the development of the policy and will help avoid any unintended consequences.
- Small businesses are busy. You may need to be more proactive and understanding in obtaining their views.
- The Small Business Service can offer advice and help in reaching small businesses www.sbs.gov.uk

CONSULTATION STRATEGY

Reviewed

April 2005

Strategy Number

CS 013

Strategy Approval

This policy was approved by the Council in April 2005.

Strategy Statement

The Government would like to see consultation at the heart of local government. Every Council is required to develop a consultation and participation strategy with local people and others who have an interest.

To achieve 'Best Value', the Council is expected to respond to issues raised in consultation with key stakeholders. Key stakeholders include local people, service users, taxpayers, Parish and Town Councils, employees and Members. The Council will be accountable by showing how the participation of local people has affected decisions about its key services. Under Best Value, the Customer Access Strategy and other service-related legislation the Council has a duty to consult local people. The Council will continue to be committed to consulting more widely than is required by the legislation.

Public involvement helps to build confidence and improve the understanding of what the Council is trying to do. It helps to make services more effective by enabling better provision for local people's needs.

The Council's Commitments

One of our Corporate Goals is to become officially rated as being an excellent Council. Our top priority under this goal is to 'promote a strong local democracy through facilitating greater public involvement in setting and prioritising our objectives so that we deliver our services cost effectively and how, when and where our customers would like them'. EDDC Corporate Strategy (amended August 2003)

This consultation strategy is part of the Council's overall approach to putting our customers first. It is designed to move us further towards our goal of becoming an excellent Council.

Our 'Customer First' approach is set out in our 'Customer First Policy' that states how we will put our customers first when providing services. It takes account of a number of policies and pieces of legislation including the Equality and Diversity Policy, the Freedom of Information Act (2000), the Data Protection Act (1998), the Customer Access Strategy and the Communications Policy as well as this Consultation Strategy.

The Council is committed to working in tandem with a range of different partners so as to draw on each of our respective strengths and to reduce duplication. This approach also applies to consultation. The Council will continue to work with other authorities through the Devon Consultation Group and will abide by any partnership agreements on consultation that it signs up to, including the Public Involvement in East Devon Project and a consultation compact with the voluntary sector.

To ensure that Consultation Strategy is implemented effectively throughout the Council, a guide to good practice and conduct has been developed. This offers practical guidance on how to carry out a consultation from the first proposal to the final evaluation.

Specific Policy Areas

What is consultation?

For the purpose of this document the term consultation indicates obtaining information and opinions from or about those individuals or organisations likely to be impacted by particular actions or views of the District Council, prior to a decision or policy being made. Consultation is a process that requires a commitment to take on board participants' views via a range of methods appropriate to the individuals and organisations involved. This may range from a general request for comments on a document, to a detailed questionnaire. It may be a regular and routine enquiry for general information (e.g. on customer care) or a one-off, time-constrained question (e.g. on budget cuts). Some consultation is approached very widely inviting all comments, and some is very directed towards a particular stakeholder group, which is likely to be affected.

Why consult?

It is important to ensure that in developing policies and practices, East Devon District Council is informed by a wide range of experiences and takes into account the actual (rather than assumed) impact and effects of its proposals on all sectors of the local community. Effective consultation enables contributions to the policy-making process. This leads to policies that reflect local needs and wishes and, therefore, to the delivery of better services. Consultation signifies the Council's openness and accountability and can create a better understanding with the Local Community.

How to consult?

Each consultation exercise needs to be carefully planned and implemented to ensure that we achieve high quality effective consultation. The Council will use people who have specialist experience in consultation. We first need to determine whether something statistically robust, or something reflecting individual's experiences and views, is called for (quantitative and/or qualitative).

In order to avoid raising unreasonable expectation it should be clear what is, and is not, being consulted upon and the realistic scope for change as a result of the consultation.

Prior to consultation we should first ensure that the appropriate information does not already exist, or that the task does not flow from previous work that has already been subject to relevant consultation (e.g. Community Plan).

To help reduce duplication Managers are required to inform the Council's Policy Team of their intention to carry out any wide ranging and significant consultation exercise so that it

can be incorporated into the Consultation Calendar. The Policy Team will then offer practical help and advice in identifying the reasons for the proposed consultation, resources needed and the most appropriate way forward.

(NB. The Policy Team comprises the Policy Manager, Senior Policy Officer, Policy Officer, Funding Co-ordinator and Communications Officer. Initial contact should be made with the Funding & Consultation Co-ordinator.)

The range and scope of the consultation may be constrained by limited resources. In this case we need to be sure that we temper our reliance on the findings. It may then be more appropriate to use externally moderated focus groups as a 'straw poll' or to establish a less wide ranging area of consultation, or we may instead consult 'proxy organisations' representing the views of stakeholders rather than stakeholders themselves. As a broad principle however we should try to ensure that we do not just hear the vocal minority.

Consultation is by its nature a very public exercise, often attracting media interest, and it is therefore essential that it be undertaken in a professional manner and that the Communications Officer be involved at an early stage.

In accordance with the Cabinet Office 'Service First' guidance on formal written consultation, wherever possible 12 weeks should be allowed for replies to wider ranging community consultations. It should be recognised that this will not always be possible, in which case 8 weeks for replies will generally be a minimum unless the consultation is through a direct survey of individuals.

Information on methods of consultation, legislation applicable to certain services, for example Government guidelines governing community involvement in planning; and client groups will be included in the Consultation Guide and Code of Practice.

When to consult?

We undertake to consult with all interested parties whenever and wherever appropriate. We have established the following trigger points to ensure that this commitment is met:

- Whenever the Council is obliged by law to consult, it will do so in accordance with the statutory requirements.
- As part of all major service Reviews, consultation with major stakeholders will always be undertaken.
- Whenever an entirely new strategy is being formulated, appropriate consultation will be undertaken unless relevant and reliable information already exists.
- When an existing strategy is being reviewed, consideration will be given to undertaking consultation.
- Whenever the Council prioritises its goals, services and resources, local people and/or our partners will be consulted unless relevant and reliable information already exists.
- As part of the annual review of all service plans, we will identify the need for new consultation to be undertaken where appropriate.
- In line with 'The Information and Consultation Employees Regulations 2004' consideration will be given to mounting an appropriate consultation exercise;
 - whenever a Member or employee alerts us to an issue that may require new consultation.
 - on all significant decisions ranging from restructuring to measures likely to lead to changes in organizational or contractual relations.

Consultation identified in each service's yearly Service Plan will be programmed in to the Consultation Calendar. This will be drawn up and maintained following the adoption of this policy. It is recognised that the Council must be flexible and accept that not all consultation can be planned in advance.

Who to consult?

Consultation can be with any interested external parties, partners and/or employees as appropriate. Wherever reasonable the Council will consult with the public directly and take account of their specific needs. Please see the Consultation Guide for further information.

There is a general principle that local Members will be consulted on structural proposals that directly and significantly involve their ward unless their interests are formally represented by another person or they are given opportunity to comment through another route. Similarly there is a presumption that staff will be consulted on structural changes or matters of employment conditions.

The Policy Team are to be informed of any major consultation planned by a service. This is to ensure that no one group of people are consulted too many times for general or similar information and that, where possible, consultation can be combined. Any large consultation exercise will be discussed with partner organisations to see whether a joint exercise could be undertaken. This should stop any groups or individuals being frequently consulted and would prevent duplication and share costs.

Analysis and feedback

The results of all consultation exercises should be fully analysed and views should be, where appropriate, adequately weighted to give fair representation. Particular attention should be paid to the views of representative bodies and those most affected by the proposals. A recommendation list will be developed to show any changes identified as a result of the consultation. Where appropriate this will be referred to Strategic Management Team and/or Executive Board and the appropriate Overview Committee.

Once a decision has been made on the way forward, respondents should be notified promptly on how work will proceed. Feedback on the results should be given which will show how contributions to the consultation have been taken into account and helped to influence policies and services. Consultees tend to feel valued as a result and have a more positive outlook on the consultation process should they be consulted in the future.

Evaluation of Consultation

Evaluation of the success of the consultation is vital through pre-determined success indicators or statistical confidence. This will be incorporated from the initial planning stages. It will identify success/failures and any unforeseen factors in order to avoid pitfalls in future pieces of work. This will enable good practice to be incorporated into the Consultation Guide and Code of Practice.

Outcomes

- Customer focused policies and decisions based on local need
- An increase in participation by the public and other stakeholders, in decisions which affect them
- A greater understanding by the Community of the Council's work
- A greater understanding by the Council of the Community's needs and issues
- A progression towards reaching solutions by agreement
- Greater openness and transparency of decision making by the Council
- Better decision making
- Recognition as an excellent Council

Who is responsible for delivery?

The Portfolio Holder for Communications is responsible for the general overview of communications.

The Strategic Overview Committee is responsible for scrutinising consultation across the Council.

The Executive Board has a responsibility for considering how the public and other stakeholders might add to the quality of their decision making.

Overview Committees have a responsibility for considering how the public and other stakeholders might add to the quality of their scrutiny.

All Task and Finish Forums have a responsibility for considering how the public and other stakeholders might add to the quality of their work.

The Strategic Management Team is responsible for promoting, encouraging and monitoring consultation across the Council and within each directorate.

Heads of Service are responsible for actively seeking opportunities to undertake consultation within their service and, where possible, in partnership with other services and/or external partners. They are also responsible for ensuring that any planned consultation is communicated to the Policy Team for support and incorporation into the Consultation Calendar.

All Members and staff who meet with stakeholders and partners in the normal course of their work are responsible for highlighting all situations, where in their view, some new formal consultation would be beneficial.

The Manager who initiated the specific consultation exercise is responsible for implementing the consultation, for evaluating the success or otherwise of the exercise, for reporting on the outcome and for providing feedback to the consultees, and the Policy Team for monitoring purposes.

The Policy Team is responsible for agreeing with the Manager (or whoever the Manager deems appropriate) how to proceed, for ensuring that each exercise complies with the strategy and for providing each Manager with adequate technical support. They will publish a quarterly statement to the Strategic Management Team, the Strategic Overview Committee and the Executive Board summarising all consultation exercises completed in the quarter.

A group of officers nominated by the Service Heads will take on the responsibility for ensuring adherence to the Consultation Strategy within their Service. This group will share and promote good practice across the Council.

Performance Monitoring

The number and type of consultation exercises completed, the response rates achieved, the key findings and the consequent outcomes will be monitored quarterly by the Strategic Management Team, Strategic Overview Committee and the Executive Board.

Strategy Consultation

This strategy has been consulted upon with members of the 'Speak Now' Panel, the Tenant Customer Panel, officers and the Strategic Management Team. This strategy is also in adherence with the Devon-wide Voluntary Sector COMPACT and Cabinet Office 'Service First' guidance on formal written consultation.

Policy Review

The Corporate Director, Central Services will review this policy in April 2006.

Related Policies and Strategies

Customer First Policy

Communications Policy

Complaints Procedure Guide

Customer Access Strategy

Local Government (Access to Information) Act 1985

Disability and Discrimination Act 1995

Data Protection Act 1998

Human Rights Act 1998

Freedom of Information Act 2000

Race Relations (Amended) Act 2000

Environmental Information Regulations 2004

The Information and Consultation Employees Regulations 2004

HOW DO WE INVOLVE YOU?

Summary of responses

East Devon District Council has undertaken a piece of work to find out how we could further involve local people in surveys and decision making. Over 200 wide-ranging responses have been received and they are proving valuable in our future planning of consultation exercises.

What would be the ideal length for a formal survey?

The vast majority of respondents would be put off if a survey looked as if was going to take a lot of time or effort to complete. However, a few stated that if the subject was clearly important and the questions relevant, then they would be willing to spend the necessary time on it.

Some felt that surveys should not take more than 10/15 minutes to complete and that they did not mind how many questions or sheets of paper were involved.

Others made the point that multiple choice questions took far less time to answer than those that required written comment and that they would therefore be quite happy with 2 or 3 times as many questions if they were multiple choice.

In summary, the vast majority felt that a survey on 2 sides of A4, containing up to 10 standard questions was likely to be completed promptly. Longer surveys are more likely to be put to one side and eventually be discarded.

How much time would you like to have available to send it back in?

Many pointed out that surveys were more likely to be completed and returned if they were dealt with quickly. Others argued that a period of 4 weeks was necessary in case they were away on holiday at the time.

In the event of a more complicated survey being undertaken, a longer period might be more appropriate.

How could we involve large numbers of people in decision making?

Some respondents felt very strongly that 'this is a democracy – we elect our Councillors to make the decisions' and that consultation exercises would undermine their role. Others felt that ensuring that Councillors are aware of all current Public Consultation and the responses would strengthen their role.

Many feel that we 'need to spell out the importance of each survey; ensure that the questions are relevant; stress the need for public opinion; tell the respondents when and how they will receive feed-back and ensure that they receive it'.

Alternative consultation methods were suggested, for example Public Meetings, local radio phone-ins and telephone surveys. The majority of existing respondents indicated that they were happy with written surveys.

The overarching message that came through was that we could include more people if we gave advance notice of the local decisions that are due to be taken in the coming months and if Public Consultation is initiated in good time.

How do you feel about responding to surveys via e-mail or your mobile phone?

The replies to this question varied from 'very good idea' to 'forget it'!

Despite this, over a quarter of respondents stated that they would respond to e-mail surveys. Some felt that it would be more environmentally friendly and cheaper than the present method. The point was made that e-mail surveys would allow proper consideration to be given to each question and would allow the respondent to reply at a time convenient to the respondent whereas phone surveys require an immediate response without any thinking time and always seem to turn up at the most inconvenient moment!

Very few indicated that they would respond to mobile phone surveys, the majority that commented on this form of consultation did not like the idea.

How would you like us to feed back the way that your comments to consultations have made a difference?

Almost all respondents stated that they wished to be told what effect that their contribution had had on policy. They also made the point that if Public Consultation was seen by residents in general to be having an effect, then more respondents would come forward.

Suggestions for feedback include; a request for an annual report; a letter to each respondent after each survey; a notice in the local media (including the EDDC web site) after each survey; a response by e-mail; for responses to be sent via the relevant Local Councillor so he/she would be informed of what was being said; for responses to be routed back through the Town and Parish Councils.

Comments to consider

- “Acknowledge our contribution and tell us what action you are taking as a result of the survey. Make us feel important! Acknowledgement could be by individual letters or to save money by press release / local radio and entry on the EDDC web site – Public Consultation page.”
- “When you are informing the public of a new decision make it clear what role (if any) public consultation played in arriving at the decision. i.e. raise the profile of Public Consultation.”
- “Make the survey questions short; sharp, simple, clear and write them in plain English. Avoid acronyms, jargon, abbreviations (e.g. EDVSA), and overlapping questions. Consider including some multiple choice questions when appropriate. If tick boxes are used, always also provide a box for comments. Write all questions clearly in bold type. Make the survey form eye catching and attractive. Limit the number of questions. Ask for a quick response otherwise some surveys will be put to one side and get forgotten.”
- “Limit the number of surveys that you ask us to complete to say 10 per annum maximum. Only send us surveys that relate to our areas of interest / experience. Either ask us to indicate which subjects are relevant to us or state that a particular survey is due and ask us in advance (by letter or by Local Radio / Press advertisement and EDDC web site) whether or not we wish to be involved. Alternatively keep sending them and we will only reply to those where we can offer an opinion!”
- “Explain why the survey is being conducted; state when and where the results will be published and stick to it! If there is a delay, publish a progress report to show that work on the survey is still on-going. State response rate.”
- “Consider offering a financial incentive. Perhaps a draw so that one respondent gets a prize. Perhaps a cheque to be paid to the winner’s chosen charity – result more good publicity for the Council and for Public Consultation – could provide photo opportunity? Provide at least a postage paid self addressed envelope.”
- “Consider other forms of surveys – e.g. stopping people in the street might result in better response rates and responses from a wider cross section of residents from each different part of East Devon. A few respondents would value the opportunity to attend a meeting to discuss the issue before completing their survey sheet.”
- “Publicise the importance that EDDC attaches to Public Consultation by using local radio; local TV; local press and EDDC web site – Public Consultation page.”