

# REPORT FOR: **CABINET**

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<b>Date of Meeting:</b>	14 July 2015
<b>Subject:</b>	Consultation Standards
<b>Key Decision:</b>	No
<b>Responsible Officer:</b>	Tom Whiting, Corporate Director of Resources
<b>Portfolio Holder:</b>	Councillor Sue Anderson, Portfolio Holder for Community, Culture and Resident Engagement
<b>Exempt:</b>	No
<b>Decision subject to Call-in:</b>	Yes
<b>Wards affected:</b>	All Wards
<b>Enclosures:</b>	None

## **Section 1 – Summary and Recommendations**

### **Summary:**

Work to develop a new approach to how the Council delivers community engagement and involvement commenced in 2014. The Take Part budget consultation in the autumn of 2014 started to set out this new approach, and this report outlines a set of Consultation Standards for the Council to adopt, which every consultation the Council delivers will be expected to meet.

The report also sets out the governance arrangements for managing consultations and Cabinet are asked to endorse this approach. Although there is an overlap between consultation and engagement, this report is specifically aimed at improving how the Council runs and delivers its consultations, although the standards set out also relate to how the Council should carry out its engagement activity.

### **Recommendations:**

Cabinet is requested to:

1. Approve the Consultation Standards set out in paragraph 3.18 and the Residents' Rights set out in paragraph 3.24 and approve that all Portfolio Holders will ensure that consultations in their respective areas meet these Standards before they go into the public domain; and
2. Endorse the governance approach for the management of consultations outlined in section 3.

### **Reason: (For recommendations)**

The Administration has set out the importance of consultation and engagement with local residents and communities. This report sets out an approach to improve the consistency of Council consultations so that residents always have the chance to influence what happens in their local area.

## **Section 2 – Report**

### **1. Introductory paragraph**

- 1.1 Work to develop a new approach to how the Council delivers community engagement and involvement commenced in 2014. The Take Part budget consultation in the autumn of 2014 started to set out this new approach, and this report outlines a set of consultation standards for the Council to adopt, which every consultation the Council delivers will be expected to meet. The report also sets out the governance arrangements for managing consultations and Cabinet are asked to endorse this approach.
- 1.2 The Council last approved a set of consultation standards in 2008, and although many of these still have some relevance, given the changing face of local public services as a response to funding reductions since 2010, it is right that the Council re-evaluates its standards and agrees an updated set.

- 1.3 In developing these standards the Council has considered best practice nationally, as well as its own examples of good and effective consultation and engagement.
- 1.4 For the purpose of applying this set of Consultation Standards, consultation for the Council should be defined as when the Council is formally seeking views from service users, residents and/or businesses on changes in policy, services or the physical environment (including such things as planning, roads and parks).

## **Options considered**

- 1.4 The Council could choose not to agree a set of consultation standards, and allow a less co-ordinated and joined up approach to the delivery of consultation. Given the Administration's clear priorities around working with local people in making some of the difficult service changes ahead, there is a strong case for signing up to a set of corporate consultation standards.

## **2 Background**

- 2.1 The Administration has set out a number of areas that they wanted to improve with regards how the Council consults and engages with residents. This is mostly about improving the consistency of approach, and bringing those areas of the Council where the approach is not consistent up to the standards being delivered elsewhere. Therefore in agreeing a set of standards, this will support the Council in delivering against this ambition. The full set of areas where the Administration wishes the Council to improve in its consultation activity is as follows:
  - a) The Council to keep and maintain a database of residents which allows them to record their responses to consultations and note their areas of interest. Targeted communications can then be sent out when future consultations are about to start.
  - b) The Council to keep and maintain a database of voluntary or community groups or organisations, and trade associations in the Borough, which allows them to record their responses to consultations and note their areas of interest. Targeted communications can then be sent out when future consultations are about to start.
  - c) The Council to aim to hold a public event for those consultations where there is a clear community interest to do so, which will allow the public to meet and speak with decision makers, in order to represent their views. Consultations that affect a specific place within Harrow should aim to hold an event within a reasonable distance of that place.
  - d) The Council to report the outcome of all consultations publicly, showing how the results have influenced the Council's decision making.

- e) The Council to develop a timetable of all future consultations in council departments, and curate a database of all past consultations, to coordinate more effectively
- f) That there is a central point within the council that has oversight of all consultations, i.e. for consistency of presentation and consistency of standards.

## **Current situation**

- 2.2 The Council carries out many consultations across the year from more localised ones such as planning, licensing and traffic changes, to bigger consultations affecting services across the borough, such as those around savings for libraries, adult social care and Childrens' Centres. In some instances there is a statutory requirement to consult and in others it is a matter for the Council to decide whether or not consultation should be undertaken. The Council always meets its statutory obligations, but there is an opportunity that through each of these consultations the Council can make a difference to either people or communities by raising the standards of the consultation, which in some instances would go beyond the statutory minimum and be more supportive of the Council's aspirations around engaging with local people and genuinely giving them an opportunity to shape the decisions which affect them.

## **Why a change is needed**

- 2.3 A change is necessary to re-emphasise the importance of consultation to the Council and also to set out to residents and staff that there are a clear set of standards for consultation which the Council is happy to be judged against and will also ensure that consultation is as effective as possible in terms of supporting outcomes the Council is trying to achieve. The arrangements for sign off of consultations is not consistent across the Council and by agreeing to these standards, the governance put forward to improve quality and coordination and the role of the Portfolio Holder for Community, Culture and Resident Engagement as a champion for the quality of Council consultations, residents should see a marked improvement in how they are consulted and engaged in key decisions affecting them.

## **3 Implications of the Recommendation**

- 3.1 In this section, each of the six areas outlined in paragraph 2.1 above are set out with the current work being undertaken to deliver against each of them.

**The Council to keep and maintain a database of residents which allows them to record their responses to consultations and note their areas of interest. Targeted communications can then be sent out when future consultations are about to start.**

- 3.2 The current online portal for consultation (the Objective Portal) has the ability to do some of this, as long as residents fill in their preferences so that they are alerted to those consultations that interest them. To date this has not been integrated with the MyHarrow Account. However, the Council intends to replace this system, and is also planning to develop a new Customer Relationship Management (CRM) System in 2015/16. There is an opportunity to build in a better way of managing contact with residents, especially around responding to residents who take the time to contact us in our consultations, by integrating our online consultation/engagement platform with our CRM, and therefore enabling residents to carry out even more contact with the Council through their account.
- 3.3 In order to keep all contact details of those residents that contact the Council, it is important that the Council develops an integrated approach whereby receipt of emails / letters / other forms of contact from residents on consultations can be easily documented in our CRM system, or connected with existing details/databases of resident contact. This could be a feature we explore through the rebuild of our CRM. Ultimately, with ever-decreasing resources, the more the Council can appropriately manage contact online the easier and better our ability to respond in a timely and consistent way with residents becomes. Additionally, as online contact continues to increase, and more contacts are being managed through the MyHarrow Account there is an opportunity to target consultations at residents who have expressed an interest in certain areas of Council delivery/policy, so through this channel we can also start to contact residents. We will also be able to manage better their responses, as these will be kept within the Account. The opportunity will remain for residents to respond anonymously to consultations.
- 3.4 As the Council updates its CRM and moves to more online contact through MyHarrow, it will be important to assess the Council's processes for delivering consultations, so that the consultation standards can be delivered effectively. The Council's Consultation Group will have oversight of this. Where there is a requirement to invest resource in any capability or capacity, a business case will be developed. Given data protection legislation, the Council will ensure that residents are made aware through future consultations that their data could be used to help the Council in future consultations.

**The Council to keep and maintain a database of voluntary or community groups or organisations, and trade associations in the Borough, which allows them to record their responses to consultations and note their areas of interest. Targeted communications can then be sent out when future consultations are about to start.**

- 3.5 There are a number of places where the Council keeps contact details of stakeholder organisations including the voluntary and community sector (VCS). The risk with separate databases is that they get out of date and that we then use this erroneous data to make contact as well as the risk of inconsistent storage of information. There is logic in having one

database managed by one area of the Council, but with access being granted to the entire organisation to search for the right group of organisations, or to send out to all organisations for a particular event or issue. However, this would then need to be managed effectively, and for some services those organisations and individuals who are essential to their business may not need to be accessed by others across the Council at any time. In any solution put forward, the Council would also need to consider data protection/data storage and ensure that those who have given their details to the Council for one reason can be contacted or able to give their approval for their data to be used in such ways.

- 3.6 The Council serves a diverse range of stakeholders, and in doing so there is more logic in keeping separate databases for distinct and different groups, but ensuring that the owners of these databases are better connected, and that duplicate details from various databases can be managed so that residents don't receive multiple contacts from the Council.
- 3.7 The Council at this time proposes to maintain multiple databases, but ensure that duplication is minimised for each, e.g. one for residents associations, one for businesses, one for housing tenants etc. Subsequently, the Council's move to Sharepoint will give opportunities to improve our integration, allowing one database to be created for each core stakeholder group, with changes able to be made with an appropriate level of governance. This would allow a single editor but a number of officers could be given appropriate access. Within this, it will be important that we are proactive in growing the number of groups that the Council has contacts with, and not just keep a better record of existing groups. As the population changes new groups will form, and it will be important that the Council is aware of this and integrates any emerging groups into its databases in order to consult with these newer groups on the things that will matter to them.
- 3.8 Access should be managed, and it will be important that we monitor how the databases are being used so that organisations don't find themselves under a deluge of contact. The Council Consultation Group, will oversee the delivery of consultations (see paragraph 3.17) and ensure the appropriate governance arrangements are applied across the Council. A set pro forma will be developed which will standardise the information on each database, as a way of minimising inconsistencies. Where practicable we will also look to join databases where there is merit in doing so.
- 3.6 As online contact continues to increase, and more contacts are being managed through the MyHarrow Account there is an opportunity to target consultations at residents who have expressed an interest in certain areas of Council delivery/policy, so through this channel we can also start to contact residents. We will also be able to manage better their responses, as these will be kept within the Account.

**The Council to aim to hold a public event for those consultations where there is a clear community interest to do so, which will allow the public to meet and speak with decision makers, in order to**

**represent their views. Consultations that affect a specific place within Harrow should aim to hold an event to be conducted in the Community within a reasonable geographic distance of that place.**

- 3.7 Where there is a clear rationale to do so, consultations should allow people who are likely to be affected by change to interact directly with the people who are proposing that change. Nobody can explain a proposal or answer technical questions better than the professional officer who has designed it. The expectation would be that this would be led by Officers, apart from those consultations where the Portfolio Holder or local ward councillors should be involved. By allowing participants to ask questions and make their points in person, the Council is opening a new channel for mutual understanding and co-operation, and potentially saving money and officer time. Where consultations are targeted locally and there is a clear community interest in the proposal, the Council should aim to hold a public event. There are already examples of where we do this through such areas as licensing, traffic and larger planning consultations or for example consultations around specific Council services such as libraries or Childrens' Centres.
- 3.8 Where a consultation is taking place within an area, Officers will contact all of the relevant Ward Councillors to both make them aware of the consultation, and also to enable those Councillors to represent the views of residents in the area.

**The Council to report the outcome of all consultations publicly, showing how the results have influenced the Council's decision making**

- 3.9 All outcomes of our consultations need to be publicly reported, to demonstrate our commitment to listening to and learning from our residents. All consultations should aim to produce a report, which can be published online or circulated in hard copy, that will detail what the Council learned from its consultation, how that information shaped its decision making and explain why selected suggestions were not implemented.
- 3.10 Ensuring that each consultation delivers a public final report will be one of the Consultation Standards the Council adopts as a result of this report.
- 3.11 As part of the governance, the Consultation Group will monitor that suitable reports have been published for all consultations they review.

**The Council to develop a timetable of all future consultations in council departments, and curate a database of all past consultations, to coordinate more effectively**

- 3.12 The development of a timetable has been an aspiration for the Council for some time, but the challenge has always been the level of detail that is required. At any one time there are a significant number of consultations being carried out in the borough, from relatively localised

planning consultation to major consultations with regards specific services or strategies/plans.

- 3.13 A list of key consultations is maintained by the Communications Team to support the oversight and planning of major consultations and this will be enhanced and reported to the Council's Consultation Group on a monthly basis.
- 3.14 To provide continuity to communities and decisions that affect them, it is crucial to record previous consultations and their responses – and make those results easy to access. In many cases, where it is not possible to facilitate requested change at one point in time, budgets or technology may adapt in future to allow that change. Similarly, while Council personnel can change, residents and their concerns tend to remain constant. This resource can thereby help save officer time and money, prevent duplication and provide a valuable information resource to future officers.

**That there is a central point within the council that has oversight of all consultations, i.e. for consistency of presentation and consistency of standards.**

- 3.15 In order for effective oversight to be carried out we should define what oversight is expected and can be delivered within current capacity and resources. A checklist can be developed which can look at tone, narrative and whether corporate branding and agreed standards are being met, but it is important that there is also advice and support offered within such a model. One of the reasons behind the wish to create a central point of oversight is that the consistency in how the Council currently delivers consultation needs improving. However, the way to achieve this is not through a single point in the organisation. The Corporate Consultation Group will develop a communications and development programme, targeted at a set of engagement champions within Directorate, who will be given the responsibility to ensure that all consultations meet these standards. This will also help to build understanding across the Council of what the new standards mean and individual officer responsibility to change approach where this is necessary.
- 3.16 Overall governance of the consultation standards and design standards will be owned by the Communications Team once approved, but the responsibility for consultation quality and consistency will still rest with Directorates, and this will be delivered through the Consultation Group which has all Directorates represented on it.
- 3.17 The Consultation Group itself will have the following remit, and will be chaired by the Divisional Director, Strategic Commissioning, and senior representatives from each of the Council's Directorates:
- To ensure the Consultation Standards are delivered across all the areas of the Council;

- To create a set of skilled officers across the Council who can support and own the consultation process to help deliver a consistent standard;
- Clarity on roles for delivering the above;
- Access to key databases and how these are kept up to date;
- Disseminate good practice and the difference that improvements in this approach have made;
- To manage the programme of consultations; and
- Review Council processes and put forward recommendations for change to ensure the Standards can be effectively delivered across the Council.

3.17 The Council list of consultations will be shared with the Portfolio Holder for Community, Culture and Resident Engagement on a monthly basis who will assure themselves that all consultations are meeting the Consultation Standards (see next section) and will liaise with other Portfolio Holders where they feel improvements can be made in consultations. This list will also be published on the Hub.

### **A set of Consultation Standards**

3.18 Throughout all consultations it is important to understand what the resident experience is, and to make sure that they have access to consultations and the right opportunity to air their voice. This is not just about design and presentation but delivery. To help with this, in 2013 a draft set of Consultation Standards were developed for both internal and external consultation, so that whether you are a resident or a member of staff there is a clear expectation on how the Council will act. The following are those Consultation Standards which Cabinet are being asked to approve:

- a) We will apply these standards to all consultations initiated by the Council, both to internal and external audiences, including statutory consultations, using the most effective channels for the relevant audience;
- b) We will be open and transparent and set out clear parameters at the beginning while remaining flexible to changing circumstances;
- c) We will look to maximise involvement in all consultations and ensure the materials we use to consult with residents, staff and stakeholders are clear and easy to understand;
- d) We will be consistent and co-ordinated with our consultations, ensuring residents and staff are not over consulted, that responses are kept safe and considered carefully, and that our resources are used effectively;
- e) We will give ourselves and those we consult with enough time so that stakeholders are engaged effectively; and

- f) We will always publicly report the results of a consultation, demonstrating how responses have influenced the Council's decision making.
- g) Where a specific place in the borough is affected, we will aim to hold an event within a reasonable geographic distance of that place

- 3.19 If applied successfully these standards will help to support a positive user experience from all of the Council's consultations. The Council also has a Consultation toolkit on the intranet to support staff when planning consultations, which will also be publicised with the internal communications, and development of the Engagement Champions.
- 3.20 Where a consultation does not meet these standards, it will not be allowed to launch. Where this is the case Council support will be offered to make the necessary improvements so that the consultation is of a good enough quality to be launched. To minimise the risk of this, Directorates will need to ensure that all future consultations are on the overall list of future consultations with a clear indication of objectives, target audience and methodology. Ensuring that the list is up to date for each Directorate will be the responsibility of each Directorate. The standards will not take precedence over such statutory requirements, for example planning or licensing applications. However, these standards should complement our statutory requirements to consult and not conflict with them. Where there is any conflict the statutory elements of any consultation should take precedent.
- 3.21 Although not a specific principle the Council should try to adopt a digital by default approach, although in doing so it will be important to enable residents and communities to access this. We should therefore be mindful when digital may not enable full access and as such retain other channels, especially direct personal interaction, to ensure that we maximise engagement levels in all our consultations. This will be especially true when it comes to consulting with hard to reach groups. To support this, we will develop our databases to include community leaders who can help the Council access those hard to reach groups, and in doing so understand the best ways to get them involved. As one example of how the Council can act to make a difference, in paragraph 3.11 it states that where appropriate to do so officers will go out into the community where a particular service change is likely to impact to speak with residents or service users. On the whole face to face consultation is more likely to support reaching hard to reach groups than other means of consultation. Where the Council does this, efforts should be made to understand who are the service users (or those who are potentially impacted in the local community) so that awareness can be built up that the Council is coming to the local community to discuss its proposals, supported by those community leaders that we have the details of.
- 3.22 In some instances technology may offer a better route to contact, and in such circumstances it will be important to support service users or residents to move online which will help them in future consultations, as well as support the Council in the reach of its consultations.

## **A set of Residents' Rights in Consultation**

- 3.23 In addition to this practical work on Standards to be adhered to literally by the Council, it is also helpful to enshrine the spirit of the Council's commitment to consistent and high-quality consultation and resident engagement. The intention of creating a written set of residents' rights is to acknowledge and formalise the rights that residents should already expect from the Council, along with a philosophy that the Council should already be adhering to in its practice.
- 3.24 Harrow Council pledges to make all reasonable efforts to ensure that the following rights are provided to residents likely to be affected by change.
- a. Right to know. Residents have a right to know that their environment is proposed for change, to know what the Council's goals are and to know what the Council is planning to do to achieve them.
  - b. Right to Explanation. Residents have a right to an explanation of the reasons why their environment is proposed for change, the reasoning behind the Council's decision making, and the reasons why it believes its plans are the best potential change.
  - c. Right to Influence. Residents have a right to influence how their environment is proposed to change, to expect the Council to listen to their views before taking action, and to expect the Council to consider those views and, where appropriate, improve its plans accordingly.
- 3.25 Whilst the Council commits to the above principles it is not to be inferred that the Council will always consult before making all decisions as there are many decisions of the Council where consultation is not necessary and/or is not appropriate.

## **4. Performance Issues**

- 4.1 The Council will continue to track how engaged residents are and to ask them how much influence they think they have on Council decisions and decisions that affect their area. In March 2015, 37% of residents agreed that they could influence decisions affecting their local area, with 54% disagreeing that they could. Previous trends in how involved and empowered residents are in shaping Council decisions have been lower than this, with 22% of residents feeling they could influence local decisions in March 2014. Although improvements have been made in the last year, the Council aspires to increase the percentage of residents who believe they can influence local decisions to over 50%.

## **5. Environmental Implications**

- 5.1 There are no environmental implications as a result of this report.

## **6. Risk Management Implications**

- 6.1 Good and effective consultation will mitigate the risk of delivering service changes, and enable services to improve the dialogue between the Council and service user and/or residents.

## **7. Legal Implications**

- 7.1 Consultation in some areas is statutory. Where this is the case, adoption of the standards cannot take precedence over such statutory requirements, for example planning or licensing applications. There is no legal requirement for the Council to sign up to a set of corporate consultation standards, but given the wish to instil best practice consultation within the Council it is felt that agreeing these as corporate policy will not impact upon the Council's ability to deliver its statutory duties.
- 7.2 There is also a public law duty to consult in many circumstances which depends on the nature and extent of the effect of the decision to be taken. Any such consultation must be taken when the plan or policy is at a formative stage.
- 7.3 It needs to be recognised that not all consultations are the same, so the design of them needs to be flexible to allow for this. Consultations which are statutory and as a result may have less autonomy in their design will not be compromised by agreeing to this set of Consultation Standards.

## **8 Financial Implications**

- 8.1 Where additional finances are required to deliver consultations (including when a consultation is statutory), these will be indicated in implementation costs for any related savings proposals. All other consultations should be managed within existing budgets. If any further additional resources are required for any consultations, then these should be agreed before commencing it.

## **9 Consultation**

- 9.1 These standards have been consulted upon within the Council, taking account of the good practice already evident in many of the consultations the Council delivers. All Directorates have contributed to the development of the Standards and the process to enable them to be delivered effectively. Through internal consultation, it is clear there is clear support for the adoption of the Standards, but with reduced resources across the Council and further reductions that will need to be made, it will be important to consider any resources implications for meeting the Standards as consultations are planned. To support this, the Council's Consultation Group will monitor resource implications as they review the forward plan of consultations.

## 10 Equalities implications / Public Sector Equality Duty

10.1 There are no adverse equalities implications to the Council in making this decision. However, effective consultation should provide much more information on protected characteristics of residents and service users which can be used for any Equality Impact Assessment put before decision makers in order to discharge the Council's public sector equality duty set out in Section 149 of the Equality Act 2010.

## 11 Council Priorities

11.1 Adopting these recommendations will support the Council in delivering all of its Corporate Priorities.

## Section 3 - Statutory Officer Clearance

Name: Dawn Calvert	<input checked="" type="checkbox"/>	Chief Financial Officer
Date: 1 July 2015		
Name: Lanna Childs	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 1 July 2015		

<b>Ward Councillors notified:</b>	<b>NO, as it impacts on all Wards</b>
<b>EqIA carried out:</b>	<b>YES</b>
<b>EqIA cleared by:</b>	Alex Dewsnap, Chair of the Directorate Equality Task Groups for Resources

## **Section 6 - Contact Details and Background Papers**

**Contact:** Alex Dewsnap, Divisional Director, Strategic Commissioning,  
Email: [alex.dewsnap@harrow.gov.uk](mailto:alex.dewsnap@harrow.gov.uk)  
Tel: 020 8416 8250, ext 8250

**Background Papers:** Consultation Standards EqIA

**Call-In Waived by the  
Chairman of Overview  
and Scrutiny  
Committee**

**NOT APPLICABLE**

*[Call-in applies]*