

THE OVERVIEW AND SCRUTINY COMMITTEE

20 JANUARY 2014

CONSULTATION INFORMAL SCRUTINY GROUP

REPORT OF COUNCILLOR POWER (CHAIR OF THE ISG)

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REFERENCES:

PS124 – Public Consultation Informal Group – 26 April 2004

[OS62](#) – Batch 4 Informal Scrutiny Groups, 18 February 2013

[OS65](#) – Batch 4 Informal Scrutiny Groups Appointments – 18 March 2013

EXECUTIVE SUMMARY:

This is the final report of the Informal Scrutiny Group (ISG) established to review Consultations undertaken by the Council. The objective of the ISG was to explore the value of how the Council undertakes consultation, in terms of how it gains the views of our diverse communities, the methods used to collect those views and also to examine how Members are kept informed of consultations taking place in their ward.

The ISG has met on four occasions starting in September 2013, during which time it heard evidence from both senior officers and Members of the Council including the Leader.

From the evidence provided at these meetings, members of the ISG have agreed the following report and recommendations.

RECOMMENDATIONS:

That The Overview and Scrutiny Committee consider the recommendations of the ISG as set out below, and makes appropriate recommendations to Cabinet:

1. Prior to the commencement of a project, officers should establish the degree to which consultation is likely to contribute to a successful outcome.

2. All projects should include a consultation plan at inception to :-

- establish timescales, techniques, costings etc
- to determine the most appropriate forms of consultation;
- involve local members to ensure the scale and nature of the consultation will be the most effective and reach the relevant audiences.

3. Refresh the Engage web pages to include:-

- consider renaming Engage to more accurately reflect its purpose
- promote the toolkit to both officers and members so that it is used more regularly and consistently across the organisation.
- incorporate relevant parts of the Statement of Community Involvement, that add value to this on-line resource as it covers all aspects of what, where, when, who, why and how.
- ensure that the Engage calendar is updated regularly, or the calendar deleted. At present the existence of the calendar sets an expectation that all consultations are shown and this is not the case.
- create a simple checklist for use by members and officers to include the matters covered by 'Engage' to ensure a consistent approach

4. To involve local members:-

- in advance of a consultation exercise, use members expertise to plan the consultation, particularly with regard to local groups to engage with, and events or venues to use.
- during the consultation to promote the project and the opportunity to comment
- provide feedback to the local community

5. To instigate a training session for staff and members on the principles and concepts of consultation to including the use of Survey Monkey and other best practise techniques.

OTHER CONSIDERATIONS:

1. COMMUNITY STRATEGY AND CHANGE PLANS (RELEVANCE TO:)

Informal Scrutiny Groups (ISGs) form a key part of the City Council's system of overview and scrutiny and the topic discussed by this ISG plays an important role in how the Council engages with its communities and stakeholders and how Members are kept informed.

2. RESOURCE IMPLICATIONS

This ISG has been resourced through existing budgets. Some of the Recommendations will require officer time to implement which can be achieved through established work programmes.

3. RISK MANAGEMENT ISSUES

There are no specific risks associated with the recommendations put forward in this report.

BACKGROUND DOCUMENTS

Files held in the Democratic Services Team, including minutes of previous ISG meetings.

APPENDICES

Appendix 1 Final report of the Informal Scrutiny Group.



Winchester

City Council

CONSULTATION INFORMAL SCRUTINY GROUP

REPORT OF THE CHAIRMAN

1. Introduction

1.1 This topic was added to the list of potential ISG topics during the February meeting of The Overview and Scrutiny Committee (OS62 refers). This Informal Scrutiny Group (ISG) was then established following debate of Batch 4 topics in March 2013 (OS65 refers).

1.2 The initial brief was based around the premise of: *How the Council undertakes consultation to support Change Plans for Winchester District and enhance service delivery. How it gains the views of our diverse communities, is the method of collecting those views appropriate to the audience. Also to review how Members are kept informed of consultations taking place in their ward.*

2. Terms of Reference

The ISG agreed to the following terms of reference for the scrutiny review:

- a. explore the **methods used to consult with our communities**, discuss if these are the most appropriate in terms of
 1. audience
 2. message to be conveyed
 3. timing etc
 4. influencing change to policies and or process
 5. gaining the support of members and residents
- b. explore **member involvement** how and when and if this is appropriate and effective.

2.1 Membership of this ISG included :-
Cllr Margot Power (Chair)
Cllr Roger Huxstep
Cllr Susan Witt
Cllr Eileen Berry
Cllr Brian Laming

The ISG held four meetings:

Meeting	Date	Topic
1	30 September 4-6pm	To agree Terms of Reference and structure of the ISG and witnesses to be called to future meetings
2	7 October 4-6pm	To focus on the work around the Stanmore Planning Framework in terms of it being reflective of the previous community work undertaken? Were aspects of involvement of the media unhelpful or otherwise? How to measure the effectiveness of existing consultation processes? Evidence was taken from: <ul style="list-style-type: none"> • Ward member – Cllr Jamie Scott • Chair of Stanmore Combined – Rev Mike Gardner • Commissioning Officer – Eloise Appleby Assistant Director (Prosperous Economy)
3	4 November 4-6pm	To invite the Leader of the Council to recall his experiences of public consultation with specific reference to the Stanmore Planning Framework. To define the purpose of consultation – what capacity is there to influence the result and current tools/methods used including the Statement of Community Involvement. Evidence taken from: <ul style="list-style-type: none"> • Leader of the Council – Cllr Keith Wood
4	2 December 4-6pm	Recommendations and final report

3.1 At the outset it was established that this ISG was only interested in non-statutory consultations, as statutory consultations are prescribed in legislation. Whilst some statutory processes are heavily prescribed, others have minimum requirements with some flexibility. However, the principles established in this report would be relevant in formulating how to approach the task.

4 Key Matters raised during discussion

4.1 The ISG discussed various consultation exercises that had been undertaken by the Council, which raised a number of specific matters that it wished to

explore in more detail. Namely, how to reach all interested parties; whether the consultation was actually necessary or justified and what was the role of the media and the role of ward members.

Methods used to consult with our communities

- 4.2 It was generally agreed that by using a range of techniques, the consultation exercise would be more effective by engaging with more people. The Stanmore Planning Framework was cited as an example where exhibitions, 1:1 meetings, e-consultation and targeted letters etc provided many opportunities for residents and other stakeholders to be involved. The second meeting of the ISG specifically focussed on the Stanmore Planning Framework and invited the Assistant Director (Prosperous Economy), a Ward Member Cllr Jamie Scott and the Reverend Mike Gardner, Chair of Stanmore Combined to attend, to explore how reflective the Planning Framework was of the existing community plan and the impact of media intervention in the framework's preparation.
- 4.3 It was reassuring to discover that the local community group (Stanmore Combined) had been represented throughout the preparation of the framework, including the appointment of consultants to undertake the commission. The consultants had been fully briefed on the community plan and its associated action plan and were made aware that the community had been the subject of extensive consultation, to the extent that there was a perception that more would have appeared as consultation overload. Due to this, it was decided that feedback should be sought in more direct ways, particularly through 1:1 research.
- 4.4 Rev Gardner, whilst positive about the Framework, commented that it was unclear as to which particular audience it had been prepared for, as it was too long and complex for the local community to digest. He added that Stanmore Combined would continue to refer to the Framework as relevant to the local community. The Assistant Director (Prosperous Economy) commented that community consultation exercises can lead to the development of particular agendas focusing on very local issues. Cllr Scott advised that local concerns had overwhelmed the progress with the Planning Framework which had not been assisted by negative reports in the local media. He suggested that the Framework should have taken a longer term view but acknowledged that it had inspired other community initiatives.
- 4.5 Overall, those involved with the Stanmore Planning Framework were satisfied that the community had been able to influence options for its local area, through the consultation and engagement pursued and media interest. Participants recognised the positive benefits of the excellent 1:1 work undertaken, and that this had achieved a much better outcome. The Assistant Director commented that it was best to achieve buy-in from a community through greater understanding of a project which requires forward planning and preparation to allow enough time for these types of discussions to occur before more formal stages in a project are reached. Rev Gardner commented

that all Council officers engaged well with the local community with a collective understanding of what was to be achieved locally. The ISG noted the benefit of this approach but acknowledged the resource implications, in that it would be difficult to apply this to a broad consultation affecting a much larger area.

- 4.6 The ISG also heard from officers that measuring the success of a consultation is difficult to quantify and consultation exercises can be very expensive. Techniques such as e-surveys and exhibitions are not effective in isolation but when considered as a package can be useful. This reinforced the concept that consultations should use a range of techniques to engage with as many sectors of our diverse community as possible. The Council has access to an 'e-panel' which at present is used approximately three times a year. A number of officers also have direct access to 'Survey Monkey' a software package that allows the creation of on-line surveys and has the capacity to collate responses and present these in graphs and charts. It was suggested that in some instances the raw reports could be useful and that this could be passed to ward members/portfolio holders so that they have a greater understanding of the feedback from the issue under consultation.
- 4.7 The ISG also heard that the Council has existing guidance on consultation under its 'Engage Consultation Toolkit' webpages, accessible on the intranet. Engage includes all the information and resources needed to conduct a successful consultation. It has specific pages covering:- what is consultation, why consult, when to consult, who to consult, how to consult, act and feedback and resources. Each page provides simple practical advice to follow to ensure that the consultation reaches its target audience and is effective. It also includes links to specific advice if further details are necessary. Members observed that it appeared this resource was not being utilised to its maximum effect.
- 4.8 Officers advised that typically feedback from consultations is uploaded onto the Council's website and captured in committee reports, which refer to the nature of the consultation, techniques used, level of response and summaries of responses and how this has affected the outcome of the matter under consultation. The ISG noted that it is difficult to provide feedback on a more individual basis as it was very resource intensive, although with small local projects this could be feasible.
- 4.9 The ISG discussed how the Council ensures that those who are not comfortable with or do not have the necessary skills to use or access the internet, are not precluded from contributing to consultations. Officers advised that whilst many consultations provide some form of response format (on-line survey or form to be completed), the consultation correspondence will typically also include an address, phone number and email contact to allow the respondent to direct their comments via any of these means.
- 4.10 The ISG noted that it was not always cost-effective for certain hard-to-reach groups (including those without easy access to the internet) to be consulted

by alternative means, although it was recognised that groups such as TACT were key to engaging with tenants.

Member involvement

- 4.11 The ISG stressed the need to involve ward councillors from the outset, particularly to determine any local hard to reach groups that may need a more targeted approach; to use their local knowledge of venues and publications which could be used not only to raise awareness of the consultation but to actually hold/run a consultation exercise.
- 4.12 Cllr Wood – Leader of the Council, attended the third meeting of the ISG to give his views. He commented that he found that it was often difficult to get a balanced view as typically supporters of proposals do not necessarily respond to consultations, and that ‘mass’ consultation such as public meetings were not effective. Cllr Wood suggested that it could be beneficial to involve specialist groups at the outset to formulate proposals that are deliverable, prior to a wider debate, to ensure that options presented are realistic. He also raised the importance of utilising ward councillors, to notify them of any pending consultation and to keep them informed throughout, along with notifying portfolio holders.
- 4.13 The ISG also referred to instances where public consultation exercises were over whelmed by ‘rumours’ that do not offer realistic alternatives and were not feasible, yet get much public support. It was agreed that instances such as these must be well managed to ensure that local communities are made aware of the evidence to support proposals presented to manage expectations, and the constraints that are likely to influence the action to be taken. In this respect Cllr Wood advised that each consultation exercise would benefit from a clear brief at the outset to determine whether the consultation was actually necessary in that genuine options/ideas were being offered and how opinions were to be sought.
- 4.14 Officers advised the ISG that the Council already has webpages entitled ‘Engage’ which provide advice on consultations and includes an events calendar. It came to light that this resource was not used with any regularity by either officers or members, yet its structure and content was specifically focussed towards many of the matters being debated. At present the events calendar holds only the dates for Parish Connect and E-Planning briefings. There is also a perception that this is a secure site which requires a unique log-in procedure. This is not the case, the site is live and can be accessed via <http://www.engagewinchester.org.uk/home/> .

Other matters raised

- 4.15 The impact of media presentation of schemes and projects was debated by the ISG with particular reference to the Stanmore Planning Framework. It was noted the Council has a good working relationship with the local media, even though in this instance some tension had been created.

- 4.16 Officers highlighted that as part of the local development framework publications, the Council had adopted a Statement of Community Involvement in 2007. The ISG acknowledged that this document contained much useful data in relation to consultation but was too complex and lengthy to be referred to on a regular basis.
- 4.17 During discussions it came to light that this topic had also been debated by a previous ISG (previously known as Informal Groups) during 2002 – 2004. The final report of that group (PSO124 refers) included a number of recommendations which reflect some of the matters also raised by this ISG, such as the need for a consultation strategy; to include consultation in business plans and to plan ahead when dealing with sensitive issues that may require a more tailored approach to consultation. Given, the time lag between that ISG and this, many of the recommendations have been implemented or are no longer relevant, any outstanding matters have been incorporated in the recommendations from this ISG.
- 4.18 Because of the timing of this ISG it has been unable to taken into account the River Park Leisure Centre consultation.

5 Conclusions and Recommendations

- 5.1 Winchester City Council should recognise the high quality of much of the consultation work that it undertakes. However, it was noted from the examples that had been discussed these be improved, and some could become excellent with small changes and with little or no officer time, or cost. Paragraphs 4.5 - 4.7 above refer to various consultation techniques, however, it was concluded that to be effective all consultations should be genuine consultations with the results being capable of influencing policy/procedures, be targeted to get a representative response; be timely and planned in advance; be accessible to those who do not have access to the internet. It was also noted that feedback should be given particularly on how the comments received have influenced the outcome.
- 5.2 Much of the consultation that is undertaken is not recognised as such. The risk of this is that good work goes uncelebrated, and the lessons to be learnt from low key, low cost work are not used to inform best practice. Members are a key resource in this area, they are used to knocking on doors, and can easily ask for example 'How do you feel about some houses on that patch of land?'. More importantly perhaps, they could challenge the proposed course of action before residents become involved.
- 5.3 When we considered consultations that have resulted in highly negative results some common features emerge:-
- Residents and communities most closely affected by a potential course of action have not been informed early enough in the process.

- Inadequate time or budget has been allowed for consultation, therefore the consultation exercise appears as an afterthought rather an integral part of the process.
 - Residents feel aggrieved if their local circumstances and views have not been taken into account.
- 5.4 The consultation aspects of proposed changes should be a significant consideration when planning any projects. This is not to say that all projects should include substantial time or budget for consultation; there are cases where the Council has to take action, residents views have little chance of informing the path taken, and Members, or the Cabinet, have to make a decision based the information to hand. There are also matters where the cost of consultation would be disproportionate to the potential impact on those most affected, officers have good judgment in this area, but a call to a local member could confirm that the judgment is correct.
- 5.5 The ISG concluded that the Council actively engaged with its communities on a regular basis, but how and why this was undertaken was not consistent across the organisation. It was noted that a key element of any consultation is at the outset to determine if it is actually required and that the results will inform the final outcomes. Tokenistic consultation causes resentment, and pro-longed multi-faceted - consultation fatigue. Engagement is an integral part of any preliminary policy planning or change to an existing project which may impact on any communities or individuals.
- 5.6 The ISG acknowledged that where possible a range of techniques is utilised as this allows a wider proportion of our communities to be involved and respond. Use of existing resources such as member input, Survey Monkey, the e-panel and the Engage web pages should be encouraged, although the group recognised the need for hard copies of surveys to also be available.
- 5.7 Engage is a useful resource however, the Calendar of Community Engagement contains only Parish Connect, and the E-planning Newsletter but neither of these are consultations. If we are to avoid asking the same community different questions in close succession better planning would avoid the appearance of a disconnected organisation. Engage should be an integral part of any project, and it is recommended, an initial checklist should be derived for users to ensure a successful consultation outcome.
- 5.8 On a number of occasions during discussion, the ISG referred to the involvement of Members with consultation. It was acknowledged that Members have extensive local knowledge in relation to local events, venues to use, and community groups that might need special attention. Members are also aware of local circumstances, publications and existing events and fora that could be utilised to ensure a more successful consultation. The Portfolio Holder Decision-Making Scheme, the Members Charter, and the Scheme of Delegation to Officers all contain formal requirements for Members to be consulted on particular matters.

Recommendations

1. Prior to the commencement of a project officers should establish the degree to which consultation is likely to contribute to a successful outcome.
2. All projects should include a consultation plan at inception to :-
 - establish timescales, techniques, costings etc
 - to determine the most appropriate forms of consultation;
 - involve local members to ensure the scale and nature of the consultation will be the most effective and reach the relevant audiences.
3. Refresh the Engage web pages to include:-
 - consider renaming Engage to more accurately reflect its purpose
 - promote the toolkit to both officers and members so that it is used more regularly and consistently across the organisation.
 - incorporate relevant parts of the Statement of Community Involvement, that add value to this on-line resource as it covers all aspects of what, where, when, who, why and how.
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 - during the consultation to promote the project and the opportunity to comment
 - provide feedback to the local community
5. To instigate a training session for staff and members on the principles and concepts of consultation to including the use of Survey Monkey and other best practise techniques.

Members of this ISG would like to thank those who participated and contributed to its informative discussion.