



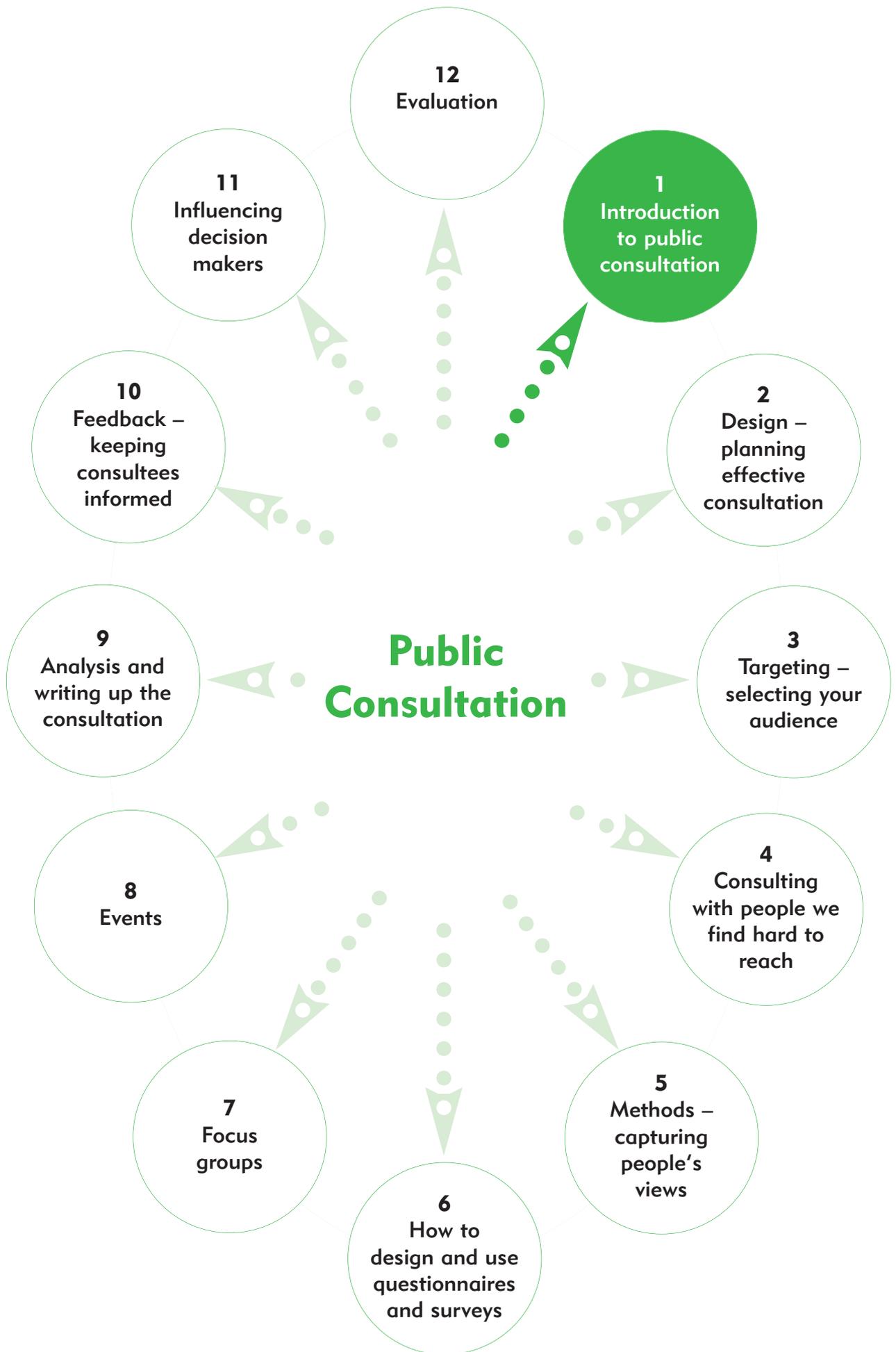
Nottinghamshire
County Council

Consultation in Nottinghamshire

Introduction to public consultation



guide 1





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Introduction by Councillor David Kirkham Leader of Nottinghamshire County Council

Effective consultation



When I was elected to be Leader I said from the beginning we must put our customers at the heart of everything we do. Effective public consultation will help us achieve this.

Consultation is the key to the Council improving its services. We need to know what our customers think and what factors sometimes make it difficult for people to use our services.

This means consulting with stakeholders and residents and taking their views on board in the planning of Council services. But too often we fail to get this right.

These 'how to' guides will help you. They have been designed to address our stakeholders key concerns and give guidance and tips to help our employees and public sector partners consult better. They are part of an increase in support for our front line staff and are backed by the Chief Executive's Customer Management Team.

Staff should not feel they are on their own. Additional help and support is available by contacting the Customer Management Team on 0115 977 2937 or by emailing consultation@nottscc.gov.uk.

The Consultation Practitioners' Forum also helps to share best practice across the Council. Their help has been invaluable in producing these guides and I'd like to thank them on behalf of the Council for sharing their expertise with us.

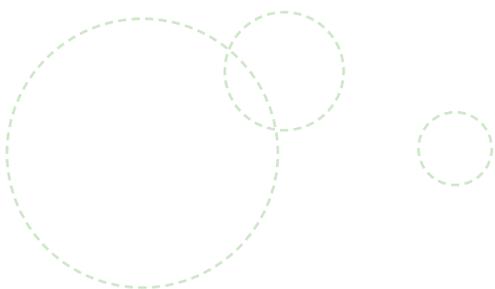
We have drawn up 12 consultation standards that establish best practice. These are based on our participation values and put the public at the heart of what the Council does. Applying these standards rigorously will help us to get our consultations right first time.

Improving the way we consult helps us all to achieve the Council's strategic aims and meet the needs of Nottinghamshire's diverse community.

I hope you find the guides useful.

Yours sincerely

Councillor David Kirkham
Leader of Nottinghamshire County Council





Purpose

These guides have been produced as part of the County Council's commitment to improve the support available to Council employees and our partners carrying out consultation. They are based on the Council's participation values and set key performance standards for all consultations carried out on behalf of the County Council.

Nottinghamshire's participation values

Nottinghamshire County Council recognises that local people must be involved in decisions about public services and the policies that affect their lives.

Our Public Engagement Policy applies to all the Council's work. It sets out seven core values that underpin our engagement with the public. These are:

1. The public should have a say in decisions that affect their lives.
2. We promise that the public's contribution will inform the decision.
3. We will communicate the interests and meet the needs of participants.
4. We will actively seek out and support public involvement.
5. We will allow participants to define how they participate.
6. We will provide participants with the information they need to take part in a meaningful way.
7. We will communicate to participants how their input affected the decision.

These values reflect the principles set out in the International Association of Public Participation's Code of Ethics, which is set out at Appendix 1. The Code lays down the key principles for open and appropriate relationships with consultees and the spirit behind effective public consultation.

What is consultation?

The International Association of Public Participation identifies the goal of consultation as, 'to obtain public feedback on analysis, alternatives and/or decisions.'¹

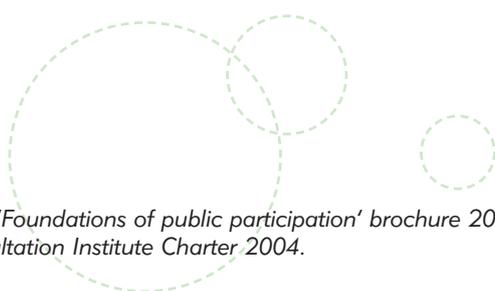
In the UK, the Consultation Institute describes consultation as, 'the dynamic process of dialogue between individuals or groups, based upon a genuine exchange of views, and normally with the objective of influencing decisions, policies or programmes of action.'²

Consultation is not:

- telling people about a Council decision that has already been made
- day to day engagement with stakeholders – for example through local strategic partnership meetings
- asking people to report complaints or suggestions
- giving people advice on council (or other authority) services.

¹ IAP2 'Foundations of public participation' brochure 2003.

² Consultation Institute Charter 2004.





Arnstein's ladder of participation

Consultation falls within a continuum of public participation and involvement. In the 1960s Arnstein developed an eight-rung ladder with steps representing increasing levels of public participation. This eight-rung ladder can be simplified as follows:

1. Information giving – letting people know what we do.
2. Consultation – inviting people to have a say before we make a decision.
3. Acting together – involving people and coming to a joint decision.
4. Supporting – helping others do something instead of the Council.

Consultation and market research

Consultation is different from market research even though they both involve getting to know more about our customers. They have inherently different objectives though they may use similar techniques.

Consultation is an open and transparent activity; it has its own standards and is usually highly inclusive. In consulting the public or stakeholders an organisation usually commits to telling them about its business and involving them in it. How the consultation is conducted, its purpose and results are normally published, as should be the impact of the consultation on the organisation's decision-making or activities.

Market research is essentially a private activity; an organisation using it is under no obligation to include everyone, to tell anyone what they are doing or why, or publish their results.

Engagement

Public engagement is the foundation of good consultation. Engagement:

1. establishes a relationship
2. fixes the ground-rules
3. sets expectations
4. exchanges goals.

If a relationship with a particular audience is not established before a consultation begins it must be developed before useful results can be obtained.

The consultation challenge

In drawing up these guides the Council asked a selection of consultation practitioners and key stakeholders about consultation and engagement in the county. Four key areas of concern were raised:

1. Consultation is generally carried out too late to influence the decision.
2. The same stakeholder audiences are repeatedly consulted.
3. The same methods are used each time, without regard to either the nature of the consultation or the audience.
4. The consultation process ends when a decision is taken and no feedback is given to consultees.





Five types of consultation

There are five main types of consultation:

1. Organizational goals and priorities, where an organisation invites an audience to help identify what it should do.
2. Policy guidance, such as budget consultation, where an organisation asks for help on one aspect of its activity to better align it with the public's requirements or views.
3. Option appraisal, where an organisation invites the public to assist in resolving the choices it faces.
4. Mitigation, where an organisation intends to do something that may not be popular, for example consultation about a locally unpopular land use (known as LULU), but wants to investigate how the action or decision can be made more palatable.
5. Performance, where an organisation invites comments on its activity and seeks help in improving its service delivery.



The five-stage process

The Consultation Institute has identified five-stages to the consultation process. These simple steps will help ensure a successful consultation and avoid the concerns expressed by our consultees.

1. Design – planning effective consultation

Consultation needs to be planned as an integral part of overall project plans, not just an afterthought once proposals/policies have been developed. As large scale consultations will take more than six months to carry out, it is crucial to plan consultation as early as possible.

The planning process must ensure that consultation is carried out to the standards required by the Council within time and resource constraints. This means that consultation plans usually require a degree of negotiation which can add to the length of the planning process. Organising pre-consultation with key stakeholders is invaluable and often helps to quickly identify the essential elements of a public engagement plan.

For further information on planning see 'How to' guide 2 – Design - planning effective consultation.

2. Targeting – selecting your audience

Many consultations involve the same stakeholders time and again. Some organisations are missed out and others simply do not have the resources or interest to respond. It is easy to say that we want to consult with everybody that is affected or has an interest in the decision; it is a lot harder to identify specific individuals and organisations and then to contact them.



In identifying your target audience you need to consider the following:

- who (organisations and/or individuals)
- type of stakeholders and other statutory bodies
- public
- service users/non-users
- employees
- where (locality/area boundaries).

For further information on how to identify your consultees see 'How to' guide 3 – Targeting - selecting your audience.

3. Methods – capturing people's views

The best methods to use are determined by your target audience. Experience and pre-consultation meetings with key consultees can act as a guide. Additional information is available in 'How to' guide 5 – Methods - capturing peoples' views.

A successful method with one target audience may not work as well on another occasion or with a different audience. It is important to remain flexible rather than to rely on a single favoured technique. Think of the consultation from the consultees' point of view and how they may wish to be approached this time.

4. Feedback – keeping consultees informed

Our consultees have told us they want us to improve the way we handle the latter stages of a consultation. Consultees need to know the results of the consultation itself, they need to know what decision was made as a result and they need to be able to see how the Council used their views in coming to the decision. These requirements define the three phases of feedback.

Output

This is a record of what consultees said during the consultation. It is needed to inform the decision - making process that follows. But, it should also be

provided to all consultees as well as the Customer Management Team to include on the consultation database.

Outcome

When the decision has been made following consultation, this too needs to be communicated to consultees.

Reconciliation

Consultees should be provided with a brief explanation of the issues addressed in coming to a decision and the reasons why a particular choice was made.

For further information on providing feedback see 'How to' guide 10 – Feedback.

5. Influencing – making the decision

Sufficient time must be allowed for stakeholders and the public to influence the Council's decision-making process. The Council's decision-makers also need time to consider the results of relevant consultations.

Good decision-making is transparent. Consultees need to know:

1. who is taking the decision
2. why the Council took one decision rather than another.

A 'notice of decision' should be produced to complete the consultation process. This informs consultees of the Council's position on each of the major issues raised in the consultation and, where the Council's decision conflicts with the views of consultees, the Council's reasons and any proposed mitigation.

For further information on how consultation can influence decision making see 'How to' guide 11 – Influencing decision makers.

Appendix 1

International Association of Public Participation Code of ethics for public participation practitioners

1. Purpose. We support public participation as a process to make better decisions that incorporate the interests and concerns of all affected stakeholders and meet the needs of the decision-making body.
2. Role of practitioner. We will enhance the public's participation in the decision-making process and assist decision-makers in being responsive to the public's concerns and suggestions.
3. Trust. We will undertake and encourage actions that build trust and credibility for the process and among all the participants.
4. Defining the public's role. We will carefully consider and accurately portray the public's role in the decision-making process.
5. Openness. We will encourage the disclosure of all information relevant to the public's understanding and evaluation of a decision.
6. Access to the process. We will ensure that stakeholders have fair and equal access to the public participation process and the opportunity to influence decisions.
7. Respect for communities. We will avoid strategies that risk polarising community interest or that appear to "divide and conquer."
8. Advocacy. We will advocate for the public participation process and will not advocate for a particular interest, party or project outcome.
9. Commitments. We will ensure that all commitments made to the public, including those by the decision-maker, are made in good faith.
10. Support of the practice. We will mentor new practitioners in the field and educate decision-makers and the public about the value and use of public participation.

Appendix 2

Sources of additional information

Further advice on consultation

Contact the County Council's Customer Management team.
Tel: 0115 977 2937 Fax: 0115 977 3886.
E-mail: consultation@nottscc.gov.uk.

The Consultation Institute
21a High Street, Sandy, Bedfordshire SG19 1AG.
Tel: 01767 689 600.
E-mail: info@consultationinstitute.org.

If your consultation could be contentious, it may be worth informing Corporate Communications on 0115 977 3629.

International Association for Public Participation

Information can be found at
Web: <http://www.iap2.org/>

Consultation database

Angela Smeeton, Customer Management team
Tel: 0115 977 2937 Fax: 0115 977 3886
E-mail: consultation@nottscc.gov.uk

Document design and alternate formats

Corporate Design, Publication and Print will advise on document style, layout and design on 0115 977 3829

County Council staff translation service

Many of the County's staff have minority language skills and may be able to help.
Contact Ghulam Mustafa,
Translator and Interpreter Manger on
0115 977 3877

Equality and Diversity

Maggie Else, Corporate Equality Officer
Nottinghamshire County Council
Chief Executives Department
Tel: 0115 977 4438
E-mail: equalities@nottscc.gov.uk

Nottinghamshire Listens (citizen's panel)

Angela Smeeton, Customer Management team
Tel: 0115 977 2937 Fax: 0115 977 3886
E-mail: consultation@nottscc.gov.uk

Cabinet office consultation guidelines

<http://www.cabinetoffice.gov.uk/regulation/consultation/code/>

<http://www.cabinetoffice.gov.uk/regulation/documents/consultation/pdf/code.pdf>

Hard to reach people and groups

Networking Action with Voluntary Organisations, (NAVO)
20 St John Street, Mansfield, Nottingham
NG18 1QJ.
Tel: 01623 651170
E-mail: info@navo.org.uk

Jacqui Bell, Chief Executive
E-mail: jacqui@navo.org.uk

Nancy Elkins, Families & Children's Forum
E-mail: nancy@navo.org.uk

Linda Button, BME Support Officer
E-mail: Linda@navo.org.uk

John Wilson, Gypsy & Traveller Liaison Officer
E-mail: john@navo.org.uk

Jean Howard, Information Admin Officer
E-mail: jean@navo.org.uk

Mo Cooper, Nottinghamshire Infrastructure Consortium Co-ordinator
E-mail: mo@navo.org.uk

Val Gardiner, District Partnership Office, Newark & Sherwood Community and Voluntary Service
85 Millgate, Newark, Nottingham NG24 4UA.
Tel: 01636 613693
E-mail: vgardiner@nandscvs.org

The Commission for Equality and Human Rights,
Kingsgate House, 66-74 Victoria Street, London,
SW1E 6SW.
Tel: 020 7215 8415
Web: www.cehr.org.uk

Royal National Institute for the Blind (RNIB),
105 Judd Street, London, WC1H 9NE.
Tel: 020 7388 1266
Web: www.rnib.org.uk

Royal National Institute for Deaf People (RNID),
19-23 Featherstone Street, London, EC1Y 8SL.
Tel: 020 7296 8000
Web: www.rnid.org.uk

Consultation with children

Contact the Customer Management Team.
Useful websites:

<http://www.nottinghamshire.gov.uk/changeforchildren/changeforchildren-participationstrategies.htm>

<http://www.nya.org.uk/hearbyright/home.asp?cid=180&cats=215>

Methods

Best Practise in Best Value Consultation Methods by John Fawcett, Formic Ltd 2001. An examination of best practise methods of data generation within the Best Value framework, highlighting the benefits of automating processes, the necessity to review and the necessity to adopt a corporate approach.

Questionnaires

Questionnaire Design, Ian Bruce, Kogan Page (2004)

Consumer Market Research Handbook, Worcester and Downham, Van Nostrad Reinhold, (1978) - especially chapter 5 on questionnaire design
Market Research Society, Questionnaire design guidance (May 2006)

Useful website:
<http://parkinslot.blogspot.com/2005/09/best-practices-in-questionnaire-design.html>

Focus Groups

Mark Wright, Nottinghamshire County Council library service.
Tel: 0115 977 4915
E-mail: mark.wright@nottscc.gov.uk

Feedback

For further advice on providing feedback on your consultation, please contact Customer Management team.
Tel: 0115 77 2937
E-mail: consultation@nottscc.gov.uk

Evaluation

Was it worth it? Evaluating public and stakeholder consultation by Rhion Jones and Elizabeth Gammell, The Consultation Institute
21a High Street, Sandy, Bedfordshire SG19 1AG.
Tel: 01767 689 600
E-mail: info@consultationinstitute.org.

Data protection

Information Commissioner, Wycliffe House,
Water Lane, Wilmslow, Cheshire, SK9 5AF.
Tel: 01625 545700
Web: www.ico.gov.uk



Developing best practice

Public and stakeholder consultation is a relatively new professional discipline and relevant skills and approaches are developing all the time. In recent years this development has gathered pace and the role of consultation and the need to do it well is now widely recognised. These guides aim to capture best practice and help consultation managers in all public services undertake consultations based on what we know works and what our various audiences require.

These guides will be kept under review and improved as further experience is gained. In the meantime we wish colleagues in Nottinghamshire well as they seek to involve the public in the work of the Council.

Rhion Jones
Programme Director
The Consultation Institute
November 2006

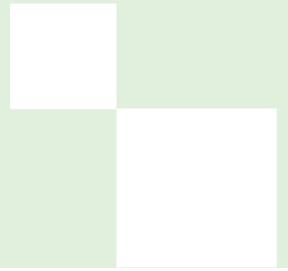
A note about the authors

These consultation guides were commissioned by Nottinghamshire County Council's Customer Management Team. They were drafted by Dale Cash, Theo Dennison, Paul Donnelly, Dan Falchikov and Elizabeth Vidotto on behalf of Peergroup UK Ltd. The Consultation Institute reviewed them and made comments in the light of their experience of best practice within the UK.

Peergroup UK Ltd is recognised by the Institute as providing specialist knowledge of the subject and work alongside Institute staff to develop and deliver relevant consultancy and guidance to local authorities and other public bodies.

The guides were written in consultation with the County Council's Customer Management team, Nottinghamshire County Council's consultation managers and members of the Nottinghamshire Consultation Practitioners Forum. Their input has been invaluable.

These guides have been reviewed by Nottinghamshire's Plain Language Group.



Notes



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Nottinghamshire County Council's consultation standards

1. A consultation mandate should be completed and approved by your departmental co-ordinator/ champion before the start of any consultation. *(Guides 2 and 11)*
2. The consultation should be logged on the County Council's consultation database. *(Guides 2, 10 and 11)*
3. For key decisions a public engagement plan should be published with the forward plan. *(Guides 2 and 11)*
4. In planning a consultation, the specific communication needs of groups and individuals who are often otherwise excluded should be considered. *(Guides 3 and 4)*
5. A minimum of 12 weeks should be allowed for consultation on major decisions. *(Guide 2)*
6. The name, address and contact number of the person responsible for the consultation should be published on all consultation materials. *(Guides 2 and 10)*
7. The consultation material should make clear by what date responses are required, in what format and to whom they should be sent. *(Guides 2 and 6)*
8. The consultation should include a face-to-face element where consultees are able to meet, question and put their views to the decision-maker(s). *(Guides 4, 5, 7 and 8)*
9. Any venue selected for a consultation event should meet the Council's accessibility code. *(Guides 4 and 8)*
10. Any complaints about the consultation, questions asked, materials or time allowed should be noted in the consultation report. *(Guides 9, 10 and 11)*
11. A notice of decision should be published for each consultation. *(Guides 10 and 11)*
12. Feedback regarding the responses, the Council's decision and how the consultation influenced it should be given to consultees. *(Guides 4, 7, 9, 10, 11 and 12)*



Contacting us

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