



ADUR & WORTHING
COUNCILS

Joint Overview and Scrutiny Committee
29 November 2018
Agenda item 8

Minute Extract of the meeting of the Joint Strategic Committee that took place on the 6 November 2018

JSC/057/18-19 Draft Response - JOSC Review of Consultations

Before the Committee was a report by the Director for Communities, copies of which had been circulated to all Members and a copy of which is attached to the signed copy of these minutes as Item 10.

The report provided a draft response to the Joint Overview and Scrutiny Committee (JOSC) review of consultations. Alongside this, the report provided an update on the Councils progress to develop new principles to guide engagement with their partners and communities.

Overall, it was recommended that the work of JOSC should be welcomed by the Joint Strategic Committee and to recognise that it would feed into the ongoing work to develop a set of engagement principles as committed to in Platforms for our Places.

JOSC made a total of five recommendations and the Joint Strategic Committee was asked to make a determination in relation to each recommendation.

Resolved,

That the Joint Strategic Committee

- i) agreed the proposed responses to the Joint Overview and Scrutiny Committees recommendations on consultations, as detailed in Attachment A of the report;
- ii) noted that the Joint Overview and Scrutiny Committee report would feed into developing the engagement principles committed to under Platforms for our Places.

Attachment A

Proposed response to the Joint Overview and Scrutiny Committee Report: Scrutiny review of Consultation (July 2018)

1. Introduction

1.1 In December 2017 the Joint Strategic Committee (JSC) referred the matter of consultations to the Joint Overview Scrutiny Committee (JOSC) following concerns raised about the level of response arising from the 2018/19 Council Tax Support Scheme consultations.

1.2 JOSC established a Working Group to:

- Speak with Council Officers on the current approach to undertaking consultations;
- Consult with local residents and community groups to find out their views on the current approach via a survey; and
- Engage with a consultation professional on how consultation and other forms of engagement should be undertaken and the legal principles which should underpin all consultations. Research has also been undertaken to review Consultation practice elsewhere in West Sussex.

1.3 Overall the JOSC agreed with the Working Group's conclusion that it was:

generally pleased with the way that the Councils undertake consultations and that some Service areas use innovative techniques and provide above average levels of consultation which in turn generate good response rates. However, the Working Group believes that improvements should be made to the Councils' consultation processes to ensure a consistent approach across all Service areas to consultation delivery.
[Para 1.4]

And made a total of five recommendation to improve consultations across the Councils.

1.4 Overall the Committee's report is welcomed. Developing our relationship with our partners and our communities is an essential role for a modern Council, and in particular in meeting Adur District and Worthing Borough Councils' ambitions set out in *Platforms for our Places*. In particular this report will feed into the development of engagement principles - an action identified in *Platforms for our Places* (2.4.1).

1.5 In regards to the specific recommendations made by JOSC, it is recommended that JSC:

- Agree to recommendation five,
- Agree-in-principle to recommendations one and three; and
- Disagree to recommendations two and four.

1.6 It should be noted that JOSC's considerations will feed into developing the engagement principles committed to under *Platforms for our Places*.

2. Response to the Recommendations of the Joint Overview and Scrutiny Committee

2.1 That the Joint Strategic Committee agrees to support the creation of a dedicated Consultation Strategy/toolkit which sets out the overarching approach which should be applied by Officers to Consultations undertaken by the Councils. This Strategy should include the following issues,

the rationale for which is explained earlier as part of this report and the new Strategy should be made available to the local communities and Officers:-

- An updated Consultation Policy Statement to be provided for the website
- Improved techniques for publicising consultations and updated consultation pages to be included on the website.
- An updated contact list of local residents' associations and community groups to be created and used as a list of consultees for relevant consultations. This list should also include contact details of individual local residents who want to engage and be consulted regularly on consultations (subject to appropriate compliance with the GDPR).
- Advice on all methods of consultation techniques that can be used.
- Advice on the 'Gunning Principles' and the law relating to consultation practice.
- Advice on designing consultations in accordance with the Government Consultation principles

Response

AGREE-IN-PRINCIPLE - A shared approach to engagement and consultation is an overarching conclusion of JOSC. As JOSC notes (Para 3.5), officers are currently working to develop a set of engagement principles to develop a consistent approach across the Councils. There are a number of considerations going into the development of these principles, including operational and resourcing issues. Therefore, officers are asked to consider JOSC's recommendations and wider considerations when this matter returns to the Committee in 2019, subject to the matters outlined below.

Officers are seeking to create a set of principles that will :

- build the capacity and understanding of the Councils and our communities so they feel confident to undertake meaningful engagement activities;
- reflect the Councils ambitions set out in *Platforms for our Places*, and reflect the character of our communities; and
- aid Officers in practical terms to undertake a range of engagement activities undertaken by the Councils; drawing on best practice, and case studies from across the Councils.

As such Officers will look at revising or replacing the Councils' current Consultation Policy Statement, how engagement activities are publicised, and drawing on best practice and existing guidance.

It is important that service areas are aware of, and maintain ongoing relationships with their key stakeholders; and ensure that relevant sections within our community are engaged with appropriately. However, whilst it is recommended to agree in principle to most elements of the recommendation at 2.1, the formation and management of a centralised list of resident groups and consultees, is not supported. The formation of such a list presents a number of risks to delivering meaningful engagement, including:

- that segments of our communities which are most affected by a specific engagement activity are not heard during the engagement process because they are overlooked or their views are lost among the views of others who are not directly impacted.
- That any list will be out of date as soon as it is published and that the upkeep and maintenance of the list will require additional, unavailable resources, that would have limited added value to the engagement processes of the Councils.

2.2 That a designated named Service area (to be provided at no extra cost to the Councils and within existing resources), be allocated to provide advice to Services and the communities on

the Consultation and Engagement Strategy and to provide some light touch overall guidance on consultations.

Response

DISAGREE - Developing our relationship with our partners and our communities is an essential role for a modern Council, and in particular in meeting Adur District and Worthing Borough Councils' ambitions set out in *Platforms for our Places*. It is therefore the responsibilities of all officers to familiarise themselves with the process and practices of engagement and consultation. In developing the engagement principles a community of interest group has been established so officers can engage best practice and their experience of engagement.

2.3 That mandatory Corporate consultation training be provided to all Officers who undertake consultations, to help provide them with the necessary knowledge and skills required to deliver effective consultations.

Response

AGREE-IN-PRINCIPLE - Ensuring that our officers have the skills to effectively undertake engagement and consultation activities is important to maintain the Councils' trust and reputation with our partners and communities, deliver positive outcomes and add in effective decision making. Different levels of training should be offered to staff so they can effectively carry out their duties, however the ability to deliver this training will be dependent on available resources and other corporate training priorities.

2.4 That the Councils consider reconstituting the Member/Officer Community Engagement Task Force to help monitor consultation and engagement activity.

Response

DISAGREE - Consultation and engagement activities should be communicated effectively across the Councils, to elected members, partners and Communities. Officers are required to inform decision makers about proposed consultations and their outcomes, and there are several oversight mechanisms for consultations including senior officers, Executive Members, the Councils and their Committees. In light of JOSC's overall conclusions and other recommendations, the value gained from the investment of resources, and existing mechanisms the case for reconstituting the taskforce is not made.

2.5 That the Councils ensure that all local Councillors, as both representatives of local residents and the Councils, be made aware of all consultations and the consultation responses which affect their wards and the areas as a whole at an early stage to ensure that they are informed and to enable them to be able to alert and communicate effectively with local residents to encourage them to respond to consultations.

Response

AGREE - Officers will be asked to identify the best means to inform Councillors when consultation are been undertaken so they too can communicate it to local residents.