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**Meeting of the Corporate and Economic Strategy Select Committee – 6<sup>th</sup> September 2023**

**Report of the Deputy Chief Executive**

**Consultation process review across the authority**

**Purpose**

1. To provide an overview to the committee of consultation activity across the authority and to provide an update on future improvements to processes.

**Recommendations**

2. It is recommended the Committee: -
  - Note that Dudley Council does not have a single, corporate department with an oversight or responsibility for consultations taking place across all directorates and services in the local authority.
  - Understand the scale and complexity of consultation activity undertaken across the local authority service areas and how best practice has been used to inform a consistent corporate approach.
  - Support the new Consultation Framework and the database produced for guidance by the Chief Executive's performance management team and key stakeholders across the organisation. (Appendix B – Consultation Framework).
  - Support the officer working group to identify the best software solution. Conversations together with requirements gathering are currently taking place with consideration to use the 'MyDudley' platform.

## **Background**

3. The consultation process review commenced in the Autumn of 2022, following a paper that went to the former Future Council Working Group Committee on 27<sup>th</sup> July 2022.

The Head of Communications and Public Affairs, together with the Head of Planning presented the report submitted in relation to the consultation process review across the authority.

In presenting the report it was commented that the former Corporate Scrutiny Committee had undertaken a review of the consultation process across the Local Authority approximately 3 or 4 years ago. Following the recent large-scale consultation that had taken place in relation to the Black Country Plan (BCP), it was considered an appropriate time to re-elevate the process, considering any new learnings that had been identified and to address any gaps in the process.

It was recommended that the Chief Executive's Office lead a review of consultation processes across all directorates, to collate information and identify best practice areas to inform a consistent corporate approach.

*The full report and action notes from the meeting of 17<sup>th</sup> July 2022 are available as background documents.*

## 4. **Consultation Review**

Following the meeting of the Future Council Working Group it was agreed that a review of the approaches to consultation is undertaken. To support this project an officer working group was established in the autumn of 2022, the key tasks of the group included:

- Baselining all current forms of consultation to understand the different approaches and identify best practice.
- Develop a forward plan of planned consultation exercises that are due to take place over the next 12 months.
- Develop a framework and guidance for all directorates to ensure a consistent approach. (Appendix B – consultation Framework)
- Bring a report back to the former working group, now the new select committee in due course with progress and updates.

It is important to note that 'consultation' is different from 'engagement', it has a clear beginning, middle and end and is carried out formally through surveys, meetings etc. It can be any activity that gives local people a voice and an opportunity to influence important decisions. It involves

listening to and learning from local people before decisions are made or priorities are set.

The remit of the officer working group is to concentrate only on consultation and therefore excludes engagement activity, which is generally carried out by community groups.

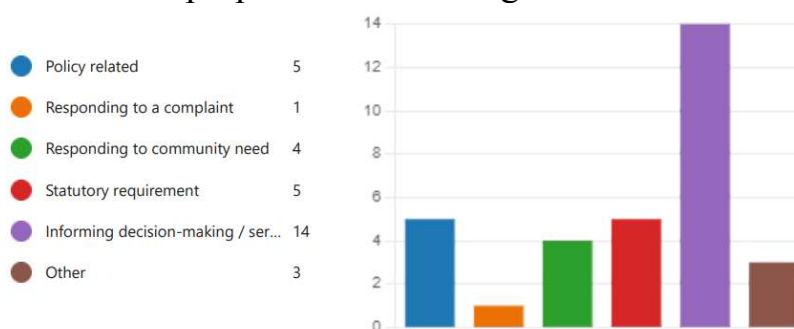
## **Consultation Research and Baseline Exercise**

The performance management team initially carried out an internal survey to enable us to capture external consultation activity taking place across the organisation.

The purpose of the review was to enable us to baseline all current forms of external consultation, to understand the different approaches and identify best practice. To also develop a forward plan of planned external consultation exercises that are due to take place over the next 12 months. In doing this exercise it provided the team with the knowledge and understanding to ensure we have a consistent approach for the authority on consultation activity through a corporate framework and a database of consultation activity for intelligence sharing and targeted communications and inclusive consultations with accessibility for all through.

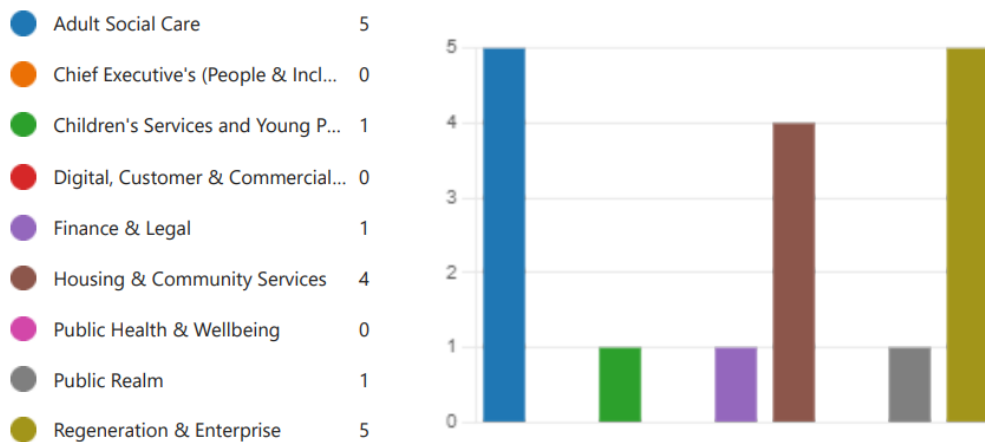
The results of the survey (17 responses) highlighted the majority carry out external consultations between 1-5 per year and generally on a yearly basis unless it is based on need or linked to either a project or major improvements to services. The key purpose of conducting the consultation activity are to inform decision making (14), policy or statutory related (5 each) or responding to community needs (4).

What is the purpose of conducting the consultation activity?



The highest proportion of external consultations conducted by directorate are Adult Social Care and Regeneration & Enterprise respectively, followed by the Housing & Communities directorate as the graph illustrates below.

Please tell us which directorate you are in.



The survey also asked whilst conducting the consultation are Equality Impact Assessments (EIA's) carried out to ensure there are no barriers to participation or disadvantage to any protected groups from participation. Surprisingly fourteen people responded with No, or Don't know, with only four people confirming that they do carry out an EIA.

One of the key methods used when carrying out consultations were via a paper or online survey, this highlighted issues in relation to survey packages used either via a paid licence or free online licences. In total six service areas use a free online survey form to carry out their consultations, which has consequences in terms security issues and GDPR regulations.

To see the full survey results, please refer to Appendix A.

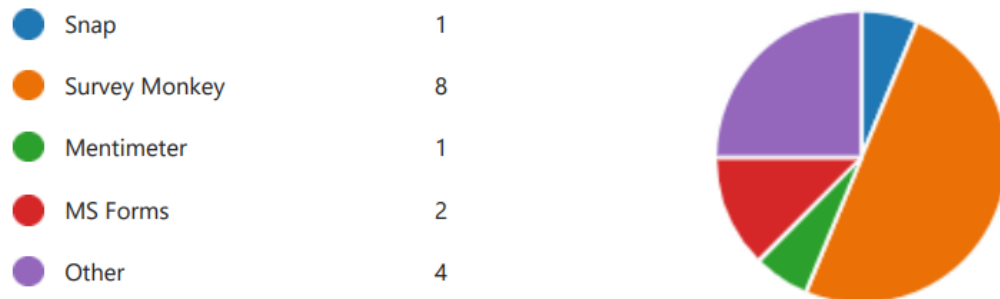
Considering the issues above in terms of EIA and GDPR, the consultation framework and guidance have a dedicated section on both these areas to ensure the authority adheres to legal regulations and also includes a privacy statement for Dudley.

### **Software Solutions**

The officer working group are considering a corporate software licence to ensuring the authority abide by regulations. One consideration is to use the 'MyDudley' platform to eliminate issues with licences and to create a one platform approach to enable us to be better engaged with our residents, which in turn will ensure policies/regulations are being met.

However, for the time being, services will continue to use the paid software packages, if a licence is not held. The baseline exercise highlighted that ‘Survey Monkey’ was the most favourable software packaged used when carrying out online consultations, second to SNAP (Appendix A – baseline results Q15).

What software do you use if conducting online/paper surveys?



Due to Survey Monkey being the preferred option, the framework directs people to our Communications and Public Affairs (CAPA) team who currently have a survey monkey enterprise licence, which can be used ensuring GDPR regulations are followed, until a better solution is in place.

Further information on software packages and licences can be found in section four of the consultation framework.

## 5. **Consultation Framework / Guidance**

Following the baseline exercise and extensive external benchmarking, the performance team have produced a consultation framework, providing key messages and guidance to all staff carry out external consultations with other key functions including the Information Governance team, CAPA team and the Equality and Diversity team. (Appendix B – Consultation Framework).

The purpose of this guidance is to help teams identify areas they need to consider and tools available when carrying out consultations and provides a consistent approach across the council. This includes:

- Definition of consultation
- Our corporate approach
- Licences and enterprise accounts information
- Considerations
- EIA, DPIA and Privacy notices.
- Accessibility
- Tools and Resources

The tools and resource section includes information from the LGA, the centre for Governance and Scrutiny, together with Arnstein's ladder of participation.

It is recommended that the committee review the framework and offer any further inclusions or recommendations before it is published internally to all staff. This would also include the 12-month forward plan of consultations. (Appendix B/C – consultation Framework/Database).

### **Consultation Database/List**

You may recall the Council previously had a 'Community Engagement Database' which was supported by a framework and toolkit, but due to the disbandment of the corporate policy and research team around 10 years ago, the database is no longer updated nor in use.

It has however been highlighted by our Strategic Executive Board members that a database of consultations would be beneficial to both members and officers to provide oversight of consultations being carried out and help to inform consultation planning.

Currently, digital and customer services are leading a review to look at a replacement that would also integrate with the new digital front door, MyDudley as previously mentioned in Section 4. A digital working group has been assigned and a requirements gathering exercise is currently underway with key stakeholders across the organisation.

However, until a solution is in place, we have developed the temporary database on SharePoint. (Appendix C – Database - export list)

Staff will be asked to enter the details of any consultation taking place onto the database where all staff can access to update. The purpose of the database is to also request that staff check the list when planning consultations so that wherever possible we do not overwhelm our residents and communities.

An extensive communications plan will be in place to promote the framework and database to all staff when signoff/approvals are complete.

### **Resource and Ownership**

It must be noted that Dudley Council does not have a single, corporate department with an oversight or responsibility for consultations taking place across all directorates and services in the local authority. Formerly, the authority did have a centralised strategic intelligence and policy unit which carried out this function and held a consultation and engagement database to track all activity taking place and ensure a consistent

approach was used. However, this team was repurposed several years ago.

In order to re-establish a corporate ownership of all consultation activity it is recognised budget and resource would need to be identified. The corporate performance management team have carried out the current exercise alongside their substantive posts. Going forward it would not be sustainable to continue to embed, monitor and provide continuous reviews, unless further resources are in place.

### **Finance**

6. If corporate ownership of all consultation activity is recognised, a budget, resource and location of the post would need to be considered.

### **Law**

7. There are no material legal considerations in this report, however it must be remembered that in a number of consultations on statutory documents that the requirements of a consultation will be legal defined. Any consultation exercise, or public engagement, must meet the minimum requirements of the legislation to ensure that the adopted document is legally sound.

### **Risk Management**

8. There are no material risks associated to this report for Select Committee.

### **Equality Impact**

9. No equality impact assessments are needed for this report.

### **Human Resources/Organisational Development**

10. There are no material Human Resources or Organisational Development considerations for this report.

### **Commercial/Procurement**

11. A requirements gathering exercise is in place to consider consultation activity may be an option. If so the only implications would be the cost of an additional module added to the existing MyDudley platform.

### **Council Priorities**

12. In order to deliver the aims and objectives of the Council Plan and contribute the wider borough vision it is imperative the authority has a

sound and robust process in place to consult with its key stakeholders on activity across the authority.



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**Appendices**

Appendix A – Consultation Baseline Report  
Appendix B – Consultation Framework / Guidance  
Appendix C – Consultation Database – export list

**List of Background Documents**

Consultation Process Review – Future Council Working Group report/action notes.