

Consultations Framework

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1. Introduction

Many teams within the council carry out consultation and engagement with various stakeholders such as borough residents, tenants, tourists and businesses. Carrying out this work effectively helps us shape how we deliver services as well as informs and engages with our stakeholders.

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

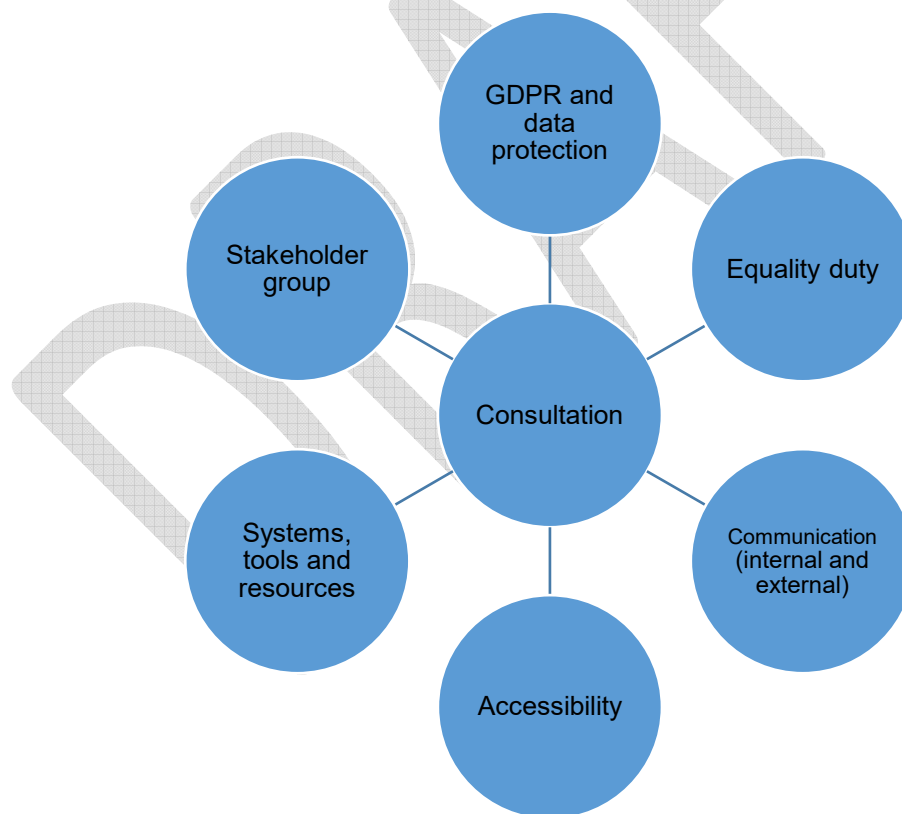


Figure 1 Consultations considerations

Alongside this guidance, a new 'consultations list' has been developed. This central list will allow officers to see activity being carried out throughout the council. This could then aid intelligence sharing for targeted communications and clear communication with elected members.

2. Definitions

The local government association (LGA) use the term 'engagement' to mean *“anything that creates a stronger two-way relationship between council and the community. This runs from formal consultation to more deliberative and informal listening exercises.”*

In Dudley we differentiate between engagement and consultation.

Many teams carry out engagement with their service users as part of their business as usual. This can include outreach work with residents and community groups as we target our services to those who need them.

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.

Examples of consultations the council have carried out include:

- Your Borough, Your Future Survey (Autumn 2022, providing insight people's thoughts on climate change priorities and help shape the council's climate action plan)
- The Big Question (Annual survey regarding budget priorities)
- Play Area Strategy (Summer 2023, gather public opinion on play areas in parks and open spaces to help shape the council's new play area strategy)
- Portersfield development (Summer 2023, shaping proposals for the former Cavendish House site in Dudley)

3. Corporate approach

3.1. Consultations database/list

The previous Community Engagement Database which was available through Connect is no longer available. 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.

However, until a solution is in place a temporary shared list is needed in order to give members and officers oversight of consultations being carried out across the council. Staff are asked to enter the details of any consultation taking place onto the list which is hosted on SharePoint and all staff can access it to update. The list requires some basic details regarding the consultation and a lead officer to be named as a contact.

It is also requested that staff check the list when planning consultations so that wherever possible we do not overwhelm our residents and communities.

Staff are asked to ensure new items are added to the list in a timely manner as it will be used to inform councillors of any upcoming consultations.

▲ Consultations SharePoint site including list: <https://dmbc.sharepoint.com/sites/Consultations>

3.2. Licenses and enterprise accounts

Many online tools for formatting and carrying out surveys have free licenses/versions with basic features and access. However, care should be taken when signing up for one of these as they may not be GDPR compliant, particularly around the hosting of surveys/results on servers outside the UK or EU.

Care also needs to be taken when signing up to a paid for service. There have been many cases in the council where an individual has had budget agreed for an individual license but have then left the council, the license then cannot be accessed by other staff and continues to be paid for until the purchase card is out of date.

Individual or free licenses do not typically provide you with the necessary liability cover if things go wrong e.g. data breach. Terms and conditions must be checked before entering into any licensing agreement, including the use of 'free' licenses.

Providers often offer an 'enterprise' or 'corporate' license which allows for multiple users and additional features. These are more expensive, but they are more likely to provide the assurance we need when considering data protection.

4. Tools and resources available

4.1. LGA New Conversations Guide

The New Conversations document from the Local Government Association (LGA) is a guide to engagement. The guide has extensive information on engagement and consultation including good practice, choosing engagement methods, stakeholder mapping and legislative issues.

The New Conversations Guide along with other LGA resources is available through the Consultations SharePoint site.

▲ [Consultations SharePoint site](#)

4.2. Shared licenses

CAPA currently hold an annual SurveyMonkey (Momentive) Enterprise License. This license allows access to additional templates, analysis/insights and ensures all data is stored in line with GDPR. The license allows for 15 seats (users).

Services can either choose to purchase an annual seat for £357 (provides access to set up unlimited surveys) or commission CAPA to set up adhoc surveys at a cost of £25 per hour. Contact capa.admin@dudley.gov.uk for more information.

4.3. Service specific software

A number of services use software specific to their needs. This is particularly the case where consultation is part of the council's statutory duty. Where specific tools or software are needed teams have the autonomy to put this in place following all corporate guidance on procurement and data protection.

4.4. Communications and Public Affairs

Service areas carrying out consultations will need to engage with Communications and Public Affairs in order to communicate their consultation to targeted audiences across the borough and beyond.

CAPA has a professionally trained team of communicators who may advise on the consultation approach and provide access to a wide range of tools to communicate the consultation.

Deploying a multi-channel approach to communications, with a mix of traditional printed methods and digital and social channels, CAPA will support services to reach their specific target audiences for consultation, both internally and externally to the council.

Please note that CAPA does not carry out the consultations or analyse the data from responses, both of which need specialist input with the team carrying out the consultation.

4.5. Print services

The council's Print Services team offer a diverse range of quality printed products from the simplest black and white photocopying through to high profile bespoke print jobs that utilise modern day print and marketing methods.

▲ More information about the service is available via [Connect Print Services page](#)

4.6. Council website

Currently, details of consultations are published on our external website. Content can be added to the website via a MyICT request to the web authoring team. Any news/media releases are dealt with by CAPA.

▲ [MyICT request for website updates](#)

▲ [Consultations on external website](#)

5. Considerations

Any consultation carried out is owned by that service/team. There is no centralised team that supports consultation delivery and analysis. Before carrying out any consultation teams will need to identify their own resource/staff time to design the questions being asked, engage with the audience identified and report on the responses received.

5.1. Is consultation needed?

When considering if consultation is needed, the **Gunning Principles** help us to ensure consultation is legitimate in a legal sense. The principles are:

- **Proposals are still at a formative stage.**
 - A final decision has not yet been made by the decision makers.
- **There is sufficient information to give 'intelligent consideration'.**
 - Information provided alongside the consultation must be available, accessible and easy to understand.
- **There is adequate time for consideration and response.**
 - There must be enough opportunity and time for consultees to take part.
- **'Conscientious consideration' must be given to the consultation responses before a decision is made.**
 - Decision makers should be able to evidence that consultation responses are considered.

More information on the Gunning Principles and other aspects to consider when designing consultation can be found in the LGA New Conversations Guide (available on the [Consultations SharePoint site](#)).

5.2. Stakeholder group and consultation methods

As we have seen in the Gunning Principles, ensuring a consultation is accessible is essential. People accessing consultations will have varying needs that should be considered while you are designing the consultation. Stakeholder mapping (see LGA New Conversations Guide) is a tool to identify the people you are consulting with. Knowing who your audience is allows you to plan the consultation methods which will result in good quality responses.

While online surveys are increasingly being used, they may not be appropriate for all due to digital poverty or a lack of digital skills. Other barriers to participation should also be considered such as literacy or language needs (for written or spoken responses) and physical access (for meetings). A combination of methods may be appropriate. See also below sections on EIA and online accessibility.

5.3. DPIA and privacy notices

If you are processing personal data (this includes email addresses, phone numbers and other personal information relating to a living individual) you need to have a lawful basis as specified within the UK GDPR. If your consultation is likely to involve high volumes of individuals, and or you are targeting your consultation at individuals with special characteristics, such as disabilities, you may need to undertake a Data Protection Impact Assessment (DPIA). Please see further details of the requirements for this at this link:

▲ [DPIA guidance](#)

In addition to the Corporate Privacy & Disclaimer Statement there is also a generic Consultations Privacy notice which teams can use. You should also ensure that if your service has a Privacy Notice published on the Council's website it includes what happens to consultation data if the data differs to that you normally collect.

You should signpost your audience to the most appropriate privacy notice so they can be further informed as to how their personal information will be handled.

▲ [Corporate Privacy & Disclaimer Statement](#)

▲ [Other privacy notices, including generic consultations privacy notice](#)

Please also note that if you are contacting people by email and/or SMS text messaging routes, you should provide people with a mechanism to opt-out of future communication.

5.4. Equality Impact Assessment

We shall ensure we are using our corporate Equality Impact Assessment templates as part of our governance process to ensure we are compliant with the Equality Act 2010, and our Public Sector Equality Duty.

▲ [EIA templates and guidance](#)

If you require any information about the communities you wish to consult and engage with, please contact the Equality, Diversity, and Inclusion team who can provide you with this specific information, and likewise should you require specific workforce Equality statistics. If you should require any support completing your Equality Impact Assessment; or you are interested in training on and around how to strengthen the completion of these forms, please contact the team at EDI@Dudley.gov.uk.

5.5. Online accessibility

Many consultations utilise online surveys and/or are supported by online information. Accessibility applies to everyone and not just the 1 in 5 people who have a disability.

For accessibility on the web we follow the Web Content Accessibility Guidelines (WCAG) to meet the AA standard. When designing a consultation to be viewed online, it is also worth considering that current statistics show that over 70% of visitors to dudley.gov.uk are on a smartphone (July 2023). Where possible, check drafts as they would appear on a smartphone.

Guidance on accessibility is available via ICT User Support on the link below.

▲ [Accessibility hub](#)

6. Additional resources

A number of additional resources to help plan consultation activity are available through the Consultations SharePoint site.

▲ [Consultations SharePoint site](#)

Resources include:

- New Conversations Guide from LGA
- How to write effective survey and research questions (Centre for Governance & Scrutiny)
- Arnstein's ladder of participation
- The Consultation Institute Charter

New Conversations 2.0
LGA guide to engagement

Tools: A route map to good consultation

The below tool shows the process at the heart of any good consultation. A good example of a council that has built this type of approach into its consultation guides is Northampton Borough Council.

Step One - Define	Decide key questions	Decide stakeholders	Review previous work	Review previous work
	<ul style="list-style-type: none">• To inform decisions• Statutory need• To help decide spending priorities or shape services• To get views on proposals• Plan your evaluation and agree what success looks like!	<ul style="list-style-type: none">• Proportionate to the issue (not all of the people all of the time)• Directly, indirectly or potentially impacted by the issue• People important for success of initiative• Includes hard-to-reach	<ul style="list-style-type: none">• Build on previous work, at your council and beyond• Access knowledge centres within the authority• Look for national guidance and case studies	<ul style="list-style-type: none">• Cost of consultation – i.e. staff time, resources• Cost of implementing consequences of decisions• Keep enough time to genuinely consider and respond
Step Two - Manage	Choose consultation methods	Write communications plan	Design & implement	
	<ul style="list-style-type: none">• Type of feedback (qualitative and quantitative)• Audience needs and access• Complexity of the issue• Resources and timelines• Your capacity to analyse responses – are you expecting 20 or 2,000?	<ul style="list-style-type: none">• Do alongside other communications activities• Involve messaging specialists• Test all messages to predict how people will read	<ul style="list-style-type: none">• Have a clear timetable and activity schedule• Create content (and versions) that provide enough information• Brief staff and councillors not already involved• Be willing to swallow if results change	
Step Three - Evaluate	Analyse responses	Provide feedback	Conclude	
	<ul style="list-style-type: none">• Budget carefully (it is the public's money)• Ensure clear data protocols• Guarantee technical capability• Create a forum for discussion to avoid series of 'closed doors'	<ul style="list-style-type: none">• Communicated to everyone involved• Accessible and 'on message' – delivers key info• Clear on reasoning for how decisions were reached• What's coming next and how people can be involved	<ul style="list-style-type: none">• Be clear about the success of different elements• Use techniques such as surveys, depth interviews and focus groups• Learn from the process for next time• 'Make the case' for consultation	

1. This tool was developed by The Campaign Company as part of the research for this project

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Figure 2 Example from the LGA New Conversations guide