



CABINET

14th August 2024

Subject Heading:

Consultation Policy

Cabinet Member:

Leader of the Council

ELT Lead:

Marcus Chrysostomou, Head of Communications

Report Author and contact details:

Sue Verner, Customer Insight Officer
sue.verner@havering.gov.uk

Policy context:

This policy relates to:
Resources – Enabling a resident focussed and resilient Council.

Financial summary:

There are no financial implications for the Council related to this decision. Consultation will be delivered within existing resources.

Is this a Key Decision?

Yes - Significant effect on two or more Wards

When should this matter be reviewed?

August 2027 or as appropriate

Reviewing OSC:

Overview and Scrutiny Board. The Consultation Policy will be refreshed every three years or if there is a change in legislation affecting this policy.

The subject matter of this report deals with the following Council Objectives

- ✓People - Supporting our residents to stay safe and well
- ✓Place - A great place to live, work and enjoy
- ✓Resources - Enabling a resident-focused and resilient Council

SUMMARY

The aim of this policy is to provide guiding principles and quality standards for consultation activities thereby promoting best practice to those officers engaged in consultation, and ensuring that there is a consistent approach to these activities across the Council.

Within this overall aim, our key objectives are:

- To maximise stakeholder engagement by making consultation activities as inclusive as possible.
- To develop the Council's services to meet the range of needs of our residents, businesses, communities and service users.
- To co-ordinate consultation, develop best practice and centralise data and information.
- Through better co-ordination, reduce repetition, duplication and consultation fatigue.
- To develop the Council's ability to make effective use of consultation techniques.
- To maximise equality of consultation.
- To maximise opportunities for consultation.
- To better engage with groups we seldom hear from or those we may find hard to reach.
- To comply with the Equality Act 2010, the Data Protection Act 1998 and other relevant legislation.

RECOMMENDATIONS

It is recommended that Cabinet approve the attached Consultation policy.

REPORT DETAIL

The Target Operating Model programme that the Council recently conducted identified the need for a more joined up approach to how the Council conducts consultation, community engagement and participation. A bespoke team was subsequently set up under the Head of Communications to ensure that community consultation and engagement activity was more focussed and that we were more likely to achieve desired outcomes.

The Consultation Policy aims to support the Community Engagement Strategy and the process of informed and transparent decision-making and planning by improving the quality and effectiveness of public consultation undertaken by or on behalf of the Council. Through consultation we are seeking to:

- Strengthen our community leadership role.
- Stay in touch with, and meet the needs of our stakeholders.
- Inform policy development, service planning and decision-making.
- Raise awareness and understanding of our services and how they are provided, thereby increasing stakeholder capacity to influence change.
- Co-produce the improvement and development of our services by involving stakeholders in design.
- Maintain an open dialogue with stakeholders, whilst giving due consideration to the risk of consultation fatigue.

Expected outcomes are:

- Inclusivity is demonstrated leading to increased stakeholder involvement.
- Equal access to services is promoted.
- Improved co-ordination and quality of consultations.
- Improved evidence-based information for decision-making.
- Stakeholder trust in the Council is increased.
- More appropriate and effective services have been provided.
- The risk of Judicial Review is reduced or mitigated.

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This is one of the four key priorities of Cabinet to improve engagement (alongside IT, Customer Service and our financial position).

The Consultation Policy is attached to this report at Appendix A



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REASONS AND OPTIONS

Reasons for the decision:

A review was conducted to see what the current engagement provision is at the Council.

The findings found that currently most of our engagement activity involves informing and consulting residents around key areas as appropriate with some examples of involvement and collaboration with residents. The review also found that:

- A 'hub and spoke' model should be implemented for community engagement so there is a join up for all engagement across the council and partners.
- We have a spread of teams and individuals who are engaging with service users by way of consultation.
- There is no guiding principles and quality standards for how we consult with residents and service users.
- Other than in Housing, there is no corporate capture of feedback, data and information to help wider policy making.
- We need to create a broader range of approaches and tools to engage. This is particularly important given rapid changes in population demographics.
- It is important we understand digital poverty particularly among older people to ensure nobody is left out.
- We need to coordinate databases held across the Council to better inform engagement.
- We need to have clear 'you said, we did' feedback loops.
- The community needs to be enabled to lead more.
- We need to build community resilience and trusted relationships.

In addition, some services deliver a form of engagement activity with different resident or user groups showing pockets of good practice and expertise.

To further strengthen consultation best practice, there are more tools and shared forms for staff use currently in development:

Consultation Tool Kit

Dash form to register a consultation and survey

Consultation Forward Plan for internal use

Other options considered:

The only other option considered was to not have a consultation policy and continue with a piecemeal approach to consultation. This would not allow Members and the Executive Leadership Team a clear oversight on residents and service user's opinions and was rejected.

IMPLICATIONS AND RISKS

Financial implications and risks:

The approval of the Consultation Policy does not have direct financial implications or risks. The policy will be implemented using existing budgeted resources. If any developments arise from consultation or community engagement activities, they may have financial consequences. However, these will be assessed and managed in accordance with the Council's established approval procedures.

Legal implications and risks:

There are no direct legal implications arising from the recommendations in the report. The approval of a Consultation Policy complements Part 5 of the Localism Act 2011, which sets out measures to empower the community.

In accordance with public law, a duty to consult will usually arise in four main circumstances:

- First, where there is a statutory duty to consult.
- Second, where there has been a promise to consult.
- Third, where there has been an established practice of consultation.
- Fourth, where, in exceptional cases, a failure to consult would lead to conspicuous unfairness.

Where the Council chooses to consult, it will need to be guided by its 'Consultation Principles' which are based on the [Gunning Principles](#). These provide that:

- i) consultation must be undertaken at a formative stage;
- ii) sufficient information should be provided to enable informed feedback;
- iii) adequate time should be given for consideration of responses and
- iv) the feedback given should be conscientiously taken into account prior to any decision being taken.

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In preparing the policy, reference has also been made to the Government's [Consultation Principles Guidance \(2018\)](#).

The adoption of the Consultation Principles will not impact the Council's statutory responsibilities.

Human Resources implications and risks:

There are no human resource implications or risks. Under the Target Operating Model a new community engagement team which now includes the existing post of Customer Insight Officer will ensure the delivery of this work.

Equalities implications and risks:

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have 'due regard' to:

- (i) The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) The need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) Foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

The Council seeks to ensure equality, inclusion, and dignity for all in all situations.

A full Equality and Health Impact Assessment has been carried out and is attached at Appendix B with associated action plan.

Health and Wellbeing implications and Risks

There are no adverse health and wellbeing risks associated with this strategy

ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS

The Consultation Policy supports the work of the Council's Climate Change Action Plan including the primary method of undertaking consultation activity online, as supported by our [Corporate Plan](#). By using online tools we aim to make activities accessible and engaging for our stakeholders, and more effective and efficient for the

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Council. As well as improving accessibility, this method aids accuracy of information, reduces our environmental impact and increases our ability to reach more people.

BACKGROUND PAPERS

There are no background papers