

Working Together

**Cambridgeshire County Council's
Engagement and Consultation Strategy 2017**

Introduction

This strategy describes Cambridgeshire County Council's commitment to carry out meaningful engagement and consultation with service-users and the public when making decisions, and outlines when and how this will be achieved.

Through engagement and consultation, we will seek to understand what it is that members of the community value the most about our services. We acknowledge that engagement and consultation rarely throws up a single, coherent and unified opinion; we will therefore ensure that we feedback on why we have taken a particular course of action.

This strategy explains how the Council will ensure that the public:

- Have a say in decisions that affect them.
- Know how to get involved.
- Know how their feedback has been used and how the Council will give feedback after a consultation has happened.

This strategy has been endorsed and will be monitored by the Communities and Partnership Committee of the County Council. It begins with a statement of our commitment to working together with service users and the public.

Our 'Working Together Commitment'

The County Council makes the following commitment in support of its engagement and consultation activities. This commitment was written jointly with local people and representatives from local voluntary organisations.

How the Council will listen to you

We believe that:

- People who live in Cambridgeshire should be able to give feedback on the Council services they use.
- People who live in Cambridgeshire should be asked about services at all stages, from deciding what is needed to looking at how well it is working.
- It should be made as easy as possible for everybody to give feedback. For example, the Council should use a variety of ways such as:
 - Feedback from people using its services on a regular basis, including reviews, case studies, complaints and compliments.
 - Surveys (online, postal and telephone).
 - Social media (e.g. Facebook, Twitter, blogs).
 - Meetings and workshops.
 - Talks.
 - Information events.
- Everybody's thoughts, opinions and feedback should be respected and valued equally.

How the Council will engage with you

We should engage the public at an early stage of any planning process. This should:

- Occur over an appropriate length of time, with timescales that allow for activities that support meaningful engagement. The aim is to have sufficient time to discuss different ideas and options for any new services or potential changes that are being proposed.
- Identify those sections of the community who are most likely to be affected and prioritise those individuals/groups for discussion.

- Keep a clear record of all engagement activities which take place.

How the Council will consult with you

We should make sure that people understand:

- What they are being asked for their opinion on and why.
- How long everybody has to respond to a consultation.
- What the Council is asking them to do and what commitment they will need to make.
- What difference their help will make.
- How they will receive feedback after a consultation has happened.

In addition, we should:

- Be clear and honest about the process of making decisions and what differences can be made by any consultation.
- Allow enough time and resources for any consultation to happen, to make sure that everyone is able to take part. This means that:
 - The Council should allow sufficient time for any consultation to take place, ideally following best practice guidelines of allowing three months for larger scale consultations where appropriate/possible.
 - Consultation materials should be available in different formats (such as large print) as appropriate so that as many people as possible can join in.
 - Any information provided should be relevant, up-to-date, in clear English and with no jargon.
 - Training should be given to Council staff to support them to do this type of work.
- Give additional support (if needed) to minority and disadvantaged groups to help them to respond to consultations. This may mean undertaking targeted work focussed on a particular client group.

- Recognise that people who work for the Council and other partner organisations can act as informal advocates for the people they work with and tell us about issues important to their clients and their own services.
- Ensure that there is ongoing engagement with people who use services (not just as part of a formal consultation process).
- Learn from good practice developed by other organisations.

Our approach to engagement and consultation

The Role of Engagement and Consultation

Engagement and consultation can be used by the Council at different times to inform decision-making, transformation, policy and service delivery. Specifically engagement and consultation can be used for gathering both qualitative and quantitative information, for the purposes of:

- Strategic planning – to understand the needs of our community, and to define policy to address those needs and ensure that the way in which services are designed and delivered meets those needs.
- Strategic performance – to measure performance against our priorities and understand our reputation with key stakeholders, residents and service users.
- Supporting the transformation of services – proposing service changes to the community and gauging reaction to various ideas or options.
- Operational planning – for specific services to evaluate the impact they have had on service users, to review the way a service is delivered and inform improvement and to understand expectations and satisfaction.

Although linked to engagement and consultation, the County Council's approach to Community Resilience and Accessible Information and Communication fall outside the scope of this strategy.

The remainder of this document outlines how Cambridgeshire County Council will carry out engagement and consultation work.

A Defined Process

The key to carrying out effective engagement and consultation is to understand the role that consultation plays in decision-making. Whilst there is a legal duty for local authorities to act fairly (with consultation being a way to discharge this duty – see the following section), rather than seeing engagement and consultation as an 'add on', Cambridgeshire County Council fully embraces the value that well-structured engagement and consultation exercises can bring to the decision-making process.

This involves the Council planning engagement and consultation effectively, sharing ideas with colleagues or partners on what consultation activities will cover and considering how to target the right people, at the right time, using appropriate methods and techniques.

Pre-consultation engagement: This stage is about giving people an opportunity to voice their opinion at an early stage about what they value most about services followed by a more detailed consultation on options at a later stage.

In planning a consultation Council staff will need to take into account the impact of a decision on people who use the services and the level of public interest in the decision.

Also we will need to allow sufficient time to engage and consult within the decision-making process. In particular, we will need to identify relevant elected member committee dates and ensure that members have access to the results of consultation whilst taking decisions.

Consultation dialogue: This stage is about actually carrying out and publicising the consultation. Elected members can play a pivotal role in encouraging open dialogue and promoting discussion with stakeholders.

Post-consultation: This stage is about using the information gathered during the consultation to inform decision-making, feeding back to stakeholders and evaluating the process and outcomes of the consultation.

Ongoing engagement: As part of the Council's ongoing commitment to engagement and consultation activities we have set up a range of groups that enable local people's voices to be heard. These groups:

- Raise practice issues and concerns with the Council.
- Share examples of good practice.
- Identify common themes and problems.
- Discuss ideas and issues that are important to them.
- Help the Council to design and deliver services that meet people's needs.

These groups include Partnership Boards that support and improve social care practice in Cambridgeshire. Each Board's role is to support and improve social care by including the people who use the services (service users) in their design, delivery and evaluation.

Each Board is made up of:

- Lived experience and carer representatives.
- Voluntary sector representatives.
- Public sector representatives, for example from health and social care.

In addition, the Council works with local organisations who support people to become involved in engagement and consultation activities and have their say, for example Healthwatch Cambridgeshire.

Making Best Use of Elected Members

Democratically elected members have a mandate to represent constituents and make decisions on their behalf and the process of engagement and consultation with the public can support them in this role. Information communicated through engagement and consultation can increase local representation and help improve communities' understanding of how their council operates and how decision-making processes work.

Cambridgeshire County Council's elected members (Councillors) play a pivotal role in promoting engagement and consultation with the public and open discussion with stakeholders particularly during the consultation dialogue stage. Members also have skills in helping to explain the proposed service changes in a simple and direct way to the public.

Elected members have an important role to play in scrutinising consultation practices and ensuring that decisions take into consideration any information, data and opinions gathered during a consultation process.

Often elected members have to consider issues which are highly complex and need to weigh the views expressed through consultation against a wide range of other factors, including the need to comply with statutory requirements or to balance the Council's budget. Also, consultation rarely results in a single, coherent and unified opinion, therefore elected members will often have to make their own judgements about the weight to be given to one or other of the views expressed. In other words, the results of consultation are informative but aren't a substitute for the democratic process, and elected members may end up taking a decision that goes against the views/wishes of some parts of the community, as expressed through that process.

Understanding the Legal Requirements

A consultation is a process within which a decision-maker, at a formative stage, invites representations on one or more possible courses of action. Unless laid down by prescribed procedures, a public authority has broad discretion as to how engagement and consultation should be carried out.

There are some situations where a public authority (such as the Council) is expressly required by legislation to engage in some form of consultation before taking a decision or exercising a particular function (for example, section 5D of the Childcare Act 2006 requires consultation before making any significant change to the services they provide). Statutory guidance may also require public authorities to consult.

Even where there is no express duty to consult, case law has established that courts may imply a duty to consult as part of a public authority's general duty to act fairly. This is dependent on context, and the nature and impact of the decision being taken – the more serious the impact then the more likely that fairness requires a consultation to take place.

In ensuring that the County Council complies with its duty to act fairly in respect of engagement and consultation it will:

- As early as possible consider the nature and impact of decisions to be made – the more serious the impact, the more likely that fairness will require engagement and consultation with affected individuals or communities.
- Consider where the public has a legitimate expectation that they will be consulted (either through past practice or from previous promises made to consult) and ensure that these expectations are met.
- Ensure that due regard is given to the public sector equality duty (Equality Act 2010) using consultation to help complete an 'equality impact assessment' where necessary.
- Maintain good quality consultation practice, taking into account case law in relation to the following points:
 - Consultation must begin at a time when proposals are still at a formative stage.
 - Proposers must give sufficient reasons for the proposal to permit an intelligent response.
 - Adequate time must be given for consideration and response. The length of time should relate to the significance of the decision, from four weeks for some decisions to twelve weeks for 'significant' decisions (in line with best practice guidance).

- The product of consultation must be conscientiously taken into account in finalising any proposals. Normally this means a report on the findings of consultation needs to be considered by the recognised committee or project board.

Delivering the Strategy

In order to achieve the commitments outlined within this strategy the County Council will:

- Produce a forward plan for significant consultation to be carried out each financial year.
- Maintain and update the Consultation Toolkit (advice for all County Council staff on how to carry out engagement and consultation including legal advice).
- Update the Consultation Database and associated webpages.
- Communicate best practice amongst members and staff within Cambridgeshire County Council.
- Assess the quality of engagement and consultation activity carried out on behalf of the Council and report back annually to the Communities and Partnership Committee.

In addition, we will review the 'Working Together Commitment' and this strategy every three years.

Useful Links and Contacts

All of the County Council's consultation activities, past, present and future are fully searchable on our consultation webpages:

<https://www.cambridgeshire.gov.uk/council/research-and-statistics/consultations/>

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