



CODE OF BEST PRACTICE ON CONSULTATION AND COMMUNITY ENGAGEMENT

1. Purpose

1.1 Understanding the needs of our communities and residents is essential to sound decision-making and the provision of efficient and effective public services. Consultation and community engagement can increase our understanding of community needs.

1.2 This code of practice aims to establish clear principles to guide council officers and help ensure a more structured, proportionate and appropriate approach to our consultations.

2. What is Community Engagement?

2.1 Community engagement is the active participation of our local residents and community groups in the decisions that affect their lives. These decisions may include issues related to the improvement, delivery and evaluation of services. They can also be about giving our residents a voice both as individuals within their communities and by building sustainable and empowered community groups.

2.2 Community engagement is about listening and learning, engaging in meaningful dialogue with our residents and community groups, including those people who are already using our services and those who are not.

2.3 It is an opportunity to find out what is important to them and to explore more fully why they feel the way they do about their lives, their neighbourhood, their local area, their city.

3. What is Consultation?

3.1 Consultation is the process by which the Council will seek advice, information and opinions about strategies, policies and services to inform our decision-making and help design good services.

3.2 Consultation may include, for example, surveys, questionnaires, focus groups, public meetings, user and resident forums - different techniques will be appropriate in different circumstances. Consultation is a key process in community engagement.

4. Why does Community Engagement matter?

4.1 Establishing effective working relationships between the Council and its residents and local community groups will ensure that the aspirations and needs of local people are understood and, where possible, acted upon.

4.2 Strengthened relationships with the Council and its partners may also lead to an increase in local citizen activity and active democracy, building a sense of civic responsibility in those who get involved.

4.3 Effective community engagement and consultation can help ensure the Council is providing the services that residents really need, in the way that residents want to access them. It can help inform investment and spending decisions to help make sure services and scarce resources are targeted most effectively where need and demand exist.

5. The Duty to Consult

5.1 Statutory guidance on the Duty of Best Value states that authorities are under a Duty to Consult representatives of a wide range of local persons when reviewing service provision; this is not optional. Authorities must consult representatives of council tax payers, those who use or are likely to use services provided by the authority, and those appearing to the authority to have an interest in any area within which the authority carries out functions.

The Cabinet Office has published a revised set of its consultation principles that are consistent with the approach being taken to consultation by the council. They emphasize that consultations should not be carried out for the sake of it, should have a purpose, be informative and part of a process of engagement.

6. Statement of Community Involvement

6.1 The Planning and Compulsory Purchase Act 2004 (as amended by Localism Act 2011) made it a requirement for local authorities to prepare a Statement of Community Involvement. The council introduced its revised 'Statement of Community Involvement' in 2013.

6.2 This Code of Practice is intended to complement and not override this statement of community involvement or the legal requirements to consult on planning policies and applications, or any other statutorily determined consultation processes and requirements, for instance those relating to the Council's tenants and its housing and planning functions.

7. The Cambridgeshire Compact

7.1 In February 2007 the City Council signed up to the Cambridgeshire Compact. This is a partnership agreement between statutory bodies and the voluntary and community sector designed to improve relationships and set a framework for effective consultation, representation and partnership working. This Code of Practice is intended to complement and not override the Compact.

8. The Council's Vision

8.1 The Council has a clear vision to lead a united city, 'One Cambridge - Fair for All', in which economic dynamism and prosperity are combined with social justice and equality. It is a vision we will share and develop, working with our citizens and partner organisations. In particular the following part of our vision relates to consultation and engagement:

- *A city in which all citizens feel that they are listened to and have the opportunity to influence public decision making, and which values, supports and responds to individual and community initiatives.*

8.2 More effective consultation and community engagement is one important strand of the Council's ambitions to be transparent and accountable to Cambridge's residents.

9. Guiding principles for undertaking Consultation and Community Engagement

9.1 In conducting consultation and engaging with the community the City Council will focus on openness; accessibility and inclusiveness; and transparency and accountability. The City Council will:

Openness

- be clear about which issues/decisions/actions are already decided and which are open to consultation and debate (and on which we are therefore seeking residents', community groups' and other stakeholders' views),
- be clear at the outset about how and when residents and community groups can get involved and make their views known; how their views and involvement will be used; and (wherever possible) how the decision will be made, when and by whom, and
- engage residents and community groups sufficiently early in the decision-making process to enable their views to genuinely inform the final decision, wherever possible.

Accountability

- provide a named contact person for further information,
- ensure that all councillors are notified of all major consultations, and that ward councillors, as representatives of their communities, are advised of any consultation or community engagement activities that affect their wards, and
- work jointly with our partner organisations to undertake consultation and community engagement activities when this is the most appropriate and efficient way of using collective resources.

Accessibility and inclusiveness

- use plain English, avoid acronyms and limit the number of questions and the length of documents to what is absolutely necessary,
- ensure that all our residents and community groups have the opportunity to take part in our consultation and community engagement activities regardless of age, gender, gender reassignment, disability, ethnicity, race, religion or belief or sexual orientation,
- listen to, learn from, respect and value the views of all participants,
- make paper copies of consultation documents available at council buildings and not rely solely on electronic methods of consulting and reporting consultation results,
- ensure that the venues used for consultation and community engagement activities are accessible to all who wish to participate,
- ensure that the times when consultation and community engagement activities take place and the time given to respond to consultation are reasonable and appropriate,
- use appropriate consultation and community engagement methods, including electronic methods where appropriate, according to the issues being addressed and the nature of the consultee group, following best practice. We will pay particular attention to methods likely to engage vulnerable and socially excluded residents or groups where those groups are potentially affected by decisions, and
- aim for our consultation and community engagement to be participant-driven whenever possible.

Transparency

- be able to explain why consultation was undertaken in a certain way (or not undertaken), making this clear in committee reports where appropriate,

- support Council staff involved in planning and running consultation and community events to develop the appropriate skills to do so effectively,
- ensure that information provided to support community engagement in decision-making is clear, accessible and sufficient to tell people what they need to know, promoting consultations through press notices, the Council's website and other media as appropriate,
- publish a summary of consultation responses received and explain how these responses have been used in informing the final decision (and if not, why not) as far as possible, and
- ensure that feedback is available to participants on the results of their involvement and the decisions made and keep them informed of progress in implementing the decisions.

9.2 In certain circumstances it may not be appropriate for the City Council to undertake consultation or community engagement activities. Such circumstances include:

- if the decision(s) has actually already been made
- if the decision(s) relate to things that the law requires that the Council does in a particular way (i.e. where the Council has no choice on whether / how something is done)
- if the Council needs to make decisions very quickly and does not have time for consultation and engagement
- if limited resources mean that the Council has little or no option about a decision or course of action
- if the size or nature of the decision is such that consultation or community engagement would not be cost effective, proportionate or reasonable
- if the Council's purpose is simply to convey information and it is not seeking a response.

9.3 The Council will make it clear why it is not consulting in any circumstances where it might decide it would not be proportionate or appropriate to consult widely on decisions with a significant impact on residents.

10. Reviewing the Implementation of the Code of Practice

10.1 The Council reviewed the impact and content of this Code of Practice after one year of operation, in consultation with Ward Councillors, council staff, partner organisations and residents and community groups. It was found to be working well. Further reviews will be carried out as appropriate.

11. Further Information

Cambridge City Council's Consultation Landing Page

<https://www.cambridge.gov.uk/consultations>

Cambridge City Council's Vision and Annual Statement 2018/19

<https://www.cambridge.gov.uk/annual-statement>

Cambridge City Council's Statement of Community Involvement

<https://www.cambridge.gov.uk/statement-of-community-involvement>

Revised Best Value Statutory Guidance, DCLG March 2015,

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/418505/Revised_Best_Value_Statutory_Guidance_final.pdf

3. To achieve the right balance – and before deciding how to fulfil their Best Value Duty – authorities are under a Duty to Consult⁷ representatives of a wide range of local persons; this is not optional. Authorities must consult representatives of council tax payers, those who use or are likely to use services provided by the authority, and those appearing to the authority to have an interest in any area within which the authority carries out functions. Authorities should include local voluntary and community organisations and small businesses in such consultation. This should apply at all stages of the commissioning cycle, including when considering the decommissioning of services. In the interests of economy and efficiency, it is not necessary for authorities to undertake lifestyle or diversity questionnaires of suppliers or residents.

Cabinet Office, Consultation Principles

<https://www.gov.uk/government/publications/consultation-principles-guidance>

Published June 2011 and revised September 2016

Appendix A: Cabinet Office Consultation Principles 2016

A. Consultations should be clear and concise

Use plain English and avoid acronyms. Be clear what questions you are asking and limit the number of questions to those that are necessary. Make them easy to understand and easy to answer. Avoid lengthy documents when possible and consider merging those on related topics.

B. Consultations should have a purpose

Do not consult for the sake of it. Ask departmental lawyers whether you have a legal duty to consult. Take consultation responses into account when taking policy forward. Consult about policies or implementation plans when the development of the policies or plans is at a formative stage. Do not ask questions about issues on which you already have a final view.

C. Consultations should be informative

Give enough information to ensure that those consulted understand the issues and can give informed responses. Include validated assessments of the costs and benefits of the options being considered when possible; this might be required where proposals have an impact on business or the voluntary sector.

D. Consultations are only part of a process of engagement

Consider whether informal iterative consultation is appropriate, using new digital tools and open, collaborative approaches. Consultation is not just about formal documents and responses. It is an on-going process.

E. Consultations should last for a proportionate amount of time

Judge the length of the consultation on the basis of legal advice and taking into account the nature and impact of the proposal. Consulting for too long will unnecessarily delay policy development. Consulting too quickly will not give enough time for consideration and will reduce the quality of responses.

F. Consultations should be targeted

Consider the full range of people, business and voluntary bodies affected by the policy, and whether representative groups exist. Consider targeting specific groups if appropriate. Ensure they are aware of the consultation and can access it. Consider how to tailor consultation to the needs and preferences of particular groups, such as older people, younger people or people with disabilities that may not respond to traditional consultation methods.

G. Consultations should take account of the groups being consulted

Consult stakeholders in a way that suits them. Charities may need more time to respond than businesses, for example. When the consultation spans all or part of a holiday period, consider how this may affect consultation and take appropriate mitigating action.

H. Consultations should be agreed before publication

Seek collective agreement before publishing a written consultation, particularly when consulting on new policy proposals. Consultations should be published on the Council's Consultation Landing Page (webpage).

I. Consultation should facilitate scrutiny

Publish any response on the same page as the original consultation, and ensure it is clear when the government has responded to the consultation. Explain the responses that have been received from consultees and how these have informed the policy. State how many responses have been received.

J. Government responses to consultations should be published in a timely fashion

Publish responses within 12 weeks of the consultation or provide an explanation why this is not possible. Where consultation concerns a statutory instrument publish responses before or at the same time as the instrument is laid, except in exceptional circumstances. Allow appropriate time between closing the consultation and implementing policy or legislation.

K. Consultation exercises should not generally be launched during local or national election periods.

If exceptional circumstances make a consultation absolutely essential (for example, for safeguarding public health), departments should seek advice.