

NORTHUMBERLAND COMPACT

VCS CONSULTATION CODE OF GOOD PRACTICE

July 2008

The Northumberland VCS Compact is a commitment to enhance relationships between public sector organisations and the voluntary & community sector. This document sets out to make a positive impact on Consultation.



The voice of the voluntary and community sector



Northumberland
Strategic Partnership

Contents

	Page
Introduction and Key points	1
1. Aim	2
2. Why consult?	2
3. An effective framework for consultation and policy appraisal	3
4. Appraising the impact of proposals on the voluntary and community sector	4
5. Ways to consult - choosing the right approach	5
6. Consultation documents	7
7. Making consultation material available in accessible formats	8
8. How to decide who to consult	8
9. Forward look at forthcoming consultations	8
10. Publicising consultation exercises	8
11. How long to allow for consultation	9
12. Acknowledgement of receipt of responses	9
13. Confidentiality	9
14. After the consultation period: analysis and feedback	9
15. Scope and application of the Code	10
 Appendix 1	
Evaluating you Consultation	11

NORTHUMBERLAND COMPACT

Introduction

The Northumberland Consultation Code of Good Practice builds upon the key principles contained within the Northumberland Compact. This Code is the result of work carried out by the Compact Reference Group and is based on the National Compact Consultation Code.

The Code applies to both public bodies and voluntary & community sector organisations in Northumberland who are signed up to the Compact. Undertakings within the Code involve both the public sector and the voluntary & community sector but, depending who is doing the consulting, these undertakings may be reversed.

All sectors will, within the constraints of the law, respect confidentiality of information. A Consultation Toolkit, a practical guide, is available to complement this Code.

Key points for effective consultation

- Build consultation into your regular planning cycle and consult as early as practicably and reasonably possible.
- Appraise new policies and procedures, particularly at the developmental stage, identifying as far as possible any implications for the public and voluntary & community sectors within Northumberland
- Give consultees enough time as reasonably possible to respond and be clear about their purpose.
- Write documents in simple language and be clear about the purposes for the consultation.
- Explain where decisions have already been made - make clear what can be changed and what cannot.
- Use more than one method of consultation and learn from others in both public and the voluntary sectors.
- Be flexible and sensitive to the needs of those you wish to consult - think about how to reach all of the intended target audience, and take particular account of the specific needs, interests and contributions of women, minority groups and the socially excluded.
- Encourage those consulted to give honest views, for example by assuring confidentiality when it is requested.
- Publicise the consultation and encourage participation by involving membership and infrastructure organisations.
- Analyse carefully the results of the consultation and report back on the views that were received and what you have done as a result.
- Evaluate carefully after consulting, and learn lessons for next time, with the aim of achieving better policy outcomes.

1. Aim

- 1.1 This Code of Good Practice aims to make a positive impact on the way in which public bodies consult and appraise their policies in respect of the voluntary and community sector (VCS). In so doing, it should enable voluntary & community organisations (VCOs) to make an effective contribution to the development and implementation of policy.
- 1.2 Public bodies in Northumberland recognise that the VCS has an important role in helping to achieve their objectives, and that public bodies can play a positive role in supporting the work of voluntary and community organisations and promoting volunteering. As independent, not-for-profit organisations, the VCS brings value to society and fulfils a crucial role that is distinct from both the state and the private sector. In particular, it enables individuals to contribute to public life and the development of active communities by providing opportunities for voluntary action.
- 1.3 VCOs act as pathfinders for the involvement of users in the design and delivery of services and often act as advocates for those who otherwise would have no voice. In so doing VCOs promote both equality and diversity; help to alleviate poverty; improve the quality of life and involve the socially excluded. Effective consultation and policy appraisal is an essential part of ensuring that the relationship works and that the sector is able to fulfil its strategic role.
- 1.4 In those circumstances where there is a potential conflict of interest, the party concerned will declare that interest and all parties will work together.

2. Why consult?

- 2.1 Public bodies consult with outside interests to ensure that in developing their policies they are informed by a wide range of experience and take into account the impact of their proposals on different sectors of society. For voluntary & community organisations, consultation presents an opportunity to bring their knowledge, experience and expertise to bear on public policy on behalf of the people and causes for whom they work.

VCOs should be willing to offer their advice to public bodies based on objective experience and appropriate consultation with those they work with. This helps to establish and maintain the credibility of voluntary & community organisations as a valuable source of informed opinion.

Effective consultation

- 2.1.1 enables others to contribute to the policy making process;
- 2.1.2 symbolises public bodies' commitment to be open and accountable;

- 2.1.3 leads to more realistic and robust policy that better reflects people's needs and wishes;
- 2.1.4 helps to plan, prioritise and deliver better services;
- 2.1.5 can create a working partnership and mutual understanding with those consulted;
- 2.1.6 identifies problems quickly enabling matters to be put right before they escalate;
- 2.1.7 leads to better outcomes.

3. An effective framework for consultation and policy appraisal as far as it affects the voluntary & community sector

Undertakings by public bodies

- 3.1 Public bodies are committed to establishing and maintaining best practice in effective consultation and policy appraisal. Public bodies undertake to:
 - 3.1.1 consult the sector as widely as possible, on issues that are likely to have significant impact, particularly where a public body is proposing new roles and responsibilities for the sector;
 - 3.1.2 build consultation with the sector into plans for policy development;
 - 3.1.3 appraise new policies and procedures, particularly at the developmental stage, identifying as far as possible any implications for the sector;
 - 3.1.4 consult early and, where possible, involve the sector at a sufficiently early stage of policy development (subject to considerations of urgency, sensitivity or confidentiality);
 - 3.1.5 be sensitive on a case by case basis to any additional resource implications for the sector in disseminating consultations.
 - 3.1.6 select the most appropriate methods of consultation to encourage responses from the sector, including timescales, making consultation materials available in accessible formats, and giving advance notice of, and publicising, consultations (refer to Consultation toolkit);
 - 3.1.7 prepare consultation documents that are concise, clearly laid out and written in simple language that will be understood by the intended audience;
 - 3.1.8 take account positively of the specific needs, interests and contributions of those parts of the sector which represent, women, minority groups and the socially excluded;
 - 3.1.9 respect the confidentiality of information provided by the sector, within the constraints of the law and the proper performance of public duties, when given access to it on that basis;

- 3.1.10 analyse carefully the results of its consultation exercises; provide feedback on the results of consultation;
- 3.1.11 evaluate its consultations with a view to developing and spreading best practice.

Undertakings by the voluntary and community sector

- 3.2 The voluntary & community sector are committed to pursuing recognised good practice in its representational work. In responding to public bodies' consultations, voluntary & community organisations undertake to:
 - 3.2.1 use their support bodies to encourage participation in public body consultations (commensurate with their available resources), including co-operating with each other through intermediary bodies and local networks to streamline the consultation process;
 - 3.2.2 define and demonstrate how they represent their stated constituency, by stating who they are, what groups or causes in society they represent and how they involved those interests in forming their policies and positions, and in responding to the consultation itself;
 - 3.2.3 wherever possible to consult their constituency directly, including service users, volunteers, members and supporters; where this is not practicable or appropriate, to indicate that they are responding on the basis of their accumulated knowledge and experience of working with the groups concerned;
 - 3.2.4 take account positively of the specific needs, interests and contributions of women, minority groups and the socially excluded;
 - 3.2.5 ensure that the information they present to the public body is accurate and that any research has been conducted in an objective and unbiased manner;
 - 3.2.6 respect the confidentiality of information, when given access to it on that basis;
 - 3.2.7 give their constituency feedback on the outcome of consultation;
 - 3.2.8 have regard to the regulatory framework that governs their organisation when representing their constituents. For example, for registered charities, the Charity Commission issues guidance for charities on what they should and should not do in relation to their representational and campaigning work; and
 - 3.2.9 promote good practice among their members (in the case of intermediary bodies) by issuing guidance on effective representation for voluntary & community organisations, and include consultation performance in quality systems and self evaluation reports.

4. Appraising the impact of proposals on the voluntary and community sector

- 4.1 When developing policy initiatives, public bodies should consider preparing an assessment or impact statement covering the likely effect of the proposals on local voluntary & community organisations, for example: as employers; in their use of volunteers; in terms of additional costs; or in relation to any implementation role envisaged.

This can be done in three stages:

- 4.1.1 by involving the sector in the development of proposals prior to consultation;
 - 4.1.2 by securing the sector's views during consultation; and
 - 4.1.3 through policy appraisal after consultation.
- 4.2 It is good practice to include the initial assessment in any consultation materials, to secure further input from the sector, and to provide feedback on any changes to that assessment at the end of the consultation process.

5. Ways to consult - choosing the right approach

Plan and consult early

- 5.1 It is important to build consultation between public bodies and voluntary & community organisations into plans for policy development, both on specific proposals and services, and more generally. Consultation at a sufficiently early stage of policy development can help to ensure that the resulting proposals are in line with current experience and thinking in the field and avoid incorrect assumptions and misunderstanding at later stages.

The value of continuous dialogue

- 5.2 Dialogue between public bodies and voluntary & community organisations can help to keep both sides informed about developments and avoid unnecessary surprises. Although it may not be possible or appropriate to share the detail of new policy before it is announced, it may be useful to make voluntary & community organisations aware in general terms of forthcoming developments, receive their initial views on the subject and allow them to prepare and prioritise their consultation work. In addition, ongoing dialogue can help improve the development and delivery of programmes based on partnership, where improved mutual understanding can enhance joint working and policy outcomes.

Consultation should be open and meaningful

- 5.3 Consultation has to be an open and meaningful process if it is to command credibility and make the best use of the time and resources of all those involved. The public bodies should make clear in the consultation process those matters which are open to change and those on which it has made a firm decision. This will make it clear to voluntary & community organisations where they need to concentrate their responses and efforts.

Consultation methods

- 5.4 There are many ways of consulting. There is no right method for any given circumstance. All sorts of conditions influence which methods will provide useful information, and there are no guarantees that just because one method worked well once, it will do so again.
- 5.5 It is important to choose the right methods (see toolkit). Careful thought should be given to the aim of the consultation, the range of organisations being consulted, and the timetable for action. Sometimes talking to people will be as valuable as writing to them, or more so. Or it may be appropriate to use a variety of methods to ensure inclusivity. Good consultation requires careful planning. The key is to get the best spread of views from those most likely to be affected, and from those with the most to contribute.
- 5.6 It can be helpful to seek views from voluntary & community organisations themselves as to how best to carry out a particular consultation exercise, bearing in mind the requirements of 3.2.2. Consideration should also be given to whether a consultation might best be undertaken in partnership with voluntary & community organisations, and whether that would lead to any additional resource implications for the organisations involved.
- 5.7 The most important tip is not to rely on just one method. Using more than one method increases the chance of a better response - both in terms of quality and quantity.

Written consultation

- 5.8 Written exercises provide a formal means by which people can be invited to comment on policies and proposals. This helps to make policy-making properly accountable, and ensures that knowledge and experience are shared more widely. There are different types of written consultation, ranging from wide public consultations, to small-scale consultations with specialist groups on minor or technical matters. Guidance on consultation documents is set out below. Where expectations are made of a VCS support body to act as part of the consultation mechanism, then costs should be covered by the public body requiring the consultation.

Other methods

- 5.9 Written consultation exercises are just one way to consult. Other ways include opinion surveys (postal and face-to-face), meetings, focus groups, user panels and the internet. Surveys can give an indication of a weight of views, while qualitative research through, for example, meetings, focus groups or panels can provide an understanding of the range and complexity of views. In organising public meetings care should be taken to ensure that they are fully accessible and adequate notice should be given to relevant interested bodies.

6. Consultation documents

- 6.1 All consultation documents should be concise, clearly laid out and written in simple language that will be understood by the intended audience. Consideration should be given to making the document available in accessible formats and different languages. Consultation documents will ideally contain or be accompanied by the following:
- 6.2 a summary (ideally no more than one page);
- 6.3 a description of the issue, proposal or problem being addressed;
- 6.4 the purpose of the consultation and, if appropriate, the objective which the proposal is intended to deliver;
- 6.5 the issues on which views are being sought; wherever possible they should take the form of clear questions and/or fairly argued options and avoid a simple 'Yes/No' format;
- 6.6 an explanation of what decisions, if any, have already been taken and an explanation of why a particular option is favoured;
- 6.7 if relevant, various sources of opinion and information, and factual statements that are properly referenced (for example, from academics or consumer groups);
- 6.8 where appropriate, an explanation of who is likely to be affected, and how, including an assessment or impact statement covering the likely effect of the proposals on voluntary & community organisations (for example, any impact on delivery or increased costs envisaged);
- 6.9 where appropriate, an invitation to respondents to submit their own ideas or assessment of how the proposals will impact on voluntary & community organisations;
- 6.10 the deadline for responses, and, wherever possible, an outline of the proposed timetable for the rest of the decision-making and implementation processes including a statement of how feedback will be given;
- 6.11 the name, address, telephone number and e-mail address of a person whom respondents can contact if they have further queries;
- 6.12 a list of those being consulted; the document might also ask consultees to suggest any other organisations or individuals who should be consulted;
- 6.13 a request that those responding should explain who they are and, where relevant, who they represent and specifically who they have further consulted (to help ensure that responses from representative bodies are properly weighted);

- 6.14 a statement that responses will normally be made available unless the respondent has requested that they remain confidential;
- 6.15 an explanation of any constraints that may have limited the full application of the guidance contained in this Code of Good Practice;
- 6.16 an invitation to provide feedback on the consultation exercise itself and make suggestions for improving consultation in the future.

7. Making consultation material available in accessible formats

- 7.1 Where necessary, consultation materials should be provided in accessible formats, for example, Braille, large print or audio formats (further advice on this can be obtained from the Northumberland County Blind Association), and languages other than English. Be ready to deal sympathetically with requests for materials to be made available in such formats.

8. How to decide who to consult?

- 8.1 The voluntary & community organisations to be consulted should not be limited to those in receipt of funding, but should include those with which a public body has regular contact or which are likely to have pertinent views on the issue in question. Organisations should be encouraged to register their interest in forthcoming consultations (for example, by way of interactive websites that invite users to register their interest in particular policy areas). Infrastructure organisations in the voluntary & community sector will also be able to provide advice on who to consult.

9. Forward look at forthcoming consultations

- 9.1 Voluntary & community organisations need to prioritise their consultation and representative work and to make the best use of their available resources. Early notice of forthcoming consultation exercises, greater clarity about the purpose of the consultation, and different levels of consultation should enable voluntary & community organisations to better plan their representational work and respond appropriately to consultations.
- 9.2 Public bodies should maintain a consultation calendar showing actual or anticipated start and closing dates, and contact points for further information. This should be made available on websites.

10. Publicising consultation exercises

- 10.1 The consultation exercise should be publicised (for example, through an appropriately targeted press release), through voluntary & community sector intermediary bodies and other sub regional organisations and networks. Attention should be given to how best to consult with particular community groups, special interest groups and Black and Minority Ethnic organisations.

11. How long to allow for consultation

- 11.1 For written consultations, wherever possible 12 weeks should be allowed for replies in order to accommodate the work cycles of organisations working with voluntary management committees and to reach the local level member organisations. This is more likely to be achieved where consultation has been built into regular planning cycles. It should, however, be recognised that for a variety of reasons a 12 week period will not always be possible, in which case eight weeks for replies will generally be the minimum (in line with Cabinet Office Service First guidance).
- 11.2 Where the period is less than 12 weeks the document should specify the reason why a shorter response time has been set. For consultations with clearly defined or specialist groups, or where other consultation methods are used, for example meetings or focus groups, shorter consultation periods may suffice, depending on the nature of the subject and the scale of the exercise. Other considerations, such as urgency, can result in a need for more immediate consultation. In such circumstances it is preferable for some consultation to be undertaken rather than none at all.
- 11.3 Allowance should be made for holiday periods, known busy periods and other potential timing difficulties.
- 11.4 Prior to the start of the consultation, consideration should also be given to how to deal with requests for an extension of the deadline.

12. Acknowledgement of receipt of responses

- 12.1 Acknowledgements should normally be sent to those replying to the consultation giving information about the next stages of the process, where this is known. However, it is accepted that it will not generally be possible to answer directly points made in individual responses.

13. Confidentiality

- 13.1 Where respondents request confidentiality for their comments, their wishes will be respected in accordance with the existing Code of Practice on Access to Government Information and in accordance with legislation on Freedom of Information.

14. After the consultation period: analysis and feedback

- 14.1 The results of all consultation exercises should be carefully analysed and views should be adequately weighted. Particular attention should be paid to the views of representative bodies and those most affected by the proposals. Care should be taken to ensure that the appraisal does not place undue weight on responses from larger organisations or marginalise the views of smaller organisations.

- 14.2 Once a decision has been made on the way forward, respondents should be notified promptly how the work will proceed. This should explain: the consultation process followed; how the decision reflects the results of the consultation (for example, by including an indication of the level of support for the various options canvassed) and include any modified assessment of the impact of the proposals on voluntary & community organisations. Where circumstances permit, a summary of views should be produced and made available (unless they are confidential) together with other information collected from the consultation exercise. Where respondents ask why their views have been rejected, public bodies should try to give them a prompt and full explanation. Appendix 1 provides guidance to public bodies on evaluating the consultation process itself.

15. Scope and application of the Code

- 15.1 Recognising the diversity of the voluntary & community sector and its activities, it should be seen as a mechanism to enhance the relationship between public bodies and the sector. Its authority is derived from its endorsement by public bodies and by the sector itself. The Code applies to public bodies in Northumberland and organisations in the voluntary & community sector signed up to the Northumberland Compact.
- 15.2 Following the good practice in this guidance will be the responsibility of individual departments, agencies and bodies in the public sector and the range of organisations in the voluntary & community sector. Where they do not follow this good practice for a particular consultation exercise, they must satisfy themselves that, if asked, they have good reasons for not doing so. This is an important obligation.
- 15.3 The Northumberland Compact Reference Group will strive to encourage all signatories to adopt the Compact and its associated Codes of Good Practice.

NORTHUMBERLAND COMPACT

APPENDIX 1

EVALUATING CONSULTATION

Guidance

1 Why evaluate?

- 1.1 Evaluating the success of your consultation is vital, and should not be left to the end of the process. It will be much easier to do if you have included it in your initial planning, for example, by deciding at the outset to actively seek feedback on the consultation process from the voluntary & community organisations involved.

There are many models for evaluation but try to keep it simple. It can be helpful to seek the views of voluntary & community organisations on the consultation process itself. If you have planned properly, identified what your success and failure criteria are and how you are going to measure them, then the evaluation process should be straightforward. There will always be unforeseen factors that influence results and your evaluation process should be flexible enough to take account of these.

- 1.2 Effective evaluation tells you what worked and what did not (and why). It helps to make sure that you get the best value for money from your efforts and time. If one particular method does not work, try to work out why.

Problems are always much clearer with hindsight. Evaluation can help you avoid pitfalls next time. Equally, if something works well, try to assess why it was successful, so that you can build on it.

- 1.3 If you are able to answer the question ‘what would I do differently next time?’ your evaluation will have been valuable.

Points to think about

2 Objectives

- 2.1 Set clear objectives from the start of the consultation. Why are you doing it? What do you want to find out? Who are you going to ask? How are you going to do it? What are you going to do with the results? As with all objectives, they should be SMART (Specific, Measurable, Achievable, Realistic, Time-bound). At the end, you want to be able to measure whether:
- 2.2 the objectives were clear;
- 2.3 they were relevant to the consultation itself and linked to your wider planning process; and
- 2.4 they were explained to, and understood by, all relevant staff as well as those consulted.

3 Who you consulted

- 3.1 Set specific targets for the levels of response you want from different groups (think about users, potential users, representative groups, and interest groups - for example older people, carers, community groups and Black and Minority Ethnic organisations).
- 3.2 Information about which consultation methods worked for which groups will be very useful for the future. At the end, you will want to be able to measure whether:
- 3.3 you obtained views from those you wanted;
- 3.4 you were successful in consulting minority, disadvantaged or underrepresented groups;
- 3.5 different groups responded to different methods;
- 3.6 you gave feedback to those you consulted; and
- 3.7 those consulted felt that the consultation was worthwhile.

4 Methods

- 4.1 Identifying which methods to use is clearly central to effective consultation. You need to bear a number of issues in mind, including who you want to consult, what sort of information you want, and how much money, time and experience you have. At the end you want to be able to measure whether:
- 4.2 the methods used were right for the objectives of the consultation;
- 4.3 if you used more than one method, which one worked better than others and why; and
- 4.4 you received the required qualitative and/or quantitative information, response rate and representative sample.

5 Timescale

- 5.1 The length of time consultation takes is often underestimated. You may give a deadline for responses, but what will you do if people ask for extensions? Have you planned how you are going to report back on the results? This can take longer than the consultation period itself. At the end, you want to be able to measure whether:
- 5.2 the timetable was clear and kept to - if not, why not; and
- 5.3 enough time was allowed for responses.

6 Information provided

- 6.1 Remember to evaluate the effectiveness of any material you produce as part of the consultation process. Did the posters used to advertise your open meeting attract the right audience? Was putting material on the internet an effective way of encouraging responses? Did you succeed in making information available to the right people? At the end, you want to be able to measure whether information was:
- 6.2 easy to access;
- 6.3 relevant to the consultation;
- 6.4 produced in plain language and easy to understand; and
- 6.5 available in other languages and in other formats (for example, Braille, audio cassette) where appropriate.

7 Costs

- 7.1 You need to be able to show that you got value for money from your consultation. Some methods are much cheaper than others, but the information you get may not be of any use. Include staff time and training in your budgets and evaluation - this can be the most expensive element, particularly if you are running the exercise in-house. At the end you need to be able to measure whether:
- 7.2 you budgeted adequately;
- 7.3 you made savings in particular areas or overspent in others (and why); and
- 7.4 unforeseen costs arose and what they were.

8 Effect of the consultation

- 8.1 The key question is whether anything changed as a result of the consultation. At the end, you need to be able to measure whether:
- you got views that you could use;
 - you have actually taken those views into consideration;
 - the consultation has led to some identifiable change in your policy or service;
 - the consultation has changed the relationship between you and those consulted, users and others.

9 Training

Evaluation is an effective way of identifying any training needs in relation to consultation and policy appraisal. You need to be able to respond to any training needs which are identified. Training which involves input from voluntary & community organisations can be a useful way to meet those needs and share experience and best practice.