

Consultation and Engagement Strategy 2021



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1. Background

The Council has had a Consultation and Engagement Strategy since 2005, and this has provided an effective framework to complete consultation activities and the ongoing development and improvement of services for the community.

Since the introduction of the strategy there has been a greater prominence across the Council on consultation and engagement as a key principle of service delivery. Activity has shifted away from a focus on formal consultation to a more meaningful and inclusive public engagement approach.

There has been an increased focus on co-production within the Council, if possible we need to consider a co-productive approach can be taken when developing our services.

2. Purpose of the Strategy

The purpose of this strategy is to ensure effective meaningful consultation and engagement with the residents of the City & County and our partner organisations, so the Council can make informed decisions that improve the access, quality and delivery of services.

This strategy provides the Council with a framework to make sure that citizens are listened to in decisions that affect them. It provides guidance and direction on:

- When we should consult and engage stakeholders
- Level of consultation and engagement required
- Principles to consider when undertaking consultation and engagement
- Use of consultation and engagement results

Making sure people are listened to is important, and the Council's Corporate Management Team will make sure that this strategy is implemented properly. In particular they will make sure that outcomes from consultation and engagement opportunities have been appropriately considered when making key decisions.

The strategy supports, (not replaces), existing statutory and regulatory consultation and engagement processes, long standing consultation and engagement arrangements within service areas, and existing partnership arrangements. These process will continue, and feed into (where appropriate) the overall framework for consultation and engagement outlined within this strategy.

The strategy builds on the good standard of consultation and engagement activity currently taking place across the authority. We continue to improve our consultation and engagement processes and have a number of areas of good practice to build on as an authority.

3. Consultation and Engagement – What is it?

Consultation and engagement means routinely:

- Involving service users, residents, businesses, partners and other stakeholders in our policies and services
- Listening to what they have to say
- Using the outcomes to respond to their needs
- Involving them in the decisions we take

To be effective, consultation and engagement has to be a two-way process of communication between the Council and its partners and the public (either as individuals or as a community) on key issues affecting them.

4. Consultation and Engagement – Why do it?

Effective consultation and engagement brings extensive benefits to the citizens and agencies involved. The main benefits to meaningful, two way community engagement include:

Trust – it builds trust between people.

Opportunity to influence – it gives communities the opportunity to influence decisions that will affect them.

Removing barriers – it removes physical, language or social barriers to communities getting access to information or voicing needs or opinions.

Citizens' understanding – it helps communities to understand the services and support that are available to them and to have more knowledge of the role of the Council to act in the public's best interest.

Satisfaction – it increases satisfaction with public services.

Knowledge of local issues - it allows service providers to reach a better understanding of their communities and be more in tune with their needs.

Improved Service Delivery - The Council can make informed decisions that improve the access, quality and delivery of services.

Consultation and engagement is also essential in supporting the Council deliver its core values:

People focussed - We need to focus on community needs and outcomes and on improving the lives of the people who live and work in Swansea. We will also respect, value and support our employees and demonstrate the highest standards of integrity.

Working together - We need to promote a whole partnership approach, working across services to maximise resources and knowledge and joining forces with others outside the Council to ensure we prioritise our resources and get the best for our communities.

Innovation - We promote and support a culture of innovation. We need to think and work differently to improve our ability to deliver and to meet the financial, demographic and societal challenges we face.

Duty to Consult

The law states that where there is a legitimate expectation that consultation will take place, the Local Authority needs to act on this expectation. If the Council has consulted on something previously, then we would be expected to do so in the future if any changes are made.

There is a range of legislation and statutory guidance requiring local authorities to consult on issues connected to the services they provide.

The Equality Act 2010

The Act requires that consultation is undertaken with people who have protected characteristics where they may be impacted in some way. As part of the Equality Act Council's in Wales are subject to the Welsh Public Sector Equality Duty. In terms of Engagement the Welsh Public Sector Equality Duty states that we must involve people who are considered representative of those with different protected characteristics and those who have an interest in how an authority carries out its functions. The Council has a number of engagement forums that allow us to engage those from protected groups, such as the Disability Liaison Group and LGBT forum.

Socio-economic Duty

On 31 March 2021 a new legal duty came into place, the Socio-economic Duty, which will affect the way the Council works and support local communities. The aim is to deliver better outcomes for those people who experience socio-economic disadvantage. We need to ensure when deciding priorities and setting objectives how our decisions might help reduce the inequalities related to socio-economic disadvantage. Consultation and engagement play a key part in this.

Well-being of Future Generations Act (Wales) 2015

The Well-being of Future Generations Act (Wales) 2015 means that the council and other public services must do what we do in a sustainable way. Consultation and Engagement is key to the delivery of this Act which places a well-being duty on 44 public bodies (including Swansea Council) to carry out sustainable development by acting in accordance with the 'sustainable development principle'.

This means that when making decisions we take into account the impact on people living in the future. We do this by applying the 'Five Ways of Working':

- **Long term** - The importance of balancing short-term needs with the needs to safeguard the ability to also meet long-term needs
- **Prevention** - How acting to prevent problems occurring or getting worse may help public bodies meet their objectives
- **Integration** - Considering how the public body's well-being objectives may impact upon each of the well-being goals, on their objectives, or on the objectives of other public bodies
- **Collaboration** - Acting in collaboration with any other person (or different parts of the body itself) that could help the body to meet its well-being objectives
- **Involvement** - The importance of involving people with an interest in achieving the well-being goals, and ensuring that those people reflect the diversity of the area which the body serves

Children and Families (Wales) Measure 2010

The Children and Families (Wales) Measure 2010 is a Measure of the National Assembly for Wales to make provision about arrangements for participation of children in local authority decisions that might affect them;

Participation of children in local authority decision making

(1) A local authority must make such arrangements as it considers suitable to promote and facilitate participation by children in decisions of the authority which might affect them.

(2) A local authority must—

- (a) publish information about its arrangements under subsection (1), and
- (b) keep the information published up to date.

United Nations Convention on the Rights of the Child (UNCRC)

We became the first Council to embed the UNCRC into our Policy Framework and have developed a Children & Young People's Rights Scheme, which sets out our arrangements to embed children's rights in everything we do. Article 12 within the UNCRC states that Children have the right to say what they think should happen, when adults are making decisions that affect them, and to have their opinions taken into account.

Statutory Obligation

There are a number of instances where a statutory obligation is placed on the Council to undertake consultation. Examples of this include closure of services such as schools, care homes and other major service changes.

5. Consultation and Engagement - What we want to deliver in Swansea

Our principles for delivery

We have taken account of both the National Principles for Public Engagement in Wales and the National Children and Young People's Participation Standards for Wales.

<https://participation.cymru/en/principles/>

<https://gov.wales/children-and-young-peoples-national-participation-standards>

Planning:

- Be clear about why we are undertaking a consultation and engagement activity
- Ensure that existing consultation and engagement results are used where applicable
- Have a clear idea of who needs and wants to take part
- Identify appropriate resources
- Involve departmental Equality Representatives*
- Ensure sufficient time is allocated for an effective consultation process
- Identify opportunities for joint working at the planning stage
- Ensure you have taken into the account the requirements of the Welsh Language measure to treat English and Welsh equally
- Ensure sure you have a consultation plans which actively encourages as many people as possible to take part

Doing:

- Be clear about how people can be involved
- Ensure the consultation and engagement methods and language used are suitable for the audience
- Provide clear information about what we are consulting on
- Be clear about what the results will be used for
- Ensure all affected stakeholders have the opportunity to be involved
- Widely promote your activity to encourage as many people as possible can take part

Decision Making, Review and Feedback:

- Review the results and who has taken part to ensure we have reached all those we need to
- Ensure results of consultation and engagement are activity considered when making decisions
- Share the results (where appropriate) with as wide an audience as possible
- Effectively feedback the outcome to participants e.g. summary of results
- Promote the outcomes of our key consultation and engagement activity both internally and externally

Gunning Principles

Any consultation that we undertake as a Council must adhere to the four **Gunning Principles**:

1. **Consultation should take place at a 'formative stage'**. In practice this means that the decision should not have already been taken, - most frequently the terminology used is pre-determination
2. **Consultation should include sufficient information** about the proposals so that consultees can give the matter intelligent consideration
3. **Adequate time needs to be provided for consideration and response.** In practice this means that consultees must be given enough opportunity to take part in the consultation in the time allowed.
4. **Consideration of consultation responses.** We need to be able to demonstrate how the consultation responses have been considered within our decision making process.

6. What Do We Consult On?

Deciding whether to consult

Where an activity (e.g. policy, service procedure or potential decision) will have an impact on members of the public we will always consider undertaking a consultation exercise. Sometimes there is not real scope for change, and decisions have to be made where consultation is not possible. On these occasions we should try and let people know why this has happened.

Equality Act 2010

The Equality Act 2010 addresses discrimination and inequalities and protects all individuals from unfair treatment. The Council has a number of statutory duties arising from the Act to better advance equality into our business planning and decision-making processes. The duties require the Council to consider how the decisions we make, and the services we deliver, affect people from different equality groups who share a 'protected characteristic'.

The key way in which the Council demonstrates compliance with this is by conducting Integrated Impact Assessments (IIA). This is an evidence led process that involves using relevant information to understand and make judgments about the impact of a Council 'activity' on equality. Information from our consultation projects forms a key part of the evidence used in an IIA, this is particularly important where our services are specifically delivered for those who share a protected characteristic. Consultation with these groups can help us understand the impact that the decision will have upon them and enable thoughtful consideration of how any perceived impact can be reduced.

Protected characteristics are defined in the Equality Act. These characteristics are:

- Age
- Disability
- Gender re-assignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief (including non-belief)
- Sex
- Sexual orientation

7. How Do We Consult?

Methods Available

There are a large number of different consultation and engagement methods and it is important that the correct ones are used. The methods used will depend on many factors such as the scope of the project, who we are consulting with and budget available. A consultation toolkit is available for staff to help them facilitate the most appropriate opportunities. Advice and guidance is available from the consultation co-ordinator.

Methods include:

- Surveys (online, paper, face to face, telephone)
- Public Meetings/teams meetings
- Workshops
- Focus groups
- Exhibitions
- Stakeholder meetings
- Social Media

Digital Consultation and Engagement

The Covid-19 pandemic has changed the way we engage and consult with our service users. The use of Microsoft Teams and Zoom as a mechanism for conducting virtual meetings and workshops has ensured that we can continue to engage effectively and has widened the reach within communities. We need to ensure that we are doing this consistently, staff can find advice in the consultation toolkit.

Making it appropriate for the audience

Different communities and stakeholders will have different levels of knowledge and experience of the service and levels of information on which to base their responses. Some methods may not be appropriate for all. The method(s) we use will account for this. For example, young people may not respond well to a postal survey but may be more receptive to a workshop or social media.

All those who have an interest in the issues should be able to access the information and take part in the consultation. We will ensure that consultations provide clear direction on how to request alternative formats such as large print, text only formats, easy read etc. The accessibility of the venue is also important. We will ensure that the requirements of people with disabilities are taken into account and adjustments put in place.

Providing the Right Information

If our consultation is to be meaningful, it is important that 'consultees' have sufficient information available to make an informed response. We aim to present information in a way that is appropriate to stakeholders and those likely to have an interest in the subject matter.

Our consultations will clearly state:

- The dates of the consultation
- The ways in which people can take part
- The scope of the consultation
- Different options that are available including the advantages and disadvantages of each
- How and when decisions will be made, and how the consultation will inform the decision

Length of Consultation

An appropriate amount of time will need to be given for people to submit their responses. Unless the consultation length is set by law the consultation can be any length of time. Common consultation periods can be anything between 2 – 12 weeks depending on what you are consulting on and the complexity of the issue/project. The time of year that the consultation takes place is also relevant and consultation period should be extended if it runs over Christmas or the summer holidays. This is especially true if the consultation involves schools or other education settings.

8. Responsibilities for Implementation

All members of staff have a responsibility for the successful implementation of the Consultation and Engagement Strategy. For the Strategy to be effective it has to be part of the Council's culture and there needs to be a genuine commitment to engage with the local community. Specific responsibilities for implementation lie with:

Elected Members

Members play an essential role in the Council's consultative processes. In particular, they form a link between the community and Council, having a positive influence on the level of participation by the local community. The implementation of the Strategy should enhance the availability of consultation information for elected members. Elected members have an important role in ensuring that policy development takes account of consultation findings.

If conducting an engagement activity that affects particular wards or a particular portfolio area, ward members should be fully briefed on proposals that affect the areas they represent. Efforts should be made to ensure that relevant cabinet members, scrutiny chairs and vice chairs, committee chairs and ward members are aware of and have the opportunity to input into engagement activities.

Corporate Directors

Corporate Directors have a key role in providing a high level of commitment to the corporate consultation and engagement strategy and driving forward its effective implementation. They have specific responsibility for ensuring both that effective consultation takes place within their directorate and that consultation findings are used to influence strategic direction and that policy development takes account of consultation.

Heads of Services

Responsibility for undertaking specific service-based consultation will lie with the appropriate directorate officers under the guidance of their service head and director. Service heads will have responsibility to ensure:

- All staff are aware of and act on the Strategy
- Consultation activity is planned using the principles outlines within this strategy