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# Developing more authentic consultation & engagement

A discussion paper by ACEP

*There's plenty of research on improving trust in politics and public institutions. People in power are aware of declining participation rates and citizen scepticism is growing. Today we are dealing with instances of mistrust (healthy scepticism) and distrust (pure cynicism).*

*Consider the arguments:-*

*“What is the point of public consultation? It is being used as cover for unpopular policy or as a means to delay implementation until a more propitious political moment presents itself”*

*“Most government consultations never report their findings”*

*“People who take part naively think they have influence over what happens”*

*“Consultations are a sham. Politicians and policymakers have already made up their minds”*

*“Nobody took any notice of the responses.. They ignored the majority.”*



ASSOCIATION OF CONSULTATION AND ENGAGEMENT

# PROFESSIONALS

There are plenty of legal challenges which demonstrate that disillusionment in current consultation and engagement practice is justified. Consultations don't even have to reach the right people to be lawful. However, there are also plenty of examples of robust consultation and engagement exercises that have changed outcomes and molded better solutions.

Thankfully, even the worst examples can provide enlightenment - such as a degree of stakeholder awareness and education. Consequently, the conundrum is if a poorly executed consultation or engagement exercise is better or worse than none at all. Similarly, if voluntary efforts are just too abstract.

Nevertheless, re-alignment is needed to ensure that we can all feel good about contributing to public debate and in order to tackle the deficit of trust in our political system. Especially now, when 'community incentives' could be perceived as an attempt to bribe stakeholders instead of a way to mitigate the impacts of major planning schemes.

Perhaps the recall power provided to local communities is a good example of progress - viewed with scepticism when it was introduced, but demonstrated to be effective in calling MPs to account. However, this does not solve the issue of regaining confidence in stakeholder participation.

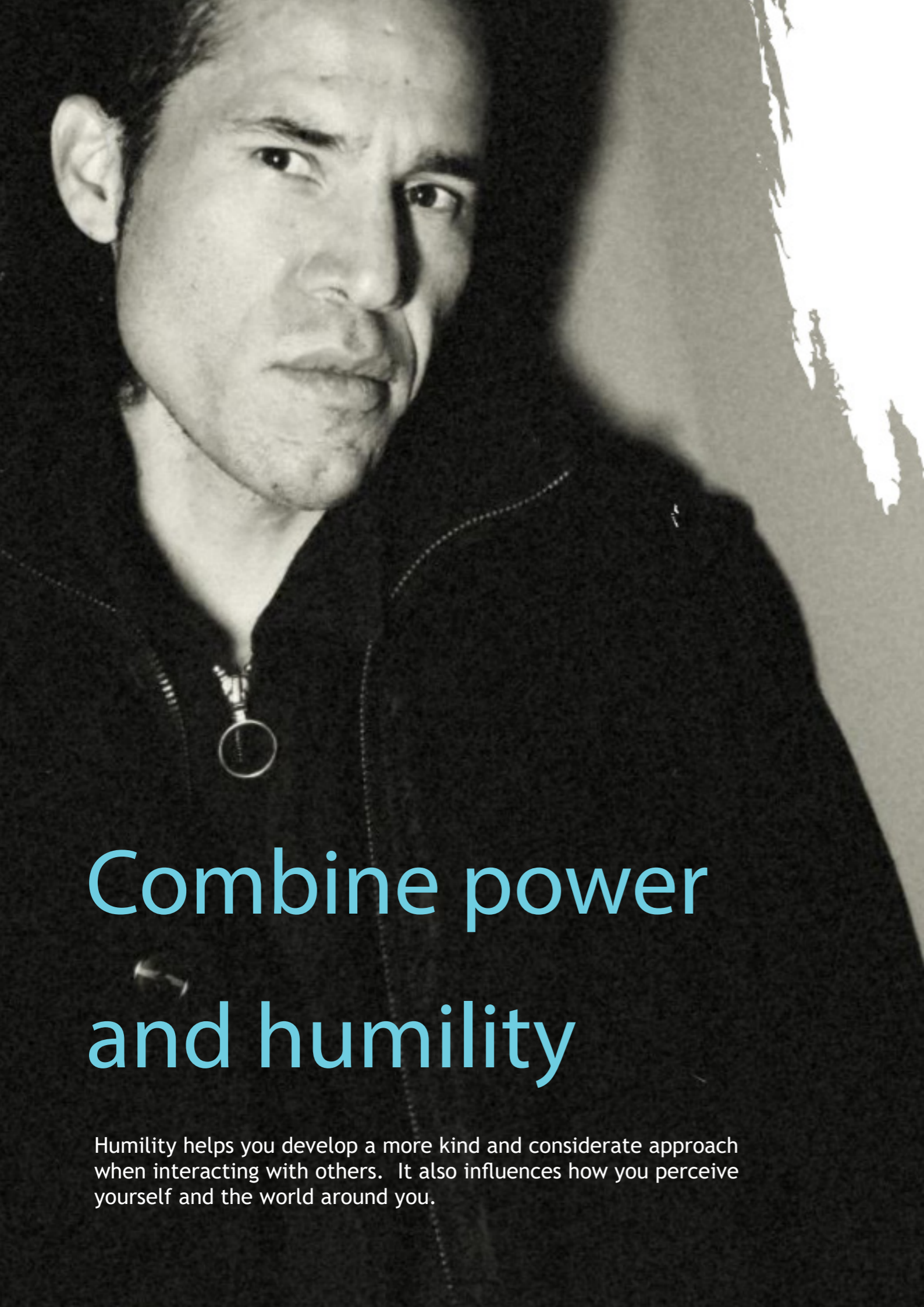
ACEP has no power to regulate like an ombudsman but ACEP members can choose to raise their game by adopting our standards and actionable insights. Stakeholders can be savvier in spotting legitimate exercises and act more responsibly. Process designers can work harder on enhancing integrity such as embedding genuine listening activities, increasing transparency and producing richer communications.

This paper explores a number of practical steps that consultation and engagement professionals can take in the pursuit of better quality and better legitimacy. We must break the cycle of every consultation and engagement project leaving the residue of bad feeling for the next one.



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Director



# Combine power and humility

Humility helps you develop a more kind and considerate approach when interacting with others. It also influences how you perceive yourself and the world around you.

## Current state

People in power who lack humility have a habit of making stakeholders irate. Parent/child conversations are patronising and inflame situations, particularly public meetings!

It may well be the case that the people “closest to the issues” know the most about them but they probably don’t know everything. Facts aren’t always agreed.

Even if the evidence is clear, demonstrating that you have an open mind and acting with sincerity are key to the trust- building process.

Too little is done to understand stakeholder values and interests in advance of consulting or engaging with them.

## Proposed future state

Leaders must take ownership of the problems or issues to be tackled, this means being visible and easy to reach during the process of public engagement.

They must be open to feedback and accept criticism and avoid being on the defensive. Ideally, leaders need to exercise more emotional intelligence.

Those in power should seek to thoroughly research, find and educate community champions and be prepared to represent those without a voice. For example, treating nature as a participant, ensuring its voice is heard and represented.

Empowerment is the holy grail - either in the ability to devolve responsibility for orchestration of a consultation and engagement exercise or devolving some powers relating to the change itself.

## Actionable insights

Public bodies need good spokespeople who can deliver messages with clarity. Some people are natural ambassadors, others will benefit from training. Independent facilitation of events can help bridge this gap. Often this can only be achieved via partnership working, with community representatives who have an authentic voice.

Empathetic leaders will collect their own evidence about an issue or a problem. For example, by orchestrating study visits or experiential learning to guide their wisdom and validate the case for change.

Stakeholders will need to understand that problems are shared ones. They need to be encouraged to think about the greater good- not just concerned with their own impacts.

## Current state

Many people aren't even aware of proposed changes, let alone if there is an opportunity to get involved in the decision-making process. This awareness comes too late and often results in added frustration.

Likewise, we need honesty about what needs to change and what it means for civil society, especially in relation to climate change, energy transition, technology, employment and mobility.

This problem is exacerbated by poor, ineffective and un-reactive marketing and communication effort. For example, staff on the front-line of public engagement are not often empowered to make decisions or change course.

## Actionable insights

Firstly, we need much more effective communication of change, including process updates. For example:- articulating the case for change, the current state versus the proposed future state and the anticipated impacts.

Secondly, we need to deploy more "real world" engagement activities such as door knocking, letters, leaflet drops, posters and public notices.

Thirdly, there needs to be more proactivity around notifying stakeholders of engagement opportunities.

Representativeness needs to have greater emphasis - inclusivity calculators can be used to highlight needs. In addition, assistive measures should be available to help disadvantaged people who may need help getting engaged and who might otherwise be left behind.

## Proposed future state

Notifying stakeholders directly impacted by change would seem like a given - but that can be costly and result in sample bias. Technology can help - for example, identifying groups that might be affected along a route in a particular geography.

A "register of interests" can go one step further - for example, stakeholders opting-in to updates and activity based on their ongoing concerns, geography and the scale of changes.

The bigger picture is a national (aggregated) database for all engagement opportunities - but this requires better data standardisation.

Mandatory engagement for key influencers and public figures on salient issues would help raise the profile of future debates.



# Amplify engagement opportunities

To increase community engagement, it's crucial to create a culture of inclusivity and ensure that diverse voices are heard and valued. This means actively reaching-out to underrepresented groups and marginalised communities as well as the silent majority.



# Reboot expectation management

Managing expectations is a communicative process. It makes it clear to all parties involved what they should expect - and when.

## Current state

Adequate scoping of a consultation or engagement exercise may have occurred but not been well articulated.

Citizens find it hard to understand what has and has not been decided and hence what can and cannot be influenced. Similarly, there can be uncertainty about who is eligible to respond.

This is complicated by proxy consultations - where the decision maker is not the person who is running the process - thus boundaries and responsibilities are unclear.

On the other hand, stakeholders think that consultation is binding - like a vote or referendum.

## Proposed future state

The advisory nature of a consultation or engagement exercise and its configuration are two essential pieces of information.

We think that all consultations should be required to "file" this information in a centrally held register. A separate register should be held for logged errors.

This will help stakeholders identify engagement opportunities, policymakers coordinate their efforts and defragment dialogues and provide the basis for monitoring of trust in the system.

## Actionable insights

The industry needs to adopt a standard "mandate" for consultation and engagement activities which are a summary of the key facts of the exercise, including who the target audience is.

[Try our statement of community engagement generator.](#)

More transparency is needed around the probability and proximity of an outcome. Preferred options should always be declared as such.

Some consultations are poorly formed - asking questions about things that cannot be influenced or clouding key issues.

Clear segmentation or highlighting of key questions can help stakeholders navigate the issues which makes a difference.

### Current state

Decision makers are using consultation as a form of political brinkmanship.

Final decision moments are increasingly binary, particularly when there is pressure to make a change in order to release the benefits of that change. In less prescriptive processes, decision makers can demand more consultation & engagement before coming to a decision.

There are few tools for elected members and representatives to feed into the engagement opportunity.

### Proposed future state

The internal process for initiating consultation and engagement should be standardised across all public bodies to include the necessary checks, balances and approvals - including compound impacts and identification of adjacent consultations.

Elected members should be equipped with the same tools and facilities that their officers have in order to solicit feedback from their constituents. This might include the provision of devolved resources for promotion and activity within particular wards.

We think there is a strong case for more professional (executive) elected official roles which are salaried and champion public consultation within public bodies.

### Actionable insights

While the decision-making timetable could be extended to allow for additional consultation, there is often a missed opportunity to run more in-depth interviews with stakeholders during the process, as and when feedback is received.

More up-front thinking can be done to consider and articulate potential service changes. For example, if changes are being proposed retrospectively or to new service users. Graduation and compromise are good ways to soften unpopular decisions.

# Revolutionise decision-maker engagement

Involving stakeholders in decision making is a key skill for effective leadership. It can help you gain buy-in, improve collaboration, and generate better solutions. However, it can also be challenging to balance different perspectives, expectations, and interests.



# Support change

Situations don't just change because of new systems, processes or structures. They change because the people within them adapt and change too. Only when people have made their own personal transitions can we truly reap the benefits of change.

## Current state

Most engagement opportunities are cyclic but not continual.

The amount of pre-consultation and engagement is being diminished by a lack of time and confidence in the case for change is being undermined by a lack of strong evidence.

This means that there is often little appreciation for stakeholder priorities and preferences, particularly in the formation of options.

Post decision, there is a void of support or engagement through the actual change process.

## Proposed future state

Experimental changes, similar to those imposed using experimental traffic orders, allow stakeholders to better understand the impacts of change before they are made. Permanent changes are still subject to consultation.

The scope of experimental changes could be widened to include the temporary reconfiguration of services where there is only marginal impact - as part of an enhanced evidence gathering stage.

However, these new powers should come with guarantees - such as a limited duration for temporary changes, that the current state is reverted before consultation begins and for evidence to be compiled and published as an input to the following consultation stage.

## Actionable insights

More up-front thinking can be done to consider and articulate potential service changes. For example, if changes are being proposed retrospectively or to new service users.

More post-consultation engagement (on the decision or outcome) can occur in an attempt to design an official 'transition phase'. This might include activities for providing emotional support, extra guidance and signposting to overcome the grief cycle.

## Current state

Consultation and engagement activities have little resilience to interference.

There have been an increasing number of attempts to skew outcomes, both sophisticated and unsophisticated - proliferated by the rise in digital as a default engagement method.

Policymakers do not have the tools for detecting such manipulations and rarely report on their confidence in results.

The ability to launch campaigns and self-organise is becoming easier. Thus, the ability to create and spread mis/disinformation is becoming easier.

More and more people are becoming drawn to conspiracies over reality.

## Proposed future state

There should be a minimum basic requirement for all stakeholder feedback to be checked for campaign responses (across a number of tests) in order to publish a statement of confidence in the results which is an observation of the likely error.

Consultation responses received by representatives/organisations should be fully verified - for example, requiring prior registration. This might extend to harsher penalties for purposeful manipulation.

## Actionable insights

Facts presented during a consultation or engagement exercise should always be substantiated as there can be differences between official data sources.

An active approach to this problem is monitoring of misinformation and disinformation during the dialogue stage in order to signpost stakeholders to official source of truth.

The promotion of countermeasures is also helpful. For example, reminding participants that manipulation will be detected and that they should [“think for themselves”](#) when making representations.

# Time to tackle misinformation & disinformation

Disinformation and misinformation affects genuine consultation and engagement opportunities by undermining trust, amplifying fears, and sometimes leading to harmful behaviours.





# Boost efforts to tackle inequalities

We need to think about how to reduce inequalities of outcome caused by socioeconomic disadvantage.

## Current state

According to the OECD, only one in four people think that a public employee would treat a rich person and poor person equally.

Disadvantaged groups have less opportunity and are characterised by their socio-economic attributes as much as their protected characteristics.

Fundamentally, there should be no special treatment for anybody in the process.

## Proposed future state

Fairness comes in different guises. There should be a greater emphasis on monitoring and managing differences in socio-economic participation such as that laid down by the 'fairer Scotland duty' and in a similar way to how equalities duties are handled.

## Actionable insights

Consultation and engagement professionals should explore ways to start accepting video or audio feedback. This will benefit less literate stakeholders.

For major change projects, impacts can be articulated on the various audience segmentations as well as their positive and negative trajectory.

### Current state

Giving reasons for a decision is not the norm, although the planning process has a duty to explain reasons (on refusal).

However, the openness in local government bodies regulations (2014) deals with the matter more generally - reasons may be briefly stated but must be proper, adequate and intelligible and deal with the main issues and substantial points raised (including objections).

Case-law suggests that “fuller reasons are required where the decision maker is disagreeing with a considered and recent recommendation”.

### Proposed future state

Judgments are made on the combination of financial case, technical case and stakeholder inputs.

Reporting standards should ensure that all consultation and engagement related decisions are documented across these three factors - no matter the outcome and in a structured way which references the contributions of stakeholders.

This will help demonstrate that decisions have been taken carefully and be particularly beneficial in overcoming future nervousness relating to AI summarisation.

### Actionable insights

The outcome of consultation and engagement activity must be effective in demonstrating active listening and compromise has occurred.

Some of the best examples are fully formed - such as video explainers of the various key arguments and decisions as presented by decision makers. Other techniques might include argument mapping.

Either way, articulating influence (particularly with reference to the original case for change) needs to be much more personal and much more verbose. Consultation and engagement professionals can go as far as to design public meetings or activities specifically aimed at explaining the decisions taken.



# “Storify” decision making

Transparency means that everyone understands both the decision-making process and the thinking behind any decision in which they have an interest.

## Orchestration (ethos)

We will:-

- Only engage with people when there is a honest, genuine opportunity that their views will make a difference;
- Engage early enough to safeguard the rights and interests of those impacted;
- Ensure that the process is a two-way conversation - which permits feedback;
- Be free of external manipulation, interference, coercion, or intimidation;
- Put in place proportionate controls, oversight and resources to do it justice and avoid duplication whenever possible;
- Remain open minded before,during and after the process as to the outcome;
- Operate a mechanism for dealing with grievances against the process;
- Have due regard for our own policies, procedures, compacts, charters and promises;
- Have due regard for people with protected characteristics and the impact on them (in the public sector, the equalities duty);
- Put things right in a timely and transparent manner should things go wrong.

## Planning (design)

We will:-

- Take a co-production[1] approach, whenever possible;
- Take steps to understand who will be directly and indirectly impacted and who might want to be involved before any consultation or engagement commences (for example, by using existing data);
- Give stakeholders a reasonable amount of time to provide their views. The duration of any exercise will take into account the urgency of the decision, time of year and impact of any proposals;
- Create enough flex in our plans to accommodate remedies to unforeseen problems, such as extending the period of the exercise;
- Design engagement methods to meet the needs of identified stakeholders, using an appropriate mix of channels and not exclusively digital;
- Deploy methods for a more in-depth exchange of views and information when there are salient issues or high stakes;
- Aim to understand people's priorities and preferences in the early development of solutions and any to test assumptions in a case for change;
- Be clear over impacts, in particular any differences that exist for existing or future service users' - if applicable.

## Awareness (marketing)

We will:-

- Remind people that consultation is not a vote but their views are valuable;
- Tell people that manipulations (such as duplicate responses) will be detected and that, in the spirit of the exercise, they should be free from external bias and think for themselves;
- Take steps to prevent the spread of significant mis/disinformation that we become aware-of during the process;
- Make efforts to raise awareness of the opportunity to participate, particularly among the audiences identified as being impacted and the hard-to-reach;
- Provide a way for people to track the progress of the exercise or get alerted as to the outcome or output;
- Communicate progress at each phase or stage of the process;
- Make it clear when changes, updates or additions have been made to supporting information or consultation and engagement plans.

## Basic information provision (informing)

We will provide:-

- A description of the exercise (e.g. issues paper, consultation, engagement exercise, call for evidence);
- A contact name and email or telephone number for the administrator of the consultation/ engagement exercise;
- Details of who is running the exercise and who is ultimately responsible for it;
- Details of any geographical limits on the exercise (e.g. Scotland only);
- A description of any conditions that might invalidate a response (e.g. if the responder is from an overseas territory);
- Details of any third party involvement - such as agencies who are analysing the feedback, if applicable;
- Details of any (known) similar exercises that the participant should be aware-of, such as parallel consultations or those in neighbouring areas on the same issue;
- Signposting to historic, relevant engagement or consultation exercises and a brief synopsis of their results;
- A list of the ways in which feedback can be provided (e.g. in writing, online, phone etc);
- A timetable for the exercise and decision-making process including the date range in which feedback must be received and dates of any stages, including an estimate of when a change might be enacted;
- A description of the current situation (the context) and who might be impacted;
- A description of what has and has not been decided;
- A clear definition of what can and cannot be influenced;
- A list of relevant decisions which have already been taken;
- A description of who will consume the feedback or take a decision (and when) as necessary;
- A privacy information notice (in accordance with GDPR regulations).

## Detailed information provision (informing)

We will publish:-

- Any relevant supporting information, including impact assessments if they are made, from the outset OR reasons for non-disclosure of any relevant information;
- A schedule of any planned engagement activities (such as public meetings) ;
- A statement about any constraints (such as leases to buildings which might prevent a particular outcome);
- A comprehensive and balanced description of the issue, planned changes or options - including the benefits and disbenefits of each;
- A brief description of any options previously discarded and reasons for their discontinuation;
- A statement on options development and appraisal, if applicable;
- A statement on the environmental considerations/impact (such as Net Zero), even if it is not applicable;
- A declaration of a preferred option or scenario, if applicable;
- Details about any capital and revenue costs/savings or finance relevant to proposals, if applicable;
- Details about any employee displacement, if relevant;
- The source of any facts, if they are provided;
- A travel time analysis if a service or facility is being relocated.

[1] This might include a range of measures such as involving others in the review of documents and designs, conducting fieldwork, producing findings or plans and strategies

### Accessibility (enabling)

We will always:-

- Avoid any unnecessary barriers to participation or deploy ways to assist people in their participation if they lack the skills, confidence or competence;
- Engage in a culturally appropriate manner;
- Answer any individual queries relating to the process in a timely and informative manner;
- Be consistent and specific (such as naming facilities under consideration);
- Avoid the use of acronyms or provide a glossary explaining any difficult terms;
- Use Plain English;
- Provide alternative formats on request, such as easy-read or alternative language documents;
- Try to use a range venues for public meetings which are highly accessible and highly convenient for participants;
- Be open about any dependencies and assumptions;
- Use logical numbering for questionnaires;
- If applicable, publish a separate list of all the questions outside of the questionnaire for easy reference and review;
- Avoid the use of low-accessibility digital formats to display or publish information, in favour of more accessible formats (such as flat web pages);

### Gathering views (engaging)

We will:-

- Treat all participants with respect and as having valid viewpoints;
- Use a mix of qualitative and quantitative research methods to help understand why people think the way they do;
- Only ask questions that are relevant to the issues at hand (avoid clouding issues);
- Avoid loaded questions and use appropriate, standardised response scales (e.g. Likert);
- Ensure that the “loudest voices” do not dominate listening exercises;
- Create a positive user experience such as using branching / skip logic to streamline online questionnaires whenever possible;
- Always ask a key question relating to the issue, such as the strength of agreement or disagreement ;
- Always ask in what capacity a person is responding (e.g. as in individual or representative);
- Always ask for consent in terms of sharing details of any submission more publicly (known as a disclosure of responses statement);
- Always ask people for permission before recording them;
- Ask people of protected characteristics if they are adversely affected and, if so, how.
- Try to solicit new ideas to help solve the issues/problem, even if there are clearly defined options;
- Collect equalities monitoring data (relating to the protected characteristics) whenever possible;
- For formal consultations, provide a submission reference number and/or an email receipt upon safe receipt of a submission.

### The synthesis of results (reporting)

We will:-

- Act quickly to synthesise feedback at the end, publishing a report no later than 12 weeks of the closing date or explain why this has not been possible;
- Consider any feasible, alternative proposals received as and when they are received;
- Update any impact assessments at the end of the process based on the intelligence received;
- Provide decision makers with adequate time and comprehensive information if a decision is to be taken, prior to it being taken;
- Put measures in place to avoid any biases and inaccuracy in the analysis and reporting;
- Check the validity of responses, against those agreed at the outset but also for duplicates and campaign responses;
- Provide at least a summary of responses, the evaluation methodology and the numbers of discarded responses;
- Provide a breakdown of responses by channel and demographic;
- Report both percentages and actual numbers in the synthesis of feedback;
- Be transparent about any complaints and criticisms received;
- Provide reasons for any decisions, particularly if these went against the majority/consensus.

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