

DRAFT

TeamCaerphilly

BETTER TOGETHER

Consultation and Engagement Framework
2020-2025



TRAFODAETH CAERFFILI
THE CAERPHILLY CONVERSATION



Contents

Introduction	3
Who is this framework for?	3
Purpose	4
Links to Strategy:	
Communications and Engagement Strategy 2020-2025	4
<i>TeamCaerphilly - Better Together</i>	5
What do we mean by Engagement:	6
Designing engagement - do I need to engage, consult or do something else?	6
The Spectrum of Engagement	7
Who do we engage and consult with?	8
Principles of Engagement:	9
National Principles of Public Engagement in Wales	9
National Standards for Children and Young People's Participation	9
The Consultation Institute Charter	9
The Legal Context:	10
Statutory provisions	10
Doctrine of legitimate expectation (common law)	10
Gunning Principles	11
The Involvement and Collaboration Principles - Well-being of Future Generations (Wales) Act 2015	12
The Equality Act 2010 and Wales specific duties	13
Appendix One: National Principles for Public Engagement in Wales	14
Appendix Two: National Standards for Children and Young People's Participation	15



Introduction

Through *TeamCaerphilly - Better Together*, the council is committed to ensuring high quality, citizen focused services for the communities that comprise our county borough. In future-proofing public services, we recognise the need to ensure effective engagement is central to our decision making - involving residents in the design of local services and the things that affect them.

In addition, we are focussing on further strengthening the relationship between the council and the community - residents,

businesses, voluntary and community groups. Caerphilly county borough has a vibrant and engaged voluntary and community sector, which offers significant opportunity to maximise community participation.

This framework sets out an approach for a common understanding to further improve engagement. It sets principles and standards for how the council will engage to build clear, shared expectations and two way engagement that enables a focus on what can be achieved.



Who is this framework for?

This framework is for everyone who has a role to play and wants to get involved in making Caerphilly county borough a more informed and empowered place to live. It has been designed to support:

Staff by ensuring that they...

- know how to carry out robust, effective and meaningful consultation and engagement
- adopt a consistent approach to the consultation and engagement process
- recognise diversity within our communities and incorporate this into the planning of engagement activities.



Councillors by...

- raising awareness of the national principles that govern how we consult and engage with our residents and stakeholders and
- ensuring they understand the need to effectively use the outcomes of community engagement to improve the nature of decision making and help strengthen the relationship that the council has with the people it serves.

Residents, communities and other stakeholders by...

- demonstrating our approach to engagement
- letting them know the standards we are working to and
- what to expect from us which will enable a greater sense of ownership, giving people more input into the decisions that affect their lives.

Purpose

The framework:

- Highlights the importance of effective consultation and engagement and the clear strategic link to the decision making process
- Demonstrates the key role that engaged, empowered communities have in supporting the future-proofing public services
- Provides a clear definition of engagement and outlines the spectrum of engagement
- Outlines the principles and standards that underpin meaningful engagement and consultation to enable a consistent, transparent and high quality approach to the planning and undertaking of community engagement
- Signposts to further advice and guidance on how to carry out consultation and engagement in line with the principles and standards outlined



LINKS TO STRATEGY

The Consultation and Engagement Framework 2020-2025 has direct links to a number of key strategic documents:

Communications and Engagement Strategy 2019-2022

In January 2019, the Council's Cabinet endorsed a Communications and Engagement Strategy 2019-2022, that outlines the approach we will take to ensure communications and engagement activity is fit for purpose and helps to achieve our vision.

It also defines how we as an organisation will listen and respond to what our audience is telling us in return.

The Communications and Engagement Strategy states that effective consultation and engagement promotes two way communications, which ensures residents are able to influence the way we shape and deliver our services.

REACH

We will use a wide range of channels to communicate with our audiences. This includes social, digital and traditional methods.

ENGAGE

We will ensure that our communication is timely, relevant, informative and jargon free. We want to create engaging content for all our audiences.

CONVERT

We will work hard to change behaviours and attitudes by providing relevant information so that our audiences are able to make informed and considered choices.

This Consultation and Engagement Framework will complement and help facilitate delivering one of the key objectives highlighted in the Communications and Engagement Strategy to:

“Inform and engage with residents, businesses, visitors, partners and other stakeholders about the council's aims and key priorities, the services it provides and how they can get involved in shaping decisions.”

TeamCaerphilly - Better Together
(Transformation Strategy)

The *TeamCaerphilly* transformation programme is about reshaping the Council for the future and doing things differently to protect the services that are required and valued. A new “whole authority” operating model was adopted by the Council in June 2019 to ensure a resilient Caerphilly County Borough for the future with communication and engagement playing a fundamental role within the transformation agenda.

The *TeamCaerphilly - Better Together* purpose is:

“To create capacity and foresight to develop solutions to some of the County Borough’s biggest challenges, ensuring the Council understands and responds to the changing needs and priorities of our communities”.

Effective community engagement is, in itself, a strategic component in the *TeamCaerphilly - Better Together* operating model. One of the outcomes of this new approach will be to have strong working relationships with our communities and partners, to maximise the use of our collective resources to ensure a resilient county borough for the future.

A key action emerging from this element of the strategy was to develop a Consultation and Engagement Framework to support empowered communities to come on this journey with us.

This Consultation and Engagement Framework, therefore, has been developed to facilitate more effective consultation and engagement with communities as we move forward in reshaping Caerphilly County Borough Council. Effective engagement will enable us to understand the needs of our communities as we make difficult decisions and consider how we will deliver services differently in the future.



Empowered Communities: Supporting Community Capacity and Harnessing Social Capital

The role of empowered, resilient communities in the transformation journey will be fundamental. The journey is an opportunity to embrace change and developing council services with the support of our communities, for the benefit of all.



FURTHER READING

[Link to Communications and Engagement Strategy 2019-2022](#)

[TeamCaerphilly - Better Together \(Caerphilly CBC Transformation Strategy\)](#)

www.caerphilly.gov.uk/tc-eng/

What do we mean by Engagement?

The words 'community', 'public' or 'citizen' engagement are used interchangeably by many, often to mean the same thing. Caerphilly Council has previously adopted the following definition of engagement:

“Engagement means anything that we do that informs citizens about what we do or involves citizens in the Council’s decision making process.”

Effective communication and engagement is fundamental to the council’s transformation journey, and it is through the ongoing process of dialogue between the Council and our communities through ‘The Caerphilly Conversation’ that we will aim to achieve this.

Through this document we aim to set out a clear structure for engagement that encourages a partnership of collaboration between communities and the council, where the council can enable communities to do a little more for themselves.

In enabling this process, we consider the following headline principles to be of particular significance:

- We will listen and understand
- Caerphilly county borough people will help inform and shape the decisions we make - and in turn we will keep people informed
- We will be inclusive and act with purpose
- We will make the most of what already exists in our communities

Through this agreed approach we will:

- Empower local residents to have greater influence over the issues that affect them
- Increase and strengthen the role of communities in how we live, work and visit Caerphilly county borough
- Help us to understand the needs of our communities which in turn, helps to ensure that the services we deliver meet

those needs and that available resources are used effectively and in line with agreed priorities

- Ensure people are involved in the democratic process and enable communities to have greater input on issues that affect them
- Support communities to take action by helping them identify needs and support them in developing community-led solutions
- Meet our statutory duties

Designing engagement: do I need to engage, consult or do something else?

To ensure that engagement is carried out in a systematic and consistent way, it is important to be clear on what level of engagement is appropriate in a particular circumstance and to plan and implement engagement processes carefully based on that circumstance.

At times, engagement may simply be about informing, while at other times engagement will involve a combination of information provision and gathering, consultation, feedback and evaluation that will feed into the decision making process at an appropriate stage. Recognising that different levels of engagement are appropriate in different circumstances, careful consideration should be given to the approach adopted in relation to:

- the purpose and intended outcome of the engagement
- the issues being addressed
- the stage in the project planning cycle at which engagement takes place
- the stakeholders involved/those we are engaging with - recognising that different groups and individuals have different needs and preferences

The following link provides guidance in determining whether you need to consult, engage or do something else:

www.local.gov.uk/sites/default/files/documents/Do%20I%20need%20to%20consult.pdf

The Spectrum of Engagement

The International Association of Public Participation Spectrum outlines five levels of engagement across a continuum that describes an increasing degree of engagement, participation and influence in the engagement process. The spectrum can be used to help determine the level of influence required and sets the commitment

to ensure transparency. It can also provide a starting point in determining the most appropriate methods of engagement.

The diagram below outlines five levels of engagement and identifies increasing levels of public impact and levels of community influence over decisions at each level, our goals and promises are set out.

Increasing the level of public impact 

Level of community influence over decisions 

	Inform	Consult	Involve	Collaborate	Empower
GOAL	To provide the public with balanced and objective information to assist them in understanding the problems, alternatives, opportunities and/or solutions	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision-making and/or devolved budgets in the hands of the public.
PROMISE	We will keep you informed.	We will keep you informed, hasten to acknowledge concerns and provide feedback on how public input influenced the decision	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision	We will look to you for direct advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.

Who do we engage and consult with?

When we talk about engaging our communities and stakeholders we make a commitment to engage, as appropriate, with:

- Residents - people from every part of the county borough and from every community and of all ages, making a particular effort to encourage those currently not engaged/seldom heard including:
 - community groups and clubs including those on our various panels, community, voluntary and special interest groups
 - users of specific Council services
 - vulnerable groups and those with protected characteristics as defined within the Equality Act (2010) and the Public Sector Equality Duty (Wales)
 - children and young people including those on the Youth and Junior Forums
- Employees of the Council
- Relevant Trade Unions
- Business owners
- Those who visit, work or participate in activities within the county borough
- Our democratically elected representatives
- Town and Community Councils
- Local Assembly Members and Members of Parliament
- Partner organisations
- Business forums
- Welsh Commissioners (Children's, Welsh Language, Older Persons and Future Generations)
- Specific subject forums
- Any other body or group with an interest in the work of the authority and the future well-being of the area



Principles of Engagement

The Council operates within the Welsh Government Citizen-Centred Governance Principles, putting the citizen at the heart and focusing on their needs and experiences.

In engaging with residents and stakeholders, it is important to have principles that guide the engagement process so that it is undertaken in a meaningful and transparent manner.

National Principles for Public Engagement in Wales

In 2011, Caerphilly County Borough Council adopted the **National Principles for Public Engagement in Wales** as a guiding document for all of our engagement activities (Appendix 1). These principles are supported by 'The Evaluation Toolkit - Evaluating engagement practice against the National Principles for Public Engagement in Wales' which outlines a four stage participatory process to evaluate engagement activities in relation to the National Principles.



National Standards for Children and Young People's Participation

The Council also works to fulfil the requirements of the **National Standards for Children and Young People's Participation** (Appendix 2).

The Consultation Institute Charter

The Consultation Institute provides a charter, outlining seven key aspects of good consultation. These seven components should steer decision-making processes before, during and after a consultation process.

They can also act as a guide for other forms of engagement.

- 1. Integrity:** Intentions must be honest, and with a genuine willingness to listen and be influenced.
- 2. Visibility:** There should be a real effort to make all of those who have a right to participate aware of what is going on.
- 3. Accessibility:** There needs to be reasonable access, using appropriate methods and channels and catering for hard-to-reach groups.
- 4. Transparency:** Things submitted need to be made public and data disclosed, unless there's a specific reason to make them exempt.
- 5. Disclosure:** All relevant material and context should be disclosed by the council, and in return residents should disclose the full range of local opinion.
- 6. Fairness:** Assessments and interpretations of consultations need to be objective. Decisions need to be representative of the spread of opinion.
- 7. Publication:** Participants have a right to receive feedback on the final output, and on the eventual outcome of the process.

FURTHER READING

www.local.gov.uk/sites/default/files/documents/The%20TCI%20Charter_2.pdf



The Legal Context

The Consultation Institute identifies two areas to focus on when deciding if you need to consult - statutory provisions and the doctrine of legitimate expectation (common law).

Statutory provisions

Statutory provisions are legal requirements which state that a consultation must occur. They exist in several key areas - health, environment and equalities.

Equality: The Equality Act 2010 states that public bodies must have “due regard” to a variety of Equalities objectives (Equality Act 2010, Section 149) and consequently Equality Impact Assessments must be carried out to demonstrate that decision-makers are fully aware of the impact that changes may have on stakeholders. The concept of “due regard” was reinforced in 2012 during the review of the Public Sector Equality Duty which...

“requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities”.

Doctrine of legitimate expectation (common law)

Essentially, where people have come to legitimately expect a process of consultation, for example, with local authority budget cuts, there are grounds for a judicial review should a public consultation not take place. Similarly, a consultation must be conducted properly should the choice be taken to embark on one (whether a legal requirement exists for it or not). This is part of ensuring that the consultation process remains a fair one.

This is rapidly becoming the most important aspect of the law of consultation. The legitimate expectation applies:

- when there has been a clear promise of consultation
- where official guidance or policies imply a promise to act in a particular way
- where there is a withdrawal of a benefit with significant impacts to be considered
- where the nature of the relationship would create unfairness if there were to be inadequate consultation.





Gunning Principles

If it has been determined that consultation (as opposed to some other kind of engagement) is required, it is important that the following principles are adhered to ensure legal compliance.

Proposals are still at a formative stage.
A final decision has not yet been made, or predetermined, by the decision makers.

There is sufficient information to give ‘intelligent consideration’.
The information provided must relate to the consultation and must be available, accessible, and easily interpretable for consultees to provide an informed response.

There is adequate time for consideration and response.

There must be sufficient opportunity for consultees to participate in the consultation. There is no set timeframe for consultation, despite the widely accepted twelve-week consultation period, as the length of time given for consultee to respond can vary depending on the subject and extent of impact of the consultation.

‘Conscientious consideration’ must be given to the consultation responses before a decision is made.

Decision-makers should be able to provide evidence that they took consultation responses into account.

FURTHER READING

www.local.gov.uk/sites/default/files/documents/The%20Gunning%20Principles.pdf

The Wales Practice Hub also gives bite sized information on the Gunning Principles and Equality Impact Assessments.

www.eiapractice.wales.nhs.uk/home



The Involvement and Collaboration Principles: Well-being of Future Generations (Wales) Act 2015

In terms of the wider context, this Framework also supports the Council in meeting its duty under the **Well-being of Future Generations (Wales) Act 2015**. The Act is about improving the social, economic, environmental and cultural well-being of Wales and requires public bodies in Wales to think about the long-term impact of their decisions, to work better with people, communities and each other and to prevent persistent problems such as poverty, health inequalities and climate change.

The Act puts in place a sustainable development duty which outlines how organisations should go about meeting their responsibilities under the Act. There are five ways of working that public bodies need to think about to show that they have applied the sustainable development principles.

Key in the context of this Consultation and Engagement Framework are 2 of these, the 'Involvement' and 'Collaboration' principles:

“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.”

“Collaboration with any other person that could help the body to meet its objectives.”





The Equality Act 2010 and Wales specific duties

The Equality Act is supplemented by a specific set of Welsh duties, one of which is to involve people who it considers to be representative of those with different protected characteristics who have an interest in the way in which the authority carries out its functions.

Engagement will help improve outcomes, for example by:

- identifying particular needs, patterns of disadvantage and poor relations between groups

- understanding the reasons for disadvantage, low participation rates and poor relations
- designing initiatives to meet needs and overcome barriers
- determining priorities
- analysing the impact of initiatives on people with protected characteristics
- monitoring and evaluating initiatives, policies and programmes.



FURTHER READING

futuregenerations.wales/wp-content/uploads/2017/02/150623-guide-to-the-fg-act-en.pdf
www.equalityhumanrights.com/en/publication-download/engagement-and-equality-duty-guide-listed-public-authorities-wales

Appendix 1: National Principles for Public Engagement in Wales

1 Engagement is effectively designed to make a difference

Engagement gives a real chance to influence policy, service design and delivery from an early stage.

2 Encourage and enable everyone affected to be involved, if they so choose

The people affected by an issue or change are included in opportunities to engage as an individual or as part of a group or community, with their views both respected and valued.

3 Engagement is planned and delivered in a timely and appropriate way

The engagement process is clear, communicated to everyone in a way that's easy to understand within a reasonable timescale, and the most suitable method/s for those involved is used.

4 Work with relevant partner organisations

Organisations should communicate with each other and work together wherever possible to ensure that people's time is used effectively and efficiently.

5 The information provided will be jargon free, appropriate and understandable

People are well placed to take part in the engagement process because they have easy access to relevant information that is tailored to meet their needs.

6 Make it easier for people to take part

People can engage easily because any barriers for different groups of people are identified and addressed.

7 Enable people to take part effectively

Engagement processes should try to develop the skills, knowledge and confidence of all participants.

8 Engagement is given the right resources and support to be effective

Appropriate training, guidance and support are provided to enable all participants to effectively engage, including both community participants and staff.

9 People are told the impact of their contribution

Timely feedback is given to all participants about the views they expressed and the decisions or actions taken as a result; methods and form of feedback should take account of participants' preferences.

10 Learn and share lessons to improve the process of engagement

People's experience of the process of engagement should be monitored and evaluated to measure its success in engaging people and the effectiveness of their participation; lessons should be shared and applied in future engagements.

These Principles were developed by Participation Cymru working with TPAS Cymru, under the guidance of the Participation Cymru partnership. Endorsed by the then First Minister of Wales, The Right Hon. Carwyn Jones AM on behalf of the Welsh Government. Further guidance on the National Principles can be found at www.participationcymru.org.uk

Appendix 2: National Standards for Children & Young People’s Participation

“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.”

Article 12: The United Nations Convention on the Rights of the Child (UNCRC)

		This means:	We will:
1	Information	<ul style="list-style-type: none"> You have the right to information that is easy to understand and allows you to make an informed decision. 	<ul style="list-style-type: none"> Provide information that is good quality, clear and accessible. Inform you about who’s going to listen and let you know what difference your involvement could make.
2	It’s your choice	<ul style="list-style-type: none"> You have the right to choose to be involved and work on things that are important to you. 	<ul style="list-style-type: none"> Give you enough support and time to choose if you want to get involved.
3	No discrimination	<ul style="list-style-type: none"> Children and young people are all different and have the right to be treated fairly. 	<ul style="list-style-type: none"> Challenge discrimination. Provide a range of opportunities and support to meet the needs of children and young people.
4	Respect	<ul style="list-style-type: none"> You have the right to have a say. Your opinions are important and will be respected. 	<ul style="list-style-type: none"> Listen to your views, experiences and ideas and take you seriously. Work with you on things you say are important. Value what you have to offer.
5	You get something out of it	<ul style="list-style-type: none"> You have the right to learn and be the best you can be. You will have opportunities to work with others and make a difference. We want you to be involved in positive experiences. 	<ul style="list-style-type: none"> Work with you in safe, fun and enjoyable ways. Make the most of what you know and do things that build your confidence and skills.
6	Feedback	<ul style="list-style-type: none"> You have the right to know what differences you have made and how your ideas have been listened to. 	<ul style="list-style-type: none"> Always ensure you have feedback in an agreed time. Tell you how your ideas have been used and why. Tell you what happens next.
7	Working better for you	<ul style="list-style-type: none"> Those who make decisions that affect children and young people should put children’s rights at the centre of everything they do. 	<ul style="list-style-type: none"> Work with you and learn how we can do things better. Ensure your views make a difference to the way we make plans and decisions.



TRAFODAETH CAERFFILI
THE CAERPHILLY CONVERSATION

