

North East Derbyshire District Council

Cabinet

2 July 2014

Consultation Policy

**Report No: GBXR/12/14/JF of Councillor G Baxter MBE, Portfolio Holder with
Responsibility for Building a Better Council**

This report is public

Purpose of the Report

- To inform Cabinet of the rationale for the Consultation Policy
- To seek Cabinet approval for the policy.

1 Report Details

- 1.1 The strategy is largely an internal document which sets out guiding principles for Council services and members who are considering conducting consultations.
- 1.2 The Consultation Policy provides context to any consultations that are planned and aims to ensure that officers and members carry these out within the parameters laid out within the policy. The document references the Government's Consultation Principles (set out in July 2012 and amended in October 2013) along with the Gunning Principles which British courts have been working to in issues of legal challenges to consultations.
- 1.3 The document also describes the regularly used methods and regular mechanisms that the Council uses to consult, such as the Citizens' Panel and the Disabled People's Joint Consultative Group.
- 1.4 The document is based on the recently approved Bolsover Consultation Policy but is not exactly the same as some of our consultation mechanisms differ (for example Bolsover District Council has a regularly held meeting with young people from across their district called Young Voice, while North East Derbyshire District Council does not but NEDC has a record of conducting face to face street interviews within the community).

2 Conclusions and Reasons for Recommendation

- 2.1 The policy will ensure that services are aware of their responsibilities in the consultation process and help the Authority to conduct efficient and fair consultations.

3 Consultation and Equality Impact

- 3.1 The policy has been developed with a number of officers in Customer Service and Improvement and Partnerships Teams, to ensure that it is fit for purpose. The strategy has been approved by the Healthy Communities and Well Being Scrutiny Committee and SAMT for submission to members for approval.
- 3.2 The main principle of consultation is to create a fair process whereby our communities can influence decisions on our strategies, policies and services. The publication of this policy will serve to improve that process.
- 3.3 An Equalities Impact Assessment has been completed and approved.

4 Alternative Options and Reasons for Rejection

- 4.1 Consideration was given to producing a joint policy with Bolsover but this was rejected as the mechanisms for consultation are historically different at each Council to meet different needs.

5 Implications

5.1 Finance and Risk Implications

- 5.1.1 Given the current climate of continued cuts to Government grant, communicating with, and listening to, our communities will be more important than ever over the coming years as tough choices and different ways of delivering services will need to be explored. It is therefore more important than ever to ensure that all services are aware of the principles they should work within to mitigate risk and the help that is available to them internally when conducting consultations.
- 5.1.2 There are no direct financial implications arising from this report.

5.2 Legal Implications including Data Protection

- 5.2.1 There are a number of statutory duties which the Authority needs to fulfil. These range from duties to consult on the budget with businesses; to carrying out Statements of Community Involvement in planning.
- 5.2.2 The policy promotes fair and transparent consultation processes. This, in turn, reduces the risk of a successful legal challenge to a consultation run by the Authority.
- 5.2.3 The policy includes guidance on the use of Data Protection fair obtaining notices where personal information is being collected.

5.3 Human Resources Implications

- 5.3.1 The policy details where internal support is available for services conducting consultations. There are no direct Human Resource implications arising from the policy.

6 **Recommendations**

- 6.1 That Cabinet note the requirement for the NEDDC Consultation Policy and approve the policy.
- 6.2 That the Consultation Policy be published on the intranet and internet once approved by Cabinet.

7 **Decision Information**

Is the decision a Key Decision? (A Key Decision is one which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards)	No
District Wards Affected	All
Links to Corporate Plan priorities or Policy Framework	High Performing Council

8 **Document Information**

Appendix No	Title
Appendix 1	Consultation Policy
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
None	
Report Author	Contact Number
Debbie Whitehead Consultation and Community Involvement Coordinator.	(01246) 217018