

Policy and Sustainability

10:00, Tuesday 24th October 2023

Annual Policies Update – Strategy and Communications

Executive/routine
Wards

Routine

1. Recommendations

- 1.1 To note the updates for those policies referred to.
- 1.2 To note a substantial number of the policies previously reported under this Service area now sit elsewhere and have been included in the relevant annual policy update reports.
- 1.3 To note the findings from the second annual review of the Consultation and Engagement Policy and,
- 1.4 To approve the proposed changes resulting from this review.

Dr Deborah Smart

Executive Director of Corporate Services

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Annual Policies Update – Strategy and Communications

2. Executive Summary

- 2.1 To ensure that Council policies reflect current legislative requirements, best practice and remain fit for purpose, all Council directorates and policy owners are required to review their policies on an annual basis.
- 2.2 Under the reorganisation of Directorates in June 2021 the Strategy and Communications Division were reallocated to sit within the Corporate Services Directorate; Democracy, Governance and Resilience moved to sit within Legal and Assurance and this amended structure is reflected in both this report and in the Legal and Assurance Annual Policy Update as last considered by Committee on [1st November 2022](#).
- 2.3 The Consultation and Engagement Policy was first approved by this Committee in [April 2021](#) with agreement that it would be resubmitted for annual review, this is the second review, with minor amendments proposed for Committee consideration.
- 2.4 Where required updated policies that sit within the Strategy and Communications Services will be submitted to this Committee for approval as and when these are available.

3. Background

- 3.1 Council policies are key governance tools. Developing, implementing and following these policies helps to achieve the Council's vision, values, pledges and outcomes. They are critical to the Council's operations and compliance with the policies ensures that statutory and regulatory obligations are met in an efficient and accountable manner.
- 3.2 To strengthen governance arrangements in this area, a policy framework has been developed to ensure that all Council policies are easily accessible and are created and renewed in a consistent manner and to an appropriate standard. This includes the development of a comprehensive register of Council policies and the introduction of a policy template to provide the Council with a standardised format in terms of content and style.

3.3 The Corporate Policy and Strategy Committee agreed the approach detailed above on 3 September 2013.

4. Main report

4.1 A critical element of the policy framework is to ensure that all Council policies remain fit for purpose. This requires each directorate and policy owner to review, on an annual basis, all policies relevant to their services and to provide the necessary level of assurance that these policies are current and relevant or make the required changes to the policies.

4.2 Strategy and Communications are responsible for the following Council policies:

4.2.1 Advertising and Sponsorship Policy

4.2.2 Fair Trade Policy Statement

4.2.3 Consultation and Engagement Policy

4.2.4 Resource Use Policy

4.3 The following policy updates are submitted for Committee to note:

Policy	Status
Advertising and Sponsorship Policy	Colleagues in Communications and Sustainability have developed a revised policy to strengthen sustainability and low carbon considerations. We are engaging with our current advertising provider to understand the council's ability to alter the existing contract to align with the revised policy. Once these implications are understood the policy will be brought forward to P&S in January 2024.
Fair Trade Policy Statement	This policy statement is scheduled for full review and is planned to sit within the wider work programme on food that is being supported by our colleagues in the Sustainability Team. A fully revised copy of this Statement will be submitted to Committee in due course.
Consultation and Engagement Policy	A revised version of this policy can be found at appendix 1. This policy was introduced in August 2021 and was reviewed and revised in August 2022.

	<p>The planned actions following this year's revisions are:</p> <ul style="list-style-type: none"> • consolidate guidance on the Orb to make it easier for colleagues to follow the steps needed to conduct good quality consultation / engagement. • continue to develop the consultation and engagement network, shaped by colleagues. • Continue to collect and monitor colleague and stakeholder feedback and make adjustments as necessary to improve the process on an ongoing basis.
Resource Use Policy	<p>Colleagues in the Sustainability Team have identified this policy as sitting within their remit and therefore have committed to undertaking a full review with a fully updated policy to be submitted to this Committee for consideration for approval.</p>

4.4 All Council policies are available through an interactive directory on the Council's website.

5. Next Steps

5.1 These policies will continue to be reviewed on an ongoing basis to ensure that they remain fit for purpose.

6. Financial impact

6.1 There are no direct financial impacts as a result of this report.

7. Equality and Poverty Impact

7.1 Where appropriate all policies will be considered for equality and poverty impacts whilst being drafted and prior to submission to Committee for approval.

8. Climate and Nature Emergency Implications

8.1 Where applicable all policies identified in this report will consider any positive or negative environmental impacts and the steps taken (or planned) to mitigate these adverse impacts prior to be submitted to Committee for approval.

9. Risk, policy, compliance, governance and community impact

- 9.1 Consultation will be undertaken, where appropriate, with recognised trades unions as part of the Council's Working Together Protocol and local collective consultation arrangements.
- 9.2 Where any risks are identified as part of the preparatory work during revision of any of the included policies these will be considered and appropriate management processes established.

10. Background reading/external references

- 10.1 [Policies Update - Strategy and Communications - 23 February 2021.](#)

11. Appendices

Appendix 1 – Consultation and Engagement Policy – Revised 2023

Consultation and Engagement Policy Annual Review

Policy and Insight
Corporate Services Directorate
22 August 2023

1. Introduction

- 1.1 The Consultation and Engagement policy, introduced in 2021, strengthens the management and governance of consultation and engagement activity conducted by the Council. This report provides the findings of an annual review of the policy.
- 1.2 Colleague feedback is being used to improve support in conducting good quality activity. Briefings and training have continued to raise awareness of the policy and increase skills throughout the Council. A consultation and engagement log and network have been established to improve coordination of activity and best practice throughout the Council. Feeding back on consultation/engagement outcomes to stakeholders continues to be driven and monitored.
- 1.3 Measuring public and stakeholder satisfaction is still embedding. Early results indicate there is room for improvement on providing the right information, which is clear and easy to understand.

2. Background

- 2.1 Community empowerment is a growing theme across the UK. Scottish Government has passed several recent acts that strengthen the direct voice of citizens in service design and resource allocation. In the Council Business Plan we have committed to build more empowered and resilient communities across the city, drive accountability within services, and encourage democratic participation and engagement by citizens. Consultation is just one way the Council engages citizens in its decision-making processes.
- 2.2 The Council is under greater scrutiny to ensure that when we consult, the quality of the consultation process is high, that processes are inclusive and involve all affected groups, and that feedback is meaningfully reflected in the decisions we take. If the Council does not follow a robust approach, decisions are at higher risk of legal challenge.

- 2.3 In 2021, the City of Edinburgh Council's Best Value Assurance Audit noted that while the Council consults with residents extensively and has used innovative engagement approaches, more needs to be done to embed community engagement as an integral part of service improvement and delivery.
- 2.4 To respond to the challenges and Best Value feedback, the consultation policy was implemented in August 2021. The policy reinforces the Council's commitment to effective consultation by strengthening our management and governance of consultation activity through the establishment of a 3-tier approach. It is moderated by a Consultation Advisory Panel (CAP), with top-tier, major consultations being signed off collectively by CLT.
- 2.5 Following last year's review and approval at P&S committee on 31 August 2022, changes to the policy were made to ensure all engagement activity follows the same process as consultation activity.
- 2.6 Findings from this review have shaped our proposed changes to the policy, guidance and other recommendations to improve colleague and stakeholder satisfaction in the consultation and engagement process.

3. Main Points

3.1 A breakdown of the areas reviewed is provided below.

Stakeholder participation

- 3.2 In 2022 the Council launched 95 consultation/engagement activities and received 29,010 responses¹. Graph 1 in Appendix 1 provides a visual timeline of responses.
- 3.3 The rollout of the consultation and engagement policy, briefings and training has influenced the variety of ways we choose to engage and consult, improving the quality of response received, rather than solely focussing on quantity of response.

Stakeholder satisfaction

- 3.4 Early results² from our surveys tell us:
- 3.4.1 68% of respondents agreed that they were given all the information they needed to have their say. 6% disagreed. However, 29% neither agreed nor disagreed or did not know.
- 3.4.2 77% agreed that the consultation/engagement exercise was clear and easy to understand. 7% disagreed. 20% neither agreed nor disagreed or did not know.

¹ These figures only include responses logged with the Consultation and Engagement Hub. They exclude responses collected through other methods including paper submission forms, letters, focus groups, petitions or community events. They also exclude service evaluation surveys.

² This measure is still embedding. Reported figures are based on two public surveys since this measure has been introduced.

3.4.3 81% of respondents agreed that they were given the opportunity to have their say, 5% disagreed and 17% neither agreed nor disagreed or did not know.

Colleague and elected member awareness

- 3.5 Feedback from colleagues during the 2022 review highlighted a lack of awareness of the policy with colleagues and elected members. We committed to providing further briefings on the revised policy.
- 3.6 Since then, over 140 colleagues have taken part in briefings on the revised policy in 2023. All elected members have had the opportunity to attend or receive a briefing on the revised policy and feedback into the review process.

Colleague and elected member feedback

- 3.7 A summary of feedback from colleagues and elected member through briefings, meetings and emails has been provided in Appendix 2. These have shaped the proposed changes to the policy, guidance and other recommendations detailed further on in this report.

CAP performance

- 3.8 Since its development, the CAP has considered 17 high rated³ consultation and engagement proposals. Eleven of these were subsequently referred onto the Corporate Leadership Team (CLT) for final approval.
- 3.9 In the last year, the CAP process has added value by:
- 3.9.1 Prompting additional stakeholder involvement and appropriate risk management.
 - 3.9.2 Extending consultation timescales to ensure adequate time for stakeholders to consider and respond.
 - 3.9.3 Providing clear key messaging for stakeholders.
 - 3.9.4 Ensuring communications, data collection and analysis methods are of the best quality through appropriate planning, provision of funds and resourcing.
 - 3.9.5 Ensuring projects and plans are aligned throughout the Council to avoid duplication, conflicting priorities and to save money/resource.
- 3.10 Feedback from colleagues has suggested that the CAP process has been positive and supportive by driving focus, tightening up plans, prompting greater risk management and improving understanding of stakeholders. Yet, it does flag where efforts can be directed to improve the experience for colleagues (see Appendix 2).

³ Where at least one consultation and engagement criteria is assessed as a level three.

Progress on skills, best practice, networking and coordination

- 3.11 A log of forthcoming consultation and engagement activity is now in place to improve coordination throughout the Council. Activity from this is being shared with elected members and community councils.
- 3.12 A consultation and engagement network has been established. At the first meeting in May, colleagues shared experiences of their activities, the CAP process, thoughts on training and lessons learnt. Colleagues will shape the format and content of these sessions.
- 3.13 Accredited training, including advanced practitioner training, for key colleagues across departments has been delivered by the Consultation Institute. This is an ongoing programme. Colleagues have told us the training has helped put theory into perspective and it has helped them understand the different stages of planning for activity.

Feeding back to stakeholders

- 3.14 In 2022/23, there were five completed activities approved by the CAP. All five communicated next steps within one month of closing and all published a “you said, we did” or outcome summary within one year of closing. This has improved from four out of six in 2021/22.

Proposed changes to the policy and guidance

- 3.15 Taking into account feedback received from internal audit, colleagues, elected members and stakeholders, the following changes to improve the policy and guidance are proposed:
 - 3.15.1 The policy and CAP Terms of Reference (TOR) has been updated with changes to CAP membership and role of the Insight Team.
 - 3.15.2 The guidance and framework on the Orb is being consolidated to lead colleagues more efficiently through the process. Guidance on representativeness of data, reporting of results and publishing responses will be reviewed.
 - 3.15.3 We will require colleagues to refer to the Orb guidance rather than complete the e-Learning module. The e-learning module will be deleted due to it being outdated and no longer meeting the needs of colleagues. This has been updated in the policy.
- 3.16 A revised version of the Consultation and engagement policy and CAP TOR can be found in Appendix 3 and 4.

4. Recommendations

- 4.1 Guidance on the Orb is being consolidated to make it easier for colleagues to follow the steps needed to conduct good quality consultation/engagement.
- 4.2 Continue to develop the consultation and engagement network, shaped by colleagues.

- 4.3 Collect and monitor colleague and stakeholder feedback and make adjustments as necessary to improve the process on an ongoing basis.

5. Background reading/external references

- 5.1 [COVID-19 Engagement and Consultation Approach – Policy and Sustainability Committee, Tuesday 20 April, 2021.](#)
- 5.2 [Consultation Policy Annual Review – Policy and Sustainability Committee, Tuesday 7 June, 2022](#)

6. Appendices

- 6.1 Appendix A: Graph 1 - Number of responses received to public consultation/engagement activities
- 6.2 Appendix B: Colleague and elected member feedback
- 6.3 Appendix C: Revised Consultation and Engagement Policy
- 6.4 Appendix D: Revised Consultation Advisory Panel: Terms of Reference

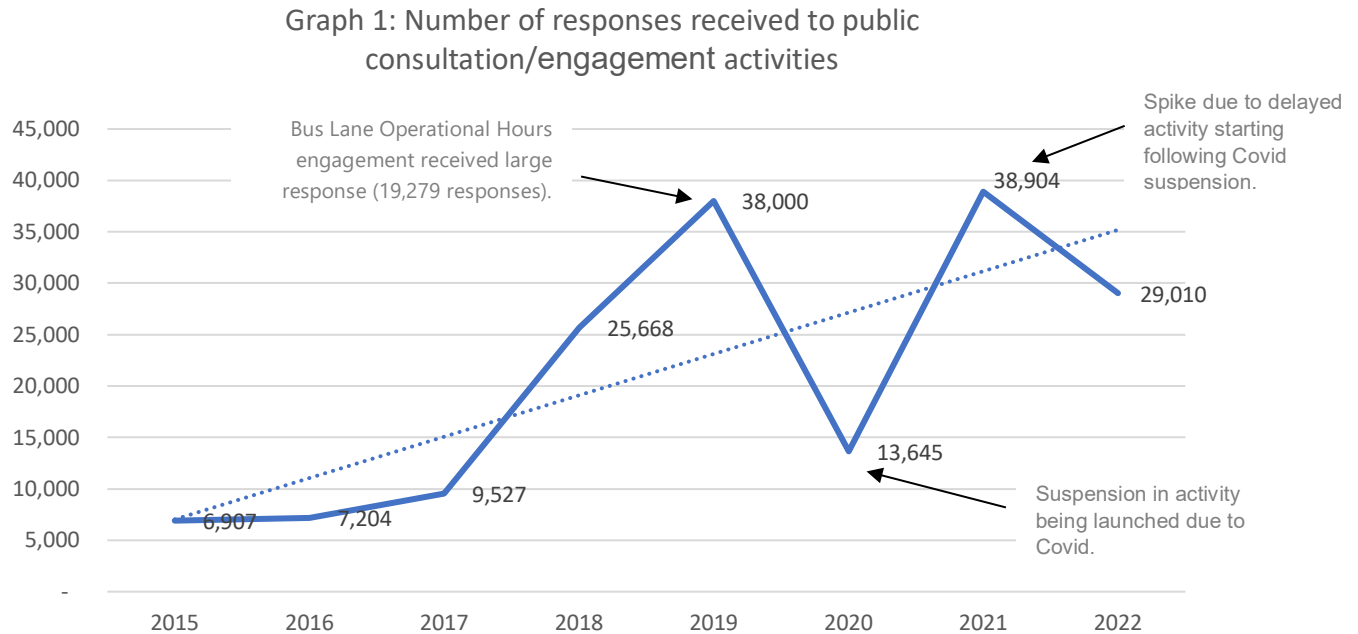
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Appendix 1: Number of responses received to public consultation/engagement activities



1. The number of responses can vary each year depending on the topic area, the data collection methods used and the target audience. It is important to consider the quality of response, not only the volume. For instance, we might get richer data from fewer in depth interviews as evidenced by our “Ending poverty related hunger consultation” for example.
2. These figures only include responses logged with the Consultation and Engagement Hub. They exclude responses collected through other methods including paper submission forms, letters, focus groups, petitions or community events. They also exclude service evaluation surveys.

Appendix 2: Colleague and elected member feedback

1. Feedback on the policy and process from colleagues and elected members through briefings, meetings and email tell us:
 - 1.1. **Improve the policy document** so it is more explicit about when consultation is not necessary, the steps that need to be followed when conducting activities, and representation of results. The attached policy in Appendix 3 has been updated to reflect this.
 - 1.2. **Consolidate and improve the guidance and framework** – Colleagues want to be able to find the right information easily and quickly on the Orb. There is currently too much information in different places which is not easy to find. A simple guide will be provided on the Orb making it easier for colleagues to follow.
 - 1.3. **Improve the guidance on data collection methods and reporting specifically around representativeness** – Elected members would like officers to understand the importance of being explicit in reports if results are not representative. We are reviewing the guidance on this.
 - 1.4. **Share consultation/engagement results and/or data throughout the Council** – Colleagues would find it useful to have methods or tools to help share findings from their activities more widely with service areas that would benefit from them. This will be achieved through the consultation and engagement network, the log, and through improved general awareness.
 - 1.5. **CAP/Criteria submissions** – Colleagues would find it helpful to have examples to follow when submitting proposals to the CAP. We are investigating ways of doing this.
 - 1.6. **Publish responses on the Hub** – Elected members felt there would be value in publishing responses on the Hub to build trust with the public that we have read and are considering their feedback. We are reviewing the guidance on this.
 - 1.7. **Continue to publish more “you said, we did”** – Elected members thought this again would build trust with the public. We require all owners to provide a progress update within one month of the activity closing and a “you said, we did” or outcome summary within a year of closing. We will continue to remind owners and monitor this.
2. Colleague feedback on the CAP process has been encouraging. We asked for feedback on the process on the run up to the CAP, attending the CAP, and the process following the CAP.
 - 2.1. Consultation owners who have gone through the CAP process told us that the **process on the run up to the CAP** was a positive experience which helped them focus on consultation activities and understand their stakeholders and

the impact, as well as unexpected consequences. Yet “training/informal support in the preparation stages” would be useful for owners.

2.2. **Attending the CAP** was a positive experience for consultation owners.

Owners reported that the CAP provided “useful suggestions and ideas”. It helped “tighten up” engagement plans and “feedback” mechanisms.

2.3. Experience of the **process following the CAP** was very positive. The support “has been brilliant-they have always made sure to answer any questions” and “Colleagues from CAP have been helpful throughout the process.”

Consultation and Engagement Policy

Implementation date: 1 August 2021

Control schedule

Version control

Approved by	Policy and Sustainability Committee		
Version	Date	Author	Comment
0.1	20/04/2021	Emma Candy	
0.2	30/08/2022	Yvonne Gannon	Changes to the activity that should go through the CAP and consultation/engagement timescales included in the standards and criteria.
0.3	22/08/2023	Yvonne Gannon	Changes to membership of CAP (4.15 – 4.16), more details on roles, and additional section 4.2 on Orb guidance

Subsequent committee decisions affecting this policy

Date	Committee	Link to report	Link to minute
30/08/2022	Policy and Sustainability	Item 7.6 Consultation Policy Annual Review	
24/10/2023	Policy and Sustainability		

Consultation and Engagement Policy

Policy statement

- 1.1 The need to positively engage with, listen to and act upon stakeholders' views is becoming increasingly important across all public sectors. As a result, the Council is under greater scrutiny to ensure that when we consult or engage, we get it right.
- 1.2 Effective consultation and engagement involves genuine dialogue, respect, integrity, transparency and accountability. It also involves the ability to evidence how views were sought, considered and how they influenced the decisions made or shaped more detailed proposals.
- 1.3 This policy:
 - 1.3.1 sets out the Council's criteria for determining whether consultation is necessary;
 - 1.3.2 provides the conditions for the management and governance of consultation and engagement activity; and
 - 1.3.3 details the quality standards that consultation and engagement activity must meet.

Scope

- 2.1 This policy applies to:
 - 2.1.1 all permanent and temporary Council employees, volunteers, people on work placements and elected members when acting as officers of the Council;
 - 2.1.2 all third parties and contractors performing a Council function or service.
- 2.2 The terms consultation and engagement can sometimes be mistaken for the same thing, and used inter-changeably, which can lead to confusion when we speak to colleagues or members of the public.
- 2.3 It is important that standards of both engagement and consultation activity are of equally good quality and are consistent across the Council. A distinction should not impact upon the quality of the project and resulting outcome.
- 2.4 This policy applies to both consultations and engagement activity.
- 2.5 The following activities are not covered by this policy:
 - 2.5.1 a vote or referendum;
 - 2.5.2 a way of justifying or validating earlier decisions;

2.5.3 solely information-giving, a public relations or communications exercise; and

2.5.4 market or social research activity.

2.6 This policy does not have legal force and cannot prevail over statutory or mandatory requirements. Some consultations will be governed by these requirements and will be administered in accordance with these.

Definitions

- 3.1 **Consultation:** A time-limited exercise when we provide specific opportunities for all those who wish to express their opinions on a proposed area of our work (such as identifying issues, developing or changing policies, testing proposals or evaluating provision) to do so in ways which will inform and enhance that work.¹ If the results of the activity will go to a committee or board for a decision then it is considered a consultation.
- 3.2 **Engagement:** The process of developing relationships and partnerships so that the voice of local people and partners can be heard. Engagement exercises can be used as a way to collect views and feedback to inform a more detailed proposal, policy or set of options, or to inform service changes which will not be subject to formal consultation or committee approval.
- 3.3 **The Consultation and Engagement Framework:** Supports colleagues to plan and conduct effective consultation and engagement. It provides a consistent approach across the Council; with practical advice and supporting guidance notes.
- 3.4 **Consultation and Engagement Criteria:** A set of seven measures which proposed consultation or engagement activities are assessed against, that determine the level of planning, review and oversight required.
- 3.5 **Consultation/Engagement Owner:** Like a project manager, this person has overall responsibility for the planning and management of a specific consultation/engagement activity.
- 3.6 **Consultation Advisory Panel:** Consists of approved practitioners of consultation and public engagement, who have completed accredited training. The panel assesses proposed consultation and engagement plans and supporting materials against the consultation standards and recommends whether a high-assessed consultation or engagement activities should go ahead.

¹ Adopted for the Scottish Government Consultation Good Practice Guidance

- 3.7 **Consultation and Engagement Hub:** The Council's [online platform](#) for the creation, promotion and management of consultation and engagement activity. Functionality includes:
- 3.7.1 Creating and managing an online presence for consultation/engagement activity; detailing important information, key dates, events and related documents relevant to the issue being consulted on.
 - 3.7.2 In-built survey creation tool.
 - 3.7.3 Analysis and reporting of data.
 - 3.7.4 Publishing results and feedback from consultation/engagement activities.
 - 3.7.5 Search engine allowing users to find consultation/engagement activities by area, audience, interest, postcode etc.

Policy content

- 4.1 To ensure effective consultation and engagement activity takes place, it is essential that the following policy requirements are understood and applied consistently by all Council employees and services.

Orb guidance

- 4.2 Any colleagues planning to undertake consultation, or involved in community and public engagement, are required to follow the process detailed on the Orb. This guides colleagues through the steps they should take to conduct good quality consultation or engagement, including using the Consultation and Engagement Framework, assessing against the Consultation and Engagement Criteria, applying the Consultation and Engagement Standards and submitting proposals through the Consultation Advisory Panel.

The Consultation and Engagement Framework

- 4.3 The Consultation and Engagement Framework was developed by a council-wide project team, from a workforce development programme with the Consultation Institute. The framework was approved by the Communities and Neighbourhoods Committee in 2014 and is reviewed periodically.
- 4.4 Colleagues should refer to the framework on the Orb when carrying out consultation or engagement work. It provides a consistent approach to consultation and engagement across the Council and offers practical guidance for each stage of consultation, with supporting guidance notes for each element and signposts to further information, best practice and techniques.

Consultation and Engagement Criteria

- 4.5 There are seven criteria that colleagues must assess their proposed consultation/engagement activity against.

- 4.5.1 Strategic
- 4.5.2 Legislative
- 4.5.3 Service Provision
- 4.5.4 Number of people likely to be directly impacted
- 4.5.5 Community / Environmental impact
- 4.5.6 Political / Reputational impact
- 4.5.7 Project Risk
- 4.6 The consultation and engagement criteria self-assessment is included as part of the Consultation and Engagement Framework section on the Orb.
- 4.7 How a consultation scores against the criteria determines the level of review and oversight required.
 - 4.8.1 Low and medium assessed consultation/engagement activities may report to the appropriate Tier 2 and Tier 3 Managers.
 - 4.8.2 Any consultation/engagement activities that are assessed as high should report to the Consultation Advisory Panel.
 - 4.8.3 Where more than one criterion has been assessed as high, the Consultation Advisory Panel will refer consultation/engagement activities for final review and sign off to the Corporate Leadership Team (CLT).
- 4.8 The responsibility to identify consultation/engagement activities that meet the prioritisation criteria lies with the owner.
- 4.9 All completed forms should be sent to the Insight team at policyandinsight@edinburgh.gov.uk for final review and will be logged.
- 4.10 Periodically, the Insight team will pull a sample of low and medium assessed consultation/engagement activities in for review, to ensure the standards are being applied consistently across all consultation and engagement activity. A summary of this review will be reported to the CAP.

Consultation and Engagement Standards

- 4.11 The Council has adopted the [National Standards for Community Engagement](#). The standards help colleagues to consider how they will involve stakeholders in shaping local plans and services, ensure that the consultation or engagement process is fair and effective, and demonstrate that genuine dialogue has enabled people to influence decisions or shape proposals.

Consultation Advisory Panel

- 4.12 The panel's main task is to act as a gateway to challenge and support high-assessed consultation/engagement activity. All high-assessed consultation/engagement activity will be reviewed by the panel.

- 4.13 The Consultation Advisory Panel consists of two Heads of Service and three officers who have sufficient experience in consultation or public engagement. At least one of these officers will be drawn from the Insight team and will be an approved practitioner of consultation and public engagement who has completed accredited training. The panel will review proposed consultation/engagement activity.
- 4.14 One of the approved practitioners of consultation and engagement from the Insight team will provide an initial advisory recommendation report to the owner indicating any improvement actions/advice before the paper is considered by the panel. These could include the creation of consultation/engagement methods, provision of further technical information, recording of risks, or documenting of procedures.
- 4.15 Once the consultation/engagement owner has addressed the improvement actions, they should submit their proposals to the panel, including evidence of the completed improvement actions, for final recommendation.
- 4.16 As a minimum, the Consultation Advisory Panel will meet every month. Consultation/Engagement plans, and supporting paperwork, should be submitted to the panel two weeks before the meeting. Any proposals not submitted in time will be held for the following panel meeting.
- 4.17 The panel will refer significant high assessed consultation/engagement activity for final review and sign off to the Corporate Leadership Team (CLT). The consultation/engagement owner and/or a representative from the panel will be expected to attend this review to aid discussion and answer any questions.
- 4.18 As part of the feedback process, the consultation/engagement owner may also be required to present the consultation/engagement findings to CLT and demonstrate how these have influenced decision-making.

Implementation

All colleagues and workers will be made aware of the policy through established communication channels and the mandatory policy awareness exercise.

- 5.1 The initial key outcome of success will be the roll-out of the updated policy across the Council; embedding a consistent approach to consultation and engagement, but other success outcomes will be:
 - 5.2.1 Ensuring quality and appropriate consideration is given to significant consultation/engagement projects.
 - 5.2.2 Providing clarity on consultation/engagement standards to support colleagues to conduct consultation/engagement effectively.
 - 5.2.3 Preventing unnecessary consultation activity being undertaken; with alternative methods of engagement considered where appropriate.

- 5.2.4 Improved quality of experience for respondents.
- 5.2.5 Improved communication of outcomes from consultation/engagement activity.
- 5.2 All consultation/engagement owners should complete an online proforma that captures the criteria assessment for proposed consultation/engagement activity. Periodically, the Consultation Advisory Panel will pull a sample of low/medium assessed consultation/engagement activity in for review, to ensure the standards are being applied consistently across all consultation/engagement activity.
- 5.3 In cases where the criteria have not been assessed appropriately or standards have not been met, these consultation/engagement activities will be escalated to CLT for scrutiny.

Roles and Responsibilities

- 6.1 **Directors** have a general responsibility to ensure that consultation/engagement activity within their service area are managed according to this Council policy and that any risk relating to the activity is appropriately managed.
- 6.2 **Managers** must ensure that:
 - 6.2.1 this policy and associated guidance are understood in their business units by staff who carry out consultation or public engagement, and that the policy is applied to all consultation/engagement activity;
 - 6.2.2 adequate resource is made available to conduct consultation/engagement effectively;
 - 6.2.3 any consultation/engagement activities assessed as high priority are reported to the Consultation Advisory Panel for recommendation.
- 6.3 **Employees** must:
 - 6.3.1 read, understand and follow this policy and any associated consultation/engagement procedures and guidance that are relevant to their work.
- 6.4 The **Consultation/Engagement Owner** must:
 - 6.4.1 fully understand the degree of influence which is available through the consultation/engagement activity;
 - 6.4.2 ensure there is no other recent consultation/engagement data on the same or similar issue by searching the Consultation and Engagement Hub and log;
 - 6.4.3 determine resources required for each phase of the consultation/engagement process and secure support (e.g. staff resource, time, materials, methods, meeting spaces)

- 6.4.4 consider whether there is a statutory or legal process that needs to be followed;
 - 6.4.5 build in monitoring, data analysis and evaluation from the start of the process;
 - 6.4.6 confirm the decision-making process and timescales;
 - 6.4.7 manage political expectations;
 - 6.4.8 consider reputational risk to the Council; and
 - 6.4.9 be the guardian of best practice.
- 6.5 **The Consultation Advisory Panel** will:
- 6.5.1 as a minimum, meet monthly to assess proposed consultation/engagement activities against the Consultation and Engagement Standards;
 - 6.5.2 provide an advisory report to the consultation/engagement owner indicating whether they are satisfied with the information provided or if improvement action is required;
 - 6.5.3 provide a recommendation to the consultation/engagement owner on whether to proceed with their consultation/engagement;
 - 6.5.4 refer any significant high-assessed consultation/engagement activities to CLT for final review; and
 - 6.5.5 periodically pull a sample of low / medium assessed consultation/engagement activities in for review, to ensure the standards are being applied consistently across all consultation and engagement activity.
- 6.6 **Elected members** in their role as representatives of the Council, must have an awareness of the policy and ensure, wherever possible, that requests for consultation/engagement are made in line with this.
- 6.7 **Third parties** (e.g. contractors, voluntary and not for profit organisations) performing a public function for the City of Edinburgh Council must also adhere to the requirements set out in this policy.

Related documents

- 7.1 [The Consultation and Engagement Hub](#)
- 7.2 [The 7 National Standards for Community Engagement](#)
- 7.3 Consultation Advisory Panel – Terms of Reference

Integrated impact assessment

- 8.1 The policy contributes directly to the delivery of the Equality Act 2010 general duties of advancing equality of opportunity, eliminating unlawful discrimination, harassment and victimisation, and fostering good relations.
- 8.2 It ensures a consistent approach to consultation and engagement activity that promotes equality of opportunity by identifying relevant affected stakeholder groups during the planning process and making appropriate methods and opportunities available to individuals to share their views and inform decision-making.

Risk assessment

- 10.1 Risk of weak internal governance and service delivery complications through a failure to raise and maintain awareness and use of the consultation and engagement policy, framework and standards amongst Council colleagues.
- 10.2 Risk that continued financial pressures adversely affect how consultation/engagement is carried out by services. Services that are under resourced do not have the capabilities or support to effectively manage consultation/engagement activity; increasing the risk that different stakeholder groups, particularly those seldom-heard or disengaged with public services, are prevented from effectively taking part in the consultation/engagement process.
- 10.3 Risk of excessive consultation through a failure to identify and apply appropriate criteria to proposed consultation or engagement activities.
- 10.4 Risk of reputational damage and lack of public trust due to ineffective consultation, engagement and decision-making.
- 10.5 Risk to citizens that the Council will mismanage their service provision due to inadequate and poorly managed consultation/engagement activity.
- 10.6 Risk of legal challenge because of ineffective consultation/engagement; where the scope for decision-making is not clearly identified or defined, appropriate opportunities to inform the process are unavailable and / or insufficient resource available to consult/engage effectively.

Review

- 11.1 This policy will be reviewed annually or when required by significant changes to legislation, regulation or business practice.

Consultation Advisory Panel: Terms of Reference

1. Purpose / Role of Group

On 30 October 2019, Corporate Leadership Team (CLT) agreed to the development of a new consultation policy which reinforces the Council's commitment to effective consultation by strengthening our management and governance of consultation activity through the establishment of a 3-tier approach to consultation, moderated by a Consultation Advisory Panel (CAP), with top-tier, major consultations being signed off collectively by CLT. Following a review of the consultation policy, it is proposed that engagement activity should also go through the same process.

Colleagues must assess their proposed consultation/engagement activity against seven criteria. In the event where any of the criteria are assessed as 'High', the consultation/engagement activity must be referred to the CAP. If two or more criteria are scored 'High', *the CAP* will then refer the consultation/engagement activity to CLT for final review and sign off.

The CAP acts as a gateway to support and challenge high-assessed consultation/engagement activity by evaluating proposed consultation/engagement activity against the consultation and engagement quality standards, offering advice on how to ensure that risks have been appropriately managed and considered, and advising whether they are satisfied that the consultation/engagement activity can begin.

2. Membership

The CAP is chaired on a rotational basis by the Strategy Manager (Insight), with two Heads of Service, one approved trained officer and at least one officer with sufficient experience in consultation or public engagement attending each meeting to review proposed consultation/engagement activities.

Officers on the CAP will be approved practitioners of consultation and engagement who have completed accredited training or have sufficient experience in consultation or public engagement. Panel attendance may be drawn from an approved practitioner list. The list will include officers across the council to draw from service-specific knowledge and experience.

The CAP will take specialist advice as required when assessing consultation/engagement proposals (e.g. from colleagues in Legal, Information Governance, Resilience).

3. Accountability

One of the approved practitioners of consultation and engagement from the Insight team will provide an initial advisory recommendation report to the consultation/engagement

owner indicating any improvement actions/ advice before the paper is considered by the panel.

Once the consultation/engagement owner has addressed the improvement actions, they should submit their proposals to the panel, including evidence of the completed improvement actions, for final recommendation.

The CAP will refer significant high-assessed consultation/engagement activities for final review and sign-off to CLT. The consultation/engagement owner and/or a representative from the panel may be expected to attend this review to aid discussion. As part of the feedback process, the consultation/engagement owner may also be required to present the consultation/engagement findings to CLT and demonstrate how this has influenced decision-making.

All consultation/engagement owners are required to complete an online proforma that captures the criteria assessment for *any* proposed consultation/engagement activity. Periodically, the CAP will pull a sample of low/medium assessed consultation/engagement activities for review, to ensure the standards are being applied consistently. In cases where the criteria have not been sufficiently assessed, or standards have not been met, the consultation/engagement activity will be escalated to CLT for scrutiny.

4. Review

Membership and terms of reference for the panel will be reviewed annually or when required by significant changes to legislation, regulation or business practice. This will be in line with the review of the Consultation and Engagement Policy.

An annual summary report will be provided to CLT, which will provide:

- Topline statistics on number of consultation/engagement activities conducted and responses received;
- A summary of how the CAP has provided value in ensuring effective consultation/engagement takes place;
- Any mitigating action required from the CAP to manage risks associated with high-assessed consultation/engagement activity;
- Any necessary adjustments to the Consultation and Engagement Policy or working methods of the CAP following the annual review.

5. Working methods / ways of working

The CAP will meet every month. Meetings will be organised by a member of the Insight team. Dates, times and locations for meetings will be agreed at the start of the year, with the calendar of dates available on the Orb and scheduled in diaries as appropriate.

Consultation/Engagement plans, and supporting paperwork, should be submitted to the panel two weeks before the meeting. A dedicated mailbox will be created for submissions

and communications relating to the CAP. Any proposals not submitted in time will be held for the following panel meeting.

The agenda for the meeting will be set by the Strategy Manager (Insight) and will be circulated from the CAP mailbox by Insight to the week before the meeting to the appropriate panel members. Insight will also facilitate note taking and arrange for final recommendation reports to be sent to consultation/engagement owners after the meeting has taken place.

In cases where time-critical, essential consultation/engagement activity requires review, a standalone meeting will be arranged. To accommodate diaries, these can be held via MS Teams.

Copies of the consultation/engagement proposals, supporting documentation and recommendation reports will be saved by an officer from Insight, in the Strategy and Insight folder on the Council's G: drive. This information will be retained in line with the Council retention schedule.

6. Further information

- The Consultation and Engagement Policy
- The Consultation and Engagement Framework
- [The 7 National Standards for Community Engagement](#)

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