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To: Corporate Policy Overview and Scrutiny Committee

Date: 1 July 2010

Subject: A Comprehensive Engagement Strategy for Kent County Council

Classification: Unrestricted

Summary: The purpose of this report is to share with CPOSC members the vision and principles developed for the Comprehensive Engagement Strategy; set out three examples of consultation standards and invite CPOSC members to contribute any suggestions for standards they consider ought to be incorporated in the document when it is completed.

1. HISTORY

1.1 The County Council has a long history of consulting Kent residents on issues that affect quality of life, specific services and spending priorities.

1.2 From time to time the authority's approach to consultation has been assessed and set down, for instance in the Public Consultation Strategy in July 1998 and A Consultation Strategy for Kent County Council in June 2006.

1.3 The June 2006 document was reported to the then Corporate Policy Overview Committee in November 2006 and a number of Members made suggestions for inclusion, which were subsequently agreed by the Deputy Leader to be included in a revised and updated version.

1.4 What was recognised at the time was that further work would be needed to reflect new legislation and to recognise the changes in community engagement under way in KCC.

2. A COMPREHENSIVE ENGAGEMENT STRATEGY

2.1 Work has continued, primarily through the officer Corporate Consultation & Involvement Group, to progress the production of a strategy document for consultation and engagement.

2.2 To recognise the step change in activities beyond consultation and into community engagement, the new document is entitled A Comprehensive Engagement Strategy.

2.3 The document will contain when completed

- Introduction
- Vision
- Principles
- Standards
- Toolkits and other practical information
- Legal obligations and voluntary agreements

2.4 The first three sections are included in Appendix 1 with this report.

3. STANDARDS

3.1 The Comprehensive Engagement Strategy is a work in progress and work is currently underway assembling and agreeing the standards that will form the fourth part of the document.

3.2 Topics for standards are likely to include

- Customer impact assessment
- Business planning process
- Providing feedback, outputs and outcomes
- Development of a forward plan of consultation and involvement activities
- The duty to inform, consult and involve
- The duty to promote democracy
- The duty to respond to petitions
- Community engagement
- Engaging hard to reach/seldom heard individuals and communities
- The role of Members
- Overview and Scrutiny aspects
- Public satisfaction surveys
- Complaints, compliments and comments
- Other customer insight approaches
- Reimbursement, rewards and incentives for participants in consultation and involvement
- Consultation/Engagement finder, portal or website
- Directorate approval processes
- Implications from KASS new Public Involvement Strategy
- Working with Partners
- Data standards

4. EXAMPLES

4.1 Attached as Appendix 2 to this report are three examples of the standards being assembled, presented as concrete examples of how recent consultation/engagement activities were directed and presenting CPOSC Members with additional detail in terms of methodology and process than would normally be reported.

4.2 Based on these examples and their own experience of consultation and engagement, POSC Members are invited to suggest any actions or processes they consider should become incorporated into the standards which will form part 4 of the strategy document.

5. RECOMMENDATIONS

Members are asked to:

- a) note the progress being made in developing A Comprehensive Engagement Strategy for Kent County Council and comment on the first three sections as presented,
- b) indicate any actions or processes they believe should be incorporated into standards to be included in the strategy document when completed..

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Background Documents:

APPENDIX 1 Extract from the developing Comprehensive Engagement Strategy – sections
1 Introduction, 2 Vision and 3 Principles Attached

APPENDIX 2 Standards for (1) the Duty to Inform, Consult and Involve; (2) Complaints and
(3) Public Satisfaction Surveys Attached

Other Useful Information: None

APPENDIX 1 Extract from the developing Comprehensive Engagement Strategy – sections 1 Introduction, 2 Vision and 3 Principles

1 INTRODUCTION

1.1 What is this Comprehensive Engagement Strategy?

This Comprehensive Engagement Strategy sets out Kent County Council's aims and objectives in relation to consulting and engaging its citizens and communities and then elaborates principles and commits to processes and standards of how that consultation and engagement will be conducted.

1.2 Why does KCC need a Comprehensive Engagement Strategy?

KCC needs a Comprehensive Engagement Strategy in order to ensure that its consultation and engagement activities are suitable; effective; co-ordinated; that they fulfil current legislative standards; support sound governance and also represent good value for money.

2 VISION

2.1 Putting Kent people at the centre of everything we do

KCC's core business is focused on providing for the needs of our customers. Our vision is that we will put the needs, views and interests of Kent citizens at the centre of everything we do.

2.2 What this means in practice

What this means in practice is that we will inform, consult and engage with Kent citizens about the benefits and services we provide them and create opportunities for citizens to contribute to their own development as well as to the well-being of their communities. If we are successful, citizens and communities will value our consultation and engagement activities as genuine, appropriate and empowering.

3 PRINCIPLES

There are eight principles that guide how we plan and conduct consultation and engagement.

3.1 Authenticity

We do not intend to consult or engage with all sections of the community about every aspect of service and policy every time we are considering changes. Elsewhere in this Strategy the decision process will be set down to illustrate the types of situations where it is appropriate to inform citizens about a decision that has been taken or consult with them before a decision is taken or involve them in some other way to understand and respond to their views.

The principle is that when we **do** consult or engage with citizens and communities it will be because we want to know their opinion, we haven't already reached a conclusion, their input will be valued and listened to and our decision will take account of the views we have sought.

3.2 Preparation and planning

We will always check when consultation and engagement will be required and build sufficient time into our decision making timescale so that citizens and communities have full opportunity to understand the issues at stake, consider how they will be affected and formulate an informed response for us to consider. In practice a 12 week consultation period is the standard and will be allowed for.

3.3 Inclusivity

We will include in our consultation and engagement activities all people with an interest in the research in question or representatives of the people interested. We will include so called **hard to reach** and **often overlooked** groups in our activities as a matter of course.

3.4 Robust and appropriate methods

When we seek citizens' and communities' involvement and engagement we will do so using robust and appropriate methods – striving to achieve sufficient breadth and/or depth of engagement, full communication of facts and implications and accuracy of results leading to the identification of actions that can be taken on the basis of informed opinions.

3.5 All aspects evidenced and open

We will be open with citizens and tell them the extent to which their involvement might affect the decision we will take following consultation or engagement. We will keep records of all aspects of the consultation and engagement we undertake and so be able to evidence why we chose the methods we did, the questions we asked and the answers we received and what difference the involvement of citizens and communities made overall.

3.6 Honest analysis

When we consider what we have been told in response to consultation and engagement we will strive not only to draw conclusions based on an assessment of the facts, we will also seek to identify all the opinions expressed and consider them all, giving each appropriate weight for the circumstances.

3.7 Feedback

After we have consulted or engaged and subsequently made a decision with the benefit of citizens and communities views, we will publish our decision and the extent of influence those views had on our decision.

3.8 Outputs and outcomes

We will ensure that we plan consultation and engagement activities with a strong preference to achieving outcomes such as changed services or reduced costs, rather than producing outputs such as survey results collected for the sake of it and kept stored in a file.

3.9 Closer collaboration with Partners

The Strategy is being written to record and regulate how KCC consults and engages with Kent's citizens and communities. In order to reduce consultation fatigue in respondents and to secure value for money, this Strategy recommends that KCC works collaboratively with partners such as police, fire and rescue, health authorities and district councils, but this is not a Partnership Strategy which will remain the ambition for the next stage of consultation and engagement working in the future.

APPENDIX 2 Standards for (1) the Duty to Inform, Consult and Involve; (2) Complaints and (3) Public Satisfaction Surveys

1 - The Duty to Inform, Consult and Involve

The Duty to Inform, Consult and Involve was introduced from April 2009 through the Local Government and Public Involvement in Health Act 2007 and applies to all councils. The duty does not replace existing statutory requirements or non-statutory agreements but needs to be considered in addition to them.

The duty can be found in section 138 of the Local Government and Public Involvement in Health Act.1

In order to meet the requirements of the Duty, we need to demonstrate a real commitment to gathering and understanding the needs and wishes of Kent's local people and clearly link this knowledge to improvements in service delivery and decision making.

The Council needs to demonstrate through evidence gathered in the normal course of business, that:

- It understands the interests and requirements of local people
- It uses this understanding to ensure information, consultation and involvement opportunities are provided on the right issues, targeted at the right people and accessible to those people
- It has appropriate corporate approach to providing information consulting and involving that flows through the organisation
- Local people feel that it provides relevant and accessible engagement opportunities and know how to get involved
- Local people recognise its policies reflect this involvement.

Business Benefits

The duty states that services will only be fully improved and communities strengthened if local people are effectively engaged and empowered either as individuals or through organisations representing them.

If local people are consulted and involved in the planning and delivery of services they use, the Council should:

- Be more successful in meeting their needs
 - Improve their well-being
 - Enjoy the consequences of increased customer satisfaction
 - Strengthen the view of local people that they are able to influence decisions.
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What do we mean by Inform, Consult and Involve?

The aspiration for the new duty is to embed a culture of engagement. This means that the Council considers, as a matter of course, the possibilities for provision of information to, consultation with and involvement of local people across all authority functions. This principle should be central to service delivery, policy development and decision making.

It provides that where a best value authority (this includes Kent County Council) considers it appropriate for 'representatives of local persons' (or of local persons of a particular description) to be involved in the exercise of any of its functions by being:

(a) provided with information about the exercise of the function

This is telling people about decisions that have been made or about how they can have their say or get involved in changes to, or the delivery of, council functions.

(b) consulted about the exercise of the function

The process by which councils seek advice, information and opinions about planned changes, strategies, policies and services in order to inform its decisions. This includes many activities, for example user and resident forums, public meetings, surveys, research projects.

(c) involved in another way.

The most interactive form of engagement which provides opportunities, over and above being informed and consulted, for local people to influence decisions and/or delivery. This includes interactive engagement that allows for greater influence over decisions or delivery of service. For example representatives of local persons to be involved in the commissioning of services such as learning difficulties partnership board; citizens acting as mystery shoppers and user evaluators

To empower people according to this definition will require the use of specialist skills.

Who are representatives of local persons?

The duty defines the term "local persons" to refer to those likely to be affected by, or interested in, a particular authority function.

The term "local persons" is not simply a reference to local residents but also includes those who work or study in the area (including those who work for the authority); visitors; service users; local third sector groups; businesses; bodies such as parish councils; and anyone else likely to be affected by, or interested in, the function. The term covers children and young people, as well as adults.

The phrase "*representatives of local persons*" refers to a mix of "local persons", i.e. a balanced selection of the individuals, groups, businesses or organisations the authority considers likely to be affected by, or have an interest in the authority function. In this context "representative" does not refer to formally elected or nominated members of the community, such as councillors.

We will need to consider carefully who might be affected by, or interested in, a particular function and ensure any information provision, consultation or involvement opportunity effectively reaches the relevant parts of the community – including those who can often be marginalised or vulnerable people (referred to in KCC as 'Seldom Heard').

It is important that information provision, consultation and involvement opportunities are not limited to those with the 'loudest voice'

When should the Duty be considered?

The Duty to Involve should be considered when any change to the delivery of existing services/functions or change to existing policies/strategies are planned or when the introduction of a new service/function/policy/strategy is being considered.

The decision to inform, consult and involve should be made and recorded as part of the development of the following:

- Forward Plan of decisions
- Local Area Agreement
- Vision for Kent
- Council Budget
- Medium Term Plan/Annual Business Plans
- Project Plans

This supports the requirement that authorities have a corporate approach that flows throughout the organisation.

It is important that all consultation and engagement activities are captured, co-ordinated and published. The use of Annual Business Operating Plans is important in this process as they should identify how planned changes/developments link to existing feedback from local people and what the future plans are to inform, consult or involve.

Planned inform, consult and involvement activity from the Annual Business Operating Plans is available on the Have Your Say pages of kent.gov.uk

Who should decide whether to inform, consult, or involve?

The decision on whether to inform, consult, or involve should be made by:

- Executive Members where high level activity has been agreed as part of the policy setting framework
- the Head of Service or those responsible for the relevant budget or service

This approach seeks to raise the level of decision making in order to avoid unnecessary or duplicate engagement activities and to clarify accountability.

Advice and guidance for decision makers will need to:

- Identify local people likely to be affected by, or interested in the service/function
- Identify of any existing knowledge on the needs and priorities of those affected. This should include service usage information, information from previous consultation and involvement activities, customer insight information and customer knowledge
- Identification of the most appropriate technique, and
- Information about the potential costs of consultation as well as the available budget.

Inform, Consult, Involve - How to decide?

Is there an existing statutory or Government advisory requirement to consult and/or involve which covers the service? If yes then we must consult.

What is the scope of the planned change? If the changes are minimal/lack significance and the cost of consulting outweigh any likely benefits, then inform only is most appropriate.

If the changes are more substantial and the benefits of the activity outweigh the costs and are in proportion to the allocated budget, then consult is appropriate.

Are the changes required by legislation, government advice, part of a partnership arrangement or included in the election manifesto of the political party who lead the Council? If yes, then any consultation or involvement activity may need to be limited to how the changes are implemented.

What knowledge do we already hold about the needs and priorities of local people? If sufficient knowledge is available for use by the Council, then to inform only is the most appropriate.

If there are gaps in our existing knowledge, then to consult is appropriate.

Is there a need to involve local people in a more continuous or in-depth way, for example being involved in the commissioning or assessment of services, carrying out some aspects of services themselves? If yes then involve is most appropriate.

Is there a need to develop ownership of the outcomes and outputs? If yes then involve is most appropriate.

Additional Considerations

If there is no or very limited scope to influence then inform only but we must explain why there is limited scope to influence.

We need to be clear about the scope for local peoples' views to influence the decision. The different options available, the pros and cons of each and any other relevant background information

The decision making process i.e.

- how decisions are made
- who makes the final decision
- what evidence will be taken into consideration
- how their views will inform decisions
- how they will be informed about the actions/ decisions and any relevant means of appeal

It may not be possible, or appropriate, to take the course of action favoured by local people, their views may conflict with other requirements/considerations for example. In these instances we need to explain how their views have influenced the decision and explain reasons for the final decision.

It is important to demonstrate that the Council understands its different communities and that it consults, engages, listens, acts and communicates accordingly and identifies who will be affected by the decision/change and ensure representatives from all communities/groups are included in the activity. It is important that we use previously gathered information to include those we have found difficult to reach in the past.

Decisions need to be made on how best to engage local people considering accessibility, proportionality, co-ordination, timing and previous engagement or involvement. See Comprehensive Engagement Strategy.

All inform, consult and/or involve activities must comply with corporate equality standards. The Duty requirements must also be considered as part of the Customer Impact Assessments.

Information provided in inform, consult and/or involve activities must be in plain language and available in other accessible formats on request.

2 – Complaints, Comments and Compliments

Handling complaints appropriately, and using them as a source of feedback about services, is an important element of our approach to community engagement and understanding.

We are committed to operating an effective complaints and customer feedback system, that demonstrates to the public that we:

- are “putting our customers first” (one of the Kent First pledges)
- listen to what residents have to say
- are open, honest and transparent
- are responsive and fair.

What is a complaint, comment and compliment?

- A complaint is an expression of dissatisfaction, however made, about the standard of or the delivery of service, the actions or lack of action by the Council or its staff which affects an individual service user or group of users.
- A comment is any suggestion made by customers that they believe would improve the service delivered.
- A compliment is an expression of thanks or congratulations or any other positive remark. (Internal compliments are excluded from this process)

We give staff training and guidance to handle complaints and to investigate them objectively, and ensure that staff are equipped and empowered to act decisively to resolve complaints.

This KCC Complaints, Comments and Compliments policy sets out KCC’s position on complaints, comments and compliments management.

The purpose of the policy is to:

- clarify how the public may make a complaint about us
- define the standards the public can expect when they make a complaint
- recognise the importance of complaints, comments and compliments in providing feedback about council services and performance
- set out how the council will monitor complaints, comments and compliments and use that information to improve services and identify training needs

The complaints, comments and compliments policy is available on the KCC website. The policy and standards are reviewed annually by the Corporate Complaints Group.

Standards

- We will acknowledge receipt of your complaint within 3 working days.
- We will use plain language
- We will give you a contact name and telephone number.
- We will answer all complaints within 20 working days or explain why a reply may take longer.

Monitoring

Directorate Management Teams will receive quarterly monitoring reports prepared by the Directorate's lead officer for complaints.

Each report will contain:

- number of complaints
- how complaints are received; phone, letter, e-mail
- % answered within standards
- identified improvements to service delivery introduced in response to complaints
- recommend action to minimise or avoid similar complaints in future
- recommend procedural improvements for handling and resolving complaints
- identified training and information needs
- equalities information
- compensation paid
- Ombudsman complaints

Policy Overview Committees will receive an annual report on complaints activity prepared by the Chair of the Corporate Complaints Group.

Governance and Audit Committee will receive a KCC Complaints, Comments and Compliment report annually prepared by the Chair of the Corporate Complaints Group.

3 – Public Satisfaction Surveys

From 2010/11 we will undertake a programme of public satisfaction surveys annually in order to track public usage of and satisfaction with our main services. The surveys will be commissioned corporately, undertaken using the Kent & Medway Citizens' Panel and will be conducted in four parts, one part in each quarter of the financial year.

The results of the surveys will be reported to Managing Directors, Heads of Service and Cabinet and published on the KCC website, together with details of any action taken as a result of the surveys' findings.