

## CEREDIGION COUNTY COUNCIL

<b>Report to:</b>	<b>Cabinet</b>
<b>Date of meeting:</b>	<b>05/07/2022</b>
<b>Title:</b>	<b>Talking, Listening and Working Together – Draft Engagement and Participation Policy</b>
<b>Purpose of the report:</b>	<b>To present the revised draft Engagement and Participation Policy ‘Talking, Listening and Working Together’ for consideration by Cabinet.</b>
<b>For:</b>	<b>Decision</b>
<b>Cabinet Portfolio and Cabinet Member:</b>	<b>Cllr Bryan Davies, Portfolio holder for Policy and Performance</b>

‘Talking, Listening and Working Together’, Ceredigion County Council’s draft Engagement and Participation Policy sets out our corporate approach to engagement and participation with the people of Ceredigion. The previous draft policy was considered by Cabinet in November 2021 where it was approved to go out to public consultation over the winter of 2021-22. However, the consultation was delayed due to the requirements of Part 3, section 41, of the Local Government and Elections (Wales) Act 2021, pertaining to consultation and review of the Council’s Public Participation Strategy. The Act stipulates that the consultation and review must be undertaken as soon as is reasonably practicable following an ordinary election of Councillors to the Council.

The policy has therefore subsequently been revised, although there are no major changes to the content, and is now presented to Cabinet for approval to go out to public consultation over the summer of 2022.

The policy has been written with due regard to the Equality Act 2010, the Well-being of Future Generations (Wales) Act 2015 and the Local Government and Elections (Wales) Act 2021.

**Has an Integrated Impact Assessment been completed? If not, please state why**

**Summary:**

<b>Wellbeing of Future Generations:</b>	<b>Long term:</b>	Our engagement can include conversations about people’s long term ideas, needs and issues as well the engagement that takes place over the short term. Good engagement with children and young people needs to happen in order that the needs of future generations can be met.
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**Collaboration:** We are active partners in a range of engagement partnerships that exist or are becoming established. This will enable us to share best practice, resources and to carry out shared engagement activities.

**Involvement:** Involvement is synonymous with engagement. We aim to involve all relevant stakeholders. This could be people across Ceredigion or specific stakeholders, including people with the Protected Characteristics of the Equality Act and seldom heard groups. We will use the best method of engagement depending on the situation. We will engage in a timely way in which the views of stakeholders can influence outcomes and decisions. We will also provide feedback to stakeholders on any engagement that we carry out.

**Prevention:** Engaging with people and service users is a very effective way to identify, eliminate and reduce the effects of any problems or for people to be part of the solution in overcoming barriers. When engagement takes place at a very early stage this can prevent problems from happening at all.

**Integration:** Engagement is a cross-cutting theme in our Corporate Strategy. An aim of this Engagement Policy is to mainstream engagement across Ceredigion County Council. We will also work with other public bodies on the integration of the National Well-being Goals and Organisational Well-being Objectives through the Public Services Board.

**Recommendation(s):** That Cabinet agree the Draft Engagement and Participation Policy and approve that it can go out to public consultation over the summer of 2022.

**Reasons for decision:** Our current Community Engagement Policy dates from 2012 and needs to be replaced to take account of new methods of engagement and recent legislation and guidance. There is also a need to take account of the increasing use of digital engagement.

**Overview and Scrutiny:** The Draft Engagement Policy was presented to Corporate Resources Overview and Scrutiny Committee on the 14th of October 2021.

<b>Policy Framework:</b>	Engagement is a cross-cutting theme in the Corporate Strategy.
<b>Corporate Priorities:</b>	As Engagement is a cross-cutting theme, all of the Corporate Priorities apply Boosting the Economy Investing in People's Futures Enabling Individual and Family Resilience Promoting Environmental and Community Resilience.
<b>Finance and Procurement implications:</b>	N/A
<b>Legal Implications:</b>	Equality Act 2010 Well-being of Future Generations (Wales) Act 2015 Local Government and Elections (Wales) Act 2021 Any other legislation where engagement or consultation is specified.
<b>Staffing implications:</b>	Not additional.
<b>Property / asset implications:</b>	None.
<b>Risk(s):</b>	Legal challenge and risk to reputation if Ceredigion County Council does not carry our fair engagement and consultation.
<b>Statutory Powers:</b>	Equality Act 2010 Well-being of Future Generations (Wales) Act 2015 Local Government and Elections (Wales) Act 2021 Any other legislation where engagement or consultation is specified.
<b>Background Papers:</b>	Draft Engagement and Participation Policy 'Talking, Listening and Working Together'
<b>Appendices:</b>	Draft Engagement and Participation Policy 'Talking, Listening and Working Together'
<b>Corporate Lead Officer:</b>	Alun Williams, Corporate Lead Officer Policy, Performance and Public Protection
<b>Reporting Officer:</b>	Cathryn Morgan, Equalities and Inclusion Manager
<b>Date:</b>	14/06/2022

# Siarad, Gwranddo a Gweithio Gyda'n Gilydd

Polisi Ymgysylltu a chyfranogi Drafft

Cyngor Sir Ceredigion

Yn dechrau Mai 2022

## Talking, Listening and Working Together

Draft Engagement and Participation Policy

Ceredigion County Council

From May 2022



Author and service: CM, Policy and Performance

Date approved by Cabinet:

Integrated Impact Assessment:

Publication date:

Policy Review Date:

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## FOREWORD

We value the contribution that local people can make to develop and evaluate Council services that will work well for us all.

Our Engagement and Participation policy and accompanying action plan sets out how we will talk and listen with all of those who live, work or study in Ceredigion, including marginalised groups of people or seldom heard voices.

This means engaging and consulting about the way we do things, promoting awareness of how people can become a member of the Council and making sure that local people can easily give us their views about a decision before, and after, it is made.

We will continue to adopt new and emerging best practice, for example by developing digital engagement platforms and working on engagement with our partners on the Public Services Board. We will not forget that some people cannot or prefer not to use digital services and we will maintain the more traditional ways of communicating with our citizens.

We want to make it easier for everybody in Ceredigion to have a voice, we want to build and maintain relationships with our communities, and we want to ensure that all engagement undertaken by the Council is effective, efficient and consistent.

There are difficult times ahead and we must work together to make best use of the resources available to us.

Councillor Bryan Davies  
Leader, Ceredigion County Council



## Introduction

It is vital that Ceredigion County Council engages effectively with the people of Ceredigion. This means that good engagement is the responsibility of everyone who works for the Council. Communication is two-way and it is important that we listen to and take on ideas from the public as well as giving out clear information. This Policy sets out how we will do this.

We are committed to engage effectively and this is underpinned by a range of legislation including the:

- The Well-being of Future Generations (Wales) Act 2015
- The Equality Act 2010,
- The Welsh Language Measure 2011
- Local Government and Elections (Wales) Act 2021

We will also follow best practice and national standards, for example the Children and Young People's National Participation Standards and the National Principles for Public Engagement in Wales.

This policy sets out our corporate approach to engagement with the people of Ceredigion.

## Ceredigion: Who we are, where we live and what we do



Ceredigion has a population of 73,000. Aberystwyth is the largest town with a population of around 16,200, followed by Cardigan (4,200) and Lampeter (3,000). Aberaeron, Llandysul and Tregaron are smaller towns. 62% of the population live in villages or scattered rural settlements. With 41 people per square kilometre, Ceredigion has the second lowest population density in Wales. Although being overall rural in nature, the towns are important centres for the wider population. Ceredigion also has several internationally significant bodies, for example Aberystwyth University, the Lampeter Campus of the University of Wales Trinity St David and the National Library of Wales.

Our population is 96.7% white, with 47.3% able to speak Welsh. 21% of people have a long-term illness or are disabled and 11% provide unpaid care. 15% of the population are children and young people under 16. 25% of the population is aged 65 or over.

## Geographical communities

We will engage with citizens in specific locations as well as across the county as a whole. This engagement could take place in our towns as well as the wider rural setting.

## Communities of interest

We will also make sure that we engage with relevant communities of interest. This is where people have a shared characteristic, experience, or interest, for example carers, or those with specific expertise.

## Protected characteristics

These are characteristics that are protected by the Equalities Act 2010. It is essential that we reach out to these communities so that we can capture their lived experiences, which will better inform our understanding of the impact of our actions. This feeds into our requirement to carry out [Integrated Impact Assessments](#).

- o Age
- o Disability
- o Gender reassignment
- o Pregnancy and maternity
- o Race – including ethnic or national origin, colour or nationality
- o Religion or belief – including lack of belief
- o Sex
- o Sexual orientation
- o Marriage and civil partnership' (in terms of discrimination in employment).

## Ceredigion County Council Political Profile

Ceredigion is made up of 34 electoral wards which are represented by 38 members (councillors) who are elected by the people of Ceredigion every 5 years. The Council has adopted the “Leader and Cabinet” style of governance. The Cabinet comprises the Leader of the Council and 7 Cabinet Members with a range of portfolios.

There are also five thematic Overview and Scrutiny Committees. The role of Overview and Scrutiny is to look at the services and issues that affect people in Ceredigion. The process provides the opportunity for Councillors to examine the various functions of the council, to ask questions on how decisions have been made, to consider whether service improvements can be put in place and to make recommendations to this effect.

## Ceredigion County Council Services

The council currently employs around 2,200 members of staff or the full time equivalent of about 1,500 staff across 12 Service areas.

- Schools and Culture
- Legal and Governance Services
- Finance and Procurement
- Democratic Services
- People and Organisation
- Porth Cymorth Cynnar, Community Wellbeing and Learning
- Porth Gofal, Targeted Intervention
- Porth Cynnal, Specialist Services
- Highways and Environmental Services
- Economy and Regeneration
- Customer Contact
- Policy, Performance and Public Protection

## Engagement and Participation Policy Aims

The aims of this policy are:

- 1. To mainstream effective engagement and participation across Ceredigion County Council.**
- 2. To ensure that we engage with the people of Ceredigion in the best way.**
- 3. To meet our statutory duties and responsibilities under legislation.**
- 4. To keep up to date with the latest innovations and best practice in the field of engagement.**

## Background

We have a statutory duty to carry out effective engagement in order that it can inform effective decision making. Our duties are laid out in the following legislature. We have also considered the following national principles as a manner of best practice.

## Legislation

- [The Equality Act 2010](#)  
The Act brought together and replaced previous anti-discrimination laws. Under the Act, Ceredigion County Council must involve and engage with people who have the Protected Characteristics listed above.
- [The Welsh Language Measure 2011](#)  
In Wales, the Welsh language should not be treated any less favourably than the English language. People in Wales should be able to live their lives through the medium of the Welsh language if they choose to do so. The official languages of the Council are Welsh and English. When carrying out engagement we must work in accordance with the requirements of the Welsh

Language Standards. This includes the delivery of engagement bilingually. During consultations, we will seek the public's views on any effects that decisions would have on the Welsh language and opportunities to use the Welsh language.

- [The Well-being of Future Generations \(Wales\) Act 2015](#)  
Engagement cuts across the five ways of working laid out in the Act and places a duty on Ceredigion County Council to consider the needs of future generations when making decisions.
- [Local Government and Elections \(Wales\) Act 2021](#)  
The Act aims to provide local government with new ways to support and serve their communities and to reinvigorate local democracy in Wales. Part 3 of the Act places a duty on Ceredigion County Council to promote and encourage participation in council decision making, including the publishing of a public participation strategy. Part 6 of the Act requires us to undertake a review (self-assessment) of the extent that we are exercising our functions effectively, and whether we are using our resources efficiently. Engagement and consultation is an integral part of the self-assessment process, as required by the Act and also in the setting of our Corporate Well-being Objectives

## National Principles and Standards

- [Children and Young People's National Participation Standards](#)
- [The National Principles for Public Engagement in Wales](#)
- [Five Principles of Co-production](#)
- [The Gunning Principles \(see Appendix B\)](#)

## Ceredigion County Council Strategies and Plans

Engagement is embedded in the core framework of Local Government; this policy aligns with and supports the following current strategies:

### [Ceredigion County Council Corporate Strategy](#)

Engagement is a cross-cutting theme in our Corporate Strategy 2017-22. The Strategy states that, 'Our policies for the future will encourage collaboration and partnership working with all interested stakeholders. We consider effective interaction with our communities as an essential component to securing a healthy and vibrant society.'

### [Ceredigion County Council Corporate Communications Strategy](#)

The strategy aims 'to provide effective communications with residents, customers, staff, members, partners and stakeholders that support corporate priorities.' The strategy sets out our approach to effective communications and engagement. The Communications Team must be informed of all engagement.

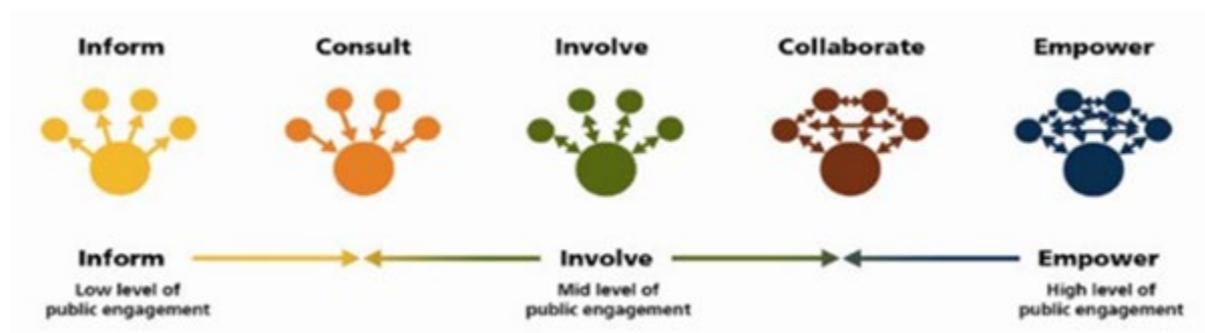
## How we intend to Engage

Ceredigion County Council's Engagement and Participation Policy adopts an approach of applying the best method of engagement according to the situation. We will use several different methods of engagement to ensure that we engage with all people in Ceredigion in the most suitable manner.

## Levels of Engagement

There is no 'one size fits all' solution to engagement. We will engage with the people of Ceredigion in the best and most suitable way for any situation. The model below outlines our engagement approach. The model that is based on the involvement principle laid out by the Future Generations Commissioner for Wales.

The ways in which we engage will vary. This will range from informing and consulting, through to involving, collaborating and empowering. The level of participation by the public increases across this range.



The table below outlines the Five Levels of Public engagement and appropriate examples of when to use them:

# Ceredigion County Council's Levels of Engagement

*We will use the best engagement for the right situation.*

	Purpose	We will	Examples of when to engage
<b>Inform</b>	To provide the public with balanced and objective information.	<ul style="list-style-type: none"> <li>• We will keep you informed.</li> <li>• We will not withhold relevant information.</li> </ul>	<ul style="list-style-type: none"> <li>• Public health emergency</li> <li>• Details on services and provision</li> </ul>
<b>Consult</b>	To obtain public feedback on proposals.	<ul style="list-style-type: none"> <li>• We will consult at the beginning of the process and at all relevant stages of the process.</li> <li>• We will keep you informed.</li> <li>• We will listen to and acknowledge your concerns and aspirations.</li> <li>• We will be open to your influence.</li> <li>• We will provide feedback on how your input has influenced the outcome.</li> </ul>	<ul style="list-style-type: none"> <li>• Setting an annual budget</li> <li>• Changes to service provision</li> <li>• Developing new policies</li> <li>• Changes to school provision</li> </ul>
<b>Involve</b>	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	<ul style="list-style-type: none"> <li>• We will keep you informed.</li> <li>• We will work with you to consider your concerns and aspirations.</li> <li>• We will provide feedback on how your input has influenced the outcome.</li> </ul>	<ul style="list-style-type: none"> <li>• Setting well-being objectives</li> <li>• Budget challenge</li> <li>• Developing new policies</li> </ul>
<b>Collaborate &amp; Empower</b>	<p>To partner with the public when making decisions and developing services, including defining the issue, developing alternatives and identifying and delivering preferred solutions.</p> <p>To explore ways in which we can place decision making and service delivery in the hands of the public.</p>	<ul style="list-style-type: none"> <li>• We will look to you for ideas and innovation in formulating solutions.</li> <li>• We will incorporate your ideas and recommendations into the decision-making processes as far as is reasonably possible.</li> <li>• We will work with you and support you through the process.</li> </ul>	<ul style="list-style-type: none"> <li>• Carrying out Integrated Impact Assessments.</li> <li>• Co-production projects</li> <li>• Community asset transfer</li> <li>• Participatory budgeting</li> </ul>

## Methods of Engagement

### Continuous Engagement

We will continuously engage with residents in Ceredigion through meeting with stakeholder groups and having direct conversations with those who use our services. We are developing a digital engagement platform to assist with the continuation and collection of these conversations.

It is important that the public are aware of how the council works and the decisions that are being taken at any given time.

The Communication team promotes awareness of Council activities via social media and press releases which are shared with news outlets. All press releases are also available on the Council website.

The Council's website is reviewed regularly with an aim to improve sections relevant to information for members of the public.

Details of forthcoming Council meetings are publicised via social media, and forward work plans are published in a timely manner to ensure that members of the public are aware of items for consideration at forthcoming meetings. Members of the public can attend Council meetings online. Council and Cabinet meetings are broadcasted, and available electronically for a reasonable period after the meeting.

There is a mechanism for local people to feed into the Overview and Scrutiny process, this is published on the Council's website. Details of forthcoming agenda items are also published on the Council's website.

Ceredigion Council Cabinet is notified of all petitions received by the Council. We are developing an e-petition system, including a petition scheme that sets out how the Council intends to handle and respond to petitions. Members of the public are able to present their application or objection to the Development Control Committee, details of which is available on the Council's website.

### Specific Engagement

We want people to have a strong voice and be able to effectively influence our decision making, especially when we make changes to services or develop new policies. We frequently consult with the people of Ceredigion. Current examples can be seen on the consultations page of our website:

<http://www.ceredigion.gov.uk/your-council/consultations/>

We also use other various means as detailed below:

- Online surveys
- Engagement Events
- Roadshows
- Focus Groups
- Forums

## Integrated Impact Assessments

When we make plans to create a new policy or change the way we do things we must consider the impact this will have on our citizens, including those who have protected characteristics. An Integrated Impact Assessment (IIA) brings together the relevant legislations and sets out how we will take due regard, (give appropriate weight), to making decisions. Appendix A explains more about 'due regard'.

When we carry out an IIA:

- We are considering relevant evidence to understand the likely or actual effects of policies or practices on those who are vulnerable within our communities, including those who are experiencing socio-economic disadvantage.
- We are thinking about where we might be able to reduce negative impacts.
- We are identifying missed opportunities and capitalising on positive impacts.
- We are considering the rights of the child.

## Accessibility

We are committed to ensuring that **all** residents in Ceredigion can access information and have an **equal opportunity** to share their views. As such we need to specifically consider the following demographics and how best to engage with them. Some examples are set out below:

### People with Disabilities

When we publish information or create a piece of online engagement, we need to consider how people can access it.

People with visual impairments may use a screen reader to access information and engage. We need to consider how documents, web pages, surveys etc will be read out on a screen reader. An example of this is using a correct hierarchical heading structure or providing alternative text to images.

People with hearing impairments may need subtitles on any video content.

Some people may also require information in an easy read format. An easy read document uses plain language and simple sentences to accurately portray what may be in a full document.

### Non-Digital Communication

Not everyone has access to a computer or the internet. All our engagement exercises must consider how to engage with non-digital users as a matter of priority.

## Children and Young People

We have a duty to young people to ensure that we are reaching out to them in a way that encourages their participation and as outlined in the Statutory Guidance for the Well-being of Future Generations (Wales) Act 2015 – Annex B.

Recognising the Children and Young People's National Participation Standards as a framework for participation; we will continue to facilitate opportunities for participation with younger people and ensure that we educate and advocate for their right under Article 12 of the UNCRC.

### [Children's Rights - Children's Commissioner for Wales \(childcomwales.org.uk\)](http://childcomwales.org.uk)

Our County Youth Council and Youth Forums will continue to act as platforms for children and young people views across Ceredigion, and we will represent those views to local and national decision-making bodies. Specific youth forums and groups such as 'Give us Support', will ensure a channel for children and young people who are marginalised, vulnerable or have a special interest in a particular issue, to have a voice and to access their rights as set out in the UNCRC.

We will ensure that appropriate feedback is provided through a range of channels that will include reports, presentations and on social media outlets.

We will continue to develop and embed children and young people's participation into all aspects of planning, delivering and reviewing services that directly have an impact on children and young people.

Our children and young people's participation offer will give due consideration to the Welsh Language in both promotion and facilitation and will ensure that all children and young people are able to participate through the medium of the Welsh Language if that's their language of choice.

## Other Languages

It is important that we make sure that everyone can access our engagement materials regardless of their proficiency in Welsh and English. Consideration should also be given to other languages that are spoken in Ceredigion, particularly when carrying out a large engagement campaign

To help those who speak other languages access the materials we can utilise QR codes so that they can be forwarded directly to the materials in their language.

## Efficiency

It is important to avoid **consultation and engagement overload**. Often people give up their free time and travel distances to attend engagement events. We, or our public services partners may already have relevant data from previous engagement or surveys. We may also be able to utilise data and information collected from continuous engagement.

## Stakeholders

Carrying out a stakeholder analysis will help to identify key stakeholders and their levels of influence. We will also ensure that engagement is inclusive across the diverse make up of our communities. We will include people with protected characteristics and marginalised or seldom heard people and communities in our engagement.

## Engagement with Elected Members

Elected Members are leaders within their communities and can provide important links to engage with a wide range of people. In addition to matters of interest to their wards, Elected Members may sit on a number of different Council Committees in addition to full County Council.

Engagement with Elected Members should be via the appropriate Corporate Lead Officer. Members must be informed of all engagement or consultation and in particular any engagement or consultation that affects their wards or their responsibilities. Officers must follow protocol when engaging with Elected Members and also observe Pre-Election Protocol timescales.

Prior to Council elections, a communication campaign will provide information on how to become a Member of the Council, and information is also provided on the Council's website.

## Engagement with Staff

We employ around 2,200 people. Our staff have a very wide base of experience and come from a diversity of backgrounds. We engage with our staff by a number of means including staff news bulletins. A new intranet site has been developed which improves staff engagement and involvement. Human Resources directly engage with staff and unions on employment matters.

## Evaluation, Feedback, Drawing Conclusions and Making Recommendations

We will feedback the results of our engagement. This could include publishing reports on our website and providing direct feedback to groups or organisations involved in our engagement. The feedback will summarise an evaluation of our engagement and also demonstrate how the engagement influenced and was taken into account with our decision making.

## Equality and Inclusion Team

The Equality and Inclusion team oversees a framework of stakeholder groups, the Integrated Impact Assessment process and a consistent approach to engagement across Ceredigion County Council. The team is available to support and advise all Council services on engagement and participation.

## Digital Platform

One of the ways that we will be looking to improve engagement is through the use of a digital platform. A digital platform will give us the power to create a cohesive series of engagement. It will enable us to organise engagement across the Council services.

Some examples of tools that can be utilised in a digital platform are:

- Surveys
- Story walls
- Ideas sharing
- Timeline of engagement

It is hoped that through utilising these tools we can improve our communication with citizens in Ceredigion.

## Measuring Success

To measure the outcome of the implementation of this policy we will monitor:

- Site hits and registrations on our digital platform
- The number of responses we receive to public engagement exercises
- National Survey for Wales questions regarding Local Democracy

## Timescales for Feedback

We will publish feedback in a suitable place within a suitable timescale. This could include publishing reports on our website and providing direct feedback to groups or organisations involved in our engagement. The feedback will summarise an evaluation of our engagement and also demonstrate how the engagement influenced and was taken into account with our decision making.

## Ceredigion County Council Engagement & Participation Policy – Action Plan

Aim 1	Action	Outcome	Timescale	Responsibility
<b><i>To mainstream effective engagement and participation across Ceredigion County Council.</i></b>	To develop an Engagement toolkit and deliver training on its use to all Corporate Managers.	A corporate understanding and management of engagement.	March 2023	Equalities & Inclusion team
	To maintain a timetable of consultation and engagement exercises carried out by all Council Services.	Effective co-ordination of engagement across all Services.  Reduced 'consultation fatigue'.	Ongoing	Equalities & Inclusion team
	To publish an Engagement Annual Report to monitor the developments as we change how we engage with the public.	To enable the Council to evaluate progress set out in this policy.	Ongoing	Equalities & Inclusion team
Aim 2	Action	Outcome	Timescale	Responsibility
<b><i>To ensure that we engage with the people of Ceredigion in the best way.</i></b>	To revise and update our list of Stakeholder groups.	Improved engagement with residents who have protected characteristics.	March 2023	Equalities and Inclusion team
	To develop the use of online engagement platforms and maintain the use of non-digital engagement methods.	Improved levels of engagement with Ceredigion residents.	March 2023	All Corporate Managers
	To improve the way that we feedback to those who have participated in our engagement exercises.	Reduced citizen dissatisfaction with the Council.	March 2023	All Corporate Managers

Aim 3	Action	Outcome	Timescale	Responsibility
<i>To meet our statutory duties and responsibilities under legislation.</i>	To ensure a mechanism is in place so that the public can attend Council meetings in person or remotely via a hybrid meeting system.	To facilitate access for local people to decisions made by the council.	June 2022	Democratic Services
	To revise and update our Integrated Impact Assessment (IIA) tool.	Appropriate engagement is carried out that can influence strategic decisions and policy changes.	January 2023	Equalities and Inclusion team
	To establish an e-petition system and publish a protocol that sets out how the Council intends to handle and respond to petitions.	Ceredigion residents who take the time to submit petitions to the Council have a positive experience.	Subject to Publication of Guidance by WG	Democratic Services
Aim 4	Action	Outcome	Timescale	Responsibility
<i>To keep up to date with the latest innovations and best practice in the field of engagement.</i>	To review and revise this Engagement and Participation Policy.	Keep this policy up to date with the latest developments and innovations.	Ongoing	Equalities and Inclusion team
	To keep an engagement toolkit up to date for all staff to use.	All council staff can access the latest developments in terms of best practice.	Ongoing	Equalities and Inclusion team
	To liaise with Engagement and Equalities colleagues across Wales.	Best practise is shared across Wales.	Ongoing	Equalities and Inclusion team

## Appendix A

**Brown Principles** can be used in court to determine whether a public body has shown 'due regard' to legislation and relate closely to the IIA process. Following the principles is a good way of delivering best practice as well as helping to ensure that our engagement and decision making is legally robust.

<b>Brown Principles and Due Regard</b>
<b>Knowledge</b> Are the decision makers aware of their duty to have due regard?
<b>Sufficient Information</b> Do the decision makers have sufficient information to allow intelligent consideration?
<b>Timeliness</b> Was the IIA carried out while the proposal was under consideration before any final decision had been made?
<b>Real Consideration (decision making)</b> Has there been conscientious consideration?
<b>Accountability (no delegation)</b> Public bodies are responsible that third parties carrying out functions on their behalf comply with IIAs.
<b>Monitoring and Review</b> Do the aims of the IIA continue beyond the planning and decision making phases through to implementation, monitoring and review.

## Appendix B

The Gunning Principles set out the legal expectations of what is appropriate consultation with an emphasis on 'fairness.' The principles can be used in court to determine whether a public body has shown fairness in its engagement, consultations and decision making.

The principles also give a good practical framework for public engagement. Engagement must take place at an early stage and with enough information for people to consider. Engagement and consultations must also be available for a sufficient period of time. Information and results from the engagement must be able to influence the decision making process. The Gunning Principles underpin this Engagement Policy.

They were coined by Stephen Sedley QC in a court case in 1985 relating to a school closure consultation (R v London Borough of Brent ex parte Gunning). Prior to this, very little consideration had been given to the laws of consultation. Sedley defined that a consultation is only legitimate when these four principles are met:

Consultation must take place when the proposals are still at a formative stage  
*You must not have already made up your mind*

Sufficient reasons must be put forward to allow for intelligent consideration and response.  
*Have people been given the information and opportunity to influence?*

Adequate time must be given for consideration and response.  
*Is the consultation long enough bearing in mind the circumstances?*

The product of consultation must be conscientiously taken into account when finalising the decision.  
*Decision makers undertaking a process that demonstrates they were open to influence before decisions were made.*



