

Involving communities in service changes: a ‘how to...’ guide

What is a service change?

Changes to public services take place all of the time, as part of everyday operational service delivery and ongoing service development and improvement. However, budget cuts can have a significant impact on the design and delivery of services and the ‘public face’ of the service. Change to services could be any of the following:

- A reduction in the number of employees working within the service
- Changes to the political and administrative governance of a service
- Changes to the services offered to the public (e.g. in terms of opening times, physical location of buildings, charges, eligibility criteria and targeting of resources)
- Changes to the type of organisation that delivers or funds services (e.g. whether public, voluntary or private sector)

Why is involving the public in service changes important?

Involvement of the public in service changes can have a number of benefits:

- To manage public expectations and have an honest dialogue about future services on offer
- To gain ideas and solutions to how services could be changed while minimising impacts on the public, particularly more vulnerable members of the community
- To facilitate a political debate about issues such as targeting of services, defining need and prioritisation of service delivery
- To meet statutory duties.

How do I involve the public in service changes?

Ten top tips for involving communities in service changes...

1 – Use a proportionate approach

The extent and depth of any public involvement on service changes should be proportionate to the extent of proposed changes to services and the sensitivity of the proposed changes.

The public are likely to have more interest when service changes could affect them and their community. Changes to staffing and political and administrative governance may be of little interest if these are unlikely to impact on frontline service delivery and the public-face of a service. Small-scale service changes that form part of everyday service development and improvement, or changes that are undertaken that improve service delivery, are unlikely to lead to a strong reaction from the public. However, it is good practice to continually have means of capturing customer feedback and informing the public of change as part of routine service delivery.

However, a proposed service change that will noticeably impact the frontline and the services on offer to the public will require more extensive public involvement, particularly about highly valued services or sensitive topics.

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2 - Be clear with the public what is proposed and how it will impact them: present a preferred option or set of options (but be prepared to listen)

To enter a dialogue about service change, the public need to know in open and honest terms what is up for grabs, what the proposed changes are, what the proposed changes will mean for them and how any new service model will work in practice. It is challenging to have a dialogue or debate without the parameters of the debate firstly being defined clearly. The public body should at the very least present a set of formative options to the public, to then facilitate dialogue and debate about potential courses of action. Presentation of a preferred course of option to the public is also ok, as long as the public body makes clear that it is receptive to alternative proposals.

It is likely a set of formative options or preferred option will need to set-out in a Plain English consultation booklet, and as part of a communications plan for the public involvement. A communications plan can be developed for pre, during and after the public involvement exercise, letting the public know about what the involvement is about, how they can influence the process and ways they can have their say.

Without setting out at least a set of potential options and having a clear communications strategy, there is risk that the public dialogue becomes subject to rumour, false fears, a break down in trust and a lack of understanding about next steps.

It is important from a legal perspective for the public body not to have pre-determined course of action and for the preferred option to be presented as such to the public. This would leave the public body open to legal challenge (see section 6 below).

3 – Be clear about who, what, why, when and how

The ‘public’ and ‘communities’ are a diverse set of people, groups, interests and networks based on geography, demographics, activities and preferences. Prior to involving the public in services changes, undertake **stakeholder mapping** to identify groups such as service users, the general public, population groups within the general public (e.g. disabled people, people living in Dewsbury), businesses, the voluntary and community sector and local councillors. Effective public involvement requires many different stakeholders to be engaged with. It is important to map out the groups that you will need to engage with, how you could engage with them and what questions or topics might be of particular interests to particular groups.

There is no ‘one size fits all’ approach to public involvement. Different methods collect different types of data and information, and give the public different degrees of influence over decision-making. Also, different members of the community may have particular preferences or needs when having their say. Your choice of involvement methods need to be a balancing act of meeting your overall aims, being within your budget, collecting the type of data or information you need, and using accessible methods suitable to your stakeholders’ needs.

Some basic **project planning**, task allocation and identification of timescales helps to get your involvement started and gives a focus for the work. The council’s framework for successful projects can be used, which identifies key issues such as identifying a project board, project manager, project team, work packages and an overall project timetable. You may at this stage need to outsource some aspects of your involvement.

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4 - Get professional help!

The council's Corporate Research and Consultation team have project managed a number of high-profile statutory budget consultations, and can advise on all aspects of planning and delivering a public involvement exercise, including how to procure any external support from a research supplier. The Communities and Leisure directorate can support more creative methods of community involvement.

Effective public involvement takes time, planning and resources. Don't ask for help when it's too late, ask for help early!

5 – Understand the politics and the political journey

Public involvement on extensive service changes and sensitive topics will inevitably be politically charged and lead to political debates. Anticipate these, and consider the likely political reaction from groups such as

- Employees – especially when a proposed service change has implications for staffing issues or staff numbers in the future
- Elected members – the different political parties in Kirklees will likely have alternative views on ways forward, how resources are spent and how services could be changed.

Remember that it is council officer's role to objectively and impartially set-out proposals and recommendations for change, and elected members role to put forward political debates and ultimately make final decisions on a course of action. Officer's setting out proposed options for change during public involvement can help to facilitate a public debate and allows political debates and decisions to run their course.

Any public involvement exercise should be mapped against the political journey and timetable for decision-making. During public involvement, the dates of meetings such as Cabinet and Full Council where final decisions will be made should be made clear to the public, and public involvement offers an opportunity to make the public aware of the democratic decision-making processes within the council.

6 – Understand legal duties and risk of challenge

Specific services may have their own statutory duties relating to the need to consult or involve the public in service changes. More generally, there are some common pitfalls to avoid, lessening the risk of legal challenge when involving the public in service changes. The risk of challenge is very high during public involvement about contentious service changes, and it is important that the public body recognises the potential for challenges and carefully manages their consultation process and keeps an audit trail of their decision-making and rationale for design of their consultation. From 2010 onwards there have been a series of judicial reviews nationally relating to public bodies consultation processes. The four *Gunning Principles*¹, have been used by judges in recent judicial reviews to assess the legality of public consultations:

- **Consultation should take place at a time when proposals are still at a formative stage.**
Consultation should take place at a stage where the comments received can have an impact on the proposed decision, and while the consulting body still has an open mind as to the outcome of

¹ The Gunning Principles have been referred to by judges in recent judicial reviews of public consultations. See 'R v Brent London BC ex parte Gunning (1985) 84 LGR 168

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consultation. Care needs to be taken when undertaking consultation that proposals for change are not presented as a pre-determined course of action, and that the consulting body is receptive to alternative proposals that may be raised.

- **The consulting body should give sufficient reasons for any proposal so as to enable intelligent consideration and response.** The consulting body must provide sufficient information to consultees to enable them to make meaningful comment on proposals. This includes providing sufficient information about cost and financial information and about the likely impact of changes to services. This means that authors of consultation papers must provide up-to-date and defensible facts and figures, and also provide a mix of Plain English and understandable information and more detailed and technical information.
- **There should be adequate time for consultation and response.** The legal requirement is that sufficient time is allowed for meaningful consultation. There is no set statutory guidance or requirements about the length of a consultation period, but 6 weeks is often perceived as an absolute minimum time period. The demands for fast decision-making and developments in being able to collect and analyse data in faster time periods mean that consultation time periods can be anything between 6-12 weeks. The Cabinet Office have recently updated national guidance on consultation time periods, advocating shorter consultations than the widely used 12-week time period.
- **There should be conscientious consideration of the product of consultation.** The consulting body must show that it has taken account of responses received before making a decision. This does not mean that a preferred option must be withdrawn simply because consultees oppose it, but requires the consulting bodies to have sounds reasons for implementing the option if it chooses to do this.

There are also strong overlaps between recent judicial reviews of public consultations and equality and diversity legislation. The council has duties to show due regard to groups protected under equality legislation such as disabled people. It is advisable to carry out an Equality Impact Assessment of any proposed service changes, as this will enable an assessment to be made of the implications of service changes for particular groups. The design of your public involvement should consider the means of engaging with members of the public protected by equality legislation or who may be impacted by proposed service changes.

7 – Use mixed-methods research

Different methods of public involvement will achieve responses from particular types of people or people with specific preferences and needs. For example, online consultations are less likely to gain responses from groups such as some disabled people, people from low-income neighbourhoods with no access to a computer or older people.

A blend of paper, online and face-to-face activity will ensure that different members of the public have been able to have their say in a way suitable to their needs and in keeping with their preferences. Also, a mixture of different involvement methods will provide decision-makers with both quantitative (numerical) and qualitative (perception-based) data.

The choice of methods will depend upon the stakeholders to be engaged with, but the following are

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potentially useful techniques:

- **Random sampling.** Sending a consultation booklet and questionnaire to a random sample of local people has a number of benefits: it removes sampling bias and can help you to gain a representative sample of the Kirklees population or your population of interest (e.g. residents in Dewsbury), meaning that the results of your consultation are not skewed by residents with particularly strong views or who are more likely to have their say. The Corporate Research and Consultation team can advise on all aspects of the sampling process, from how to draw a random sample, how to remove sample bias from your data and about the statistics behind random sampling. Random sampling can be done either through postal surveys, face-to-face household surveys, telephone surveys or on-street surveys. The statistics behind random sampling tell us that 500 responses from a random sample can give us data that is within approximately 4 percentage points of the 'true' Kirklees-level figure. Well designed random sampling can provide data that enables you to make inferences about the Kirklees population as a whole.
- **Open access questionnaires.** Any respondent wishing to have their say about the proposals can access an open-access questionnaire – which might be paper copies of questionnaires distributed around the district in public venues or available online. At analysis stage, it is possible to split questionnaire responses from random sampling and open access questionnaires.
- **Online methods.** An online platform for your public involvement enables you to publish all material such as a consultation booklet and questionnaires online, as well as linking to information about next steps with political decision-making. An online questionnaire can also gather responses from people with access to the internet, and is a cheap and quick way of gathering data – though the profile of your respondents is likely to be unrepresentative of the local population. From 2013 onwards, the council has a new e-panel of roughly 1,000 residents, who have signed-up to receive around 3 online surveys a year. Contact the Corporate Research and Consultation Team if you are interested in potentially using the e-panel.
- **Face-to-face discussion groups.** These can be organised via existing service user forums and groups, the local voluntary and community sector or via on-street recruitment. Focus groups and discussion groups allow for in-depth exploration of attitudes, perceptions and opinions in a face-to-face format, and can be effective means for engaging with seldom heard from groups. They typically involve 8-12 people having an in-depth discussion about a range of themes and topics.
- **Public meetings.** These need to be carefully organised and facilitated, and may follow a panel question and answer format or drop-in sessions and information stalls.

8 – Be prepared for strong views, challenge and a debate

An effective public involvement exercise provides the means for different stakeholders to have their say and shape the final decision-making process. A public involvement on budget issues or changes to services will lead to challenging debates, strong views being expressed and potentially criticism of and challenge to the proposed changes and the methods of public involvement. Anticipate what kind of debate may emerge, which groups of people may have especially strong views (including staff and councillors) and how these strong feelings and opinions can be fed into the data collection and analysis process. A well-designed public involvement exercise should offer a channel and means for stakeholders to engage in a dialogue and debate.

Be prepared to stand up for your methods of public involvement – often a challenge to the means of consulting the public will take place when stakeholders are opposed to the substance of the proposed changes. A poorly designed public involvement exercise will likely lead to further distrust and hostility -



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if you are involving the public in a sensitive budget decision or service change, make sure you have a rigorous and carefully designed methodology for involving the public.

9 – Publish outcomes of your public involvement and include them as part of political reporting

Final decision-making by elected councillors will be shaped by a number of factors, with the outcomes and evidence collected from your public involvement being a key part of final decision-making. It is important that your final data is presented in an impartial and objective way, and does not attempt to justify a pre-determined course of action if the evidence or balance of public opinion does not support this course of action. Reporting products from your public involvement could be a full report, summaries of involvement outcomes fed into Cabinet and Full Council reports or both of these. It is important to ensure that links are made between what the public have said during the public involvement and what the proposed final decisions are from councillors, especially when a majority or strongly opposed view from the public needs to be overridden by other considerations.

It is best practice to tell the public throughout your involvement exercise that you intend to publish the results, when and how these will be made public and when final decisions will be made by elected members.

10 - Be transparent about how the public views have made a difference

Following on from final decision-making by elected members, it is advisable to feedback to the public the outcome of the decision-making and how their feedback has influenced final decisions. This can be done via a variety of communication channels such as press releases, via the website, via poster campaigns and more. 'You said, we did' communications can be particularly eye-catching and relay clear messages about how the public have been listened to.

Providing honest and transparent feedback to the public will help to build trust for any future public involvement exercises, and helps to improve the reputation of the council as being accountable and transparent to its tax payers.

Help?

If you need more help, please contact the Corporate Research and Consultation Team:

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