

**CONSULTATION
AND
INVOLVEMENT:
A CODE OF GOOD PRACTICE**

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**Worcestershire
County Council
Social Services**

**Worcestershire
Association of
Voluntary
Organisations
in Community Care**

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PART A FRAMEWORK FOR CONSULTATION AND INVOLVEMENT

1. Purpose of the Code

- 1.1 This Code of Good Practice aims to make a positive impact on the way the Social Services Department (“the SSD”) consults and involves voluntary sector organisations in Worcestershire, undertaking work in the field of health and social care.
- 1.2 The Code sets out the framework and agreed standards for consultation and involvement on policy development and issues likely to affect the voluntary sector. *Consultation* is defined as seeing, discussing and receiving. *Involvement* is defined as including, comprising, embracing and encompassing.
- 1.3 The Code takes forward the principles of partnership working agreed between the SSD and the voluntary sector in the Worcestershire Protocol which was signed in June 2002.

2. Application of the Code

- 2.1 The principles of this Code of Practice will be observed by both the SSD and the voluntary sector in carrying out or responding to all consultation and involvement, including consultations for which there is a legal requirement.
- 2.2 Additionally the principles will be observed by the SSD in any consultation and involvement with individual service users and carers.
- 2.3 Where consultation and involvement might give an organisation which was a prospective provider of services to the SSD information which is likely to place it at an unfair advantage to other prospective providers, the SSD will apply the conditions of this Code to avoid such advantage. In doing this the SSD will seek to fairly balance the organisation’s right to be consulted and involved with the SSD’s duty to ensure fairness to other prospective providers.

3. Issues on which the SSD will consult and involve the voluntary sector

- 3.1 The SSD will consult and include the voluntary sector on any proposed service development which may have an impact on one or more voluntary organisation or their users/carers or potential users/carers.

Consultation/involvement may be with individual organisations, representative groups of organisations or individuals.

- 3.2 Developments may include:
 - strategy and forward planning
 - policy

- funding and budgets (including spending cuts or grants)
- charges and fees
- service development and changes (including new services)
- performance monitoring and evaluation of services (including Best Value).
- restructuring
- integration of services with partner agencies

3.3 Additionally, the SSD will consult and involve the voluntary sector in formulating its response to regional and national consultations on issues which may affect the sector.

4. Undertakings by the SSD

4.1 On or around 1st April each year the SSD's Head of Strategy and Commissioning will issue, and keep regularly updated, a diary of proposed consultations for the following 12 months so that organisations know when consultations will happen. The diary will be issued to Worcestershire Association of Voluntary Organisations in Community Care and to every individual organisation to be involved in any planned consultation. Additionally, the diary will be publicised as widely as possible through community and other channels including the Worcestershire County Council Internet Web Site. The diary will include a clear procedure to enable organisations to register an interest in being included in consultation about an issue they have an interest in. Where the SSD identifies a need for other consultation during the 12 month period it will notify relevant organisations.

4.2 The SSD will:

- consult and involve the voluntary sector in a way relevant to the issues and in line with the good practice standards set out in Part B of this Code,
- be willing to change proposals as a result of consultation and involvement,
- provide feedback to those consulted following any consultation or involvement.
- ensure that all its staff are aware of, and work in accordance with, this Code.

5. Undertakings by the voluntary sector

5.1 The voluntary sector will, subject to funding constraints,

- use its infrastructure organisations (such as Worcestershire Association of Voluntary Organisations in Community Care) to support consultation procedures and in particular to
 - involve the widest possible range of organisations.
 - help small community groups to participate.

- involve all relevant organisations and individuals in preparing responses to SSD consultation and involvement.
- report the views of those consulted fairly and accurately.
- provide feedback to those consulted.

5.2 Where a specific consultation/involvement service proposed by the SSD has direct resource implications for the voluntary sector, the cost will be discussed and the SSD may allocate a specific sum to meet/contribute to the cost.

5.3 Where appropriate an organisation responding to SSD consultation/involvement will clearly separate:

- responses by the organisation as a specific Service Provider.
- responses by the organisation as a partner in planning and commissioning services.

5.4 In line with 2.3 above, where an organisation identifies a potential conflict of interest whereby consultation and involvement might give it, or a prospective provider of services, an unfair advantage over other prospective providers, it will declare this to the SSD.

6. Joint undertakings

6.1 The SSD and the voluntary sector will;

- respect the confidentiality of information
- ensure consultation and involvement take account of the needs and interests of all parts of the community especially minority ethnic groups, disability groups and socially excluded people.
- ensure that information circulated is accurate.

7. Monitoring the Code

7.1 At quarterly business meetings held in accordance with the Worcestershire Protocol, the SSD and the voluntary sector will ensure that the principles, undertakings and standards of this Code are being actively taken forward and further developed.

PART B STANDARDS FOR CONSULTATION AND INVOLVEMENT

8. Setting up Consultation

- 8.1 In setting up consultation the SSD will take account of the following issues:
- 8.1.1 The process will be transparent, giving clear information about who is being consulted, about what, when, how and why; and how the results will be used.
 - 8.1.2 The issues of the consultation will be clearly and fairly identified, with no attempt to influence responses.
 - 8.1.3 All voluntary sector organisations that have an interest in the subject of the consultation will be consulted.
 - 8.1.4 Special effort will be made to include the views of minority, disadvantaged or socially excluded groups.
 - 8.1.5 Where it would be helpful, the SSD will consult a restricted group of relevant organisations in advance about the consultation's scope and method. The basis for selection of such organisations will be made clear.
 - 8.1.6 Joint consultation, in partnership, will be considered where this helps both parties – for example, production of joint consultation documents or funding of voluntary sector organisations to carry out a particular consultation exercise on behalf of the SSD. This may be particularly relevant where the SSD wishes to consult groups which are hard to reach.

9. Consultation Methods

- 9.1 A wide variety of consultation methods are available. In selecting the method most applicable for a specific consultation;
- 9.1.1 Particular efforts will be made to include organisations representing minority and disadvantaged groups. The use of interpreters, suitable venues and suitable times for meetings will always be considered.
 - 9.1.2 The SSD will provide the widest possible access to consultation materials, and allow responses in a range of formats (written, electronic, non-English, tape, etc). In order to include socially excluded people, a range of methods may be used, including focus groups, interviews and open meetings, as well as consultation documents.

- 9.1.3 No organisation will be reasonably excluded from consultation processes. However, organisations must provide information about their status, membership, and who has contributed to their response.

10. Consultation Timescales

- 10.1 The timescale allowed for any consultation with the voluntary sector is crucial to its effectiveness. The decision-making cycles within voluntary and community groups will be taken into account and the time needed to consult with their users and members.
- 10.2 Timescales will be made clear at the start of each consultation. Any particular constraints will also be pointed out, such as statutory requirements.
- 10.3 The minimum period allowed for responses to major consultations will be twelve weeks, except where precluded by national or other externally imposed timetables.. Where it is impossible for consultation documents to be available twelve weeks before responses are required, good notice of when they will be available will be given so that voluntary organisations can plan their response.
- 10.4 In preparing its Annual Consultation Diary (see 4.1) the SSD will where possible try to combine consultation exercises, or to stagger timescales, to avoid 'consultation overload'.

11. Consultation Documents

- 11.1 Consultation documents will:
- explain the aims and procedures of the consultation
 - state what is already decided, what decisions can be influenced and how responses will be analysed
 - clearly identify issues and intentions
 - show the scope of the exercise
 - include a list of those being consulted
 - make clear where consultation relates only to the interpretation or implementation of a decision already taken
 - be easy to read (checked for plain language), and available on request in languages and formats other than written English
 - include easy references to relevant publications
 - include the names of SSD staff who can be contacted about the consultation
 - include fairly argued options
 - explain whether and why one option is preferred
 - enable respondents to put forward their own proposals
 - identify any action required from the voluntary sector and any policy changes which might involve increased costs for the sector
 - invite comments on how the proposals may affect the sector
 - invite comments on the methods and quality of the consultation

- make clear any constraints which may limit the application of this Code of Practice (such as timescales or acting on consultation results)
- make clear when decisions will be taken, and by whom
- publicise the way in which feedback will be provided and the timetable for feedback. This could include written responses, posting of outcomes on the Council website, public meetings, and a contact person for follow-up enquiries

11.2 These principles apply equally where consultation information is made available in forms other than written documents, for instance through verbal presentations

12. Analysing Responses to Consultation

12.1 Analysis of the responses to a consultation will be according to the criteria set out in the consultation document and will;

- take account of responses to the consultation
- show the level of support for each option
- show the relative weighting placed on responses

12.2 Analysis of the outcome of consultation will, where relevant, include an appraisal of the impact of the proposals on the voluntary sector. Such appraisal will:

- explain how any policy proposals will be put into action
- ensure that the action taken will have no unplanned side effects for voluntary sector organisations
- take account of the level of resources in the voluntary sector available for putting proposals into action, where relevant
- identify related policy changes that may eventually affect the sector or groups of clients

12.3 Action on proposals will be observed over the following year to identify any unintended impact on the sector.

13. Feedback

13.1 Feedback is an essential part of consultation. It allows participants to see how their views have been used in arriving at a decision, and to know what will happen next. It enables those consulted to make further contributions to the debate. If feedback is not provided, participants may believe their views have not been heard or acknowledged, and the effectiveness of the consultation process is undermined.

13.2 Information should accurately reflect the views put to the SSD and show how these have been taken into account in arriving at the decision.

13.3 Feedback will be made available to everyone consulted. It will include information about the method of consultation, a summary of responses, the outcome and how the decision was reached.

- 13.4 The way in which feedback will be provided will be publicised at the time of the consultation. It could include written responses, posting of outcomes on the Council website, and a contact person for follow-up enquiries. It will not necessarily include sending an individual response to each organisation consulted.