

Conducting Consultations at Hampshire County Council

Presentation to Policy and Resources Select Committee November 2021

Objective of consulting: To improve proposals by understanding the views of stakeholders*

**The term 'stakeholders is used in its broadest sense, to encompass all those who could be interested or affected. This includes, but is not limited to, service users, residents, businesses, organisations, partner agencies*



What is consultation?

The term 'consultation' is often used to refer to a whole range of contacts between the County Council and the population it serves. In fact, consultation is only one element within the wider field of 'engagement' – differentiated by the legal framework that surrounds it.

As a council, we are required to consult when:

- we are **taking away** a service;
- we plan to **substantially change or reduce** a service;
- there is a **legitimate expectation** that we will consult because:
 - people may be disadvantaged by the proposals;
 - the Council has previously consulted on similar proposals.

If someone wishes to challenge a decision made by the County Council it is usually easier to bring a legal challenge on the basis that:

- there has been **no consultation** where there should have been;
- that the consultation that did take place was **flawed**.



Consultation is the dynamic process of dialogue between individuals or groups, based on a genuine exchange of views and with the objective of influencing decisions, policies or programmes of action



Legal and policy context for consultation

There are a range of laws that dictate the circumstances in which a consultation should take place, but the key articles that dictate **how** it should be done are the [Gunning Principles](#)

These form the legal foundation from which the legitimacy of public consultations is assessed, ensuring that

- proposals are still at a formative stage
- there is sufficient information to give 'intelligent consideration'
- there is adequate time for consideration and response
- 'conscientious consideration' must be given to the consultation responses before a decision is made

The Gunning Principles are frequently referred to as a legal basis for judicial review decisions.

Hampshire County Council's [Consultation Policy](#) reflects the Gunning Principles and maintains the need to:

1. consult on key issues and proposals;
2. consult in good time;
3. be inclusive but within clear and appropriate limits;
4. consult using clear, simple information;
5. ensure responses are taken into account when decisions are made.

Adopted February 2015

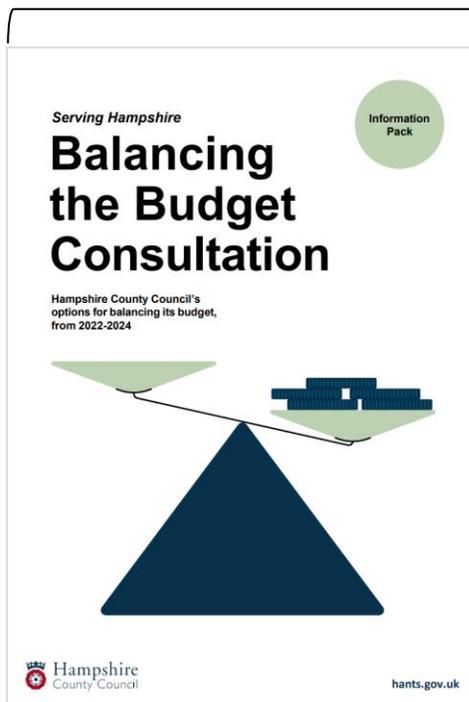
Principle One: We will consult on key issues and proposals

Where it is proportionate to do so, the County Council will consult on significant decisions:

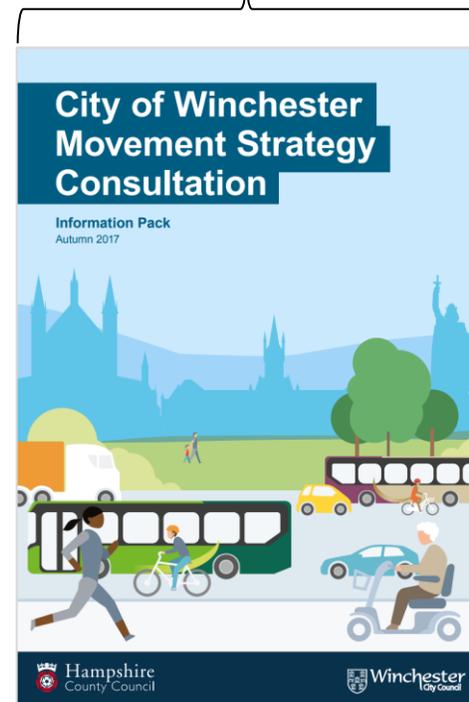
- which are likely to have an impact of significance on a particular group of service users, residents or businesses
- where there is or is likely to be widespread public interest
- where we are required by law to conduct a prescribed form of public consultation or engagement.

For example:

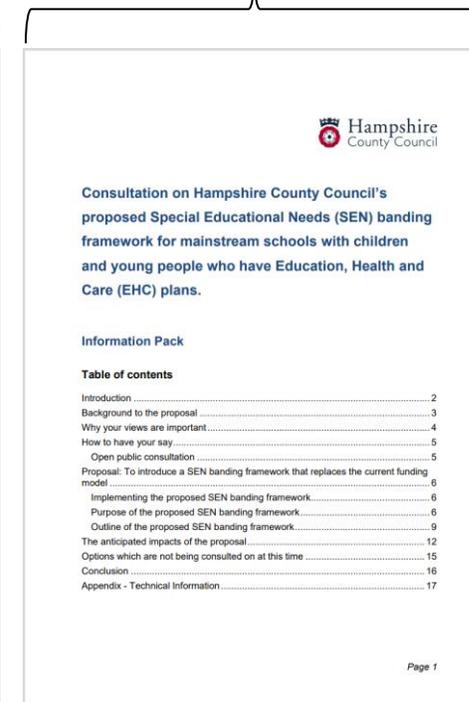
Financial strategy and savings programmes



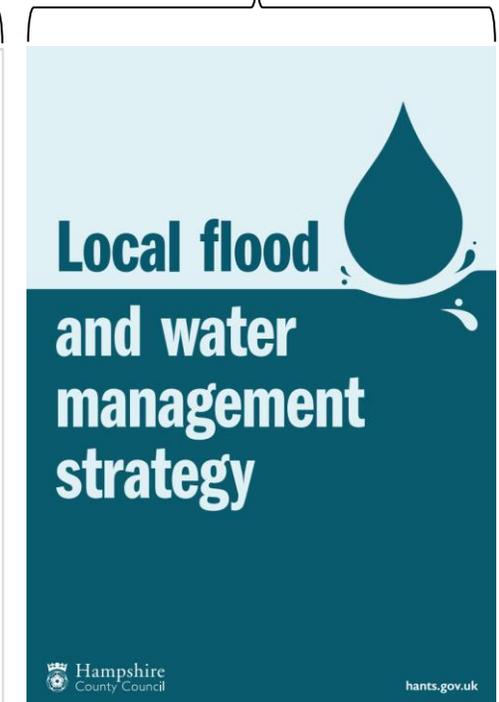
Strategic policies



Service change



Prescribed



Principle Two: We will consult in good time

We endeavour to undertake consultation early in the process when proposals are still at a **formative stage**.

The timing should allow **adequate time for consideration and response** before decisions are made.

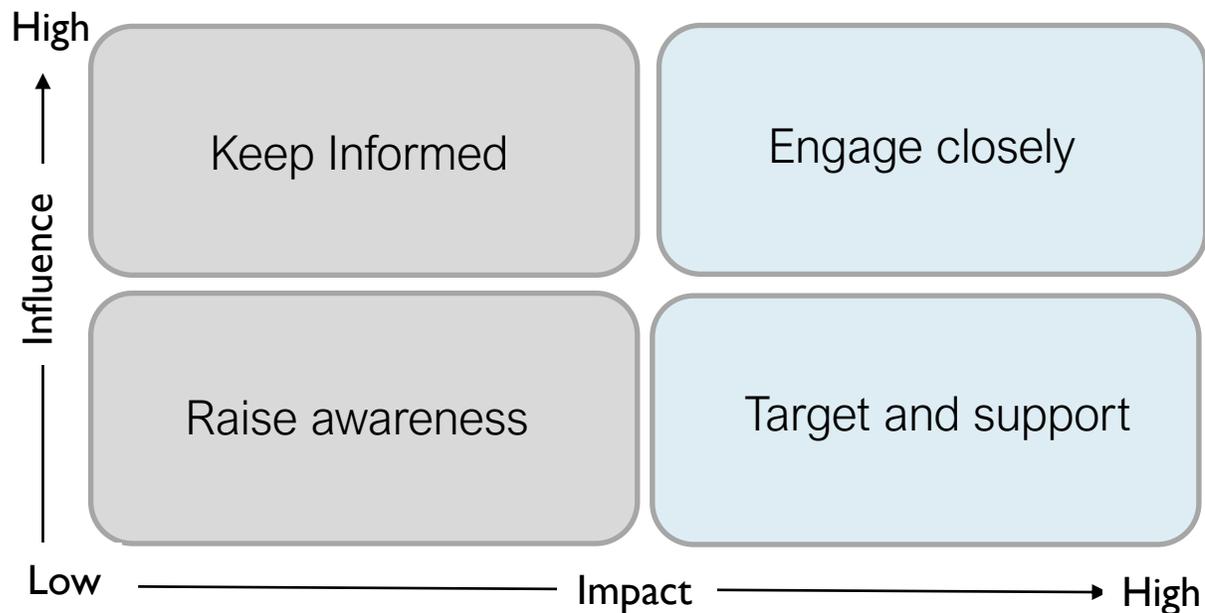


There is no fixed timescale for a consultation, but ultimately this should be governed by the needs of potential respondents, rather than the needs of the organisation.

Principle Three: We will be inclusive, but within clear and appropriate limits

In order to **determine timelines, methodologies and analysis**, we need to understand who is likely to be a) impacted by and b) have a genuine interest in these proposals and any barriers to consulting with them.

A **stakeholder analysis** is scoped at an early stage and referred to throughout the process.



Principle Three: We will be inclusive, but within clear and appropriate limits

Not everyone will want to get involved in a consultation, but we can encourage involvement by raising awareness of the opportunity and the reasons why it is important for residents and stakeholders to have their say.

To this end:

- Each consultation is supported by a **comprehensive communications plan**
- We provide **alternative formats** in accordance with the findings of the stakeholder analysis, and offer other formats and languages on request
- We **inform people** about how their responses will be used and **publish results and actions arising** from the views shared
- We monitor how and where people became aware of our consultations, and who is responding over time, to **identify common patterns and areas for improvement**

Importantly, we need to **be proportionate in our approach** and demonstrate how feedback has been used.

Case study: A comprehensive Communications Plan helps to maximise reach via a range of channels



Case study: The role of elected members in consultation

We know that many people respond to consultations when informed about them via word of mouth from a trusted individual.

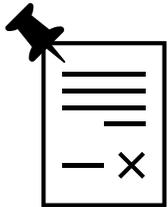
Aside from their key role in decision-making, Elected Members will be aware of how to promote effectively within their communities and can play an important role in encouraging response.



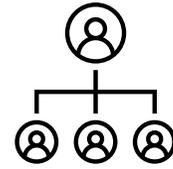
Share on social media



Email your contacts – and ask them to spread the message too



Display information within your community



Improve the County Council's reach into seldom heard communities through understanding of local gatekeepers, facilities and community groups



Help your constituents to understand the importance of sharing their views

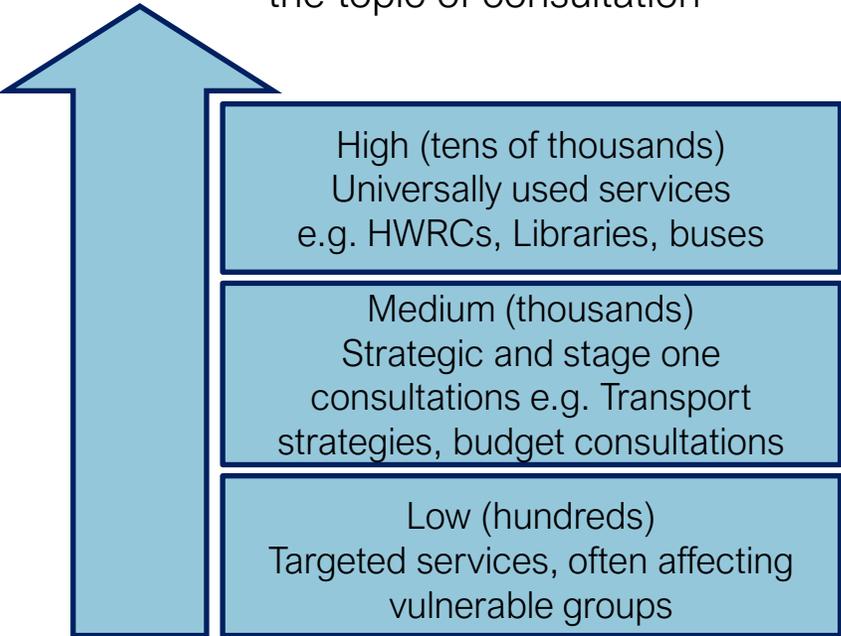
Case study: Identifying common patterns and areas for improvement

Older people are online, just not necessarily on social media.

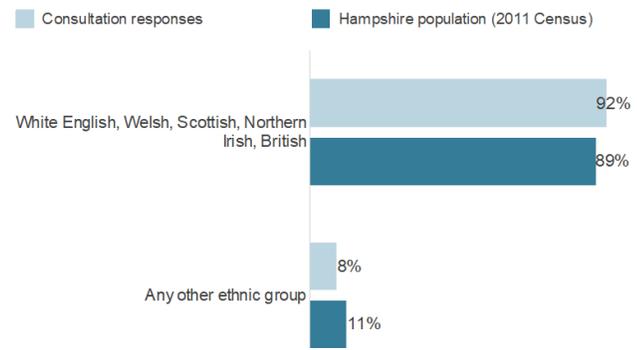
	Average	social media		Online		Via an email or letter		Consultation poster		Resident's newsletter						
		Count	%	Difference	Count	%	Difference	Count	%	Difference	Count	%	Difference			
Total	4378	6	55.30%	-22.00%	250	5.70%	-5.70%	658	15.00%	35.00%	78	1.80%	14.90%	97	2.20%	-2.20%
What is your age?	Under 16	6	33.30%	-22.00%	0	0.00%	-5.70%	3	50.00%	35.00%	1	16.70%	14.90%	0	0.00%	-2.20%
	16 to 24	147	78.20%	22.90%	4	2.70%	-3.00%	7	4.80%	-10.20%	0	0.00%	-1.80%	0	0.00%	-2.20%
	25 to 34	517	71.80%	16.50%	23	4.40%	-1.30%	19	3.70%	-11.30%	4	0.80%	-1.00%	5	1.00%	-1.20%
	35 to 44	767	63.40%	8.10%	36	4.70%	-1.00%	95	12.40%	-2.60%	9	1.20%	-0.60%	11	1.40%	-0.80%
	45 to 54	900	60.30%	5.00%	55	6.10%	0.40%	116	12.90%	-2.10%	14	1.60%	-0.20%	12	1.30%	-0.90%
	55 to 64	876	57.00%	1.70%	54	6.20%	0.50%	156	17.80%	2.80%	8	0.90%	-0.90%	13	1.50%	-0.70%
	65 to 74	600	45.70%	-9.60%	37	6.20%	0.50%	155	25.80%	10.80%	16	2.70%	0.90%	36	6.00%	3.80%
	75 to 84	124	34.70%	-20.60%	10	8.10%	2.40%	39	31.50%	16.50%	2	1.60%	-0.20%	9	7.30%	5.10%
	85 or over	14	21.40%	-33.90%	6	42.90%	37.20%	2	14.30%	-0.70%	0	0.00%	-1.80%	2	14.30%	12.10%
Prefer not to say	161	39.80%	-15.50%	17	10.60%	4.90%	30	18.60%	3.60%	5	3.10%	1.30%	7	4.30%	2.10%	

Typically, our 'seldom heard' groups are aged under 25, males, of a non-white ethnic origin and from areas such as Gosport, Havant and Rushmoor – but this can be influenced by topic and comms channel

Number of responses tends to vary according to the topic of consultation

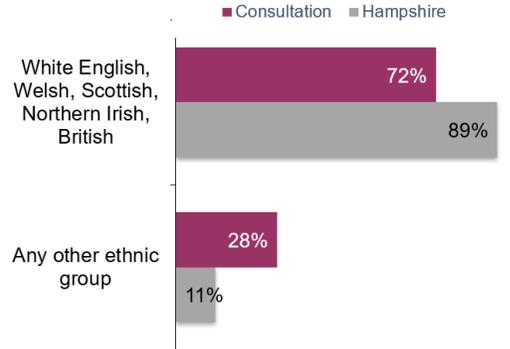


Ethnic category (Base: 1342, excludes responses that did not provide sufficient ethnicity data)



SP23 Budget consultation: 8% word of mouth awareness

Respondent ethnic profile vs Hampshire population (Base: 2626)

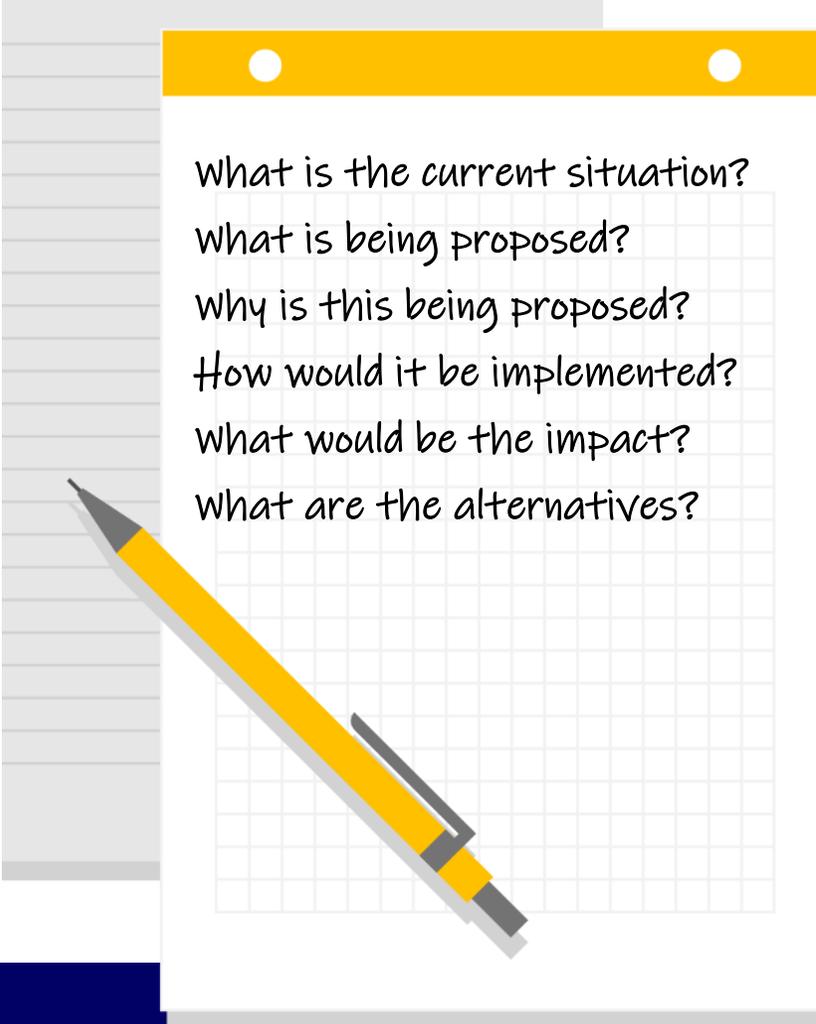


T21 Public health consultation: 21% word of mouth awareness

Principle Four: We will consult using clear, simple information

We aim to:

- Provide sufficient information about the proposals and where appropriate their alternatives to allow residents to **make an informed response**
- Communicate in **plain English** and avoid jargon and acronyms
- Be clear about the **purpose of the consultation**, including the aspects of the decision which are open to change, and the decisions which have already been taken
- Be clear about the questions being asked but leave an **opportunity for further comment** where appropriate.



What is the current situation?
What is being proposed?
Why is this being proposed?
How would it be implemented?
What would be the impact?
What are the alternatives?

Case study: The information tightrope

“Well done for creating such a comprehensive and easy-to-understand info pack!”

“Thank you for such detailed information enabling me to fully appreciate why you are making your dreadful choices.”

There should be sufficient information provided on the proposal to allow consultees to make an intelligent response. Unless consultees have some idea of the decision-maker’s rationale for the proposals to be put forward, or the main factors which are likely to be important in the decision-making process, it may be difficult for any effective response to be made.



“This consultation is far too lengthy for people to read and easily consider”

“Consultation is essential but this one is far too detailed!”

Quotes illustrative of comments received to the T21 Libraries consultation which collected over 20,000 responses

Case study: Options for those who don't want to read the full pack or take a long survey



summaries, easy read information, consultation sites, video, audio and tailored response options

About our Local Transport Plan

Hampshire has the largest sub-regional economy in south east England, is home to 1.3 million people and enjoys a unique natural environment. But to protect and enhance our county for generations to come, we need to adapt and plan ahead.

Transport is an absolutely fundamental aspect – it affects how we live, work and interact, how we experience places, how our businesses operate, and our health and wellbeing. Our Local Transport Plan must get it right.



Take part in the consultation

- [Online Consultation Response Form](#)
- [Printable Consultation Response Form](#) PDF
- [Easy Read version – Information Pack](#) PDF
- [Online Easy Read version – Response Form](#)
- [Easy Read version – printable Response Form](#) PDF
- [Feedback Form - Young Person's version](#) PDF
- [Questions and Answers](#) PDF

Response form for parents, carers or support workers to capture young people's views via [video](#) or [audio](#) upload facility.

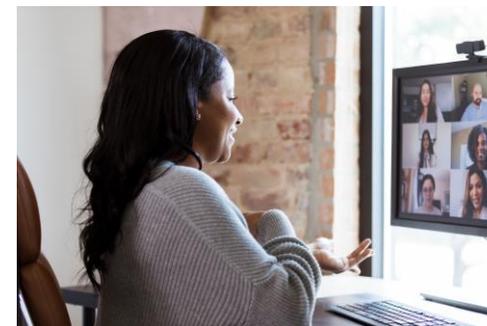


Changes to Hampshire's Library Service Information Pack



Consultation drop-in events for parents and carers

Area of County	Date and Time	Event type	Venue
Whiteley	Friday 13 March 9:30am to 11:30am	Hampshire Parent Carer Network (HPCN) meet-up	The Parson's Collar, Rookery Avenue, PO15 7AJ
Bishopstoke	Monday 16 March 8:00pm to 9:30pm	South Hants National Autistic Society meeting	Bishopstoke Evangelical Church, Stoke Park Road, SO50 6DA
Winchester	Wednesday 18 March 10:00am to 12:00pm	HPCN meet-up	River Park Leisure Centre, Gordon Road, SO23 7DD
Sway	Monday 23 March 10:00am to 11:30am	HPCN meet-up	Sway Parish Council, Jubilee Pavilion, Station Road, SO41 6BE
Alton	Wednesday 25 March 10:00am to 12:00pm	Drop-in	The King's Arms Alton, The Tannery, Vicarage Hill, GU34 1HT
Alresford	Friday 27 March 10:00am to 11:30am	HPCN meet-up	The Arlebury Café, The Avenue, SO24 9EP
Waterlooville	Tuesday 31 March 9:00am to 12:00pm	Drop-in	Riverside Community Special School, Scratchface Lane, Purbrook,



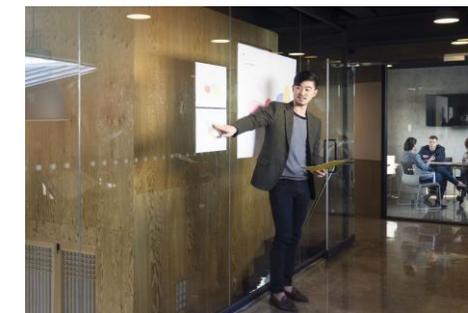
This presentation will explain:

- Why Hampshire County Council is proposing changes to Home to School and Post-16 Transport
- What the changes are that the County Council is proposing
- How you can have your say on the proposed changes
- What will happen next



After this presentation we will respond to questions that have been submitted, and answer other questions that you may have

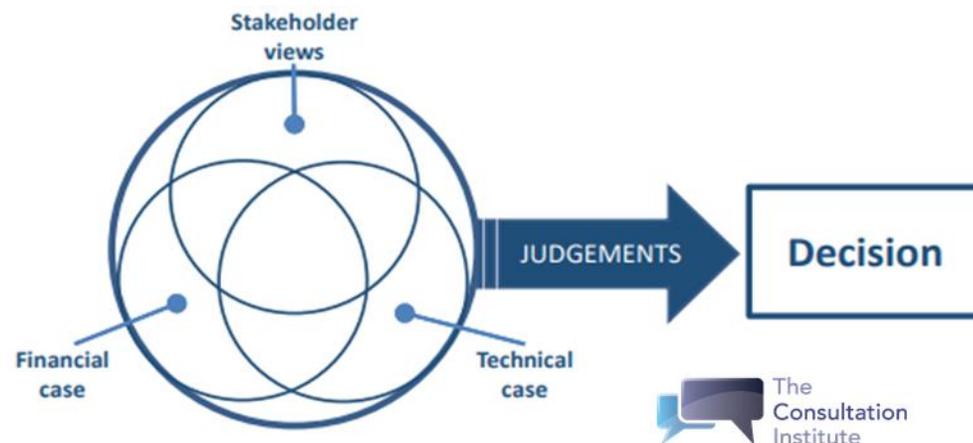
Hampshire County Council Home to School and Post-16 Transport consultation Feb 2018



Virtual and in-person drop in events, face to face and telephone one to one's, virtual workshops, live Q&A sessions, local exhibitions

Principle Five: We will ensure responses are taken into account when decisions are made

Although the proportion of respondents who agree or disagree with a proposal is an indicator of public opinion, the true value of consultation is in **understanding the potential impacts of the proposals** and **why people feel the way they do**. This can be used to guide adaptations, address misconceptions and deliver informed judgements.



True consultation is not a matter of simply 'counting heads'; it is not a matter of how many people object to proposals but how soundly based their objections are...

Lady Justice Arden with LJ Richards and Sir Stephen Sedley in *The Royal Brompton Hospital v The Joint Committee of PCTs* (2012)

Case study: Understanding equality impacts on people with protected characteristics

The Public Sector Equality Duty (PSED) requires public authorities to have due regard to equality considerations; specifically the need to:

- eliminate unlawful discrimination, harassment and victimisation.
- advance equality of opportunity between people who share a protected characteristic and those who do not.
- foster good relations between people who share a protected characteristic and those who do not.

By seeking views and developing our understanding, consultation can play a significant role in helping the County Council to assess the impact of proposals and decisions on equalities groups.

Section Six: About you

Please answer this section if you are **responding to this consultation as an individual**.

If you are providing the **official response of an organisation, group or business**, or **responding as a democratically Elected Representative of a constituency**, please go to the last page of this document without answering this section.

Hampshire County Council is committed to improving its services, eliminating unlawful discrimination and promoting equality of opportunity for all people. **The following questions are optional** but we would be grateful if you could answer to help us understand the views of, and potential impacts on, different types of people within Hampshire.

Please provide your postcode:

Providing your postcode is optional. It would help us to understand the impact of proposed changes if you could provide at least the first five digits of your postcode. If you do provide your full postcode it is possible that in rural areas this might identify your property. By providing your postcode you are consenting to the County Council using this information to analyse the response to the consultation from different areas, to understand how views differ by area and to help model data for different types of respondent.

What was your age on your last birthday? (Please choose one option)

- | | | | |
|-----------------------------------|-----------------------------------|-------------------------------------|--|
| <input type="checkbox"/> Under 16 | <input type="checkbox"/> 35 to 44 | <input type="checkbox"/> 65 to 74 | <input type="checkbox"/> Prefer not to say |
| <input type="checkbox"/> 16 to 24 | <input type="checkbox"/> 45 to 54 | <input type="checkbox"/> 75 to 84 | |
| <input type="checkbox"/> 25 to 34 | <input type="checkbox"/> 55 to 64 | <input type="checkbox"/> 85 or over | |

Which of the following best describes your gender? (Please choose one option)

- | | |
|---------------------------------|--|
| <input type="checkbox"/> Female | <input type="checkbox"/> Prefer to self-describe |
| <input type="checkbox"/> Male | <input type="checkbox"/> Prefer not to say |

If you prefer to self-describe, please specify in the box below:

Are your day-to-day activities limited because of a health problem or disability lasted, or is expected to last at least 12 months? (Please choose one option)

- | | | | |
|--|-------------------------------------|-----------------------------|----------------------------------|
| <input type="checkbox"/> Yes, a little | <input type="checkbox"/> Yes, a lot | <input type="checkbox"/> No | <input type="checkbox"/> Pre say |
|--|-------------------------------------|-----------------------------|----------------------------------|

Section Four: Impacts

Please describe what, if any, impact the County Council's options for balancing its budget could have on you (or your constituency, organisation, group or business). Please summarise your comments in the box below. Please do not provide any personal details in your response.

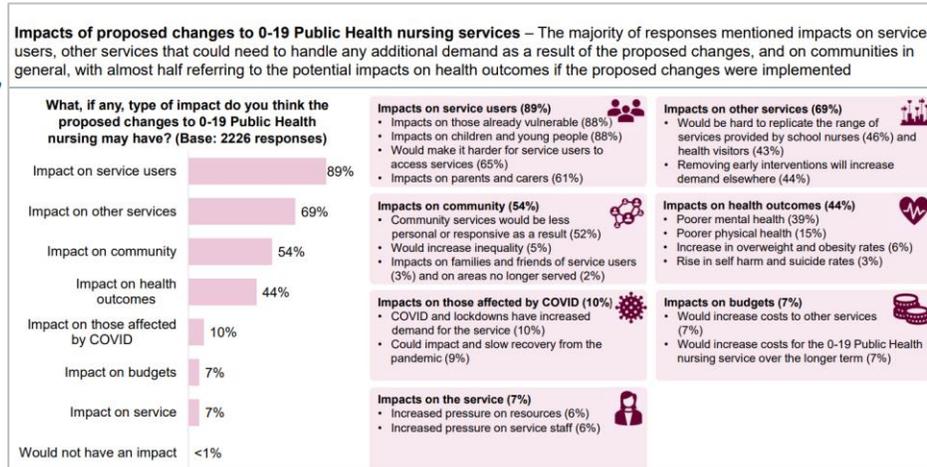
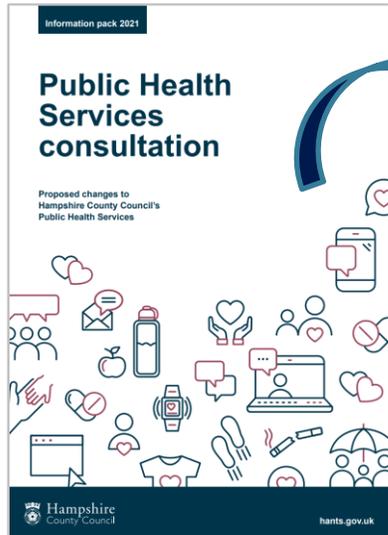
If you require any extra space for your response to this question, please write on an additional page and include it with this Response Form.

To help us better understand the impacts you are describing, and share this feedback with the relevant services at the County Council, please answer the following in relation to this feedback:

Please indicate below if the impacts you have mentioned above relate to any of the following characteristics or issues: (Please select all that apply)

- | | | |
|--|---|---|
| <input type="checkbox"/> Age | <input type="checkbox"/> Pregnancy and/or maternity | <input type="checkbox"/> Poverty |
| <input type="checkbox"/> Disability | <input type="checkbox"/> Race | <input type="checkbox"/> Rurality |
| <input type="checkbox"/> Gender reassignment | <input type="checkbox"/> Religion or belief | <input type="checkbox"/> Environmental impact |
| <input type="checkbox"/> Marriage and/or civil partnership | <input type="checkbox"/> Sex | <input type="checkbox"/> Don't know |
| | <input type="checkbox"/> Sexual orientation | <input type="checkbox"/> None of these |

Case study: How responses are taken into account



[Health and Adult Social Care Select Committee - Tuesday, 19th October, 2021 10.00 am, NEW](#)

Councillor Liz Fairhurst, Hampshire County Council's Executive Lead Member for Adult Services and Public Health said: "I would like to thank everyone who took part in the consultation. Their views, along with feedback from Public Health England (PHE) on use of Public Health ringfenced grant, means that the proposals originally shared with the public have been substantially altered including not pursuing Public Health School Nursing proposals. The [scrutiny committee](#) will now review the proposals in detail; then pass them to me, with any additional changes they may wish to recommend, for a final decision in November."

Impacts of proposed changes to the 0-19 Public Health nursing service – Different respondent groups consistently reported impacts on service users, other services, and on communities frequently, with places of education and health sector organisations also demonstrating notable concerns about the impacts on health outcomes from the proposed changes

Shaded cells show the top three impacts described by this group	Base	Impact on service users	Impact on other services	Impact on community	Impact on health outcomes	Impact on those affected by COVID	Impact on budgets	Impact on service	Would not have an impact	Other
All responses	2226	89%	69%	54%	44%	10%	7%	7%	<1%	<1%
Current service user, or family of current service user	679	92%	76%	58%	46%	7%	4%	8%		
Non service users (or family of)	511	82%	60%	44%	35%	9%	8%	5%	1%	
Nursery, school, college or place of education	32*	100%	84%	44%	53%	13%	3%			
Health sector organisations	33*	91%	88%	76%	67%	15%	15%	6%	3%	
Employees of HCC or commissioned providers	550	91%	76%	59%	49%	13%	6%	11%	<1%	
Aged under 25	54	89%	72%	56%	41%	4%	4%	4%		
Has a long-standing illness, health problem, or disability	237	81%	56%	48%	36%	5%	8%	4%	<1%	
Has children or young people up to the age of 16 in household	1274	91%	69%	54%	44%	9%	6%	7%	<1%	
Ethnic Minority	113	79%	61%	49%	30%	7%	9%	6%	1%	
Household income up to £30,000 per year	246	87%	63%	50%	40%	6%	5%	8%	<1%	

In total, it was anticipated that the County Council's Public Health function would need to contribute some £6.8million of savings in 2021/22 towards the Local Authority's overall budget shortfall. Just over £3.1million of savings have already been achieved through a combination of internal and external service transformation. Following feedback from the consultation and subsequent discussions, it has been concluded that no further savings towards the £6.8million target are required from Public Health. Rather, the remaining saving requirement of £3.7million can be achieved through additional savings made within adult social care, as a consequence of a reduction in client numbers experienced during COVID.

The funding from the £236,000 of savings proposed to proceed, will be reinvested back into areas of priority to help improve the public's health.

The public consultation ran over the summer. Some 3,000 responses were received from individuals, as well as various organisations, including Public Health England.

HCC Press release October 2021

In summary

- Consultation enables the County Council to improve proposals and decisions by understanding and taking account of the views of stakeholders
- There is a defined policy and process for consultation, which enables the County Council to work within legal requirements
- The County Council will consult when there are proposals to remove, substantially change or reduce a service, or when there is a legitimate expectation that it will do so
- The needs of identified stakeholders are paramount in determining the scope of a consultation at all stages
- A process of ongoing review allows the County Council to identify and implement areas for improvement after each consultation
- As community gatekeepers, Elected Members play an important role in helping constituents understand the importance of sharing their views