



# **The Spending Review Consultation**

How the Government  
can get it right

**Briefing Paper 21**

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## 1. Introduction

- 1.1 The Coalition's ***Programme for Government***<sup>1</sup> is quite explicit. Item 7 of the section headed Deficit Reduction states:

*We will hold a full Spending Review reporting this Autumn, following a fully consultative process involving all tiers of government and the private sector (our underline)*

- 1.2 It would be unfair to suggest that consultation is entirely new either to the Treasury or to the processes leading up to the Annual Public Expenditure Statement. The previous Government presided over an unprecedented growth in public consultation – running at over 500 exercises in recent years. Alongside this, growing accessibility and transparency in Whitehall meant that dialogue between different stakeholder groups and the Government has intensified and become more visible.

- 1.2 But what the new Government appears to have in mind is clearly different in scale and aspiration and forms an integral part of its strategy. By publishing its commitment to consultation in ***The Spending Review Framework***<sup>2</sup> it ensured maximum coverage for the announcement.

- 1.3 For clarity, and to help everyone understand the expectations that will now be created, it is important to distinguish consultation from other kinds of public engagement. Consultation has a specific meaning. It is that...

*Consultation is the dynamic process of dialogue between individuals or groups based upon a genuine exchange of views with the objective of influencing decisions, policies and programmes of action*<sup>3</sup>

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<sup>1</sup> The Coalition: our programme for government (2010) at; [http://www.cabinetoffice.gov.uk/media/409088/pfg\\_coalition.pdf](http://www.cabinetoffice.gov.uk/media/409088/pfg_coalition.pdf)

<sup>2</sup> HM Treasury, *The Spending Review framework* (2010) at: [http://www.hmtreasury.gov.uk/d/spending\\_review\\_framework\\_080610.pdf](http://www.hmtreasury.gov.uk/d/spending_review_framework_080610.pdf)

<sup>3</sup> Per The Consultation Institute [www.consultationinstitute.org](http://www.consultationinstitute.org)

## 2. The Announcement

- 2.1 On Tuesday, 8 June 2010, the Chancellor of the Exchequer, the Rt Hon George Osborne MP, announced his proposed Spending Review framework to the House of Commons. Explaining the HM Treasury document published on that day, he described a series of processes and approaches that will be taken in order to address the Budget deficit. They include:
- 2.1.1 Specific financial commitments for Health and Overseas Aid
  - 2.1.2 Commitments to limit the impact of decisions on vulnerable regions and individuals
  - 2.1.3 A Public Expenditure Committee, popularly called a 'Star Chamber'
  - 2.1.4 Nine Value-for-Money criteria designed to provoke new thinking about alternatives to current spending patterns
- 2.2 In addition the Paper commits the Treasury to approaching the Spending Review in *'a completely different way from how it has been approached in the past'* and explains this with reference to three key points:
- 2.2.1 Thinking innovatively about the role of Government
  - 2.2.2 Taking the difficult decisions collectively
  - 2.2.3 **Consulting widely using all available talents to ensure that we deliver a stronger society as well as a smaller state**
- 2.3 Another feature of the published approach is to incorporate as far as possible the emerging findings from a series of Reviews set up (in part) following finalisation of the Coalition's programme for Government. Eleven different 'Independent Reviews' are specified and they include highly important cross-cutting issues with major implications for public spending.<sup>4</sup> They include:
- 2.3.1 The affordability of public sector pensions
  - 2.3.2 The Defence Review
  - 2.3.3 Local Government Finance
  - 2.3.4 Police employment contracts
  - 2.3.5 Retirement age
  - 2.3.6 Lord Browne's Higher Education Review
- 2.4 The Government also seeks advice from the 'brightest and best' through a **'Spending Review Challenge Group of experts'** – both from inside and outside Government. Its remit will be to:
- think innovatively about the options for reducing public expenditure and balancing priorities to minimise the impact on public services*

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<sup>4</sup> In addition to those mentioned in this Paragraph, there are Reviews into Long-term care, Legal Aid, Sentencing policy, the Housing Revenue Account and support for part-time students

- 2.5 In a section called 'Delivering a fully consultative process', the Treasury paper repeats its commitment to an open, responsible and fair process. It says that the process will:
- ... demonstrate that ... there is a more open, transparent and collaborative approach to solving problems than has been the case in the past*
- 2.6 The process as then described contains the following elements:
- 2.6.1 The Government will gather *talented individuals from within the public sector and beyond... harnessing their expertise*. It is not clear whether this is the same initiative as the Challenge Group referred to in Par. 2.4. above
- 2.6.2 There will be a *'series of events over the Summer to discuss and debate various aspects of public spending'* These will include localism, and welfare reform
- 2.6.3 Attendance will be by invitation so as to *represent a wide spectrum of expertise and viewpoints*
- 2.6.4 Specifically mentioned are:-
- Think Tanks & interested groups
  - Academics
  - Local government
  - Business
  - Trades Unions
  - Public Sector Experts and watchdogs (including the Audit Commission)
- 2.6.5 Sectoral level consultation to be organised by individual Whitehall departments
- 2.7 **Note** that although the media extensively trailed the exercise as a 'public consultation' it seems that the Government has not used this term. Neither has the Government promoted a website to which the general public can contribute.

### 3. Reactions to the Announcement

3.1 Although the announcement had a generally favourable reaction overall, the proposals for consultation received a much more critical welcome, reflecting considerable cynicism about the Government's true intentions.

3.2. A highly visible critic was the ex-Chancellor Lord Lawson, who told the BBC's World at One:

*Public consultation is essentially a PR ploy and it may be a very good PR ploy but we know perfectly well that the public will have a wide range of different views and anyhow it's the government's job to decide what is to be done<sup>5</sup>*

3.3 Equally devastating a critique came from Lord Bichard:

*One of the problems you face in this country of course is that people are very jaundiced about any kind of consultation exercise. ... partly because, in the past, governments of all colours have tended to use consultation exercises as a way of getting people to agree what they have already decided to do, in other words a validation exercise. I don't think the government wants to do that – but they start from a base where people are pretty jaundiced<sup>6</sup>*

3.4 The Commentator Anatole Kaletsky offered the following:

*My first piece of advice to the Prime Minister is to stop talking nonsense and remember that he is now running a government, not an election campaign. He should focus on getting his job done, not on spinning, managing expectations, massaging public opinion and other Blair-Mandelson "black arts".<sup>7</sup>*

3.5 Simon Heffer was rather sarcastic, referring to:

*The Chancellor of the Exchequer's ridiculous invitation to the British people to advise him on where they would like their public spending cut. I presume when Mr Osborne feels ill and goes to his doctor, the doctor asks him to choose what illness he would like to be cured of. The party's obsession with focus groups, and with following public opinion rather than leading it, reaches new depths.*

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<sup>5</sup> see <http://www.guardian.co.uk/politics/2010/jun/08/nigel-lawson-osborne-cuts-consultation>

<sup>6</sup> *ibid.*

<sup>7</sup> see [http://www.timesonline.co.uk/tol/comment/columnists/anatole\\_kaletsky/article7146360.ece](http://www.timesonline.co.uk/tol/comment/columnists/anatole_kaletsky/article7146360.ece)

3.6 Paul Valley reminds everyone that:

*Consultation, after all, is the word politicians use when they want us to feel we've had our say and then go quietly away.*<sup>8</sup>

3.4 These comments reflect widespread suspicion of consultation among media commentators and also among seasoned stakeholders. The processes of consultation are significantly 'fault intolerant'. Consultors can organise a mostly excellent exercise, but make a few small mistakes only to find that the credibility of the whole is tarnished. The kind of mistakes that are made are fully explored in the Section *What goes wrong* in ***The Art of Consultation***<sup>9</sup> These issues also influenced the Consultation Institute to draft **The Consultation Charter**<sup>10</sup> – a clear but demanding set of seven principles against which consultation best practice can be judged. The seven principles are:-

- Integrity
- Visibility
- Accessibility
- Transparency
- Disclosure
- Fair Interpretation
- Publication

3.5 In considering how best to view the Government's proposals, it is necessary to determine whether these 'normal' criteria are quite appropriate. Might it be that the nature and complexity of what will now be attempted will be such that 'normal' evaluation methods will not suffice?

In **Section 4**, we argue that the Government faces peculiar and almost unique challenges in what it now proposes. However, in **Section 5**, we offer suggestions as to how these identified problems can be accommodated or addressed.

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<sup>8</sup> See <http://www.independent.co.uk/news/uk/politics/so-exactly-how-much-of-a-say-will-mr-osborne-give-the-public-1995013.htm> |

<sup>9</sup> Gammell, E. and Jones, R. (2009) *The Art of Consultation*, Biteback Publishing - see [www.biteback.co.uk](http://www.biteback.co.uk)

<sup>10</sup> See Appendix One

## 4 Pitfalls & Problems

4.1 In addition to the usual challenges that face any significant consultation, there are three particular problems that the organisers of the forthcoming consultation will need to consider with care.

4.2 **PROBLEM ONE:** No-Go Areas

4.2.1 It is universally accepted that there is no purpose to be served in asking people's views if the decision has already been taken. This is a waste of everyone's time and usually a fraud on the stakeholders. If consultees do not have the ability to influence decisions policies or programmes of action, then disappointment is inevitable, and best practice consultation requires the organisers to be very explicit about those areas where consultee views can make a difference.

4.2.2 Consider the position that the Government now finds itself. It has fought an Election campaign, and despite the general view that the protagonists fought shy of declaring their plans for expenditure cuts, the hustings produced clear commitments for some areas of spending. Manifesto promises to preserve overall levels of funding for the NHS and Overseas Aid have found their way into the Coalition Agreement and thence to the Spending Review Framework. But there are other policy areas where the decision appears well and truly taken. The presumption has to be made that there is no way that the Government will consider re-visiting such decisions so soon.

4.2.3 But what of other commitments made in the Coalition Agreement ... and not yet implemented? Some are heavy cost items; others may be negligible. Leave aside those which commit the new Administration to 'review', 'consider', 'examine' or 'look at' various issues. There are dozens of firm commitments that appear to be non-negotiable. Or are they? Here are some examples:

- Free entry to national Museums and Galleries
- Roll-out of superfast broadband
- An offshore Energy Grid
- Retention of Winter Fuel allowances, free TV licenses, bus travel, free eye tests and prescriptions for older people
- A National Citizen Service
- The Disadvantaged Pupils Premium
- A Tree planting campaign

### The 3 Problems

1. What?
2. How?
3. When?

4.2.4 It may be argued that the Government might still be interested to hear views as to *how* these policies are to be implemented, but without explicit caveats, it is likely that any discussions of whether or not to proceed with such policies will be of no significance – and consultees cannot expect otherwise.

4.2.5 What makes the agenda for the forthcoming consultation problematic is that the public at large (and maybe many stakeholder organisations) will not be altogether clear about what has and has not been determined. One is then faced with the dilemma of opening up the debate widely – in the knowledge that substantial elements of the consultation will be superfluous, or trying to narrow it down by pointing out what is and what is not open for discussion.

### 4.3 **PROBLEM TWO:** Inclusivity

4.3.1 Any local authority will confirm that one of the biggest challenges in consultation is avoiding the debate being monopolised by the 'usual suspects'. These are not the caricature well-meaning busybodies that might be imagined. Often they are well-organised lobbying or campaigning groups adept at getting their viewpoints across. Regardless of who they might be there has been sufficient concern about the consequential bias – or possible bias in the argument, that enormous efforts have been made in recent years to include 'seldom-heard' groups. They are sometimes referred to (wrongly) as 'hard-to-reach'.

4.3.2. At first glance, the Government's proposal raises an eyebrow or two. It relies (at least to a degree) on 'experts', and this becomes a real minefield. A few months ago, the redoubtable Professor Nutt resigned from the Drug Advisory Committee because he did not feel that the then Home Secretary took account of his – and his Committee's expertise. It illustrates the often-difficult relationship Government has with 'experts' and it seems ironic if it proposes to lean heavily upon such people in the coming consultation.

4.3.3 The 'culture of the expert' has in any event caused concern in many fields. Who is an expert? Dr. Ben Goldacre's recent book 'Bad Science'<sup>11</sup> illustrates precisely the pitfalls inherent in taking qualifications and media reportage at face value, and journalists will confirm the ease with which they can find an 'expert' to testify to any and every side of an argument. In this kind of process, it places a premium on the choice of expert, as it is possible to engineer a particular answer just by manipulating the voices one chooses to hear.

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<sup>11</sup> <http://www.badscience.net/>

- 4.3.4 The Government is yet to announce the process it will adopt to select the so-called experts; those to be consulted by Departments in the Sectoral discussions are even less obvious right now. Because they will be invited to meetings (in August!), they will be more visible than normal, and whatever it does the consultation organisers will face criticism.
- 4.3.5 There is also a geographical dimension. Press reports of the Chancellor's announcement – but not the announcement itself - spoke of Town Hall meetings and sessions held in public, but this is far from clear. Consultation is rather like justice. Not only must it be done; it must be seen to be done, and visibility of the process is therefore important. This will therefore exacerbate any feelings that particular voices are not being heard. It will matter if the meetings are seen to take place in the various English Regions, and where the subjects are appropriate, also in Wales, Scotland and Northern Ireland.
- 4.3.6 In a more routine consultation, it can be relatively straightforward to identify key stakeholders. But in an exercise as all-embracing as this, the list is immense and virtually impossible to determine. And in an infinite pool of organisations, their access to the debate depends largely upon the dialogue methods they are offered. Relying, as seems likely upon *eParticipation tools* will certainly favour many organisations, but will probably put many others at a disadvantage.
- 4.3.7 There will also be an issue about the extent to which different stakeholders will have access to address the decision-makers – or those who advise them. There is a big difference between offering your thoughts on an eDiscussion Forum on a website and actually attending a face-to-face meeting with a Government Minister or Senior Civil Servants. When a previous Government organised large-scale deliberative events (e.g. *Our Health, Our Care, Our Say*) – the media mounted a furious attack on perceived PR posturing and it seems this exercise may face a similar quandary.

#### 4.4 **PROBLEM THREE:** Timing

- 4.4.1 The published timetable revolves around the Autumn announcement of the Public Spending Review with the June Budget Statement preceding it. Flying in the face of conventional best practice, what it terms the '*external engagement programme*' is scheduled for the month of August.

- 4.4.2 Timing is frequently a major problem for consultations. In one Court case, the issue was that a Government Minister announced a decision within two or three days of the relevant consultation with the inference that there was no way the output of the process could not have been properly considered in such a short time. This highlights the frequent tension between the tight timetable often demanded by Ministerial or Parliamentary pressures and the extended period required to fulfil the standards of consultation best practice.
- 4.4.3 Under the Government's Code of Practice on Consultation, and well established convention, a period of 12 weeks is regarded as necessary to ensure a satisfactory period of consultation. Indeed, counting from the date of the Chancellor's Announcement to the end of August that is precisely the period provided. So far; so good. Where the proposed timetable runs into difficulty is when the consultation is seen in the context of the other activities he announced at the same time. July, for example, is set aside for ***Initial Ministerial decisions to check Spending Review priorities*** and whilst this comes with a distinct flavour of *Wait till we hear from others*, one should remember that membership of the Star Chamber is open up to other Cabinet Ministers 'once they have settled their departmental allocation'. No pressure then!
- 4.4.5 The truth is that if the Government's narrative of a worse-than-expected budgetary position is to be believed, it is simply not credible that it will defer all the important public expenditure decisions until the Autumn. It may be that it can reasonably claim that no formal decisions will be taken until then, but those close to Government will probably be able to detect preparatory work strongly indicative of the resulting spending profile long before it is announced. Cutbacks in this year's expenditure, as announced in the June Budget or in the £6bn emergency cuts announced in May will also provide strong signals for areas of expenditure reductions.
- 4.4.6 All this amounts to a presentational problem for those charged with listening to consultees. They have to convince a sceptical public that the time is still available to make a difference, and that policies and programmes are not set in stone. Many will conclude that although its intentions are honourable, Ministers simply do not have the time to undertake a satisfactory consultation.

## 5 How to get it right ... a blueprint for a successful consultation?

5.1 People of goodwill wish to give the Coalition the benefit of the doubt and many will be more generous in their response to the consultation than media commentators. But this could easily evaporate if serious mistakes are made. It is not just the Government's Spending Review that suffers if this consultation goes badly. The Consultation Institute is concerned to ensure that public confidence in consultation remains and, if possible, is enhanced. Remember that there are hundreds of consultations to come and a loss of trust would damage the Government's ability to engage successfully with others – probably to the detriment of public policy and administrative efficiency. So, are there effective ways of addressing the problems identified in Section 4?

### 5.2 **PROBLEM ONE:** No-Go Areas

5.2.1. The agenda is a difficult issue to address. The trick is to make the questions as precise as possible and to focus on those areas where the Government has itself felt the need to review policy. Those leading the Eleven Independent Reviews should immediately publish their 'lines of enquiry' and invite submissions on questions drafted on each.

5.2.2. The next step should be to take from the long list of Coalition commitments, those which, although not included in the Eleven Independent Reviews – have significant public expenditure implications, but are shown in the Coalition Agreement as warranting consideration, examination, or other deliberative intent. These can safely be presumed to be matters upon which no final decision is imminent, and would be suitable for consultation. Examples include:-

- Raising the stamp-duty threshold for first-time buyers
- The West Lothian Question
- Flexibility for early access to personal pensions
- The Governance of National Parks
- Counter-terrorism Control Orders

5.2.3 The third and probably the most difficult task will be for the Government to look at the remaining commitments and decide which of these it is prepared to offer for public debate. It should do so in the realisation that this implies a willingness to change its mind. If it cannot foresee such a possibility, the item should join others that are non-negotiable, and be excluded from the consultation.

- 5.2.4 Taking large areas of policy out of the consultation – because the Government has effectively taken the decision – gives it a particular problem which is important to acknowledge. Clearly it feels the need to let people have their say about the overall shape of public expenditure, and has its own ‘preferred option’ of the ‘Big Society’ (curiously not even mentioned in the Treasury document) and the concomitant withdrawal of hitherto public-delivered or funded services. It might quite like a debate about the relative share of gross public expenditure taken by different services like Defence, Schools, Welfare and so forth. However, one can argue that this was properly ventilated in the Election and that the ringfencing of NHS and Overseas Aid was the product of the electoral process. In reality, a meaningful consultation is far more likely if it is focused on specific policies and programmes, and a major presentational task is needed to demonstrate which of the areas (Par’s 5.2.1, 5.2.2, and 5.2.3) where this is possible.
- 5.2.5 The other kind of dialogue the Government appears to welcome is at the micro-level with citizens, pointing to economies that might be made within public bodies, quangos or in the use of public money. The trouble with this is that such ‘Suggestion-scheme’-style data is of limited value at Government level but of far greater use at organisational or local levels. Encouraging this kind of behaviour is a culture-change – allied in part to the legitimacy of whistle-blowing on wasteful use of resources. Trying to tie this all into a major consultation on macro-policy issues may be too ambitious and there is a case for separating the agenda of citizen involvement in identifying waste and making it a different exercise.

### 5.3 **PROBLEM TWO:** Inclusivity

- 5.3.1 Ensuring that the Government is listening to an appropriate range of voices is difficult enough. Persuading the country that it is doing so is rather more challenging. That is why the process of selecting ‘experts’ has to be visible and preferably independent.
- 5.3.2 The first step that can be taken is to appoint an independent third party to advertise for and compile a list of potential witnesses on specific subjects, maybe similar to the processes used by Parliamentary Select Committees. Such a ‘call for evidence’ would at least be open and transparent.

- 5.3.3 The second step should be to hold well advertised deliberative events at a range of locations with a proper system for members of community and business organisations to apply for tickets. Given the adverse publicity given to previous events of this kind, Ministers should stay away unless prepared to stay for the whole event and listen to the entire proceedings. PR-style photo opportunities can invalidate such consultations.
- 5.3.4 Even well-designed and representative events will not make the consultation inclusive unless special measures are taken to engage with seldom-heard stakeholders. For each of the subjects selected for detailed review we suggest a professionally conducted mapping exercise to identify those voices that need to be included in the consultation. There is an obvious opportunity to do this on the occasion of the 'Sectoral Reviews' though if Departments are left to select participants themselves, such is the suspicion with which they are held, an independent element in the process is clearly desirable.
- 5.3.5 Participation by the general public will not be taken seriously unless the Government can offer something better than a routine eDiscussion forum or forums. Modern social media such as **Facebook** will probably generate its own series of campaigns to persuade people to make submissions in favour of or against specific propositions. The Government could take the initiative and encourage the use of specific eParticipation sites to let individuals and organisations register their views – provided there are easy ways to acknowledge their participation and provide feedback. Before the General Election, the Conservative Party showed interest in new ideas around Crowdsourcing and although it is unclear what came of their offer of a reward for successful IT applications, the type of consultation now envisaged appears ideal for this concept.
- 5.3.6 August may be an unsuitable time of the year to involve Parliamentarians but their omission from the original announcement may be an error. The Government wants to reform politics and has a number of proposals to strengthen the role of Parliament. MPs are the 'experts' by virtue of their democratic mandate and there is no reason why each Select Committee cannot be invited to submit its views on those matters remaining on the consultation agenda as part of their processes.

#### 5.4 **PROBLEM THREE:** Timing

- 5.4.1 The inevitable criticism of doing the most important consultation from any recent Government at a time when people are away on holiday could be deflected, at least to an extent by extending the period on either side of August. It seems perfectly possible to commence the electronic aspects earlier, say early-July, and to defer some of the events until, say mid-September. The Government is very vague about the timing of the Review itself, and it is likely that it is reserving for itself some flexibility. It may need to demonstrate the same flexibility regarding consultation.
- 5.4.2 What seems to stand in the way of an earlier start to the consultation is the need to be more precise about the agenda (ie Problem One!) and the time required for those matters under Review to articulate their lines of Enquiry. If urgent action is taken to generate this material, a more extended period of dialogue is certainly possible.
- 5.4.3 A particular timing issue arises regarding those subjects which are subject to Reviews that will last beyond the timetable for the 2010 Public Spending Review. The Treasury paper acknowledges this and states:
- Some reviews will conclude in time for the Spending Review; others will be ongoing and the Spending Review will take into account any initial conclusions.*

So unless alternative arrangements are made, it might look as if the public's opportunity to contribute to these is 'choked off' at a very early point in their on-going deliberations. The answer is for the leaders of those Reviews that will be ongoing to identify those aspects (initial conclusions) that it will make available to the Treasury in time for the Spending Review and to focus the consultation effort on those aspects in the short-term.

- 5.4.4 Politically, it may be difficult for the Government to end the consultation period before the Party conference season. Unless other measures are taken to provide opportunities for the political parties (including the Coalition partners) to voice their opinions, there will be disappointment and possibly outright opposition. If one of the Government's objectives is to encourage debate in the hope that the public develops a better understanding of the problems it faces, it should surely seek to involve political parties as much as possible. The Conferences constitute the largest gathering of politically-informed activists and they always express views on policy matters. To be told that, unfortunately, the closing date of the consultation passed three or four weeks earlier, will not go down well.

- 5.4.5 The only way that the short timescale can be acceptable to many who may wish to contribute is to publicise it extensively and for Ministers to stress that it has an open mind about those areas of policy covered by the consultation.
- 5.5 There is one other absolute requirement that the Government must fulfil. It must deliver high-quality **Feedback**. This means publishing truthful summaries of what has been said in the consultation – what the Institute calls Output Feedback. This must not be confused with an announcement of what the Government chooses to do as a result. That is Outcome feedback and that is quite different. It will not do for announcements to be made that such-and-such a policy has been decided ‘having listened to all the many contributions to the consultation’. Transparency requires everyone to have confidence that the Government has heard what is said and in matters as difficult as the deficit reduction, a key test of its bona fides will be the quality of the Feedback provided.

## 6 Summary

It is possible for the Government to get this public engagement right. The box shows our principal recommendations for success.

### Consultation Institute suggestions

#### What?

- Publish 'lines of enquiry' for the 11 Independent Reviews
- Identify other policies subject to review or consideration
- Select other issues where the Government is open to influence
- Confirm that other aspects are outside the scope of the consultation
- Mount a separate campaign for Citizen suggestions to eliminate less necessary public spending

#### How?

- Introduce an 'independent' element in the selection of Experts
- Issue Calls for evidence
- Hold open public events with open application for tickets
- Stakeholder mapping exercises to identify Key participants and the most relevant *Seldom Heard* groups
- Use of state-of-the-art eParticipation applications
- Involve Parliament

#### When?

- Don't confine the listening exercise to August; extend the consultation period
- Independent Review teams to identify priority issues for early submissions
- Allow discussions at the Party Conferences
- Ministers to stress that the Government will still keep an open mind on matters covered in the consultation until the Autumn

## **7 Overall Conclusion**

The kind of public engagement which the new Government is trying to organise is laudable but risky.

Media reaction to the announcement will have alerted it to the unpopularity of consultations that may appear to be PR-driven and it will be conscious of the need to demonstrate best practice in the way it is managed.

This paper has probed the risks inherent in the planned consultation. But it also shows that there are ways of addressing some of the problems.

If the Government can incorporate some of the ideas contained in this paper, it gives itself a chance of maintaining the credibility of its consultation, as well as obtaining valuable input for its Public Spending Review.

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**The Consultation Institute**

14 June 2010

## Appendix One

# The Consultation Charter

### A brief overview

**The Consultation Charter** is published by The Consultation Institute and is intended to act as a Best Practice reference for all who are involved in public or stakeholder consultations

- It includes important definitions and illustrates their application
  - Most importantly, it establishes **Seven Key Principles** by which individual consultation exercises and consultation programmes can be measured. These principles are already used by the Institute to evaluate consultations, and will form the corner-stone of planned accreditation schemes
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- Principle One:** The **INTEGRITY** of consultation  
The consultation must have an honest intention. Consultants must be willing to listen... and be prepared to be influenced
- Principle Two:** The **VISIBILITY** of consultation  
All who have a right to participate... should be made reasonably aware of the consultation
- Principle Three:** The **ACCESSIBILITY** of consultation  
Consultees must have reasonable access... using methods appropriate for the intended audience... with effective means to cater for 'hard-to-reach' groups and others
- Principle Four:** The **TRANSPARENCY** of consultation  
Consultation submissions will be publicised unless specific exemptions apply. *Freedom of Information Act* requests can now be used to disclose data previously kept hidden
- Principle Five:** The **DISCLOSURE** of consultation  
Consultors must disclose all material information; consultees must disclose significant minority views when representing many parties
- Principle Six:** The **FAIR INTERPRETATION** of consultation  
Objective assessment, with disclosure of weightings if used
- Principle Seven:** The **PUBLICATION** of consultation  
Participants have a right to receive feedback of the consultation output and of the eventual outcome of the process

By observing these principles, organisations demonstrate their commitment to *Best Practice* and to assisting stakeholders to participate fully in the process