

Draft Principles/Guidance for Public Consultation

A Submission by the Citizens Information Board

October 2015

Introduction

The Citizens Information Board (CIB) welcomes the opportunity to make a submission to the Department of Public Expenditure and Reform on the Draft Principles/Guidance for Public Consultation. The Principles/Guidance Document is an important milestone in enhancing public consultation as a core component of policy development and as a means of promoting active citizenship. The emphasis in the document on building on best practice internationally is an important one.

It has long been widely acknowledged that consultation is the key to public services understanding the needs and expectations of their wide range of users. As far back as 2001, the OECD¹ noted that strengthening relations with citizens is a sound investment in better policy making and a core element of good governance. It allows government to tap new sources of policy-relevant ideas, information and resources when making decisions. Equally important, it contributes to building public trust in government.

The CIB has over the years regularly highlighted the need for stronger consultation mechanisms in order to ensure that the views and perspectives of end-service users form an integral part of policies at planning and implementation stage. In this regard, our service delivery partners – the national network of Citizens Information Services (CIS), the Citizens Information Phone Service (CIPS), the Money Advice and Budgeting Service (MABS), the National Advocacy Service for People with Disabilities (NAS) and the Sign Language Interpreting Service (SLIS) – provide a rich source of data on citizens' experiences of social services.²

It is noted that the term 'customer', which has tended to be used by public services in recent years, is not used in the Consultation Document. This is important because public service providers are not subject to the commercial disciplines of the market place and the relationships between users and providers of public services are also often considerably more complex than those between customers and providers in the private sector. People in receipt of public services for the most part have no alternatives and, therefore, cannot avail of the 'exit' option in the sense of going elsewhere for the service. Also, the reality is that

¹ <http://internationalbudget.org/wp-content/uploads/Citizens-as-Partners-OECD-Handbook.pdf>

² These services deal with almost 800,000 people yearly and handle over a million queries. Drawing on feedback from our service delivery partners, the CIB compiles policy social policy reports and submissions on an ongoing basis. <http://www.citizensinformationboard.ie/services/social/>

public services are delivered within limited resources and trade-offs may be required between meeting the needs and expectations of different groups of users. For these reasons, ensuring that all users of services are included in the consultation loop is a core consideration in terms of ensuring a fair distribution of available resources.

Important Points in Consultation Document

The following are identified by the CIB as important points in the document which, if implemented, would contribute significantly to the public consultation process:

- Acknowledgement of the cross-departmental dimension to many policies and the need for greater inter-departmental collaboration around consultation
- The provision of mechanism for feedback on outcomes of submissions made in response to consultations
- Clarity about the nature and purpose of the consultation thereby minimising the likelihood of 'catch all' responses from the public or organisations representing particular interests
- Clarity about the stage at which consultation is taking place
- A central website as a repository for all public consultations
- A system for the automatic notification of organisations and individuals of consultations relevant to their area of involvement/interest

Putting Consultation Principles into Practice

As is acknowledged in the consultation document, a common recent trend in many jurisdictions, including Ireland, has been the development of mechanisms to seek the views of citizens on a more systematic basis in order to improve the quality of services delivered. Initiatives introduced over the years such as the Strategic Management Initiative, Customer Services Action Plans, Principles for Customer Services, the Ombudsman's Guide to Good Practice and the Guidelines on Consultation for Public Sector Bodies: Reaching Out, have created a better climate for involvement by citizens. Engagement with the public has become a key underlying principle of service delivery and Government agencies regularly consult with citizens and with community and voluntary organisations. Indeed, some parts of the Irish public service, e.g., the Department of Social Protection, have a strong track record in external consultation. Despite these initiatives and related statements of intent, many public service users continue to remain outside the consultation loop and protocols for engaging effectively with some categories of service users are still largely underdeveloped. The picture that emerges from CIB service delivery partners is that the main emphasis in the consultation process is from a provider rather than a user perspective and that there is a clear need for a more organic engagement with individuals and groups.

Consultation or Participation

A clear distinction needs to be made between user-friendly approaches where the user remains external to the service and participatory approaches, which imply user involvement in the definition of need and in the planning, management and delivery of services accordingly. Also, it is crucial to take into account the fact that needs are not static but shift and change with reference to information available, people's experiences and expectations. Thus, consultation cannot be regarded as a once-off event, as expectations and needs are likely to change over time.

The challenge is to engage all citizens in a meaningful and active way in shaping services according to their needs and expectations. Additional mechanisms for meaningful participation are required, particularly at local level, for people to channel their views and experiences. There is also a need to broaden the domains for bottom-up consultation to include addressing poverty, social inclusion and equality of access matters. More work is required to develop a participatory approach which targets comparatively disadvantaged groups.

Types of Consultation

Varying the approach to consultation to include as many people as possible can add to the validity of the consultation process itself and its outcome. There is a wide spectrum of possible levels and types of potential engagement with the public, ranging from public relations exercises to the empowerment of citizens in policy formulation. Likewise, there is a wide continuum of means of engagement that can be deployed ranging from comment boxes to high level engagement through participative forums and including local and national user surveys, user panels and complaints systems.

There is a need to move beyond the use primarily of mechanisms at the lower end of the continuum to mechanisms that are more organic and participatory. Other administrations, at both central and local government levels, have developed initiatives such as citizens' juries and user panels to deepen participation in service design and delivery. For example, in Canada, a 'Citizens First Service Model'³ has been developed which is based upon: (a) citizens' service needs and expectations, (b) access to services, (c) service delivery, (d) perceptions of service quality and (e) citizens' priorities for development. The Canadian Centre for Management Development (CCSN) has emphasised the need to take a holistic, government-wide approach to developing citizen-centred services, as citizens will often need to contact more than one department in order to fulfil a single service need.

People who are 'hard to reach'

There is a need for consultation processes to capture the experience and perspectives of people who, for different reasons, may be hard to reach. This will require identifying and addressing Impediments to participation in consultation – linguistic, cultural, social, educational and geographical. It is also the case that some people may be experiencing

³ <http://www.iccs-isac.org/research/citizens-first/?lang=en>

alienation as a result of what they regard as unfair treatment regarding access to services or supports and need to be offered opportunities to engage. Additionally, people with disabilities, including, in particular, those with cognitive impairment and who are in residential care facilities may be left behind in the consultation processes unless specific and targeted mechanisms are put in place.

Optimising the role of the community and voluntary sector as a bridge between the citizen and the State

The merits of a strong partnership approach between community and voluntary organisations and the public service has long been promulgated as enabling transparency and facilitating the delivery of public services in a manner that responds optimally to citizens' needs. While consultation mechanisms should build on this type of partnership, it should be noted that the involvement of NGOs in partnership structures may not necessarily enhance the role of individual citizens.

Independent information, advice and advocacy services have a particularly important role in collecting and analysing data based on queries from the public and the processing of individual cases. This data is all the more important because of the 'independent' nature of these services and the absence of ties to specific service providing agencies. They are in a position to see citizens' needs in a more holistic manner as distinct from the perspective of a single service-providing agency. The data available from the interface with users of these services offer a rich source feedback and have significant potential to complement other consultation mechanisms.

There is a clear need for a pathway to ensure that evidence based on such experiences and perspectives finds its way to the policy-making arena. In this context, data collected on the experience and perspectives of people using CIB delivery partner services (CISs, CIPS, MABS, NAS and SLIS) provides an important feedback loop and has potential for wider use.

Specific Requirements

The following are identified as specific requirements to enhance the consultation process:

- Consultation documents accessible to all groups and available in Plain English
- Optimising the potential of social media as a tool for public consultation
- Acknowledgment of the digital divide and ensuring that people who are not IT literate or do not access the Internet are included

Key Points

- While consultation can be a powerful tool for improving the quality and cost-effectiveness of services, and for ensuring that policy makers stay in touch with

citizens, these benefits can be secured only if consultation is carefully planned, effectively carried out and thoughtfully used.

- While there is little doubt that real progress has been made with the quality of services delivered to the Irish public, meaningful engagement with users of those services remains underdeveloped.
- The development of effective consultative arrangements with the public has to be accompanied by a focus on the needs of those who have to act upon the information obtained. This has significant implications for training, staff development and support and, also, for the development of consultative arrangements within the department/agency itself.
- Varying the approach to consultation to seek proactively to include as many groups as possible adds to the validity of the exercise itself and its outcome.
- Caution needs to be applied to ensure that the rhetoric of consultation and participation does not operate just at the level of theory. People's needs are multi-faceted and changing on an ongoing basis. If the process of consultation fails to take full cognisance of this, it is in danger of resulting in disillusionment and resentment on the part of both the public and people with the responsibility for service delivery.
- It is necessary to ensure that there is a common understanding of what is meant by user/citizen consultation and that due cognisance is taken of the experience and perceptions of people who, for one reason or another, have to date remained outside the process.
- Training in consultation with individuals and representative groups is required for frontline statutory agency personnel in order to maximise involvement of and creative engagement with the public.
- NGOs need to enhance their potential to respond effectively to consultation opportunities and should be resourced accordingly.