

AGENDA ITEM NO: 10– CONSULTATION ON UNITARY COUNCIL COMMUNITY BOARDS

Reporting Officer: Bill Richards (01494 583824)

Summary

1. To consider whether the Council wishes to respond to the current consultation being undertaken by Buckinghamshire County Council on community boards for the new unitary authority, Buckinghamshire Council.

Background Information

2. The decision to confirm a single council for Buckinghamshire as part of a local government reorganisation was confirmed by the previous Secretary of State earlier this year.

Financial Implications

3. None pertaining to the Report.

Strategic Objectives

4. Accords with the Council's Strategic Aim 4 - '*To consult with, understand and represent the views and wishes of the citizens of Chesham*'.

Equality Act Implications

5. Non applicable.

Detailed Consideration

6. The County Council is undertaking consultation on the new proposed community boards for the unitary authority until the 30th September 2019. It states on its website the following:

'The new Buckinghamshire Council wants to work with local people to help understand the specific issues affecting each area and work together to find solutions.

We are therefore proposing to strengthen local connections with communities by setting up community boards. By working in partnership with local people, town and parish councils, community groups, police, healthcare organisations and residents, these community boards would help the new council understand and respond to local needs more effectively.

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Community boards would give a voice to local people, giving you a chance to work with the council and other local people to make a difference for your community.

What are community boards and how would they work in Buckinghamshire?

Community boards would bring together Buckinghamshire Council councillors with local communities to help solve local issues. They would provide a vital link between the council, elected councillors and communities. These local issues could include improving facilities for young people, tackling social isolation of older people or helping to set up a community bus.

The proposal for community boards in Buckinghamshire

There are a number of options being considered, which are outlined in the 'Community Boards Options Appraisal Document'. This document looks at the benefits and issues of the different options such as the objectives of the new community boards, who might be involved in discussions, who should be involved in decision-making, how many community boards there should be and the areas they should cover.

In summary:

The aim of the new community boards will be to:

- Enable Buckinghamshire Council councillors to take decisions on local issues, alongside key partners including other community representatives.*
- Empower Buckinghamshire Council councillors and communities to influence service design and delivery on local issues.*
- Bring communities together with Buckinghamshire Council councillors and partners to find local solutions to local issues.*

Who would be able to get involved in community boards?

We want community boards to involve everyone in the local area who wants to make a difference and work with the new council to do this.

We're proposing that Buckinghamshire Council councillors from the local area would sit on their local board. To be effective community boards would also need to include people and organisations from the local community.

This could include other public services such as fire services, police and health, residents, parish and town councils and young people.

How would decisions be made?

The aim of community boards is to have a partnership of Buckinghamshire Council councillors with local communities to help solve local issues. They would provide a vital link between the council, elected councillors and communities.

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Decisions will normally be reached by consensus. There will sometimes be a need for a vote for example on community grant applications. One of the consultation questions asks for your views on who should be able to vote.

How would community boards benefit me?

Community boards are about bringing local people, groups and organisations together to make real changes that will make a difference locally to you.

How many community boards would there be across Buckinghamshire?

*A number of options for how many boards and the areas they could cover have been considered. **Following discussions with town and parish councils across Buckinghamshire, a preferred option of 14 community boards across the county has been identified.** However, we want your views on all options.*

Developing the proposals

Community boards are not a new idea. Many councils across the country operate a form of community boards in both unitary and non-unitary areas using a variety of names such as Area Action Partnership, Area Committees, Area Boards, Community Network Partnerships etc.

We have researched how these work elsewhere and used this to develop the proposal for Buckinghamshire. We have also tested out and developed the detail of how community boards might work with town and parish councils, health, police and voluntary and community sector partners.'

In respect to the benefits to town and parish councils, it also states:

'What are the benefits for town and parish councils?

- A mechanism for raising common issues affecting a number of town and parishes across a locality with the council, elected members and partners.*
- A way of finding out information on council and partner services.*
- Greater contact and access to elected members, senior and operational council officers.*
- Greater influence on how services are run locally.*
- Access to council grant funding, as well as opportunities to pool resources to support local projects.*
- A dedicated community co-ordinator to liaise with town and parish councils.'*

7. The maps of community board options in terms of numbers and boundaries is duly **attached**. A Buckinghamshire County Council led unitary workshop held at the Town Hall in late June and involving councillors and clerks from the town and parish sector suggested there was no overwhelming consensus on this issue. However there was a strong feeling that having an 11 or 12 community board area which included a joint Chesham and Amersham area was not a good idea.

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8. There is also a Community Board Consultation survey which is a list of questions that the County Council is posing on the number of community boards. These questions pertain to its proposed objectives; priority of services; representation on the boards and funding allocation. It is your officers' view that, in light of the Local Plan and infrastructure implications, the Council may wish to prioritise environmental issues, transportation and improving community facilities. Moreover with Chesham's status as the third largest town in Buckinghamshire and its comparatively high levels of deprivation, that the Council lobby for additional funding rather than each board getting the same amount of funding. The question on who should be allowed to vote is perhaps a more contentious one. Logically the Council should suggest our Members should have voting rights but there is a danger that parish councillors from surrounding villages who also have voting rights may vote against Chesham's interests regularly in favour of more rural initiatives and potentially could have a numerical advantage in that respect. A degree of circumspection therefore may be required in this response until the representation in terms of numbers is more advanced. As this document consists of 14 pages it will be emailed to Councillors separately, a hard copy will be available in the office.

9. It should be noted that the Staffing and Strategy Group have discussed the new unitary status in some length based on a Clerk's paper on possible options. It was agreed that a Members' workshop on this may be desirable but after the new authority's direction of travel is clearer and the opportunities and mechanism for more devolved services have been established. Your Clerk has also been invited to sit on an informal working group of clerks to look at unitary issues from our sector's perspective with the first meeting scheduled for the 3rd September.

Recommendation

That the Council agrees to respond to the Buckinghamshire County Council's consultation on the number of community boards and further questions on this based on recommendations within the report.

To access the consultation questionnaire please follow this link

<https://shadow.buckinghamshire.gov.uk/consultations/communityboards/>

AGENDA ITEM NO:11 – CONSULTATION ON PUBLIC SPACES PROTECTION ORDERS

Reporting Officer: Bill Richards (01494 583824)

Summary

1. To consider whether the Council wishes to respond to the current consultation being undertaken by Chiltern District Council on Public Spaces Protection Orders (PSPOs) in respect to the restriction of alcohol.

Background Information

2. The Council currently has PSPOs pertaining to the restriction of alcohol in place in the Cemetery; the town centre covering Market Square, the High Street and the Broadway and Meades Water Gardens.

Financial Implications

3. None pertaining to the Report.

Strategic Objectives

4. Accords with the Council's Strategic Aim 1 *To enable residents to enjoy high quality social, recreational, and cultural facilities within the town and to seek the continuing improvement and development of these facilities in accordance with the desires expressed by the residents* and 4 - *'To consult with, understand and represent the views and wishes of the citizens of Chesham'*.

Equality Act Implications

5. Non applicable.

Detailed Consideration

6. The District Council is undertaking consultation on its Public Spaces Protection Orders (PSPO). These are one of a number of powers introduced by the Anti-social Behaviour, Crime and Policing Act 2014 and are designed to deal with a particular nuisance or problem in an area which is having a detrimental effect on the quality of life of those in the community.
7. A PSPO is designed to stop individuals or groups committing anti-social behaviour in a public space which is having or is likely to have a detrimental effect on the quality of life of those in the area. The behaviour must be persistent

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or continuing nature and must be unreasonable. The order will last up to 3 years before being reviewed again.

8. The previous Designated Public Place Orders (DPPOs) which were transitioned into PSPOs when the new Act came into force provide Police and other authorised persons with powers to require any person to stop drinking and surrender alcohol if they are causing or likely to cause anti-social behaviour.
9. Chiltern District Council is currently reviewing and consulting upon the transitioned Public Spaces Protection Orders (PSPO) for the restriction on the consumption of alcohol. The final outcome of the consultation may be existing restrictions being removed, amended or expanded.
10. To assist Chiltern District Council to carry out this review, it would like the Council's comments and evidence to support or otherwise a draft PSPO. In order to keep existing restrictions, there must be clear and sufficient evidence of existing or potential anti-social behaviour which meets the following criteria:
 - i. activities carried out, or likely to be carried out, in the public places either have had a detrimental effect on the quality of life of those in the locality or will have such an effect; and
 - ii. the effect, or likely effect, of the activities –
 - a. is, or is likely to be, of a persistent or continuing nature,
 - b. is, or is likely to be, such as to make the activities unreasonable, and
 - c. justifies the restrictions imposed by this Order.

If the tests are not met and there is no justification for the restrictions, the existing PSPOs will be discharged.

11. It is your officers' view that the alcohol restricted zones have been of great assistance in tackling anti-social behaviour in Chesham. The Cemetery and Meades Water Gardens had a reputation for being areas for 'drinkers' and the powers of the Orders have made it easier for the police to confiscate alcohol. I would seem little doubt therefore that the Council should be seeking to have these extended.
12. The Market Square/High St area could be a little more contentious with the operation of two breweries selling alcohol directly in Market Square since the first order went in. However all the pubs and bars in the town centre have clearly defined areas as to where drink can and cannot be taken and it would seem prudent for these orders to remain to guard against 'casual' drinking with cans and bottles etc in the town centre.
13. Of some concern is the underlying fear that if there is no evidence to prove there are justifications for the restrictions, the existing PSPOs will be discharged. Much

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of the positive responses the Town Hall have been received have been largely anecdotal such as the public saying that the amount of anti-social drinking in Meades Water Gardens has decreased. At the time of writing, your Clerk is waiting to hear back from the Neighbourhood Policing team as to whether it is prepared to support the continuation of the PSPOs in Chesham and has any evidence to support the continuation. The District Council's Principal Environment Health Officer, in answer to a clarification query from your Clerk, has stated: *'The test for a Public Spaces Protection Order appears to be higher than that originally required for Designated Public Places Order i.e. the evidence needs to show that the actions is a) or is likely to be, of a persistent or continuing nature, b) or is likely to be, such as to make the activities unreasonable, and c) justifies the restrictions imposed by this Order. The guidance is clear that if there is a lack of evidence to support the introduction of the Order then the Council shouldn't be putting such restrictions in place. Anecdotal evidence would be fine if it demonstrates the above e.g. witnessing ASB or harassment from town centre street drinkers, youths gathering in the cemetery etc. but this would not include littering. Support from Neighbourhood Police would also be good (they have also been included in the consultation).'*

14. The draft PSPO is **attached** for Members' information. The deadline for responses is Friday 20th September 2019.

Recommendation

That the Council responds to the consultation expressing its wish to see the PSPOs in Chesham being continued.



Bill Richards
Town Clerk

CHILTERN DISTRICT COUNCIL
ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

THE CHILTERN DISTRICT COUNCIL (ALCOHOL CONSUMPTION)
PUBLIC SPACES PROTECTION ORDER 2019

1 THIS ORDER is made by Chiltern District Council (“the Council”) in exercise of its power under section 59 in Chapter 2 of Part 4 of the Anti-social Behaviour, Crime and Policing Act 2014 (“the Act”) because it is satisfied on reasonable grounds, having carried out a consultation in accordance with section 72 of the Act and considered the matters set out therein, that:

- 1.1 activities carried out, or likely to be carried out, in the public places set out in paragraph 2 below (which are within the Council’s area) either have had a detrimental effect on the quality of life of those in the locality or will have such an effect; and
- 1.2 the effect, or likely effect, of the activities –
- a. is, or is likely to be, of a persistent or continuing nature,
 - b. is, or is likely to be, such as to make the activities unreasonable, and
 - c. justifies the restrictions imposed by this Order
- 2** The public places within which the activities set out in paragraph 3 below are prohibited (“**the Restricted Area**”) are respectively shown edged and hatched in red on the plans in the Appendix to this Order and comprise:

- Chesham Cemetery, Berkhamstead Road, Chesham, Bucks, HP5 3ET
- Chesham Town Centre:
 - Blucher Street,
 - The Broadway,
 - High Street,
 - Market Square, and
 - Meades Water Garden, Red Lion Road,
- Amersham-on-the-Hill:
 - Chiltern Avenue
 - Hill Avenue
 - Oakfield Corner
 - Hervines Road
 - Hervines Park
 - Chesham Road from Oakfield Corner to junction with South Road
 - Chiltern Parade
 - Rickmansworth Road
 - Surface car park, Rickmansworth Road
 - Sycamore Road
 - Woodside Close
 - Woodside Road to junction with Green Lane

- King George's Field
- King George V Road
- Council Offices car park, King George V Road
- Hyrons Lane
- Darlington Close
- Tylsworth Close
- Access road to Tudor Court and Windsor Court, King George V Road
- Multi-storey car park, Chiltern Avenue
- Parsonage Wood
- Old Amersham:
 - Whielden Street to junction with Haleacre Hospital entrance
 - High Street to junction with Mill Lane
 - Mill Lane
 - School Lane from junction with Church Street to junction with Mill Lane
 - Barn Meadow Recreation Ground
 - Church Street
 - St Mary's Church graveyard
 - Church Mead
 - Garden of Remembrance
 - Market Square
 - The Broadway
 - Council surface car park, The Broadway
 - Footpath between Misbourne Court and Station Road
 - London Road West to junction with Stanley Hill
- Seer Green
 - Driveway to Jubilee Hall, School Lane
 - Playground, School Lane
 - Cemetery, School Lane
 - Green Wood, School Lane
 - School Lane,
 - Chalfont Road to opposite no. 42
 - Church Road
 - Holy Trinity Church graveyard
 - Moss Court
 - Orchard Road to junction with Long Grove
- Land at Roundwood Road and Station Forecourt, Amersham
 - Amersham Station forecourt, Chiltern Avenue
 - White Lion Road from junction with Stanley Hill to The Pomeroy public house
 - Raans Road from junction with Woodside Road to junction with Quill Hall Lane
 - Brudenell Close including Drakes Court

- Park Place
- Plantation Road from junction with Park Place (south junction) and junction with Mitchell Walk
- Roundwood Road
- Playground, Roundwood Road
- Wooded areas adjacent to and adjoining Roundwood Road
- Grove Road
- Eagle Close
- Quill Hall Lane from junction with Eagle Close to Springett Place
- Side road off Quill Hall Lane leading to Ridge House
- Park Road
- Land between Quill Hall Lane and Park Road
- Deans Close
- Middle Close
- Popes Close

3 The activities which are to be prohibited are:

3.1 the consumption of alcohol in breach of an authorised officer's request to cease its consumption; and

3.2 having an unsealed container of alcohol in breach of an authorised officer's request to surrender the alcohol or container.

4 Therefore the following **Restrictions** apply in the **Restricted Area**:

A police constable, community support officer or person duly authorised by the Council (each hereafter called an "authorised officer") shall be entitled to require any person who is or has been consuming alcohol in the Restricted Area, or intends to consume alcohol in the Restricted Area, to not consume in the Restricted Area anything which is, or which an authorised officer reasonably believes to be, alcohol and to surrender anything in his or her possession which is, or which the authorised officer reasonably believes to be, alcohol or a container for alcohol.

5 **Period for which this Order Has Effect**

This Order will come into force on 20th October 2019 and will continue in force for three years expiring on 19th October 2022

6 **Consequences of Failure to Comply with Restrictions Contained in this Order**

It is an offence under section 63 of the Act for a person, without reasonable excuse, to fail to comply with a requirement imposed on him or her as set out in paragraph 4 above and a person guilty of such an offence is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

An authorised officer may issue a Fixed Penalty Notice to anyone that officer believes has committed an offence and provided that fixed penalty, in the sum of £100, is paid within 14 days, a prosecution will not be brought for that offence.

7 Appeals

Any challenge to the validity of this Order must be made in the High Court by an interested person within six weeks of the Order being made. The right to challenge also exists where an order is varied by the Council. An interested person is an individual who lives in, or regularly works in or visits, the Restricted Area and they may only challenge the validity of the Order on two grounds; that the Council did not have power to make the order or variation, or to include particular prohibitions or requirements imposed by it, or that a requirement under Chapter 2 of Part 4 of the Act was not complied with.

Where a challenge is made the High Court can decide to suspend the operation of the Order, pending its decision, in part or in totality and the High Court has the power to uphold, quash or vary the Order.

Dated: **2019**

Signed:

Joanna Swift
Head of Legal and Democratic Services

On behalf of **Chiltern District Council**
King George V House, King George V Road, Amersham, Buckinghamshire,
HP6 5AW

AGENDA ITEM NO: 12-MOBILE PHONE POLICY

Reporting Officer: Bill Richards (01494 583824)

Summary

1. To consider payments or other options to staff who use their personal mobile phones for work purposes.

Background Information

2. At the Executive Committee of the 6th February 2017, it was resolved that *'That any decision on the Parks and Premises team being granted end of year payments to cover the cost of the use of their personal mobile phones for work use be deferred until other options and examples of other local authorities' policies had been investigated.'* (Min No. 13)

Financial Implications

3. As outlined within the Report.

Strategic Objectives

4. Non applicable.

Equality Act Implications

5. Non applicable.

Detailed Consideration

6. A request has again been made by the Parks and Premises team in respect to some financial recompense for their extensive use of their personal mobile phones for work.
7. In terms of usage, The Parks and Premises Operatives and Managers all currently use their own personal phones to be contacted by the Town Hall and other bodies during working hours. Obviously it is often important for them to be reached for certain jobs. Moreover they are often asked to take photos on their phones of damaged equipment/dangerous trees etc. for office use.
8. Rather than providing them with contract phones (cheapest deal sourced £11.42 per month back in 2017) and have them potentially carry two phones with them, it was proposed when last brought to Members' attention, that they be paid an end

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of year figure of £52 (i.e. a pound a week) to defray the costs of work usage with their phones. This figure would be taxable.

9. Some Members, in terms of fairness, asked the usage by other officers of their personal phones for work purposes. Replies from Section Heads are summarised below:

10. **Town Hall**

The Policy and Projects Officer uses her own phone to run the Local Produce Market and Chesham in Bloom Instagram accounts. She also take photos on her phone and uploads them to various social media outlets - in addition to Instagram, - such as Facebook and Twitter accounts for the Council, Fairtrade, In Bloom, Christmas in Chesham and the market. She has had to give out her mobile number to all of the market traders so that they can contact her if they have any issues out of office hours prior to a market. She opines that it is hard to estimate how much time this takes, but she is usually doing something on her phone relating to work most weeks, with an increase in activity in the run up to a market, or to an event.

The daytime and evening caretakers have their respective numbers displayed as emergency contacts for the public but other than that usage is very limited.

The Administration Manager uses her own phone to text the caretakers; takes photos of Town Hall issues and cemetery issues; calls the Depot and Town Hall when off site/use at weekends if there is a Muslim burial. She suggests that there is not a huge amount of usage but she does take lots of photos of graves etc on her phone.

The Town Clerk makes calls to and from Section Heads in need be, out of hours. He also calls into the Town Hall when away at meetings/conferences/training. Some Members (Chairmen/Ruling Group Leader) have his personal number so he occasionally receives Member calls/texts out of hours on Council matters of importance.

The Finance team's use is minimal though the Finance and Contracts Manager does occasionally called by the bank as he has been obliged to pass on his number to them.

11. **Gym and Swim Centre**

The Manager and Deputy Manager, along with other staff members, use a variety of methods to communicate and these tend to be Messenger and WhatsApp as they are free. There are various 'groups' set up such as 'Moor Gym' on WhatsApp for those working reception and a Messenger group for 'Open Air Pool' for all the Lifeguards. The Centre also uses a free App called 'Sling' for the lifeguard shifts. This is particularly beneficial as notes can be posted and shifts

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can be put up for offer. The old system was a file kept at reception so if staff needed to check their hours, they had to call the centre. The Centre has all different staff set ups with different ages of staff members and its shifts start from 05.45 until 21.15/30 hours, so regular communication is required hence use of a 'free app' is preferred. Obviously such apps are 'free' but many staff do not have unlimited roaming data so would have to pay to access the message if their data allowance had been exceeded and they did not have access to Wi-Fi.

12. **The Elgiva**

The Deputy Manager, the Technical Manager and, to a lesser extent the Manager all use our personal mobiles, mainly to respond to staffing and rota issues. The Manager's mobile number is used as the emergency number given to incoming companies that demand one.

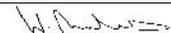
13. The Executive Committee asked that other town and parish councils be approached to see how they operated. The Clerk duly contacted the larger town councils. Not surprisingly few, if any, had the number and range of staff tis Council has. However several replies were received from those which had a significant Parks/Ground Maintenance team. Of these, almost all provided phones for their operatives, with only one paying a lone worker an allowance per month for the use of their own phone. No Council appears to have a formalised 'policy' on this however.

14. As can be seen therefore, the use of personal mobile phones for work purposes is extensive across the sections. The request for some sort of remuneration has come from the Parks and Premises team who do extensively use their personal phones and, it could be argued, have a strong case for financial assistance. However it may be difficult to justify funding one section over any other in the Council.

15. Otherwise the simplest and fairest approach may be to provide work phones on a case by case basis on staff who request them and can justify the Council funding these directly.

Recommendation

That the Committee decides whether to make a contribution to staff's personal phone use for work or agree to the principle of providing contract work phones for those requested by officers.



Bill Richards
Town Clerk

**AGENDA ITEM NO: 13- CONSULTATION
PROCEDURE REVIEW**

Reporting Officer: Kathryn Graves (01494 583798)

Summary

1. To approve an amendment to the Consultation Procedure, which forms part of the council's Consultation Policy.

Background Information

2. The Consultation Policy, Strategy and Procedure were last reviewed by the Council in September 2018 (*Min no. 43*).

Financial Implications

3. None pertaining to this report.

Strategic Objectives

4. In line with objective 4, *'To consult with, understand and represent the views and wishes of the citizens of Chesham'*.

Equality Act Implications

5. The Community Engagement strategy and Consultation policy and procedure take into account the particular needs of groups of people, especially those regarded as hard-to-reach, to enable them to participate and engage.

Detailed Consideration

6. The Data Protection section of the Procedure document has been expanded to provide a greater level of guidance to officers on the collection of personal data (**attached**).

Recommendation

That the updated Consultation procedure is adopted.

Chesham Town Council's Consultation Procedure

This is the agreed procedure for the Council's consultation exercises. The purpose of the procedure is to ensure that we carry out appropriate consultation in an inclusive and effective manner.

1. Is Your Consultation Necessary?

We have agreed that we will only consult where it is possible to influence decision-making, or when we need to identify user satisfaction or add to our stock of local knowledge. If the proposed consultation does not do any of these things you will need to reconsider whether consultation is necessary.

2. Defining Objectives

Before carrying out any consultation, it is essential to work out **why** you are doing it. You need to set objectives for your research which are:

1. Specific – exactly what do you want to know? The target must be clearly defined.
2. Measurable - what proportion of the community are you looking to consult? E.g. What will be the size of your survey?
3. Accepted – that everybody involved in the consultation understands and accepts the objectives.
4. Realistic – that the consultation is within the availability of resources, knowledge and time.
5. Time-bound – that a realistic schedule has been set for consultation, with a clear deadline for consultees.

2.a. What Do You Want To Know?

Below is a list of common reasons for conducting consultation:

- To compare and challenge the existing service
- To look for unmet needs
- To shape the way the service is delivered
- To measure service satisfaction
- To prioritise future spending
- To set targets for the service
- Find out reaction to new ideas
- Look for quality improvements
- Check opinions and views
- Assess potential interest in something

3. Build on Existing Work

Check whether any consultation work has already been done. A list of consultation exercises can be found on the Council server at:

Council\Consultation C.70\Consultation List 2007 on.doc

Do you need to do further consultation? Can you build on the existing work?

4. Identify the Stakeholders

Who you consult will depend on what you want to find out. You will need to prioritise who you will consult with, starting with your main customers/users of your service. You will need to consider which of the following it is appropriate to consult:

Key Customers

- People who pay directly
- People who pay indirectly (e.g. Council Tax Payers)
- Internal customers (e.g. other staff)

Non-Users

- People unaware of the service
- Dissatisfied ex-customers
- Potential future customers

Others

- Residents
- Businesses
- Interested organisations/agencies

You will need to make particular arrangements to find out some people's views. For example:

- People who have problems reading, writing and speaking English
- Some people on low incomes
- Some people from ethnic minorities
- Time-poor people
- Older people
- Younger people
- People with disabilities

5. Decide What Questions to Ask

The objectives of your consultation exercise will determine what questions you need to ask.

Typical questions might include:

- What do people like most and least about the service?
- Is the standard or level of the service right?
- What takes too long?
- Is the service reliable?
- What about comfort, convenience and safety?
- How good is your customer service?
- Is the range of services available appropriate?
- Is the service equally accessible by everyone?
- Is there enough information available about the resource?
- Is the service good value?

6. Decide What Type of Consultation Method(s) to Use

There are two main sorts of consultation:

1. Direct Consultation with a sample of people
2. Delegate Consultation with people representing the views of others, e.g. representatives from a community organisation

Consultation may either be a one-off exercise, e.g. a survey, or you may undertake ongoing consultation with consultative groups, e.g. a local neighbourhood forum.

Consider whether it would be appropriate to undertake the consultation in partnership with other bodies. Does the subject of the consultation involve/affect other organisations in addition to the Town Council?

You will need to consider:

- **who** you are consulting
- **what** you are consulting on
- the **resources** available
- the **time** available

in order to decide the most effective method of consultation.

You will need to give consideration as to how the views of people who do not normally participate, or who find it difficult to participate, can be obtained. It may be helpful to use a mixture of consultation methods. Some of the most common are:

Postal Surveys – these often get a result of <20%, but can be good if you wish to provide information also

Focus Groups – helpful for considering complex issues in detail

Telephone Surveys – ideal for a quick response on basic questions

Personal Interviews – often the most statistically reliable method

Online surveys – an increasingly popular method, but will not be accessible to all

Consider the need for statistical analysis to determine the significance of your results.

Depending upon the method and scale of the consultation, it may be appropriate to use an external contractor.

7. Start the Consultation

When collecting information, ensure that the consultees know:

- The purpose of the consultation
- Who is being consulted
- Deadline for response
- What decisions will be influenced
- Who will take the decisions
- When the decisions will be made
- How the results will be fed back to them
- Anonymity will be respected, if requested
- Who they can contact about the consultation, or for more information

7a. Data Protection

We will collect and process information in accordance with current UK Data Protection Law and the council's Data Protection Policy. This applies to data that identifies a living, individual, natural person and does not apply to data once identifiers linking it to a natural person have been removed (e.g. anonymous survey data).

The ICO are imposing large fines for data protection offences and can lead to disciplinary action taken against individuals by their employers if employees do not respect the personal data under their control.

If personal data, i.e. that identifying someone, is to be collected, you must ensure that you have a legitimate reason for collecting and processing this data. You must determine the lawful basis for processing the personal data and record this within the council's Data Inventory. Consultees must be given a clear explanation (a Privacy Notice) of what will happen as a result of providing the information, including how

long the data will be kept, and whether it will be shared with any third parties. If the basis for processing is consent, we are committed to offering people genuine choice and control over how we use their data.

We will:

- Keep records of what we told the consultees
- Tell the individuals that they can withdraw consent at any time and how to do this.
- Keep data securely
- Only use the data for the purpose it was obtained

In accordance with Articles 5 and 6 of the General Data Protection Regulation all personal data must be processed lawfully, fairly and transparently, for a specified explicit and legitimate reason. It must only be adequate not excessive, limited to the purpose and relevant. It must be kept accurately, securely and only for as long as necessary.

If you are asking for sensitive data (referred to as special category data), you must have identified and documented the lawful basis for collecting this information (this basis is most likely to be consent, in which case we will require a positive opt-in from our consultees). You must also satisfy specific conditions under Article 9 of the General Data Protection Regulation. The Data Protection Act (2018) also adds more specific conditions and safeguards. Special category data includes:

- Race or ethnic origin
- Political opinions
- Religious beliefs
- Physical or mental health
- Trade union membership
- Sex life or orientation
- Genetics and biometrics

Please contact the Policy and Projects Officer, prior to issue, for guidance on Data Protection (including Privacy Notices) in relation to consultations, especially if it involves special category data.

Data collected during consultation should only be used for the purpose it was collected and should be retained for periods as specified within the council's Document Retention Schedule.

7.b Timing

If you are asking about satisfaction with your service, it is usually best to do this as soon as possible after the service has been delivered.

7.c General Considerations

Make your consultation as accessible as possible. It is important that the consultative process is anti-discriminatory and does not preclude participation on the grounds of age, race, disability, gender or sexual orientation.

Ensure that you:

- Use plain language – don't use jargon
- Avoid leading or ambiguous questions
- Think about 'hard-to-reach' groups
- Give plenty of time to respond

Classification/personal questions are best left until last.

If you are using a written consultation method, e.g. a survey, consider the following:

- The survey may need to be provided in multiple languages
- You should provide an introduction explaining what the consultation is for
- When appropriate you will need to provide an easy-to-understand Privacy Notice and may need to include a tick box for consent
- Ensure that the design is in line with the RNIB's Clear Print Guidelines
- Provide a deadline, a contact name and a return address
- The survey should end with a thank-you message, including how and when the results will be disseminated
- Pre-paid envelopes will increase response rates

It is worth running a **pilot consultation** on a small sample of people to test the accessibility and time needed to complete the consultation.

8. Results & Dissemination

Once you have your results and have analysed them, you need to identify:

- findings that do not require action, e.g. low priority, or good results
- things that cannot be changed in the short term
- results that highlight the need for communication – who to, what, where and how
- results that highlight the need for action and the next steps to take

It is essential to act on these results and disseminate them. You may need to provide different levels of information to different audiences. Key stakeholders are likely to be:

- Consultation Respondents
- Councillors
- Front Line Staff
- Partner Organisations
- Users, Residents

You will need to provide a summary for lengthy documents.

Ensure that dissemination takes place within the agreed timeframe.

9. Evaluation

After the consultation exercise is completed, you should evaluate the consultation against the SMART objectives that were identified at the beginning of the process.

Factors to consider when conducting your evaluation include:

- Were the objectives understood by all stakeholders?
- How many people took part – did it meet expectations?
- Were a representative set of views obtained?
- Was the timescale transparent and was it kept to?
- Was the consultation accessible (e.g. translation, large print, plain English)?
- Did you reach hard-to-reach groups?
- What were the costs?
- Has it led to a change in policy or service?
- Has it influenced a decision?
- How many people will be affected by the changes?

Evaluation will enable you to identify areas of success and areas needing improvement.

10. Documentation

Ensure that you keep a record of the consultation, why it was undertaken, how it was conducted, what the results were and the outcomes of the consultation.

Add your consultation exercise to the list maintained on the server at:

Council\Consultation C.70\Consultation List 2007 on.doc

Created: 27 July 2007

Version 4 Adopted:

Procedure Due for Review: