

APPENDIX 3: STATUTORY CONSULTATION PROCESS DESIGN

1. Introduction

- 1.1. This document sets out the proposed approach for the statutory best value duty consultation on the future delivery model for Redefining Local Services (RLS) services.

2. Background

- 2.1. As a “best value authority” (pursuant to Section 1(1)(a) LGA 1999), where the council is making arrangements to secure continuous improvement in the way in which its functions are exercised [...], the council has a duty to consult representatives of the categories of people identified in Section 3(2) LGA 1999 and in Best Value Guidance in respect of those arrangements.
- 2.2. It is understood that this duty applies to those arrangements being made through the RLS programme, particularly those which relate to decisions on the future delivery of key Environmental Services from April 2023 onward, when existing contracts for these services are due to end.
- 2.3. The RLS programme has now reached a critical milestone whereby officers have considered various options for the delivery of these services and recommend two options as favoured competing options for the RLS delivery model. Statutory consultation on all considered options is now required in order to inform Cabinet decision on the Final Delivery Model by August 2021.

3. Best Value Consultation

Objectives

- 3.1. Through best value consultation, the council seeks to involve and engage a diverse and range of local people in the decisions about how their local services are to be delivered. In this context, feedback from residents and businesses is extremely valuable and will be used to aid decision makers in their considerations around the final delivery model for these services.
- 3.2. Best value consultation also presents an opportunity to convey the strategic benefits of the RLS programme to representative groups of local residents and businesses. Consultation questions will be framed against the context of the RLS programme as a whole, its aims and objectives, to aid understanding of what we are trying to achieve.
- 3.3. Through this consultation, officers seek feedback from representative groups on the following:
 - Their priorities in relation to the optimum delivery model for local services, and their consideration on whether the RLS programme aims and objectives meet these priorities

- The suitability of the evaluation criteria used in the assessment of the delivery model options
- Their consideration on the two options recommended by the council as the favoured competing options for the RLS delivery model and whether these options are correct
- The delivery model they prefer from all the options considered, bearing in mind the context around cost and impacts to service delivery

Approach

- 3.4. Delivery Model Options 1 and 2 which are the favoured competing options are issued for consultation, noted as such.

Option 1: Specialist contract providers with enhanced neighbourhood management

Option 2: Specialist contract providers with enhanced neighbourhood delivery

- 3.5. The alternative 'not favoured' options will also be included and noted as such. These options are:

- The 'as is' model for current services
- Mixed economy with greater neighbourhood delivery (medium level insourcing)
- Mixed economy with full neighbourhood delivery (high level insourcing)
- Local Authority Company for all relevant services
- Internal Provision for all relevant services
- Internal Provision via shared service for Public Realm contract functions
- Multiple contracts model with multiple contractors within service areas
- The Sole Provider delivery model
- Joint Venture model

Timing

- 3.6. It is proposed that the consultation is delivered over a five week window between 17 May 2021 and 21 June 2021. This timeframe is considered appropriate for the delivery of a targeted consultation programme, focused on capturing the views of representatives of those groups identified at paragraph 3.7.

Target Audience

- 3.7. The target audience for this consultation are the representatives of the categories of people identified by Best Value Duty legislation (Section 3(2) LGA 1999) and guidance. These groups are clearly defined as follows:

- Local taxpayers
- Local ratepayers

- Service Users
- Persons appearing to have an interest in the area
- Small businesses
- Voluntary and community groups

- 3.8. For the purposes of Section 3(2) LGA 1999, “representatives” in relation to a group of persons means persons who appear to the authority to be representative of that group.

Communication Channels

- 3.9. To ensure that all representative groups are consulted and have had an opportunity to participate in the consultation, we would target groups falling into the categories listed above. At a minimum, we would contact the following:

- Targeted small businesses
- Local voluntary organisations (including Brent CVS)
- Brent-based Residents Associations and Tenants Associations
- Brent fora, including: Disability Forum, Brent Health Matters Forum, Multi-Faith Forum, Youth Parliament

- 3.10. We would promote the consultation via the core Council channels and, ideally, channels belonging to our partners:

- Council channels – Brent website, business newsletter, e-bulletin, members bulletin
- Partner channels – Brent CVS newsletter, resident associations’ newsletters, etc.

Consultation Format

- 3.11. Officers propose two complementary methods for the format of the consultation:

1. Online consultation, ensuring that all representative groups are invited to participate through targeted communications during the consultation period.
2. Focus group meetings (online via Zoom) with a selected set of individuals chosen in advance of the consultation period.

- 3.12. The proposed methods have been informed by the need to ensure that the consultation is accessible to allow for a diverse range of responses to be received, particularly from those groups who we are required to consult, balanced against the perceived complexity of the subject matter and likely level of engagement. COVID-19 restrictions have also been taken into consideration and have informed the primarily online approach on the grounds of public health.

- 3.13. The benefits, risks and risk mitigations associated with each method are outlined in the table below:

Method	Benefits	Risks / Mitigations
--------	----------	---------------------

1. Online consultation	<ul style="list-style-type: none"> • Potential to achieve a greater and wider spread of participants • An online consultation can make full use of the five week consultation window 	<ul style="list-style-type: none"> • Little control over participation, which could result in a set of responses that are not representative of all the target groups. This can be mitigated through targeted communications with representative groups and hard to reach group. • Potential for low take up. This can be mitigated to an extent by the scope and scale of communication in advance of / during the consultation period. • Complexity of the subject matter will require a commitment of time from the participant to read through and understand information provided to supplement the consultation. This can be mitigated by ensuring the consultation questions and materials are as simple and easy to understand as possible.
2. Focus Groups	<ul style="list-style-type: none"> • Greater control over participation and the ability to ensure that representatives of all target groups are included, including any hard to reach groups. • A well-managed, interactive session may be more conducive to engaging participants on the subject matter 	<ul style="list-style-type: none"> • Potential for low take up / turn out on the day. This could be mitigated with incentivisation (e.g. vouchers for participation) • Due to COVID restrictions, in-person sessions are not considered practical. This may negatively impact those who have difficulty with online access.

Consultation Content

- 3.14. The consultation and questions will be written in simple, accessible language, outlining the options considered and asking people which options they prefer and why.
- 3.15. Some example questions for the consultation are provided below (the questions will be firmed up in discussion with the consultation team):

1. "What do you think is most important to consider when looking at the delivery of local services (e.g. cost, level of control, innovation, impact on the environment, creating local jobs, etc.)?"
 2. "Do you think the Redefining Local Service (RLS) aims and objectives match up with your priorities for local services? What would you change (if anything)?"
 3. "How suitable do you think the council's suggested evaluation criteria are for deciding which delivery model to use?"
 4. "The Council has recommended two favoured delivery models. Do you agree with the two models it has chosen? Do you have a preference of one model over the other? If so which?"
 5. Do you prefer an alternative model and if so why?
 6. Are there functions/services which you consider would be better insourced or outsourced or delivered via an alternative model? If yes, why?
 7. "Considering all the delivery options described, please rank the delivery options based on your preference from 1 – 10, with 1 being the highest and 10 the lowest."
- 3.16. Information relating to the RLS aims and objectives, all the delivery models considered, the cost and the pros and cons of each, and the evaluation criteria will be provided to inform consultees before they respond to the questions. This will include information about affordability and the potential need for a savings programme to fund some of the options.
- 3.17. For focus group meetings, the content of the session will be planned to ensure participants are engaged and have access to the necessary level of information to form considered opinions on the subject matter. This will need to be carefully managed to take into account potentially varying levels of prior knowledge and understanding possessed by the participants.

Key Messages

- 3.18. A set of key messages are being developed, which will be used in all communications relating to the consultation to ensure consistency.