

STANDARDS AND CONSTITUTIONAL OVERSIGHT COMMITTEE

3 MARCH 2015

11 NOTICE OF MOTION - CONSULTATION THAT COUNTS

The Committee was informed that the Civic Mayor had referred the following Notice of Motion to it for consideration at the meeting of the Council held on 15 December 2014:

'NOTICE OF MOTION - CONSULTATION THAT COUNTS

Proposed by Councillor Phil Gilchrist
Seconded by Councillor Dave Mitchell

Council recognises that the recent consultation about the options for the future of the Lyndale School led to issues being raised about the nature and practice of 'consultation'.

During this process, there was a distinction drawn between the notes taken at meetings and 'high level' notes. Whilst the inclusion of these points was contained in the subsequent reports, there is a pressing need to capture the full import and quality of points raised by the public during consultations.

Council also understands that the nature of and status of 'pre-consultation' was also questioned at a recent meeting of the Policy and Performance Co-ordinating Committee.

Council believes that, in the interests of good governance, there is a need for clarity to ensure that full records of consultations are effectively kept.

Council considers that guidance needs to be developed on the proper capture and reporting of points raised during consultations. The issue of the chairing of such consultations also needs to be considered.

Council requests that the Standards and Constitutional Oversight Committee examine the practices with a view to establishing procedures which Wirral's citizens and Councillors can be fully conversant with and have confidence in.'

Councillor P Gilchrist was in attendance at the meeting and introduced his Motion. He made reference to the recent consultation exercise the Council had carried out on the proposal to close the Lyndale School and detailed the procedures that had been adopted. In particular, he informed that the relevant Cabinet Member had not wanted to Chair the consultation meetings, as had been the practice during other consultations the Council had carried out, as he just wanted to listen to what was being said. Consequently, Councillor Gilchrist informed that he was of the view that the quality of the recorded proceedings may not have been of a good enough standard as they had been recorded in "a bland manner". He also made reference to the consultations on Children's Centres that had only just commenced.

Councillor Gilchrist's concern was that there did not appear to be any protocols or guidance on how notes of the Council's consultation meetings should be formatted and recorded so that the salient points were not lost.

Councillor M McLaughlin moved the following Motion which was seconded by Councillor D Roberts:

'That this Committee requests that a preliminary report be presented to it setting out whether the Council has a protocol in place to capture information coming forward from consultation meetings.'

The Head of Legal and Member Services and Monitoring Officer informed that he was not aware of any protocols to capture information provided at consultation meetings but there may be issues around the accuracy of the Minutes taken at such meetings. He considered that there may be resource issues and that defining 'rules' may end up being counter-productive as consultations need to be informative and comprehensive.

The Head of Legal and Member Services and Monitoring Officer also informed that there was no requirement for the Cabinet Member to Chair consultation meetings.

Councillor Gilchrist proposed the following Amendment which was seconded by Councillor M McLaughlin:

'That each of the three Strategic Director be invited to provide commentary on their practices and arrangements for recording views expressed during consultations.'

The Committee noted that some consultations had to be extensive and this depended on the subject of the consultation and exactly what the duties were that the Council had to discharge, so there most probably was not a set procedure adopted in respect of them all.

Members agreed that if they considered that the Strategic Directors' position statements were not adequate the Committee, via its Working Group, would embark on a piece of work. They understood the difficulties of asking the Strategic Directors to produce a common approach.

The Head of Legal and Member Services and Monitoring Officer referred to the need to produce equality impact assessments, along with Committee reports and informed that he would ask the Strategic Directors to provide a range of consultation examples.

The Amendment was put to the vote and carried unanimously. It then became the substantive Motion.

RESOLVED (unanimously): That

- (1) each of the three Strategic Directors be invited to provide commentary on their practices and procedures for recording views expressed during consultations; and**
- (2) if any clarification is required in respect of (1) above, the Head of Legal and Member Services be authorised to obtain it following consultation with the Chair and Group Spokespersons.**