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Why a Creative Consultation Toolkit?

A joy or a chore?

Consultation can be a joy or a chore – for all concerned.

It can be a genuine endeavour to get things right – now and for the long term – or it can be treated as a necessary nuisance – something that slows things up.

Tired consultation approaches

Approaching a project with fixed ideas will usually produce a poor outcome. There are too many examples of projects which are not only uninspiring but which create conditions that encourage anti-social behaviour and need repairs or replacement all too soon. The poor outcomes usually result from tired consultation approaches that do not really listen to people or inspire them.

The right kind of investment

There is an over-dependence on built projects and a lack of the right kind of investment in how places are used and cared for.

The Project for Public Spaces in New York estimates that successful places depend 80 to 90% on how they are managed and only 10 to 20% on how they are designed.
The Social Capital Group in Boston reports that a 10% investment in community-led projects can produce a greater benefit than 90% spent on “top down” investments.

HM Treasury Green Book, binding guidance for government investment in the UK, encourages creativity by requiring consideration of radical options.

**Great consultations**

This toolkit aims to inspire teams to create great consultations and enjoy doing them.

**Development and feedback**

The Creative Consultation Toolkit was developed by the Ministerial Advisory Group for Architecture and the Built Environment, Department of Culture, Arts and Leisure, in association with the Strategic Investment Board.

The toolkit reflects the authors’ backgrounds as advisers to government and designers of infrastructure and built environment. These include social and economic as well as physical and environmental factors. The principles of consultation hold good whether the subject is a physical project, a plan, policy or programme. The authors hope that future consultations will be inspired by good practice and that users will adapt the toolkit to meet their specific requirements.

**The Toolkit**

- summarises the basics
- links to more detailed information
- offers a checklist to help design the process best suited to each project
- provides a spreadsheet to work out consultation costs and
- shares some great local consultations using illustrated case studies and video clips
The Ministerial Advisory Group actively seeks comments and feedback from users on the value and functionality of the Toolkit, encouraging consultation which is continuous and active.

The e-mail address for comments and feedback is communications@dcalni.gov.uk

Case Studies can be uploaded to the CreativityNI website at www.toolkit.creativityni.org where an easy to use database prompts data input and automatically creates a formatted Case Study. Submissions will be peer reviewed by the Ministerial Advisory Group for Architecture and the Built Environment (MAG) and best practice examples will be presented on the website.

**Expert support and inspiration**

The CreativityNI website also offers links to expert support and inspiration for any creative consultation. This support is there to be used; it will turn that consultation chore into a joy.
What is consultation?

Consultation is part of a wide spectrum of participation which ranges from continuous, active involvement to occasional questions about people’s opinions, with or without actual evidence. Well-designed and managed consultations seek to predict intended and unintended consequences of decisions about policies, projects and programmes. Thorough, relevant consultation produces credible evidence on which good decisions are based.

For building and infrastructure projects, consultation helps us to understand how people make our places succeed or fail.

How spaces, buildings and environments succeed and the economic, environmental and social benefits they bring are largely affected by the people who use them.

Excellent procurement techniques analyse value for money, establish need and encourage the highest standards of design in capital projects to maximise sustainability. However, without high quality consultation, the benefits of good procurement may be lost, along with community enhancement and opportunities to achieve long-term resilience.

“...Engagement goes beyond asking for views, rather it probes and sometimes challenges people’s views. Most policy makers, proposers, public developers have a view on how a project should proceed and I think they need to be honest and open about this. Engagement allows for both learning and debate, but most importantly, it encourages rational argument and evidence”

Ken Sterrett
Senior Lecturer, Queens University Belfast
20yrs consultation experience
What is creative consultation?

High quality consultation may use proven or new techniques but the best processes are always created to suit the context. Creative consultation processes are specifically designed to enhance people’s awareness and experiences. They can record an often unexpectedly wide range of knowledge and skills from contributors with many different experiences and viewpoints.

Creative consultation maximises evidence and therefore enhances decision making; the best processes inspire people and communities to actively use and care for their places, both in their own interests and in the interests of others. Creative consultation can identify passionate communities of interest in culture, arts, sports and hobbies as well as local communities. It can present opportunities to think differently about places, trying things out at low cost, with well managed risks.

External Resources

- Consultation Institute website
- Current Northern Ireland Consultations
- Effective Stakeholder Engagement - Good practice guidelines published by the Policy Champions Network
- NI Direct - What are consultations?
- List of UK Government consultations
Should we consult?

Unsure?

The Northern Ireland Act 1998 [Schedule 9, paragraph 4.2(b)] requires public authorities to carry out consultations in relation to ‘the likely impact of policies adopted or proposed to be adopted by the authority on the promotion of equality of opportunity’. This can be applied equally to the development of projects. If a policy (or project) has been deemed to have an impact on people affected by its development and where an Equality Impact Assessment is required, there is a legal requirement under Schedule 9 of the Northern Ireland Act 1998 to consult.

Notwithstanding this legal requirement, it is generally regarded as good practice in policy and project development to consult with those who may be affected by the policy or project.

Just Ask!

Organisations which need confirmation about specific or implied requirements for consultation should seek advice before the project commences, to determine whether there is any duty in statute or common law to consult at the relevant date when decisions about consultations are to be made.
The UK Government’s Cabinet Office states:

“Some laws impose requirements for the Government to consult certain groups on certain issues. This guidance is subject to any such legal requirement. Care must also be taken to comply with any other legal requirements which may affect a consultation exercise such as confidentiality or equality.”

- The Government’s Revised Consultation Principles

**External Resources**

- Guide for Public Authorities 2010
“Proper” consultation

The Gunning Principles

When a decision has been made to consult, case law indicates that there are four elements that need to be present for consultation to be “proper”. These have been referred to as the “Gunning Principles”.

1. The consultation must be at a time when proposals are still at a formative stage.

2. The proposer must give sufficient reasons for any proposal to permit intelligent consideration and response.

3. Adequate time must be given for consideration and response.

4. The product of consultation must be conscientiously taken into account in finalising any statutory proposals.

External Resources

• View more details on the Gunning principles

Gunning (or Sedley) principles propounded by Mr. Stephen Sedley QC and adopted by Mr. Justice Hodgson in R v. Brent London Borough Council, ex parte Gunning (1985) 84 LGR 168 at 169.
Why? You have to!

In addition to the legal requirement established through the courts, various principles of consultation have been published.

The UK Government Cabinet Office issued consultation principles in July 2012. Following comments from the Secondary Legislation Scrutiny Committee of the House of Lords in January 2013 the Cabinet Office produced a revision in October 2013, inviting further comments from the House of Lords Committee.

The Northern Ireland Government’s Office of the First and Deputy First Minister (OFMDFM) states:

“Consultation is at the heart of the Executive’s commitment to openness and inclusivity.”

and

“Proceeding with no or token consultation may appear to save time in the short term, especially in a context of limited resources, but it can result in problems later.”

• Policy Making Practical Guide

The Equality Commission for Northern Ireland has produced principles for consultation.

HM Treasury Green Book gives “binding guidance” on consultation at various stages of assessment of policies and projects.

• Cabinet office principles
• Equality commission (NI) principles
• OFMDFM
• HM Treasury Green Book
Why? It helps!

Consultation helps by enabling project sponsors and promoters to:

- Avoid costly mistakes
- Get things right first time
- Find the ‘Golden Nuggets’ of information that can transform projects with added value.
- Inform their approaches, for the community, for the widest benefit

Meeting the people

Provides the opportunity for teams to meet the people for whom the project is intended. It also establishes working relationships, enabling contacts to be made with individuals and organisations with whom further work will be required.

Gaining trust

By making the effort to go to people, to spend time with them and most importantly, to listen and take their views seriously, teams will steadily build mutual trust. This will make future working easier, whilst also improving external perceptions and reputations of the team’s organisation.

Understanding the place

No one knows a place better than the people that live there. Teams can use this key resource – learning from people about the different parts of their place, its history, its stories, its special bits and how it works on a day to day basis. Teams should not think they, or their “experts”, know it all.
**Informing the team’s approach**

Good consultation will furnish teams with vital information that contributes to each approach. The more information the team has, the more equipped it is to make good decisions that are likely to work.

**Testing ideas**

It’s very difficult to get it right first time. Once a relationship is established, well-designed and delivered consultation can provide an excellent context within which to test different ideas and options.

**Giving ownership**

By working with people, incorporating their suggestions and ideas, teams begin to share their projects. A sense of ownership and even pride is essential to the long-term success of a project, especially if the team has no commitment to be in that location on a permanent basis.

**Saving time**

By working with others to make sure the team gets it right early in the consultation, it avoids the time-consuming process of revisiting and revising proposals.

**Saving money**

Mistakes or misunderstandings are invariably expensive, with costs incurred through the need for additional resources. Good effective consultation is a shrewd investment in the viability of every project.
**Saving face**

Let’s face it, getting it wrong is embarrassing. Confidence in the team can be greatly undermined by making mistakes that could have been avoided through consultation.

**De-risking each project**

Uncertainty undermines good project management and deters investors. By carrying out good, effective consultation, a project is systematically de-risked, making it easier to manage and more attractive to its potential backers.

**Evidence**

Creative consultation gathers data and evidence which support any proposals, together with opinions / information to the contrary.
When? Consultation fits into the timeline

Teams considering consultation should:

- Start early
- Continue to engage
- Step back to see the big picture

What is Design Quality?
“Design quality is about much more than style or appearance – it incorporates the key requirements of the stakeholders and business, functionality, whole-life value in relation to maintenance, management and flexibility, health and safety, sustainability and environmental impact.”

- OGC Procurement Guide 09 - Design Quality

What is Social Sustainability?
“This identifies the needs of individuals and considers their well-being. In the context of construction, social sustainability is often the least considered area but it has the potential to bring the most benefits. It covers a wide range of issues from health and safety, education and training through to social inclusion and eradicating poverty.”

- OGC Procurement Guide 11 - Sustainability
### Timeline for Consultation

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<th>Description</th>
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<td><strong>Getting started</strong>&lt;br&gt;Getting to know places, local communities and communities of interest helps define the context.</td>
</tr>
<tr>
<td>2</td>
<td><strong>Scoping</strong>&lt;br&gt;Projects are often criticised for disregarding the bigger picture. Doing more than one job makes a project seem more difficult in the initial stages, but outcomes from multi-functional projects and places offer better value and outweigh the initial difficulties by working better for society as a whole.</td>
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<tr>
<td>3</td>
<td><strong>Asking Questions</strong>&lt;br&gt;Projects do not operate in isolation and instead join up with other local needs and aspirations. Asking questions about the project’s wider relationships helps to set the context, to avoid duplication and to get the most from what is already there.</td>
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<tr>
<td>4</td>
<td><strong>Finding Resources</strong>&lt;br&gt;Local people and users know the complications and are a massive project resource.</td>
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<tr>
<td>5</td>
<td><strong>Designing together with the community</strong>&lt;br&gt;Designing the consultation together and recognising the complications, help to integrate future outcomes for greatest overall benefit. Involving the media early helps to find people that will make a difference to the quality of the project.</td>
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<tr>
<td>6</td>
<td><strong>First Concepts</strong>&lt;br&gt;These should be recognised as first thoughts on how to proceed, bouncing them off colleagues and communities before high levels of investment make them costly to change.</td>
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<td>7</td>
<td><strong>Changing right now</strong>&lt;br&gt;While new buildings or infrastructure will change how places are used in future, there are often ways to start making better use of places right now. Active changes in management for example, as part of a consultation process, can allow people to experience early improvements, encouraging them with better uses now and informing the design brief.</td>
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<td>8</td>
<td><strong>Time and money</strong>&lt;br&gt;It is important to work out what kinds of consultation are needed and find ways to pay for them – salaries, consultancy and possible incentive payments or rewards, also including costs of some experimental consultation which allows people to experience places differently as part of the briefing process.</td>
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<td>9</td>
<td><strong>Launching</strong>&lt;br&gt;Decisions need to be taken about whether to start with small activities and arouse public and media curiosity or to launch widely in public – or to use a combination of both.</td>
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<td>10</td>
<td><strong>Assessing results</strong>&lt;br&gt;Staying in contact with the participants keeps people interested as projects develop and brings new insights at each stage.</td>
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<tr>
<td>11</td>
<td><strong>Being flexible</strong>&lt;br&gt;Allowance should be made for stopping doing something which is not working and trying a new tactic. This includes being responsive and changing to suit each developing consultation to achieve the maximum outcome.</td>
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<td>12</td>
<td><strong>The golden nugget</strong>&lt;br&gt;Recognising and responding to great ideas improves the concept and brings added value.</td>
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<td>13</td>
<td><strong>Giving a voice and publishing</strong>&lt;br&gt;By this stage, the understanding of the project will have greatly increased. People want to see their input and how it influenced the project for good. Sufficient excitement encourages continuing participation as the project develops.</td>
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*Download Consultation Checklist (Word)*
External Resources

• **Download Consultation Checklist (Word)**
  The checklist will help teams to focus on the requirements for each particular section of the consultation. The seven principles have been adopted from a collaborative project led by the National Coalition for Dialogue & Deliberation (NCDD), the International Association for Public Participation (IAP2), the Co-Intelligence Institute, and other leaders in public engagement, with the expectation of ongoing dialogue and periodic revision. The principles have been adopted by over 80 organisations and are fully described and updated at [http://ncdd.org/rc/wp-content/uploads/2010/08/PEPfinal-expanded.pdf](http://ncdd.org/rc/wp-content/uploads/2010/08/PEPfinal-expanded.pdf)

• **Download Budget Planner (Excel)**
  The budget planner is an Excel spreadsheet to help arrange the financial requirements of the consultation process.

• **Download Project Managers Process Chart**
  Office of Government Commerce – OGC
Qualities of good consultation

**Trustworthy**
The overarching principle of good consultation is trust. This must be shared between all parties and will take time to grow during the course of the process.

**Organised**
Teams must avoid wasting people’s time – including their own.

**Listening**
It is vital that teams genuinely listen to those with whom they are consulting. If teams don’t listen, it will almost definitely cause delays and waste resources!

**Accountability**
Teams should record every stage of the consultation process. This demonstrates that they are listening, stores valuable information for later use and enables it to be shared with others.

**Seeking the golden nugget**
Teams should listen for that piece of information that may transform their projects to achieve maximum added value.

**Transparent**
By doing as much as possible ‘in public’, teams avoid rumour and conjecture that can greatly harm consultation processes and projects. Teams should publicise events, publish minutes, and offer up more information to those who require it, bearing in mind the provisions of the Freedom of Information Act.
Clear
Teams should communicate effectively by ensuring their messages are simple and their language is understandable to all.

Creative
Teams should be imaginative. Creative design skills can be applied to simple or complex consultation processes to help them to best achieve their specific objectives in each particular context.

Flexible
Consultation processes can be unpredictable, largely due to the diverse range of individuals and personalities involved. This requires an ability to be flexible, so that the unexpected can be handled and the consultation methods altered to gain better results.

Fun
Consultations normally rely on the voluntary input of people. By making consultation processes pleasant and even enjoyable, resultant outcomes are likely to be far more valuable.
How? Create a consultation

Consultation can be undertaken in well over 100 different ways. Creating a consultation process will involve selecting techniques from each of the three categories below. Whilst no two projects are the same, learning from experience is an essential part of the process.

Hands Off

“Hands Off” is the group of consultation methods that contains published written and graphic material, questionnaires, etc. then invites comments by post or e-mail, analyses the replies and prepares a response. It is useful on large-scale projects and plans (area plans for example) and is often supplemented by public presentations and meetings to allow for some interaction.

“Hands Off” consultations are relatively resource-efficient but, unless the topic is particularly controversial, they may not attract many participants without some personal contact or a legal requirement to fill in the forms (e.g. a census). “Hands Off” consultations often contain closed questions that do not encourage new ideas.
Face to Face

“Face to Face” refers to consultation methods that include public meetings, focus groups, studios, “charrettes” and workshops. This type is useful in local surroundings and depends on the insight and experience of local people who are willing to participate.

This group is ideal for local consultations where it may be supplemented by “Hands Off” or “Sleeves Up” techniques. It can bring real vigour and many ideas (sometimes conflicting of course) to the fore. It may need skilled facilitators to manage it and avoid disruptive events.
Sleeves Up!

“Sleeves Up!” techniques open the door to experiential consultation where the consulters and the consultees work together to learn by doing.

This group of techniques includes people learning about places by going to them, sitting in them, working together in them on a cold day, playing children’s games and rolling up their sleeves to paint out graffiti, pick up litter or plant trees. This is the most resource intensive method initially, however it can produce completely new experiences for people and bring them from scepticism or apathy to continuing participation.

It can try out new things quickly, provide immediate local benefits and is more likely to be memorable. With short term benefits and long term participation, appropriate use of “Sleeves Up!” may prove to be a very good investment.
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