



The FOUR FUNCTIONS FRAMEWORK:

The evolution of consultation

Executive Summary

The full Background Paper is 46 pages and explores the lessons learnt and the proposed Framework in detail. It is available on the www.consultationguru.co.uk website

Every week in the UK, well over 1,000 public or stakeholder consultations are launched. It is probably the most popular form of civic engagement that is used, with varying degrees of success, to inform the decisions, policies or programmes of Government departments, local authorities public bodies voluntary organisations. Many private companies also consult.

But consultation has many critics and is a source of much **confusion**, especially as recent years have seen growing interest in a wide range of new, innovative methods for engaging with members of the public – or key stakeholders - on matters that affect them. Where precisely these ‘fit in’ and what standards should apply to them causes uncertainty. Moreover, for some high-profile issues, judicial intervention has led to a genuine **fear of consultation**, deterring many organisations from engaging as they should with those who are affected by their proposals.

The **FOUR FUNCTIONS FRAMEWORK** is an attempt to move the focus from the *form* of a consultation to the *function* it performs, recognising that there are big differences and that one size does not fit all. Allowing that the new categorisation is not entirely watertight and some consultations straddle more than one function, it provides a basis for a better understanding of what matters most and how best to conduct each exercise. It identifies four separate functions, outlined in very general terms in the Table overleaf:

	NAVIGATION	EXPLORATION	DETERMINATION	IMPLEMENTATION
Function	Agenda-setting	Finding solutions	Making Choices	Ensuring Success
Key Questions	<i>Where are we going?</i>	<i>What are the options?</i>	<i>What decision should we take?</i>	<i>How do we secure support?</i>
Scope	Wide	Narrow	Specific	As relevant
Output	Strategies or Plans	Proposals or Options	Decisions or approved policies or Programmes	Smoother projects or programmes
Nature	Values Aspirations Priorities	Stakeholders Creativity Impacts	Integrity Clarity Responsiveness	Transparency Empathy Responsiveness
Challenges	• Difficult trade-offs • Involving key stakeholders	• Selecting methodology • Inclusivity • Accountability	* Honest narrative * Legal compliance * Reach & Response	* Ensuring stakeholder Confidence. * Reach & Response
Standards	Variable Best Practice but seldom enforceable	Flexible per methodology best practice	Legally-enforceable (Gunning etc)	Few and only rarely enforceable

By understanding the context and characteristics of these **FOUR FUNCTIONS**, by looking at examples and the methodologies used, it has been possible to identify the practical challenges *consultors* – and *consultees* – face in adding the best possible value to each exercise. It is also possible to move forward on the important matter of what standards should apply.

In summary, the **FOUR FUNCTIONS** are:

NAVIGATION – helping organisations consider where they want to go.

There are not enough of these, and too many conflate the ‘*what*’ with the ‘*how*’. Done properly, however, they provide the ideal opportunity to assess the ‘*direction of travel*’ for major organisations or key public policies. They can be uncomfortable for those less eager to confront existential threats or consider radical ideas, but for effective leaders, engaging stakeholders early in the formulation of strategies and plans makes things so much easier later on. Many **Citizens Assemblies** and smaller-scale community events are proving invaluable in understanding key aspirations and are helpful to medium/long-term agenda-setting.

EXPLORATION – exploring the many different ways of getting there...

Much excellent work is already done by those who have chosen to consult on possible solutions and options. **Co-production** has finally come of age, and we have increased use of ***Calls for evidence*** and other forms of participative options development/assessment. Such forms of consultation face many challenges including questions of accountability and inclusivity. *Who is in the Room?* has been an issue for many years, but there is great scope for innovation and creativity in involving people in finding solutions to difficult problems.

DETERMINATION – choosing from a range of potential options.

The traditional form of consultation that has been familiar for years and was (and still is) associated with a ‘*big fat document*’ and the ubiquitous survey. Many are well planned and delivered, with sensible options backed by sound impact assessments, but many have failed to convince Judges that they have observed the **Gunning Principles** at judicial review. It has led to over-elaborate, long drawn-out consultations as *consultors* have tried to cover every eventuality. The public is adept at responding to the many well-established methodologies currently in use, especially as there persists the myth that consultation is sometimes a ‘vote’. What few may appreciate is how massive the **impact of AI** will be on current processes and practice and much serious thinking is needed to retain the best and avoid the worst of likely developments.

IMPLEMENTATION – understanding what works and identifying problems.

This covers those situations where decisions taken much earlier start impacting people directly, Building new infrastructure is the classic case, or on-going dialogues on implementing policies that affect communities or businesses. Because the mechanisms are often informal, and performance is variable, much of the consultation has fallen beneath the radar leaving *consultees* frustrated and dissatisfied. The same can be said of public policy when Parliament legislates but seldom instigates consultations to enquire about the effectiveness of their initiatives. When secondary legislation requires subsequent implementation action by Ministers, failures to consult have led to judicial reviews. This consultation function is growing in importance and has been given inadequate attention.

By looking at consultations through the prism of **function** rather than the **form** they take, it is possible to focus on the ways we can make this a better experience for *consultees* and provide more useful insight for *consultors*. In a world of much-accelerated decision-making, it should prove possible to use more agile, flexible methods and release many from the perceived straitjacket of Gunning-compliant, 12-week traditional processes with their risks of delay and legal challenges. This is not a retreat from standards but a recognition that their application needs to reflect the functions of this framework and observe sufficient *proportionality* as to encourage, not discourage, good consultation.

Many people and organisations are pressing for more distributed power structures with far more decisions delegated to new, innovative mechanisms including permanent or semi-permanent bodies appointed using sortition and other techniques. When they are given the power and the money to take and implement decisions, they cease to be consultative. However, as long as their role is to produce recommendations and proposals for others to decide upon, their role is essentially consultative and have been included in the **FOUR FUNCTIONS FRAMEWORK** accordingly.

It is now for practitioners find ways to improve consultation by using the Framework and its many implications. *Consultors* may wish to specify and design their intended consultations using the terminology and standards provided by this analysis. *Consultees* may start to look for the clarity that this Framework implies.

In preparing this Framework, **Consultation GuRU** sought the advice and experience of many specialists in public engagement and received feedback on earlier drafts of the Background Paper. There is much consensus on the road travelled thus far and the lessons learnt in the evolution of consultation.

Issue 1 will be followed by later versions that can incorporate more examples and spread the learning from looking afresh at consultation and its various practices. In the meantime, Consultation GuRU will welcome papers from practitioners and advisers who wish to help develop these concepts further and explore ways in which the Framework can be useful and improve standards.

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