

February 2024

A monthly summary of consultation matters by Consultation Guru – Rhion Jones.

Consultation Catch-up



Working with my client, [Tractivity](#), I am delighted to announce that I've agreed to commit to a short monthly video called '**Ask the Guru!**' I am flattered to be commissioned, and even more gratified that people think I may know some of the answers! For what it's worth I think that too much of our industry leans towards the '*boring and earnest*', whereas my style is to try to combine professional analysis with a sense of real commitment ... and fun. Far more entertaining! I'm sure that if we get some really good questions, we'll get lots of **Tractivity** clients - and **Consultation GuRU** followers, to devote 10-15 minutes to follow our discussion. Look out for the first edition – coming soon.

Best of the Blogs

[Councils in financial distress demand different dialogues; here comes co-prevention!](#)



The bad news is that English local government is approaching crisis point. Implications are massive but here's what Councils should do about it. Three urgent imperatives. Three public engagement and consultation initiatives I recommend with the emphasis on 'prevention'. A little like preventative medicine – dialogues to help avoid the worst happening – and too many local services disappearing. Maybe not co-production, but co-prevention.

[Changing the NHS: Will new Regulations make it harder?](#)



When the NHS makes significant changes to its services, there is often considerable controversy – political point-scoring and legal challenges in the High Court. It MUST involve or consult local people and patients – and is subject to strict Regulations and burdensome Guidance. We now have two new meaty Guidance documents - with implications for those who manage these 'reconfigurations' and those who will be affected by them.

[Gove's Street Votes: brilliant innovation or irrelevant gimmick?](#)



Just occasionally a consultation helps you decide if an idea is sensible or not. Until now I'd given Street Votes the benefit of the doubt! Not any more. Studying this quickie consultation (6 weeks) and the answer is clear. Obviously designed to let Ministers argue that they are tackling our housing crisis and delivering 'planning reform' at the next election. In reality, I doubt we will see more than a handful of street votes; the impact of these will be zero.

In case you missed it



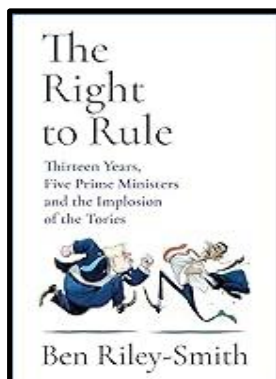
Consultation GuRU's unique account of [the Key consultation law cases of 2023](#)

Instant insights

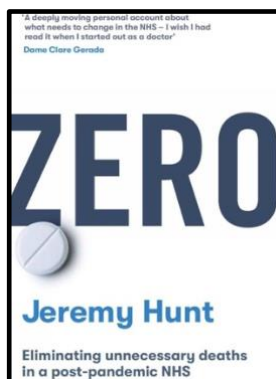
- **Giles Bristow** of **Surfers against Sewage** was much quoted this week as grudgingly acknowledging that a major investment by the Water industry was a "*small first step of what will be a very long road to recovery*" Less reported was what he went on to say on Radio 4's TODAY programme i.e. "*We would ask campaigners all over the country to put the Water Companies under pressure – to understand where this £14bn is going, and what the long-term plans look like.*". He stressed that, in the light of the horrible issue of river and sea pollution, there needs to be a "*transparent and honest*" dialogue. This prompted me to consider that for years, Water Companies have conducted substantial consultations. Just look at one example from [Anglian Water](#) and see the enormous mind-boggling detail! Which begs the question of how can major utilities consult so comprehensively and yet FAIL to engage effectively with their publics? Maybe less would be more. And we certainly need to raise the profile of such exercises
- Solicitors Leigh Day, veterans of countless legal challenges to public consultations have announced that they are representing Dale Vince in an attempt to overturn the Government's decision to [axe Active Travel Policy Guidance](#). There were many raised eyebrows when the PM announced his '[Plan for Drivers](#)' at his Party's Conference, not least from Councils nationwide who have diligently tried to implement this important aspect of decarbonisation. The case alleges breaches of many implicit duties relating to our net zero policies but also focuses on the lack of consultation. This is consistent with an increasing trend to demand a public voice in policy U-turns on environmental matters. Presumably there will be a 'legitimate expectation' angle, but my personal expectation is that Ministers will quietly resurrect the Guidance and avoid an embarrassing Court case just before a General Election.
- Consultation issues are to the fore in Scotland and N Ireland. In the last 10 days alone there have been reports of threatened legal actions concerning consultation failures for a leisure centre in East Ayrshire, and another for a Library in Dundee. There's a big row over the future of Causeway hospital, Coleraine and a possible reprise of the Badger culling issue as Northern Irish farmers go to Court once again.

Straws in the wind

The Reading List



Sadly, I found this disappointing. If you want a strong narrative account of the Cameron to Sunak storyline, it fits the bill admirably, and becomes progressively more interesting as the events described become less and less believable. Where it fails is in explaining how a centrist, business-friendly, socially respectable party morphed into the fringe rump that could choose a manifestly unsuitable Liz Truss as the UK Prime Minister. It charts the Parliamentary upheavals well enough – though its account of Boris Johnson suffers in comparison to the seminal Anthony Seldon tome. The failure to relate these to the wider Conservative party and its loss of members and thought-leaders following BREXIT is a shame, so I fear the definitive history of this tumultuous decade is still to be written.



Written well before the ex-Health Secretary had any inkling he would need to step in as Liz Truss' replacement Chancellor, and featuring generous dollops of hindsight, this is a surprisingly insightful book. Hunt's focus was on tackling the 150 'preventative deaths' that disfigure the NHS every week. For anyone familiar with public engagement and consultation in the NHS, this is a poignant reminder of the relationship between individual care standards and the structure of the organisation. Worse was the appalling defensive culture and the deep-rooted propensity to find someone to blame which Hunt tried to remove - but only partly succeeded. Lots of great case studies marred only by reflecting that so much Ministerial effort led to such meagre results. Worth a read – but does not explain why no workforce plan emerged till 2023!

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