

MARCH 2025

The monthly summary of
consultation matters by
Consultation Guru –

Rhion Jones

Consultation Catch-up



Whilst the world is naturally focused on international affairs and the Prime Minister is working overtime on the related diplomacy, the Government's domestic agenda is taking shape. We are also just beginning to see the way it views the role of consultation and public engagement. There are some good consultations around, but Ministers are clear that they do not want to allow consultation to frustrate key policies such as growth-related infrastructure projects. Time to watch it closely!

Best of the Blogs

Care homes Judicial Review highlights consultation risks for Councils struggling with under-funded services (Blog 93)



Short-changing your consultees? Imagine you are a care home provider, struggling with inflation, the new national living wage and much else. Then your Council offers you a 1.4% increase in fees. And fails to observe the Gunning Principles when it consults you! Might you possibly go to the High Court and seek a judicial review ...? This happened in Stoke-on-Trent, and my commentary considers this important judgment – with many issues and lessons, not just for local authorities but for policy-makers in general and everyone concerned with public engagement

The case for standards in stakeholder management

(TRACTIVITY article)



Prompted by my client's announcement of a partnership with [Accountability](#), I have considered the role of standards in professional services and how they are very applicable to stakeholder management at this time. Standards can help organisations and individuals observe best *practice* in the way they conduct themselves. It is this 'normative' effect that creates expectations, and may prompt a much-needed discussion in the industry about what is and what is not appropriate in stakeholder relations.

The next Archbishop; is the Church of England consulting meaningfully? (Blog 92)



The Church of England's invitation to nominate a successor to the Archbishop of Canterbury has raised eyebrows! Indeed, is it a consultation? It's not as if they have offered us a slate of prospective candidates and admitted us into an Anglian form of consultative Conclave (good film, by the way!). This exercise is the latest in a growing trend towards 'Sentiment Assessment'. Or taking the temperature of the moment! I suggest this has little to do with recruitment but is more about the Church wanting to be seen to be listening.

On Page 2 this month, more on NHS re-configurations, consultations on new Mayoral Combined Authorities, the cost of defending an unlawful consultation and something for all railway buffs.

The review is of Jonathan Sumption's latest book of essays

Instant insights

- There have been few **NHS reconfigurations** in England since the General Election; Ministers have had other priorities. But in [Northern Ireland](#), overdue changes are now on the table. As a largely rural area with many small hospitals, it has faced problems for years and a [five-month consultation](#) on the principles behind a proposed reorganisation of hospitals closed last week. It is the kind of ‘pitch-rolling’ preparatory exercise I have long advocated. It gets the debate going; it helps frame the issue. No specific service change proposalsyet. But it has inevitably sparked controversy – as this excellent [BBC summary](#) illustrates.
- There’s a popular conversational podcast for railway buffs called [Green Signals](#), which has just devoted an entire edition to the Government’s [consultation on setting up GB Railways](#). The normally-irreverent presenters are enthusiastic, offering much praise for the 8-week exercise that ends on 15th April. This is a pre-legislation consultation – precisely the kind that should be compulsory for complex Bills. Of interest to **Consultation GuRU** is the plan for a new Passenger Watchdog and views are sought on the exact remit it should have. In my opinion it should have a responsibility to be the voice for many stakeholders – not just the passengers, and the scope to express it. Listen to the fascinating Green Signals podcast [here](#).
- **Consultation GuRU** is not the only one to question why a Labour DWP Secretary of State chose to defend a palpably unfair Conservative Government consultation on **Work capability assessments** at the High Court. ([See Blog 60](#) - *Another bad day in Court for Government lawyers defending an unlawful consultation*). It now emerges that it cost DWP an astonishing £465,803 (excluding internal DWP staffing costs) to fight this losing battle. To make it worse, this unlawful consultation was about benefit cuts to vulnerable people. Just imagine what the [Big Issue](#) has to say about that!
- **The Ministry of Housing, Communities and Local Government** is a department in a hurry. On 17th February, it launched six parallel consultations to establish **Mayoral combined authorities** as part of its [Devolution Priority Programme](#). In an age when we consult for 12 weeks on relatively unimportant matters, it seems a little odd to consider fundamental changes to local democracy over a 4-week consultation, but that is all that’s allowed. Check if you want to view the consultations for [Cumbria](#), [Cheshire and Warrington](#), [Norfolk and Suffolk](#), [Greater Essex](#), [Sussex and Brighton](#) or [Hampshire and the Solent](#). The questions are very much top level and there are no options. Ministers are just gathering views on people’s attitudes to a change they have already pre-determined. **Sentiment Analysis** again. It’s ambitious and fraught with difficulty. At least this Government is trying not to be bogged down in detail! Nevertheless, as we know, that’s where the ‘devil’ is found, and I predict many more consultations before the policy is fully implemented.

Straws in the wind

The Reading List



Celebrated historian and retired Supreme Court Judge, **Jonathan Sumption** has become something of a political pundit in recent years, and [this collection of essays](#) is a timely contribution to current debates. Some of these are updated versions of the 2021 BBC Reith lectures, where he displayed a masterful grasp of the issues. He won’t agree, but I find him more persuasive on the politics than on the law, and some of his views on ‘mission creep’ re the European Court of Human Rights or on aspects of free speech won’t appeal to everyone. Seldom have I read a better analysis of the threats to democracy – but that’s just what it says on the tin! Dense in parts; a bit long-winded in others, it’s still worth reading by those who are seriously concerned about the fate of our democracy.

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