

# Building Effective Consultation and Participation



Lessons and learning from outside Ireland



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# Building Effective Consultation and Participation

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## SUMMARY OF KEY CONCLUSIONS AND RECOMMENDATIONS

### Introduction

The production of this report arose from concerns expressed by partners in the “Ireland in Social Europe Project” about weaknesses within consultative processes in Ireland and, in particular, the high level of dissatisfaction with these processes reported by those experiencing poverty, social exclusion and inequality and by the organisations that represent them<sup>1</sup>. The aim of the report is to:

- Map out key issues and to identify the reasons for a disconnect between the ideals and the reality of consultation and participation.
- Explore models of good practice from other countries that address these issues and draw conclusions on the outcomes for stakeholders.
- Present suggestions on how participation can be made more meaningful and productive, especially for the communities who are the intended recipients of services and policy developments.

Before drawing some key conclusions and identifying possible ways to enhance participation the report locates the issue of participation in context. It highlights some of relatively favourable policy statements on participation that have been made in Ireland but illustrates how these have not always been translated into progressive consultation and engagement strategies. In order to chart a direction for more meaningful consultation and participation in Ireland, the main body of the report explores practices and the principles that underlie them in a number of other countries, both in Europe and beyond. From these experiences the different rationale(s) for participation are

highlighted and examples are used to illustrate these rationales. Following this, the different levels at which participation takes place are categorised and examples are given of participation practice at these different levels. Finally, the issue of capacity building is looked at, including preparing the public administration and public representation system.

### Key conclusions about consultation and participation

Review of the evidence from other countries leads to a number of key conclusions about consultation and participation.

### Finding positive examples and assessing impacts

From the exploration of practices in other countries, it appears that the fatigue and dissatisfaction with consultation that prompted this report are equally present in other countries where approaches to participation in decision making are inconsistent at best. More often, it would appear, from the perspectives officials and politicians it would appear that participation is not something that is readily embraced as being of value in its own right.

### Creating a legislative base

One possible reason for the apparent antipathy to consultation and participation may lie in the lack of any constitutional or legislative obligation to consult or foster participation, though this on its own does not guarantee that best practice will be developed. However, it may provide a signal to officials and public representatives

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<sup>1</sup> The partners in this project were the European Anti-Poverty Network (Ireland), the Community Workers Co-operative, Cork City Council, the Irish National Organisation of the Unemployment, Northern Ireland Anti-Poverty Network and the Vincentian Partnership for Social Justice.

that consultation and participation are to be taken seriously. Nevertheless, to promote deeper commitment to community engagement, consultation and participation, a more fundamental shift in attitudes and mindsets is needed, particularly towards the involvement of those experiencing poverty and social exclusion. Unfortunately realisation of this ambition will be slow if no investment is made in appropriate capacity development.

### **Understanding the scope of what participation is**

From the participation experiences examined it does appear that the state sees consultation and participation as something that only involves formal structured relationships between the state and citizens and / or the organisations that represent them and often misses out on a whole range of community networks and activities that exist within communities. However there is a clear link between the two, a link that can be encouraged by the provision of appropriate technical supports to enable communities to develop their own ideas, perspectives and positions.

In recent times in Ireland, much of the energy of civil society organisations has been expended on participation within a variety of 'invited spaces' at national and local levels, perhaps to the detriment of the creation and operation of 'popular spaces' within civil society. This needs to be seen as one of the possible downsides of excessive engagement in consultation and participation exercises, in that it brings with it associated dangers of de-radicalising community agendas due to pressure to "behave responsibly in governance bodies" (Fung and Wright, 2001).

### **System failure / individual effort**

Many of the negative reports on participation experiences cite the significance of system level failures and the absence of system wide commitment to participation. Where positive examples have been produced, they would appear to owe little to system level learning and are more likely to be dependent on individual personality factors. If social inclusion and related elements of participation and consultation are to be enhanced, then systemic weaknesses within state institutions will need to be addressed to overcome the types of organisational resistance referred to earlier.

### **Focusing on results**

One of the most cited weaknesses in consultation and participation processes is the difficulty of establishing the outcomes and impacts of community engagement. Processes may be established but they are rarely accompanied by any commitment to report on or track their influence on policy making. The creation of clear, meaningful and high level reporting requirements would enhance participatory processes and could also assist in the process of promoting attitudinal change.

### **How to make participation work**

Some of the basic principles that can make participation more effective can be easily identified and have been summarised in the report of the UK Participation Working Group (Johnson, 2009). These include:

- Being clear and consistent about the process, timescales and roles from the outset.

- Taking time to develop and share understandings.
- Not expecting anyone to participate in processes that are cosmetic – participation needs to be real and produce outcomes.
- Recognising that everyone’s time is equally valuable.
- Ensuring that all participatory processes should be informed by standards of “respect, equality of opportunity, fairness, openness, non-violence and ‘positive challenge’ all mutually agreed by participants at the outset of all activity”.
- Being clear about communication, including record keeping and reporting back.
- Avoiding the use of jargon.
- Recognising that the involvement of people that experience poverty is complex and challenging, especially those who are described as hard-to-reach.

To these could be added a need for commitment to honest dialogue about what is possible from a consultation process and to be realistic in advance about what can and cannot be achieved.

### **POSSIBLE FUTURE DIRECTIONS**

To address the weakness that exist in consultation and participatory practices in Ireland, a number of options might be pursued by the partners in this project. These range from challenging options designed to deepen the democratic and public policy base for participation to those that might be pursued within the prevailing democratic and administrative frameworks.

### **Towards democratic renewal**

Consideration could be given to the pursuit of an agenda of democratic renewal, with deeper citizen / resident participation as a core element. Given the crisis of confidence that currently exists in Ireland in relation to democratic decision making and public administration, there can be little doubt that democratic renewal is necessary.

In this case, a key challenge exists to confront the distribution of power more clearly and to acknowledge that participation ultimately requires a greater willingness to share power and responsibility. This may be challenging to all political parties and to public officials.

### **Establishing an economic and public policy rationale**

The economic and public policy rationale for consultation and participation could be developed. For example, better consultation and participation can help to develop better policies by harnessing the unique skills and perspectives of citizens / residents. Equally, better consultation and participation can help avoid delays in design and implementation caused by recourse to the courts, thereby saving resources. It can also enhance the working environments of public officials by virtue of reducing conflict that may result from the absence of good quality consultation and participation.

### **Developing a legislative basis**

Deriving from these, project partners could consider advocating for the development of a legislative basis for consultation and participation. The option of establishing and extending rights based,

obligatory participatory processes, more typical in physical planning, could be looked at in the design and delivery of social and economic policies.

### **Addressing capacity deficits**

Building capacity for consultation and participation within the public administration system and with political representatives is necessary. Amongst other things this could focus on the design, management and reporting on consultation and participation processes. Ideally, those who have experience of being involved in consultation and participation exercises from within the Community and Voluntary Sector should be involved in the design and delivery of such capacity building.

### **Promoting effective standards**

A further option for the project partners is to promote the development of standards for community engagement and participation and / or engage with the process of developing a Code of Practice currently underway. However, experience from Scotland clearly shows that a Code of Practice on its own will make little difference, if not reinforced by procedures to induce cultural change within the public service. One way of encouraging such cultural change might include insisting that every consultation / participation exercise is accompanied by an outcome / impact reporting requirement in line with the OECD (2007) recommendation to develop appropriate tools to evaluate engagement.

As part of a standards process, project partners could also consider pushing for the creation of consultation / participation redress or complaint mechanisms, where those that are dissatisfied

with good cause can seek to have the process investigated. A related, balancing element of this could involve project partners advocating for a mechanism to highlight and reward outstanding efforts, possibly with the co-operation of a philanthropic organisation.

### **Reclaiming participation spaces**

For civil society, there are clear costs in continuing to devote time to processes that produce little by way of concrete, tangible results. Thus, project partners could raise awareness of the value of pre-emptive, independent and community led consultation and participation exercises and could investigate how support could be given to such initiatives. As part of this, project partners could investigate the role and value of online / technology based mechanisms as part of a suite of approaches, while recognising that this can sometimes be overrated, particularly for marginalised communities.

### **Providing technical support**

Finally, it may be the case that, rather than being opposed to deeper participation, public bodies may simply lack the knowledge, understanding or technical expertise to manage engagement with citizens / residents. To address this, the project partners could give some consideration to exploring the establishment of a specific entity with technical capacity to support participatory processes in Ireland. This could take the form of an independent entity or one based within the public sector.

## INTRODUCTION

The origins of this report lie in concerns expressed by partners in the “Ireland in Social Europe Project” about weaknesses within consultative processes in Ireland and, in particular, the high level of dissatisfaction with these processes that was reported by those experiencing poverty, social exclusion and inequality and the organisations that represent them<sup>2</sup>. In particular, the difficulties encountered in mapping the path from consultation / participation through to policy outcomes has been identified as a weakness. Within this, while a limited number of positive examples exist, in general the experiences reported talk of poor or non-existent consultation, absence of feedback, limited visible impact, questionable dialogue opportunities and weak public administration capacity. These arose in the context of focus groups, regional roundtables and other activities carried out by project partners.

As per the terms for reference, the main objectives of this report are:

- To map out key issues and to identify the reasons for a disconnect between the ideals and the reality of consultation and participation. In doing so, account was to be taken of the issues identified to date in the Ireland in Social Europe project and based on those arising in the wider 2010 European Year Against Poverty and Social Exclusion.
- Explore models of good practice from other countries that address these issues and draw conclusions on the outcomes for stakeholders, these being the target communities / organisations, departments and statutory and local authority providers.

- Present suggestions on how participation can be made more meaningful and productive, especially for the communities who are the intended recipients of services and policy developments.

## STRUCTURE

Section 1 sets the background and context for discussions on approaches to participation. It sets out some of the policy commitments that have been made on issues of consultation and participation in Ireland and highlights the reality of consultation fatigue. In doing so, it challenges the idea that consultation fatigue is a product of limited capacity amongst those being consulted (as was suggested in the Government’s own guidelines on consultation for public bodies, “Reaching Out”) and instead highlights the responsibility of those charged with managing consultation processes. However, this section also highlights that discontent with participation is not unique to Ireland and is a recognised phenomenon throughout Europe.

Section 2, the main section of the report, moves towards an exploration of models in other countries. Rather than simply presenting a short summary of examples, the report used a series of filters to explore and analyse the experiences<sup>3</sup>.

These filters include:

- Rationales presented for participation in other countries.
- Levels of consultation and participation
- Creation of enabling conditions.

Section 3 of the report draws some of the key lessons learned from other country experiences and identifies some possible directions for future work by the project partners. Finally, section 4 identifies possible avenues for future work to promote more effective consultation and participation.

<sup>2</sup> The partners in this project were the European Anti Poverty Network (Ireland), the Community Workers Co-operative, Cork City Council, the Irish National Organisation of the Unemployment, Northern Ireland Anti-Poverty Network and the Vincentian Partnership for Social Justice.

<sup>3</sup> It should be noted that this report is secondary research i.e. it relies on data produced and interpreted by other authors and organisations and therefore cannot in all cases verify the conclusions drawn or statements made in different documents / reports.

# **Section 1:** *Background*

## SECTION 1: BACKGROUND

For the past 40 years there has been, to varying degrees and in various ways, an emphasis on engagement and participation by communities globally. This emphasis is visible in academic literature and in a host of practitioner reports produced by international organisations, such as the UN, the European Commission, the Council of Europe, the OECD as well as by national governments and non governmental agencies<sup>4</sup> alike. In Ireland too, participation by and engagement with communities, particularly disadvantaged communities, has been a visible element of national policy since the early 1990s. Indeed, the establishment of the Community Development Programme has played a vital part in creating the capacity within communities to engage with the statutory sector. Subsequently, in 2000, the publication of the *White Paper on a Framework for Supporting Voluntary Activity and for Developing the Relationship between the State and the Community and Voluntary Sector* (Government of Ireland, 2000) made a number of significant statements emphasising the need for a stronger participatory approach, thereby underpinning the drive towards greater community engagement and, in particular, engagement with people who experience poverty and social exclusion.

*“The rapidly changing economic and social situation in Ireland requires serious consideration on how best to influence society in order to make it socially and economically inclusive, to make it a place where equality of treatment, opportunity and access, and respect for the autonomy of the individual are the norm. There is a need to create a more participatory democracy where active citizenship is fostered.”*

In speaking of the need to promote more active citizenship the White Paper envisages citizenship as “a political activity which gives citizens the opportunity to shape the society in which they live. Groups are given the opportunity to become involved in identifying local needs and developing strategies to meet these needs”.

In this regard the White Paper defines participation

*“as an exchange between citizens and government, between those who make policy and people affected by policy choices. Participation and dialogue allow greater public involvement in governmental action. To be meaningful, participation should lead to more successful outcomes. Its precise form is shaped by the problem at hand”.*

However, the suggested retrenchment from many of the commitments made in the White Paper shortly after its publication by the same Government that sponsored it in the first place has thrown the value of these statements into some considerable doubt (Harvey, 2004).

The White Paper was later followed by a separate Government sponsored initiative, the Task Force on Active Citizenship in 2007. While it is difficult to pin the Taskforce down on exactly what it means by the concept of active citizenship, it is variously referred to as being about “engagement, participation in society and valuing contributions made by individuals, whether they are employed or outside the traditional workforce”. Accompanying this is an emphasis on citizens being conscious not only of their rights but also of their responsibilities and duties, effectively requiring them to embrace “underlying values which shape behaviour by

<sup>4</sup> For an overview of literature on participation see Cornwall (2002) Institute of Development Studies and Cornwall and Coelho (2004), Institute of Development Studies. Narayan, Chambers et al. (2000), World Bank.

individuals as members of communities” (Taskforce on Active Citizenship 2007).

Hints of further participatory impulses had begun to emerge more recently in the Green Paper on Local Government Reform, which introduced the potential for experimentation with various forms of participation, such as participatory budgeting, while reaffirming the “role and primacy of the elected member” (Department of the Environment, 2008). However, these have not come to fruition.

These policy frameworks have been reinforced by the publication of various tools to support more effective and productive engagement, including the “Guidelines for Effective Involvement” (CPA and the Department of Social and Family Affairs, 2002) and “Reaching Out: Guidelines for Consultation for Public Sector Bodies” (Department of the Taoiseach, 2006).

At European level too there is evidence of some level of concern to enhance citizen participation. For example, the European Commission defines its concept of governance as set out in the 2001 as being about the “rules, processes and behaviour that affect the way in which powers are exercised at European level, particularly as regards openness, participation, accountability, effectiveness and coherence”.

Given this substantial array of policy rhetoric most observers might not be surprised at the conclusions of the country report for Ireland contained in the Study of Stakeholder Involvement in the Implementation of the OMC in Social Inclusion and Social Protection (Inbas and Engender, 2010). The national report on Ireland concluded that

*“Ireland has a very effective system for involving stakeholders in the formation of policy on social issues, which is used to develop both national and European-level policy documents. The two principal aspects of this are the formal Social Partnership and the annual Social Inclusion Forum”.*

The report goes on.. “Ireland has a very unified policy-making process in the social field, with inbuilt stakeholder involvement (Johnson, T., 2010).

### **The reality of consultation / participation fatigue**

However, despite the intimations of government policy statements and the external affirmation of Irish social partnership processes, this report has been commissioned in response to concerns expressed by participants at a series of events hosted by the project partners, concerns that derive from a sense that citizen involvement in activities described variously as consultation and/or participation are largely meaningless. Indeed, such concerns are not new and have surfaced periodically over the supposed glory days of citizen participation. For example, in the period preceding the development of the initial National Anti Poverty Strategy, there was an intensive process of engaging with a range of civil society interests. However

*“[...] while there was a lot of consultation during the preparatory stages of the NAPS, when it came to the actual decision-making the voluntary/community sector was left out. The administrative system needs to become more open to involving this sector in the later stages of the decision-making process (Fraser, 1997)”.*

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Fraser, a former director of the Combat Poverty Agency, further commented that the success of the Strategy would depend on

*“adapting and changing existing policies and spending and changing the culture of departments and agencies... Ultimately the NAPS will only be working when poverty has become the concern of all policy makers and agencies concerned with economic, social and cultural policies”*

Whether this has happened remains a key question and one that recurs when analysing participation experiences.

More recently, the Social Inclusion Forum has been criticised for its failure to generate and facilitate a more robust discussion about poverty and social exclusion.

Reinforcing the Fraser perspective, research for the Government’s own Task Force on Active Citizenship (2007) also noted on the experience of consultation that “there is cynicism and a lack of confidence in democratic and some other consultative structures, particularly at local level, with individuals and organisations not feeling that they are genuinely listened to [...]”.

Equally, it has been suggested that rather than being a forum for citizen participation social partnership has provided an avenue for civil servants negotiating on behalf of the state to prioritise their own departmental agendas and that, in reality, efforts to widen the agenda to include the social inclusion priorities of the community and voluntary pillar had limited success (Hardiman, 2006; Connolly, 2007). Indeed one analysis has argued that poverty policy

over the duration of the various national partnership agreements has been confined to a “residual policy category, shaped primarily by the needs of macro economic policy” and that “the engagement of pro poor actors in the negotiation process had no significant impact” (Connolly, 2007).

Perhaps the key to understanding the issue of consultation fatigue is contained in the somewhat restricted understanding / definition of the term adopted by the Irish Government in its “Guidelines on Consultation for Public Sector Bodies” (Government of Ireland, 2005). This suggests that

*“Certain categories of stakeholders, although they have an interest in participating in a consultation, might have weakly developed institutional or analytical capacities, making it difficult for them to participate in large numbers of consultations. Where the complexity and volume of consultations on a particular issue prevents a stakeholder from participating as fully as the stakeholder would wish, this is known as consultation fatigue. Consulting bodies, should, in planning and designing consultation processes, have regard for the capacities of organisations and individuals to participate effectively in consultations”.*

Thus, it would appear, the Government believes that the role and attitude and capacity of officials; the nature of feedback and the quality of consultation techniques play no part in generating consultation fatigue. Instead, they suggest that it is the “weakly developed institutional or analytical capacities of “certain categories of stakeholders”. However, while questioning the capacity of stakeholders, the Government refuses to recognise that the Irish state, over many years, has failed to develop

the capacity of its bureaucracy to embrace newer forms of governance and the associated processes of consultation and participation.

Concerns about feedback on consultation and participation are not unique to Ireland and similar stakeholder concerns are reported across the European Union with only a third of Member States reported as having some form of feedback process established (Study on Stakeholder Involvement (Inbas and Engender, 2010:38). Ireland is included in this group as having an established feedback mechanism. It is suggested that the remainder have no systematic system of feedback in place or that there is no information available, as illustrated in the map in figure 1 below.

To take the data presented in this illustration at face value would lead to the conclusion that Ireland may, in fact, be faring better off than many of its EU counterparts. Clearly, however, the very commissioning of this report from four prominent national community and voluntary sector organisations would suggest that such a conclusion may be somewhat suspect.

In the UK too, the sense of frustration at the operation of consultation / participation events is not unusual and is captured in the view of one Commissioner on the Commission on Poverty, Participation and Power (2000). Commenting on the attitudes of councillors and officials he suggested that “It was like a symphony - there was one main melody and an undercurrent. The guy who was running the meeting asked pasty questions; the officials gave pasty answers. Someone else would step up the emotional volume: they would be ignored. Then the meeting would go back to the same unhearing pattern” (Commission on Poverty, Participation and Power, 2000:26).

This distrust in consultation in the UK is compounded by a sense that public authorities rarely inform citizens of any impact that might arise from their involvement in consultation nor is it always possible to identify any such impacts.

*“worse still, there is evidence to suggest that the outcome of citizen engagement has little or no impact on decision-making processes. Systems are often not effective or even in place to ensure that the decision-making processes within public authorities take into account public opinion. For example, surveys of local authorities found that ‘only one-third of local authorities felt that public participation had a significant outcome on final decision-making. In a survey of ‘best practice’ authorities the Audit Commission found that three-quarters failed to link the results of consultation with decision-making processes” (Smith, 2003:107).*

The OECD is also conscious of potential pitfalls and cautions that “governments should not underestimate the risks associated with poorly designed and inadequate measures for information, consultation and active participation. They may seek to inform, consult and encourage active participation by citizens in order to enhance the quality, credibility and legitimacy of their policy decision, only to produce the opposite effect if citizens discover that their efforts to be informed, provide feedback and actively participate are ignored or have no impact at all on the decisions reached” (OECD, 2001: 21).

As a result it is proposed that “governments must therefore make every effort to lower the threshold for citizen access to information and participation,

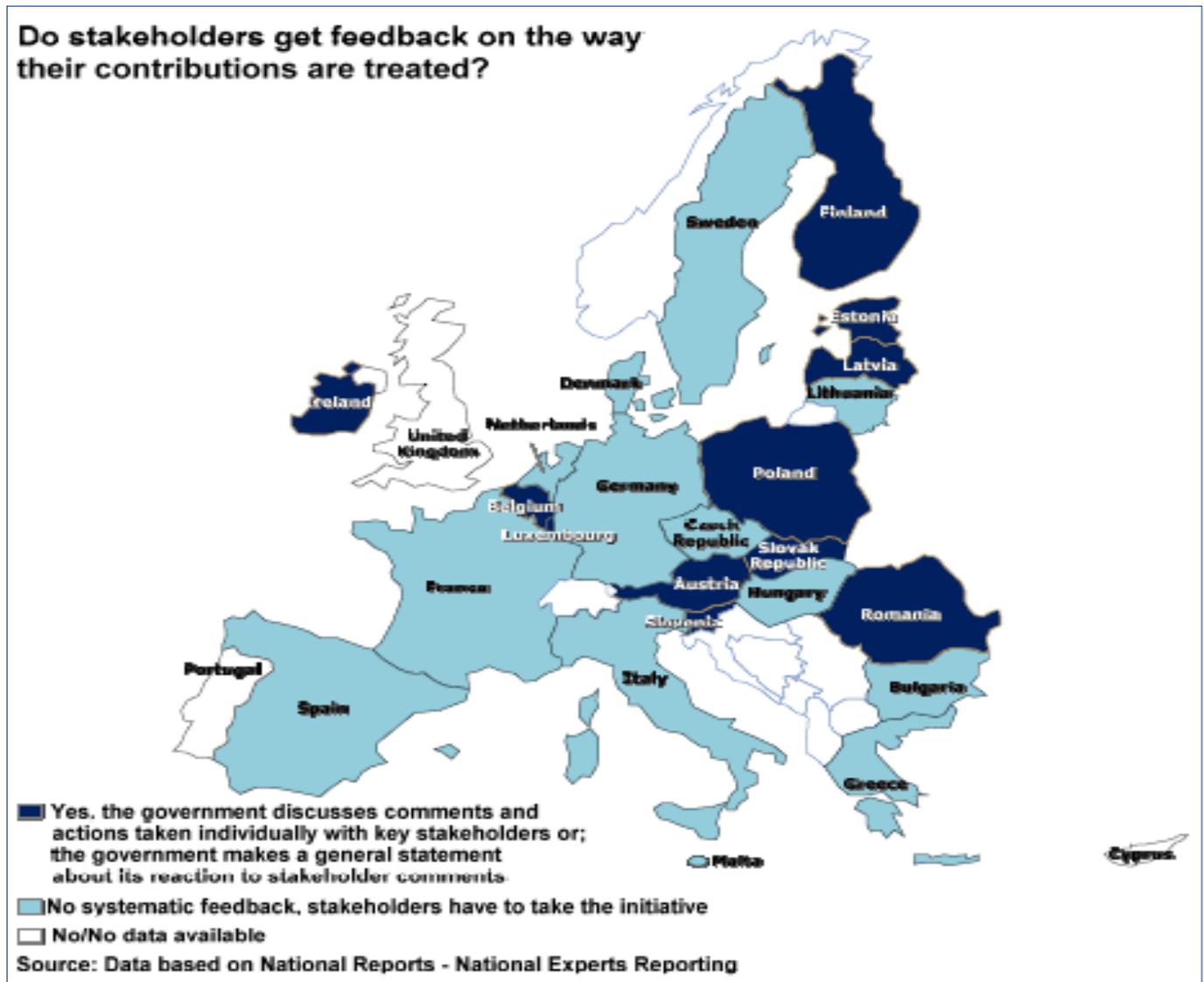
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employ best practices and account for the use they make of citizens inputs” (OECD p. 22).

Thus, the challenge for this paper is to identify

sources of best practice in the range of participatory endeavours which might be used to confront existing participatory processes.

**Figure 1: Mechanisms for stakeholder feedback in the EU (Source: Inbas and Engender, 2010:39)**



## **Section 2:**

# *Experiences of participation*

## SECTION 2: EXPERIENCES OF PARTICIPATION

This section reviews a variety of approaches to participation, both in Europe and, where relevant, beyond Europe. Given that many of the more progressive approaches to participation are emerging from practices in the South, it is important to consider innovations from a wide range of experiences. Much, if not most, of the literature reviewed has been produced by practitioners concerned with consultation, community engagement, participation etc. These practitioners include national and international non governmental organisations; national governments; international organisations; consultants producing commissioned work; foundations; professional bodies / institutes and others.

### Filter 1: What are the reasons for engaging with communities

In the earlier background section, elements of the rationale for citizen participation in Ireland were discussed. Internationally, as in Ireland, there is no shortage of material to establish a rhetorical basis for the increased participation of citizens in a variety of local, national and international initiatives. The contribution of the EU White Paper on Governance has already been mentioned but it is worth reiterating its focus on participation and accountability in particular and on its recognition of the need for an organised civil society.

Public participation has also been a focus for many

What is clear from the preparation of this paper is that there is a vast body of literature on the topic of participation. It is clearly an issue that generates deep concern and no little amount of conflict. For this paper, the literature reviewed has been digested through three primary filters.

Firstly the variety of rationale(s) for participation was explored with a view to highlighting the arguments made for increased citizen participation. Examples are used to illustrate these rationales.

Secondly, the different levels at which participation takes place are categorised and examples are given of participation practice at these different levels.

Thirdly, the issue of capacity building is looked at, including preparing the public administration/ public representation system.

In the next section, some of the learning and implications of this review are presented.

years for another international organisation, the Organisation for Economic Co-operation and Development (OECD). In the view of the OECD citizens are at the heart of democracy and democracy rests on the consent of citizens. According to the OECD (2001:19) “There is a growing demand for transparency, accountability and participation” and, as a result, “new forms of representation and types of public participation are emerging in all OECD Member countries (such as civil society organisations) and traditional forms are being renewed (e.g. public hearings) to give greater substance to the idea of government “by the people”<sup>5</sup>.

<sup>5</sup> It should be noted that much of the information contained in the OECD report was obtained on the basis of questionnaires completed by OECD member states and therefore presents a mainly governmental perspective on engagement. As much of the Irish case demonstrates, this does not tally with the civil society perspectives, in particular, those elements of civil society concerned with social inclusion and equality.

Elaborating on this general observation the OECD contends that there are distinct benefits to be gained from such increased participation, particularly

- Improved quality of policy making – new information, perspectives, solutions
- Enhanced transparency and accountability
- Strengthened public trust in government
- Collaboration outweighing conflict
- General contribution to good governance.

In the past the OECD has cited Ireland's commitment to strengthening government-citizen relations and describes its objectives as being "increased openness and transparency; increased accountability for decisions and actions; contribution to increased participation in the 'stakeholder society'; better quality customer service to citizens; better management of resources; more information for better government" (OECD, 2001:24).

In a subsequent report the OECD revisited the issue of public engagement as a means of enhancing policy making and concluded that translating commitments around inclusive policy making into practice continues to be a challenge (OECD, 2007). To meet this challenge it suggested that there remains a need to:

- mainstream engagement processes;
- develop appropriate tools to evaluate engagement;
- make greater use of technology and recognise the need to design engagement mechanisms that are appropriate to particular contexts.

At EU member state level too, various governments have articulated their commitment to increased engagement with citizens. The approach of the Austrian government has been cited as an example of good practice with clearly structured approach to participation at different levels. In terms of justifying such participation the Austrian government points to a long list of benefits from participation as shown in Box 1<sup>6</sup> below. The lengthy list of benefits ranges from increased trust and interest in democracy; enhanced respect and understanding and level of expectation; enhanced problem solving capacity and transparency and greater acceptance of policy directions. However, how this translates into practice and how consultation and participation is experienced in Austria by those living in poverty is not clear.

At a non governmental level too different national and international organisations have identified the basis for and benefits of participation. The International Association for Public Participation (IAP2) has set out its core values in relation to participation and in the IAP Annual Report, 2009, offers a variety of examples of participatory approaches that illustrate the "state of the practice"<sup>7</sup>. These core values assert that public participation...

1. "... is based on the belief that those who are affected by a decision have a right to be involved in the decision-making process".
2. "... includes the promise that the public's contribution will influence the decision".
3. "...promotes sustainable decisions by recognizing and communicating the needs and interests of all participants, including decision makers".

<sup>6</sup> The Austrian Governments "Standards of Public Participation", was commissioned by the Austrian Federal Chancellery and the Austrian Federal Ministry of Agriculture, Forestry, Environment and Water Management. They were adopted in 2008 by the Austrian Council of ministers. The standards were developed by an inter-ministerial working group with the participation NGOs and external technical experts.

<sup>7</sup> IAP2 is, an international association of members who seek to promote and improve the practice of public participation in relation to individuals, governments, institutions and other entities that affect the public interest in nations throughout the world" see <http://www.iap2.org/>

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4. “.. seeks out and facilitates the involvement of those potentially affected by or interested in a decision”.
5. “...seeks input from participants in designing how they participate”.
6. “ provides participants with the information they need to participate in a meaningful way”.
7. “... communicates to participants how their input affected the decision”.

These values provide an important reference framework as they not only assert the basis for participation but they also emphasise that participation is a right that extends beyond initial feedback to encompass input on participation strategies and a commitment to sustained feedback over the lifetime of a policy process.

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### BOX 1: The suggested benefits of citizen participation in Austria

According to the Government of Austria, citizen participation produces many benefits.

- Public participation involves those affected in the search for results.
- Public participation helps strengthen the climate of trust between politics, administration, as well as those concerned and participants.
- Public participation raises people's interest in political participation and fosters lively democracy.
- Public participation activates; it makes those concerned participants and dynamises development processes and participation projects.
- Public participation supports the community and mutual respect between politics, administration and participants as well as among the participants. Services rendered are to a greater extent mutually recognised.
- Participation processes are common learning processes and thus strengthen awareness-raising.
- Public participation makes the values and attitudes of participants as well as their interests and needs visible.
- Public participation fosters the comprehension for different standpoints and for the problem to be solved. The flow of information is improved. The work of the administration is citizen-oriented, solution-oriented and need-based.
- The cooperation between public administration and interest groups concerned reduces the pressure due to expectations and lobbying by individual interest groups.
- Public participation leads to innovative solutions, as all participants offer their knowledge, their practical experience and their creativity.
- Public participation facilitates the development of an accepted strategy. It fosters long-term solutions and therefore ensures planning security.
- Public participation designs decision-making processes in a way that they are transparent and traceable.
- In processes of public participation the fields of competence of the participating groups are clearly described and perceived.
- Public participation allows the involvement of the public in the process of decision making. Results can thus be accepted and backed on a broader basis. Thanks to the intensive cooperation participants can identify themselves better with the result.
- The intensive exchange between all participants permits the integration of different points of view, which improves the backing of results. In this way public participation also contributes to quality assurance and easier implementation. This means that public participation can have time- and cost-saving effects.

## Filter 2: Levels and depth of engagement with communities

In seeking to arrive at a conclusion on the relative merits of participation activities, it is essential to recognise that participation may take place at a variety of different levels. These levels have been described in different ways from more abstract academic models to frameworks drawn from practical experience. The emphasis in this report is on the latter. A number of different levels can be identified

- Levels of power
- Levels of obligation
- Geographical levels

### 1. Participation Experiences - Levels of power sharing

One of the most useful publications in recent years that categorises, describes and analyses experiences of participation globally was produced by the Power Enquiry in the UK (Smith, 2005). The report, entitled, "Power Beyond the Ballot: 57 Democratic Innovations from Around the World", categorises participatory innovations under a number of different headings:

- Electoral innovation;
- Consultation Innovation;
- Deliberative Innovation;
- Co-Governance Innovation<sup>8</sup>;
- Direct Democracy Innovation and
- E-Democracy innovation.

Beyond the Ballot suggests that these different innovations fulfil different purposes and have produced different lessons.

- **Electoral innovations** aim primarily to increase the number of people voting. Some of the lessons learned are that:
  - the focus on electoral innovation is largely on changing the means by which people can vote.
  - the innovations may improve the 'experience' of voting – in some senses deepening participation.
  - However, the extent to which any of the innovations will increase turnout is unclear as those segments of the population that are already disconnected from mainstream democratic processes are unlikely to be swayed by mere changes in voting techniques.
- **Consultative innovations** aim to inform decision makers of citizens' views. Some of the lessons suggested by these innovations are:
  - Standard techniques for eliciting public opinion on services and policies can be used in highly creative and innovative ways.
  - Open forms of consultation tend to attract citizens who already have a strong political interest; whereas more statistically representative techniques tend to lack depth.
  - The relationship between consultation and decision-making is not always clear and feedback is rarely provided.

<sup>8</sup> Co-governance arrangements, of which some instances of the RAPID programme may be a tentative example, can be distinguished by a number of distinct values. They:

- offer ongoing, institutionalised forms of engagement;
- have a degree of agenda setting power;
- have decision-making power or, at least,
- have a high degree of influence on final decisions (Smith, 2005)

- There is often widespread scepticism that consultation is being used to legitimate decisions that have already been made.
  - More innovative approaches offer interesting developments but they will only be effective if citizens believe that public authorities are genuinely committed to engagement.
  - The best consultation exercises are run independently of government, reducing suspicion of manipulation by authorities.
  - **Deliberative innovations** aim to bring citizens together to deliberate on policy issues, the outcomes of which may influence decision makers. Some of the lessons learned from the examples presented include:
    - Deliberative approaches offer advantages over many traditional approaches to consultation:
      - Innovations bring together a cross-section of the population so that deliberations reflect on a variety of experiences and viewpoints;
      - In principle, all citizens have an equal opportunity to participate – no social group will be systematically excluded;
      - Events are run by independent organisations to ensure fairness;
      - Outcomes reflect citizens' considered judgements.
    - Evidence suggests that if a diverse range of citizens is brought together they have the capacity and skills to deliberate and make recommendations on complex public policy issues.
  - Many deliberative innovations have relatively large resource implications.
  - **Co-governance innovations** aim to give citizens significant influence during the process of decision making. The experience of co-governance examples suggest;
    - Co-governance innovations can provide genuine access to political power and decision-making.
    - Where assemblies are open, there is more opportunity to increase citizen participation; where a form of selection is used, participation levels will obviously be more limited.
    - There are concerns that open access will simply lead to assemblies that reflect current patterns of political participation predominantly attracting the articulate middle class. However, the design of innovations can generate incentives that alter these established patterns of engagement.
    - Where selection is required, some innovations show that the use of random selection can be a credible and effective alternative to elections.
    - Co-governance innovations indicate that citizens are attracted to political involvement when it is clear that this involvement can lead to change.
    - Citizens involved in co-governance innovations need dedicated support and resources if they are to engage effectively.
  - **Direct democracy innovations** aim to give citizens final decision making power on key issues. The lessons of experiences reviewed in Beyond the Ballot suggest:
-

- There are innovative ways of increasing citizen involvement in the most important aspect of the political system, legislating. Three basic approaches can be taken:
  - Open meetings which are limited in their scale;
  - Direct voting through referendum, initiative and recall which can be used at all levels of governance;
  - Randomly-selected citizens' assemblies which allow face-to-face discussions in large-scale democracies.
- Unlike many of the previous innovations direct democracy innovations offer the opportunity for citizens to take control of the political agenda and be directly responsible for shaping policy and legislation.
- Finally, **E-democracy innovations** use ICT to engage citizens in the decision making process. It is suggested that:
  - There is disagreement about the potential of e-democracy; many commentators are concerned that it will simply reinforce existing patterns of political participation with hard-to-reach groups further marginalised.
  - Evidence from some e-democracy innovations challenges this simplistic picture. Where innovations are carefully designed citizens with little or no experience of the internet can be engaged.
  - The anonymity and security that can be built into discussion forums may itself promote engagement.

- E-democracy is not going to replace existing modes of engagement. More traditional forms of engagement will be needed to realise deeper levels of participation.

Examples of innovations under each heading are listed in Table 1 below.

Innovative as these may be however, the report's author recognises that, while they are moving towards a greater level of active participation, much more needs to be done to achieve fully empowered citizen participation in democratic processes.

### Charting the participation spectrum

A variety of efforts have been made to illustrate the different levels at which participation can take place. One such effort was made by the Combat Poverty Agency Mainstreaming Social Inclusion project. Like others, this identifies a participation spectrum. At one end of the spectrum are situations where there no sharing of information and no participation. At the other end is a form of more empowered co-decision. In between lie with various levels of information, consultation and participation<sup>9</sup>.

Meanwhile the International Association on Public Participation (IAP2) proposes five levels at which public participation can take place:

- **Level 1** - to inform, requiring little more than one-way provision of information to stakeholders on a specific issue
- **Level 2** - to consult, implying that information is provided to and feedback is obtained from stakeholders in a two-way flow of information.

<sup>9</sup> See <http://www.combatpoverty.ie/msi/>

- **Level 3** - to involve, moving towards a process of gathering stakeholders' views and "ensuring that their concerns and views are understood and considered" (Inbas and Engender, 2010).
- **Level 4** - to collaborate, moving to a higher level of stakeholders' involvement and the designation of stakeholders as partners, "including in analyses, development and decision-making".
- **Level 5** - to empower, involving stakeholders having control over final decision.

**Table 1:** Democratic innovations

Innovation	Examples
Electoral innovations	Electronic voting; Positive abstention – the none-of-the-above option; 'Cumulative voting; compulsory voting; Reducing voting age; Universal citizenship; Race-consciousness districting
Consultative innovations	Public opinion surveys; Public meetings (or hearings); Public inquiries (or commissions); Open House; Planning for Real; Community visioning; Participatory theatre; Standing forums – community, user or issue-based; Standing citizens' panels; Focus groups; Petitions
Deliberative innovations	Citizens' juries; Consensus conferences; Deliberative opinion polling; Deliberative mapping; Citizens council (NICE); America Speaks; National Issues Forums; Study circles; Democs; Democracy café; Deliberation day
Co-governance innovations	Chicago Community Policing; Lambeth Youth Council; Participatory Appraisal; The People's Planning Campaign in Kerala, India; Participatory Budgeting in Brazil; Espoo Youth Council; Vigilance committees; Lille Community Councils; Local partnership boards; Community Fund regional boards; Citizens' Assembly on Electoral Reform, British Columbia
Direct democracy innovation	New England Town Meetings; Referendum; Multi-choice ballots / preferendum; Initiative; Recall; Citizens' assemblies selected by sortition (lot/random selection)
E-democracy innovation	E-voting; E-consultation; E-representatives; Minnesota E-Democracy; BBC iCan; HeadsUp; Civic Commons in Cyberspace; Online deliberative poll; Online deliberation day; E-petitions; E-referendum and e-initiative

Source: Adapted from, Smith (2005) 57 Democratic Innovations from around the World, ) The Power Enquiry

## Lessons and learning from outside Ireland

In Austria three levels of engagement with the public are envisaged – information, consultation and cooperation as illustrated below. In this case the public, is described as comprising “an open and unlimited circle of persons comprising all members and organisational forms of a society”



One of the benefits of this approach is that the expectations at the different levels are clearly spelled out. Thus,

- At the information level “Participants receive information about the planning or the decision. They do not have any influence on it, however. Communication is only one-way, namely from the planning or decision-making bodies to the public”
- At the consultation level “Participants can give their comments on a question asked or a draft presented. They can thereby influence the decision, even though the extent of influence may differ considerably. Communication is in both directions, from the planning or decision-making body to the public and back, as well as, under certain circumstances, once again back to the public, for example if comments received are answered”.
- At the co-operative level, “Participants have a say in the decision, for example at Round Table meetings, in mediation procedures or in stakeholder processes. The degree of

influence is high and may include common decision-making with the political decision-making bodies. Planning or decision-making bodies and the public communicate intensively with each other” (Government of Austria, 2008).

In the UK, in a report commissioned by the Department of Communities and Local Government, an alternative framework for conceiving of citizen participation has been developed by a group of academic writers with long experience in the area of local governance and community engagement (Pratchett et al, 2009). This framework proposes that community empowerment and deeper levels of participation can be achieved through the use of six mechanisms and offers some, albeit limited, examples of the mechanisms in practice. These are:

- asset transfer
- citizen governance
- Electronic participation
- Participatory Budgeting
- Petitions to enable citizens to raise concerns
- Redress / complaints mechanisms

Within these it is clear that there are considerable implications for the division of power – over asset management; decision making and resource allocations.

## 2. Participation Experiences - Levels of obligations

As well as categorising participatory initiatives by the degree of power they are willing to share, it is also possible to categorise them according to the degree of obligation that accompanies them. In some cases, participation is a legal requirement and entitlement. In others it follows on from less binding guidelines designed to encourage rather than to require participation. Finally, in many other circumstances, participation may occur simply as a result of local initiative, independent of legal or non binding obligations. This section focuses on the first two of these.

### Binding obligations

In some circumstances it is clear that citizen participation is, in theory at any rate, established and/or protected by some form of statutory or other obligation. In others, participation may be encouraged by guidelines which vary in strength and specificity.

In Ireland, examples of statutorily protected rights to consultation include the design of county development plans, town planning exercises and aspects of physical planning. Building legal, policy and institutional frameworks that “define citizens’ rights of access to information, consultation, and active participation as well as the institutions charged with the application of these rights” is seen by the OECD as an area of particular importance.

Thus it is possible to identify a variety of forms of freedom of information legislation and information commissioners; Ombudsmen; referenda; rights of petition; administrative procedure laws; environmental impact assessment laws; provision for regulatory impact assessment; parliamentary committees as well as variety of guidelines that in one way or another set out directions for how engagement with citizens should take place.

While most of these provisions govern the provision of information, consultation or formalised processes to address complaints few are directly concerned to promote active participation. Some examples do exist though:

- popular legislative initiative – in some countries (e.g. Austria, Poland, Spain), the right to propose legislation is a constitutional provision. In New Zealand, since 1993, the “Citizen Initiated Referenda Act” provides for the holding of non binding referenda to “indicate the views held by the people of New Zealand” (OECD, 2002:42).
- In Finland, a 1998 resolution entitled “High Quality Services, Good Governance and a Responsible Civil Society” sought to lay the groundwork for the more active participation of citizens.

The absence of more formal and centrally resourced platforms for participation may be explained by the fact that “in most OECD countries there is no single point of institutional responsibility for enabling and promoting active participation by citizens in policy making” (OECD, 2001:42). In one exception to this, in the Netherlands, the government established an

“Expertise Bureau for Innovative Policy Making” in 2001, the function of which is to “collect knowledge and experience regarding innovative decision making, new relationships between the general public and the administration and the use of ICT applications as a decision-making resource” (OECD, 2001: 43).

### **Freedom of information**

Perhaps the most common area in which an early level of participation is protected is access to freedom of information, upheld in most OECD countries by some form of legislation. While in Ireland in more recent times financial charges amongst other things have been identified as undermining a commitment to freedom of information (O'Connor, 2010), in Finland it is considered that “Pricing cannot be a hindrance to getting information that is needed to monitor the administration or to start public discussion in society” (OECD, 2001:32). The restrictions imposed in Ireland have also been criticised by the Ombudsman, Emily O'Reilly (2010) when she observed that “the curtailment of the FOI Act was an example of how legally binding rules and regulations still failed to defeat the prevailing values and culture of secrecy. There is no doubt that 12 years of FOI have brought about some significant change for the better, but as I will point out later, we still have quite a distance to travel”. Inevitably this culture of secrecy has an impact on the willingness to engage openly with citizens and on the availability of information to enable citizens to participate effectively.

### **“Client” rights to participate**

In other European countries there are some examples of consultation / advisory rights being

established by legislation. For example, in the Netherlands, since 1996 there has been a legal requirement governing the participation of service users in areas of welfare health care. In this case, client councils have been established... “all publicly funded care service providers are obliged to establish a client council that deals with and represents the clients’ interests” (Danau, 2009:1). The aim of this exercise is “strengthening the position of the client” and, at the same time, improving the quality of the service provided. Consequently, service users have established rights to information, to regular consultation, to give advice and the right to ask the courts to “investigate where they suspect mismanagement”. Equally, in terms of obligation, service providers must ask for advice on organisational and/or activity changes, monitoring and improving the quality of care and must do so at a point sufficiently early that the advice can still have a bearing on final decisions. Interestingly, service providers must also produce an annual report outlining how the council’s advice has been utilised and how “this advice has influenced the organisation’s policy”.

Perhaps the most important conclusion of the case study on this process is its assessment of the impact of the client councils. Research undertaken in 2006 suggests that the councils, despite their statutory foundations, “have only limited influence on decision making. Client councils can be very active, without having much influence on decision making” and indeed “most client councils can give hardly any examples of where they have actually had an influence”. However, the reasons cited for this are revealing, the suggestion being that “issues of organisational structure, cooperation with other organisations and financial accounting are far from clients’ reality and therefore it is difficult for

clients to give focused advice on these issues” (Van Wijmen, 2006 as cited in Danau, 2009:3).

Finally, in terms of the right to participate, it should be noted that in Flanders, the Flemish Anti Poverty Network has been “established by decree” and “government must consult it on all matter affecting people experiencing poverty” (EAPN, 2009: 27).

### Non binding guidelines

Beyond the statutory level, there are many examples of participation processes being underpinned by non binding guidelines and/or codes of practice <sup>10</sup>.

For example, in Scotland national standards for community engagement have been published by the Scottish Executive to signal its commitment to “people in Scotland having a greater say in how local services are planned and delivered” (Communities Scotland<sup>11</sup>, 2005: 4). The Standards document and associated process have been endorsed by a variety of organisations in Scotland including the Poverty Alliance, the Scottish Community Development Centre and the Scottish Council for Voluntary Organisations, SCVO. Ten standards and associated indicators have been identified relating to: involvement, support, planning, methods, working together, sharing information, working with others, improvement, feedback and monitoring and evaluation. Relating to the issue of feedback, a key concern of this report, the document has set indicators to ensure that there is regular and timely feedback on options that have been considered and decisions subsequently taken, along with details of relevant future activities. A subsequent evaluation of the Standards concluded that they “have become the single most commonly referred to resource in relation to the planning, review and

improvement of community engagement” and “that they have been most effective in providing a common language and consistent understanding of the nature of effective community engagement practice across a range of professional disciplines” (Clear Plan UK, 2008:23).

However, the evaluation was not able to judge the degree to which the Standards produced clear outcomes in terms of enhanced service planning and delivery. Thus, while it was concluded that the Standards have had a “significant impact on those charged with coordinating, supporting or managing community engagement” the evaluation also suggests that the use of the Standards tended to be “confined to ‘enthusiasts’ and those with sufficient experience to have confidence in their skills in engaging with communities” (op cit, p.25). Along with this, the evaluation suggests that “Some practitioners have a misplaced confidence in the quality of their community engagement practice which the National Standards have not been effective in challenging. This misplaced confidence has the potential to limit the impact of the National Standards on improving community engagement (op cit. p.27).

This example again illustrates two key issues, the difficulty of establishing the outcomes / impacts of community engagement and the reliance on individual personal / attitudinal factors to establish a basis for engagement. In particular the evaluation has concluded that “The absence of significant requirements for Community Planning Partners to report on the quality of community engagement processes or the outcomes arising from these processes limits the potential of the National Standards to become embedded in mainstream service planning” (op. cit., p.27).

<sup>10</sup> The Irish Government has produced a set of “Guidelines on Consultation for Public Sector Bodies”. However, as the focus of this document is primarily on learning from other countries these are not being reviewed here.

<sup>11</sup> Communities Scotland was abolished in 2008 and its functions divided between Scottish Government’s Housing and Regeneration directorate and the Scottish Housing Regulator.

In Austria, governmental guidelines for community participation have also been developed, as described earlier. However, there is little indication of the impact of these guidelines at this stage.

In other cases professional organisations have developed guidelines to inform how their members might pursue more effective community involvement and consultation. An example of such an approach is the document “Guidelines on Effective Community Involvement and Consultation”, produced by the Royal Town Planning Institute in the UK.

### **3. Participation Experiences - Geographical levels**

While significant elements of the literature on participation focuses on levels of power and levels of obligation, perhaps the greatest concentration of attention is on the level of geography. From the vast literature available on the different forms of participation practiced in Europe and beyond, it becomes clear that by far the greatest emphasis on citizen engagement and participation is at local level, though clearly the definition of what local means varies from country to country. While it has been argued by a variety of writers that such a local focus is the most important given its proximity to the citizen, others might argue that unless there is a significant level of power exercised at the local level, any such participation is likely to be cosmetic.

What is striking from much of the material written on local level engagement is the recurrence of similar experiences, not least in the types of problems encountered in seeking to advance a participatory agenda. For example, in a report commissioned by the UK Home Office as part

of its commitment to its civil renewal agenda, Burton et al (2004) undertook a review of UK literature on community involvement in area based initiatives. What is striking from this review is the recurring weaknesses in existing processes rather than examples of best practice and high quality engagement. The review draws a number of conclusions:

- Frequently, there is inadequate attention given to “approach, structures, roles, processes, methods and resources” (p. 30)
- Formalised structures that mimic the approaches of private sector companies (formal agendas, limited discussion, rapid decision making, use of jargon etc) will not produce active community involvement, especially by those from disadvantaged communities.
- An absence of genuine commitment to community involvement by officials is a fundamental problem.
- On occasions, the expectations of community representatives in terms of representation and accountability would appear to be greater than expectations of other participants.
- Diversity within communities is not adequately recognised nor is the fact that particular communities may have particular needs.
- Inadequate attention is devoted to monitoring and evaluating processes of community engagement.
- Inadequate funding is made available to support community engagement.

A number of examples of local level participation are worth noting, some of which use Participatory Learning and Appraisal (PLA) methods as a means of engaging with communities.

## The Learning Community Approach

This was an initiative developed in the North of Ireland to involve community members in a local “strategic planning process which is empowering, inclusive, builds a sense of community and is sustainable” and is premised on a belief that a process is “meaningless if people in the community have no opportunity to influence wider decision making” (Naylor et al, 2000)<sup>12</sup>. The approach used a combination of a core planning / support group; ongoing promotional activities; action-reflection workshops; a questionnaire survey; focus groups; a ‘Search Conference’ and a public launch all designed to generate input to the development of a district area plan. However, as with many of the other examples cited in this report, while certain outcomes were identified, conclusive information on the impact on policy making was not reported.

## Empowered deliberative democracy

A series of local initiatives have been grouped together under the heading of empowered deliberative democracy (EDD). EDD draws on the experiences of a number of participatory processes in the United States, Brazil and India and articulates some of the key dimensions of a progressive approach to participation and decision-making. Some of these approaches have also been discussed in the Power Enquiry report referred to earlier. EDD sets out three principles upon which participation is based and identifies three institutional design features that contribute to its operation. Alongside these the necessary enabling conditions that facilitate or impede the deliberative processes are described.

In terms of principles, EDD suggests that

- Participation should be concerned firstly with the resolution of specific and “tangible” problems.
- It should seek to achieve the active participation of those directly affected by the problem and by relevant officials.
- Third, it should privilege the use of deliberative approaches to locate solutions (Fung and Wright 2001).

Crucially, EDD requires that participation take place within decision-making arenas, not just in powerless, non decision-making, arenas. Thus EDD envisages participation beyond information and consultation and more in the areas of co-governance and direct democracy as discussed earlier.

Deriving from these principles, three institutional design characteristics or properties are advanced.

- Devolution from centralised administration to empowered “local action units” which are “endowed with substantial public authority” (Fung and Wright, 2001).
- Recognition of the need for “centralised supervision and coordination” to “reinforce the quality of local democratic deliberation” by “co-ordinating and distributing resources, solving problems that local units cannot address by themselves, rectifying pathological or incompetent decision-making in failing groups and diffusing innovations and learning across boundaries” (Fung and Wright, 2001). Clearly, the purpose of this

<sup>12</sup> See [http://www.planotes.org/pla\\_back issues/38.html](http://www.planotes.org/pla_back%20issues/38.html)

feature is to encourage decentralisation while at the same time tempering the capacity for unrestrained and possibly ill informed local action.

- Ensuring that the state is at the centre of the deliberative process, not at the margins (Fung and Wright, 2001).

Crucially, the EDD approach also identifies some of its own weaknesses including vulnerability to problems of power and domination, particularly domination by elites; the potential for powerful actors to limit the extent of deliberation; self-serving behaviour by powerful groups; the creation of unrealistic expectations of local participation and difficulties in sustaining participatory approaches over the longer term (Fung and Wright 2001).

### **National / regional level examples**

The OECD report, *Citizens as Partners* (2001), offers a range of examples of efforts to engage with citizens in decision making processes, looking both at participation in policy making and in policy implementation<sup>13</sup>.

In Canada, the creation of a forum to input into the redesign of health policy was cited as an example of good practice, though there is little analysis of the impact of the forum on subsequent health policies. By contrast, a case study from Denmark details a range of practices used to enhance citizen involvement, including consensus conferences; user surveys; user boards; patient's choice feedback mechanisms. In this case, however, it was noted that "safeguards are needed to ensure that during decision making, the inputs received by these various groups are balanced against

the broader public interest, which may call for a different allocation of resources either within the health care sector or between sectors" (OECD, 2001: 107). This effectively offers an escape clause from the consultative process and may be seen to undermine it.

Taking a more focused approach, the experience of "Engaging the Poor in Policy Making on Poverty and Social Exclusion" in Flanders is also highlighted in the OECD report. In this case, participation by the poor is premised on a well thought out analysis of poverty and its causes within Belgium, leading to a move from a "social accident model" to a "social guilt model. In the former, exclusion is seen to result from a series of personal accidents, producing policies and an outlook on welfare designed to discipline the poor. In more recent decades, this has given way to the social guilt model, which instead considers poverty as arising from structural factors in society which are not within the power of the poor to change. It is suggested that this represents a fundamental change of view on poverty from "a way of thinking focused on care" to one that is "focused on participation" (OECD, 2001: 128). The Flanders case study describes the use of the "dialogue method" which establishes, in the first instance, a social dialogue between "the poorest people, their associations and the representatives of local welfare organisations which identify key issues and draw up proposals". This is then followed by a political dialogue between the poor and their associations, welfare organisations and policy makers.

Interestingly, this example has also been cited as a model of good practice by EAPN in its *Small Steps, Big Changes* publication on participation. This describes the consensus building method known

<sup>13</sup> However, it should be noted that the examples offered are based on case studies developed in close co-operation with national governments and therefore may reflect some degree of governmental bias.

as “dialogue groups” as being about giving people living in poverty “the opportunity to have an active role in exchanges and discussions focused on making policy proposals.....The essence of this method is that the planning and process of decision making is adapted to the pace of the group” (EAPN: 25). Three phases are again described:

- i. Consultations between associations where the poor take the floor, where the experience of those most affected is most strongly focused. Crucially, it is those experiencing poverty that choose the topics for discussion, based on their lived experiences.
- ii. The second phase of the process involves consultation between partner agencies, from the private or public sector. A significantly large number of those involved in phase one remain involved in the process to ensure that there is comfort in engaging in further dialogue and to avoid traditional approaches of representation and delegation.
- iii. The third phase of the process moves the dialogue to involved policy bodies (government departments/ agencies and politicians) with policy making authority, as a means of communicating evidence and making policy proposals. It is not assumed that these policy proposals will always be acted upon but an effort is made to ensure that positive conditions for dialogue remain present.

In general, this method can be used to secure advice by policy makers or can be used to advance proposals

from associations. However, some weaknesses have been identified, particularly when policy makers are impatient or when advice is sought at a late stage of the decision making process. Also, it is not assumed that the process will follow all staged in sequence - this may change depending on circumstances, as may the time between phases. It is suggested that this method, since it started in 1996 has become “one of the most important ones in the participation of people experiencing poverty in decision making processes” (EAPN :25).

In the Netherlands, EAPN has established a series of local poverty conferences to enhance dialogue between people experiencing poverty, policy makers, teachers, business people etc. State organisations were invited to host the conferences while EAPN Netherlands was responsible for the methodology. The key element of the conferences is to ensure that it is people who have experienced poverty that are at the centre of the process. Since starting, EAPN NL have organised 20 such conferences and suggest that they have “had an impact on the policy making and decision making processes as it enriched people and helped them to better understand each other. It also helped in creating new local alliances”.

### Taking a pre-emptive approach

In Norway, in 2007, EAPN organised a Poverty Hearing in advance of the 2008 election. This event took place in the centre of Oslo and was attended by Norwegian NGOs as well as senior government ministers. National level media also participated in the conference and provided substantial coverage. It is suggested that the impact on policy making was substantial. One example of this is the invitation issued by the Norwegian government to

## Lessons and learning from outside Ireland

NGOS to “form their own group of representatives from multiple areas of poverty, to meet with the government and ministries 4 times a year, when the NGOs set the agendas of the meeting” (EAPN, 2009:49).

In the UK, the Commission on Poverty, Participation and Power produced a report “Listen Hear - The right to be heard”. This report arose from a two-year project – Voices for Change – which was developed by the UK Coalition Against Poverty to support people experiencing poverty in identifying the barriers to their involvement in decision-making processes. This commission was made of up 12 people, six ‘grassroots’ activists and six others from ‘public life’ backgrounds, the former bring expertise of current or recent experience of poverty while the latter bring other skills and perspectives from their own experiences. The main focus on the Commission was to “investigate and explore solutions to the barriers faced by people experiencing poverty when participating in policy and decision making processes” (del Tufo S. and Gaster, L, 2002). Interestingly, the experience of the Commission itself proved to be a challenge from a participation perspective, with different outlooks and objectives having to be reconciled. Amongst the Commission’s conclusions were:

- people in poverty are not respected
- rhetoric is not being translated into reality
- power is not being shared
- too many participation exercises are phoney, and therefore destined to fail
- not all the voices are heard
- professional attitudes and behaviour undermine participation
- messages aren’t getting through

- the value of volunteering and unpaid community work is not recognised or respected
- not enough time is allowed for effective participation
- nor enough resources to support it .

*(Commission on Poverty, Participation and Power, 2000:49)*

*“Crucially though, to address these issues, the Commission identified that “...unless the government acts as a catalyst for changing the culture of organisations, and the mindset of individuals working in them, to promote this approach, it will not work. This must be a cross-departmental commitment for central and local government –and other public (and private/voluntary) services as well” (emphasis added).*

The commission also suggested that:

- Politicians, professionals and practitioners need training and capacity-building too.
- Targets and performance measurement should be used to promote participatory ways of working.
- Appraisal for staff should include their commitment to participatory ways of working.

*(Commission on Poverty, Participation and Power, 2000:48)*

## Filter 3: Capacity building

A recurring feature of virtually all of the examples looked at is the issue of capacity building. While in most cases those deemed to be in need of capacity building are community representatives (as evidenced in the understanding of consultation fatigue presented earlier), some of the research does highlight the capacity deficit on the side of officialdom.

### Enabling those who experience disadvantage to participate

In Belgium, the national EAPN, developed a project to train “Experience Experts” in order that those who live or have lived in poverty can receive training. The result of this is that it is not just associations or organisations that represent those experiencing poverty but, “experience experts” can also become more prominent. Underpinning this approach is a belief that “to do the job of an experience expert, it is not enough to have experienced poverty; an education is also necessary” (EAPN, 2009: 21). A specific training institute “The Link” was established, arising from an association of people experiencing poverty called “the Circle”. This institute offers a four year training programme for experience experts, supporting the development of a new profession of “experience experts” who can be employed to help in the formation of social policies.

According to one experience expert “real participation takes place when different opinions on values and norms can exist in full respect and, if necessary, discussed with an independent way of thinking or handling” (Toon de Rijk, Experience Expert as cited in *Small Steps: Big Changes*: 23). The role of community workers might also

merit a mention at this point. In some instances participation by full time workers has substituted for that of community members, often on the grounds that their technical knowledge and / or capacity to engage may more effectively advance the priorities and concerns of the community. However, in some cases, this has been seen to be less than helpful. For example, writing on the experience of participation in the New Deal for Communities programme in the East End of London Dinham (2005:307) reports that:

*“There is wide spread disappointment, too, amongst local people about NDC’s approach to capacity building and sustainability. Whilst there was initially no difficulty in achieving impressive levels of local participation, opportunities for participation are perceived as formal and participants are understood to be made up largely of people with existing ‘professional’ skills and experience of formal meetings and processes. Local residents perceived a lack of commitment to or opportunities for training and capacity building for genuine newcomers and many described feelings of inadequacy in formal contexts, especially board meetings”.*

Implicit within this is a danger that even where consultation and participation opportunities are created, they may be dominated by elites from within the community, especially those who can operate more comfortably in environments where there is an expectation of technical knowledge or even knowledge of how to function in formalised meetings. In such situations, the employment of community workers to support community participation is an important component of building community capacity.

## Enabling public administration

While much of the material examined for this report points to the need for systems of public administration to be more effective and committed to public participation, there is little evidence of how such systems have adjusted themselves. The earlier discussion on the use of the engagement guidelines in Scotland has already pointed to the guidelines being used mainly by those already committed to community engagement, while others are unwilling to question their existing practices.

A South African study by Botes and Van Rensburg (2000) cited by Burton et al. points out 9 plagues to participatory development and 12 ways to overcome them, aimed at development professionals or officials. Amongst the 12 “commandments” are

- a willingness to be aware of ones “outsider status” (as a development professional)
- attention to becoming good facilitators and communicators
- promoting co-decision making
- being willing to talk about successes and failures
- believing in principles such as “solidarity, compassion, respect, and collective unity”
- listening to the most vulnerable members of the community
- guarding against the domination of some interest groups
- encouraging cross sector collaboration
- acknowledging the importance of process as well as product
- releasing the energies of communities
- helping communities share the fruits of their development equitably.

Other factors or mechanisms recommended for officials to promote participation are:

- “a skills audit, with no presumption that they innately possess the skills and understanding needed to undertake real participation
- training of professionals in participatory philosophy and methods
- a thorough consideration of what real participation will mean for every part of the agency
- commitment to support decision making and participation at a level that matches the process involved and answers the aspirations of the people involved
- no room for those initiating participation to back out because they have changed their mind, don’t like how things are turning out, or decide there is not enough time to do things in a participatory way
- the ability to deliver when it comes to acting on the responses participation elicits.

In addition, some basic ground rules or rules of engagement for officials are seen as having potential to help smooth the way:

- “those initiating participatory approaches must have the power to make things happen
- there must be transparency about the scale and scope of what can be achieved
- ways must be found of ensuring that the most marginalised groups are heard, and of dealing with conflicts of views and interests
- people in poverty should be involved in setting the agenda

- outcomes and measures of success should reflect that agenda
  - goal-posts must not be moved after people have started to engage
  - achieving better mutual understanding should be a central part of the process
  - point-scoring, or establishing leverage or status, must be resisted
  - mechanisms must exist to help representatives feed back information and ensure they get a mandate for their role.”
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**Section 3:**  
*Key conclusions about  
consultation and  
participation*

## SECTION 3: KEY CONCLUSIONS ABOUT CONSULTATION AND PARTICIPATION

### Finding positive examples and assessing impacts\

The objective of this report was to locate models of good practice from other countries that could act as a reference point to improve participation and feedback from participation in Ireland. However, while it is possible to identify some models of good practice, the experiences of consultation fatigue that prompted this report are equally present in other countries. The previous sections of this report have clearly illustrated the variety of approaches, both conceptual and practical, that have been developed to enable some level of more effective engagement between the state and its citizens and / or residents. However, while many such methods can be identified, the actual practices involved, in either limited forms of consultation or more ambitious forms of participation in decision making, remain inconsistent at best.

More often, it would appear, participation for officials and politicians exists as an expectation or obligation, not as something that is readily embraced as being of value in its own right. This conclusion is supported by a review of participation in the UK which concluded that

*“while there are many positive examples to be found of ‘good participation’ (although finding them can be difficult), we also encountered major criticisms of existing approaches. For instance, it was generally felt that participation was more often used as*

*a tool to achieve largely pre-decided outcomes.... From this perspective, participation is seen to be concerned primarily with building, bridging, cementing repairing and strengthening existing frameworks and processes” (Hoban and Beresford, 2005:24). This finding is supported by the Power Enquiry report which speaks of “conflicting policy imperatives for public authorities, where government imposed targets and the need to demonstrate short term performance improvements typically take priority and therefore limit the potential for participation” (Smith 2005:106).*

### Creating a legislative base

Part of the reason for antipathy to the notion of consultation and participation may lie in the lack of any constitutional or legislative provision. While this on its own does not guarantee that best practice will be developed, establishing a solid basis in law, with appropriate monitoring and redress for complaints, would signal to officials and public representatives that consultation and participation are to be taken seriously. Taking the issue of disability and access as an example in the Irish case, it does appear that legal obligations deriving from the 2005 Disability Act have played some role in focusing attention on the issue, not least leading the Local Government Management Service Board to publish a set on guidelines on how the Act could be implemented locally and requiring all local authorities to produce a Disability Implementation Plan. This brings with it at least some commitment to providing resources to implement the plan, a commitment that it often missing in efforts to deepen democratic participation.

However, it is recognised that legislation on its own is inadequate to promote deeper commitment to community engagement, consultation and participation. This requires a more fundamental shift in attitudes and mindsets, particularly towards the involvement of those experiencing poverty and social exclusion. It has been identified that

*“the attitude and practice of staff can be an obstacle to successful engagement. There is a commonly held belief in many agencies that citizen involvement is not suitable for strategic level decisions - these require, for example, ‘professional knowledge, managerial authority and political representation’ rather than citizen participation..... There is often a belief that participation will unrealistically raise expectations of citizens”* (Smith 2005: 107).

While it could be argued that shifting such attitudes can be accelerated by legislation this alone, will not be enough. There is also a need for commitment to a conscious process of capacity building that focuses on increasing knowledge, promoting attitudinal change and developing appropriate skills as a means of overcoming organisational resistance and promoting cultural change in public sector organisations. This need has been recognised previously by the Irish Government which acknowledged “that embedding anti-poverty practice across local authorities is a slow task and will take time to achieve given current organisational culture in local authorities” (Government of Ireland 2003). Unfortunately, the task will be even slower if no investment is made in appropriate capacity development.

## **Understanding the scope of what participation is**

One of the issues to emerge from the review of some participation experiences is the recurring tendency by the state to see consultation and participation as something that only involves relationships between the state and citizens and / or the organisations that represent them. In reviewing the experiences of participation in the New Deal for Communities Programme in the East of Manchester, Blakely and Evans (2008) “reject a narrow view of participation, frequently adopted by public authorities, which concentrates on formal labour and time intensive forms of participation such as community representatives on neighbourhood forums or community involvement in consultation exercises” on the basis that this understanding misses out on a whole range of community networks and activities that exist within the community. However, the clear link between the two is that in order to have effective state – community relationships, organisations and structures within the community sector must be supported to emerge in a way that establishes their legitimacy as a voice for the community. This may involve the provision of technical supports to communities to enable them to develop their ideas, perspectives and positions.

This discussion mirrors the distinction that has been drawn between participation within ‘invited spaces’ i.e. invited by the state and within “popular spaces” i.e. those spaces controlled by civil society organisations themselves (Cornwall and Coelho, 2004). It could be argued that in recent times much of the energy of civil society organisations, in Ireland at any rate, has been concentrated on participation within a variety of ‘invited spaces’ at

national and local levels, perhaps to the detriment of the creation and operation of ‘popular spaces’. Indeed, this needs to be seen as one of the possible downsides of excessive engagement in consultation and participation exercises, in that it brings with it associated dangers of de-radicalising community agendas due to pressure to “behave responsibly in governance bodies” (Fung and Wright, 2001)

### **System failure / individual effort**

The literature reviewed suggests that many of the negative reports on participation experiences imply system level failures and limited level of system wide commitment to participation. Where positive examples have been produced, they would appear to owe little to system level learning and are more likely to be dependent on individual personality factors, again as illustrated by the Scottish example of community engagement. The exception to this would appear to be the “Dialogue” example from Flanders which, as described by the OECD and EAPN Belgium, has achieved more widespread support and institutional backing. This weakness in systems and institutions has previously been identified as central cause in the generation of social exclusion in Europe, not least, failures in the democratic and legal system (Berghman, 1997). If social inclusion and related elements of participation and consultation are to be enhanced, then weaknesses at the level of state institutions will need to be addressed to overcome the types of organisational resistance referred to earlier.

### **Focusing on results**

One of the recurring weaknesses in consultation and participation processes is the difficulty of establishing the outcomes / impacts of community

engagement. Processes may be established but they are rarely accompanied by any commitment to report on or track impacts. This has been highlighted in the evaluation of the Scottish guidelines discussed earlier which concluded that “the absence of significant requirements for Community Planning Partners to report on the quality of community engagement processes or the outcomes arising from these processes limits the potential of the National Standards to become embedded in mainstream service planning” (op. cit., p.27). Thus, the creation of clear, meaningful and high level reporting requirements will not only enhance participatory processes but can also be seen as another step in the process of promoting attitudinal change.

### **Things to make participation work**

Given that much of the literature highlights the many factors that inhibit effective consultation and participation, it is important to name some basic principles that can make it more effective. These have been summarised in the report of the UK Participation Working Group (Johnson, 2009) and include:

- Being clear and consistent about the process, timescales and roles from the outset.
- Taking time to develop and share understandings.
- Not expecting anyone to participate in processes that are cosmetic – participation needs to be real and produce outcomes.
- Recognising that everyone’s time is equally valuable.
- Ensuring that all participatory processes should be informed by standards of “respect, equality of opportunity, fairness, openness, non-violence and ‘positive

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challenge' all mutually agreed by participants at the outset of all activity".

- Being clear about communication, including record keeping and reporting back.
- Avoiding the use of jargon.
- Recognising that the involvement of people that experience poverty is complex and challenging, especially those who are described as hard-to-reach.

To these could be added a need for commitment to honest dialogue about what is possible from a consultation process and be realistic in advance i.e. clarifying the space and forums in which it is possible to have an impact.

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## **Section 4:**

*Possible future directions*

## SECTION 4: POSSIBLE FUTURE DIRECTIONS

The objective of this paper was to explore whether international experience in the principles and practices of participation could offer some guidance to enable participatory processes in Ireland to be more meaningful and to avoid the generation of further consultation fatigue. There is little doubt that a considerable gap exists between the rhetoric and realities of participation in Ireland. However, what the above review illustrates is that similar gaps appear to exist in many other countries. Thus, while individual examples of good practice can be drawn from many different jurisdictions (including Ireland), equally, poor practice can be located in these same locations. This would appear to lend weight to the argument that while many states have accepted the principles of closer engagements with citizens / residents, their democratic institutions have not embraced these principles and delivered practical mechanisms to enable, encourage or empower the voices of citizens / residents in decision making.

To address the weaknesses that exist in the Irish case, a number of options might be pursued by the partners in this project. These range from challenging options designed to deepen the democratic and public policy base for participation to those that might be pursued within the prevailing democratic and administrative frameworks.

### Towards democratic renewal

Press for an agenda of democratic renewal, using deeper citizen / resident participation as a core element. Given the crisis of confidence that currently exists in Ireland in relation to democratic

decision making and public administration, there can be little doubt that democratic renewal is necessary and, as suggested by Prionsias de Rossa,

*“Democratic reforms should build on the representative democracy which is deeply embedded in Europe, by encouraging the integration of a participative dimension, at local, regional, national and the European/ International level. An integrated approach will require not only different policies by government, but different ways of doing government business at all levels in our society both at Dail and local authority level. This requires deep reforms of our democratic institutions and ways of imagining ourselves as democrats. Such reforms in my view will only be driven from ‘outside’ by civil society, not from within, although I am certain there will be many allies ‘within’ for such deep democratic reforms”* (2006, emphasis added).

In this case, a key challenge exists in naming the issue of power more clearly and acknowledging that participation ultimately requires a greater willingness to share power and responsibility. This may be challenging to all political parties and to public officials.

### Establishing an economic and public policy rationale

Alongside, or as part of this focus on democracy, the economic and public policy rationale for consultation and participation could be developed. For example, better consultation and participation can help to develop better policies by harnessing the unique skills and perspectives of citizens / residents. Equally, better consultation and participation can

help avoid delays in design and implementation caused by recourse to the courts. It can also enhance the working environments of public officials by virtue of reducing conflict in relations with individuals and communities that may result from poor consultation and participation.

### Developing a legislative basis

Deriving from these, project partners could consider advocating for the development of a legislative basis for consultation and participation. As part of this also, the option of establishing rights based, obligatory participatory processes could be looked at, to extend into the delivery of social and economic policies. However, the deep resistance to such rights based approaches are acknowledged. However, the OECD recommendation to mainstream engagement processes would be well served by such a move (OECD, 2007).

### Addressing capacity deficits

As identified by a number of the project partners, there is a need to address weaknesses in the capacity of public officials to design, manage and/or report on consultation and participation processes. Thus there is a need to develop a clear and strong focus on building capacity within the public administration system and with political representatives. Ideally, those who have experience of being involved in consultation and participation exercises from within the Community and Voluntary Sector should be involved in the design and delivery of such capacity building.

### Promoting effective standards

A further option for the project partners, is to promote the development of Standards for Community Engagement / Participation and / or engage with the process of developing a Code of Practice currently underway. However, the Scottish experience offers a reminder that a Code of Practice on its own will make little difference, if not reinforced by procedures to induce cultural change within the public service. One way of encouraging such cultural change might include insisting that every consultation / participation exercise is accompanied by an outcome / impact reporting requirement i.e. what happened as a result of participation, in line with the OECD (2007) recommendation to develop appropriate tools to evaluate engagement.

As part of such a standards process, project partners could also consider pushing for the creation of consultation / participation redress or complaint processes, where those that are dissatisfied, with good cause, can seek to have the process investigated. A related, balancing element of this could involve project partners advocating for a mechanism to highlight and reward outstanding efforts, possibly with the co-operation of a philanthropic organisation.

### Reclaiming participation spaces

Some of the suggestions described above imply engagement in consultation / participation processes with the state, either at a national or local level. However, there are clear dangers in continuing to devote time to processes that produce little by way of concrete, tangible results. Thus, project partners could raise awareness of the

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value of pre-emptive, independent and community led consultation and participation exercises and could investigate how support could be given to such initiatives. For example, could the project partners explore the establishment of a citizen's jury / juries to reflect on / comment on the current economic situation?

As part of this project partners could investigate the role and value of online / technology based mechanisms as part of a suite of approaches, while recognising that this can sometimes be overrated, particularly for marginalised communities. This is in keeping with the OECD proposal to make greater use of technology and recognise the need to design engagement mechanisms that are appropriate to particular contexts (OECD, 2007).

### **Providing technical capacity**

Finally, it may be the case rather than being opposed to deeper participation, public bodies may simply lack the knowledge, understanding or technical expertise to manage engagement with citizens / residents. To address this the project partners might give some consideration to exploring the

establishment of a specific entity with technical capacity to support participatory processes in Ireland. This could take the form of an independent entity or one based within the public sector, as in the Dutch example cited earlier.

### **Conclusion**

Ultimately, it can be concluded that much of what passes as consultation and participation is limited in depth and often cosmetic in nature. This is true not only for Ireland but also in other parts of Europe. Inappropriate consultation processes, inadequate commitment to deeper democracy and limited capacity amongst those in public administration charged with managing public participation have all contributed to a growing disillusionment with governments and their willingness to share power with their citizens. In the current climate of economic recession, disillusionment with democracy and dissatisfaction with public administration, the potential of increased citizen / resident participation may offer an opportunity to build bridges and confidence. However, if this potential is to be harnessed, the urgency to introduce processes of cultural and attitudinal change cannot be understated.

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