Consultation Platform Discovery

July 2016
Contents

2 Contents
3 Executive Summary
5 Introduction
7 Recommendations
8 Section 1: Background
14 Section 2: The consultation process
18 Section 3: Users and their needs
43 Section 4: Barriers to engagement on GOV.UK
50 Section 5: The landscape of digital participation
73 Section 6: Detailed recommendations
Executive Summary

Consultation is a long-established part of the policy making process, both in the UK and in many other countries worldwide. In the UK, government departments, local authorities, and non-departmental public bodies often have statutory requirements to consult citizens prior to the introduction of new policies. Even when they do not have legal requirements to do so, these organisations may often chose to consult, ensuring they hear the views of, and insights from, individuals, businesses, and other organisations.

There are no fixed legal requirements about what this consultation process must look like, beyond that developed by the courts. The most significant of this body of case law is known as the ‘Gunning Principles’, which state that policy must be at a formative stage at the time of consultation, participants must be given sufficient information and adequate time for consideration and response, and that decision-makers must give conscientious consideration to what they have heard. Beyond this, guidance to civil servants is provided in the Government’s consultation principles, last revised in January 2016.

Despite this lack of a required format or process, there is a clear, common model for undertaking online consultations; an extension of an offline format, based on the use of online survey tools and long consultation documentation.

While this is the dominant model, there are clearly significant problems with it. Creators of consultations often feel they do not know what tools are available to them, while respondents struggle to find consultations or to trust that their involvement may have an impact. Furthermore, the survey-based method of consultation only allows for a single type of interaction to take place, namely for a respondent to reply to predefined questions, and for that interaction to take place in a single direction, from respondent to creator.

Worldwide, there are developing practices around this survey-based model of consultation, trying to provide solutions to a number of these problems. Governments are exploring different ways of presenting the information about, and that is required to respond to, a consultation. There are also different tools being experimented, with an active civic tech sector providing a rich landscape of options. To date no single consultation survey tool has dominated, although there are a number of tools such as Survey Monkey or Citizen Space which are frequently used. Many government departments have concerns about the cost of consultation tools and data storage.

The ongoing development of survey-based consultation worldwide means there is a body of good practice GDS can learn from, in combination with user research, so as to improve the experience of survey-based consultations on GOV.UK. An improved experience will reduce the barriers to engagement for individuals and organisations looking to respond, and increasing the likelihood of useful responses for a policy team.
Many of these points are covered in the following report, and include development of a dedicated, purpose-built consultation list page as is common practice in most G7 and OECD countries, how to ensure better presentation of the centrally housed consultation list, and how to improve the existing individual consultation page so that it is both more respondent-focused and more user friendly for civil servants creating consultations.

However, any attempt to improve the user experience and effectiveness of government’s online consultations should not stop at improving user experiences of the existing GOV.UK templates.

Digital tools and practices are emerging that enable a much wider range of consultation techniques than the survey-based method that is currently dominant, and methodologies such as ideation and deliberative discussion are being increasingly used in consultation processes run by local and national governments around the world.

These different techniques enable a variety of different interactions between government and those who might respond to consultations, allowing for broader and deeper public views to be received, and increasing the quality of evidence gathered. This in turn results in policy-makers being in a position to make better and more informed decisions.

GDS should look to enable and encourage the uptake of new tools and methodologies, developing an open common infrastructure for consultation. This infrastructure should focus on functions common to all consultations, such as continuity of communication with respondents, and creating and growing an audience for engagement, and should be designed such that tools for interaction - be that a survey, or a space for deliberative discussion - can be embedded easily, allowing for a smoother and more consistent consultation experience.

GDS should ensure at least one survey-based tool or module is made available as part of the development of this infrastructure. This is the dominant method of consultation currently being used, and therefore the most common need for civil servants. Following this, specifications for modules enabling other types of interactions can be released, stimulating the existent and active civic tech market, and encouraging the development of new tools and the repurposing of existing technologies.

The ultimate aim should be to provide an infrastructure that supports a range of approaches enabled by selectable modules or tools produced by internal and external sources, so civil servants have flexibility to choose the right method for consultation, depending upon the stage of policy development, and their target audience.
Introduction

This report is the outcome of an eight-week discovery process. During this period of time, we have explored how GOV.UK and GDS could help improve consultations designed and run by central government and non-departmental public bodies.

We interviewed both creators of, and respondents to, online consultations to examine how they are using online consultations tools, and what their needs are. This was accompanied by online research, and conversations with experts in this field of work, helping us to look at what the current trends are in the use of digital channels to contribute to the policy making process.

We have produced six broad recommendations, covering both the short term and medium term. In the short term, we provide recommendations about how the existing GOV.UK offering can be improved, looking at the needs of both respondents and creators. From the respondent side we look at the discoverability of consultations, provision of relevant information, the ease of engaging with these, and what can be done to improve the quality of this interaction. From the creator side we look at what needs to be done to make creation easier, including the provision of further support and guidance.

Finding that many governments around the world are exploring how digital technologies can enable them to explore models of consultation that go beyond a survey-based model, we ultimately recommend the development of an open consultation infrastructure. This infrastructure should focus on activities common to all consultations such as communication and feedback, and allow for relevant tools for consultations to be integrated smoothly. We make suggestions about what some of these tools may look like, and how to encourage the development of these, where they do not already exist.
Current display of consultations on [GOV.UK](https://www.gov.uk)
Recommendations

On the basis of our research, explained in more detail below, we provide both short term and medium term recommendations:

Short term recommendations

1. The presentation of consultations on GOV.UK should be updated, based upon a dedicated, purpose built page for Government consultations, with search and filtering tools, and providing information that is relevant for an individual or organisation who may want to respond.

2. The individual consultation page template should be reordered, and additional required headings added, so as to provide a potential respondent with accessible and more information.

3. Further support and guidance should be available for civil servants creating consultations. This guidance should both be incorporated in the backend process of creating consultations on the site, and should be accompanied by a participation design manual which shows examples of good practice, and tools shown to work well.

Medium term recommendations

4. GDS should create an open and extensible core infrastructure for consultation into which consultation tools from in-house or external developers can be plugged, like modules. The infrastructure should focus on functions common to all consultations, including discoverability, feedback, and continuity of communication.

5. GDS should demonstrate the modular approach by making available at least one survey module, as a model of what can be achieved using the core infrastructure.

6. GDS should stimulate the existent civic tech market, releasing specifications for modules providing different types of interaction, including ideation, deliberative discussion, and line by line commenting, and ensuring the release of all information required to support developers in taking advantage of core infrastructure.
Section 1

Background
The legal framework of consultation

Consultation is a long-established part of the policy making process in the UK. Though a frequently-used word, especially in policy circles, there is no specific legal definition. Many different definitions of ‘consultation’ exist. The Consultation Institute, for example, describes them as

“The dynamic process of dialogue between individuals or groups, based upon a genuine exchange of views and, with the objective of influencing decisions, policies or programmes of action.”

¹ Gammel and Jones (2009) The Art of Consultation. pg 115

At its simplest, consultation is any process that involves the public and stakeholders in the process through which the Government makes a policy or takes a particular decision. It is fundamentally a process of government, distinct from electoral politics or the legislative system, even if many of the policies being developed and consulted upon are inherently political, and even if they often end up as legislation.
When does government consult?

There are specific statutory provisions that require government to consult. Until the recent abolition of DECC, the Secretary of State for Energy and Climate Change, for instance, had a duty to consult with several specific bodies “and such other persons as the Secretary of State considers it appropriate to consult”, before making rules to encourage low carbon energy production.

However, many other consultations are not directly required by laws like this, but are instead carried out in order to conform with a general legal principle, developed by the courts, known as the ‘Doctrine of Legitimate Expectation’². This doctrine is based on the requirement that government, and other public authorities must act in a fair way.⁴ One example of this is that if the government has promised to consult people before making changes then they must do so⁵. But this principle stretches further than this to say that government and other public authorities cannot make changes where the public would reasonably expect something to stay the same, without first consulting those affected⁶.

There are some other legislative provisions that give rise to consultations. For example the General Public Sector Equality Duty (under the Equality Act 2010) requires the Government to consider the impact of a policy on protected groups. Consultation is a common means of doing this⁷.

⁵ Ibid
⁶ Ibid
How should government consult?

There are no statutory requirements about how consultation must take place, but there is a significant body of case law developed by the courts that acts as guidance.

Most significant are the ‘Gunning principles’, used to assess whether a consultation is adequate, and applied in the case of judicial review\(^8\). These state that:

- The policy must be a formative stage - the authority can have a preferred option, but they must have an ‘open mind’ to change.
- Respondants to a consultation must be given sufficient information about the proposals to give the matter intelligent consideration; in a 2014 supreme court case it was argued that this should include some reference to dismissed alternatives\(^9\).
- Adequate time must be provided for consideration and response.
- Decision-makers must give conscientious consideration to what they have heard.

In addition, the UK Government has developed a set of principles for carrying out a good consultation. Last revised in 2016, these include\(^10\):

- Consultations should be clear and concise
- Consultations should have a purpose
- Consultations should be informative
- Consultations are only part of a process of engagement
- Consultations should be targeted
- Consultations should take account of the groups being consulted
- Consultation should facilitate scrutiny
- Government responses to consultations should be published in a timely fashion

\(^8\) Ibid
The current model of consultation

In the UK there is a clear, common practice for undertaking online consultations. This has transferred from previous paper based practices to digital largely unchanged.

The approach largely consists of civil servants creating and publishing a series of questions online aimed at capturing feedback relating to a draft policy or a loose set of ideas. These questions either in a PDF or using survey tools such as Survey Monkey or Google Forms. In the former instance, stakeholders and members of the public are usually asked to respond by email.

The majority of the consultations in the UK and in other OECD and G7 countries followed this model. Yet there were clearly significant problems with it. Both creators of, and respondents to, consultations expressed frustration with their experiences. Creators of consultations also expressed uncertainty about how to improve things, however as explored later, there are some innovations taking place in this area.

The combination of frustration with old ways of doing things, and the uncertainty about how to approach new ways is characteristic of digital transformation.

The fact that there has been little experimentation with the format of consultations might have been influenced by the evolution of the norms around consultations and their role in policy-making. The ever-present risk of expensive judicial review might in turn encourage consultation creators to stick to what they know.

However, the dominant survey-based model of consultation is far from being the only option.

Modern digital tools and practices that are emerging enable a much wider range of potential consultation and engagement methods which can be used, and used in parallel.
There is already evidence that the traditional survey-based approach, while having benefits, is becoming less of a focal point, and instead part of a wider suite of policy making tools, allowing civil servants to engage better with stakeholders and the public at large. Many of these tools and methodologies can be found in the open policy making tool kit

Consultation methodologies and tools should fit into this broader context of public engagement and open policy making - the stated goal of the UK Government since 2012, allowing civil servants to find out what ideas and expertise are available around an issue, extending the base of evidence that decision makers can draw on, and ensuring that new legislation is informed by hearing genuinely from those who will be affected.

The rest of this report considers the users of current digital consultation methods, their needs, the barriers they face, and consultation practices elsewhere in the UK and abroad.

11 Found at: https://www.GOV.UK/guidance/open-policy-making-toolkit/getting-started-with-open-policy-making
Section 2
The consultation process
Consultation as a process

The Whitehall system of consultation is highly focused on policy making: central government departments taking manifesto commitments and translating them into legislative and regulatory frameworks. In practice, the Budget, Autumn Statement and Spending Review processes drive the timing, flow and feasibility of many policy ideas and their implementation.

Consultations are part of this policy making process, and are sometimes seen as a single activity in the policy creation process. The reality is more complex.

Responses to consultations are not the only thing to consider when translating policy aims into action. Alongside these, policy makers have to consider existing national laws, better regulation frameworks, judicial reviews, international laws and regulations, commercial and procurement standards, competition investigations and representations from private, corporate, voluntary, charity, academic and overseas interested parties, amongst others.

Plus, particularly for more controversial policies, the policy making process is within a political decision-making framework under constant external scrutiny. Media attention, petitions, social media commentary and direct correspondence often drive policy creation at a draft or unformulated stage. This pressure for results is sometimes in conflict with the more measured timescale needed for thorough public discussion and consultation, and sometimes forces issues already decided to be reopened.

These factors mean that - while consultations are often represented as an isolated step in a single logical path towards a policy - the reality is that policy making is better considered as a process of overlapping, complex and nonlinear activities.

The principles of open policy making say that consultation and public engagement is needed at every stage of policy creation - and the realities of the policy process suggest that this engagement should look different as policies progress from ideas through legislation to implementation.

While the policy making process is inherently variable, it is still possible to model the stages of an individual consultation at a high level, even if a full policy creation process may need several different consultation processes embedded within it. We have produced a model (found on pages 24 and 25) and described, at a high-level, the activities taking place at each stage of the process.
The current dominant model

The process of online consultations, as currently carried out by Whitehall is largely based on an extension of the offline approach traditionally used since the post war era - a continuation of paper by other means.

There are relatively common approaches to digitising consultations, but no single process, tool or platform has yet dominated.

As with the offline equivalent, at various stages during the development of policy civil servants raise a public call for input; inviting individuals, businesses, and organisations to share their views - whether this is informed by professional expertise, personal experience, or simply a statement of opinion. In most instance of consultations created by Whitehall departments or Non-Departmental Public Bodies, these are listed on a GOV.UK central page; a subsection of a search function for all government publications. Local and devolved governments, and some independent government agencies do not list their consultations on GOV.UK.

This central GOV.UK page lists many consultations - open or closed - and links to a unique landing page for each consultation.

This page, which we refer to as a 'consultation page', contains key information including opening date, closing date, and written consultation documentation - often, although not exclusively, in a PDF format. The online interaction, beyond the consultation being published to the web, is carried out through potential respondents reading the consultation documentation, and then either completing a survey using a tool such as Survey Monkey, or drafting a written submission and submitting this as a pdf or word document to an email address provided.

Once the consultation is complete, in accordance with its own principles the government is expected to publish a formal response within 12 weeks of the consultation close date, providing a summary of the feedback received and how these views have been taken into consideration. This government response is uploaded to the consultation page as a PDF, and may contain a summary of the feedback received as a result of the consultation. However, there are times when this is provided as a separate document.

---

\[13\] We have also found some instances where spreadsheets are used to capture numerical data, for instance: [https://www.GOV.UK/government/consultations/review-of-support-for-anaerobic-digestion-and-micro-combined-heat-and-power-under-the-feed-in-tariffs-scheme](https://www.GOV.UK/government/consultations/review-of-support-for-anaerobic-digestion-and-micro-combined-heat-and-power-under-the-feed-in-tariffs-scheme)

**Journey Map**

<table>
<thead>
<tr>
<th><strong>FOUNDATION</strong></th>
<th><strong>INTERACTION</strong></th>
<th><strong>OUTPUT</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Motivation</strong></td>
<td><strong>Set-up</strong></td>
<td><strong>Frame</strong></td>
</tr>
<tr>
<td>This differs depending on the stage in the policy making process, the department and the Minister.</td>
<td>The consultation creators gather everything they need to start the consultation. This can include getting sign off on draft policy and approval on launch date. They look around for best practice, tools and methods to implement.</td>
<td>Creators craft the introduction and build the background context for the consultation. This involves gathering supporting evidence and writing the introduction.</td>
</tr>
<tr>
<td><strong>Question</strong></td>
<td><strong>Promote</strong></td>
<td><strong>Discover</strong></td>
</tr>
<tr>
<td>In the high proportion of consultations that take a survey-based format the policy makers draft the questions then select a digital platform to use.</td>
<td>Creators reach out to their desired target audience to let them know the consultation is happening, and encourage them to respond.</td>
<td>Respondents find out about the consultations via a number of methods:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Media article (general public)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Friend posts on social media (general public)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Organisations may be in conversation with policy makers and aware it</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- From an organisation they belong to (professional interest, eg university)</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Check the consultations page (general public)</td>
</tr>
<tr>
<td><strong>Understand</strong></td>
<td><strong>Respond</strong></td>
<td><strong>Analyse</strong></td>
</tr>
<tr>
<td>Respondents read the introduction and supplied consultation documentation to build a picture of the context and inform their understanding of the consultation before answering.</td>
<td>Organisations plan the resource needed to respond and reach out to the desired people for input. Evidence is gathered and input is submitted in a variety of formats.</td>
<td>Creators analyse the responses. Teams differ. With long consultations, responses sometimes may be sectioned off to different policy teams. Analysis is often undertaken on an ongoing basis while the consultation is open due to resource constraints.</td>
</tr>
<tr>
<td><strong>Output</strong></td>
<td></td>
<td>Creators produce a report summarising feedback received and how it has been heard. This is fed into the policy development process internally and published externally on GOV.UK.</td>
</tr>
</tbody>
</table>

Model of the consultation process
Section 3
Users and their needs
User groups and research approach

The user research covered both sides of the consultation process, working with respondents and creators of consultations to understand their needs and interactions across the end-to-end process. We identified four primary user groups for research within these two areas. These groups were selected to allow us to pull out the differences in user needs while identifying the similarities across the various sub-groups we identified.

The research was conducted in two short stages or ‘sprints’:

Stage 1:

The first round consisted of one-on-one interviews and small journey mapping workshops. Participants were asked to bring to mind a recent example of a consultation they had responded to or one they had contributed to the creation of. They walked us through their experience step-by-step. During this process we worked to identify the stages and interactions along the way. We identified ‘pain points’, barriers and needs as well as future opportunities for improvements.

Stage 2:

The second round of research involved a further collection of one-on-one interviews. The focus was to dig deeper into the user needs across the consultation process, pulling out their specific user needs from a digital perspective and crafting these as use cases.

The following pages cover some of the user stories, needs, and challenges identified during our research.
Four main consultation user groups. There are other sub-groups contained within each.

Who we spoke to:

**Government Departments**
- Civil or public servants from within Government departments who contribute towards policy making

**Non Departmental Public Bodies**
- People within independent but Government affiliated organisations who contribute to policy making

**Professional Expertise**
- Organisations or individual professionals with expertise pertaining to a specific area, broad or narrow

**Interested Public**
- General public with an interest in politics, connecting with the issue through personal interest

**9 Government departments**
- Policy makers
- Comms team members
- Engagement team members
- Coordinators

**10 Organisational expertise**
- Professional interest organisations
- Membership groups
- Lobby groups
- Individual professionals

**5 Non Departmental public bodies**
- Policy makers
- Comms team members
- Engagement team members

**9 Interested members of the public**
-Personally interested
-Geographically interested
-Accidental discoverers
Stories from respondents

Government
Digital engagement team member

“We are trying to say this is not just about making consultation digital, it’s about making them right for your target audience”.

Susy works as part of the digital engagement team in the Department of Health. She helped develop the Engage platform which is a set of bespoke Wordpress templates to facilitate more tailored consultation platforms being developed for higher profile consultations.

Needs:

- Ability to cater for 2 types of consultation. ‘Bespoke (high profile) and ‘basic’ (lower profile, lower number of responses).
- Allowance for flexibility: “Every single consultation is different - there is no way we can do the same each time”.
- Ability to embed visual content with a view to increasing engagement with respondents

Challenges:

- Lack of integration between GOV.UK Client Relationship Management and their platforms.
- Lack of understanding around detailed functionality of Citizen Space. There is a general view that it can do more than they know currently
- Collaboration with policy makers can be challenging
Government

Consultations coordinator

“All the policy teams have to now self serve and they come to me for advice - I take them through the process from start to finish”.

Rauf has been a civil servant for a number of years. He recently moved into the role of Consultations Coordinator to oversee the transition to Citizen Space. He’s now the official who holds the hands of policy-makers during the consultation process.

Needs:

- Help with digital promotion. The only promotion undertaken on this consultation was the inclusion in a local authority newsletter
- Better planning upfront so he can receive the approved consultation earlier in good time for launch

Challenges:

- Extensive sign off process results in him receiving the consultation hours rather than days before the launch date
- Resource for analysing responses and getting outputs out on time
- Collaboration with policy makers around language
Null-departmental public body

“We often split it up into two separate consultations - this is the what and this is the how.”

Phillip and Mark work as a tag team. Phillip is the comms department and Mark is the ‘rule making unit’. They consult in some form every time they need to ‘change the rules’. They describe their consultation as either ‘Big C’ or Small C’ - namely do they go public or get a group round a table.

Needs:

Templates for questions to pull from
- Allowance for multiple log-in access or ability to view without logging in
- Important to know who’s responding. “Anonymous is no use to us, we need to know who is saying what”.
- Would be good to be able to flag who it’s aimed at. E.g. We are particularly interested in feedback from X party
- Print off or make offline version easy to access

Challenges:

- Complex arrangements for sign off. “Getting sign off on a SurveyGizmo is not possible so people print it off for that purpose”.
- People drop off when they need to provide personal information
- Estimating time for response is difficult to do
- Emotional responses to technical consultations
- Expensive digital survey platforms with data housed in the US. Eg. Survey Gizmo.
- Resource for analysing responses and getting outputs out on time
- Collaboration with policy makers around language
Stories from respondents

Organisational expertise 1

“Sometimes, the result isn’t just the consultation. It’s the people who get together and the thoughts they develop.”

Kathryn is a digital and data strategist and the COO of Represent.me—an online voting platform. She is a heavy digital user and has a clear understanding of how policy is made. In 2009 she initiated the Digital Britain Unconference and facilitated groups of people from around the country to contribute “the communal way” to the Digital Britain Report.

Needs:

• Ability for people to contribute without having to write “People like meeting each other but they don’t like writing”
• A toolkit to facilitate offline contribution and the collation of this
• Data on who is responding to consultations
• A framework and guidance for people to act as amplifiers for a consultation and position themselves as aggregators

Challenges:

• Finding out about consultations: sometimes only certain people/organisations find out about them
• Frustration that consultations are not accessible to the broader public
Organisational expertise 2

“I have to click through all the pages and copy and paste them into one document so we can see all the questions and circulate them”.

Rebecca works for the Royal Society and she is the ‘consultation hub’ so to speak. She is the eyes and ears, watching out for consultations. She is responsible for making a call on whether they will submit a response and to develop the process for pulling it together.

Needs:

• To see all the questions before starting to respond
• An overview of upcoming consultations for planning resource
• Feedback on response style and format so that they can refine their approach over time
• Government branded digital platforms “If it wasn’t government branded I might be suspicious what it was”

Challenges:

• Online survey style consultations that prohibit full view of the consultation without responding to it
• Changing deadlines without warning “This was one of the ones where the deadline changed halfway through - it was set to a Sunday. They updated the website but didn’t let us know directly as they had no way of doing that”.
Interested public

“The driving factor was I felt the Government had got it in for the BBC. If we were going to make changes it should be done based on evidence.”

Rachael is politically aware due to her career. Now she has retired she focuses on getting involved with things she is interested in. She’s not interested in party politics but is keen to contribute where she feels qualified to. Rachael is tech savvy and comfortable in the digital space.

Needs:

- Ability to save answers and go back to them to consider responses carefully
- Ability to not answer a question if it is not relevant
- Understanding and explanation of why particular personal details are being asked for
- Topic summary in the introduction to cover which themes are going to be covered if the consultation is longer
- Clear way of following the progress and getting updates on a consultation after it has been reported

Challenges:

- She is not always comfortable with providing personal information. “If I get an asterix on these I have to weigh up my principles and my desire to contribute”
- Open questions that need preparation while responding to an online survey. No way to wait and go back later
User needs

The following pages walk through the consultation journey in more detail. At each stage we have pulled out the key insights from the stage along with user requirements that emerged during the second round of user research. Insights have been generated through a process of thematic mapping to consolidate the recurring findings across the interview base.

We have not seen the consultation process as distinctly linear; however, for the purposes of informing future service design work we have stepped through the process below, stage by stage, using the model on pages 24-25.

Motivation

“It all stems back to when Michael Gove decided he wanted to reform qualification”.

What happens:

This differs depending on the stage in the policy making process, the department and the Minister. Motivations can include: getting views on a new policy the government wants to introduce, surfacing ideas on what government should do, or on how it should be done, mitigating the risks of judicial reviews.

Key insights:

- There is a wide range of difference that runs from clearly defined goals to simply ‘a desire to gather views’
- Consideration is given to audience groups at this stage; however, it doesn’t always drive the decisions around how to engage
- Motivation can often be traced back through history of a policy.

User requirements:

As a creator I need to know the other options so that I can decide if consultation is the right approach
Set-up

“Draft policy = 4 sign offs, launch date = 3 sign offs including Number 10”.

What happens:

The consultation creators gather everything they need to start the consultation. This can include getting sign off on draft policy and approval on launch date. They look around for best practice, tools, and methods to implement.

Key insights:

- Lack of visibility on best practice across departments
- Lack of knowledge of which digital tools are Government recommended. “We spent time getting in touch with comms to find out what we could use. We then explored the standard format used by the department but didn’t like it.
- Sign-off process is laborious and time consuming.
- High focus within departments to understand what is currently running in that policy area. “I will be asking if they have run a consultation in this space before, and was it published? The public get annoyed if the last one hasn’t been published and we ask again”.
- Some departments have consultation coordinators who have checklists and help guide the process but promote self publishing

User requirements

As a creator I need to understand what has gone before so that I can decide if now is the right time to consult

As a creator I need to know what digital tools are approved by government so that I can adhere to standards

As a creator I need to be able to send a draft internally so that I can get sign off without needing to supply a login
Frame

What happens:

Creators craft the introduction and build the background context for the consultation. This involves gathering supporting evidence, writing the introduction and generally providing context for the consultation.

Key insights:

- There is often a policy making legacy that tells the story from that original motivation; however, this is not always communicated
- Within the singular consultation the process is not always clearly communicated: “We are not communicating the process - there is nothing in the cabinet office guidelines that says we have to do that”.
- There is a lack of guidance around the type of information that should be included in the introduction

User requirements:

As a creator I need the ability to link to outside sources so that I can build context

As a creator I need the ability to embed visual content so that I can make my consultation more engaging and accessible
Question

“When you try and make it simple they sometimes feel it is losing the meaning of what policy teams are trying to say”.

What happens:

In the high proportion of consultations that adopt a survey-based approach, the policy makers draft the questions then select a digital platform to use. The comms team collaborates with the policy team to write the questions. The comms team advises on language. Questions are set up in the digital platform that is selected. A consultations page is created in GOV.UK.

Key insights:

- There is a process of back and forth between policy makers and comms departments. Plain English vs simplification is a common point of discussion.
- Digital engagement teams often receive the consultation too late to advise on the approach or format, especially when the documents are long.
- Ability to change questions over the course of the consultation is common in offline interaction to ‘drill’ into deeper levels of understanding.
- “We started pulling out feedback that people were giving to front foot it and say ‘we know this’ so that we don’t get the same feedback again. The feedback was to stop people focusing on the same things”.

User requirements:

As a creator I need to split big consultations in sections so that I can direct respondents to sections relevant to them.

As a creator I need to publish the questions in multiple languages so that I can meet requirements.

As a creator I need templates for questions to fit different types of consultation so that I can quickly build something that fits my needs.
Promotion

“It’s a decision for ministers whether they want to draw attention to it. We make an engagement plan and ask them.”

What happens:

Creators reach out to their desired target audience to let them know the consultation is happening and encourage them to respond.

Key insights:

- Organisations that have existing close relationships with Government are often prioritised as ‘go to respondents’ for government to reach out to
- Phoning and emailing known stakeholders is one approach used to encourage response
- Number 10 has a theme for the week. Departments work with the press office to determine the right time to run and promote the consultation.
- Some give notice via social media
- “Toward the end of the consultation we give people a 1 week, 3 days and 1 days notice tweets”.
- In some instances the blog is being used to counteract misconceptions. People write blogs about decisions that are made and why.

User requirements:

As a creator I need knowledge of influential stakeholders in my sector so that I can leverage them for promotion

As a creator I need to build understanding of my audience so that I can tailor suggestions
Discovery

“I find I need the monitoring system less and less - I use them more through lack of time”.

What happens:

Respondents find out about the consultations via a number of methods:

- Media article (general public)
- Friend posts on social media (general public)
- Organisations are in constant conversation with policy makers and know it will be coming out
- From an organisation they belong to (professional interest, eg university)
- Check the consultations page (general public)

Key insights:

- Organisations may use parliamentary or political monitoring services that they pay for. An example of this is Dods, which includes a built in consultation tracker
- Some organisations have a person dedicated to ‘watching’ who sends weekly emails.
- Change.org and 38 Degrees are common access points for the general public
- We did speak to one person who went to ‘browse’ the consultations page so he could contribute and do his civic duty - this is rare
- Consultations landing page on GOV.UK has high bounce rates from Twitter

User requirements:

As a respondent I need notifications on consultations I am interested in so that I know they are happening

As a respondent I need weekly updates on all consultations so that I can catch the outliers

As a respondent I need an overview of all upcoming consultations so that I can plan which to respond to
Understand

“It’s a decision for ministers whether they want to draw attention to it. We make an engagement plan and ask them.”

What happens:

Respondents read the introduction and supplied background information to build a picture of the context and inform their understanding of the consultation before answering.

Key insights:

• Campaign groups often act as interpreters for their supporters and ‘translate’ consultations. They also often add additional context of their own.
• Background information is usually supplied as lengthy documents that are difficult and time consuming to digest.
• Content of the introduction can be seen as biased. Although this may be a realistic representation from a creator side, it is not always clear to respondents why it has been presented in such a way.
• “It should be like a judge talking to a jury and summarise the evidence they should be taking into consideration”.

User requirements:

As a respondent I need to know what is / isn’t on the table as part of this consultation so that I can add input that is valuable

As a respondent I need the ability to see support info and questions at the same time so that I can read while I respond

As a respondent I need to know upfront what kind of personal information I will have to provide so that I can be comfortable providing it
Response

“We never write responses in the pro-forma templates. You are a straight jacket of the person drafting the consultation. We always submit long form responses”.

What happens:

Organisations plan the resource needed to respond and reach out to the desired people for input. Evidence is gathered and input is submitted in a variety of formats. Individual respondents respond in the format they feel most comfortable, if they are given a choice

Key insights:

- Organisations act as ‘bundlers’ to gather responses from people in an offline capacity
- “A big family in Derbyshire got together in a pub and discussed what Digital Britain should be. Meanwhile in London, 70 people gathered in the ICA to have their say.”
- Organisations rarely complete online surveys, preferring to submit long form responses
- Organisations often want to include their logo as part of their response
- When gathering responses, campaign groups prefer to maintain engagement with supporters rather than directing them to another platform
- Desire for a mobile friendly submission format amongst interested public

User requirements:

- As a respondent I need to know how long the entire consultation will take so that I can understand the full time needed
- As a respondent I need to get an answer to a question so that I can find out information rapidly
- As a respondent I need to be able to see all the questions at once and print them out so that I can share with my organisation
- As a respondent I need to be able to only fill in parts so that I can contribute to what’s relevant to me
- As a respondent I need a warning if there are open questions coming up so that I can prepare my answers in advance
- As a respondent I need to be able to comment on the question so that I can challenge if it is the right problem
Analysis

“Should we be including comments on social media?”.

What happens:

Creators analyse the responses. The team that do this analysis differ. Long consultation responses are sometimes sectioned off to different policy teams. Analysis is often undertaken on an ongoing basis while the consultation is open due to resource constraints.

Key insights:

- The longer consultations appear to be being analysed in the most manual way. There are a variety of methods being used including spreadsheets and different digital platforms, including Trello.
- There is a lack of understanding around what you need to take into consideration when undertaking analysis.
- Ability to change questions over the course of the consultation is common in offline interaction to drill into deeper levels of understanding.
- There is an opportunity to integrate offline methods into an online context and take learnings from the methods and approaches being used.
- “We started pulling out feedback that people were giving to front foot it and say ‘we know this’ so that we don’t get the same feedback again. The feedback was to stop people focusing on the same things”.

User requirements:

**As a creator I need** to read responses as they are coming in **so that I can** identify repeating themes.

**As a creator I need** to tag or label responses **so that I can** later know which theme they mention.
Output

What happens:

Creators produce a report summarising feedback received and how it has been heard. This is fed into the policy development process internally and published externally.

Key insights:

- Need for both an internal and external output. These don’t need to be the same but sometimes are. In some instances a summary version is created for external publication
- Most send a ‘thank you for your response’ email post response submission
- Some departments have developed their own CRM systems to build databases so they can communicate back to people
- Currently there is no guidance or standardised approach to producing an output

User requirements:

As a respondent I need a list of people who have responded so that I can judge the validity of the consultation

As a respondent I need an explanation of how government came to the outcome so that I can be confident that the decision is justified

As a respondent I need a link to the response so that I can send it to our contributors
Section 4
Barriers to engagement on GOV.UK
Barriers to engagement on GOV.UK

The existing page housing all government consultations on GOV.UK is not particularly respondent friendly. Those looking to respond to consultations to share organisational expertise, or with particularly strong views, are more likely to be driven to overcome barriers, meaning that these barriers will disproportionately affect those who are less au fait with existing government structures, or those with fewer digital skills.

The existing consultation page is a subsection of a search feature for publications, rather than a site specifically designed for engagement with public audiences.

While some of this information is housed on the GOV.UK ‘get involved’ page, this might not be the place potential respondants land. This is likely to put off non-expert audiences who may not know what a consultation is, and therefore not know they are being invited to contribute.

On the following page is a diagram showing other barriers to engagement we’ve noted on the existing consultation landing page. Further research carried out with an experienced user experience team would likely expose further barriers.

1. Complicated and obsolete search options
   There are multiple dropdown search options that are not relevant for searching for consultations (eg. ‘publication type’, and ‘world locations’).

2. Dates
   The key piece of date information provided is the date on which a consultation, or consultation update, was published.

   From the perspective of someone responding, this is less likely to be important than a ‘closing date’ for consultations which are currently open.

3. Department abbreviations
   Just uses an abbreviation, rather than a full department name. This is likely to be confusing for a respondent who does not know the specificities of Government.

   Furthermore, from a respondent perspective, this information is unlikely to be as important than information about a policy area.

4. Very limited information provided about the topic of a consultation
   The main information provided about a specific consultation is a title, and in many instances a title that means little to a potential respondent.

   There is no summary for a more general audience, or information about who may be interested.

5. No separation between open and closed consultations.
   When landing upon the consultations hub page, the page defaults to sharing all publications related to consultations. This is an intimidatingly large number for someone to see, and likely to turn many off, even if they know what they are searching for.

   The actual number of open consultations, or opportunities for a potential respondent to engage with is much smaller; 73. However, this information cannot be found unless a specific option is selected from the ‘publication type’ drop down menu on the left hand side. This itself is not obvious location to find this.

6. Hard to understand current status of consultation
   It is hard for a person coming to the page to understand easily what stage each consultation is at.

   Additionally, ‘open’ and ‘closed’ are jargon, and the term ‘closed’ is used to include both those consultations waiting for a government response, and those which are complete in their entirety. From a respondent perspective, they are very different.

Found at: https://www.GOV.UK/government/publications?publication_filter_option=consultations
GOV.UK consultation list page found: https://www.gov.uk/government/publications?publication_filter_option=consultations
Similarly, the unique consultation page is not laid out in a user friendly fashion from a respondent friendly perspective.

Key information that a potential respondent may be looking for - target audience, why the consultation is being run, and what changes may result from the consultation - is not required information. While some pages contain this information, this is by no means standard and the location of this information varies between different consultations. In some instances some of this information may be found under ‘summary’, and in others under ‘consultation description’. This makes it hard for a potential respondent to find.

1. **No clear information about policy area**
   From a respondent perspective, the department publishing a consultation may be less important than policy area(s) the consultation focuses upon. On occasion this information may be included in the blue box, but this is not standard.

2. **Consultation documentation is not clearly explained and in inaccessible formats**
   The documents about the consultation do not have explanations of what they are. Listing them in this way is not a welcoming way of guiding you through the process of responding.

   While quick access to print friendly documents is important to some stakeholders, it need not be done in this way.

   In this example, two of the documents describe the policy changes in full. Basic information about the changes is already included in the consultation document. This more lengthy information could more clearly be labelled as extra detail, rather than listed alongside the key document with little signposting.

   PDFs are often inaccessible to those using assistive technology

3. **Description of consultation found far down on the page**
   The text that may be most useful to a potential respondent, a description of the consultation, appears below documentation about the consultation. While some consultation pages contain just a single document at this point, some contain multiple documents, such as the example below.

4. **Some information may be provided in the summary, but what is contained here varies significantly between consultations**

5. **Audience for consultation is not clearly labelled**
   Although unlike many consultations, this does include information about who the consultation is aimed at, it is not easy to find this information, coming below documents and a long description.

   Consultation documentation is long, and it can be hard to understand the information and data within them.
   The consultation document is 48 pages long, likely to be unappealing to all but the most passionate or interested respondent.

   The information within the document could be laid out in a more appealing way, perhaps using different formats, such as as interactive infographics, other images, or video. This would make it easier for respondents to digest the information.

6. **Variable summary text**
   What is contained in this summary text box varies significantly between different consultations. In some instances, this text provides an easy to understand description, in others it largely reiterate the title of the consultation. Some information others mention possible respondent groups who may be interested, and others produce a very high-level, and often technical text.
The back end also has a number of barriers, with a lot of boxes and drop down menus, with little clarity about why each is being asked, or what is wanted.

1. **No links to existing consultation guidance**
   There is guidance on how to create, update, and conclude a consultation. However, this information is not provided here on this page. It provides explanations for many of the boxes to be answered on this form.

2. **Simple details asked for late on**
   Boxes for simple details such as which policy area it refers to comes only further down after the box for the main body, rather than early on.

3. **No guidance on what to include in body text.**
   Just gives a single box for the main body text. There is no guidance for a civil servant about what should, or could, be included.

4. **Inaccessible guidance**
   Expandable sections give advice on formatting, but this is not clearly introduced, and is not presented in a fashion that is easy to understand for a non technical audience. Greater support could be provided here.

   The inaccessibility of the top ‘formatting’ section seems likely to turn people away from the lower ‘use plain English’ and ‘words to avoid’.
Consultation creation from a creators perspective
Section 5
The landscape of digital participation
Desk research and research approach

We also carried out desk research to build upon our existing knowledge of what is understood about good practice in consultation. Our initial work in this area underpinned the development of the user research approach, and we subsequently built upon this to explore the opportunities being explored globally around what online channels can achieve in this work. We also held interviews with local, national, and international figures; gaining their insight into the platforms and processes they use and know about.

As part of this process we spoke to:

- Four platform providers,
- Twenty-one local, national, and international government figures
- Eight individuals and organisations with expertise in the area of consultations or relevant topics.

One of the most surprising things we found was a dearth of publicly visible academic literature exploring “what makes a good consultation platform”, perhaps because the term “consultation” covers such a broad range of possible activities, and there are few platforms or tools that focus specifically on consultations in the sense in which government commonly uses the term.

One tool that is widely used is Delib’s Citizen Space. This is a consultation hosting software-as-a-service solution that is in use in several of the government departments to whom we spoke, and in the Scottish Government. It allows departments to publish consultations, and have them answered directly online rather than asking respondents to email their responses. Users expressed a range of views about Citizen Space. It was seen as a well-supported tool that met the needs of existing consultation practice. However, some users thought it less well suited to future needs, where high-participation, multi-channel engagement is needed.

In summarising the desk research carried out, we’ve included a number of examples that provide a showcase of some of the relevant ideas we’ve encountered. A list in this way could never be completely comprehensive, as there will be almost as many different platforms as there are governments.
Extensions of the dominant consultation model - UK

While many consultations are carried out on a range of survey tools using downloadable consultation documentation (as detailed in ‘The current dominant model’ and journey map above), across the UK we are seeing some gradual developments on this model.

Citizen Space, has been introduced to a number of government departments; including the Department of Health and the Ministry of Justice. The functionality provided by this platform has enabled many of the gradual extensions we have seen.
Transport for London - providing accessible information

TfL consultation site home page (found https://consultations.tfl.gov.uk/)

Information provided in web page as an image
The Transport for London (TfL) consultation site uses the Citizen Space platform, and is considered by many we have spoken to to be one of the best uses of the current survey style platforms for consultation.

### Key points:

- A single dedicated site for all TfL consultations.
- Unique consultation pages are linked to from lists clearly separated into those which are open and closed. These lists are ordered such that open consultations closing soonest, or those closed most recently, are found at the top where respondents may find them easily.
- There is a ‘featured consultation’ banner, drawing attention to possible consultations of interest, although no information is provided about how these are chosen.
- All consultations we have seen on this site provides a key set of information, laid out in the same location on each page:
  - The box on the top right hand side includes a contact email address, key dates (including opening and closing times), audience, geographic areas, and topic of interest (e.g. ‘roads’ or ‘Bus route 167’)
  - A summary of the consultation at the very top of the page
  - Many include information about why TfL are consulting, and what they are proposing.
  - Many provide the majority of the information relating to the consultation in the webpage, meaning no documents need to be downloaded.
  - It uses images and maps to provide easily digestible information, relevant to the consultation.
Department of Health
- providing offline tool kits and using multiple media forms

Page can be found at: https://consultations.dh.gov.uk/carers/how-can-we-improve-support-for-carers
The Department of Health (DH) are considered to be innovators in Whitehall regarding consultation and public engagement. They use two platforms for their consultations; Citizen Space and a Wordpress theme.

The consultation shown above is on the site using Citizen Space, and focuses on support for informal carers; an issue of relevance to a broad section of the general public.

### Key points:

- Like the TfL example, consultations on this site make the target audience, and provides other key information, including contact details, in a prominent location

- Language used on the page is accessible, reflecting the fact that the consultation is targeted at a wide audience

- Clear use of multiple media forms. In this instance, a short video from the lead Minister is provided, which both introduces the consultation in an accessible way, and helps show high level political commitment to the consultation

- Offline toolkit is provided, encouraging local groups to run a discussion about this topic and submit a response that reflects their conversation, and making it easy to do this. This helps reach individuals and groups who are not currently involved in responding to consultations, do not have a high degree of digital literacy, or do not have access to the Internet at home. This is especially important due to the variability of digital skills in the UK population, with only 57% of those classed with a DE social grade having access to these skills, as opposed to 90% of those classed as AB\(^{16}\).

---

Scotland - publishing consultation responses

Showing published answers grouped by consultation question

Showing the “We Asked, You Said, We Did” functionality
The Scottish Government also uses Citizen Space. They routinely publish all responses received, other than sections that are redacted for reasons including libel or being considered to contain personal information. Additionally, a respondent may request their response be published anonymously, or not published at all.

The process of publishing responses does add some overhead as it requires very careful reading of all responses to redact relevant information.

The Scottish Government also use the ‘We asked, You said, We did’ function provided by Citizen Space (see the above image). This helps people understand outcomes of a consultation, without having to navigate complex documents. There are some questions, however, about how effective this is to communicate the complexities of policy development at a national level. There might even be a risk that simplistic summaries in this format could reinforce the view of consultations as isolated moments of direct democracy as opposed to presenting a fuller picture of their complex role in policy development.

**Key points:**

- Publish responses to consultations. This information is presented in such a way that enables someone to view either individual answer forms or all responses to particular questions. Many respondents publish without anonymity, which suggests publishing responses may not be as off-putting as some may fear, and the options to either not publish their response, or publish it anonymously, provides space for those who wish to remain un-named.

- Additionally, the Scottish Government have had some success asking organisations to reconsider their use of anonymity, suggesting that while there may be cultural barriers, these may be overcome.

- Clear communication of the outcomes of consultation, in this instance using ‘We asked, You said, We did’
International extensions of the dominant Whitehall model

Online consultation is a developing approach globally, although, the dominant survey-based approach we currently see in many parts of Whitehall appears to also be the dominant model across G7 and OECD leading countries. Countries ranging from across Eastern Europe (e.g. the Czech Republic) through to the Baltics (e.g. Estonia) all echo the consultative process currently seen in the UK, although several take it a few steps further in terms of transparency or standardisation across central government.

New Zealand

- providing understandable summaries of consultations

New Zealand consultation portal (found at https://www.govt.nz/browse/engaging-with-government/consultations/)
New Zealand offers a close parallel to the UK consultations system. It is departmentally led, focuses on public and stakeholder input, and builds up an evidence-gathering approach to each issue. Like the UK, with most departments using a ‘write-in’ model of evidence capture through email or online forms submissions.

New Zealand also uses a central site to capture information about their consultations. While much of New Zealand’s consultation list page is similar to that of the UK’s, they do offer one significant addition in the form of a short summary text under the consultation title. This summary provides potential respondents with information than can be captured in a consultation title, helping to inform whether or not they click through to find out more.

**Key points:**

- Short understandable summary about a consultation is provided under each title

- Consultations are listed on a single specifically designed site, featuring directly under an ‘engaging with government’ page which highlights a number of key ways someone may wish to do this, as well as providing information for a citizen to find out more about how government works

- Search and filter options that are relevant to consultations, including an option to filter for consultations that are closing soon
Office de Consultation Publique de Montréal
- showing the progression of the consultation process

Office de Consultation Publique de Montréal home page: [http://ocpm.qc.ca/consultations-publiques](http://ocpm.qc.ca/consultations-publiques)
The Office de Consultation Publique de Montréal (OCPM) is one of two institutions in the province of Québec designed as independent facilitators of public consultation. The OCPM remit covers the city of Montréal, and is an independent body with a mandate to facilitate consultations on major projects and developments. The institution has stayed with the traditional papers-and-public-meetings model of consultation, partly because of restrictions in their statutes.

Key points:

- Clearly separated ‘current’ and ‘complete’ consultations on a specifically designed consultation home page. Each consultation is illustrated with large images, and this is likely due to the fact that there are few current consultations, and they therefore have the luxury of space.

- ‘Current’ consultations on home page include those waiting for a report to be produced by government, with an obvious visual marker stating where this is relevant.

- Unique consultation page provides a horizontal timeline showing where the consultation is in the consultation process, and highlights key events which have taken place.

- Documentation and reports provided about offline events.
Ontario - Visualising respondent data

Ontario’s provincial government, like many other governments, have a single site containing a list of consultations, and as with other examples already indicated, provide some information on the home page about each consultation; including a start and end date.

For one of their recently closed consultations, they have visualised respondent data directly on the website, rather than in a PDF (as can be seen in the image below). Although this hasn’t been adopted for all consultations yet in Ontario, this is certainly an interesting model and reflects a desire we have heard in interviews to see demographic respondent data released under an open license.

Ontario Consultation Directory [https://www.ontario.ca/page/consultations-directory](https://www.ontario.ca/page/consultations-directory)
Key points:

- Single site for all consultations, containing clear information including consultation start and end dates, short summaries, and responsible departments (without abbreviations)

- Language of ‘participate’ and ‘read about the consultation’ (for open and closed consultations respectively) is engaging

- Idea of visualising respondent data provides an accessible way for citizens and stakeholders to observe who has responded to a consultation, without having to download a PDF or read a lengthy document

Ontario Consultation Directory [https://www.ontario.ca/page/consultations-directory](https://www.ontario.ca/page/consultations-directory)
Going beyond the dominant model

Worldwide, there are many local and national governments experimenting with new ways to consult and engage with citizens for the purposes of informing policy development.

The number of different tools seem endless, and new ones emerge on a nearly daily basis.

Rather than trying to provide a definitive list of the tools, we’ve tried to highlight some of the different methodological trends that can be seen.

Ideation: Iceland - Better Reykjavik

At an early stage of consultation, civil servants are often seeking suggestions or ideas, rather than detailed comments. Ideation - the practice of forming ideas - can be seen in platforms which provide a means for gathering, ranking and discussing ideas on the basis of broad framing questions set by government.

This is very common in local government, with perhaps the most successful example coming from the city of Reykjavik in Iceland which launched an online tool called Better Reykjavik based on the non profit Citizens Foundation open source platform, “Your Priorities”. This saw more than 50% of the population interact with the site, and over 1500 ideas produced. Of these, 476 have been approved.

---

You can see more about ‘Your Priorities’ here: [https://www.yrpri.org/#/domain/3](https://www.yrpri.org/#/domain/3).

In the central government context, suggestion platforms have also been used, and the UK’s Coalition Government experimented with “Your Freedom”\(^9\), launched in July 2010. Additionally, the Estonian government’s consultation site, [https://www.osale.ee/](https://www.osale.ee/), includes a “suggestions” tab where ideas unrelated to existing consultations can be uploaded and discussed.

In the context of policy making, ideation tools could be used early in the process, for option identification and option selection.

\(^9\) You can find out more here: [https://www.GOV.UK/government/news/your-freedom-6](https://www.GOV.UK/government/news/your-freedom-6)

Betri Reykjavik home page found at [https://betireykjavik.is/](https://betireykjavik.is/)
Deliberative processes:
New Zealand - NZGOAL-SE consultation

Forum used for deliberative discussion around NZGOAL-SE revision

While, as discussed above, the New Zealand government largely uses a similar model of consultation to that found in the United Kingdom, they are exploring alternative methods. In a couple of instances, the New Zealand Government have used the online deliberative discussion tool, Loomio, to carry out consultations. One example of this took place earlier in 2016, exploring proposed revisions to the NZGOAL framework.²⁰

²⁰ Found here: https://www.loomio.org/g/NohOxyr9/nzgoal-software-extension-discussion-of-draft
A group of over 35 people from the information technology business sector and the open source community came together in an online space for a period of a month to discuss proposals drafted by the New Zealand government to extend the NZGOAL framework. 175 comments were made, and the entire conversation was held in the open, allowing others to visit the page and watch the discussion take place; even if they were not registered.

The subsequent policy was revised on GitHub, allowing those who had been involved to communally amend the document, prior to a new version being sent to the Minister for approval - although none did.

This model of horizontal, public-to-public discussion, or dialogue between government and public would not have been able to take place using a standard question and answer consultation.

As someone involved in the consultation from the New Zealand government said

“This interaction raised many important topics for the policy that would have otherwise gone under the radar. The traditional email based consultation feedback simply wouldn’t have uncovered these insights”

Furthermore, this discussion may act to show to public audiences some of the wide range of perspectives and opinions civil servants may need to take into account, perhaps challenging their own preconceptions.

A number of other governments are exploring online deliberative discussion, including the Scottish Government who used Delib’s platform Dialogue to surface citizen concerns following a number of negative responses to a consultation about new conservation measures for salmon fishing. It was hoped that having this conversation in the open would make clear to the public the range of conflicting perspectives that were being encountered, and allow the government to better explain their reasoning.

While deliberative exercises such as this can be very valuable in policy making, providing deeper conversations, they are more resource intensive than the dominant survey consultation model. Someone (or multiple people) has to take responsibility for managing the online conversation. Managing in this context means deleting offensive or irrelevant material (moderating) and supporting positive discussion with evidence and information (facilitation).

It can be seen here: https://github.com/opendatanz/nzgoal-se/blob/master/CONTRIBUTING.md
Line-by-line commenting: 
White House - Public Participation Playbook

An open source software platform called Madison\(^{22}\) has been used to help the White House develop the Public Participation Playbook, a resource to help “government managers to effectively evaluate and build better services through public participation using best practices and performance metrics”\(^{23}\).

This platform allows citizens to comment on specific words and sentences on text uploaded to the site, and specifically encourages government sponsors of legislation to upload a copy of a proposed bill. When a comment is received, the sponsor of the legislation will receive an email notification, and has the ability to edit the document if they wish to take these on board. The state government of Washington DC has set up their own instance of this platform\(^{24}\), and Kansas City have begun to initiate a similar system.

\(^{22}\) You can find out more about this here:  [http://opengovfoundation.org/the-madison-project/](http://opengovfoundation.org/the-madison-project/)

\(^{23}\) US Public Participation Playbook Accessed July 2016 Available at: [https://participation.usa.gov/](https://participation.usa.gov/)
Madison is not the only tool that can be used to support line by line commenting. In 2012 the UK Department of Health invited comments on the draft Care and Support Bill, using a commenting system on a series of blog posts. While complicated to set up, this was relatively easy for a non technical audience to engage with, as most of those with some degree of digital skills are likely to have used a commenting system somewhere on the Internet. At the opposite end in terms of ease of use, The White House used the collaborative tool GitHub for line by line revision of an Open Data policy. While this latter tool is useful for very technically minded individuals, it will act as a barrier to engagement as not everyone will have the skills to use the software.

A method like this could be used towards the end of policy development, to consult upon a draft proposal or legislation prepared by a civil servant. Respondents could be asked to make specific comment on words, phrases or lines; perhaps challenging them, suggesting additions, or commenting to indicate agreement.

Other methodologies and tools

As mentioned above, there are many methods and tools that governments are using to consult citizens on policy changes.

There are digital voting systems, mapping systems, and many other tool types emerging.

Budgetary processes are often explored, and in 2016, The Scottish Government gave support to seven local authorities to use digital tools for the process of participatory budgeting; a process that allows the public to decide how certain public funds are spent. Alternatively, tools such as Budget Simulator are available to help public audiences explore council budgets, to start thinking about how savings may be made at the local authority level.

These interactive tools may help individuals understand the tradeoffs faced by governments in providing services and setting taxes, as well as helping to capture data about a citizen’s preferences.

---

24 Available at: https://drafts.dc.gov/faq
26 Available at: https://project-open-data.cio.gov/policy-memo/
27 Demsoc have been employed to help with this work, you can find out more here: http://www.demsoc.org/participatory-budgeting-in-scotland/
28 For instance: https://bristol.budgetsimulator.com/
Using multiple methods of consultation

During our research, we have identified various methodologies and tools which do not have to be used in isolation from each other - and indeed should not be.

A path through policy development following ideation, deliberative discussion, and line by line commenting could be envisaged, using different consultative methods to feed into different stages of policy development, in line with the principles of open policy making referenced above.

Ideation can be used to capture ideas and themes in response to broad questions; a potentially quick interaction akin to sticking a post-it note on a door, and not specifically requiring in-depth knowledge of a policy area or expertise. Deliberative discussion could be used to build upon some of the ideas raised in an ideation phase, enabling public-to-public and government-to-public conversations to take place, exploring proposals deeply. However it is likely to be more intensive than an ideation based consultation, and it is likely that fewer people would want to spend time involved in discussion online. Finally, towards the end of the development of a policy, line-by-line commenting could be initiated on a draft policy or draft legislation. It is likely to be more intensive in terms of expertise required for a respondent perspective.

Possible consultation pathway

This consultation pathway would not remove the need for, or benefits of, survey-based consultative techniques, but would instead supplement them. Survey-based techniques could sit along side this model.

As progression was made along this consultation pathway, it would be likely that interested audiences would narrow, and participation would decrease, due to increases in both time demands and likely levels of expertise needed.
We can see an example in Finland of how multiple methods can be linked together. The Finnish constitution contains a provision for citizens to initiate new legislation by putting forward a proposal that gathers 50,999 signatures in support. (proportional to population, the same threshold in the UK would be 589,000 signatures). Though strictly speaking not consultation, the citizen initiative rules have inspired the creation of a citizen participation platform called Avoin Ministeriö (Open Ministry)\(^{29}\), by a non-governmental voluntary organisation. Open Ministry starts with a process of ideation, with users proposing ideas for new legislation. Deliberation then takes place, with popular ideas being worked through with a team of volunteers with legal and policy expertise, before the proposers are supported in the signature gathering effort. Open Ministry has been involved in six of the nine initiative that have passed the threshold and been introduced into Parliament, including the one successful initiative, on equal marriage.

The digital landscape of participation is fertile.

**The most significant trend we see in the digital consultation landscape is the broad uptake of a variety of different tools that enable options of interactions beyond a simple series of questions and answers.**

These mixed methods and broad range of approaches will broaden the public views that are received, and increase the quality of evidence gathered.

\(^{29}\text{Available at: avoinministerio.fi}\)
Section 6
Detailed recommendations
On the basis of the user research and desk research carried out for this discovery phase project, we make a number of recommendations. As this was a foundation discovery project, we would recommend further, more target discovery works, to build on this base of understanding.

Short term recommendations

1. The presentation of consultations on GOV.UK should be updated, based upon a dedicated, purpose built page for government consultations

This page should list all running consultations, with search and filtering tools appropriate to consultations.

Based upon our identification of user needs and desk research exploring existing good practice, we recommend this page should:

a. Default to showing only open consultations, with a separate tab or control to show consultations that are currently being analysed, and those which are complete (ie. with a government response posted);

b. Consultations should be ordered in a respondent friendly fashion to allow ease of discovery. Further user research should be carried out to understand the specific requirements here. Early indications suggest a solution centred around policy themes or topics areas;

c. As default, any consultation list should show a short summary of the consultation underneath the consultation title, providing a potential respondent with further information;

d. If department titles are displayed, the full title of the department should be used rather than abbreviations (eg. Public Health England rather than ‘PHE’)

e. Make it clearer how potential respondents can sign up to consultation notifications from relevant policy areas or government departments
Consideration should also be provided as to how to better integrate the possibilities for engagement across both Government and Parliament, on this purpose built page, recognising that from a respondent perspective, the division between the legislative and executive branches of government are not clear. Conversations could take place with the Parliamentary Digital Service to explore how this may happen. Alternatively, providing links to the House of Commons and House of Lords Select Committees from the proposed single consultation list, highlighting that they also invite comment from the public, would be a step in the right direction. Mirroring this, information should be provided about what types of consultations are unlikely to be listed on this page, such as those run by local authorities, and how a potential respondent may find these.

Although we have not had chance to explore this during our research, we would also suggest this consultation page should provide core information relevant to all consultations, including a respondent focussed high-level summary of what a consultation itself is. The page could also include a link to the current UK Government consultation principles, and include clear guidance about expected time frames of government feedback, helping to develop a shared understanding between respondents and creators of consultations about what can be expected through this type of interaction.
2. The individual consultation page template should be reordered

The page should be presented in a fashion so that the information a respondent needs to decide whether to participate or not is at the top of the page, and background information further down.

As part of this redesign we would recommend:

a. The general consultation description should be found near the top of the page, broken down to include information about:
   i. Why the consultation is happening;
   ii. What the proposals are;
   iii. An indication of what could or couldn't change as a result of the consultation;
   iv. What is being looked for - expert advice, unique personal impact, or weight of public opinion;

b. Target audience of the consultation, as well as the closing date, should be prominent;

c. An estimate of the length of time needed to complete a consultation response;

d. An ability to view questions before commencing response, enabling those responding on behalf of organisations to share this information with any relevant individuals, or to provide individuals with opportunity to think or carry out research prior to beginning a consultation response;

e. Documents containing supporting information should be clearly labelled, including the purpose of the documents, and whether or not a respondent is required to read them. These should also be presented on the page in a more respondent friendly fashion, for instance listed on the side of the main page content, rather than as a list within it;

f. Providing an option for individuals to sign up for email alerts to follow the progression of a single consultation, regardless of whether or not they chose to respond.

g. Consideration should also be given to how greater context can be provided around the consultation, for instance including links to related news stories.
This information will make it easier for potential respondents to understand the potential benefits of responding to a specific consultation. Consultations may take place for a variety of reasons, with differing degrees of scope for change, but variability and lack of clarity about purpose can make it hard for creators and respondents to develop shared expectations. This means that what may be a valuable democratic exercise, benefiting policy makers by allowing them to hear from a wide range of people, or for respondents to have their voice heard, may lead to disenchantment on both sides.

An example of how the unique consultation page could look on redesign

1. Clearly provided and standard information about why the consultation is taking place.

   Builds upon best practice seen elsewhere, and responds to user need heard: “As a respondent I need to know what is/isn’t on the table as part of this consultation so that I can provide input that is valuable.

2. Responds to user need heard:

   “As a respondent I need to know how long the entire consultation will take so that I can understand the full time needed”

3. Builds upon best practice seen elsewhere, indicates target audience, helping respondents know if this is relevant to them.
3. Better support and guidance should be available for civil servants

In many of the discussions held during this research, we have heard variants on a line that to improve current consultation processes “is not just a technical problem. It is also a cultural problem”. Many people have talked of very different skill levels regarding consultations that individuals within the civil service may have, and the varying levels of knowledge of the tools and options available.

Therefore some clear guidance is needed for civil servants creating consultations, beyond the already existing consultation principles and guidance on how to publish consultations on GOV.UK.

We recommend this is carried out in two ways:

a. The backend of the existing consultation backend should be redesigned to incorporate “nudges” to encourage civil servants to think about:
   i. Accessible and appropriate language, including guidance that may help junior colleagues or comms teams challenge the use of technical language;
   ii. Use of alternative media forms, such as video, providing accessible formats for those who may not be heavy document readers
   iii. Format of questions;
   iv. Promotion of the consultation, using a range of offline and online means to reach a diverse range of those potentially impacted by a policy;

b. A participation design manual, similar to the service design manual, should be created, showcasing examples of good practice, and tools that have been shown to work well. This manual should be embedded into the back end of the platform, alongside current consultation principles, making it easy for creators to find.

It could also introduce a search function, as shown below, enabling civil servants an easy way of exploring related consultations in other government departments. This would allow them to ensure similar consultations are not still awaiting government responses.
Example of what a search function may look like on the backend of the existing consultation platform on GOV.UK

1 Responds to creator need: “As a creator I need to understand what has gone before so that I can decide if now is the right time to consult”
Medium term recommendations

4. GDS should create an open and extensible core infrastructure for consultation into which consultation tools from in-house or external developers can be plugged

There would be some benefits in having a single platform for government consultations, and encouraging departments and NDPBs to use it. A single platform would provide would civil servants and respondents with a consistent experience, and would allow continuity of communication and the building of networks that could be used for future consultations.

However, the high level of variability in consultations, different possible methodologies, different user needs and the difficulty in creating a single specification argues against a single platform approach. It is hard to imagine that GDS would be able, without very significant resource, be able to provide every type of tool necessary for consultation, for all who need the service, for all potential eventualities.

Moreover, it would be duplicating effort already being undertaken by the growing and innovative civic tech sector both in the UK and elsewhere.

Creating an approach that supports innovation in this sector would enable new and emerging consultation tools to be incorporated quickly into government practice, allowing development of new consultation methodologies. Meanwhile provision of a common infrastructure for communications, discovery, information provision, and feedback would give these tools and approaches a ready route to real-life use.

We suggest therefore that GDS should aim to create an open common infrastructure for consultation tools, focusing on discoverability, record-maintenance, continuity of communication, feedback and creating and growing the audience for participation.

This infrastructure should enable consultation tools to be inserted into it, with the ultimate aim being to provide a range of approaches supported by selectable modules from internal and external sources, so civil servants have flexibility to choose the right method and participants can respond in the ways.
This open infrastructure should work to integrate reporting of offline consultation methods from citizen juries to public meetings.

A full description of what this open participation infrastructure might look like is beyond the scope of this discovery phase project, but key points and ideas that have arisen from our research are:

Discoverability:

Thought needs to be given to what an information structure would be needed to improve the discoverability of consultations. One suggestion would be to initiate a tagging system for consultations, to help prompt respondents to find related instances. For example, on completion of a consultation about the Local Government Transparency Code, a person may be prompted to other consultations sharing tags of ‘local government’, ‘open data’, or ‘procurement’. If a tagging route is chosen, we would recommend that the tags are crowdsourced, thus allowing topic tags to be respondent, rather than creator, focussed.

Information provision:

Provision of a common format for consultation pages will give participants a consistent experience in understanding the background information that they need before responding to a consultation. To meet the needs of respondents, there should be information about the consultation (such as how long it might take to fill out, the expected audience, the types of questions) as well as downloadable versions or materials that participants could use to gather wider responses. To ensure that civil servants are not duplicating effort in creating background information, there could be some high-level information ready for them to use on, for example, the policy making process or high-level policies.

Continuity of communication:

The platform should provide tools to enable consultation organisers to keep in touch with participants and potentially interested parties - before, during and after a single consultation process, and potentially across different policy making exercises. This would make consultations easier to discover, and reduce the burden on civil servants of contacting potentially interested parties, so that consultations get larger and more representative audiences. It would also support greater trust, because the process and results of the consultation would be better communicated, and there would therefore be greater transparency. Common tools could also allow participants and interested parties to follow topics, perhaps including locations, so they could be contacted when new consultation opportunities arise.
Identity:

Related to the requirements around continuity of communication, consideration should be given as to how participants can maintain a single identity. This may be across different interaction modules during the development of one policy, or across the same interaction modules across different consultations. As part of the research we have explored the idea of identity, but it is a complex and sensitive issue so will need to be explored in more detail. There would be clear benefit in terms of enabling civil servants to understand who is speaking to them, and benefit for the government in developing networks of interested participants. However, we are also aware that some citizens may feel concerns about being identified by government, and see there may be risks if consultation data is shared across government. We also have concerns that requiring a person to be identifiable as themselves may reduce participation from some individuals if clear alternatives are not provided.

Feedback:

Feedback from a consultation should be standardised, and we recommend publishing all evidence captured and used through the development of a policy. This would include recording offline consultation events, and providing links to other evidence (academic and otherwise) used. As part of this, we would recommend moving to a model of presumed publication of consultation responses in a machine readable format, increasing transparency of outcome, and allowing external analysis of the consultation. This would create a “single view” of the complete policy development process, similar to that previously been called for by Nesta30. This single view would make the decision making process more transparent, and potentially increase public understanding of how decisions are made.

Consideration should be given to standardising the release of demographic data about who is responding, removing any potential questions about different departments choosing to cherry pick so to best produce an analysis that works for them. This could be visualised and released as open data, helping to develop a better understanding of how departments are doing in reaching key stakeholders. However emphasis should be provided, both to civil servants and stakeholders, that consultation process is not merely quantitative. Simplistic summaries emphasising numbers alone, without drawing out how one response on the behalf of a large representative organisations will be weighted, compared with a large number of, very similar, responses elicited via organisations like 38 degrees will be weighted, are problematic.

In addition this infrastructure should take on board the respondent side considerations described in recommendations 1 and 2 above. The “nudges” in recommendation 3 should be incorporated into the new platform, encouraging civil servants to take a broad view of consultation, and to create different types of consultation taking into account the different publics that they are trying to reach, or the different stages of policy development - they are at.

“We have created some mock-ups of what the infrastructure could visually look like”

Examples of how nudges could be built into the backend of GOV.UK

1 Responds to creator needs:

“As a creator I need to know the other options so that I can decide if consultation is the right approach”

“As a creator I need to understand what digital tools are approved by government so that I can adhere to standards”
From best practice, showing various points in the development of a policy

2. Allows respondents to sign up to an individual consultation, allowing potential respondents to be informed of changes to closing dates or to receive notifications of updates.

3. Linking to similar consultations increases discoverability.

4. Space for image

Responds to creator need heard: “As a creator I need the ability to embed visual content so that I can make my consultations more engaging and accessible”
Drop down menu to show all questions. Responds to respondent need heard: “As a respondent I need to be able to see all the questions at once and print them out so that I can share with my organisation”

2 Responds to respondent need heard:

“As a respondent I need to get an answer quickly so that I can find out information rapidly”

3 Documentation in a presentable format, building upon best practice

4 Place for video Responds to creator need heard: “As a creator I need the ability to embed visual content so that I can make my consultations more engaging and accessible”
5. GDS should demonstrate the modular approach by making available at least one survey module, as a model of what can be achieved using the core infrastructure.

We recommend creating a core infrastructure for consultation allowing the use of different tools for the process, but the most common need for civil servants at present is a simple survey tool. There are several existing tools on the market, and we have heard both praise and criticism of them all.
Linking a simple but powerful survey tool into the core consultation infrastructure would both answer the needs of a large segment of users, while also showing the potential of the infrastructure and creating a “model module”, using all the potential that the core infrastructure provides.

As a first step, GDS should ensure the availability of at least one survey module that works with the core infrastructure. Further consideration would be needed as to whether the best approach was for GDS to build a new module themselves, or to support development work with one or more of the existing providers of such tools.

Drawing on our research, the module (or modules) should be exemplars of GDS best practice and design principles, and should meet the following criteria:

• The module should encourage the embedding of question specific information and data to be displayed alongside questions. This information and data should be in a visual form where possible, and consideration should be given as to how information can be provided in an interactive form, so as to help people contextualise information.

• There should be an option for a respondent to say a question is not relevant to them, and we suggest that similar to the existing GOV.UK form response of ‘I cannot answer this question ’, there is the functionality to drill down and explore why this is. Information captured in this way would also likely be beneficial to a civil servant who is running a consultation.

• The module should also enable easy production of offline tool kits for any given consultation. While online tools theoretically can reach a huge audience, there are roughly 1 in 5 people without sufficient digital skills to use the Internet, and many more who currently do not use the Internet to respond to consultations. Making it easy for civil servants to create these tool kits would help enable potential respondents to run offline events, and perhaps encourage this practice.

Consideration would need to be given to the development of analytics tools for this survey module. Although there was insufficient time in this research project to explore the needs of creators or respondents with respect to analytics, this is a crucial issue that needs to be explored further. We are aware of a very wide range of tools and methodologies being used for analytics, from excel spreadsheets to Trello and technologies such as text-mining and clustering are being increasingly explored. In the name of transparency, we would also recommend that there is clarity provided about how consultations are analysed, including the publication of any algorithms used.

Setting up this infrastructure, and this survey module, there will be a need for either GDS or external providers to provide some technical support to civil servants using this tool. These queries will likely need a quick answer amidst tight timelines. This is especially true as there will be some civil servants who design consultations only very rarely, and may need more help.
Suggestions for how a survey module embedded in GOV.UK consultation infrastructure could look.

1. One question per page, as per GDS guidelines for form creation

2. Provides opportunity for someone to explain why they cannot or do not wish to respond.

   Responds to respondent needs heard:
   “As a respondent I need to be able to only fill in parts so that I can contribute to what is relevant to me”

   “As a respondent I need to be able to comment on the question so that I can challenge if it is the right problem”

3. Responds to need for respondents to be able to save responses and come back to the consultation later.
6. GDS should stimulate the existent civic tech market, releasing specifications for modules providing different types of interaction, and ensuring the release of all information required to support developers in taking advantage of the core infrastructure.

As we have seen in our desk research, there are many different potential models of interaction between governments and potential respondents. Both the underpinning technology and methods for utilising it are rapidly changing.

While we would not wish to be prescriptive about the types of interactions that civil servants may wish to initiate using a digital consultation infrastructure, we can see clear use cases for the use of ideation, deliberative discussion, and line by line commenting on documents - and have given examples of their current use in section 5 above.

While these three types of interaction are not at present frequently used in consultations run by central government and non departmental public bodies, this is likely due to a lack of knowledge of these methodologies and of tools available, and an engrained cutural expectation of what ‘consultation’ entails. Innovation is taking place however in various national governments, and these ideas are being trialled, and found to provide a wide variety of insights from public audiences; including insights that it is felt would not have been captured using the existent dominant model of surveys.

We recommend that GDS develop and release specifications for consultation modules prioritising these three types of interaction. GDS has the opportunity to catalyse the uptake of new consultation methodologies in the UK, by encouraging the development of these modules: GDS has the opportunity to catalyse the uptake of emerging consultation methodologies in the UK, by encouraging the development of these modules. This will create a list of ‘government endorsed’ tools for civil servants who may not know of the existence of these tools, methods, or are currently adverse to the idea of experimenting.