

# Public Participation in Government Decision-making



empower

transparency



communication



planning



consultation



**Better practice guide**

**VAGO**

Victorian Auditor-General's Office  
*Auditing in the Public Interest*

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Public Participation in Government Decision-making: Better practice guide

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The term Aboriginal refers to both Aboriginal and Torres Strait Islander people, however, Indigenous is retained when it is part of the title of a report, program or quotation. We refer to Aboriginal peoples to reflect the plurality and diversity of Victorian Aboriginal communities.

## Foreword



Public participation is a critical input to government activity, and developing effective strategies, programs and projects. Failing to adequately engage the public risks alienating the community and creating negative impacts through poorly informed and implemented decisions.

Despite the critical role that public participation plays, I was surprised to find that in Victoria there is no whole-of-government guidance or framework that helps agencies plan and implement effective public participation exercises. And yet this is an area that public sector agencies find consistently challenging.

In light of this, I have chosen to publish this better practice guide in order to:

- provide a high-level framework for agencies across the public sector to use when deciding how best to involve the public in government decision-making and implementation
- clearly set out the principles and elements that I will use to audit the efficiency and effectiveness of public participation exercises.

This guide is not intended to be prescriptive, and does not incorporate mandatory templates or techniques. Agencies need to give significant thought to how they will apply the principles in the context of their activities. For example, the public participation process involved in deciding whether to put traffic lights or a roundabout at a local intersection will necessarily differ from processes associated with developing a strategy to address homelessness. The way agencies approach public participation must reflect the unique setting of the decision at hand and meet the needs of both decision makers and participants.

The process of developing this guide involved extensive research and consultation. It highlighted recurring challenges that public sector agencies face in undertaking public participation exercises. It also revealed that there are a number of agencies who are implementing elements of better practice. Other agencies may find value in strengthening their current approaches, as well as exploring the references and resources included in this guide.

Publishing this guide is the first step in what I intend to be an iterative approach to highlighting better practice public participation in government decision-making. I expect that a number of my performance audits over coming years will include a focus on whether agencies are efficiently and effectively engaging the public to inform government decision-making and implementation. In consultation on this guide, agencies have been keen to access tangible examples of better practice, such as case studies of actual public participation exercises. I expect that these future audits will enable me to identify examples of good practice and areas where improvement is required. I will use these audits to update this better practice guide to ensure that the guidance remains as current and useful to agencies as possible.

I would like to thank all of the stakeholders that provided input and comment into the development of this guide and am encouraged by the level of interest stakeholders have shown in improving this critical element of public administration. I hope that all public sector agencies will use this guide to plan and implement effective public participation approaches to better inform government in its decision-making and implementation.

A handwritten signature in black ink that reads "John Doyle". The signature is fluid and cursive.

John Doyle  
*Auditor-General*

January 2015

# 1. Introduction

## Why is public participation important?

Governments are responsible for decisions that have both intended and often unforeseen impacts on the community. Transparent and well managed public participation is essential to fully inform government policies and their translation into effective strategies, programs and projects.

Most governments recognise the value the public bring to understanding problems and risks and crafting solutions that are more likely to work. In addition to the real life experience that community stakeholders can contribute to decision-making, the credibility of a decision is enhanced when it is perceived to be the product of an open and deliberative process.

Conversely, inadequate public participation can alienate sections of the community, undermine trust and is more likely to result in poorly informed decisions.

## Public participation in the Victorian public sector

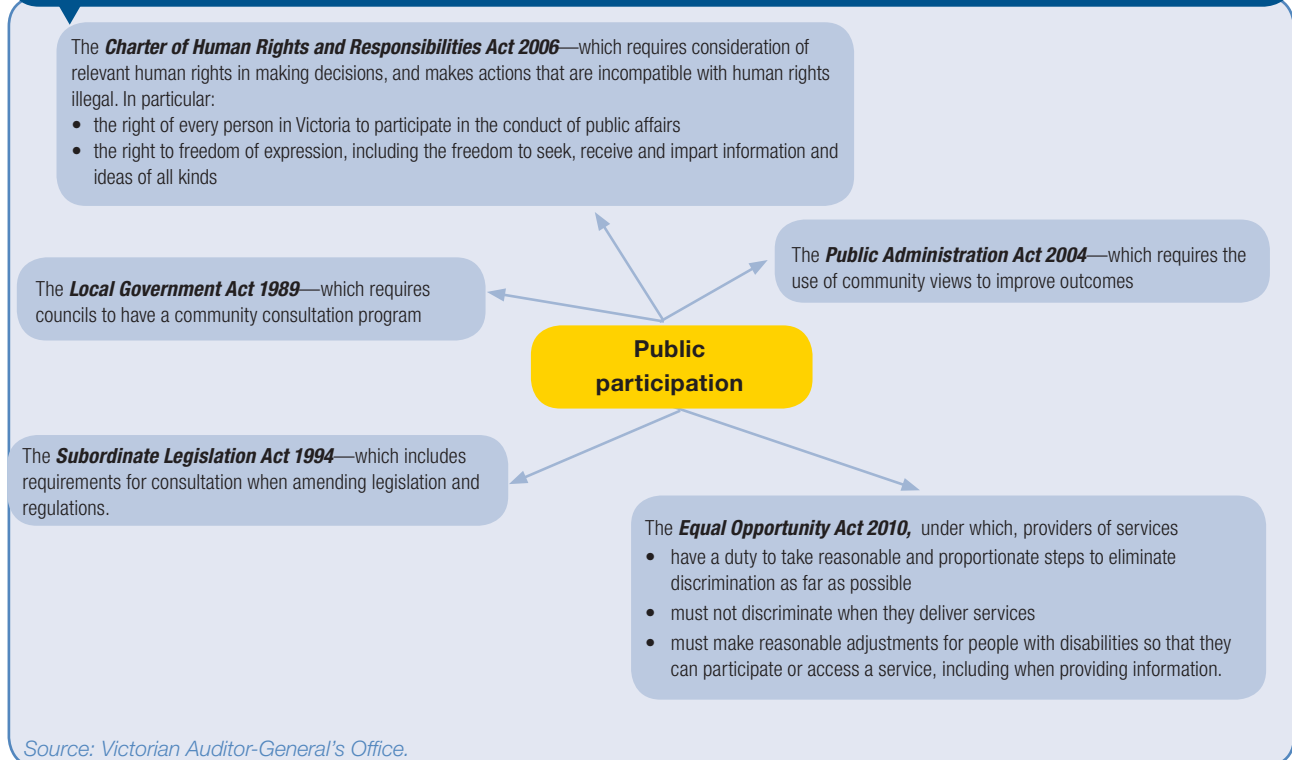
Some governments have introduced better practice guidance to help public sector agencies to more consistently and effectively involve the public in decision-making and indeed this is the case for all Australian states and territories except Victoria. Attachment 1 references these guides.

While there is currently no whole-of-government guide for Victoria, public participation is embedded or supported in key pieces of Victorian legislation because it makes good sense and is consistent with a system where governments spend public funds to benefit the community.

## What is public participation?

The International Association for Public Participation (IAP2) defines public participation as the involvement of those affected<sup>1</sup> by a decision in the decision-making process. We use the term 'public participation' to describe these situations, though the same activities are also described as community or stakeholder consultation, engagement and participation.

**FIGURE 1: EXAMPLES OF PUBLIC PARTICIPATION IN VICTORIAN LEGISLATION**



<sup>1</sup> affected = interested or impacted on by the decision.

Public participation encompasses a range of public involvement, from simply informing people about what government is doing to delegating decisions to the public.

IAP2's *Public Participation Spectrum* explains this range and the extent of participation at each level.

The spectrum includes five levels of increasing public engagement. IAP2 refers to the first two as 'participation' and the last three as 'engagement'. We describe the fifth level of public participation as 'empowerment' to highlight the significant difference in decision-making authority between this level and other levels.





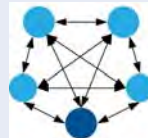
### What are the aims of this guide?

In light of the importance of public participation for informing and shaping government's decisions and the mixed performance observed in its application in Victoria, we have produced this better practice guide.

The guide has two aims:

- firstly, it communicates our expectations about what good performance looks like—describing the principles and practices we expect agencies to follow
- secondly, it signals the basis upon which we will audit the efficiency and effectiveness of public participation in future.

**FIGURE 2: LEVELS OF PUBLIC PARTICIPATION**

	INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
LEVELS					
OBJECTIVE	To provide balanced and objective information to support understanding by the public.	To obtain public feedback on analysis, alternatives and/or decisions.	To work with the public to ensure concerns and aspirations are understood and considered.	To engage with the public on each aspect of the decision, including the development of alternatives and a preferred solution.	To create governance structures to delegate decision-making and/or work directly with the public.
COMMITMENT	To keep the public informed.	To listen to and acknowledge the public's concerns.	To work with the public to exchange information, ideas and concerns.	To seek advice and innovations from and amongst various public parties.	To work with the public to implement agreed-upon decisions.
DESCRIPTION	<p><b>Participation</b></p> <p>The first two public participation levels—<i>Inform and Consult</i>—typically occur when a decision has already been made, and government wants to either communicate that decision to the public, or seek opinions on the decision.</p>		<p><b>Engagement</b></p> <p>The third and fourth public participation levels—<i>Involve and Collaborate</i>—have two way information flows, and include sharing information within and across stakeholder communities during the decision-making process.</p> <p>When undertaking Engagement, decision makers commit to using stakeholder feedback to inform the decision and shape the outcome.</p> <p>Activity that occurs at the Collaboration level is also sometimes referred to as partnering.</p>		<p><b>Empowerment</b></p> <p>The fifth public participation level—<i>Empower</i>—is also often referred to as co production, where decisions are made jointly between government and the community.</p> <p>This is typically when decision-making authority has been delegated to a group including members from both the government and the community/industry.</p>

Source: Adapted from the International Association for Public Participation's *Public Participation Spectrum*.

## 2. Public participation principles

### Public participation principles

Public participation better practice guides often include principles to drive and shape agencies' practices.

In Victoria, the *Public Administration Act 2004* provides a framework for good governance in the Victorian public sector and in public administration generally in Victoria. This includes fostering 'a public sector that responds to government priorities in a manner that is consistent with public sector values.' In Figure 4 we describe the commitments that should shape public participation practices to these values.

'At both the state and local government levels there are many more examples of projects at the Inform and Consult level, some at Involve and very few at the Collaborate and Empower level.'

*Victorian public sector employee*

### Overview of the framework's elements

Figure 3 summarises the practices we would expect to see when examining how agencies approached public participation.

#### FIGURE 3: ELEMENTS OF BETTER PRACTICE IN PUBLIC PARTICIPATION IN GOVERNMENT DECISION-MAKING



These elements are shaped by our review of better practice frameworks from other jurisdictions and also reflect practices required to effectively manage any project:

- having clear objectives
- properly understanding the problem
- objectively assessing the options
- applying a rigorous management approach
- evaluating and learning from the process.

The approach to public participation in government decision-making needs to reflect the scale and purpose of the government decision or project. For example, we would not expect to see the same depth of analysis and documentation for a participation exercise on the \$50 000 installation of local traffic management on a suburban street when compared with participation required when investing \$1 billion into new public infrastructure.

Nevertheless, in both cases, we would still expect to see documentary evidence that agencies had understood and appropriately taken account of these elements in designing and implementing their approaches to the related public participation activities. The aim of the guide is not to develop a set of identical documents, but rather to ensure agency records show alignment with its principles and better practice elements.

**FIGURE 4: PUBLIC PARTICIPATION PRINCIPLES**

PUBLIC SECTOR VALUES	PUBLIC PARTICIPATION PRINCIPLES
<p><b>Responsiveness</b> Demonstrate responsiveness by:</p> <ul style="list-style-type: none"> <li>→ providing frank, impartial and timely advice to the government</li> <li>→ identifying and promoting best practice.</li> </ul>	<p><b>Responsiveness</b> Fully advising government of the:</p> <ul style="list-style-type: none"> <li>→ significant potential impacts of decisions on stakeholder groups and the public</li> <li>→ challenges and opportunities related to the participation exercise.</li> <li>→ Responding to the engagement and input of the public in a timely and constructive manner</li> <li>→ Identifying and promoting public participation better practice in government decision-making.</li> </ul>
<p><b>Integrity</b> Demonstrate integrity by:</p> <ul style="list-style-type: none"> <li>→ being honest, open and transparent in their dealings</li> <li>→ using powers responsibly</li> <li>→ striving to earn and sustain public trust at a high level.</li> </ul>	<p><b>Transparency and integrity</b></p> <ul style="list-style-type: none"> <li>→ Ensuring that those affected understand the scope of the pending decision, the decision-making process and any constraints on this process.</li> <li>→ Addressing public and stakeholder concerns in an honest and forthright way and communicating results back to the public in a way they understand.</li> </ul>
<p><b>Impartiality</b> Demonstrate impartiality by:</p> <ul style="list-style-type: none"> <li>→ making decisions and providing advice on merit and without bias, caprice, favouritism or self interest</li> <li>→ acting fairly by objectively considering all relevant facts and fair criteria</li> <li>→ implementing government policies and programs equitably.</li> </ul>	<p><b>Openness</b></p> <ul style="list-style-type: none"> <li>→ Embedding in all decision-making processes an openness to appropriately understanding and incorporating the views of those affected by decisions and providing access to all relevant information about the decision in a manner that participants can understand, so that their contributions may be fully informed.</li> </ul>
<p><b>Accountability</b> Demonstrate accountability by:</p> <ul style="list-style-type: none"> <li>→ working to clear objectives in a transparent manner</li> <li>→ accepting responsibility for their decisions and actions</li> <li>→ seeking to achieve best use of resources</li> <li>→ submitting themselves to appropriate scrutiny.</li> </ul>	<p><b>Accountability</b></p> <ul style="list-style-type: none"> <li>→ Being clear about the scope and objectives of the public participation exercise.</li> <li>→ Demonstrating that results and outcomes are consistent with the commitment made at the outset of the process.</li> <li>→ Being clear about the contribution participants will be asked to make and the responsibilities associated with this.</li> <li>→ Providing appropriate time and resources to ensure that those affected can participate in a meaningful way.</li> </ul>
<p><b>Respect</b> Demonstrate respect for colleagues, other public officials and the Victorian community by:</p> <ul style="list-style-type: none"> <li>→ treating them fairly and objectively</li> <li>→ ensuring freedom from discrimination, harassment and bullying</li> <li>→ using their views to improve outcomes on an ongoing basis.</li> </ul>	<p><b>Inclusiveness</b></p> <ul style="list-style-type: none"> <li>→ Making every reasonable effort to include the stakeholder groups and members of the public affected by the pending decision.</li> <li>→ Making reasonable adjustments where necessary to remove barriers to participation and ensure an inclusive approach.</li> <li>→ Providing appropriate time and resources to ensure that those affected can participate in a meaningful way.</li> <li>→ Being aware and taking account of the needs of diverse communities to be able to participate in a meaningful way.</li> </ul>
<p><b>Human rights</b> Respect and promote the human rights set out in the Charter of Human Rights and Responsibilities by:</p> <ul style="list-style-type: none"> <li>→ making decisions and providing advice consistent with human rights</li> <li>→ actively implementing, promoting and supporting human rights.</li> </ul>	<p><b>Awareness</b></p> <ul style="list-style-type: none"> <li>→ Being aware and taking account of legislation that should shape the approach to public participation.</li> </ul>

# Element 1

## Clearly define the decision required, and the scope of the public participation exercise

During our consultations, several organisations commented on the problems that are caused when public sector agencies do not clearly communicate the nature of the decision to be made and the scope of the public participation exercise. For example, it is counter-productive if the public thinks it can influence a decision that government has already made if the objective of the public participation is to inform people about the decision and work with them to secure a smooth implementation. It is also problematic when the public is being asked to contribute to a decision, but perceives that agencies are closed to their participation.

Being clear about the extent to which participants will be able influence the decision being made is critical to establishing trust and to avoid incorrect perceptions. This also applies to decisions where some aspects or components are open for input, but others are not—for example, due to legal requirements, safety reasons or other non negotiable factors.

‘Councils could not demonstrate they had adequately sought, considered and analysed community needs in relation to council services when initially formulating their council plans.’

*Organisational Sustainability of Small Councils—June 2013*

Earlier in the guide we noted that different levels of the public participation spectrum encompass different levels of public participation. Once the objective of the participation exercise is known, the corresponding objective in the spectrum identifies which level is needed.

‘...there is a strong case to be put that government agencies need to be offering a higher level of influence (Collaborate rather than Consult) in an attempt to build trust with the community.’

*Community engagement consultant*



## What we will look for

We will look for evidence of clarity in the decision to be made. A fully-informed description of the planned objectives and scope of the public participation and evidence that these things have been communicated to, and understood by, stakeholders.

This is set out in detail below.

'Realistic expectations should be provided to the public about the extent to which public participation can and should influence government/agency decisions.'

*Victorian public sector employee*

### **1 Clearly define the objectives and scope of the public participation exercise by:**

#### **1.1 Describing the decision to be made.**

- 1.1.1 There is a comprehensive and clear description of the matter that is being decided.
- 1.1.2 Agencies are clear about the government's priorities and their impact on the scope of the decision.

#### **1.2 Taking into account relevant legislation in framing the public participation.**

- 1.2.1 There is evidence that agencies are aware of the full extent of their legal obligations in relation to making the decision and have appropriately designed the public participation exercise in light of this.
- 1.2.2 Agencies can demonstrate that they have taken into account broader legislative requirements such as human rights in making decisions.

#### **1.3 Defining the objectives and scope of the participation exercise and setting initial expectations around the level of participation.**

- 1.3.1 Agencies have clearly and comprehensively described the objectives and scope of the participation exercise and the level of public participation they are seeking in making that decision.

# Element 2

## Understand who is affected and how they should be included

This element captures the stakeholder analysis—who is impacted, how and if they should be involved in the decision-making, and how is this best achieved?

While Element 1 framed initial expectations about who should be involved, this element confirms this and determines how to effectively involve these target stakeholders. It is a critical stage because missing those impacted by the decision or approaching affected stakeholders inappropriately undermines the public participation, while including those unaffected by the decision is inefficient.

It is important that agencies carefully consider the following when deciding who to involve in the decision-making process:

- who is directly and indirectly affected by, interested in, or able to influence the decision being made
- stakeholder diversity— for example, including people of different/diverse cultures, people from regional or remote communities, people with disabilities, older/younger stakeholders, and those with real life experience relevant to the decision being made
- barriers—whether there are barriers to participant involvement that need to be addressed such as:
  - o resources—for example, if the participant cannot afford to travel, or needs carers/aides to travel
  - o timing—for example, if the participant has time constraints or scheduling requirements
  - o willingness—where stakeholders are reluctant to participate, or are experiencing ‘consultation fatigue’
  - o ‘optimal mix’—for example, where the interests of the different stakeholder groups are appropriately balanced, and the views of one group do not overwhelm others.

Doing this stage well creates a solid foundation for capturing and understanding the issues of importance to the public that are relevant to the decision. Failing to do this properly risks missing critical issues that may emerge later in the project when it is more difficult and costly to effectively address them.

‘Within Victoria, government agencies focus excessively on consultation with business, especially business lobbies, and their views, rather than the wider public and community organisations.’

*Victorian public sector employee*

‘Many organisations...that provide feedback and advice to departments are directly funded by those departments, which may diminish their capacity to provide constructive feedback. There is scope for greater use of community consultation, which would strengthen overall consultation processes.’

*Accessibility of Mainstream Services for Aboriginal Victorians—May 2014*

‘...the department undertakes both statutory and non-statutory consultation however, the audit found problems such as biased consultation wherein recreational fishing interests are over-represented in consultation while natural resource managers or peak conservation groups are under-represented.’

*Management of Freshwater Fisheries—March 2013*

## What we will look for

We will look for evidence that all those likely to be affected have been identified and the potential impacts of the decision have been assessed, together with an assessment of how best to approach those that need to be included in the participation exercise.

This is set out in detail below.

### **2 Understand who is affected and how they should be included by:**

#### **2.1 Identifying stakeholders affected by, interested in, or who can influence or inform the decision.**

2.1.1 Agencies can demonstrate that they have identified all relevant stakeholder groups and members of the public potentially affected by, or holding a legitimate interest in the decision.

2.1.2 Agencies have used available information and, where necessary, undertaken further data collection and research to understand who potential stakeholders are.

#### **2.2 Understanding how stakeholders are affected and the nature and intensity of their interest.**

2.2.1 Agencies can clearly link the selection of those included in the participation exercise to an objective analysis of the impacts and interests of stakeholder groups and members of the public.

2.2.2 Agencies have confirmed these impacts by engaging the stakeholder groups and members of the public they expect to be most affected or interested.

#### **2.3 Understanding stakeholders' capacity and willingness to participate and if participation barriers need to be removed.**

2.3.1 Agencies can demonstrate that they have identified how to most effectively engage with participants, including if barriers to participation need to be removed and if reasonable adjustment is required.

2.3.2 Agencies can demonstrate that they have sought to achieve an 'optimal mix' of participants for the exercise—such that an appropriate balance of views is represented.

#### **2.4 Understanding stakeholders' capacity and willingness to contribute and preferred methods.**

2.4.1 Agencies can demonstrate that they have developed a good understanding of the key, potential participants.

#### **2.5 Confirming that stakeholders understand their roles in the decision-making process.**

2.5.1 The objective and scope of the exercise have been explicitly communicated to the participants.

2.5.2 Agencies have ensured that participants understand the government's priorities and their resulting level of influence on the decision to be made.

# Element 3

## Identify the resources, skills and time required for effective public participation

Engagement mechanisms and tools to facilitate the participation need to be appropriately matched to participants' needs. A 'one size fits all' approach is not likely to provide meaningful input into the decision, and it is not unusual to need a mix of different engagement approaches to facilitate meaningful engagement for different participants.

This also includes public participation capability—just like facilities management or HR, public participation is a specialist skill, and so an effective participation exercise may sometimes require engaging additional staff or specialist resources.

'The public sector needs to have high quality skills and experience so that it can balance the interests of all parties. At present, the public service frequently lacks the capability to frame a debate and so relies on vested interests to do this work.'

*Member of the public*

Identifying the time required for meaningful participation is also essential, and was an issue stakeholders frequently raised with us in developing this guide. Rushed public participation exercises create scepticism amongst participants, and cannot realise the true benefit of participation.

'Agencies can define time lines that are too short to genuinely give people a chance to contribute.'

*Victorian public sector employee*

'...there is a lack of broad consultation, and this limits community representation and is time consuming for stakeholders who are on multiple committees.'

*Accessibility of Mainstream Services for Aboriginal Victorians—May 2014*

'Engagement often comes far too late in the decision-making process. For example this will often mean that the problem is quite misunderstood or misinterpreted by government.'

*Victorian public sector employee*

## What we will look for

We will look for evidence that agencies have identified the resources, skills and time frame required to undertake the participation exercise as defined under Element 1.

This is set out in detail below.

### **3 Identify the resources, skills and time required for effective public participation by:**

#### **3.1 Describing the resources required to ensure an effective participation process.**

3.1.1 Agencies can demonstrate that the resources identified are sufficient and appropriate to achieve the objectives of the participation exercise.

#### **3.2 Identifying the skills necessary to meaningfully engage with all participants.**

3.2.1 Agencies have identified the specialist skills or assistance that may be required to carry out the participation exercise, and how to source them.

3.2.2 Where appropriate, agency staff have undertaken any training necessary to enable them to effectively facilitate the participation exercise.

#### **3.3 Estimating the time required to ensure an effective participation process.**

3.3.1 Agencies can demonstrate that the time frames identified are sufficient and appropriate to allow for meaningful participation.

# Element 4

## Document the public participation and management approach

It is important that public participation exercises, like any other project activities, are clearly documented in a plan that is the end-to-end roadmap for successful implementation.

'...strongly support the need to consider how data is captured - this is often neglected and there is great community input that is lost to the process.'

*Member of the public*

The length and detail of the documentation will depend on the scale and complexity of the public participation exercise. However, the underlying aims remain the same—to clearly and adequately document a plan of action for agencies to follow and use to assess whether they are achieving the objectives of the public participation exercise.

'Allowing sufficient time to plan and implement participation and then to incorporate the results is very important to successful public participation and is often overlooked.'

*Member of the public*

For example, the plan for a local council that is commissioning a survey about changes to a local park will need to meet all of the requirements. By comparison, the level of detail about things such as the resources and skill sets required, and the approach to monitoring and evaluation, is likely to be greater for public participation in decision-making around statewide urban planning.

'Risks such as legal, media, community expectations, political intervention, resident opposition, opposing stakeholder views, OHS, etc. These all need to be considered.'

*Victorian public sector employee*

Setting out a clear plan for implementing the participation exercise is critical to following through on the essential planning work undertaken through Elements 1, 2 and 3.

'Stakeholder consultations are not coordinated within or across departments, leading to duplication of effort and reduced usefulness of the information being gathered.'

*Access to Services for Migrants, Refugees and Asylum Seekers—May 2014*

## What we will look for

We will look for evidence of a plan that is appropriately customised to the participation exercise.

This is set out in detail below.

### 4 Document the public participation and management approach including:

#### 4.1 Documenting the finalised public participation decision, objectives, scope, stakeholders included and the approaches to be used.

4.1.1 Agencies have clearly described these foundational aspects of the plan and explained the rationale underpinning them—see Elements 1, 2 and 3.

4.1.2 Agencies can demonstrate a clear and equitable process for engaging with stakeholders, including understanding and responding to any concerns.

4.1.3 Agencies' plans incorporate effective mechanisms for communicating the results of the public participation activities to stakeholders, including how these were used in the decision-making process and the final decision made.

4.1.4 Agencies have documented how they will capture the participants' input to inform the decision being made so that the resulting records are a complete and accurate reflection of the participation.

#### 4.2 Identifying the risks that threaten the objectives and how these will be monitored and managed.

4.2.1 Agencies have identified the risks to the objectives of the public participation exercise—particularly those that rate highly.

4.2.2 Agencies can demonstrate that they have understood, mitigated and/or managed these risks, including situations where time or resource constraints have meant a compromised approach to public participation.

#### 4.3 Setting the governance and management structure for achieving the objectives.

4.3.1 Agencies have defined a management structure for the public participation exercise that has the capacity to successfully deliver and monitor the exercise while defining clear responsibilities for achieving the objectives. The approach needs to have appropriate senior management endorsement.

#### 4.4 The monitoring, feedback and evaluation processes.

4.4.1 Agencies have clearly described how progress will be measured in terms of time lines, resource use and achieving the public participation objectives.

4.4.1 Agencies have put in place a clear approach for evaluating success, including outcome measures to assess the achievement of objectives and a post-participation process for evaluating and reporting on the success of the exercise.

# Element 5

Implement the public participation plan and monitor its progress

A good plan is irrelevant if agencies are not capable of, or committed to, applying its actions and successfully managing the risks that affect its progress. This element focuses on how well the public participation process is monitored and managed.

'What measures are being taken within the agency to ensure that monitoring is done by people who are independent from those responsible for implementation of the process?'

*Member of the public*



## What we will look for

We will look for evidence that public participation exercise has been implemented as described in the plan.

This is set out in detail below.

### **5 Implement the public participation plan and monitor its progress by:**

#### **5.1 Applying the public participation approach as intended**

5.1.1 Agencies can show how they applied a planned approach by completing intended actions according to the objectives, time lines and resources documented in their plans.

#### **5.2 Monitoring progress in terms of budget, time lines, and meeting the objectives**

5.2.1 Agencies have evidence that they monitored expenditure, progress against time lines and progress towards achieving the intended objectives of the public participation exercise.

#### **5.3 Appropriately monitoring and responding to risks**

5.3.1 Agencies can demonstrate how they monitored and appropriately responded to the risks identified during the planning of the public participation exercise.

# Element 6

Evaluate the public participation exercise and apply continuous improvement

While the amount of effort should be tailored to the scale of the project, all public expenditure should be evaluated to confirm that it achieved the intended result. Over many years the poor evaluation of projects has been a recurring finding in VAGO's performance audits.

'I think this [evaluation] is often under-funded in terms of resources (time).'

*Community engagement service provider*

Failing to evaluate public participation means agencies have no clear understanding about whether they have successfully engaged the community and achieved the objectives of the public participation exercise, and whether they should address any weaknesses and learn from their experiences in future public participation exercises.

'This [Evaluation] is such a gap - if we get to the end of a project and then think "evaluation" it won't happen as there will almost certainly be no money and no time (read no priority).'

*Victorian public sector employee*

'None of the audited councils had adopted a systematic approach to assessing the effectiveness of their rating engagement and communication activities, or could demonstrate how well they worked.'

*Rating Practices in Local Government—February 2013*

## What we will look for

We will look for evidence that agencies have, after completion of the public participation exercise, evaluated the outcomes against the objectives, and documented the lessons and recommendations for improvement.

This is set out in detail below.

### **6 Evaluate the public participation exercise and apply continuous improvement by:**

#### **6.1 Assessing whether they have achieved public participation objectives.**

- 6.1.1 Agencies have applied a clear and appropriate evaluation framework to assess the success of the public participation exercise against the objectives set at the outset.
- 6.1.2 Agencies have consulted the stakeholders involved to understand their perceptions of the weaknesses and strengths of the public participation exercise and potential areas for improvement.
- 6.1.3 Specifically, agencies should be able to demonstrate that they:
  - accurately understood and reflected the views and opinions provided by participants
  - documented the results of the evaluation.

#### **6.2 Documenting and applying the lessons.**

- 6.2.1 Agencies have adequately identified areas for improvement and documented a plan for integrating these into their ongoing operations.

# Attachment 1

## Public participation references and resources

### International Association for Public Participation

This guide draws heavily on the work of the International Association for Public Participation (IAP2), an international member association that seeks to promote and improve the practice of public participation or community engagement.

IAP2's *Public Participation Spectrum*—designed to assist in selecting a public participation level that defines the level of public stakeholder influence in the decision-making process—is a key foundation of this guide. IAP2 also produces other resources that may be useful to government agencies seeking to enhance their public participation practices, including the *Journal of Public Deliberation*—a peer-reviewed, open access international journal.

<http://www.iap2.org.au/about-us/about>

In addition to drawing on the work of IAP2, we reviewed a wide variety of documents and other resources on public participation in developing this guide. We also received useful information from stakeholders highlighting a range of organisations, groups and other structures currently in place whose work relates to public participation.

A sample of these references and resources are contained in this attachment, which may be useful for agencies seeking further information to guide their public participation practices.

JURISDICTION	DOCUMENT	DESCRIPTION
<b>Commonwealth Government</b>		
Australia	<i>Better Practice Checklist – Online Policy Consultation</i> (2008)	A guide for policy analysts and managers responsible for consultative processes.
<b>State governments</b>		
Queensland	<p><i>Engaging Queenslanders:</i></p> <ul style="list-style-type: none"> <li>→ <i>Evaluating community engagement</i> (2004)</li> <li>→ <i>An introduction to community engagement</i> (2005)</li> <li>→ <i>Community engagement in the business of government</i> (2005)</li> <li>→ <i>A guide to community engagement methods and techniques</i> (unknown)</li> </ul>	A suite of materials to assist Queensland public servants engage communities in government decisions and processes.
Western Australia	<ul style="list-style-type: none"> <li>→ <i>Consulting Citizens: Engaging with Aboriginal Western Australians</i> (2005)</li> <li>→ <i>Consulting Citizens: Working Together: Involving Community and Stakeholders in Decision-Making</i> (2006)</li> </ul>	<p>A guide to enable government, non-government organisations and Indigenous people to build mutual respect, identify responsibilities and share aspirations through active and meaningful engagement.</p> <p>A framework for thinking about the most effective and appropriate ways to involve the community to design and conduct community participation programs.</p>
ACT	<i>Engaging Canberrans: A guide to community engagement</i> (2011)	A guide to support directorates to improve community engagement planning and practice.
South Australia	<i>Better Together: Principles of Community Engagement in State Government</i> (2013)	A set of broad engagement principles, rather than a prescriptive 'how to' guide.
Tasmania	<i>Tasmanian Government Framework for Community Engagement</i> (2013)	A set of guidelines for Tasmanian Government agencies to undertake community engagement.
Northern Territory	<i>Community Engagement Framework</i> (unknown)	While publicly available documentation refers to this framework, we could not locate it in a public search.
<b>Local governments</b>		
Victoria	<i>Local Government Act 1989 – Best Value Principles</i>	These principles include that a council must develop a program of regular consultation with its community in relation to the services it provides.
New South Wales	<i>Local Government Act 1993</i>	The Act requires local governments to develop a minimum 10-year community strategic plan that is informed through engagement with the local community.
South Australia	<i>Community Engagement Handbook (2008)</i> (under review)	Aims to provide a model framework to adapt to local circumstances for planning and implementation of community engagement processes.
Queensland	<i>Community engagement in Queensland Local Government – A guide</i>	While publicly available documentation refers to this guide we could not locate it in a public information search.
Western Australia	<p><i>Strengthening Community Engagement</i> (2012)</p> <p><a href="http://www.integratedplanning.dlg.wa.gov.au">www.integratedplanning.dlg.wa.gov.au</a></p>	<p>Provides a context to the community engagement resources on the Department of Local Government's Integrated Planning and Reporting website and discusses the alignment of community engagement to the Strategic Community Planning process.</p> <p>From 1 July 2013, local governments will be required to provide evidence of their community engagement in the Strategic Community Plan.</p>

## Guides/policies—Victorian Government

DEPARTMENT	DOCUMENT	DESCRIPTION
Department of Health and Human Services	→ <i>Doing it with us not for us: Strategic direction 2010–13</i>	The Victorian Government's policy on consumer, carer and community participation in the health care system.
	→ <i>How to develop a community participation plan (2013)</i>	A step-by-step approach to developing a community participation plan.
	→ <i>Client Engagement Framework (2013)</i>	An internal document to support client engagement.
Department of Education and Early Childhood Development	→ <i>Stakeholder Engagement Framework (2011)</i>	A set of tools and resources to enable the department to meet the government's commitment to increase stakeholder engagement and form genuine partnerships with families, communities, businesses and non-government organisations.
Department of Transport, Planning and Local Infrastructure	→ <i>A guide to planning your community and stakeholder engagement strategy (2009)</i>	Designed to assist in planning projects, programs and policy initiatives using an engagement approach.
Department of Environment and Primary Industries	<i>Effective Engagement: building relationships with community and other stakeholders:</i> <i>Book 1 – Introduction to engagement</i> <i>Book 2 – Engagement planning</i> <i>Book 3 – workbook</i> <i>Engagement toolkit</i>	A planning guide that captures and shares information about tools widely used in engagement activities.
Department of Premier and Cabinet	<i>Victorian Government Accessible Communication Guidelines (2014)</i>	A set of guidelines to assist us in providing communication materials in formats that ensure the information will reach all Victorians.

Note: These guidelines do not include those that exist at a portfolio agency level, departmental division or business unit level, or those that focus on public participation in relation to a specific matter—Consumer Affairs, Emergency Relief, Mining and Mineral exploration, etc. The existence of these documents does not necessarily imply that they are applicable department-wide—including portfolio agencies and individual business units.

Note: Department names have now changed due to machinery of government changes on 1 January 2015.

## Organisations and other mechanisms to support and facilitate public participation

### Victorian Public Sector Portal

The Victorian Public Sector Portal hosts a range of online tools used to engage the Victorian community including the Consultations web page, which brings together current discussion or consultation papers open for public comment.

Website: <http://www.vic.gov.au/consultations>

### Community Engagement Network (CEN)

The CEN is a collaborative group of community engagement practitioners drawn from across Victoria's public sector. It advocates a common approach to public sector community engagement through its five priorities:

1. establishing a set of common principles to guide community engagement
2. improving skills and capabilities of the Victorian public service
3. sharing knowledge through the use of information technology
4. identifying ways in which engagement can be used in projects
5. building the evaluation and evidence-base around engagement.

### Stakeholder communities

Local councils produce a community directory or reference guide that includes information on community and interest groups in the local area and may include:

- residents' groups
- local TAFEs, higher education providers and primary and secondary schools
- community houses
- disability advisory committees and self-advocacy groups
- ethnic and multicultural clubs
- religious organisations
- sporting and scout groups
- senior citizen centres
- senior sporting groups—for example, lawn bowls or bridge clubs
- business groups and associations
- service clubs—for example, Rotary or Lions
- Aboriginal community controlled organisations
- registered Aboriginal parties in Victoria
- local Indigenous networks
- local Aboriginal education consultative groups.

## Victorian Local Governance Association

The Victorian Local Governance Association (VLGA) is a member based organisation for local government, councillors and community leaders, focused on strengthening the capacity of local governments to engage with their communities. The VLGA has a range of resources designed to assist readers in undertaking successful public participation.

Website: <http://www.vlga.org.au/>

## Diverse communities: specialist advice and assistance

In public participation, agencies need to ensure that stakeholder selection is inclusive and that the design of participation activities facilitates the full participation of those with particular needs. Below are several resources that can offer expert advice and assistance in designing and delivering an inclusive process.

## Victorian Equal Opportunity and Human Rights Commission

The Victorian Equal Opportunity and Human Rights Commission is an independent statutory authority that is Victoria's lead agency in promoting and protecting human rights. It provides an impartial dispute resolution service, works to eliminate discrimination through project and policy advocacy and the provides public information, education, training and consultancy services on equal opportunity and human rights and responsibilities.

The commission offers a range of guides, training and other tools designed to assist organisations in using a human rights and equal opportunity based approach to decision-making.

Website: <http://www.humanrightscscommission.vic.gov.au/>

## National Translating and Interpreting Service

The National Translating and Interpreting Service (TIS National) is an interpreting service provided by the Commonwealth Department of Immigration and Border Protection to provide interpreting services for people who do not speak English and for agencies and businesses that need to communicate with their non-English speaking clients. TIS National's services include:

- ATIS voice automated voice-prompted immediate phone interpreting
- pre-booked phone interpreting
- on-site interpreting.

The TIS National immediate phone interpreting service is available 24 hours a day, every day of the year for the cost of a local call for any person or organisation in Australia who needs an interpreter.

Website: <https://www.tisnational.gov.au/>.

## Office for Disability

The Office for Disability is a unit within the Department of Health and Human Services. It works to implement a coordinated, whole-of-government response to disability, through activities such as:

- coordinating Victoria's input into federal and state policy development and implementation in partnership with key stakeholders—including the National Disability Strategy
- coordinating meetings of the Inter-departmental committee on disability
- research and policy analysis
- running programs that help people with a disability to speak for themselves and protect their rights.

The Office provides expert advice for those seeking assistance in consulting stakeholders with a disability.

Website: <http://www.dhs.vic.gov.au/for-business-and-community/community-involvement/people-with-a-disability-in-the-community/communicate-and-consult-with-people-with-a-disability>

## Aboriginal Affairs Victoria (AAV)

AAV is the Victorian Government's central point of advice on all aspects of Aboriginal affairs in Victoria, including information on state Aboriginal organisations, cultural heritage contacts and further information.

Website: <http://www.aboriginalaffairs.vic.gov.au>

## Local Indigenous Network (LIN)

A LIN is made up of Aboriginal people who work together to provide a voice for their community, identify local issues and priorities and plan for the future.

LINs are involved in many activities, including:

- building relationships with local service providers and organisations
- linking with local government planning
- planning and supporting community initiatives such as homework centres and cultural identity projects.

Website: <http://www.dpc.vic.gov.au/index.php/aboriginal-affairs/aboriginal-community-development/local-indigenous-networks-lins>

## Council to Homeless Persons (CHP)

CHP is Victoria's peak body for organisations and individuals with an interest in and commitment to ending homelessness.

CHP's website includes resources aimed at supporting practitioners and local communities to implement best practice and improve outcomes for people who are experiencing, or at risk of, homelessness.

Website: <http://chp.org.au/>

# Attachment 2

## Developing the guide

### Step 1: Review

Our first step in developing this guide was to draw on Australian and international literature and guidance on the subject of public participation. We looked at better practice frameworks in other jurisdictions and also reviewed our previous performance audits that had touched on issues related to community consultation and public participation. This informed our initial consultations with a range of public sector and other stakeholders.

### Step 2: Consult

We spoke to a number of Victorian public sector agencies across a range of sectors about how they undertake public participation in their decision-making processes and how participants view those processes. This initial consultation involved 16 stakeholders including large government departments, small agencies, regulatory and policy advisory bodies, local councils, community representative organisations and advocacy groups. Our consultation involved face-to-face meetings and reviewing documents they shared with us.

This gave us insight into the nature of public participation exercises they undertake, the factors that guide their public participation exercises and the challenges they face. We used this to inform the principles, key elements and requirements of our better practice guide.

### Step 3: Exposure draft and feedback

Drawing on our review and consultation activities, we developed an exposure draft that set out the principles, key elements and requirements that we believe should guide public participation exercises.

We made our exposure draft publicly available on our website and invited feedback on the usefulness and the content of the guide. We promoted the opportunity for feedback through a series of meetings with public sector agencies, audit committee chairs, social media networks as well as the initial list of stakeholders we consulted. We received feedback from 47 stakeholders through a simple anonymous online survey and more detailed written comments and submissions from a further nine stakeholders.

Overwhelmingly the feedback received supported the aims and usefulness of a better practice guide to improve public participation in government decision-making, and provided a number of useful suggestions to further focus and clarify the intent of the guide. Many of the comments also highlighted the challenges with undertaking good public participation, which we have drawn on in the guide.

### Step 4: Publish

This is the first version of our *Public Participation in Government Decision-making: Better practice guide*. We have published it on our website and intend to undertake a series of public presentations to promote its availability as a resource for public sector agencies.

### Step 5: Future audit and update

We intend to undertake a series of performance audits commencing in 2015–16 that examine how Victorian agencies are undertaking public participation in government decision-making, and we will use the elements set out in the guide to assess those public participation exercises. We hope that these audits will provide examples of good practice and areas where performance needs to improve. We will use these audits to inform future updates to this better practice guide.





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