

Approach to Consultation on the EMCCA Proposal

Purpose of the consultation

In order to progress the devolution deal for Derbyshire, Nottinghamshire, Derby and Nottingham under the Levelling-up and Regeneration Bill (“the Bill”), a consultation is required.

The Bill places a duty on the Constituent Councils (Derbyshire County Council, Nottinghamshire County Council, Derby City Council and Nottingham City Council) to conduct a public consultation on the Proposal for the East Midlands Combined County Authority (“EMCCA”), across the whole area of the proposed EMCCA and prior to submission of the Proposal to the Secretary of State.

Principles

The consultation must comply with the consultation provisions in the Bill (see paragraphs 30 to 38) and the common law principles that govern consultation by public bodies, commonly referred to as the ‘Gunning principles’ which require that;

- Consultation must be undertaken at a time when proposals are still at a formative stage.
- Sufficient reasons to permit ‘intelligent consideration and response’ must be given.
- Adequate time must be given for consultees to consider and respond to the consultation.
- Responses to the consultation must be conscientiously taken into account.

Methodology

The methodology has been agreed by all four Constituent Councils to address the requirements of the Bill and in accordance with the Gunning principles:

Aspect	Description
Scope	<p>The consultation will be used to explain the EMCCA Proposal to residents and other interested parties, and to encourage a wide range of stakeholders to respond to the consultation.</p> <p>A Proposal Document has been created (see Appendix 1 of the attached Council report) which outlines the proposals for devolution to the EMCCA, what they mean and how respondents can feedback on the content.</p>
Consultation Methods	<p>The consultation methods will include:</p> <ul style="list-style-type: none"> • An online survey with alternative options available to meet the needs of participants (for example including translations, BSL, paper copies and easy read versions).

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	<ul style="list-style-type: none"> • Engagement with businesses, the voluntary and community sector and other stakeholders identified. • Public events to engage residents of the EMCCA.
Stakeholders	<p>A stakeholder list has been collated to ensure that consistent identification and mapping has been undertaken across the EMCCA area to include interested businesses, organisations, groups and individuals as part of the consultation.</p> <p>Each Constituent Council holds mailing lists or databases of their own partner organisations / networks and will share any consultation information through these.</p>
Hard to reach / equality groups	<p>Active steps will be taken to promote the consultation, to encourage participation and to ensure that the consultation is accessible to all (including, for example, the digitally disadvantaged or those with protected characteristics).</p> <p>As part of the specification, completion of the survey will be tailored to needs (for example, paper, large print, translation provided, braille, BSL etc).</p> <p>An Equality Impact Assessment has been undertaken to assist the Constituent Councils to fully understand the relevance and effect of the Proposal and to identify the most proportionate and effective responses, particularly in relation to those with protected characteristics.</p> <p>Each Constituent Council will work with those groups covered by the EIA locally to ensure engagement.</p> <p>We recognise there is need to target communications locally to ensure we receive a cross section of responses from all areas and therefore a geographic and demographic balance. Where an area is under-represented Constituent Councils may seek to boost replies through more targeted engagement such as telephone surveys.</p>
Communication	<p>The Constituent Councils will use a variety of measures to promote the consultation in their areas, including resident communication, press releases and social media as well as producing surveys, explainers and FAQs, and holding meetings and stakeholder engagement sessions.</p> <p>A detailed communications plan will provide an outline of methods to be used to target residents. Each Constituent Council will look at the best way to target the consultation through their own networks.</p> <p>A list of FAQs will be devised and shared on any consultation pages created.</p> <p>An easy read version will also be produced to make the information contained in the Proposal more accessible.</p>

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	Each Constituent Council will undertake engagement events with key stakeholder groups. These will be organised locally with content consistent and coordinated across all council areas.
Consultation Period	<p>The Bill does not stipulate the required length of the consultation period. An 8-week consultation is considered appropriate to enable consultees to consider and digest the material, and respond to the survey.</p> <p>Consideration has been given to the Constituent Council's electoral cycles and the timetabling of the Bill's proposed passage through Parliament.</p> <p>The consultation will run for 8 weeks from November 2022 to January 2023. This will ensure the consultation is completed before the Purdah period.</p> <p>Constituent Councils will take all possible measures to actively promote the consultation and engage with consultees during this period.</p>
Delivery	An external supplier has been appointed to undertake the consultation work independently of any of the Constituent Councils (this is a collective decision, with Nottinghamshire County Council nominated as the lead authority). Appropriate arrangements have been put in place to oversee delivery and quality assurance of the contract.
Data Protection	A Data Protection Impact Assessment has been undertaken to assist the Constituent Councils in ensuring that data shared and collected through the consultation process is held, processed, and stored correctly, and for no longer than is necessary.
Reporting	Findings from the consultation will be analysed and published by March 2023 to inform the Constituent Councils in making their decision as to whether to submit the Proposal to Government.

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