

The Rt Hon Francis Maude MP  
Minister for the Cabinet Office  
70 Whitehall  
London SW1A 2AS

CC: Nick Hurd MP, Minister for Civil Society

Dear Mr Maude,

I am writing to follow up my participation in the Independent Advisory Panel on the review of government Consultation Principles.

Compact Voice shares your desire for open policy making and for improving the range of engagement mechanisms used by government when consulting. However, we feel that there is a gap between the public position taken by government concerning this topic, and the reality of what is occurring.

We know that the Cabinet Office have published new guidance on consultations, and feel that it is vital that this guidance is implemented consistently.

As you are aware the national Compact - to which every government department is committed - undertakes the Government to:

“Give early notice of forthcoming consultations, where possible, allowing enough time for CSOs to involve their service users, beneficiaries, members, volunteers and trustees in preparing responses. Where it is appropriate, and enables meaningful engagement, conduct 12-week formal written consultations, with clear explanations and rationale for shorter time-frames or a more informal approach.”

The Open Government Partnership’s National Action Plan, of which you are a key supporter, reiterates the importance of the above principle of the Compact. Compact Voice is encouraged by this commitment to the importance of transparency and open data across government. However, increasingly short time frames for consultation contradict this ambition.

In 2012, Compact Voice developed guidance on meaningful engagement, which was endorsed by the Cabinet Office. The briefing, which I have enclosed with this letter, outlines steps that a public body should take in order to ensure it is consulting effectively, especially when consultation timeframes are shorter than 12 weeks. At its best, consultation enables a range of participants to highlight improvements in new legislation. However, short timeframes for consultations can prevent organisations from responding to or engaging with policy decisions which affect them, their beneficiaries and service users.

### **The Independent Advisory Panel for the Government’s review of Consultation Principles.**

We are concerned that the Independent Advisory Panel for the Government’s review of Consultation Principles has not been fully engaged by central Government. Karl Wilding (Director of Public Policy at NCVO) and I attended the last meeting, which took place on July 12<sup>th</sup> 2013. Another meeting was scheduled for the 23<sup>rd</sup> September, but this was cancelled, and has not been rescheduled.

Input was requested at the first meeting, and the views expressed were consistent across all sectors - the key message was the need for better engagement from government. A number of consultations recently have not demonstrated this.

Compact Voice would like an update on the future of this Advisory Panel and any progress that has been made.

Specific concerns about recent consultation periods are listed below.

**1. The three separate consultation periods concerning proposed changes to Judicial Review.**

Recent consultations into proposed changes to Judicial Review processes have all had restricted periods of consultation, and were not accompanied by sufficient rationale for the shorter timeframes. The limited consultation time means that voluntary organisations do not have the opportunity, from the earliest possible stage, to support the design of policies, programmes and services. Principle 2.6 of the Compact states that the government will undertake to assess the implications for the sector of new policies, legislation and guidance, aiming to reduce the burden of bureaucratic burden on small organisations.

**2. The recent consultation on changes to SME Procurement**

These proposed reforms only had a four week consultation period, and the proposed changes could have a significant impact on the way VCS organisations bid for public sector contracts. Despite the best efforts of VCS organisations to coordinate and encourage responses, four weeks is not a proportionate amount of time for organisations to respond. Again, it seems that Government has not provided a rationale for the shorter time frame.

**3. The 'discussion papers' and forthcoming consultation regarding the transposition of EU Procurement regulations.**

We understand there are 12 'discussion papers' currently being released on the above topic between late November and December 2013. Each paper has been given a two week response window. It is virtually impossible for voluntary organisations to coordinate so many individual responses to a drip feed of individual papers – especially when they need to consult with members and/or trustees about the content of each paper. We understand that the main consultation is most likely to be held in January 2014, and that it is unlikely to have a 12 week consultation period. Again, the changes proposed will have a significant impact on VCS organisations, so providing sufficient time for them to engage properly in the process is vital.

Following on from the success of the Open Government Partnership, it is vital for Government to meaningfully engage with the voluntary sector in a transparent way. Compact Voice is seeking assurances that the Government will hold consultations that are of sufficient length for voluntary organisations to be able to respond.

Compact Voice is ready to help government to ensure policies are inclusive, as well as assist with raising awareness of ways to engage meaningfully – and of government's Consultation Principles.

We acknowledge that 12 week consultations are not always possible, however, there are steps outlined in our Meaningful Engagement Guidance (which I have enclosed) which help ensure consultations are as wide reaching as possible. Compact Voice would be happy to offer training sessions, workshops or resources to officials to help ensure consultations are meaningful, and result in policies that are responsive to need and are of the highest quality. Compact Voice will continue to help government to consistently benefit from insights and expertise of the voluntary sector.

Yours sincerely,



Simon Blake OBE, Chair of Compact Voice