

## Appendix 1: UEG Consultation Principles

1. **Purpose:** Consultation communications should make it clear what the proposal is and what consultees are asked to provide an opinion about (e.g. a policy, organisational change, or an implementation plan). A consultation should be held when the development of a proposal is at a formative stage so that the consultation exercise has a purpose.
2. **Scope:** The extent to which responses may influence an outcome should be stated clearly. If a final decision has been taken about any aspect of a proposal, this should be made clear.
3. **Informative:** Those consulting should provide consultees with enough information to ensure that they may understand the issues so that they may provide informed responses. Any analyses of costs and benefits of a proposal should be made available. Any consultation document should avoid the use of jargon and be as succinctly presented as possible. The questions that consultees are invited to answer should be articulated clearly.
4. **Engagement:** A consultation is a way to engage with the people who will be affected by a proposal: the consultation should be targeted at those people. Effective targeting may require different approaches for different groups (e.g. staff and students; internal and external stakeholders). Therefore, consideration must be given to the most appropriate ways of consulting with different groups (e.g. formal or informal meetings, digital tools). Those leading the exercise must make people aware of the consultation, ensure it reaches those whom it is intended to reach, and is accessible to them.
5. **Support:** Those leading a consultation should be aware that the proposal might give rise to significant concerns amongst consultees (and that those concerns may differ from group to group). Consideration should be given to what those concerns might be and what steps may be taken to provide support and assurance. Those support mechanisms should be prepared and in place ahead of launching a consultation.
6. **Duration:** The consultation should run for an appropriate amount of time, taking into account the proposal under consideration. The precise duration of the consultation will need to be assessed on a case by case basis. Consulting for too long will unnecessarily delay decision making and run the risk of consultees failing to engage because responding is put off; consulting for too short a period will not provide consultees with sufficient time to consider the proposal and so may negatively impact upon the quality of the responses.
7. **Timing:** Consultations generally should not be launched during, or run over, academic holiday periods (an exception might be if a proposal affected only Professional Services staff). Consultations generally should not be run when affected groups are preparing for, or undergoing, assessments. Exceptionally, should business need demand departure from these constraints, mitigating action should be taken (such as an extension of the consultation deadline).
8. **Fair assessment:** Those leading the consultation must ensure that sufficient time is set aside in which to properly consider the consultation responses. Assessment of responses is generally a qualitative rather than quantitative exercise. If necessary, those leading a consultation should consider drawing upon expertise from elsewhere in the University or externally to improve the assessment process. It is essential that those assessing consultation responses and making recommendations and/or decisions take relevant matters into account and do not take irrelevant matters into account.

9. **Scrutiny:** The ability of consultees to scrutinise the outcome of a consultation will increase confidence in the system and in the eventual decision(s) made. Consultation responses should be collated and clearly summarised in a Consultation Report for UEG (or other appropriate decision maker). The Consultation Report should be published in full unless there are compelling reasons not to do so (e.g. confidential commercial material), in which case an appropriately redacted version should be published (together with the reasons for any redactions).
  
10. **Best Practice:** For a consultation to be effective it must have the confidence of those engaged in it. Such confidence is established and maintained when stakeholders can see that the system is fair, transparent and well administered. To ensure on-going confidence in the system, these Principles and the Consultation Procedure should be reviewed at the conclusion of any consultation exercise and, if necessary, refined in light of any “lessons learned”. Responsibility for maintaining these Principles and the Consultation procedure lies with UEG.

## **Appendix 2: UEG Consultation Procedure**

### **1. Consultation Procedure**

- 1.1 In circumstances in which UEG has decided that it is appropriate to consult stakeholders about a proposal, the following procedure shall have effect.
- 1.2 The Consultation Principles will underpin the consultation exercise.

### **2. Establishing a Consultation Group**

- 2.1 At a point when the proposal is in its formative stages, UEG will inform the relevant Head(s) of School or Professional Services (PS) Director(s) about the proposal under consideration. A Head of School or PS Director from the affected area will be asked lead the consultation exercise and will chair the Consultation Group ("the Chair").
- 2.2 In discussion with UEG, the Chair will agree upon the appropriate composition of a Consultation Group. This is likely to include a member of UEG, who should be able to explain the proposal and its genesis. To strengthen the peer review element of the consultation exercise, further members may include another member of ULT. In some circumstances it might be appropriate to include someone with particular expertise; that person might be a member of the University or an external expert.
- 2.3 The Consultation Group will conduct the consultation exercise. Consultees will be informed of the membership of the Consultation Group at the time the consultation exercise is launched.
- 2.4 Administrative support for the Consultation Group should be drawn from the Chair's School or Division.

### **3. Pre-Consultation Responsibilities of the Consultation Group**

- 3.1 The Consultation Group will consider the proposal advanced by UEG and ascertain from UEG the extent to which responses to a consultation may influence the decision making process. UEG will inform the Consultation Group about any aspect(s) of the proposal in respect of which a final decision has already been made.
- 3.2 In light of the information acquired under paragraph 3.1, the Consultation Group will determine the scope of the consultation.
- 3.3 In line with the scope of the consultation, the Consultation Group will agree a series of questions to be put to consultees.
- 3.4 The Consultation Group will determine who will be affected by the proposal and will frame the consultation questions accordingly; different groups of consultees may be directed to specific questions.
- 3.5 The Consultation Group will decide upon the most appropriate means of consulting with consultees; this might vary between groups of consultees. In light of this decision, the Consultation Group will design a consultation format aimed at maximising consultees' engagement with the consultation exercise.

- 3.6 The Consultation Group will liaise with the Director of External Relations' team to agree a communications strategy for the consultation.
- 3.7 The Consultation Group will consider whether the proposal is likely to give rise to significant concerns amongst the consultees (or any group of consultees). Where the Consultation Group considers that such concerns are likely it will determine the most appropriate way(s) of mitigating such concerns and ensure that appropriate support mechanisms are put in place ahead of announcing the consultation exercise. If such support will put an additional strain upon Student Services, the Consultation Group will work with the relevant people to ensure that those existing students utilising or waiting to use the Services are not adversely affected by the additional demand placed upon them.
- 3.8 The Consultation Group will identify any external stakeholders who should be included in the consultation exercise or informed about the proposal. The Consultation Group will be responsible for ensuring timely correspondence and liaison with such external stakeholders.
- 3.9 The Consultation Group, having agreed upon the most appropriate format for the consultation exercise, will produce any necessary documentation. The Consultation Group will ensure that consultees have access to relevant information to allow consultees fully to address the matters about which they are asked to respond.

#### **4. Duration and Timing of the Consultation**

- 4.1 The Consultation Group will determine the appropriate duration of the consultation exercise. How long a consultation will run for will depend upon matters such as the complexity of the proposal, the likely number of consultees, and any business critical factors (such as the student recruitment cycle). Generally, a consultation exercise will run for at least one month.
- 4.2 The Consultation Group will take into consideration matters such as academic holidays and student assessments when deciding upon the most appropriate time to hold a consultation.
- 4.3 The Consultation Group will agree a timetable for stages of the consultation exercise.

#### **5. Launch of the Consultation**

- 5.1 Where a proposal will affect staff and students, the Consultation Group will liaise with the Director of External Relations' team to determine the most appropriate sequencing of announcements to those groups of consultees (or whether a joint announcement is appropriate).
- 5.2 Consideration must be given to the need to ensure appropriate support is available to students from members of staff, and for affected members of staff (e.g. from Human Resources).
- 5.3 Equally, consideration must be given to the potential to create anxiety in staff and students if they learn of the consultation proposal through social media or other means (whereby facts may be distorted or misrepresented), rather than from the Consultation Group.
- 5.4 When the consultation exercise is launched, the Consultation Group must hold meetings with identified University consultees to explain:
- 5.4.1 the proposal and the reasons for it;

- 5.4.2 the scope of the consultation exercise and the consultees' ability to affect the outcome;
  - 5.4.3 the membership of the Consultation Group and contact information;
  - 5.4.4 how the consultation will be conducted (format);
  - 5.4.5 where and how relevant information may be accessed;
  - 5.4.6 the questions that consultees are asked to address;
  - 5.4.7 dates and times for any follow-up meetings;
  - 5.4.8 the deadline by which to respond;
  - 5.4.9 how responses will be assessed;
  - 5.4.10 the expected date of a decision;
  - 5.4.11 the expected date of publication of the Consultation Report;
  - 5.4.12 relevant support mechanisms; and
  - 5.4.13 the Consultation Principles that will underpin the exercise.
- 5.5 Where consultees are external to the University, the matters detailed in paragraph 5.4 must be set down in writing for those consultees, and they must be invited to meet the Consultation Group to discuss the proposal.

## **6. Liaison with Other Bodies**

- 6.1 The Consultation Group will be responsible for informing relevant Trade Unions, Council, ULT, the Students' Union (where students will be affected by the proposals), and any professional bodies about the consultation proposal and timetable for the consultation exercise.
- 6.2 The Consultation Group shall invite the Trade Unions and any professional bodies to make representations to it about the consultation proposal. Where formal consultation with Trade Unions is required, the Consultation Group will ensure that the consultation timetable incorporates this requirement.
- 6.3 When the consultation exercise is launched, the Consultation Group will liaise with the Head of Governance Services to inform Senate about the consultation proposal.
- 6.4 Where a Senate meeting is already scheduled to take place during the consultation period, the Head of Governance Services shall add a discussion about the consultation proposal to the Senate agenda.
- 6.5 Where no Senate meeting is scheduled during the consultation period, the Head of Governance Services shall canvas the opinion of Senators as to whether they wish to have an additional Senate meeting to discuss the consultation proposal. If one-third of Senators wish to have an additional meeting to discuss the proposal, the Head of Governance Services shall find a suitable date for that meeting during the consultation period.
- 6.6 Where the consultation proposal is discussed by Senate, the opinion declared by Senate shall be recorded and provided to the Consultation Group for consideration alongside the consultation responses.
- 6.7 In accordance with Statute VI(3), when Senate so requests, any opinion declared by it pursuant to paragraph 6.6 shall be brought to the attention of Council for its consideration.

## **7. Equality Impact Assessment**

- 7.1 The Consultation Group must consider whether an Equality Impact Assessment (EIA) should be commissioned as part of the consultation exercise.
- 7.2 An EIA is required where a proposal is relevant to equality (race, gender, disability). The Consultation Group should liaise with the Deputy Pro-Vice Chancellor for Equality and Diversity to decide whether an EIA is appropriate.
- 7.3 If the Consultation Group considers that an EIA is not required, it must record this decision and the reasons for it in the Consultation Report.

## **8. Commissioning Production of Evidence or Analysis**

- 8.1 The Consultation Group may commission relevant parts of the University to provide evidence or analysis (information), about any matter that it considers relevant to the consultation exercise.
- 8.2 Where practicable, such a commission should be carried out during the consultation period so that the information received may be made available to consultees. The information should be included in the Consultation Report.
- 8.3 A commission under paragraph 8.1 may be made after the deadline for consultation responses if: (a) the analysis is to consider responses received from consultees; and (b) there is insufficient time between receipt of the responses and the closure of the consultation for the analysis to be carried out. The information received pursuant to paragraph 8.1 must be included in the Consultation Report.

## **9. Assessment of Consultation Responses**

- 9.1 At the close of the consultation period the Consultation Group must collate all of the consultation responses, together with any representations received pursuant to paragraph 6, any EIA and any evidence or analysis commissioned under paragraph 8.1. The Consultation Group must remind itself of the Consultation Principles.
- 9.2 The Consultation Group must consider the consultation responses in accordance with the Consultation Principles. Responses must be assessed fairly. The Consultation Group must ensure that it takes only relevant considerations into account when assessing the consultation responses and developing its recommendations.

## **10. The Consultation Report**

- 10.1 The Consultation Group must prepare a Consultation Report. The Report must record the number of responses received, broken down by particular groups where appropriate.
- 10.2 The Consultation Report should summarise the information collated under paragraph 9.1. If individual responses are to be included in the Consultation Report, care must be taken not to disclose personal information: advice may be sought from the Office of the General Counsel.
- 10.3 The conclusions that have been drawn from the information collated under paragraph 9.1 should be stated clearly. Where evidence might support alternative recommendations, the reasons for preferring a particular recommendation should be articulated clearly.

- 10.4 In light of the agreed scope of the consultation exercise, the Consultation Report should make clear recommendations to UEG on the proposal.
- 10.5 The Consultation Report will be published to facilitate scrutiny of the consultation exercise and outcome. Exceptionally, redactions may be required (e.g. to protect personal information). An explanation for any redactions must be included in the Consultation Report.

**11. UEG's Decision**

- 11.1 Upon receipt of the Consultation Report, UEG will consider the Report and its recommendations. UEG will decide upon the appropriate course of action, in accordance with the powers and requirements set down in the University's Statutes and Regulations (which might require that a particular matter is presented to Council for decision).
- 11.2 The Consultation Group will communicate the decision(s) to consultees, Trade Unions, ULT, Senate, the Students' Union (where appropriate), any professional bodies and other relevant stakeholders.
- 11.3 The Consultation Report will be published in accordance with the agreed timetable.

### Consultation procedure: flowchart

