



Consultation Protocol

Introduction

The East Midlands Rural Affairs Forum (EMRAF) is the key body in this region representing rural stakeholders. It has a role to champion rural interests, facilitate communication of rural issues within the region and with government ministers and to review, challenge and comment on rural policy and service delivery.

An important mechanism for EMRAF to deliver against these roles is to respond to public consultations at the national and regional level.

To provide clarity to regional agencies, rural stakeholders and EMRAF members, the Management Committee at its meeting on March 10th 2006 agreed the development of a consultation protocol. *(Update March 2008 - The EMRAF Management Committee was renamed the EMRAF Operations Group in late 2007 to reflect its evolving role and this title change has been reflected within the remainder of this protocol).*

The aims of this protocol are:

- To set out the principles of EMRAF's engagement in public consultation exercises
- To enable forward planning and clear communication on the development of consultation responses by EMRAF
- To clarify to members how EMRAF can contribute to public consultations and how they can input into EMRAF consultation exercises
- To promote the instruments available to EMRAF to promote, engage and respond to public consultations

To achieve these aims, the protocol will set out

- the overarching principles underpinning EMRAF consultation responses
- the process for determining whether an EMRAF response will be developed and which response mechanism to be applied
- the appropriate level at which an EMRAF response should be agreed before submission, for different types of consultation exercises
- the parameters/process by which an EMRAF response can be generated

A: Principles

The following principles underpins the development of all EMRAF consultation responses:

1) The primary aim of an EMRAF response is to add value to individual responses by members of EMRAF by aiming to provide a strategic regional rural perspective to the subject of a particular consultation. The response will consider whether

- the rural dimension has been adequately considered and addressed
- links have been made to existing relevant strategies and policies addressing rural issues (including the Regional Rural Delivery Framework and Rural Action Plan)
- links have been made to existing good practice in rural delivery.

2) Notwithstanding any attempts to develop an EMRAF consultation response, EMRAF will always encourage its members to respond individually to a relevant consultation. EMRAF will aim to make its response available in time to inform the rural aspect of members' individual responses.

3) Where possible, EMRAF responses will be developed in an inclusive approach, enabling all EMRAF members to contribute.

4) In the light of EMRAF's regional role to champion rural issues and comment on policy, the Forum will focus its efforts predominantly on responding to relevant public consultations on regional policy.

5) The opinions expressed in EMRAF consultation responses will reflect a consensus view where possible, but they do not aim or claim to represent the views of all individual EMRAF members.

- Where appropriate, differences of opinion between members on particular aspects of the consultation will be expressed in the consultation response.
- Where individual EMRAF members take issue with all or part of an EMRAF consultation response, this dissent can be expressed in the consultation response at the request of the EMRAF member(s) concerned.

6) Any consultation responses submitted on behalf of EMRAF will be made available to the public on the EMRAF Knowledge Network

B: Determining if and how to respond

In general, the EMRAF Operations Group, at its quarterly meetings, will decide which consultations warrant an EMRAF response.

Outside of these meetings, where necessary, the Operations Group can make decisions if and how to respond to a particular consultation per e-mail correspondence.

As set out in the table below, the Co-ordinator and Chair of EMRAF can also initiate responses to particular type of consultations without seeking prior agreement from the Operations Group.

In determining the type of response and in prioritising efforts, the Operations Group will look specifically at

- the regional importance and potential impacts of the strategy under consultation
- the relevance of the strategy under consultation with regards to taking forward the rural priorities and actions of the East Midlands Rural Action Plan
- the potential added value of an EMRAF response over and above those of individual EMRAF members

EMRAF members are encouraged to notify the EMRAF Operations Group of upcoming consultations at an early stage and to indicate how the strategy under consultation rates against the above criteria.

If the Operations Group agrees to respond to a consultation, it will then need to:

- 1) determine by whom a consultation response will need to be endorsed
- 2) select the process for developing the consultation response
- 3) agree a time-line for the development of the consultation response

C: Levels of endorsement

In order for a consultation response to be formally considered an EMRAF response, the consultation response will have to be endorsed by

- the EMRAF Chair or EMRAF Co-ordinator (Level 1)
- the EMRAF Operations Group (Level 2)

The level of endorsement always needs to be clearly stated in the consultation response.

The Operations Group will keep under review whether the right level of endorsement has been applied and whether responses are in line with the principles expressed in Section A.

The table below sets out the main differences between a Level 1 and Level 2 response:

	Level 1 (Chair / Co-ordinator endorsed response)	Level 2 (Operations Group endorsed response)
Type of consultation/ response appropriate to the level of endorsement	<ul style="list-style-type: none"> - consultations on specific policies and project proposals at the regional or national level - informal and early consultations on regional and national strategies - responses to flag up the need for wider rural engagement / rural proofing at a later stage - responses to flag up instruments available to EMRAF to provide strategic input through rural viewpoints, good practice and solutions 	<ul style="list-style-type: none"> - all regional and national consultations (except those where the public consultation process specifically requires an endorsement by EMRAF) - responses prepared by EMRAF sub-groups on policies closely related to their area of expertise*
Who initiates & determines process	Chair / Co-ordinator Operations Group	Operations Group
Process design	Flexible: at the discretion of the Chair / Co-ordinator, unless specified by the Operations Group	3 types of responses can be identified: <ol style="list-style-type: none"> 1) Operations Group- lead response 2) Task Group – lead response

		3) EMRAF Sub-group – lead response
Circulation of submitted responses	- to Operations Group - to EMRAF members as appropriate	All responses will be circulated to EMRAF members
Availability to public	through the EMRAF Secretariat	through the EMRAF Knowledge Network
Endorsement	Chair / Co-ordinator	Operations Group

*EMRAF sub-groups can make responses to policies and strategies relevant to their area of expertise on behalf of their sub-group. In order to validate these responses as EMRAF responses, these will have to be endorsed by the EMRAF Operations Group

D: The process for developing a Level 2 consultation response

All key regional as well as national rural strategies will be subject to a Level 2 consultation response. The consultation response exercise will be tailored to the specific needs and opportunities of the particular consultation.

1) Responses lead by the Operations Group

The Operations Group may decide to lead on the development of a consultation response. The EMRAF co-ordinator, or alternatively an appointed member of the Operations Group or EMRAF, will facilitate the drafting of a response on behalf of the Committee.

The Operations Group will base their consultation response on any of the following:

- A discussion paper for discussion at a Operations Group meeting
- A draft response for comments by e-mail within 5 working days
- A combination of the above

The discussion paper and/or draft response can be developed using a variety of consultation methods to canvas the views of EMRAF members and a wider group of stakeholders, including

- a seminar or meeting
- a questionnaire
- window for comments on draft response

2) Responses lead by specific Task Groups

The Operations Group may decide to set up a task group to develop the consultation response. This method may be of particular use on subject areas:

- judged to be outside of the expertise of the Operations Group and a substantial number of EMRAF members
- closely linked to the 7 rural priorities where a task group approach may facilitate a step change to embed rural issues in the development and implementation of the particular strategy under consultation

The following will be part of the process

- A facilitator will be appointed to co-ordinate the work of the task group. This can be (an officer on behalf of) an EMRAF member or the EMRAF co-ordinator.
- A paper setting out scope of consultation response and terms of reference of task group will be agreed by the Operations Group (minimum 3 day response window)
- At least one meeting with the task group to form the basis of the response. A range of potentially interested parties should be invited to this meeting.
- Additional tools to help canvas issues and views, such as discussion papers, questionnaires etc. can be used at the discretion of the facilitator.
- Task group members will have a minimum response window of 5 working days to comment on the draft response
- The EMRAF Chair and Operations Group will have a minimum response window of 5 working days to endorse the task group response before it is submitted.

3) Responses lead by EMRAF Sub-groups

- EMRAF sub-groups, insofar as this is line with their Terms of Reference as agreed by the full Forum, are able to submit responses on their own behalf.
- Sub-group will set out the process for the development of these responses themselves.
- For Sub-group responses to be formally submitted as EMRAF responses in line with the validation principles outlined above, the responses will need to be endorsed by the EMRAF Operations Group.
- The EMRAF Chair and Operations Group will have a minimum response window of 5 working days to endorse the Sub-group response before it is submitted.

E: EMRAF Members engagement in consultation response exercises

To enable members to contribute the views of their organisation / network into the EMRAF response:

- EMRAF members will be notified of all upcoming EMRAF consultation response exercises, along with the key rural issues that the exercise is hoping to address.
- The process and time-line for upcoming EMRAF consultation response exercises will be updated following each Operations Group meeting and circulated to members, stating clearly the opportunities for inputting views and opinions.

Members are encouraged to notify the Operations Group about upcoming consultation exercises.

Members are encouraged to put themselves forward to the EMRAF Operations Group to lead a task-group approach to develop an EMRAF response to a particular public consultation.

All EMRAF consultation responses will be made available to members through the EMRAF Knowledge Network.

F: Full Forum Endorsements

In rare cases a public consultation document sets out that the owner responsible for the development of the strategy / policy aims endorsement by EMRAF.

This is the case with the Regional Rural Delivery Framework and RDP-E Regional Implementation Plan and was the case with Think Farming and Food.

In these cases, EMRAF will not itself submit a Level 2 consultation response, but will actively promote the consultation exercise, encourage members to respond and where appropriate facilitate consultation with EMRAF members.

EMRAF members will then be provided with an opportunity for final comments and endorsement of the final draft of the strategy / policy in question:

- at a meeting of EMRAF, or
- by e-mail – allowing 10 working days for comments or
- a combination of the above

Alternatively, EMRAF members can decide, at a meeting of the Forum, to delegate the authority to formally endorse the strategy/policy in question to the EMRAF Operations Group and/or the Chair of EMRAF.