DRAFT REVIEW

POLICY NAME: **COMMUNITY CONSULTATION**

POLICY REF: C14

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Resolution No. 240909/20

POLICY HISTORY:



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OBJECTIVE

Ballina Shire Council is committed to community engagement as a principle of good government. The level of community engagement undertaken can vary substantially dependent upon the matter in question and the intent of this policy is to:

- · Identify appropriate levels of community engagement
- · Establish guidelines for community engagement strategies
- Ensure the guidelines are implemented consistently by Council officers and external consultants engaged by Council
- Ensure that decision-making processes adequately and accurately report outcomes of community engagement processes and
- · Comply with relevant legislative requirements and other Council policies.

BACKGROUND

Ballina Shire Council's commitment to community engagement reflects a growing trend nationally and internationally towards participatory decision making by government. More particularly, this is in line with the policy direction of the NSW Department of Local Government and many councils across Australia.

Ensuring that decision making processes reflect a commitment to including the results of community engagement is critical to the transparency and accountability of Council's decision making process.

This policy is relevant for a broad range of Council operations, wherever communication or engagement with the community is required. It provides guidance to Council officers in developing strategies and engagement programs that are appropriate to the potential impact of the project and the degree of public interest.

The intent and scope of any consultative process needs to be clearly identified at the beginning of the engagement in order to ensure that participant and community expectations reflect the extent of influence the engagement will have on the decision making process.

DEFINITIONS



SCOPE OF POLICY

This Community Engagement Policy applies to:

- Councillors and Council employees
- · Committees of Council
- Consultants/Contractors of Council.

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RELATED DOCUMENTATION

This Policy should be read in conjunction with:

- The Privacy and Personal Information Act 1998
- Environmental Planning and Assessment Act 1979 and Regulations
- Local Government Act 1993 and Regulations

POLICY

For the purposes of this policy there are two distinct components to the community engagement process; being

- A. Council's regular and on-going information channels and
- B. Individual projects or activities requiring specific engagement strategies

This policy provides an overview of how these areas are to be managed.

PART A - RECURRENT ENGAGEMENT STRATEGIES

It is important that Council is continually providing information to, and at the same time listening to, the community. In order to maximise our on-going engagement with the community, Council will, as a minimum, aim to provide the following engagement services.

A1. Annual or Biannual Activities

Community Survey - Council will, at least every two years, conduct a community survey to examine community satisfaction levels and service priority levels.

Council Management Plan - Council will annually hold public meetings at the four major townships (Wardell, Alstonville, Ballina and Lennox Head) to provide an overview of the next financial year's Management Plan.

A2. Monthly / Weekly / Daily Activities

Regular activities undertaken by Council will include:

- Web site Council will maximise the use of its web site for all public information
- Weekly Advertising Council will provide weekly public notices in a local newspaper circulating throughout the shire
- Monthly Advertorial As a minimum, a monthly advertorial will be provided in a local newspaper to provide a snapshot of activities of interest
- Newspaper Columns and Interviews Where available the Mayor and General Manager will provide regular radio/television/newspaper interviews and columns
- Media Releases The General Manager will actively promote the issuing of media releases to ensure the community is informed on Council activities of interest

A3. Ward Committees

Council will constitute community based committees for all three wards. These committees will consist of the Mayor, the ward councillors and one representative from individual not for profit community based groups that operate within the ward.

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These committees will meet at least quarterly to provide communication opportunities both to and from Council in respect to ward or shire based matters. The committees will have no delegated authority.

A4. Standing Committees

Council may form committees consisting of Councillors or Councillors plus representatives from the community to examine functional areas within Council. The purpose of these committees is to allow Councillors an opportunity to focus on specific operations in detail. The details of the current standing committees constituted by Council are as follows:

Title	Members	Authority	Terms of Reference
Airport Committee	All Councillors	No delegated authority.	To consider matters of a strategic nature for the Ballina/Byron Gateway Airport. This includes, but is not limited to, long term financial plans, capital works forward planning and master plans for the facility.
ALEC Committee (Alstonville Leisure & Entertainment Centre Committee)	Two Councillors with one alternate. Two from Alstonville Agricultural Society. Three community representatives appointed by Council.	No delegated authority.	The composition of this Committee was set by Deed when Council acquired the land. The Committee oversees the management and control of the Alstonville Leisure & Entertainment Centre in accordance with the deed of transfer that dedicated the land to Council.
Givil Committee	All Councillors	No delegated authority	To consider strategic and policy matters related to the objectives and functions of the Civil Services Group
Commercial Services Committee	All Councillors	No delegated authority	To introduce, evaluate and review the commercial dealings and operations of Council, with the preferable long term aim of any commercial activity being the provisions of supplementary revenue streams that assist Council in the delivery of services to the community.
Environmental Committee	All Councillors	No delegated authority	To consider land use planning matters of a strategic and regulatory nature
Facilities Committee	All Councillors	No delegated authority	To provide strategic input into the facilitation and construction of major community facilities. This input will focus on the nature of the services to be provided and the style and design of the building to ensure its compatibility with the aspirations of the community.
Finance Committee	All Councillors	No delegated authority	To consider financial matters of a strategic nature including Council's annual budget deliberations
Reserve Trust Manager	All Councillors	Yes - Refer to terms of reference	To consider crown land matters where Council is the appointed Trust Manager. Committee has authority to

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Title	Members	Authority Terms of Reference	
			determine all matters in respect to
		items where Ballina Shire Cour	
			the Reserve Trust Manager,
			excluding those not able to be
			delegated as per Section 377.

A5. Workshops

Council will regularly hold workshops on matters considered of significance. As a general rule these workshops will be open to the public, however they may be closed to the public if the General Manager or Mayor considers that holding the meeting in confidential session would be in the public interest.

Workshops will have no delegated authority to determine matters, unless specifically resolved by Council.

A6. Delegates

Council will regularly appoint delegates to organisations operating within the shire or within the region where it is considered that community benefits will be gained through Councillors attending meetings of those organisations.

PART B - SPECIFIC ENGAGEMENT STRATEGIES

In additional to Council's recurrent engagement strategies there will be times where specific engagement is required on matter(s) before Council. Therefore it will be necessary to then determine the appropriate level of community engagement for that particular project or activity.

The range and scope of decisions made by the Council are broad, involving various degrees of complexity and requiring varying levels of expertise and accountability. The purpose of the engagement policy, with respect to community participation in the decision making process, is as follows:

- To improve the decision making capacity of the Council by providing information relevant to the issue at hand;
- To inform the decision making process regarding the views, values and vision
 of those likely to be affected by the decision;
- To balance the right of all members of the community to be involved in the decision making process with the need for this process to achieve high levels of accountability, efficiency and fairness;
- To make it clear that, ultimately, the decision making authority of the Council rests with the community's elected representatives;
- To provide for increased levels of community participation in decision making where appropriate.

There are numerous elements that need to be considered to determine the appropriate scope and scale of engagement and this section of the policy provides an overview of the steps to be followed in determining an appropriate strategy.

The primary steps can be identified as:

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- 1. determine the potential level of impact of the issue
- 2. determine the appropriate level or scope of participation
- 3. decide on a engagement method or methods and
- 4. prepare a engagement strategy/plan.

B1. Determining the impact of the issue

Determining the likely 'level and scale of impact' of the issue, project or activity is the first step in determining the appropriate methods of engagement to use. The total impact of a project or activity can be considered as a combination of:

- · level of impact i.e. high or low
- · scale of the impact i.e. Shire-wide or local

The following impact matrix provides guidance by way of example on determining the scale and level of impact.

Scale	High Level Impact	Low Level Impact
LGA	 Impacts on Council's vision and values including core directives (management plan, sustainability strategy, urban planning, natural environment). Impacts on health, safety and wellbeing of the community (such as climate change). Potential for controversy or conflict (preparation of new local environmental plan or broad reaching development control plan). 	 Review of survey of recurrent operational programs (satisfaction surveys for various services). Program planning (community events, youth services). Program delivery (capital works upgrades to regional facilities).
Local	Vision and values affecting local area or community group (town centre studies, suburban sustainability strategy). Potential for local controversy or conflict (removal or relocation of local park, spot rezoning or local development control plan) High level of community interest (park master planning).	Changes to operational services (minor changes to service delivery, local park upgrades). Local program planning (specific local events such as village fairs). Low risk conflict (temporary local traffic or parking changes).

A long-term or large impact project such as a large planning project or the development of the Management Plan requires a wide publicity campaign to disseminate information through a variety of means. Ideally the community should be given a number of opportunities to participate.

An immediate or short term project of a limited scale requires methods that are more targeted and focused and the limitations of the engagement clearly explained.

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B2. Determining the level or scope of participation

Due to the diversity of activities carried out by Council, there is no set formula for deciding which engagement methods to use. Therefore it is necessary to understand the **level of community participation** that is most appropriate for particular types of issues or projects.

Different projects, issues or proposals require different levels of community participation. The level of community participation that is appropriate depends on the level and scale of impact as discussed above, and will be determined having consideration of:

- the urgency of the issue and the time available for deliberation and decision making;
- the availability of resources (including staff, facilitation skills, venues, technology and financial resources);
- the needs of accountability, transparency and equity and;
- the potential for improved decision making and information flows that might emerge from greater levels of public participation.

The five levels of community participation are:

- Inform Giving information to the community
- · Consult Obtaining community feedback
- · Involve Participating directly with the community
- Collaborate Partnering with the community to create solutions
- Empower Placing final decision making in the hands of the community

The goals and promises to the public that are implicit in the above levels of participation are discussed as follows, with guidelines on the appropriateness and application.

INFORM				
Goal:	To provide the public with balanced and objective information to assist them in understanding the problems, alternatives and/or solutions.			
Promise to the public:	We will keep you informed.			
Guidelines:	Know who you are trying to reach and how they are most likely to access and understand the information. Ensure information provided is:			
Examples:	Fact sheets, websites, notices, letters.			

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CONSULT					
Goal:	To obtain public feedback on analysis, alternatives and/or				
	decisions.				
Promise to the	We will keep you informed, listened to and acknowledge				
public:	concerns and provide feedback on how public input influenced				
	the decision.				
Guidelines:	Ensure the purpose of engagement is clear, including what is being consulted on and what is non-negotiable.				
	Know who you are trying to consult, the most effective way				
	to reach them and get a response.				
	Allow enough time for a response to engagement requests.				
	 Coordinate requests so that, where possible and 				
	appropriate, you ask for views once, not several times.				
	Provide feedback on the results of engagement.				
	Ensure and demonstrate that the views of those consulted				
	are taken into account in the outcome.				
	Present all information simply and clearly.				
	Ensure adequate resources are allocated to the process.				
Examples:	Public comment, focus groups, surveys				

INVOLVE				
Goal:	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.			
Promise to the public:	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.			
Guidelines:	 Ensure all relevant people are given the opportunity to be involved. Ensure you maintain a commitment to enabling their involvement in the process (have equity/access issues been considered that ensure that individuals are not unknowingly disadvantaged?). Consider carefully what processes and/or structures are appropriate for the purpose and who is to be engaged. Avoid misunderstanding and ambiguity by clearly establishing the basis for membership of bodies such as boards or committees (e.g. skills vs representation), the decision-making processes (e.g. voting vs consensus) and roles and responsibilities at the outset. 			
Examples:	Workshops, deliberative polling			

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COLLABORATE	
Goal:	To partner with the public in each aspect of the decision, including the development of alternatives and the identification of the preferred solution.
Promise to the public:	We will look to you for direct advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.
Guidelines:	 There must be clarity about the extent of decision-making power that is delegated and, in particular, what is not included. Avoid misunderstanding and ambiguity by clearly establishing the basis for membership of bodies such as boards or committees (e.g. skills vs representation), decision-making processes (e.g. voting vs consensus) and roles and responsibilities at the outset. Where formal partnership arrangements are involved, governance arrangements need to be carefully considered.
Examples:	Citizen advisory committees, consensus-building, participatory decision-making

EMPOWER					
Goal:	To place the final decision-making in the hands of the public.				
Promise to the public:	We will implement what you decide.				
Guidelines:	 There must be clarity as to the scope of the shared power and/or decision-making capabilities. There must be clarity about roles and responsibilities. Issues involving accountability need to be carefully considered. Communities need sufficient resources (human and social capital) to enable an empowerment approach. 				
Examples:	Citizen juries, ballots, consensus conference.				

The following table illustrates how the level of engagement may be influenced by the impact and scale of the issue requiring community engagement. The greater number of ticks (\checkmark) represent, generally, the more appropriate level of participation, recognising that the other levels of participation might be more appropriate in particular circumstances.

Impact	Inform	Consult	Involve	Collaborate	Empower
High Level LGA Impact		√√	444	√ √	
High Level Local Impact		√√	111	√√	
Low Level LGA Impact	√√	√√√	√√	44	✓
Low Level Local Impact	V V V	4	✓	√	√

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this regard.

The type of engagement and methods will depend on the level of engagement. The range of engagement methods appropriate to these levels of participation are discussed further below. The appendix to this report provides detailed information in

Exceptions to this would occur such as emergency situations or where the Government imposes immediate reforms where Council or staff (via delegation) must act with immediacy.

In all cases the identified level of engagement, impact of the issue, the method of engagement and its financial implications for each project will be included within Council Business Papers and other briefing notes as presently occurs, when the matter is reported to the elected Council.

B3. Deciding on a engagement method

Choosing the appropriate engagement **method** will depend on a number of factors, including:

- · the impact of the issue (high/low, LGA/local)
- the appropriate level of community participation
- the resources available to support the engagement
- the decision making timeframe available to complete the engagement in a meaningful way and
- The legislative framework.

Information on engagement methods appropriate to each level of participation is provided in the appendix to this policy, including the strengths and challenges associated with each.

B4. Preparing a engagement strategy

A engagement strategy or plan should be prepared prior to undertaking any community engagement. This will assist in identifying key issues that need to be addressed during the engagement process and clarifying the purpose of the engagement, desired outcomes, who should be involved, and what methods of engagement should be used.

The engagement strategy/plan should address the following questions:

Background of the engagement

- What is the issue you are consulting about?
- What has happened up to this stage?
- What events/considerations have led to the decision to consult?
- Are there important dates, legislative requirements or other information that need to be taken into account in the planning stage?

Who is undertaking the engagement?

- Who will carry out the engagement?
- · What is their function/role in council?
- Are consultants or outside facilitators being used/ considered?

The purpose of the engagement

- Why are you undertaking the engagement?
- · What do you want to achieve?

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Desirable outcomes

What outcomes need to be achieved from the engagement process?

Who should be consulted and how should they be selected and invited?

- · Who are the stakeholders?
- Does the issue have potential impacts on health, safety or well-being of any community members?
- Does the issue have the potential to affect the rights or entitlements of community members, including minority groups?
- How can participation be maximised?
- · Do specific groups need to be targeted?
- What are the different needs, limitations and interests of participants and will this
 affect the engagement?
- How will you ensure that everyone participating has a fair and equal opportunity to give input?

Deciding the method(s) of engagement

- How large is the potential impact of the project does it affect the whole community or only a small portion?
- · What level of involvement is required from the community?
- Do you need to provide information to stakeholders, seek information from them, involve them in discussion and debate or establish ongoing involvement?
- How do restrictions in time, money or resources affect which methods are appropriate?
- Are there legislative or regulatory requirements?
- · Will the method of engagement be culturally appropriate?

Limits to what is negotiable in the engagement

- What is the focus of the engagement?
- How will you handle the raising of issues that are linked, but are outside the scope of the engagement?

How the decisions and recommendations will be used

- What will happen to ensure that the opinions and views of those consulted will be taken into account when the decisions are made?
- What is the next step after the engagement has finished?
- · Who will make the final recommendations and decisions?
- How will the recommendations and decisions be reported to Council?

Time frame and restrictions of the consultative process

- Will there be further engagement?
- When does the consultative process need to end and why?
- Are there budgetary, legislative or other restrictions or requirements that may influence the time-frame utilised?

Time frame for implementation of recommendations

 How long will it take for the recommendations of the engagement to be implemented?

Feedback

- When will stakeholders be informed of the engagement's outcome?
- What methods will be used to inform people of the outcome?
- How will you ensure that feedback is accessible to all stakeholders?

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Second round engagement

- If second round engagement is proposed, what form might it take?
- If second round engagement is not possible, why not?

Evaluation

- · How will you know if you have undertaken a successful engagement?
- · What criteria will be used to measure the effectiveness of the engagement?
- How/where will a summary of the outcomes and evaluation be recorded for future reference?

REVIEW

The Community Engagement Policy is to be reviewed every four years.

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Appendix: Analysis of engagement types by level of engagement

Engagement method	Description	Strengths	Challenges
INFORM			
Written correspondence	Letter to resident or household informing of service, action or project	Identical information to all recipients, can utilise rates notice	Assumes mailing database up to date, renters / owners may not get copy, assumes degree of literacy, costly (depending on distribution)
Pamphlet or letterbox drop	Designed to provide information on particular project or issue	Identical information to all recipients, allows detailed information, can be targeted by subject and area	Can be seen as "junk mail", assumes literacy, can be costly (depending on distribution)
Electronic correspondence	Electronic document or message to e-mail address	Low cost, can provide supplementary web links to more information, rapid dissemination	Updated e-mail addresses, can be seen as "Spam", limited to persons with access to web and e- mail account
In person meeting	Formal to informal, one- to-one or small group	Allows discussion across specific and broad meeting	Limited access to wide number of people, can result in dispute as to what was discussed and agreed to
Notice in local paper	Advertisement or Mayoral/Council column	Wide distribution	Assumes residents read local paper and also Mayor/Council column
Media release	News story and/ or photo	Creates interest, can raise profile of issue, project or event, able to generate "news"	Depends on media to uptake, media may print counter story as way of making "news", cannot control (angle, timing, placement)
Displays	Information display about proposed project or activity	Can inform cross section of community, able to target specific sites, can have accompanying staff to answer questions	Depends on locality, weather, time of year, need to check regularly (vandalism), cannot guarantee information accessed by or seen by targeted users

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Engagement method	Description	Strengths	Challenges
Community notice board	Fixed information display	Able to be updated with broad range of topics.	Location important to maximise exposure and interest, needs regular updating
CONSULT			
e-survey	Structured survey distributed by e-mail and collated electronically	Provides quantitative data, rapid response, low cost, able to report back results easily, can relate to demographics (depending on database), able to track trends, can link with emerging etechnologies	Update e-mail addresses, can be seen as "Spam", limited to persons with access to web and e-mail account, limited ability for qualitative information, requires skills in question writing and analysis
Telephone surveys	Structured survey by phone, collated electronically or hard copy	Provides quantitative data, rapid response, can relate to demographics (depending on database), able to track trends	Relies on public interest, competing with marking surveys, householder interrupting, finding suitable time when citizens available, requires skills in question writing and analysis
Written surveys	Structured written survey	Provides quantitative data, can relate to demographics (depending on database), able to track trends	Costs; requires skills in question writing and analysis delays in receiving data, collating and analysis of data can be seen as "junk mail"
Suggestion box and web-blogs	Place for community to provide ideas or feedback – can be physical box or via web	Easy for community input to be provided across wide topics	Feedback should be provided, web-blogs may require editing
Interview	Individual or group interview, structured format	Able to reflect, expand and clarify points. Forms the basis for addressing an issue or trend	Time consuming, costly, may not yield representative opinion

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Engagement method	Description	Strengths	Challenges
Focus group	Semi structured, invited participants	Participants are able to explore issue typically having some prior knowledge of the topic, able to gauge attitudes and provide qualitative information	May not be representative, time consuming, may require several meetings if multiple focus groups are used
Meeting	Face to face semi structured with a specific group	Opportunity to draw out issues of concern, uncertainty or contention, able to develop an action strategy to respond to an issue	Required competent and effect facilitator, vested or narrow interests can dominate and drive agenda
Public exhibition	A formal exhibition of materials or documents at a set location and fixed period of time	Provides opportunity for community to comment	Requires high level of promotions, success can be dependent on motivation of residents to respond
Residents panel	Established a large cross section or respondents to be called upon to provide quantitative and qualitative information related to a range of issues.	Allows involvement of cross section and enables selection based on demographics, can be used to track changes over time with same panel.	Maintenance of data base, consultation, fatigue, can be costly
INVOLVE			
Meeting with existing groups	Link to existing groups to discuss both broad and specific issues	Build on existing community groups that may not otherwise comment on local government issues	May not engage with "silent majority", requires good facilitation
Public meetings	Gathering of large number of residents to inform them, generate discussion and enable comment	Able to get message out to large audience in one go, open and accessible	Can get out of hand and off topic, risks disruption, requires good facilitator. Not everyone 'comfortable' in this environment.
Workshop	Structures process to work through particular issue and develop solutions	Can produce a way forward, inclusive approach, participants have ownership	Need to limit numbers to be effective, requires good facilitation

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Engagement method	Description	Strengths	Challenges
Community forum	Panel of speakers provide information and facilitate discussion on a topic	Able to generate good general discussion	Need to have balanced speakers, risk of disruption. Need to manage 'domineering' participants, to ensure all view-points are heard.
Community debate	Organised speakers and debating panel to discuss specific topic	Able to generate interest and provide balance of opinion	Need for balance, must have articulate and well informed debaters
Web based forums	Discussion board posted on web site accessible to all	Able to gather diversity of opinion, can be used to generate discussion	Restricted to those with internet, cannot control content (may require censoring)
Site tours	Structured meeting to a site	Able to visualise impact with location context	Requires good organisation, may assumed previous site knowledge
Community reference groups/forums	Community and elected representatives to provide input and discuss various topics	Able to use participants to disseminate information, can be used to gather diversity of opinions from representatives	Needs to ensure members are representative, terms of reference must be clear (sometimes assume by participants that it is a decision making body)
COLLABORATE Formal Council committee	Committee that is constituted by Council under the Local Government Act to manage a service, facility or functional area	Has shared responsibility or management, involved members of the community that have an interest or specialist knowledge, able to share decision making	Needs to ensure broad involvement, risk that select few control and drive narrow agenda, need to ensure accountability
Joint venture	A formal arrangement with stakeholders or organisations to plan and achieve a project or service	Less reliance on Council funding and resourcing, greater levels of commitment and trust by both sides, outcome has greater ownership	Time and costs, devolving responsibility

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Engagement method	Description	Strengths	Challenges
Taskforce or working party	Group of people, agencies or others selected to work with Council to complete a task or develop a new facility, project of service or delivery.	Opportunities to maximise skills and resources	Requires skilled chair to facilitate outcomes and maximise contribution of all members
EMPOWER			
Citizens jury	Participants are brought together to deliberate in an informed way to arrive at a joint solution, recommendations published and implemented (if not, must be publicly explained why)	Representative selection of participants, use of experts to present information, able to deal with complex issues	Requires skilled facilitator, usually small number (12-25), time intensive and costly
Consensus conference	Created under a commissioning authority to deliberate in an informed way on a particular issue, recommendations published and implemented (if not, must be publicly explained why)	Representative participants, participants have greater control over agenda and decide on experts, inclusive, able to deal with complex issues	Time (usually longer than a citizens jury) Cost and resource intensive, requires skilled facilitator

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