

Divisions Affected – All

CABINET 18 October 2022

Street Voice: Citizens' Jury Report of Performance and Corporate Services Overview & Scrutiny Committee

RECOMMENDATION

1. **The Cabinet is RECOMMENDED to —**
 - a) Agree to respond to the recommendations contained in the body of this report.
 - b) Agree that relevant officers will continue to update Scrutiny for 12 months on progress made against actions committed to in response to the recommendations, or until they are completed (if earlier).

REQUIREMENT TO RESPOND

2. In accordance with section 9FE of the Local Government Act 2000 as amended by the Localism Act 2011, the People Overview & Scrutiny Committee requires that the Cabinet respond to the recommendations of a report submitted to it by Scrutiny within two months of the date of being served this report. The Scrutiny Committee accepts service to mean the date of the Cabinet meeting, and not the publication of the agenda.

INTRODUCTION AND OVERVIEW

3. Following a request from Cabinet to do so, at its meeting on 30 September 2022, the Performance Overview and Scrutiny Committee considered a report from the Citizens' Jury, 'Street Voice'.
4. The Committee welcomed a presentation from the Citizens' Jury report authors, Dr Alison Chisholm, Qualitative Researcher at the Nuffield Department of Primary Care Health Sciences and Dr Juliet Carpenter, Research Fellow at Kellogg College, two Jury members, the Jury facilitator Paul Kahawatte, and Robert Weavers from the research team. The Committee would like to thank all these people who gave up their time to update the Committee, in addition to Cllr Glynis Phillips, Cabinet portfolio holder for

Corporate Services, Claire Taylor, Corporate Director – Customers, Culture and Corporate Services, and John Disley, Head of Transport Policy, who were available to provide an internal perspective to issues raised in discussion.

SUMMARY

5. One of the report authors, Dr Juliet Carpenter, Research Fellow at Kellogg College made a presentation to the Committee, explaining the process of how different participants were selected to be involved, and practically how it was delivered, with the key focus being on information sharing by experts, followed by facilitated discussion afterwards. Paul Kahawatte, professional facilitator of the Citizens' Jury, explained the process of convergent facilitation, which tended to produce shared views from divergent starting points rather than watered down compromise or ideas with only minority support. Dr Alison Chisholm, Qualitative Researcher at the Nuffield Department of Primary Care Health Sciences, introduced the outputs of the Citizens' Jury, its recommendations. The 41 recommendations, which were identified as particularly important to at least one jury member and which received no opposition from any others, were identified as the priority recommendations, with support from all Jury members. Other proposals were included in the report appendix, including a number of others that were also fully supported and were not opposed by any Jurors. Two participant Jurors also presented their experience of being involved, highlighting the need for realism, inclusivity for multiple groups, the value of having their own biases respectfully challenged, and the qualitative difference of the Citizens' Jury over traditional consultation.
6. Owing to its remit as the Scrutiny Committee responsible for corporate services, including consultation, the Committee focused on this area rather than the specific merits of the different recommendations arising from the Citizens' Jury. The 55 recommendations made by the Place Scrutiny Committee's Transport Working Group are felt to cover much of the same ground as the Citizens' Jury recommendations whilst being far more informed than the Performance and Corporate Services Overview and Scrutiny Committee could emulate within a single meeting.
7. The Committee's discussion covered a number of areas. These included:
 - The degree to which support for proposals differed depending on the degree of familiarity or non-familiarity with the concept
 - The limitations of consulting Oxford residents when such a large proportion of travel within the city involves those from outside
 - The statistical significance of divergence from precise matching of demographic characteristics owing to the small number of jurors involved
 - The limitations of exploring proposals in an uncosted manner
 - Clarifying the process of the Council's response beyond Scrutiny, the applicability of Citizens' Juries more generally and learning points from this exercise

- The relationship between Citizens' Juries and other forms of consultation and engagement.

The Committee makes one recommendation to Cabinet concerning the broader location of citizens' juries within the Council's decision-making process.

OBSERVATIONS AND RECOMMENDATIONS

8. The Committee did note that the Street Voice Citizens' Jury represented the first time that the Council had sought to engage with a Citizens' Jury in a substantive way as part of its policy-development and decision-making process. As part of its consideration of the report the Committee makes two observations to feed back to Cabinet by way of reflections on the process which may help shape any future use of Citizens' Juries but which do not require a formal response, as well as one recommendation, which does.

Observation 1: The Committee felt a lack of clarity over the status of the Citizens' Jury recommendations, and their ongoing treatment within the wider Council's processes.

9. Experimenting with novel ways to engage and listen to local residents is entirely consistent with the Council's strategic priorities and its values. However, rarely do new approaches work out perfectly first time, and it was the view of the Committee that in this instance there was a lack of clarity over where the Citizens' Jury recommendations naturally fitted. Specifically, it was unclear as to which Council decision the recommendations related to, the most relevant being the LTCP, a policy already adopted. Similarly, the Street Voice report recognised that its recommendations were made without reference to the cost of implementing its proposals. This makes consideration of them by Scrutiny (and indeed Cabinet) very difficult without further work being undertaken to understand the financial practicability of any proposals. Equally, it was unclear to the Committee how an endorsement of a particular recommendation would be treated; a number of members supported all the recommendations in principle, for example, but without clarity as to the effect within the organisation of endorsing any particular recommendation it was hard to address specific ideas. The Committee were grateful to all those involved with the project for giving up their time to come along, and it regrets any possibility that its hesitancy to engage with the substance of the recommendations was a disappointment. Given the intensive commitment required to be a Jury member, it is important for any future Juries that a mechanism is developed to ensure that the substance of any report is given due weight and their efforts duly recognised.

Observation 2: A difference of opinion exists within the Committee over the value for money of Citizens' Juries, particularly if used as a supplement to existing consultation methods.

10. A strong steer of the Committee is that if Citizens' Juries are to be employed as a means of consultation, they should be in addition to rather than as a substitution for existing consultation approaches. This, however, raises the cost. There was not agreement within the Committee as to whether that additional cost was merited by the ultimate outputs.
11. Those who queried the value for money held concerns over the process of the Citizens' Jury. They did so on a number of bases, including worry that the small number of participants meant it was not possible to get genuine demographic representation, concern that a representative group's directions can be influenced by the choice of speakers (who are not as rigorously balanced), caution that in seeking consensus areas of minority disagreement may not be raised, and challenge over the legitimacy of choices made without full consideration of the budgetary trade-offs involved. To those holding these concerns, questions over the process meant the legitimacy of the outcomes was in doubt, making it more difficult to justify the additional cost.
12. An ancillary point to the overall cost of Citizens' Juries was made at the Committee, which is the opportunity cost of involved. If that time and money is to be devoted to consultation, is it most effectively spent on a Citizens' Jury? The question was raised whether the time invested to select participants, develop trust between Jury participants, and to inform them on the issues might actually be more effectively spent consulting with democratically appointed members instead? It was suggested that four weekends of consultation with local members might yield a more complete picture underpin a more positive impact on ultimate policy outcomes than a Citizens' Jury.
13. The formal recommendation of the Committee falls naturally out of these two observations: that some members are unconvinced as to the value for money of Citizens' Juries, and that there was a degree of uncertainty over the status of the Citizens' Jury work and the ask of the Committee.

Recommendation 1: That the Council develops a clear plan as to how any future Citizens' Juries would best be incorporated within the wider policy-development and decision-making processes of Council.

14. As discussed above, one issue over the Citizens' Jury is the cost. Irrespective of the differences of opinion within the Committee over the value for money of the information provided by a Citizens' Jury process, what is incontrovertible is that the value of their outputs is predicated on achieving demographically representative groups, informing them well, and ensuring that all members are given the opportunity to share their views. Achieving these requirements is expensive. The Street Voice team had to use a specialist company to identify and invite 2000 households to be involved and sift through the responses to generate a demographically balanced group. This group then were presented with the views of 13 speakers over 21 hours and four weekends. A professional facilitator was required to involve members and to identify areas of consensus. If the Council is to use such an involved process in the future, it is fair that it should seek to maximise the value and utility of the ultimate outputs. In order for this to happen, Citizens' Juries must be aligned and

integrated with the Council's existing policy-development and decision-making processes.

15. The Committee's view is that this would largely be solved by earlier involvement; it is unfortunate that the Citizens' Jury recommendations have arrived after Cabinet, Scrutiny and Council have considered the LTCP and it has been agreed. Likewise, the Citizens' Jury recommendations themselves, having not been costed, would have been of greater benefit in informing the development of policy ideas at the outset, rather than at a late stage. It may be that if Citizens' Juries are to be used to inform specific decision-making proposals (as opposed to broader policy development) they may need to incorporate some of the constraints and trade-offs which the Council would be making in its decisions into the Jury process, the budget being the key one.
16. Along similar lines, the Committee also feels that to be useful as a tool for consultation on behalf of the Council the outputs must be related to activity which is within the Council's ability to implement. The recommendations of the Citizens' Jury bring in the Universities, NHS, central government and the private sector as well as the Council. To maximise the usefulness of a future Citizens' Jury it would be necessary to limit the initial scope so that the outputs say what Jurors want the Council to do, rather than their desired overall destination. A more focused approach may also be more time-efficient.
17. A final question which the Committee suggests would be necessary to raise is the status of a Citizens' Jury. If, as Scrutiny members have requested and the Cabinet member has agreed to, Citizens' Juries would be supplementary to the current process of consultation and engagement, it is unclear what the rationale for focusing both Cabinet and Scrutiny time on a particular element of the engagement process would be over and above the others. It may be that the greater depth of responses afforded by a Citizens' Jury merits specific consideration, but the Committee feels that this is a question which would benefit from being actively addressed along with the question raised above about ensuring the contributions of Jurors are fully recognised.

FURTHER CONSIDERATION

18. As per the recommendation, the Committee would wish to see greater integration of Citizens' Juries into the Council's wider processes before it considers a further one. However, the Committee is expecting to undertake further work on consultation and engagement in the form of a report on the Communications and Engagement Strategy in April 2023.

LEGAL IMPLICATIONS

19. Under Part 6.2 (13) (a) of the Constitution Scrutiny has the following power: 'Once a Scrutiny Committee has completed its deliberations on any matter a formal report may be prepared on behalf of the Committee and when agreed

by them the Proper Officer will normally refer it to the Cabinet for consideration.

20. Under Part 4.2 of the Constitution, the Cabinet Procedure Rules, s 2 (3) iv) the Cabinet will consider any reports from Scrutiny Committees.

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Annex: Annex 1: Pro forma template for Cabinet response

Background papers: None

Other Documents: None

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