

This document was considered by the Ministerial Advisory Group (MAG) at an early stage of developing consultation materials for the ECE Funding Review. It was used to explore and test potential packages of ideas and approaches and should not be interpreted as representing agreed MAG recommendations, Ministry advice, or Government policy. The content is provided to support transparency about the review process and should be considered in the context of the broader work undertaken by the MAG.

ECE funding MAG, 16 March hui

Identifying what a good suite of options for consultation could look like

The purpose of this paper, generated after discussion between the secretariat and Chair, is to provide a conversation starter for MAG's discussion of what a good suite of options would be for its consultation.

Included in the **Annex** is a discussion of some best practice principles for the consultation *process*. Separately the Ministry will provide advice on possible ways to communicate options – for example, through the use of web-based questions supported by a consultation document, and the length, style and tone of this document.

There is less guidance on content – how to consider the best way to package up and describe a suite of alternative options, which will support an effective consultation. Some possible considerations include:

- Use of the Problem Definitions as a basis for each option (i.e. outcome-focused), or some other basis (e.g. output focused, which might be more about pain-points for different participants in ECE, or even input focused, which might be more about cost of provision for example).
- The number of options (packages) – possibly somewhere between 3 and 5 in total.
- The distinctiveness of each option - deliberately making them distinct to draw out trade-offs, or presenting more as a continuum.
- The extent to which options might build on each other – are there themes or components that are valuable across options? For example, simplification or equity proposals might underpin all of them.
- The level of detail – keep high level, quantify changes, or dive into addressing some issues at a micro level.
- The level of ambition and the time horizon – i.e. is this a 5 year view for transformative change (with transition) or a more incremental approach, based on a continuous improvement approach.

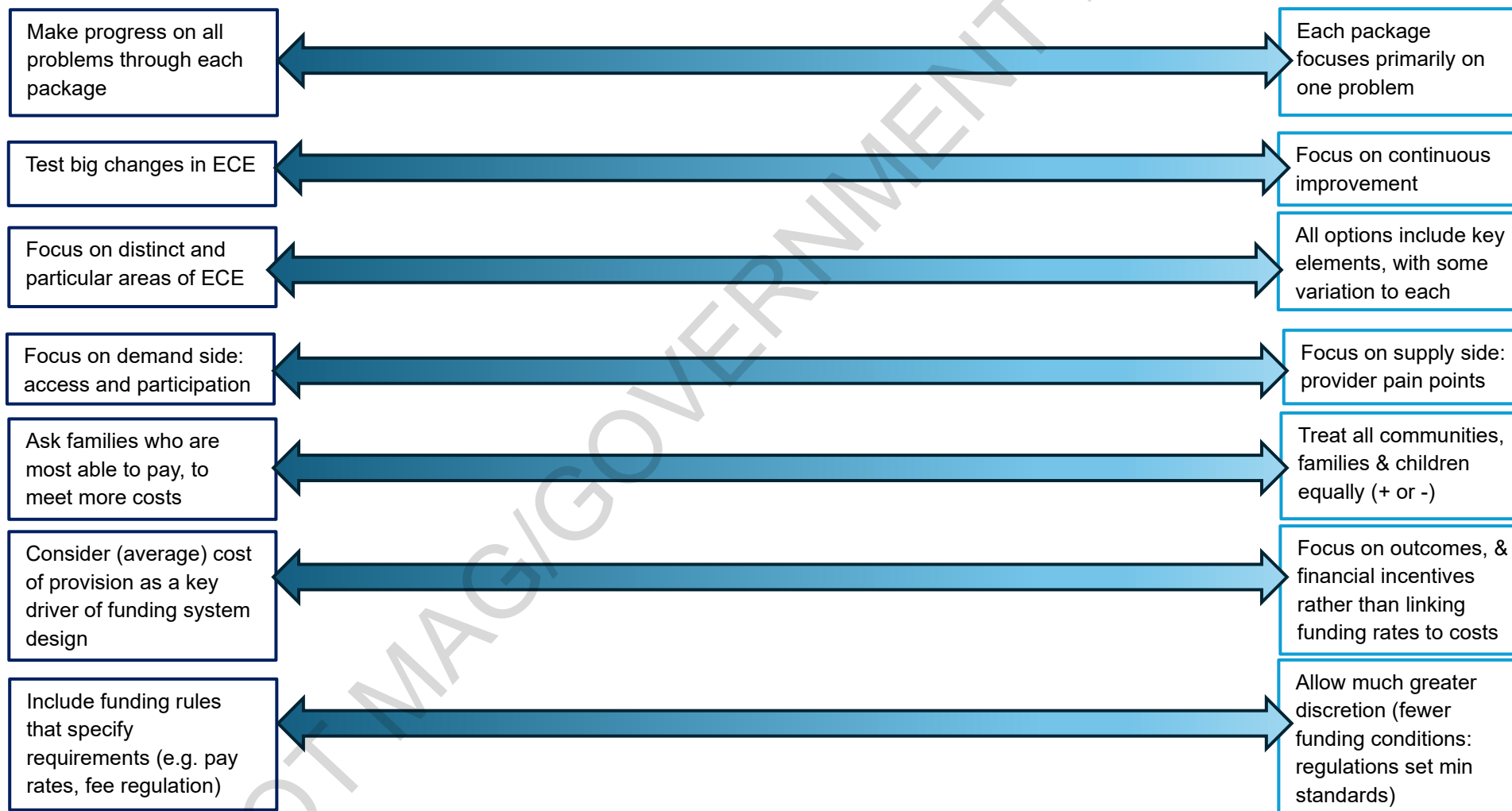
In this workshop MAG is considering what the overall approach to consultation *content* will be. This session and the next are about setting up some priors or pre-commitments, that MAG can use to test its thinking on problems and priority packages.

Over the page, we have provided some prompts for discussion. These are conceptual thinking from the secretariat, not advice on MAG options.

Example choices for MAG: what makes a good suite of options

These examples are meant as spectrums: where on this continuum do you think MAG should land?

Note: Secretariat used the wide range of 50+ options tabled for the 3 March sprint to develop some broad illustrative choices. The choices deliberately provide a contrast. These choices do not represent secretariat advice, nor are they indicative of preferred options for MAG.



Annex: High-level frameworks for consultation processes: what is consultation for, what principles apply?

The [International Association for Public Participation \(IAP2\)](#) says that consultation is to obtain feedback on analysis, alternatives and/or decision. It has defined core for public participation (wider than consultation) which are that public participation:

1. is based on the belief that those who are affected by a decision have a right to be involved in the decision-making process.
2. includes the promise that the public's contribution will influence the decision.
3. promotes sustainable decisions by recognizing and communicating the needs and interests of all participants, including decision makers.
4. seeks out and facilitates the involvement of those potentially affected by or interested in a decision.
5. seeks input from participants in designing how they participate.
6. provides participants with the information they need to participate in a meaningful way. communicates to participants how their input affected the decision

A more plain-language version is set out in the UK's Gunning Principles, which came from 1980s case law:

- **Gunning Principle 1:** Consultations must occur while proposals are still at a formative stage.
- **Gunning Principle 2:** Sufficient information needs to be supplied for the public to give the consultation 'intelligent consideration'.
- **Gunning Principle 3:** There needs to be an adequate time for the consultees to consider the proposal and respond.
- **Gunning Principle 4:** Conscientious consideration must be given to the consultation responses before decisions are made.

This approach reflects international practice, and is incorporated in New Zealand's DPMC Policy Project guidance [Community engagement | Department of the Prime Minister and Cabinet \(DPMC\)](#).

It is also reflected in [Office of the Auditor-General guidance for local government](#) on implementation of the Local Government Act consultation requirements. MAG may find these two sets of principles useful as work on the consultation process continues. on implementation of the Local Government Act consultation requirements. MAG may find these two sets of principles useful as work on the consultation process continues.