



**The Consumer Council**

**Consultation:** Proposed changes to Loughs Agency consultation process

**Date:** November 2011

**Contact:** Jenny Robinson

**Our (PID) reference number:** PD 20010 928

1. The Consumer Council welcomes the opportunity to respond to the consultation on the proposed changes to Loughs Agency consultation process.
2. The Consumer Council is an independent consumer organisation set up in legislation to safeguard the interests of Northern Ireland consumers, particularly the vulnerable and disadvantaged. We work to promote and protect consumer interest and bring about change to benefit consumers. Our aim is to make the consumer voice heard and make it count.
3. We represent consumers in the areas of transport, water and energy. We also have responsibility to educate consumers on their rights and responsibilities and to equip them with the skills they need to make good decisions about their money and manage it wisely.
4. The Consumer Council believes that good legislation and policy relies on proper consultation and conscientious consideration of responses. Only then can it secure public trust and confidence.
5. Any public consultation should be meaningful and inclusive. The outcome of consultation should not be pre-defined and any areas which are not open to consultation should be clearly and openly stated. Minds should not be made up prior to a consultation starting.
6. The integrity and importance of consultation can not be undermined. An inclusive and comprehensive consultation process is fundamental to effective decision making and consulting bodies must create and meet the legitimate public expectation, they must ensure that public expectation is met via an open, honest and transparent process.
7. The Consumer Council notes the Loughs Agency recommendation in relation to including a mixture of open and closed questions about the

consultation. We would caution that while the questions provide guidance to consultees, if those who are consulting ask leading questions or do not ask appropriate questions this could limit the potential suggestions. We agree with the proposal that respondents should be able to comment on issues not directly addressed in the questions.

8. The Consumer Council supports the recommendation for increasing the ease of access to consultations on the Loughs Agency website by including different sections for active and closed consultations. Access to information facilitates consumers to engage in the decision making process. This also links to Loughs Agency's recommendation regarding proof reading consultation documents for jargon and including a glossary for technical terms. Avoiding jargon, using Plain English and providing explanations of technical terms aids respondents' understanding of the consultation and helps maximise input.
9. The Consumer Council agrees that each consultation process should involve drawing up a new list of consultees. A thorough and well researched list for each consultation should ensure that the views from most relevant stakeholders and consumers are sought.
10. We agree with recommendation five that alternative methods to notify and support the written consultation document should be considered to get the information to those who do not have access to email and the internet. Loughs Agency should be proactive in seeking potential views and use various methods such as using community organisations and representative bodies to reach a wide range of people.
11. Using alternative methods of consultation should not only be limited to those who do not have access to the internet. Previous work undertaken by the Consumer Council in consulting with our stakeholders shows a resistance to provide written responses, particularly among the most vulnerable. Effective methods that we

have used include face to face engagement through consumer panels and roundtable question and answer sessions. The views gathered using these methods are as valid as formal written responses therefore it is appropriate that the results of face to face engagement are recorded, considered and included in the consultation process and in the summary of responses.

12. As suggested, an in-depth analysis and an explanation given as to why the final recommendations were decided on should be provided in the summary of responses document. This is vital to ensure respondents have proof that their views have been adequately considered.
13. We agree that the consultation should state the date and web address where the summary of responses will be published. Feedback should be issued within the designated three month feedback period. In order to make the whole consultation process inclusive Loughs Agency must also consider those respondents who do not have access to the internet and offer an alternative of how the summary of responses will be provided.
14. The Consumer Council agrees that as legally obliged screening for Human Rights, Equality and Rural Proofing should be performed for every consultation, as well as a Sustainable Development screening, an appropriate Assessment under Habitats Directive, and a Partial Regulatory Impact Assessment.



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# ***Making the consumer voice heard and making it count***

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