



# LOCAL GOVERNMENT DELIBERATION CELEBRATION

*A showcase of high-influence council engagement and exploration of what's next for deliberation in the sector.*

RESPONSES TO PARTICIPANT QUESTIONS



**November 2021**



# INTRODUCTION

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On 18 November 2021, MosaicLab facilitated an online forum to celebrate 11 council deliberative engagement journeys and explore 'what's next' for the local government sector in the deliberative space.

Over the last two years, MosaicLab worked with ten Victorian councils, supporting them to plan and deliver these 11 processes. The processes involved 348 randomly selected participants from across diverse backgrounds and 278 hours of deliberation over 61 days.

This work resulted in the development of community visions and community plans for these municipalities, which, collectively, are home to 21% of the Victorian population.



## The event brought together 35 participants including:

- o representatives of the councils that hosted the engagement processes (including mayors, councillors and project team members)
- o representatives of the local government sector (including Local Government Victoria, LGPro and the Municipal Association of Victoria)
- o researchers focused on deliberative engagement practice
- o representatives of organisations working in deliberative engagement field

## Key speakers and contributors at the forum were:

- o Cr Kate Hely, Mayor, City of Stonnington
- o Cr Despi O'Connor, Mayor, Mornington Peninsula Shire
- o Cr Kim O'Keeffe, Mayor, Greater Shepparton City Council
- o Iain Walker, Executive Director, newDemocracy Foundation
- o Professor Janette Hartz-Karp, Curtin University
- o Lyn Carson, Research Director, the newDemocracy Foundation
- o Fadak Alfayadh, Acting Director Policy and Strategy, Local Government Victoria



# QUESTIONS FOR THE FUTURE

Participants asked questions about how the sector can move forward in terms of deliberative engagement practice. Some questions were answered by the panel of speakers on the day, others have been responded to by the MosaicLab team.



## Participant Questions

## Panellist and MosaicLab Answers

What about standing panels, would they work as a way of addressing some recruitment challenges including recruiting for multiple deliberative processes?

Yes. Standing panels can create efficiencies around recruitment. They allow organisations to concentrate resources into one larger recruitment process. The 'standing' panel then considers several topics over a set period. The alternative is to recruit separate panels for each topic incurring recruitment costs for each panel.

Panellists suggested that the standing panel - a randomly selected, representative deliberative group - would ideally operate alongside the elected Council, deliberating over key issues and providing recommendations to decision makers.

It was suggested that interest and awareness could build around this opportunity if recruitment always happened on the same date (as per Council elections). This becomes a community event.

How do we prevent a standing panel becoming another council? What about turnover?

Panel turnover is key and panellist term limits would need to be applied. Each panel might only operate for one year or perhaps eight deliberative meetings. This would ensure that the positions are not held for too long by people who have now become more informed, subject to lobbying and less representative of the everyday citizen. This would also address possible problems with retaining people in the process. One panellist suggested changeovers where half of the panellists go and the other half stay (staggered changeover).

How do we ensure that the momentum continues and this is not just viewed as something you have to do to meet legislative requirements?

Panellist ideas included:

- have an award process to acknowledge, amplify and elevate great deliberative work
- pick your hardest problem to put to your community
- have levels of achievement - so organisations are encouraged to reach a level of practice and maintain it, as is done by the Essential Services Commission for pricing in the water industry.



## Participant Questions

## Panellist and MosaicLab Answers

The timing is critical, do we do it before or after elections?

There is no right answer to this question, and deliberative processes have been successfully delivered both before and after elections. Panellists suggested an advantage to holding the process before the election is that it encourages more community involvement in and awareness of council affairs right before the opportunity to run for council. Some prior panellists have now become councillors. An advantage to running one after the election is that you are working with new councillors who are keen to hear from their community before moving forward in decision making. Utilising a standing panel approach may address timing issues, as the deliberative process is an ongoing, embedded part of the decision making system. See also a similar question below (page 11).

How do we keep the panels connected with Council in some way as we move forward?

As part of good engagement practice, we recommend that councils keep panel members informed of how their recommendations were used (and implemented over time) and continue to do this over the four year period of the council term.

Annual 'reporting back' events are one good idea and would form part of maintaining trust with your community. However, we do not recommend using panels for new work for more than one or two years. This is because they may become embedded (inculcated) in the politics of the organisation, may form voting blocks and become open to lobbying and pressure from interest groups. If panels are being recruited for 1-2 years (what we call standing panels) this needs to be planned for and a range of rules put in place about their role and the scope of topics discussed during this time.

How can we translate the vision into deliverables beyond just the Council Plan - State and Federal?

This is an advocacy piece for councils. Councils often advocate to other levels of government on behalf of their local communities either through their local Members of Parliament or through representative groups like the Victorian Local Government Association, the Municipal Association of Victoria and the Australian Local Government Association.

Should we combine our efforts across the state to build better recruitment process?

Yes, this is a great idea. Councils could fund a joint recruitment process. We believe this needs careful management as there are only a few people/organisations who understand the specific requirements of deliberation and it would be best overseen by an organisation like the newDemocracy Foundation. Ideally the State Government might fund a recruitment process for all local councils. MosaicLab is writing a short paper with the newDemocracy Foundation about how this might work that we will share.

How can we ensure deliberative engagement and panels are not just employed when we need to do our new plans?

Deliberation is one option for you to consider whenever you are working out the best engagement option for any issue at council. Deliberation is best used for hard to resolve issues. MosaicLab has some resources available regarding when and why you should deliberate, including [this article](#) on our website.



## Participant Questions

## Panellist and MosaicLab Answers

How do we allay the fears of councillors that they are handing over to the panel in place of councillors?

Cr Healy - former Stonnington Mayor - spoke directly to this question at the event in terms of councillors being decision makers and therefore needing to listen to their community and find out what the everyday person thinks. Once you are a councillor you often hear from the extreme end of each issue and you can exist in an echo chamber. And yes, this is about giving up control and sharing power with the community with the intent of helping councillors make better decisions that better represent the views of the whole community (people you mostly don't hear from). Although, ultimately, the councillors are the final decision makers and have full decision making authority over the contents of the Council Plan, Finance Plan and Asset Plan.

It is important to consider the roles of councillors and panels and how they interact throughout the process of council developing council's key strategic plans. Setting the vision is considered by most councils as being the role of the community (most councils accepted the vision statement without change). Many councils had panel members present the vision to councillors so that councillors could hear directly from the panel members about the reasons sitting behind the drafting of the vision.

We have seen one or two councils then bring panel members into collaborative workshops that include councillors and staff to consider how this vision will be translated into the council plan and/or the other key strategic plans. This creates greater collaboration between councillors and panels.

There are many options for future designs of panels that might more substantially address finance and asset plans. In these designs, the role of councillors and senior staff can be considered to ensure a greater level of collaboration is put in place. This might include councillors providing input at various stages of a process or councillors being members of the deliberation. How councillors deliberate themselves and come to agreement on these key plans is also important in how the overall process is designed.

What support/guidance can we give to councillors that will enable them to feel more comfortable?

Some suggestions:

1. As suggested by Iain Walker from the newDemocracy Foundation, you commission a deliberation on the hardest issue for your councillors to resolve.
2. Councillors need to see the process in action and as a result have the experience of how deliberation can make their role easier.
3. Councillors may benefit from hearing directly from others who have been in their position. If a direct conversation isn't possible, MosaicLab has a [free video resource](#) providing insights and messages from decision makers.



## Participant Questions

## Panellist and MosaicLab Answers

What are the broad definitions of deliberation and how do we work with it?

Deliberative approaches are built on key principles. MosaicLab has a [free guide to deliberative democracy](#) available and has published a [Short Guide to Deliberation for Victorian Councils](#). Both resources help to define deliberative engagement and how it is applied.

Are there more opportunities for councillors to “smell the BO”?

There are many ways for councillors to engage with their communities beyond the usual people they hear from - this doesn't have to be via a big or complex engagement process. Thinking beyond formal settings like public meetings is a good place to start. In order to meet people from all different walks of life, they will need to meet people where they are, not expect them to come to them. Councils have internal staff with a wealth of information about what is happening in the community that would be able to provide contacts and opportunities.

Does the change in deliberative engagement change the culture of councils?

This depends on the work undertaken internally by councils. Councils themselves could take on the principle of deliberation in their own decision making. We understand that the new legislation is seeking to have councils to be more responsive to their communities by enacting community engagement principles and meeting the requirements for deliberation. Councillor involvement in these processes can be transformative and flow through to the organisation more broadly.

Internal work includes internal communication with the broader staff community. Employees of council are expected to deliver outcomes that flow on from deliberative processes and decisions. At a minimum, ensuring people are aware of the process is important. However, there are also ways to involve employee more directly.

Can we invite representatives from other councils to sit as part of the project working group that works on delivery of the engagement process?

Representatives of other councils may be useful in terms of providing additional input into the design of engagement and deliberation processes.



## Participant Questions

## Panellist and MosaicLab Answers

What if we had more guidance on ways to undertake the process from LGV?

We understand that Local Government Victoria is not providing guidance to enable councils to enact the provisions in the manner that is best for their own communities. MosaicLab has provided guidance in the [Short Guide to Deliberation for Victorian Councils](#).

Recruitment and working with random sampling. How do we do this?

Random, stratified selection processes help to make the panel or jury selected more representative of the broader community and bring diverse participants from all walks of life into the conversation. The article "[Dilemma Discussed: Representative Views](#)" outlines, with the help of experts from the New Democracy Foundation and Deliberately Engaging, how this is achieved.

How do we resource deliberative processes and contract external specialists with limited ability to do this?

A deliberative process can require a bigger investment than other engagement approaches due to factors such as recruitment and the time and information required. Each deliberative process (or engagement process containing some deliberative aspects), will be different, and could cost anywhere between \$25,000 - \$280,000. However, while the investment might be high, the return is also high (high cost-high value result rather than medium/high cost-low value result).

In some situations you may feel that independent facilitation isn't required. This will depend on your current relationship with your community, the topic in question and the level of skill you have in-house. Independent facilitation might be used on 'harder' topics that are more contentious or vexed. Internal staff can observe and learn how to run deliberative processes, then facilitate processes dealing with less contentious issues.

Having said this, whoever takes on the facilitation role needs to strongly protect the integrity of the process from political agendas – this may be hard for an inside staff member to undertake. Challenging a senior leader/councillor or saying 'no' to the organisation wanting to change vision words (for example) could be hard. Think about what is important and how you can leverage outside help to assist you in the process. Most external specialists are willing to discuss a design or approach to help you work within your budget.



## Participant Questions

## Panellist and MosaicLab Answers

Third party observers, how do we make this work?

Observers are encouraged in any deliberative process. We suggest that both council staff and councillors observe alongside the general public. Online or face-to-face, the parameters are the same:

- Limit the numbers to a manageable size (usually around 10-12 maximum).
- Don't interact with or lobby the panellists.
- Don't photograph/video, nor forecast the final recommendations.

Observers are managed similarly in the online setting as they are face-to-face. This includes:

- There is a closed room at the start and end of each day to allow the panellists to privately share thoughts on the process and raise issues.
- Numbers are limited to a manageable size (usually no more than 10). In one case we have provided a central room where community observers have sat in to watch with one video screen into the zoom room.
- The observers are (when panellists feel comfortable) placed in the breakout rooms to observe a smaller conversation.
- All observers keep their videos off and their audio muted, at all times.
- Panellists are asked if they feel comfortable with observers and to raise any issues with observers interacting with them with facilitators immediately.
- All observers are encouraged not to judge the quality of content of the discussions as the sophistication of the panellists' conversations evolve over the course of the process.
- It is usual for the council (auspicing organisation) to manage the process of registration for observers.

Did councils who did their deliberative engagement before the council elections have any issues with the new council accepting the process/results if they weren't there for the journey and to hear the panel directly?

This is a question worth exploring in more detail across the Councils. In this group of councils there were only one or two that started their processes before the new Council was elected.

This pre-work focussed on the community vision and not the council plan. These community visions were accepted by the new Council and their attention and focus was spent exploring the Council Plan.

It might be worth noting what different Councils define as a 'community vision'. It seems some councils believe the community vision is the 'council plan vision' and others treat the community vision as a higher order vision compared to what the council vision might be. This may have an impact on whether the 'community vision' is more easily accepted by an incoming Council.







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