

**Freedom of Information Act 2000 (FOIA)
Environmental Information Regulations 2004 (EIR)**

Decision notice

Date: 13 March 2013

Public Authority: Enfield Council
Address: Civic Centre
Silver Street
Enfield
Middlesex
EN1 3XF

Decision (including any steps ordered)

1. The complainant requested information on the criteria used by the council for consultations. The council disclosed two documents which are associated with its membership of Enfield Partnership. The complainant considers that the council response does not fully answer his request.
2. The Commissioner's decision is that the two documents provided to the complainant by the council provide him with a response to his request. It outlines the guidance which its officers work to on setting up and running consultation exercises, however each individual consultation will be run on an individual, bespoke basis. It therefore provides him with the criteria used by council officers when setting up consultations. The Commissioner therefore considers that the council has complied with the requirements of the Act.
3. The Commissioner does not require the council to take any steps.

Request and response

4. The complainant initially wrote to the council on 7 February 2012 stating that he wished information on
 - "Consultation*
 - Will the council please*
 - (a) Set down its criteria*
 - (b) State the source(s) and requirements on which this is based"*
5. In a further letter to the council he stated that the information he expected to receive in response to the above was:
 - "In regards to consultation criteria, most obviously for example –*
 - Scope – who is involved*
 - Awareness – how those individuals are advised*
 - Duration – timescale for responses*
 - Timing – when the exercise should take place in relation to the topic or project concerned*
 - Likewise with the basis for these, the sources, guidelines, directives these observe"*
6. On 19 April 2012 the complainant wrote to the council again. He said that the above requests covered information which:
 - "Very evidently , is in no specific context nor in respect of any particular issue, but concerns the criteria and base on which the council operates on consultation exercises as general principles."*
7. The council responded to the complainant by providing him with 2 documents which refer to its consultation procedures. These were based upon the Enfield Strategic Partnership procedures of which the council is a member. The documents provided were:
 - Enfield Strategic Partnership Engagement Framework
 - Enfield Strategic Partnership Engagement Toolkit
8. Upon review the council upheld its initial decision.

Scope of the case

9. The Commissioner considers that the complainant's request relates to whether he has received all of the information which he asked for in response to his request. The complainant argues that the information which was disclosed to him by the council does not fully respond to his request.

Reasons for decision

10. The Commissioner notes that the council's website provides copies of both of the above documents, and that the download page of the Engagement Framework specifically states that the Engagement Framework aims to:

Develop a common understanding of what community engagement means

Share a vision for engaging with local communities so that we promote strong and inclusive communities in Enfield

Agree a set of engagement objectives which help to improve the quality of life of local people

Develop common engagement standards across the strategic partnership

Better co-ordinate activities and provide a menu of choice's for getting involved

11. The Engagement Toolkit provides reference information to officers as to how to set about preparing a consultation to achieve the above aims. It also provides advice as to how to obtain specific information about consultations planned for that particular year. The council said to the Commissioner that consultations are set up using the above guidelines and toolkit. It said that they are set up on a bespoke basis.
12. The complainant specified in his correspondence with the council that its response should not be limited to other requests he had made regarding the introduction of wheeled bins. He made clear in his response to the council of 19 April 2012 that he wanted more general information about the council's consultation procedures.
13. The council argues that consultations are set up using the above documents as guidelines. Each consultation will be different depending upon the circumstances of the case and the aims of the council in

carrying out the consultation exercise. Information on how the council goes about this is held within the documents provided to the complainant.

14. The council argues that it has provided the complainant with the information it holds relating to consultations as a whole. It argues that it is not able to specify the information requested by the complainant because this will differ with each consultation it carries out. Whilst the information requested by the complainant will be held for each individual consultation, as a whole there are no standard criteria which can answer the complainant's question as it will differ on each occasion. The scope, awareness timing and duration will be different in each consultation dependent upon the aims of the council and the choices made by officers and managers when setting up the consultation. The criteria for each different consultation will determine the manner and choices of the council when setting up that consultation.
15. To ensure that it had responded appropriately the council also specifically answered the complainant's questions in regards to the introduction of wheeled bins. It explained that the consultation process involved 30 000 residents and specific focus groups, with results indicating a clear preference for a wheeled bin collection service. It also explained how it had carried out that consultation.
16. Having considered the documentation provided to the complainant, and the reasons outlined for his complaint the Commissioner's decision is that the council has complied with the request.

Right of appeal

17. Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)
GRC & GRP Tribunals,
PO Box 9300,
LEICESTER,
LE1 8DJ

Tel: 0300 1234504

Fax: 0116 249 4253

Email: informationtribunal@hmcts.gsi.gov.uk

Website: www.justice.gov.uk/guidance/courts-and-tribunals/tribunals/information-rights/index.htm

18. If you wish to appeal against a decision notice, you can obtain information on how to appeal along with the relevant forms from the Information Tribunal website.
19. Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

Signed

Andrew White
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Wycliffe House
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