



DRAFT FRAMEWORK FOR ETHICAL, INCLUSIVE AND LAWFUL CONSULTATION

Consultation Document
Consultation Period: 11/09/25 - 04/12/25

This draft framework sets out a potential set of core values for public consultation. Each value is supported by defined standards. Together, they provide a legally grounded basis for designing, delivering, and evaluating public consultation and engagement processes.

We welcome your help in making these fit for purpose across the UK.

Introduction

Public consultation has never mattered more. In a world where trust in institutions is fragile, where technology is reshaping how people connect, and where decisions must balance urgent needs with the interests of future generations, citizens rightly expect to be involved in shaping the choices that affect their lives.

Consultation plays a distinct role in this wider landscape of engagement and co-production. It is most often the stage where clear proposals are tested, concerns are surfaced, and options are weighed before decisions are finalised. Done well, consultation strengthens democratic trust, ensures decisions are fairer, and helps organisations avoid costly mistakes.

The standards in this framework are designed to support that ambition. They are rooted in the legal duties that govern consultation across the UK, including the Gunning Principles, the equality duties, and case law such as Bracking and Moseley, but they go further. They set out what it means to consult in a way that is ethical, inclusive, transparent, and future-facing.

This includes addressing issues that shape consultation today: how we use digital tools and AI responsibly, how we design processes that limit our carbon impact, and how we make consultations visible and accessible to people from every community.

These draft standards are offered for consultation across the UK. They are a starting point, not a finished product. **We invite your experiences, insights, and challenge to help ensure they are credible, ambitious, and practical** - a framework that both safeguards fairness and inspires a new model for decision-making.



DRAFT Public Consultation Values and Standards

Adaptability

Focuses on how consultation is designed to flex

Consultation evolves with community needs and context, responding dynamically while maintaining fairness and rigour. It uses creative methods and, where appropriate, digital and analytical technologies applied responsibly and transparently to engage diverse perspectives and support trustworthy decision-making.

Equity

Ensures who participates reflects the community.

Consultation reflects the diversity of the community through clear recruitment efforts to achieve demographic representation, eliminating systemic, geographic, and digital inequities in participation.

Integrity

Protects authenticity of intent

Consultation is authentic and not predetermined. Reflective practice, open-mindedness, and critical challenge help ensure findings reflect the authentic voice of participants and are trusted by society.

DRAFT Public Consultation Values and Standards

Power

Clarifies scope of influence and partner roles.

The scope of influence is made clear: the consultor's authority (and where relevant the role of partners) is transparent. Power is shared through collaboration and co-production, with communities shaping scope, options, and consultation materials before proposals are tested more widely. Engagement continues throughout the process to ensure areas of influence genuinely offer opportunities for input and, where relevant, for power-sharing.

Proportionality

Ensures scale of consultation matches scale of decision

The scale, methods, and resources of consultation match the significance and impact of the decision, avoiding both tokenism and undue burden. Consultation design also considers its environmental footprint and its consequences for future generations, ensuring that the approach remains proportionate in social, environmental, and legal terms.

Resourcing

Sets out budget, skills, and capacity needed.

Dedicated budgets and identified teams, with relevant skills, demonstrate that consultation is valued as an investment. Where skills are not available in-house, they are commissioned to ensure effective delivery.

DRAFT Public Consultation Values and Standards

Responsiveness

Shows how feedback is acted on within the process itself.

Consultation is an active dialogue where responses are considered with care, visibly influence outcomes, and feed into continuous feedback loops. Processes respond dynamically to improvements and learning within the consultation timeframe itself.

Timeliness

Ensures consultation happens early enough and for long enough.

Consultation takes place early enough to shape proposals and allows sufficient time for genuine involvement and influence.

Trust

Builds confidence in decision-making over time.

Consultation strengthens public trust in decision-making by being open, honest, and accountable. Clear communication shows the purpose, scope, and process, alongside evidence of who contributed, what was heard, and how it influenced outcomes. Trust is built over time when communities can see their input genuinely reflected in decisions.

DRAFT Public Consultation Values and Standards

Visibility

Makes consultation easy to find, navigate, and enter.

Consultation is clearly promoted and easy to discover, with a single recognisable entry point where possible. Information is presented in plain, accessible formats so people can quickly understand what the consultation is about, what influence they can have, and how to take part. Multiple channels: online, offline, and through trusted community networks are used to extend reach, with formats that meet different communication and accessibility needs, so no one is left behind.

How to respond to this consultation



Survey: Complete our [short survey](https://www.surveymonkey.com/r/ZP2DFY3) (approx. 10 minutes) to share your individual views. <https://www.surveymonkey.com/r/ZP2DFY3>



Online discussions: Join one of three sessions on 16 October via [Eventbrite](#) (registration required to receive the joining link):

12:00–13:30: Practitioners in the public and private sectors.

15:00–16:30: Organisations supporting the delivery of consultation.

18:30–20:00: Civic society: groups, communities, and individuals.



One-to-one conversation: If you'd prefer to talk through your response, contact us at info@centreforconsultation.org and a member of the team will arrange a convenient time.

Legal and Policy Foundations of the Values and Standards Framework

This framework draws on legal duties, case law, policy guidance, and ethical principles that shape how public consultation and engagement should be designed and delivered across the UK. It reflects compliance and good practice, rooted in fairness, inclusion, and integrity. What follows is a list of legal and regulatory guidance that informs consultations in each of the four nations at the time of drafting. We welcome your contributions and experiences to help shape this further, so that it continues to evolve as a shared resource for all.



Core Legislation

Equality Act 2010

The cornerstone of anti-discrimination law in England, Scotland, and Wales. It places a Public Sector Equality Duty (PSED) on public bodies to consider how their decisions and policies affect people with protected characteristics — and to actively promote equality.

Section 75 of the Northern Ireland Act 1998

In Northern Ireland, public authorities must promote equality of opportunity across nine categories and consult widely when policies are likely to impact these groups. Supported by statutory Equality Schemes and the Equality Commission.

Welsh Language (Wales) Measure 2011

Recognises Welsh as an official language. Public bodies in Wales must offer bilingual consultation opportunities and meet standards set by the Welsh Language Commissioner.

Fairer Scotland Duty (2018) and Socio-economic Duty in Wales (2021)

These duties require public bodies to actively consider how they can reduce socio-economic disadvantage when making strategic decisions. Consultation and engagement must reflect this commitment.

Freedom of Information Act 2000

Establishes the public's right to access information held by public bodies, including consultation material and responses.

UK GDPR and Data Protection Act 2018

Protect participants' data. Any collection or use of information in consultation must be lawful, transparent, and fair.

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Case Law and Legal Principles

The Gunning Principles (1985)

Four tests that define whether a consultation is legally sound. They require early engagement, enough information, adequate time, and meaningful consideration of responses.

Bracking Principles (2013)

Established that public authorities must actively and demonstrably consider equality impacts before making decisions. This applies to policy changes, budget decisions, and service reconfigurations.

Tameside Duty (1977)

Requires public bodies to take reasonable steps to inform themselves before making decisions. It underpins the importance of evidence and due diligence.

Moseley (2014)

Clarified that people must be consulted not just on a preferred option, but also on realistic alternatives, where applicable.

Coughlan (2001)

Introduced the principle of legitimate expectation if people have been promised a say, it must be meaningful.



Policy and Statutory Guidance

Cabinet Office Consultation Principles (UK)

A practical guide to designing proportionate, transparent, and responsive consultation processes.

Welsh Government Guidance

Strong focus on openness, early engagement, and collaboration. Often extends beyond minimum legal duties.

Scottish Government National Standards for Community Engagement

A participatory practice framework with standards for inclusion, support, communication, and learning.

Equality Commission NI & Human Rights Commission

Provide statutory guidance on Equality Schemes, impact assessments, and inclusive decision-making.

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Ethical and International Principles

The Nolan Principles of Public Life

Foundational values for anyone involved in public decision-making.

United Nations Convention on the Rights of the Child (UNCRC)

Especially relevant in Wales, where children's participation is legally recognised and protected.

Aarhus Convention

Applies to environmental matters, requires access to information, public participation in decision-making, and access to justice.

UN Sustainable Development Goals - Goal 16

Promotes responsive, inclusive, participatory, and representative decision-making at all levels.

Impact Assessments To Be Conducted

Equality Impact Assessments (EQIA): To ensure decisions comply with equality legislation.

Environmental Impact Assessments (EIA): Where projects have significant environmental effects.

Health Impact Assessments (HIA): For decisions affecting public health.

Socio-Economic Impact Assessments: Recommended to consider the impact on disadvantaged groups (mandatory in Scotland under the Fairer Scotland Duty).

Rural Impact Assessments: Particularly important in Wales and Northern Ireland for rural communities.

Welsh Language Impact Assessments (Wales only): To ensure compliance with Welsh Language Standards.

Cultural and Heritage Impact Assessments: For projects impacting cultural assets, particularly in Scotland and Wales.

Legislative and Policy Requirements for Public Consultation and Engagement by Jurisdiction

The outline below highlights many of the key legislative requirements to consult across England, Wales, Scotland, and Northern Ireland. It is not exhaustive. Alongside these cross-sector duties, there are also consultation obligations specific to particular industries and services, for example in aviation (airspace and airport changes), fire and rescue (risk management plans), policing and justice, transport, and education. These sectoral duties reinforce the principle that consultation is integral to accountable decision-making across public life.



England

Equality Act 2010: PSED under Section 149, ensuring equality considerations.
Environmental Impact Assessment (EIA) Regulations 2017: For projects with potential significant environmental impacts.

Children's Act 1989 and 2004: Relevant for consultations involving children's services or welfare.

Health and Social Care Act 2012: Duty to involve patients and the public in decisions affecting health services.

Localism Act 2011: Empowers local decision-making and requires consultation in certain planning contexts.

NHS Act 2006 (as amended): Establishes duties on NHS bodies to involve patients and the public in service planning and decisions.

Care Act 2014: Requires consultation with adults needing care, carers, and stakeholders in shaping local care and support services.

Local Government and Public Involvement in Health Act 2007: Introduced duties on local authorities to consult residents on community governance and health services.

Continued...



England

Town and Country Planning Act 1990: Provides statutory requirements for public consultation in the planning process.

Education Acts (including School Standards and Framework Act 1998): Consultation requirements in school reorganisations and SEN provision.

Transport Act 2000: Requires consultation in the preparation of local transport plans.

Gunning Principles: Key principles for public consultation (e.g., clear scope, sufficient time, and meaningful feedback).



Wales

Equality Act 2010: Public Sector Equality Duty (PSED) under Section 149, ensuring equality considerations in decision-making.

Well-being of Future Generations (Wales) Act 2015: Requires decisions to contribute to seven well-being goals and apply the five ways of working (long-term, prevention, integration, collaboration, involvement).

Welsh Language Impact Assessments: To evaluate how a policy or project will affect the Welsh language and culture, to be completed before commencement of public consultation.

Welsh Language Standards: Ensure that consultation materials and engagement processes are accessible in Welsh, complying with the Welsh Language (Wales) Measure 2011.

Environmental Impact Assessment (EIA) Regulations 2017 (as amended): Apply where consultations involve significant environmental considerations.

Health Impact Assessments (Public Health Wales Act 2017): Mandatory for certain public health interventions.

Sustainable Development Principle: Embedding sustainability into decision-making.

Social Services and Well-being (Wales) Act 2014: Requires consultation with individuals, families, and communities in planning and delivering social services.

Planning (Wales) Act 2015: Establishes consultation duties in development planning and applications.

Gunning Principles: Key principles for public consultation (e.g., clear scope, sufficient time, and meaningful feedback)

Continued...



Scotland

Equality Act 2010: PSED as applicable, ensuring proactive equality considerations.

Scottish Public Services Reform (Scotland) Act 2010: Requires public bodies to consider efficiency, transparency, and involvement.

The Community Empowerment (Scotland) Act 2015: Establishes rights for communities to participate in decisions affecting them, including consultation requirements.

Environmental Impact Assessment (Scotland) Regulations 2017: For projects with significant environmental implications.

Children and Young People (Scotland) Act 2014: Incorporates duties to consult with children in relevant contexts.

Gaelic Language (Scotland) Act 2005: Requires consultation materials to be accessible in Gaelic, where appropriate.

Planning (Scotland) Act 2019: Strengthened consultation requirements, including statutory Pre-Application Consultation (PAC).

Social Care (Self-directed Support) (Scotland) Act 2013: Involves consultation with service users and carers in designing social care.

Education (Scotland) Act 2016: Introduces consultation duties around school closures and education planning.

Transport (Scotland) Act 2019: Requires consultation in developing local transport strategies and bus service regulations.

Gunning Principles: Key principles for public consultation (e.g., clear scope, sufficient time, and meaningful feedback).

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Northern Ireland

Section 75 of the Northern Ireland Act 1998: Requires public bodies to promote equality of opportunity across nine equality categories.

Equality Impact Assessments (EQIA): Conducted in compliance with Section 75.

Rural Needs Act (Northern Ireland) 2016: Ensures rural considerations are factored into public consultations.

Environmental Impact Assessment (EIA) Regulations (Northern Ireland) 2017: Applies to projects affecting the environment.

Good Friday Agreement 1998: Underpins equality and rights in public consultations and decision-making.

Northern Ireland Language Strategy: Promotes accessibility for speakers of Irish and Ulster Scots.

Planning Act (Northern Ireland) 2011: Provides consultation duties in planning applications and development plans.

Health and Social Care (Reform) Act (NI) 2009: Reinforces public consultation requirements in service changes.

Education Orders (various): Require consultation on school provision, amalgamations, and SEN changes.

Transport (NI) Orders: Require consultation in regional transport planning.

Gunning Principles: Key principles for public consultation (e.g., clear scope, sufficient time, and meaningful feedback).

