

The Duty to Consult

In England public consultations should conform to the 'Code of Practice on Consultation'. The most recent edition of this document was published in 2008 [note 1] which requires (amongst other things) that public bodies, when consulting must [note 2]:

- build a realistic timeframe for the consultation (12 weeks should be 'standard minimum period'), allowing plenty of time for each stage of the process
- be clear as to who is being consulted, about what and for what specific purpose
- ensure that the document is as simple and concise as possible. It should include a summary and clearly set out the questions it wishes to address
- always distribute documents as widely as possible, using electronic means (but not at the exclusion of others)
- make sure all responses are carefully and open-mindedly analysed, and the results made widely available, with an account of the views expressed and the reasons for decisions finally taken

The Welsh Assembly Government has similar approach to consultations – including the 12 week timeframe – details accessible at:

<http://wales.gov.uk/consultations/aboutconsultation;jsessionid=TKwkNTYbBJD5NspY5JdXGndTq0CgZyn1rKhs9SZhldvBH5SC1Lmp!1989468226?lang=en>

Notes

1. The 2008 Code can be accessed at www.bis.gov.uk/files/file47158.pdf.
2. This extract (which can be accessed at http://webarchive.nationalarchives.gov.uk/+www.direct.gov.uk/en/DI1/Director/ies/PublicConsultations/DG_10035668) is taken from the original Cabinet Office guidance (Cabinet Office, *Code of Practice on Written Consultation*, 2000).