



Having Your Say

**Ofwat's code of
practice on
consultations**

January 2002

Having your say:


OFWAT's code of practice on consultations

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1 Foreword

We are working to become more open, to provide information about our work and take account of the views of interested people when we make decisions.

Informed stakeholders can make better contributions to the debate and so make sure that our decisions are based on sound evidence. We aim to make sure that all interested people understand our decisions. I hope this code of practice will make it easier for people to have their say.

A handwritten signature in black ink that reads "Philip Fletcher". The signature is written in a cursive style with a large, sweeping initial 'P'.

Philip Fletcher

Director General of Water Services

2 Introduction

On 14 April 2000 we published 'Having your say' - a consultation paper on how Ofwat involves stakeholders in the decision-making process.

The paper asked for comments on the following.

- The style of our consultation papers.
- Our plans to reach the widest possible and most appropriate range of people.
- How interested people can take part in our consultations.
- The timetable we will follow for consultations.
- How we will publish our decisions.

We took account of the responses and published our first code of practice: 'Having your say'. In November 2000, as part of the Modernising Government scheme, the Cabinet Office published its code of practice on written consultation. This code applies to all public consultations in the UK.

We have now revised our code of practice bearing in mind those national standards.

We will continue to check how effective our code of practice is. We will report on our progress in our annual report.

If you have any comments on our code of practice, please contact us (see page 11 for details).

This consultation aims to improve decision-making by making sure that:

- decisions are soundly based on evidence;
- decisions take account of the views and experience of the people they will affect;
- we consider new and creative options; and
- new arrangements are workable.

Effective consultation should also make sure that, as far as possible, **everyone concerned feels they have had their say**, or at least that we have considered their interests.

3 The consultation process

We will do the following.

- Make every effort to effectively draw the consultation to the attention of everyone who we think might be interested in it.
- Normally consult through a consultation document.
- Make all consultation documents readily available and free of charge.
- Make all the documents available on our website (www.ofwat.gov.uk) from the time they are published.

We will issue a press release or similar announcement about every consultation.

Our website has a link to UKonline (www.ukonline.gov.uk) which is the central, web-based entry point to government information. This holds a central register of current public written consultations. If you register with UKonline, they will send you an e-mail when a consultation starts on a particular subject (such as gas, electricity and water companies).

The internet is important, but paper copies of our documents will always be available. Each consultation paper will contain a list of people we have told about the consultation. We welcome responses from all interested people. Contact us for details about our consultation lists.

We can sometimes provide consultation documents in other languages if you ask us to. When appropriate, we will publish documents in both English and Welsh. This is in line with our Welsh Language Scheme.

If you have special needs, we can provide consultation documents in other formats, for example, in Braille or large print, if you ask us to.

Although written consultation is important it is not the only or always the best way. It is the traditional method and has many advantages, but we will also consider other

methods to effectively reach interested people. For example, we will consider contributing articles to relevant journals, and holding meetings, workshops or seminars with organisations or individuals - to explain the issues, and to properly understand their points of view.

We put all responses to our consultations in our library unless they are marked confidential. If you ask us to keep your response confidential, we will do this in line with the Code of Practice on Access to Government Information, and under the new Freedom of Information Act when that legislation comes into force.

We will publish our final decisions, including our reasons for them.

If you respond to our consultation, we will acknowledge your response and send you a copy of our decision document.

4 Timetable for consultations

When we are carrying out our consultations, we need to allow enough time for organisations to consult their members and interested people. For example, the Ofwat Customer Service Committees (CSCs) may want to meet with customers to ask them what they think.

The Government's code of practice recommends that national public consultations should last at least 12 weeks. In the past, we have usually allowed up to eight weeks for consultations.

Many of our consultations are in response to events with timetables set by other organisations, for example, mergers where the timetable is set by the Office of Fair Trading. Other consultations are in connection with matters where the water companies' licence sets out the timetable. And many of our consultations do not cover the whole of England and Wales.

In response to the Government guidelines we have now reviewed our consultation periods. We have looked at the issues our consultations deal with and the circumstances in which consultations take place. In line with the Government's standards, we will allow a 12-week consultation period if we are asking members of the public for their views on major issues that will directly affect them and the whole of the area we regulate (England and Wales). We will also have the following consultation periods for other consultations.

We feel that these consultation periods will give stakeholders enough time to respond, while reducing the effect of delayed decisions.

We will consider extending deadlines for complicated issues.

We will extend the consultation periods to allow for Christmas and other public holidays. Where possible the consultation period will take into account the timetable of CSC regional meetings, giving CSCs time for local consultation.

Type of consultation	Period of consultation
Consultation on broad matters of regulatory policy.	Normally 12 weeks. The consultation period will need to recognise the nature of the issue and the effect of delaying the decision.
Consultations on the process and information we need for annual reviews of company performance and setting prices.	8 to 12 weeks.
Proposed licence amendments arising from changes in regulatory policy.	2 to 4 weeks. (This will normally follow a consultation on broad matters of regulatory policy.)
Inset appointments.	At least 4 weeks.
Consultations about commercial issues such as mergers, where the timetable is set by other organisations.	2 to 4 weeks.
Proposed licence amendments arising from issues such as mergers or changes in legislation.	2 to 4 weeks.
Consultation on urgent policy issues which are of interest to a clearly-defined group of stakeholders.	We will judge each case individually, recognising the nature of the issue and the effect of delaying the decision.

5 Consultation documents

Our consultation documents will be concise and clearly laid out. We will use simple language wherever we can. Technical detail is sometimes necessary – but we aim for our documents to be easy to understand.

Our consultation documents will include the following.

- A summary written in plain English, highlighting the main issues.
- A description of the purpose and aims of the consultation.
- The issues on which we are asking for people's views in the form of clear questions, wherever possible.
- Areas of an issue on which we have already made decisions.
- Details of any advice we have received.
- Where appropriate and practical, the possible costs or benefits, details of who is likely to be affected and how.
- Where appropriate and practical, an assessment of how an issue could affect the environment.
- The deadline for responses.
- The timetable for decision-making and the introduction of new policies.
- Details of who to contact for more information.
- Details of who will deal with complaints or comments about the consultation process.

- We will ask respondents to give us their names or details of who they represent. This will help us to get a balanced view of responses. We will also ask for an electronic copy of each response. We aim to put these on our website.
- Details of which parts of England and Wales the document relates to, and whether it contains proposals which are the responsibility of more than one organisation.
- Who the consultation is particularly aimed at and a list of people we have told about the consultation.
- A glossary of terms.

6 The decision document

This will usually include the following.

- A summary of all the responses we received to each issue.
- Our decisions and explanations for these.
- Where appropriate, details of how the issues discussed will affect particular groups such as the water companies, or particular groups of customers (small households, large families and so on).
- The timetable for introducing any changes arising from the consultation.
- Details of who to contact for more information.
- A list of people who responded to the consultation.

If you need us to explain any points in this paper, please contact our Head of External Relations, Julia Havard. Phone 0121 625 1450.