



**Engagementworks**

# **Community Engagement Basics**

## **Session 3 – Video 1**

**Including legal and regulatory  
requirements into community  
engagement practice**

# Including legal and regulatory requirements into community engagement practice

## Introduction

In this lesson we examine how legal compliance fits with good practice community engagement.

Any good practice process for engaging communities and stakeholders will by definition comply with local legal requirements.

In other words if it doesn't comply it is a not a good practice...

## Case Study – New Zealand

Engagementworks which has developed this training is a New Zealand based company and so in this lesson there is a focus on New Zealand legislative requirements.

If you are not from New Zealand you may decide to skip this lesson although by watching it you will get a sense of the approach you need to take to ensure that you develop good practice community engagement processes.

Within New Zealand legislation there are many references to consultation.



In most cases the requirement to consult is specific to a particular Government office holder or agency and where it is with the general public it is often discretionary and the legislation does not prescribe any process by which consultation should take place.

The most comprehensive and prescriptive requirements appear to be in the Local Government Act 2002 (LGA) which sets out the circumstances under which councils must consult with the public and includes the special consultative procedure, principles of engagement and other requirements.

The LGA provisions apply not only to councils but also to the decisions of some government organisations e.g. establishment plans under the Energy Companies Act 1992.



## The Legal Framework

### *The Special Consultative Procedure*

Perhaps the most formal requirement for New Zealand local government is the special consultative procedure which prescribes –

- What information is to be made available and in what form
- How detailed the information needs to be
- Where the information is available
- How long the consultation period will be and when submissions close
- The format of submissions
- Where and how people can present submissions



### *Principles of Engagement*



The LGA also sets out principles of engagement covering –

- Access to information
- Opportunities to become involved
- Form and content of information provided
- The way in which the council should receive and respond to public/stakeholder input.

Implicit in these principles that the council must –

- Identify persons affected by a decision to be made
- Find out how persons affected prefer to receive information and provide it in a manner that suits
- Encourage people to present their views
- Enable people to present their views in a manner and format that suits them

### *Information requirements*

The information requirements go further to require that right from the start a council must -

- Give its reasons for its proposal(s)
- Provide an analysis of options
- Supply draft proposals
- Use plain English
- Include an auditor's report



What you can see from this is that as you develop your good practice engagement policy and processes you need to incorporate all of these legal requirements.

## Conclusion

In other places legal requirements will differ from those in New Zealand.

However, good practice community engagement will incorporate and go beyond minimal legal requirements.

In this lesson we have highlighted the importance of understanding and incorporating local legal requirements into your good practice community engagement processes.

Our approach for New Zealand where we live and operate our business has been to find the most prescriptive requirements and use them as the basis for incorporating legal compliance into a good practice approach.

