

TfL Consultation Policy

1. Consultation helps TfL to make better-informed decisions and makes us accountable to the public. It is important to each of the individual businesses. All staff have a role to play.

Framework

2. We will comply with our statutory obligations to consult, including duties to consult on best value reviews, private hire licensing, applications for Transport & Works Act orders, changes to local bus routes, granting of London service permits and traffic orders.
3. Even where there is no statutory duty to consult, as a public body we must consult where fairness requires it. If we have clearly stated an intention to consult on particular matters, or have established a practice of doing so, the public will have an expectation that we will consult and a departure from that may be unfair and legally challengeable.
 - In deciding how to consult, we will consider carrying out consultations not required by statute. This may involve going beyond the minimum requirements set out in relevant legislation by consulting more widely or at additional stages (because it would be fair to do so). Or it may mean consulting on projects where we have no statutory obligation to consult at all.
 - Meeting the public. For example, we will attend regular liaison meetings with London boroughs, local forums, residents' associations and user groups. We will maintain a continuous dialogue with the London Transport Users Committee (London TravelWatch). Early engagement can significantly improve the quality of consultation at a later stage because, by using feedback from stakeholders and the public to shape our proposals in the first place, we can reasonably expect greater buy-in and more support for them later on.

Public consultations

5. Consultations – statutory or otherwise – provide us with opportunities to explain why we are bringing forward proposals for consideration and to take better decisions by listening to responses from the public before taking a decision on how to proceed. We will adhere to the following principles. Public consultations will be:

Principle 1: Focused and timely

We should only consult if we have a clear purpose and an open mind. It is a legal requirement to consult when proposals are at a formative stage and can be influenced by the consultation process.

- We will set specific objectives for each consultation exercise, considering alternative or additional approaches such as market research.
- Where practicable, we will seek public input into the design of options as well as consulting on specific proposals.

***Principle 2:
Accessible and targeted***

People directly affected by a proposal have a right to know about it and should be given an opportunity to have their say. Failure to do this is likely to be unfair. If we fail to target our audience and develop appropriate communication materials and techniques we risk swamping familiar stakeholders, while leaving the 'silent majority' and socially excluded groups without a voice. We must also have regard to any particular requirements of consultees with protected characteristics under the Equality Act 2010.

- We will identify our target audiences and appropriate communication channels when setting consultation objectives.
- We will seek to explain why the issue is important and why we are proposing to take action.
- We will use appropriate and accessible language and formats.
- We will give consultees the name of someone they can talk to.

***Principle 3:
Informative and accountable***

If we tell the public everything they need to know, they are more likely to feel we are accountable to them and their responses should be more helpful. We must provide consultees with enough information to understand what we are proposing so that they can respond on an informed basis.

- We will provide full explanations of options and proposals in plain language.
- We will set out clearly the previous stages in the process and what decisions have already been taken.
- We will provide feedback on the consultation, explaining what we have decided and why, and saying what happens next.

Principle 4:
Timed appropriately

A common criticism of public consultations is that stakeholder groups are not given enough time to co-ordinate the views of their members before they respond. In our experience, the general public are generally happy with shorter timescales. Our starting position when deciding how long to consult for will be as follows, bearing in mind that the requirements of fairness may dictate different periods depending on the particular circumstances. We will give consultees a minimum of six weeks to respond to major consultations.

- On more minor local ones we will give consultees between four and six weeks to respond.
- In general, where a consultee requests flexibility to respond after the formal close of consultation, we will exercise our discretion to accept late responses where this would not have an adverse effect on timelines for the scheme.

Principle 5:
Honest and fair

When we consult, we must be prepared to take into account the feedback received and use it to decide on the way forward, making changes to our original proposals if that is justified. The public will be justly critical of us if we appear to favour particular options and interests without good reason or to be withholding key information in any consultation process. At worst we may lay ourselves open to costly legal action. Consultation materials should be transparent in setting out what factors are being taken into account in our decision-making.

- We will ensure that what we say in our proposals and feedback is accurate and balanced, explaining how it fits with the objectives in the Mayor's Transport Strategy.