# Effective Public Engagement When Values and Beliefs Collide

## City Manager's Department Meeting
### January 31, 2013

CommonKnowledge

# Also known as:
## High Stakes Forums in Low Trust Environments



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**Topic:** **Public Employee Pensions**

**Players:** County of Marin

- CAO staff

- Supervisors

Pension Reform Advocacy Group

Multiple Employee Unions

Local Newspaper

# The Situation

- Spring 2011 "hearing style" forum on Public Employee pensions frustrated reform advocates

- Citizens for Sustainable Public Pensions (CSPP) formed and began attending BOS meetings; they wanted to have a new public forum

- County staff agreed to planning process with CSPP that also included representatives from largest public employee unions in the County
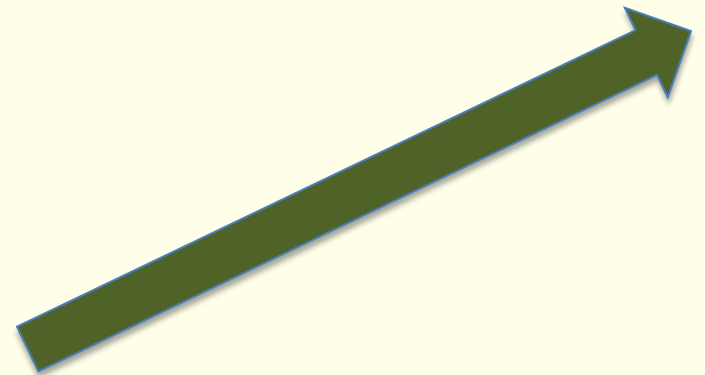
- Local newspaper highlighting CSPP concerns

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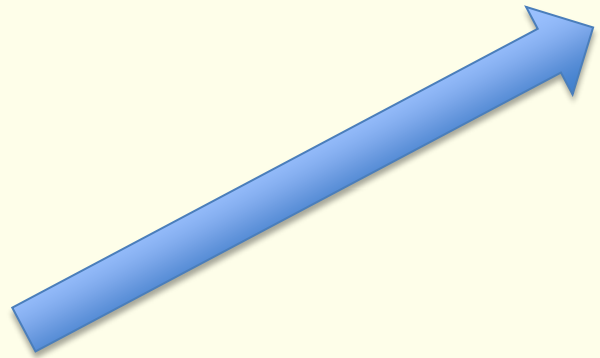
**Stakeholder Education & Trust Building**
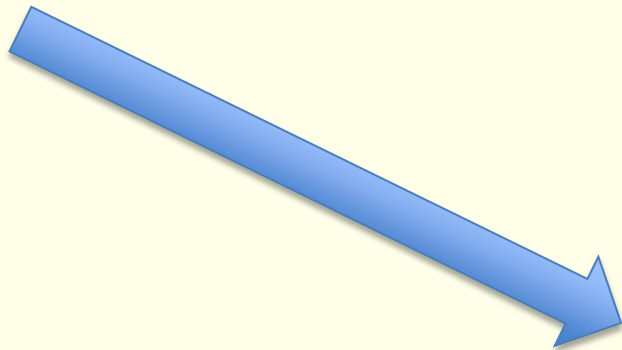
MUTUAL UNDERSTANDING
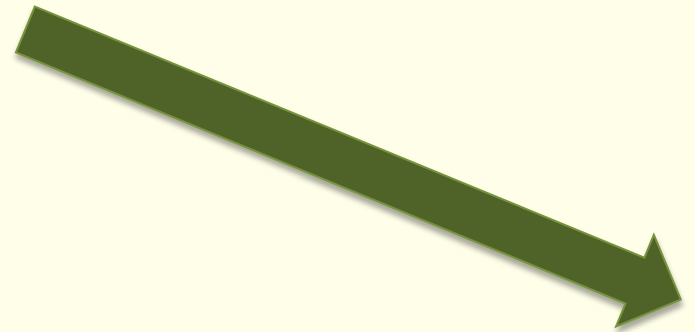
**Deliberation for Decision Making**

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# Essential Pre-Planning

- Timing at pause in decision-making so session can develop mutual understanding

- Choosing an inclusive neutral framing:

  "What is sustainable?"

- Expanded view of relevant stakeholders

- Entire planning team agrees on "basic facts" (including where there isn't agreement)

- Carefully balanced panel & interactive format

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# Invite and Info in Multiple Formats



## Sustainable
## Public Employee Pensions
### County of Marin

**April 3, 2012**
**Community Forum**

www.marincounty.org/Main/Pensions

# Areas without agreement

1. How quickly should unfunded liability be paid off?
2. What "discount rate" to use?
3. What are employees' rights for benefits? ("vested doctrine")
4. What leeway does county government have to act with and without state action?

# Large Turnout for Evening Forum



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# Mixed Knowledge on the Topic
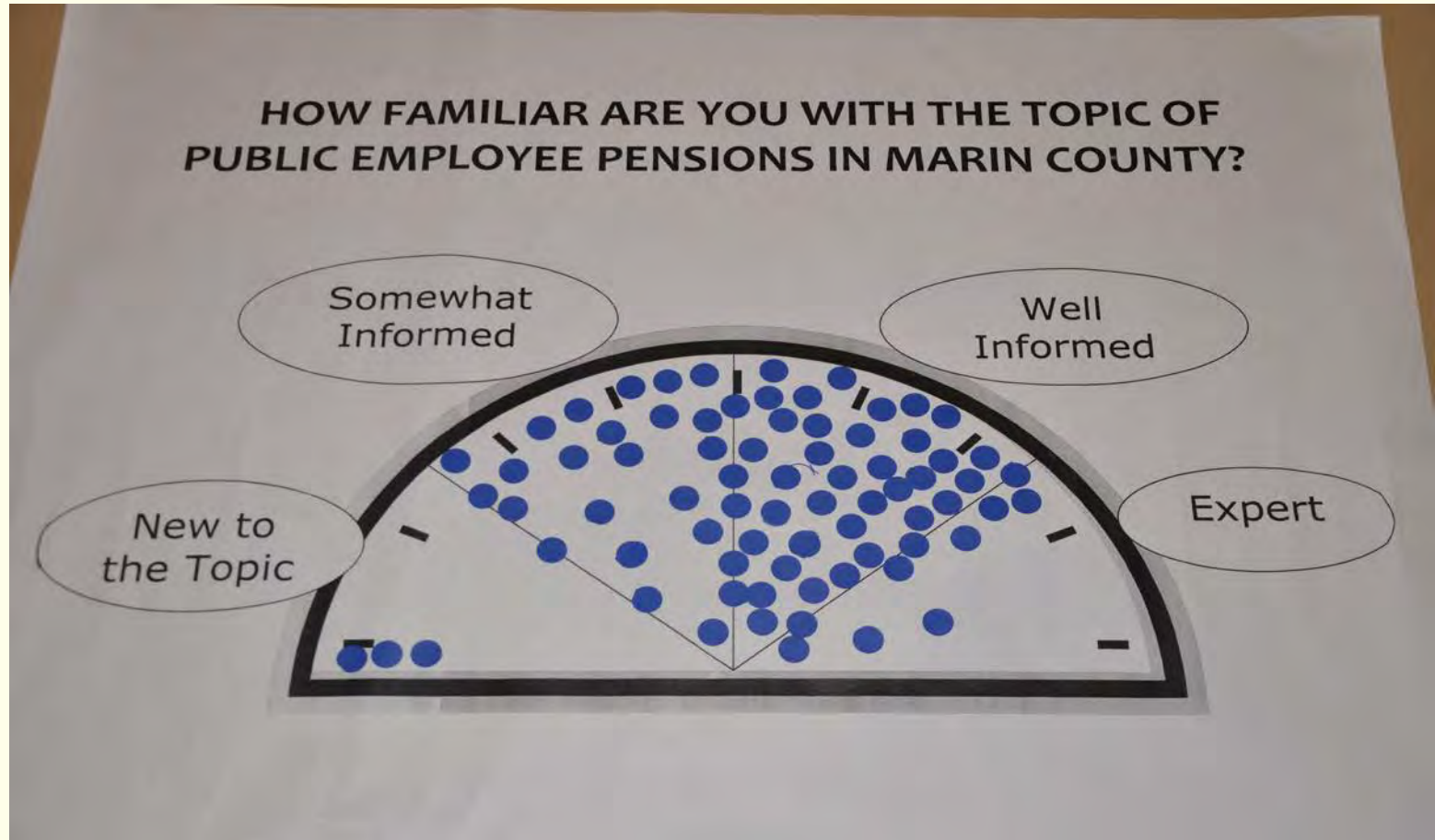
# Implementation

- Rigorously neutral facilitation

- Transparent as to why process is the way it is

- Multiple modes for participant input before, during and after

- Format adjusted to accommodate widespread need for more information before dialogue

- Thorough follow-up:  report to BOS, all materials and questions posted online

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"The large turnout for Tuesday night's forum on public employee pensions should dispel any reservations county supervisors might have had about hosting it."   *Marin Independent Journal*

[www.marincounty.org/Main/Pensions](www.marincounty.org/Main/Pensions)

www.ckgroup.org

# Dealing with Deeply Held Concerns and Other Challenges to Public Engagement Processes

Public engagement processes are often forums for a broad spectrum of input. In some cases, public engagement participants will have very strongly held views about:

- The topics to be discussed;

- The local (or regional) agency and officials involved; and/or

- The public engagement process itself.

Such deeply held concerns can present challenges to a local agency sponsoring or organizing a public engagement process. Addressing these concerns effectively is important as a fundamental goal of most participation efforts is to offer the opportunity for all perspectives to be heard.

Designing and facilitating a discussion among people who have significantly different perspectives and deep feelings about an issue is both a skill and an art. The following ideas can help in designing and preparing for public engagement processes that are effective, responsive and civil - even when participants hold very strong views. Of course, local and regional agency public engagement plans and responses will be contingent on the time, staff and financial resources available.

> ## Public Engagement Challenges
>
> Differences of opinion about land use plans, budgets, employee pensions, public safety, sustainability, transportation options, affordable housing and other topics can generate strongly held concerns and emotions by community residents and groups. At times, local agencies and officials may themselves be an "issue" in public discussions.
>
> A public engagement process itself can also be the subject of challenge and debate. This may be due to a local or regional agency's approach to involving the community. It can also result from fundamentally different conceptions about the appropriate role of local government in certain issues or policy areas.

## Know Your Likely Participants

As part of the public engagement planning process, try to anticipate and understand:

1. Participants' likely concerns and interests.

2. Gaps in the information they are likely to have about the topic to be discussed.

For example, one issue that has surfaced in some public engagement processes relating to regional sustainable communities strategies is the belief that regional transportation efforts are linked to Agenda 21, a 1992 United Nations report. Searching online for "Agenda 21 + Planning" can provide more insight on this perspective.[1]

In terms of public engagement process design, it is helpful to know if public engagement participants are likely to be organized stakeholders and interest groups with strongly held views, and/or members of the general public who may have less strongly formed, or more varied opinions.  In addition:

- Talk with colleagues at other local and regional agencies about their experiences with challenges to - and strong public sentiments during - public engagement activities. Learn what surfaced in their processes. Ask which engagement-related approaches worked and which did not.

- Consider the likely range of participant goals in attending the planned public engagement meeting. Some participants will welcome opportunities for dialogue and deliberation with their neighbors. Others may primarily want the opportunity to: 1) ask questions; 2) make their views known; and/or 3) raise objections to the public engagement or planning process itself.

## Plan, Prepare, and Provide Information

Meetings that involve individuals and groups with very different and deeply held perspectives on the issues, on the role of government, and on public engagement itself, require careful planning:

- Assess the option to identify and meet early in the design process with groups and organizations likely to have strongly held views. This may help the planning agency to better understand these views and concerns and to solicit input on process design that will enable all participants to be heard. In some cases, forming a public engagement advisory committee may be helpful.

- When possible, plan and hold selected public engagement activities in partnership with groups and organizations that have earned the community's respect.

- As appropriate, offer opportunities for early input into the matters under consideration as this demonstrates a commitment to seeking public views.

- Try to ensure that participants adequately reflect the diverse population and viewpoints of the affected community. This requires up front efforts to encourage such participation.[2]

- Be especially clear in all communications about public engagement meeting purposes and processes, as well as about when, how and by whom final decisions will be made.

- As possible, provide appropriate background information to participants before and at the public engagement meeting to help prepare for informed participation.

- Identify and use impartial meeting facilitators and leaders who will not have, or be perceived as having a bias in seeing a certain perspective prevail. This may encourage greater trust in the process and broader participation.

- When using speakers to introduce issues and provide perspectives on topics to be discussed by participants, present a broad spectrum of views.

- Prepare staff and facilitators to be comfortable with strongly expressed opinions and confrontational behavior. Provide staff and facilitators with possible options and responses should participants challenge meeting ground rules, process and/or content. Facilitators should be courteous even if challenged and flexible as circumstances require.

- If concerns arise about potential safety and security issues at a meeting, staff and facilitators should know who will make decisions about any agenda changes or whether a participant should be asked to leave. Bear in mind that the visible presence of law enforcement personnel may in some cases discourage full participation or further escalate tensions.

## Design an Appropriate Process

Various public engagement process designs support and/or allow opportunities for different kinds of public input.[3] Some meeting design elements are particularly important when issues are significantly controversial and contested.  Consider the following ideas:

- Design processes that attempt to meet the reasonable participation needs of those likely to attend. This may suggest agendas that include time for questions and answers, and periods for individual comments, as well as for small group discussion and collective discussions and recommendations. However, be *very* realistic about the time you need if you pursue such multi-faceted approaches. Sometimes separate and/or serial public engagement activities may be called for. In some cases, an earlier meeting that allows for more individual comments, questions and answers, can be followed by a meeting (or meetings) with opportunities for more collective scenario discussions and planning.

- If your goal is to try to find common ground across very deeply held and strongly felt differences, the process or processes you choose must be designed for that purpose. Typically this will require: buy-in from key stakeholders about the process and its purpose; good and accepted ground rules; competent and trusted facilitation; attention to relationship building among participants; and multiple meetings with opportunities for frank dialogue and deliberation. Attention to ensuring the participation of residents who reflect the various views about the topic in the community is an important consideration.

- Frame and publicize the *purpose* of the public engagement meeting/activity in a way that clarifies your goals, the information you plan to share, and the sort of public knowledge you are seeking to help inform and craft the policy, plan or action under consideration.

- Allow enough time in the agenda to clearly explain the work to be done at the meeting and to present an overview of the overall decision-making process, the participating agencies' roles and responsibilities, and the value and use of public input and ideas.

- Present issues and scenarios to be discussed in ways that acknowledge underlying policy history and assumptions.

- Be careful of presenting a closed set of predetermined scenarios or choices to participants. It is generally best, depending of course on time factors and where a particular engagement activity fits into an overall public participation process, to give participants the opportunity to identify other options or to express a "none of the above" preference. If the scenarios presented are the result of previous public engagement efforts, make that clear.

- Provide sources and background when presenting data and other information to the public so people can verify it for themselves if they choose.

- At times, and when possible and appropriate, it can be useful to bypass the most difficult and controversial issue divisions and define a related question for public engagement that focuses on a more do-able piece of work as a starting point. Success here may lead to a public confidence and commitment to address the larger issues.

- Consider including options for online discussion and input in the overall public engagement strategy. This allows additional choices for participation and may help secure a broader range of perspectives from the community.

- Create participant worksheets that allow public engagement meeting attendees to offer more detailed individual comments and ideas.

- If the agenda includes an opportunity for public comment and a large number of participants are expected, consider limiting the comment time allowed for each individual so that all can be heard. In some cases, key questions may be identified in small groups and then asked in the larger group.

- Determine how any collected comments, discussion elements or recommendations will be recorded and documented, and where and when they will be available.

# Manage Public Engagement Meetings Transparently

At the public engagement meeting be clear about the activity's purpose and the ground rules. Maintain a respectful, impartial and firm tone and manner. Stay flexible to meet unexpected challenges. Consider the following ideas:

- Early in the meeting, briefly describe the overall agency decision-making process, the various opportunities for public input, the goal of the meeting, and how the input will be used. This should include the roles and responsibilities for ultimate decision-making, implementation and/or action by the local or regional agencies involved.

- Explain, as appropriate, the roles of others at the meeting including local or other public officials or agency staff, presenters, facilitators, media, etc.

- Describe the meeting ground rules and the values and behaviors they are intended to promote (such as respect and fairness). Ask participants to agree to observe the ground rules. If someone objects or refuses to agree, ask if the rest of the group agrees. If there is substantial objection or confusion, further discussion may be required. If one or two people out of a large group raise concerns, these should also be addressed. However, if no closure can be achieved in a few minutes, state that the ground rules accepted by most meeting attendees will be in effect and all are asked to follow them. It will then be the meeting organizers' responsibility to determine which, if any, ground rule "violations" that occur need to be identified; this may result in someone being asked to not participate or to leave.

- If participants will be asked to sign in or identify themselves before speaking, explain the purpose this serves for both speakers and listeners alike.

- For question or comment periods, indicate whether participants will be called upon directly or asked to submit question/comment cards. Some individuals may object to the use of comment cards, believing their contributions will not be as effective if they are grouped with others' or expressed by someone other than themselves.

- Acknowledge that there are likely to be disagreements. Encourage participants to practice active listening to ensure that people feel heard. Active listening techniques include repeating what one has heard, asking for clarification, avoiding the use of accusatory language and refraining from questioning someone's motives or integrity.

## Respond Appropriately to Negative, Challenging or Emotionally Presented Comments

Some discussions may become loud and passionate. Rude or insulting comments may be made. Some participants may challenge the public engagement process or the overarching decision making process of the local agency. These are each quite different things. It is important to listen carefully, use good judgment and respond specifically to what is being said. For example:

- Encourage and practice active listening. Be respectful. Do not respond in kind to derogatory or insulting comments.

- Identify and respond to the substance of the question or comment rather than to its tone (assuming the question or comment is relevant to the topic).

- As appropriate, ask the person making a challenging comment to explain their point more fully. If a factual assertion is made, ask for the source of their information. Encourage everyone to draw connections between their comments and the policy issues at hand.

- If some of the participants object to moving from a large group format to small group discussions, you may suggest that those who wish to do so should move to the small group discussions as planned, and that a facilitator or staff will work with those remaining to craft a process that will meet their needs.

- Intervene if personal verbal attacks are made by one participant to another. Refer back to the ground rules and ask that such comments not be made or repeated. If a meeting leader or facilitator is individually verbally attacked, they should not respond in kind but should refer to the ground rules. Ask the speaker to reframe the question or comment in a way that focuses on the policy issues at hand.

- Suggest a short break and, as appropriate, speak to an individual about his or her inappropriate language or interactions with others.

- Be aware that people who do not feel heard are likely to speak loudest. Some individuals also use more direct or emotional styles of verbal and nonverbal expression than others.

- To the degree that's realistic, try to steer the conversation away from terms that may mean very different things to different people, such as "sustainability," "liberty," "property rights" or "economic justice."

## Take Steps if Participant Behavior is Disruptive

While rare, if one or more participants' behavior become continually and personally insulting or disruptive it is important to acknowledge and address it appropriately. Otherwise the meeting may well deteriorate and decrease the chances of accomplishing the meeting's purpose. Clearly establish in advance which individuals are responsible for taking such action, and communicate this to meeting sponsors, leaders and facilitators.

If insults, disruptive behavior, or challenges to the meeting continue to occur, consider the following ideas:

- Review and enforce the meeting ground rules.

- Have the meeting facilitator maintain control of the microphone(s).

- In some cases, ask the group whether they wish the meeting to continue as planned or move to another format or process. However, this can be difficult and usually unwise in an already polarized or increasingly out-of-control meeting.

- If a "back-up" engagement process has been planned, move to it if appropriate and explain to participants what will happen next.

- If some participants continue to shout, talk over others, or disrupt the meeting:

  o Indicate that they will be asked to leave if the disorderly behavior continues; and take that step if called for; and/or
  o Conclude the meeting.

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This tip sheet is a service of the Institute for Local Government (ILG) whose mission is to promote good government at the local level with practical, impartial, and easy-to-use resources for California communities. ILG is the nonprofit 501(c)(3) research and education affiliate of the League of California Cities and the California State Association of Counties. For more information and to access the Institute's resources on public engagement and sustainable communities, visit www.ca-ilg.org/engagement and www.ca-ilg.org/sustainability. To access this resource directly, go to www.ca-ilg.org/DeeplyHeldConcerns.

The Institute welcomes feedback on this resource:
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[1] *See Agenda 21: Myths and Facts* from the American Planning Association (www.smartvalleyplaces.org).
[2] *See* www.ca-ilg.org/inclusiveengagement.
[3] *See* www.ca-ilg.org/PEbasics.

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