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**OFFICE OF THE NATIONAL ASSEMBLY OF VIETNAM**

**UNITED NATIONS DEVELOPMENT PROGRAMME**

**PROJECT: STRENGTHENING THE CAPACITY OF REPRESENTATIVE BODIES IN VIETNAM**

# **MANUAL ON PUBLIC CONSULTATIONS**

FOR THE PROVINCIAL PEOPLE'S COUNCILS

(Reference material)

*For internal use only*

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## PREFACE

Public consultations are important tools which help elected bodies gather sufficient evidence and information to decide policies or laws and to oversee the implementation of these measures. Public consultations enable people to express their opinions, which are then taken into account and considered by local governments. Public consultations have occurred in Viet Nam since the 1980s in the form of gathering views on the Constitution, on draft laws and ordinances and on issues of interest to the people. Public consultations are regulated under the Law on the Promulgation of Legal Documents (2008).

In 2008, the Office of National Assembly (ONA)/United Nations Development Programme (UNDP) project entered its third phase and started a project to enhance public consultations at both the National Assembly and Provincial People's Council level. In terms of its work at People's Council level, an assessment carried out in 2008 identified a four year strategy which identified the following expected outcomes:

- Establish a systematic process for public consultations which in time can be implemented by Vietnam's 63 provinces.
- Prepare guidelines, procedures and mechanisms for good quality and effective planning and implementation of public consultations.
- Enhance the capacity of local People's Council Representatives and staff in conducting public consultations.
- Draw up national and provincial regulations for the institutionalisation of public consultations.

The Project commenced the implementation of four stages aimed at achieving the above expected outcomes. The stages of the implementation plan were:

- **Stage One – 2008 to 2009:** The Project piloted a draft public consultation process and a range of tools in three provinces: Ho Chi Minh City, Lao Cai and Nghe An.<sup>1</sup>
- **Stage Two – 2009 to 2010:** The second stage started the roll-out of the public consultation process to seven new provinces. Stage two also improved the quality of the implementation guidelines and started the institutionalization of public consultations at provincial level in the three lead provinces from stage one. Provinces and cities engaged in the Project included Bac Giang, Binh Thuan, Dong Thap, Hai Phong, Hoa Binh, Ho Chi Minh City, Lao Cai, Nghe An, Quang Ngai, and Thanh Hoa.
- **Stage Three – 2010 to 2011:** Six new provinces took part in the Project, including Bac Ninh, Kien Giang, Yen Bai, Nam Dinh, Gia Lai and Binh Phuoc, although Yen Bai subsequently withdrew from the Project. The institutionalization of public consultations in the lead and intermediary provinces from stage two continued. Stage Three also provided awareness raising workshops and other support for provinces not receiving financial assistance from the project.
- **Stage Four – 2011 to 2012:** The objective of stage four was the finalization of the guidelines, procedures, manuals and training materials. These materials are applicable for 63 provinces and cities.

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<sup>1</sup> The systematic public consultation process and tools are elaborated in section five of this report.

A further aim is the institutionalization of public consultations process, with PPCs adopting relevant legislation and in time with the Standing Committee of the National Assembly issuing a regulation clarifying the legal framework for public consultations at national and provincial levels.

This manual is one of the core documents produced in the course of this Project. It is thus a source of reference, disseminating experiences and lessons learnt, and can be updated. It includes the following major contents: a definition of public consultations; an outline of the significance of public consultations; descriptions of the public consultation process; an outline of public consultation tools; details of skills useful in public consultations; detail on how to report on public consultations; and details on how to process information to serve the oversight and decision-making work of the People's Councils. The manual also includes annexes. The manual is designed with the purpose of providing elected Deputies selective information on the current practices of People's Councils. The authors were Nguyen Duc Lam, Hoang Minh Hieu, and Nguyen Thi Ky, with Kit Dawnay providing international expertise. Shortcomings and errors are inevitable. The authors would welcome readers' comments for further improvement.



# CONTENTS

<b>CHAPTER I: OVERVIEW ON PUBLIC CONSULTATIONS .....</b>	<b>10</b>
1. Concept of public consultations.....	11
2. Significance of public consultations.....	16
3. Legal framework for public consultations .....	18
4. Overall public consultation process.....	19
<b>CHAPTER II: IMPLEMENTATION OF PUBLIC CONSULTATION PROCESS.....</b>	<b>21</b>
1. Selecting topics and key issues for public consultations .....	22
1. Selecting contents for consultations .....	22
2. Selecting key issues for public consultations .....	25
2. Developing plans for public consultations.....	29
1. Concept .....	29
2. Contents of the plans for public consultations .....	29
3. Selection and use of public consultation tools.....	38
4. Role of the chairperson in the consultative meeting .....	41
3. Implementation of public consultations.....	42
1. Coordination and cooperation in public consultations .....	42
2. Chairing different kinds of consultative meetings .....	48
3. Note-taking in public consultations by supporting staff.....	54
4. Communication in public consultations .....	55
4. Information and feedback .....	58
1. Collecting, consolidating and processing information .....	58
2. Making reports on public consultations .....	66

- 3. Use of public consultation results in policy-making process .....72
- 4. Providing information and feedback .....72

**CHAPTER III: PUBLIC CONSULTATION TOOLS .....75**

- 1. Large-scale consultative meetings..... 76
- 2. Focus-group discussions..... 81
- 3. Commune meetings..... 84
- 4. Field visits ..... 86
- 5. In-depth interviews..... 90
- 6. Internet-based consultations ..... 90
- 7. Private briefings..... 93
- 8. Social survey ..... 95
- 9. Stakeholders’ meeting/Public hearings ..... 102

**ANNEXES .....110**

- 1. Legal framework for public consultation activities of the PPCs
- 2. Example of plans for public consultations
- 3. Example of table of public consultation activities attached to the overall plan
- 4. Questionnaire of Ha Tinh PPC
- 5. Example of the questionnaire of the social survey
- 6. Example of the method of analysis and dissemination of policy information
- 7. Table for reviewing information in reports on public consultations



### **Ho Chi Minh on public consultations**

- “When there is a task, consultation is necessary, and everybody has the right to discuss the task. After having discussed it, voting is needed. This is democracy.”
- “People know to deal with issues simply, quickly, and sufficiently, while experts and organizations think much for nothing.”
- “All issues should be debated by the people.”
- “Let the people recommend for amendment any resolutions they think are inappropriate. Basing these laws on the opinions of the people perfects our civil servants and organizations.”

## **OVERVIEW ON PUBLIC CONSULTATIONS**

**Objectives:** This chapter sets out an overview of public consultations so as to clarify their role in the policy and law making processes. This chapter will focus on the following:

**Key contents:**

- The concept of public consultations.
- The contributors to public consultations.
- The contents of public consultations.
- The principles of public consultations.
- The significance of public consultations.
- The overall public consultation process.

# CHAPTER ONE

## OVERVIEW OF PUBLIC CONSULTATIONS

When in the process of the promulgation and amendment of policies, government must bear in mind that “policies must come from life”. Equally, life should be drafted into legislation at its early stages. One of the most important means to implant life into policies is to implement public consultations prior to promulgating a legal document<sup>2</sup>.

### 1. Concepts of public consultations

#### 1.1. What are public consultations?

Consultation (tham van) is a Sino-Vietnamese word, with a meaning of “requesting information for reference purposes”. The Vietnamese Dictionary by the Institute of Linguistics in 2008 defines “tham” as “to participate” or “to interfere”. Consultations of various types are enshrined in the legal system of Viet Nam. In accordance with a range of regulations, during the development and promulgation of policies or laws, elected and administrative agencies should carry out public consultations so that their promulgated measures meet the requirements of daily life.

#### **Box: What are public consultations?**

Public consultations can be understood as government efforts to

<sup>2</sup> In this manual, we use the term “public” with a broader meaning than the term “people”. The public consists of all groups of people related to the policies. They are citizens, associations, civil organizations, scientists, experts and other relevant groups.

inform, ask about, and discuss issues with those affected by a decision, a solution or a policy planned for promulgation or already promulgated. Public consultations provide the public with an opportunity to express their ideas and opinions, so enhancing decision makers' understanding prior to deciding on the promulgation or amendment of measures.

Consultations can take many forms, amounting to either active or passive efforts to gather the opinions of citizens. They can focus on those citizens (and groups and organizations) with a specific and direct interest in a decision or they can gather wider input from the general public.

### *1.2. Contributors to public consultations (who to target?)*

In the term “public consultations”, the public can be understood as any party whose rights are affected or related to the matters under consideration.

#### ***Box: Public consultations: Who to listen to?***

- Direct and indirect beneficiaries.
- The directly and indirectly vulnerable.
- Managers and implementers (authorities at the same level or even higher levels).
- Protectors (associations).
- Supporters (enterprises).
- Qualified persons (experts and professionals living in the localities).

In large-scale consultations, depending on specific requirements, those conducting consultations can select contributors from whom to take comments and opinions. The criteria for selection might include

those whose rights and obligations are related to the new policies, or those who are experts and can provide considered opinions and comments.

### **1.3. Topics for public consultations (on what to consult?)**

Public consultations focus on the collection of information necessary for the responsible individuals, agencies or organizations to decide on a policy or laws. Therefore, organizations need to identify topics appropriate for public consultations.

The main concern is how a policy affects people's interests. As such, topics need to be carefully selected, on the basis that they are related to the interests and obligations of the individuals, agencies and organizations. For the public, the topic should be clear and easy to understand. Even in relation to specialized issues which require experts' opinions, the topics of public consultations should not be too detailed.

### **1.4. The objectives of public consultations**

In conducting public consultations, the following objectives are key:

- To ensure opinions are reflected in policies.
- To collect and select interesting public opinions and comments.

- To listen to the feedback of the public on the impact of policies and examine the possibility of people complying with these policies.
- To assess the feasibility of the relevant measure.
- To make policies match current practice, so meeting the requirements of the people.
- To forge a consensus and enhance enforcement of the law.
- To raise awareness of the people of their role in managing administrative affairs.

### 1.5. The principles of public consultations

Public consultations need to be implemented under the following principles:

- **Compliance:** The public consultation process should be in line with existing regulations and laws.
- **Transparency:** Those who conduct public consultations must be open and transparent in setting out the objectives for and contents of public consultations. Feedback is essential.
- **Continuation:** Public consultations should be implemented continuously and from the early stages of the policy-making process.
- **Professionalism:** The plan for and topics under public consultation should be implemented as agreed. It is

important to refer sufficiently to the relevant tools and techniques, and to assess the people's participation.

- **Appropriate involvement in public consultations:** It is important to ensure the participation of key players, such as local governments and political organizations, or citizens and officials. Communication efforts should ensure that as many people as possible understand and can participate in public consultations.
- **Respect of diversity:** The decision-makers should seek opinions from all perspectives; opinions can be varied and even contradictory. Gathering diverse opinions is useful for understanding the impact of any particular decision.
- **Adequate time:** Those responsible for consultations must ensure sufficient time to weigh opinions and give feedback. Consultations require a clear timescale made public well in advance.
- **Feedback:** Feedback mechanisms should be clearly explained so that people can understand how the public consultations process and their opinions are taken into account by the authorities.
- **Commitment:** A combination of a strong commitment to public consultations with the appropriate flexibility in relation to the application of public consultation tools in the localities

is important. The active participation of the people is a prerequisite to the success of public consultations.

**2. Significance of public consultations**

Public consultations are of great significance in the promulgation of laws and in oversight of the implementation of policies.

**Tham vấn để bắt mạch cuộc đời**



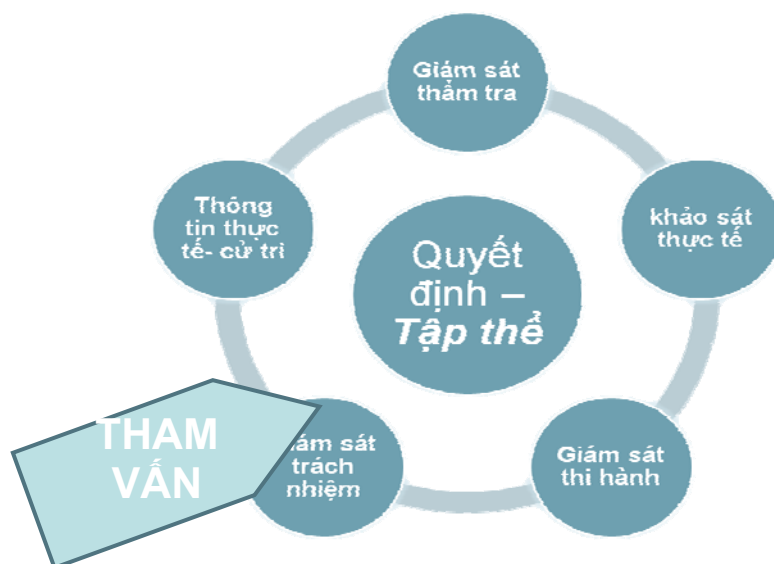
Firstly, participation in consultations contributes to the recognition of the social impact of laws, broadens policy planning efforts, and lays the groundwork for policy analysis prior to the drafting of any legal documents. Public participation is also crucial in ensuring people’s rights to have their views heard and to ensure local governments act openly and accountably.

Secondly, public consultations are a key source of information to verify and complement the development and



oversight of policies or laws at different stages. Thus, public consultations ensure elected bodies have more information from constituents before deciding and overseeing activities implemented by the People's Committees.

Thirdly, public consultations enable the People's Councils and People's Committees to cooperate throughout the legislative process, which helps ensure the topicality of issues. This process also ensures that People's Councils have more time to revise draft legal documents and to listen, discuss and decide on matters, and also means that People's Committees are provided with sufficient information.



Fourthly, public consultations ensure transparency in selecting policies and deciding on the promulgation of laws, helping the people and local government to understand policies due promulgation.

Transparency can ensure a degree of support for policies upon approval and encourages compliance.

**Finally**, through public consultations, the government pays more attention to the needs and interest of the people. Local government labors under an obligation to take into account the rights and interest of the people when developing policies.

### **3. Legal framework for public consultations**

The Constitution and laws provide the People's Councils with the legal framework to conduct public consultations, although these laws do not use the term "consultations". These legal documents include:

- **The Constitution.**

**The citizen exercises his right to mastery at the grassroots by participating in state and social affairs.**

- **The Law on the Promulgation of Legal Normative Documents 2008.**

The Law on the Promulgation of Legal Normative Documents enshrines the rights of people to provide comments on laws to drafting agencies and units, which for their part must collect and consider these when drafting legal documents.

- **The Law on the Promulgation of Legal Normative Documents of the People's Councils and People's Committees 2004.**

This law provides for the rights of organizations and individuals to comment on draft legal documents, and sets out the obligations of the People's Committees and People's Councils to take opinions and comments on these documents during the legislative work of the PPCs.

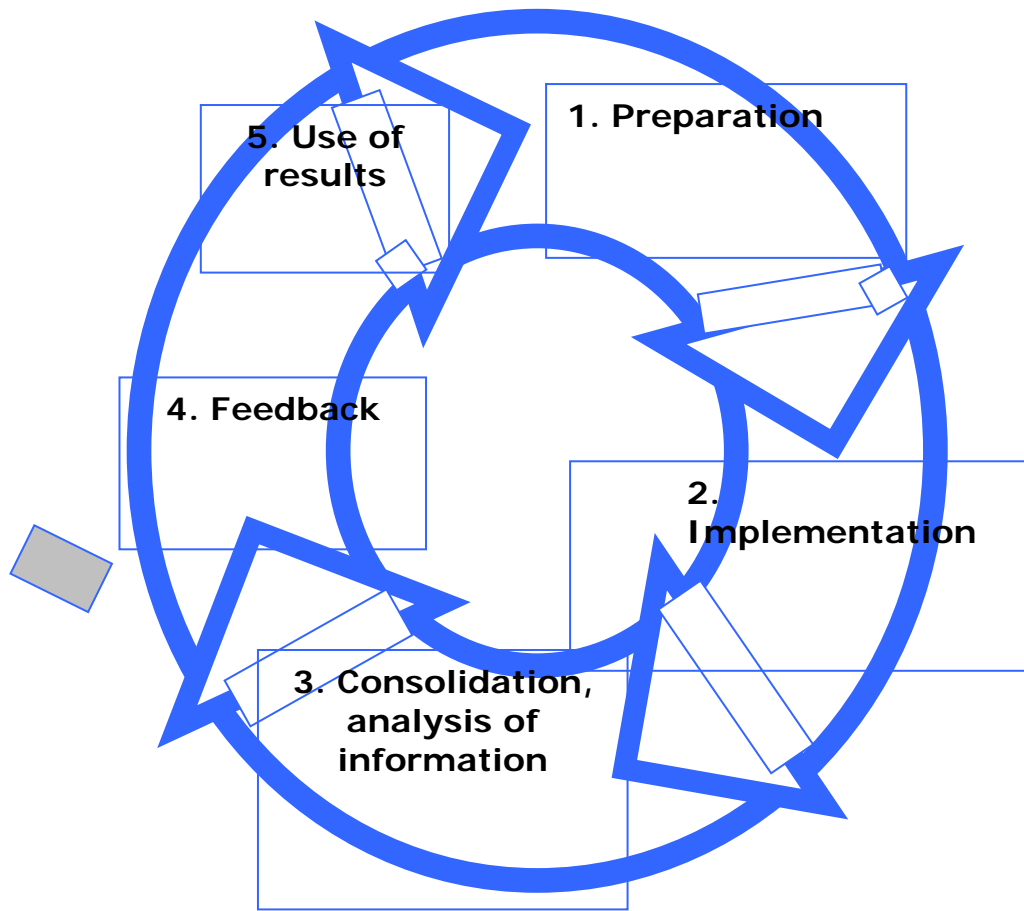
- **The Ordinance on the Execution of Democracy in Communes, Wards and Towns.**

The Ordinance regulates issues that require public participation and discussion when the local governments decide policies.

In addition to the above laws, some PPCs have promulgated their own resolutions on public consultation activities or have adopted coordination mechanisms on public consultations, so clarifying the relations in the course of consultations between the PPC, the MPs Delegation, the Provincial People's Committee and the Fatherland Front.

#### **4. Overall public consultation process**

The public consultation process contains five core stages (see the diagram below). Specific details on the public consultation process are in Chapter II.



## **CHAPTER II - IMPLEMENTATION OF THE PUBLIC CONSULTATION PROCESS**

**Objectives:** This chapter aims to present work to be done in the public consultation process, exploring issues such as the tools involved, and the necessary skills of both Deputies of the People's Councils and their supporting staff.

### **Key contents:**

- Selecting policies and key issues for public consultations.
- Developing plans for public consultations.
- Implementation of public consultations.
  - Providing information and feedback.

## I- Selecting contents and key issues for public consultations

The legislative agenda of the People's Council must combine its drafting efforts with an understanding of living conditions and needs, notwithstanding resource limitations. Therefore, prioritisation in selecting policies and issues for public consultations is crucial.

### 1. Selecting broad topics for public consultations

The topics of public consultations are often related to socio-economic policies that the People's Councils need to examine, oversee, and decide on under their assigned functions, and powers.

#### *Topics for public consultation selected by provinces/cities*

- Land and people: land clearance; resettlement; land prices; the grant of land use right certificates; and the use of land for the building of cemeteries.
- Settlement: housing programs.
- Training and education: kindergartens; new schools; and school fees.
- Light: electricity planning.
- Employment: allowances; and vocational training.
- Rural issues: irrigation fees; and rural transportation.
- Prosperity: poverty reduction.
- Culture: communal cultural centers.
- Planning: urban planning; and power issues.

### ***1.1. The basis for selecting topics for public consultations***

The selection of contents for public consultations should be based on:

- their appropriateness to the jurisdiction of the PPCs;
- the work of the PPC, including its legislative program and oversight plan, as well as of its Standing Board and Boards;
- the contents of any coordination plan with the National Assembly or between the People's Council and People's Committee;
- a consideration of which issues directly influence the life and interests of the people;
- an assessment of the People's Councils' capacity for implementation;
- an assessment of emerging issues which are topical among the people or which may hinder the carrying out of any law;
- consideration of special issues facing some sectors and localities which may receive less attention when developing policies, and;
- an exploration of any issues which have not hitherto been assessed in detail.

### ***1.2. Two groups of issues***

When selecting topics for public consultations, it is necessary to distinguish between groups of issues:

#### ***a- General issues***

- Issues influencing broad elements within society.

- Issues affecting groups who have opportunities to express their opinions and participate in the legislative process.
- Issues which provoke conflicts of interest between different groups.

*b- Issues affecting only a number of participants*

- Issues which bring about direct and indirect benefits to certain elements within society.
- Issues affecting some vulnerable people (both directly and indirectly).
- Issues of import to those responsible (directly or indirectly).

**1.3. The impact of policies subject to consultations**

Public consultations preparations should also consider the impact of policies in different areas:

- Economic: it is important to ask whether the policy influences economic matters or not, perhaps by contributing to GDP growth, by affecting imports and exports or by contributing to the state budget.
- Culture and society: it is important to ask: whether the policy improves the life of the people or not; about its impact on employment settlement; how does it contribute to equity; whether it augments social welfare; and how it might contribute to national identity.
- Environment: ask how the consultations sit within: broader policy on environmental protection; measures relevant to special eco-systems; the management of natural resources; and efforts to enhance quality of life.



- Cost and benefits: consider the cost for the state apparatus to organise the implementation of policies and the cost for organisations or people to carry out their rights and obligations.
- Impacts on other socio-economic policies: ask how these policies influence other relevant policies.

## **2. Selecting key issues for public consultations**

Upon the selection of issues for public consultations (eg. poverty reduction), People's Councils need to identify the key topics (eg. the question of support for poor households). The collection and analysis of information can only be effective if the key contents have been identified.

### ***2.1. Recognition of issues: from the current situation to policy***

To prepare appropriate policies or laws, it is necessary to identify issues for consideration by the promulgating agencies. The People's Councils should consider whether the promulgation of policies is based on an appropriate recognition of issues. In particular, it is important to differentiate between issues so as to facilitate a full understanding of their causes.

### ***2.2. Information needed to select issues for public consultations***

The selection of issues for public consultations should be based on data and evidence showing the nature, scale, level and trends of the situation. The table below sets out how best to identify certain issues and to gather such information, based on as much evidence as possible.

Identify policy issues to settle	Method
Identify policy issues to settle	Examine what the issue is which requires intervention by the authorities.
Clarify background of the issues and why they exist.	What does analysis of the issues reveal? Why?
Clarify why the issues cannot be settled by current mechanisms (if any).	Provide information on current regulations and explain why those regulations have not resolved the issue. In many cases, an issue can be settled most effectively by better implementation of current regulations than by issuing new ones.

A further challenge is that it may be possible to identify an issue, but not easy to establish its causes. The table below sets out how best to tackle a particular issue.

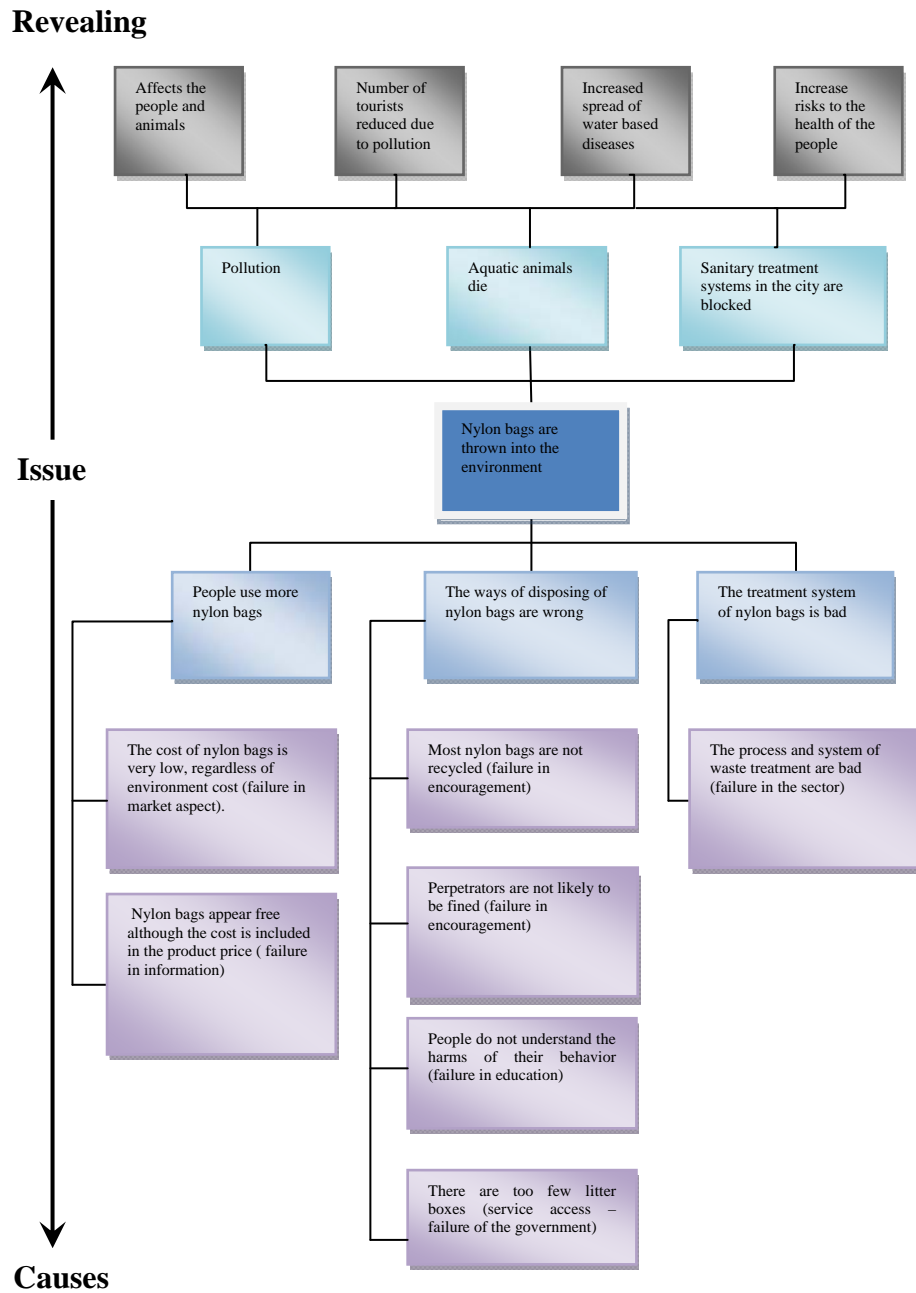
A good example of identifying an issue	A bad example of identifying an issue
<p>Many plastic bags are discarded (the main issue), harming scenery, killing fishes and blocking sanitary sewage treatment systems in cities. The situation has worsened in the last 5 years because plastic bags are used ever more frequently</p> <p><b>Reason 1:</b> People use more nylon bags day by day, because:</p> <ul style="list-style-type: none"> <li>The cost of nylon bags is low regardless of the environment costs</li> </ul>	<ul style="list-style-type: none"> <li>The law does not cover the usage of nylon bags.</li> </ul> <p><i>The assertion does not identify the real issue but rests on an assumption that there should be legal documents addressing the issue. However, a</i></p>

<p>(failure in market aspects).</p> <ul style="list-style-type: none"> <li>• Nylon bags appear free, although the cost is actually included in the product price (failure in information).</li> </ul> <p><b>Reasons 2:</b> People drop litter because:</p> <ul style="list-style-type: none"> <li>• Most nylon bags are not recycled (failure in encouragement).</li> <li>• Perpetrators are unlikely to be fined (failure in encouragement).</li> <li>• The people do not understand the consequences of littering (failure in education).</li> <li>• There are not enough litter boxes (failure of the government).</li> </ul> <p><b>Reasons 3:</b> The process and system of waste treatment in relevant companies is weak (failure of the sector).</p>	<p><i>lack of regulation should not be considered an issue if that issue does not affect society.</i></p> <ul style="list-style-type: none"> <li>• A major concern is the polluted environment, which threatens the life of aquatic animals, and harms the sewer treatment system in Vietnam.</li> </ul> <p><i>This assertion examines the situation of too much litter in the environment but does not explore the main causes.</i></p>
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**2.3. Techniques to identify issues for public consultations: Use of problem tree**

When identifying the causes lying behind topics for consultations, it is possible to use a problem tree (see the example below). At the top of the chart, it is important to identify the issue requiring settlement. After having identified the issue, users should then ask “why” the issue exists. The causes of the issue need to be clarified in as much detail as possible so as to facilitate the finding of solutions. Under one cause may lie further issues.

*Problem tree: The situation of dropping nylon bags into the environment*



The problem tree helps those implementing public consultations break issues down. The problem tree highlights the detailed issues, and so facilitates the targeting of specific concerns. If the problem tree and the above table are used together, an overall picture of public consultations will emerge, so identifying issues for public consultations, targets to reach, contributors to consultations and locations to carry out public consultations.

## **II. Developing plans for public consultations**

This section presents the nature of public consultations plans, the types of plans for public consultations, the contents of the plans, the selection and use of public consultation tools, and the role of the chairperson in consultative meetings.

### **1. Concept**

The development of plans for public consultations amounts to the task of drawing up a detailed scenario for all public consultation activities with a certain number of tools and resources. The plan must set out appropriate steps. Plans for public consultations should be separated into overall and detailed plans. The overall plan is the plan for the whole public consultation process. Detailed plans can then be developed from the overall plan focusing on the time, place, and number of people involved in each element of the public consultations process (see example of plans for public consultations in the annexes).

### **2. Contents of the plans for public consultations**

The key contents of a plan for public consultations should include:

- a definition of issues and objectives.
- a clarification of those who will contribute to consultations.

- an outline of the implementing agencies/persons, explaining who will coordinate resources.
- an outline of the tools selected for public consultations.
- a step by step guide to implementation.
- details on how to communicate aspects of the public consultations process.
- a starting and finishing time.
- an outline of how to mobilise resources for public consultations, including human and financial resources.
- and expected outputs.

**Box: The following questions should be considered:**

- Are the objectives of the public consultations to amend and supplement policies or to promulgate new policies?
- What are the key issues in question?
- Who will be consulted?
- What is the topic for public consultations with each group?
- Where will public consultations occur?
- What are the criteria for selecting locations for public consultations?
- Which public consultation tools will be applied?
- When should public consultation activities be implemented?
- How long will each activity take?
- How to assign and coordinate the process?
- How to consolidate and analyse collected information?

- How will the public consultation results be used?
- With whom will the collected information be shared?
- How to give feedback to consulted people?
- How to maintain continuing relations with contributors?

### ***2.1. Preparation of public consultation activities***

When developing plans for public consultations, one of the key activities is preparing their contents. The drawing up of contents should be based on the topic and a subsequent identification of key issues, which includes the following steps:

#### *Step 1: Collection of information*

PPCs should collect sufficient information from different sources, including:

- (i) People's Council's documents on public consultations.
- (ii) Reports and official documents of key agencies.
- (iii) Information from the mass media.
- (iv) Meetings and dialogues with people in affected fields.
- (v) Seminars, workshops organized by drafting or authorised agencies.
- (vi) Discussions with different groups of people in society.

#### *Step 2: Identifying topics for public consultations*

The People's Council should identify key topics for public consultations or topic issues. Normally, those are issues relating to:

- (i) The necessity of promulgating the documents.
- (ii) The scope of the draft resolution.

(iii) The impact of the draft resolution on different groups of people: who benefits, who does not, and how.

(iv) The rights, obligations and responsibilities of individuals, state agencies, socio-political organizations, social and occupational organizations, and economic entities with regard to the scope of the adjustment.

(v) The rules and procedures under which the aforementioned people to execute their obligations and rights.

### ***2.2. Identifying people to consult***

Different groups of people should be consulted, including:

*Firstly*, the public in general.

*Secondly*, those directly affected by the policies. For example, when examining a resolution on urban planning, contributors might include individuals, organizations and enterprises in the planning field, as well as people directly affected by the law, such as households directly affected by policies on land clearance or resettlement.

*Thirdly*, management staff, experts, and practitioners who are subject to the resolution.

*Fourthly*, members of relevant organizations, including socio-political organizations, social organizations, and socio-occupational organizations.

*Fifthly*, enterprises located in the province with an interest.

The focus of the public consultations should be on particular groups, including:

(i) *For the people*: It would be better if questions are focused on issues that generally affect the people, such as: the necessity of the



change; the strengths and weaknesses of the measure in question; and the rights of the people.

(ii) *For practitioners who are directly affected by the resolution:* it would be better if consultations focus on: the scope; suggested amendments; and specialised aspects of the resolutions.

(iii) *For experts:* it would be more effective if questions are focused on: the scope; suggested amendments; and perhaps theoretical issues.

(iv) *For management staff:* it would be better if consultations focus on: both practical and theoretical issues; the current status of implementation; solutions; and how to improve issues.

Notes: it is necessary to consult with a wide range of groups of people, ranging from ordinary members of the public to subject matter experts.

### ***2.3. The appropriate time to conduct public consultations***

The effectiveness of public consultations depends on the time under which the activity takes place. Below are some noteworthy situations:

- Early consultations.

Generally, early consultations are preferable, although some procedural issues make such an approach in Vietnam at times inappropriate. In relation to new resolutions, early consultations should take place when the draft resolution is being formed and the ideas of drafting agency on contents of the draft are as yet not clear. Sometimes, early consultation can make the issues more complicated, though, because the proposals of the drafting board have not yet been commented on by the authorised state agency (the People's

Committee). In relation to issued resolutions, the authorised agencies may not provide accurate information if early consultations take place.

- Late consultations.

Late consultations might be conducted before the session of the People's Council to consider and approve a draft resolution or amend and supplement issued resolutions. In this situation, though, the People Council does not have sufficient time to study the issue or obtain people's views, and so the consultations may have a minimal impact. Moreover, late consultations will not provide time enough for the verification process and for sending documents to Deputies, which must be done 15 days and 5 days prior to the session of the People's Council respectively.

- The most appropriate time to start public consultations

The most appropriate time to conduct public consultations is after the draft resolution has been commented on by the People's Committee but before it is submitted to the People's Council. Sources of information on the draft resolution are clear at that time, and it will be easier for the People's Council to classify ideas on the key contents of the draft resolution.

### ***3.4. Administrative and logistic work***

*1. Locations:* the selection of places for public consultations should be based on the policy topic under consideration. In addition, it may depend on resources, geographical features and natural conditions. For example, in mountainous provinces, remote communes should not be selected in the rainy season. More generally, locations for public consultations should be convenient for travel, and

should match the conditions of the People's Council. It would be better if consultations are in the most convenient location to save time and effort. Moreover, to ensure the participation of the people, public consultations should take place in a relaxed atmosphere so as to encourage discussion. For example, the PPCs of Lao Cai and Dong Thap conducted public consultations at people's houses (see the picture below).



*Picture: the PPC of Dong Thap met people at a local person's home. In the picture, elected deputies were having tea and talking with the people before the meeting.*

2. Information: The timely provision of information should ensure people know the objectives and topics of public consultations,

the composition, time and places of consultative meetings, and understand whether field visits, social survey or other activities will occur. The Office of the two or three days before the consultative meeting so people have time to prepare themselves. In the invitation letter, the Office of the MPs Delegation and People's Council should set out the addresses, telephone numbers, and email addresses of people to contact.

*3. Logistics:* Prepare and check the means of transportation and key equipment like computers, projectors, and microphones before consultative meetings. The use of the equipment will facilitate the collection of information and enable participants to monitor and save time, particularly at big consultative meetings.

### ***2.5. Budget for public consultations***

Some PPCs have adopted legal documents on public consultations (resolutions or coordination mechanisms). Under these rules the PPCs have a yearly budget for public consultations. Every year, the Office of MPs Delegation and People's Council estimates the budget for public consultations in relation to the legislative and oversight programs of the PPC, which it submits to the authorised agencies for approval as regulated in the Law on State Budget.

For those PPCs which have not regulated public consultations, the budget for public consultations can be taken from the budget for oversight activities, from that dedicated to topical meetings with constituents, or from that for the development of resolutions.

### ***2.6. Table to monitor the progress of public consultations***

To keep track of progress and results, the Office of the MPs Delegations and People’s Council should use a table to monitor the implementation plan for public consultations.

**Table: Table to monitor the plans of public consultations, using a land issue for illustrative purposes**

Activities	Tools	Outputs	Time	Chairing and Coordinating	Resources
1- Collect opinions on policy regarding compensation.	Commune meetings.	Minutes consolidating opinions of the people who are subject to the resolution.	From 1/8 to 10/8	Chaired by Board of Economics and Budget; other boards coordinate.	Approved budget.
2- Collect opinions on policy regarding resettlement.	Focus-group meeting with: households; relevant agencies; unions; and enterprises.	Minutes. Recordings. Video Clips.	From 11/8 to 25/8.	Chaired by Board of Cultural and Social Affairs; other boards coordinate.	Approved budget.
3- Collect opinions on policy regarding the construction of infrastructure.	Workshop, seminar with participation of people, consultants, and enterprises.	Minutes. Recordings. Video Clips.	On 28/8.	Chaired by the Standing Board with the participation of Boards, Office, representatives of the party committee and organizations.	Approved budget.

In addition to the overall plan for public consultations, a plan for each activity or tool should also be developed. Key contents of these plans would be as follows:

- General part:
  - issues for public consultations;
  - objectives;
  - implementing/chairing persons;
  - and co-ordinating people.
- Detailed contents:
  - time to conduct public consultations;
  - composition;
  - procedures;
  - reception;
  - chairing scenarios;
  - decoration of meeting rooms;
  - equipment (sound, light, communication);
  - assignment of work:
  - chairperson;
  - master of ceremony;
  - people in charge of taking minutes, and;
  - recording.

### **3. The selection and use of public consultation tools**

When developing the overall plan for public consultations, it is crucial to identify the appropriate tools. Chapter III examines different

tools used in public consultations by various PPCs. This section presents the experiences in selecting and applying public consultation tools by PPCs. The following ten questions will help in the selection of tools for public consultations:

**1. What do the PPCs need to know?** Before selecting tools for public consultations, it is necessary to ensure that all stakeholders are aware of what type of information is needed from consultations.

**2. Has the information been collected?** Agencies or organizations such as the General Department of Statistics, universities, or institutes may hold information which may meet the needs of PPCs. Moreover, it is important to check what relevant information is already held by the People's Committees at different levels and by the PPC itself.

**3. How accurate is the data?** PPCs hope to gain highly accurate information. However, the level of accuracy will depend on the nature and conditions of issues under consultation.

**4. Is the information relevant to a specialized area?** If so, it may be necessary to consult experts or some specific documents before selecting tools for public consultations.

**5. Is it necessary to have qualitative or quantitative information?** It is necessary to consider whether the question required is seeking qualitative or quantitative information, or both.

**6. How do the stakeholders participate in the process of information collection and analysis?** Is this a participative process? If yes, the PPCs must consider whether to work with individuals, groups or both.

**7. Will PPCs collect information in the form of a defining sample or from all stakeholders?** If the information is collected from all stakeholders, it will not be cost effective. Therefore, the use of a defining sample is preferable; however, preparation must be careful, as any weakness may affect the selection of tools.

**8. Are there many options for selection of tools?** In most of the cases, there are many means to gain information. The principle here is to balance the most useful tools against their cost.

**9. How to carry out the initial selection?** List options and carry out initial selection. This work depends much on what skills and information are needed. It is important to ensure that tools support each another in both the provision and cross-checking of information.

**10. Are the selected tools appropriate?** Check the following to establish whether the selected tools are appropriate: feasibility; appropriateness; validity; trust; sensitivity; cost effectiveness; and timeliness.

**Box: The use of public consultation tools by Dong Thap PPC**

The public consultation process applied by Dong Thap entailed:

- public consultations were conducted from the lower level to higher level;
- then with experts;
- and finally at a stakeholders' meeting (public hearing), with the participation of the mass media.

Reports were made after having implemented each tool.



#### 4. The role of the chairperson in the consultative meeting

When developing plans for each type of consultative meeting, there should be one scenario for the chairperson in addition to the common scenario. There are some noteworthy points for this type of scenario:

**a- Set of questions for public consultations:** Questions prepared by the Office of MPs Delegation and People's Council should tackle the key issues and groups of people invited to the consultative meeting. Different questionnaires should be prepared based appropriately on the locations, public consultation tools and people involved.

- Be aware of the contents and objectives of public consultations, their requirements, and the tools in use. Public consultations on the issuing of new laws may differ from those assessing issued laws.
- Be well aware of the nature of public consultation tools so as to develop suitable questions to explore and collect correct information, thereby making full use of the tool.
- Be aware of the people involved so as to develop a focused set of questions.
- The questions should be short, concise, easy to understand and focused on the measure under consultation. There should be extra questions.
- The questions should be prepared by the Office of MPs Delegation and People's Council, commented on by the Standing Board and Boards of the PPC, and finally approved by the leadership of the PPC.

**b- Plans for questioning:**

In general, the Office of MPs Delegation and People's Council proposes the plan on questioning, before the chairperson discusses and agrees on it. There are some options: (1) Each member of the chairing board might be in charge of one or a group of questions on a certain issue; or (2) All members of the chairing board might participate; one might raise the first question, while others raise further questions for clarification.

Given the two aforementioned options, some of the following should be taken into consideration:

- Avoid overlapping questions.
- Bear in mind the division of labour between the chairperson and the staff of the Office of MPs Delegation and People's Council, so as to deal with procedural issues as they arise.
- Some complicated situations should be expected.

**III- Implementation of public consultations**

The implementation of public consultation activities should be based on the approved overall plan. While conducting public consultations, it is necessary to pay attention to coordination, cooperation, the chairing of consultative meetings, note-taking, and communications work.

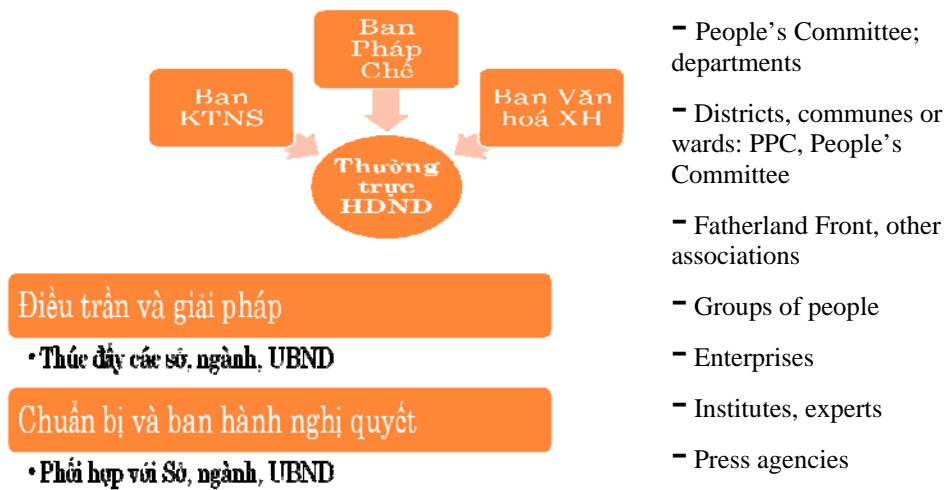
**1- Coordination and cooperation in public consultations**

The coordination and organization of public consultation activities should be based on the approved overall plan. Effective coordination and organization are discernible in: the selection of managing and implementing models; the management of resources to

conduct public consultations; the development of regulations within the scope of the organization: and the relationship between coordinating units.

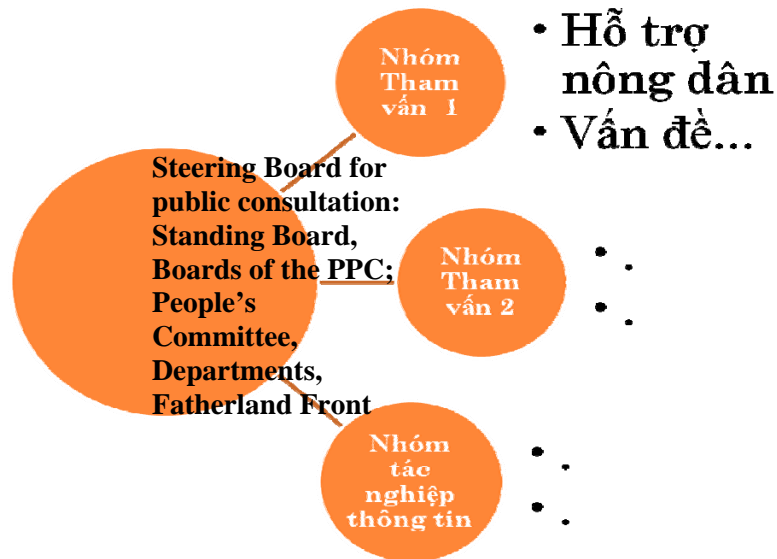
**1.1. Models for steering and conducting public consultation activities**

The first model: The Standing Board of the PPC holds the role of coordinating public consultation activities, but can assign the Boards the task of preparing plans and scenarios relevant to each question under public consultation. These plans and scenarios must be commented on, revised and agreed by the Standing Board before being implemented. (See the diagram below).



**Diagram: Model for steering and coordinating public consultation activities of the PPC of Ho Chi Minh**

*The second model:* the PPCs of Nghe An, Lao Cai, Dong Thap, Can Tho, and Quang Ngai, all set up Steering Boards for public consultations. The Composition of the Steering Board for public consultations includes: the Standing Board; the Committee at the same level; Boards; and some departments. (See the diagram below).



*Diagram: Model for steering and coordinating public consultations activities by PPCs*

Application of model: these models should be applied flexibly in accordance with conditions in the localities. Each model should also look to consistency, consensus and coordination in carrying out consultations. Finally, it is important that the composition of the model should be based on the principle of the “right task falling to the right person” to ensure that the assigned person works effectively.

### ***1.2. The roles of the Standing Board, the Boards of the PPC, the Office of the MPs Delegation and the People's Council and Deputies***

*Role of the Standing Board and Boards of the PPCs:* Active cooperation and coordination in the preparation and implementation of public consultations is important. It is thus crucial to make use of the independence of PPCs' Boards through clear assignment of work. One means to do so is to ensure that the Head of the Board should also be the head of the working group, and so responsible for the public consultation process.

*For PPC deputies:* they should be invited to consultative meetings in local constituencies, with a particular focus on those who head a deputies' group.

*For the Office of MPs Delegation and People's Council:* Staff must manage human resources, conditions, means and budget for public consultations. It is most important to: develop a schedule for each working group; and to prepare an appropriate questionnaire, which suits the people being consulted. The consolidation of collected opinions should also be the focus of much attention.

### ***1.3. Method of establishing working groups in public consultations***

Individuals participating in public consultations can be divided into working groups conducting public consultations in certain fields. There are some ways of establishing working groups, as follows:

*Working groups under thematic fields:* there might be working groups in charge of public consultations on the economy and budget, on social affairs, legal affairs and local government development, and other such themes. This focus can make use of the expertise and

experience of the members, although the information collected must be consistent.

Working groups under localities: human resources can be divided into groups, with each working group implementing public consultations in an area of 2 or 3 districts. This approach is perhaps of particular value in urban areas or those populated by minority groups.

Working groups under combined thematic fields and localities: this approach might be applied when conducting public consultations in areas which are convenient for travelling.

Working groups under subjects under consultation: the manpower participating in public consultations can be divided into working groups. One group may take responsibility for conducting public consultations at: organizations and units of executive agencies; enterprises; consulting companies; and experts. Other groups consult people in constituencies.

Working group in charge of collecting and processing information: there are two options:

(i) One working group can be led by the head of the Office of MPs Delegation and People's Council, who will collect and process information and report to the PPCs' Standing Board, giving feedback to these working groups for supplementation and revision.

(ii) All working groups themselves can collect and process information. They can also assign a person to develop consolidated reports, which they then submit to the Standing Board through the Office of MPs Delegation and People's Council.

#### ***1.4. Some dos and don'ts***

### **a. Dos**

*First*, the composition of the Steering Board for public consultations should include representatives from the Party Committee, People's Committee and its departments, and from districts, towns, and cities selected for public consultations. There should be a clear working regulation to outline responsibility.

*Second*, the division of working groups should be based on: the volume of work; the difficulty of issues and localities; the time and manpower which can be mobilised; and the feasibility of public consultations. The number of working groups should no more than 5 so as to ensure good cooperation and coordination.

*Third*, it is necessary to invite one or two competent staff to be involved in the working groups. They can work with prominent local people in public consultations activities, so overcoming difficulties in local practice and language. Heads of working groups should be members of the Standing Board and Board of the People's Council and its Office.

*Fourth*, it is important to clarify the working regulations of these groups, so as to define the focal points of groups in exchanging information.

*Fifth*, when dividing working groups, inter-related activities should be taken into account. For example, when consulting on the socio-economic effectiveness of projects on infrastructure development, there might be one group in charge of the issue, while others may also consult in the localities at the agreed level so as to obtain a comprehensive picture of the issue.

*Sixth*, it is necessary to define responsibility for follow-up activities and for delegating special work to other groups if the public consultation activities are not relevant in that locality.

**b. Don'ts**

*First*, do not fail to build consensus amongst the local leadership on public consultations from the planning stage;

*Second*, do not fail to clarify the assignment of work and the objectives and requirements of public consultations for working groups. Too much work assigned to working groups may also have bad effects.

*Third*, do not let attention lapse, which may mean that the role of deputies and local political system do not reap the expected benefits.

**2. Chairing consultative meetings by People's Council Deputies**

Skills for chairing workshops and meetings rest in large part on the People's Council Deputies work in: the preparation and developing of overall and detailed plans; considering the public consultation process; and the assignment of work so as to reach the targets and requirements set forth.

**2.1. Some general issues**

To effectively chair the meeting, any chairperson should pay attention to the following:

**1. Rules:** It is crucial to develop clear rules for the meetings so as to ensure consensus and to create legal bases for chairmanship. The rules should clarify the maximum time for each speech and the right to intervene by the chairpersons when necessary.



## 2. Chairing principles:

- Provide concise and clear information.
- Limit time for presentations and increase time for feedback and discussion.
- Be respectful, sincere and open, so encouraging interaction.
- Chairmen should raise questions.
- Maintain relations between Deputies and the Office of the MPs Delegation and People's Council.
- No comments on ideas of participants.
- No argument with participants.
- No promises to settle all recommendations.
- Be active in dealing with arising situations.

3. Topic to topic: Chair the meeting from topic to topic. When overlapping ideas appear and the time for the topic is over, the chairperson can move on.

4. Encourage interaction: During the meeting, the chairperson should pay attention to the whole meeting room, and evaluate the attention of participants so as to promote interaction:

- Summarise the public consultation topic before listening to feedback.
- Notify the next person to speak.
- Guide the speaker on presenting the selected issues for public consultations, and remind them of the issue.
- Put themselves in the position of the people to assess whether they can answer the questions.

- Encourage consulted people to speak, and sum up opinions of consulted people.
- When new issues arise, the chairperson should pose more questions so as to clarify the information.

### ***2.2. Presenting the issues***

Most time is spent on listening and discussing, but in consultative meetings participants still need to make presentations. Below are some notes on presentation:

- Go straight to the objectives, requirements and contents of public consultations.
- Ensure appropriate time for presentation.
- The chairperson needs to mention topical issues on which the People's Council expects to receive opinions of participants.
- Raise suggestive questions to encourage listeners to contribute their opinions.
- Select the most appropriate ways to present. Use computers and projectors to increase the effectiveness of the presentation.
- Observe listeners' behavior and adjust as necessary.
- Non-verbal language plays an important role in creating close relations between the deputies and voters.

### ***2.3. Listening to opinions***

Listening to participants' opinions is the most important task in the whole public consultation process. The means of listening of deputies can affect participants' behaviour, and may encourage them to express their opinions, so contributing to the success of efforts.

There are some points to consider:

- Pay attention to the contents rather than the means of speaking.
- Do not intervene when participants are speaking.
- Listen while thinking about participants' perspectives.
- Express encouragement through eye contact.
- Have ideas to exchange, and raise questions at suitable times to clarify points.
- Do not raise too many questions.
- Do not argue with the speakers.
- Take notes under a range of headings including agreement, disagreement, and other opinions.
- Do not comment and conclude hastily.

#### **2.4. Raising questions**

When necessary, deputies may raise questions to clarify points or to guide the speaker.

- MECHANISMS TO RAISE QUESTIONS

<b>Reasons</b>	<b>Example</b>
Draw in participants	<i>How do you see...?</i>
Participants have the right to think and express their opinions	<i>What are your opinions on ...?</i> <i>What do you think about...?</i>
Invite other participants to discuss and share opinions	<i>Mr. A, what do you think about ...?</i>
Clarify ideas and opinions of	<i>Mrs. B, this is a very interesting idea.</i>

the speakers	<i>Could you please expand on that idea?</i>
Manage time and move to other issues	<i>That's fine, we have spent a lot of time on this question. If you agree, we will now move onto another issue?</i>
Develop full understanding on the two sides of the issue	<i>We will now look at the good and bad side of the issue. What happens if you...?</i>

• TYPES OF QUESTIONS

There are many types of questions, which can have different purposes:

<b>Types of questions</b>	<b>Effectiveness</b>	<b>Limitations</b>
<p><i>General questions</i> This type of question is aimed at all participants, and can be written on a board, papers, or put on projectors.</p>	<ul style="list-style-type: none"> <li>• Encourages all participants to think.</li> <li>• An easy way to start a discussion.</li> <li>• Can develop a good method for the discussion.</li> </ul>	<p>The question is not aimed at any specific participant, and so there may be no answers. Inappropriate questions may change the focus of discussion. If time is limited, the discussion may not be effective.</p>
<p><i>Specific questions</i> This type of question is used for individuals or groups of participants.</p>	<ul style="list-style-type: none"> <li>• It is good that questions are answered.</li> <li>• They provide opportunities for engaging with shy</li> </ul>	<p>These questions may cause the unprepared to hesitate. They are more effective if combined with a general question.</p>

	<p>people.</p> <ul style="list-style-type: none"> <li>• They stop the monopoly of those who are talkative.</li> <li>• Such questions may target those with particular professional experience such as legal experts.</li> </ul>	
<p><i>Open questions</i> These questions cannot be answered yes or no</p>	<ul style="list-style-type: none"> <li>• Useful for gathering information and feedback.</li> <li>• They encourage the creativeness of participants, since the quality of discussion improves with new viewpoints.</li> <li>• It is good for analysis.</li> </ul>	<p>These questions are harder to answer. The question structure may lead to misunderstanding.</p>
<p><i>Closed questions</i> These are questions that participants can only answer on the basis of mentioned options.</p>	<ul style="list-style-type: none"> <li>• They identify the viewpoints and ideas of speakers.</li> <li>• They avoid unclear and general assumptions.</li> <li>• They identify the level of agreement or disagreement on issues.</li> </ul>	<p>All participants can answer, but the accuracy of answers will depend on knowledge or experience.</p> <p>The issues under consultation need to be specific.</p>

### 3. Note-taking by supporting staff

Note-taking in public consultations depends on the methods of collecting information (which might include filling out forms, recordings, and writing general or detailed minutes).

There are some noteworthy points to consider:

- For each type of information, consider how to note it down.
- Be consistent in note-taking.
- Consider the storage of information: where and how to store it, and who will take responsibility?

Some templates should be developed to ensure that information is collected consistently. These templates should reflect indicators and have appropriate space to fill in:

- Date, month, year, location, time and duration.
- Name of interviewers/chairpersons.
- Composition of the meeting.
- Topics to be discussed and methods.
- Key findings – either in templates or key words and detailed description, so that the method of collecting information should be open.

Some notes for note-taking and consolidating collected information:

- The secretary should agree with the chairpersons on the minutes (for example, whether the minutes will be taken by issues or by questions), and signals between the secretary and the chairpersons should also be agreed on before and applied during the meeting.

- Coordinate with local staff the registration of participants and seating arrangements. Be aware of the number of participants and their composition (to include in the administrative section of the minutes).
- Private meetings with the speakers can be arranged at break-time to collect more information, such as contact details when necessary.
- There should be three secretaries: one takes notes of all opinions (even these opinions are overlapping); another takes notes of the consulted issues; and the third takes pictures and recordings and conveys messages between chairpersons and secretaries.
- The report drafting should be simple.
- There should be different templates for each public consultation tool.
- Taking pictures and recordings should be considered.
- When the consultative meeting is over the secretary should prepare a simple report summarising the conclusion of the chairpersons.

#### **4. Communication in public consultations**

Communication skills are important to establish channels of information between agencies, elected deputies, consulted people and stakeholders in the public consultations process.

##### ***4.1. Requirements for communication skills***

###### **a. Communication contents**

There will be common and differing points regarding communication in the overall plan and the detailed plan for each

public consultation tool, although the contents should mainly focus on:

- Communicating the objectives of public consultations.
- Communicating the policy topic and key issues for consultation.
- Outlining the plan for public consultations.
- Setting out the time and place to receive contributions from the public.

**b. Methodology**

Communications work can take place through a press release, or a report or an article on the website, generally with a length of less than two pages. The Office of MPs Delegation and People's Council should draft it for approval by the person in charge of public consultations before dissemination. Its contents should be concise and easily understood by all people involved, and should match local socio-economic characteristics and customs.

**c. Issues to prioritise**

Communication can be divided into two aspects: (1) internal communication for the elected agencies, members of the Steering Board and working groups; and (2) external communication for the public, stakeholders and the media. Communication activities should focus on the places and people involved.

For individuals, communications efforts should disseminate the objectives, requirements, plan and tools for public consultations. These individuals should be informed of policies and regulations that they can benefit from, such as daily or travel allowances, so as to



ensure their participation and limit confusion or hesitancy in contributing.

The press should be notified beforehand so as to create favorable conditions for participating in public consultation activities. The Office of MPs Delegation and People's Council should also be assigned to monitor and consolidate news posted in the newspapers, and to work with press agencies to design and develop video clips of the PPCs' sessions. Meetings with press agencies should also be organized before conducting public consultations, as should regular meetings to exchange information through to the completion of public consultation activities.

#### ***4.2. Some dos and don'ts***

##### **a. Dos**

- There should be a communication element within both the overall plan and the detailed plan for public consultations.
- Publicising the contact addresses of agencies and deputies including details such as email addresses, telephone numbers, mobile phone numbers, office addresses, and hotline numbers is crucial.
- A staff member should be assigned to monitor the aforementioned telephone numbers and addresses.
- Upon receipt of information, the assigned person should give timely feedback and convey messages to authorised persons for consideration and settlement.

##### **b. Don'ts**

- Do not make light of communication.

- Do not develop a weak communication plan.
- Do not fail to provide sufficient human resource and means.
- Do not fail to clarify the assignment of work.
- Do not fail to monitor communications efforts so that information on public consultations is not conveyed to the right persons.
- Do not provide unclear communication details, so creating a misunderstanding in relation to time, location and people involved.
- Do not take a weak approach to the implementation of the note-taking and storage of collected information.

#### **IV- Information and feedback**

After public consultations, the PPCs should collect different information related to the consultation. The PPCs will then process and analyse collected information, consolidate information in a report, and provide feedback to key stakeholders.

##### **1. Collecting and processing collected information**

###### ***1.1. What type of information do the PPCs need from public consultations?***

Public consultation activities and outreach to voters by the PPCs provides the PPCs with practical information supporting the promulgation and supplementation of policies. The People's Councils need different sources of information on the basis of which it can discuss and decide policies or laws.

***Box: Some examples on information supporting the promulgation and oversight of policies***

**Example 1: Ho Chi Minh PPC:** The process of collecting and reviewing information at consultative meetings helped to detect incorrect statistics from the District People’s Committee. In relation to the quality of life of resettled people, statistics from the People’s Committee came in at earnings per person of VND 6 million per year, but interviews with people showed that they earned from VND 1 million to VND 3 million per year.

**Example 2: Binh Thuan PPC:** Public consultations brought policies closer to the people. Public consultations on land shortages taught the PPC more about how the people need land to escape poverty and about the importance of land grants. Accordingly, the PPC had a broader view when deciding policies – and not only on policies directly relating to poverty reduction, but also on policies on education, population, industrialization, and investment.

The People’s Council Deputies need information regarding the following elements:

- aspects of the policies (what to do?);
- the results (who will benefit or suffer?);
- and the implementation of policies (what are the opportunities and challenges?).

For fields outside their expertise, deputies need information on the importance and contents of policies as well as on the relation of these issues with others.

Collected information from public consultations should be used to evaluate policies under the following criteria:

- **Necessity:** whether the promulgation of policies is necessary after having considered alternative options.
- **Effectiveness:** if the regulation imposes any minimum cost to achieve the targets set forth.
- **Conformity:** what the level and importance of the issue may be so as to help decide the level of intervention, thus avoiding unnecessary regulations.
- **Transparency:** how open, simple and easy the regulations might be.
- **Appropriateness:** whether the policy or law is appropriate to socio-economic development levels, management concerns, intellectual capacity and the promotion of development.

### *1.2. Consolidating information*

After having conducted public consultation activities at the local level, working groups should consolidate and process information and make reports.

Information should be processed under the headings of subjects, tools and contents. The information can then be assessed in terms of level of importance, key information, legal foundation and accuracy. Small details should be consolidated into a bigger picture – for example, individual interviews may be put together to form an overall picture, information from communes can be combined to form an overall picture of the district, or information from consultative meetings, field visits, questionnaire can be added up so as to build information on the whole public consultation process.

### ***1.3. Storage of collected information***

The storage of collected information is very important, as the same issue may be subject to future consultations, and collected information can be helpful for elected deputies who are interested in the relevant issues. There are four questions that need to be answered when developing a plan for storing information:

- **What information needs to be stored?** It is important to consider the type and volume of information to be stored. Information is required to orient the strategy on the promulgation and amendment of policies, and to monitor the promulgation and implementation of policies.

- **Who needs what information and when?** The information should be accessible when necessary, with a focus on the needs of elected deputies and staff of the Office of the MPs Delegation and People's Council.

- **Where to store information?** It is better to store information in computers if everyone uses computers. However not all people own computers, and so information can also be copied and disseminated. In this context, reports need to be short and summarise the comments of key participants.

- **What type of information needs to be reviewed?** The system of stored information can become overloaded if not reviewed regularly, although data in computers can be easily stored in the main server. If documents are stored in paper form, they present other storage challenges. A particular approach needs to be taken towards legal, accounting and financial documents.

### ***1.4. Information analysis***

Staff of the Office of the MPs Delegation and People’s Council should continue to filter and analyse useful and consolidated information collected from public consultations. The work should be based on the needs of the People’s Councils.

**a. Filtering information**

There are two elements to be considered in information analysis: (1) defining whether the information is needed or not; and (2) defining whether the information is trustworthy.

To know whether the information *meets needs*, it is firstly necessary to define the objectives for use of that information. Normally, public consultations and constituency relations have as their purpose the supporting of the amendment and promulgation of a new measure, or the conducting of oversight of the executive agencies in the implementation of a policy in a certain province/city. Information analysis should bear that in mind.

Information analysis is also necessary to verify if the information is *trustworthy*. In principle, the accuracy of all collected information needs to be considered. Information can be considered trustworthy when the following “indicators” are checked:

Firstly, ask who was the author of the information. Information collected by elected deputies may come from different sources. Depending on the nature of the source, the level of accuracy may vary. For example, information collected from voter outreach may be less accurate or objective than that of experts.

Secondly, check the adequacy of information. To use information accurately, it is necessary to explore how information is used. For example, when assessing the current situation of poverty reduction, optimistic persons may use numbers to describe the amount of land needed to support the poor. By contrast, cautious persons may ask whether the land can be used to cultivate or not, or furthermore if the land will or will not be used by the poor.

Thirdly, check the dates of the information. A piece of information can be true today, but outdated tomorrow. Therefore, the updating process is very important.

#### **b. Verification of information**

Information and data need to be verified regularly. It is important to ensure effective verification, which entails checking the source of the information, who collected it and with what tool at various times, including:

- At the start.
- When using a new method.
- When targets and data are totally consistent.
- When working with local staff, an unknown implementing partner or new staff.

Always be cautious when dealing with suspicious information. 3 indicators can help identify incorrect information as follows:

- **The data is too accurate**– for instance, if an indicator reveals that implementing levels have reached almost 100 percent, it may be unreliable.

- **Big and sudden changes in data** – if changes are discernible, the People’s Council should question the accuracy of that information.

- **Gaps in data** – if a large number of interviewees did not answer the question, which may result from an error in sampling or because the tool was not appropriate.

There are some options to verify information as follows:

- Use external resources or experts to cross-check and verify information.
- Conduct some other activities to collect information to see if the same piece of information is collected from different sources and tools.
- Compare information from one group of subjects to that of others, such as a group of management staff to that of the public.

### **c. Analysis of qualitative information**

Qualitative information can be collected from consultative meetings, field visits and questionnaires. Analysis of qualitative information is different from that of quantitative information. The analysis process requires the derivation of answers from raw information.

- **Information collectors should participate in information analysis:** all information collectors and coordinators should participate in a meeting on information analysis. This is very important, since coordinators can monitor discussions and draw experiences from contributions.



- **Simultaneous information collection and analysis of qualitative information:** Immediate analysis of information gained from a consultative meeting, field visit, or discussion can clarify what are the most useful follow-up activities. A further reason for immediate analysis of information is that it is impossible to take notes of all open discussions.

- **Every question should be analysed separately:** for example, if an interview is conducted with the head of the association of peasants and the head of the commune on the same day, the collected information should be analysed separately.

#### **d. Analysis of policy issues**

- Monitor changing circumstances over a certain period of time or in different localities so as to assess progress.
- Analyse how the issues affect different people and groups of interests (those who benefit, the vulnerable, those who support the decision of the authorities, those who are likely to support the policies and those who disagree).
- Examine those who are responsible for the situation. Is it the responsibility of the organization or the head of the organization? Such information is very important in forming, operating and implementing the measures approved by the authorities.
- Pay attention to the impact on tangential issues, such as culture or the environment.
- Present recommendations on policies and measures to submit to People's Councils for consideration (select the appropriate

measures, not necessarily those singled out in legal documents or of interest to the authorities).

## **2. Making reports on public consultations**

After having collected, consolidated and analysed information from public consultations, the next step is to prepare reports to send to deputies of the People's Council and other stakeholders. This section presents: the nature of a report on public consultations; its suggested contents; and any necessary information. In addition, there is a table to review in the annex.

### ***2.1. Policy report – a means of communicating information***

Of the means to communicate information to the elected deputies, a report is the most common one. In terms of content, besides the overall report, the report should recommendations on policies. Annexes should also be attached as needed.

### ***2.2. Explanation of policy plans***

Perhaps the most important part of any report is that which examines policy plans. Accordingly, those preparing the reports must understand policy plans and know how best to analyse them. The table below sets out three categories of policy plan.

***Table: Types of policy plans***

<b>Policy plans</b>	<b>Guidelines</b>
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A plan for retaining the policy.	If the State does not intervene in the current policies, what will be the consequences? This plan aims to set out any reasons for proposed changes to an existing plan.
A plan for promulgating documents.	Explain why it is important to promulgate documents. How does this plan help to settle the problem?
A plan specifying different solutions when developing legal documents.	If the promulgation of documents is necessary, consider different solutions to settle the problems.

It is necessary to clarify why plans have been selected or not. This requires a comparison of suggested plans, and an assessment of their strengths and weaknesses. There are some bases to establish which are best:

- Recognize ineffective measures taken in the past. It is possible to eliminate comparable measures or use lessons learnt to achieve better solutions.
- One of the best ways to identify policy plans is to study the experiences of other localities in dealing with the same issues.
- Explore the methods of other countries in promulgating documents, since it is useful to compare the benefits and cost of any plans to see which plan reaps the greatest benefits.

*In sum, the selected policy plans must meet two basic criteria: 1- Plans should meet clear targets; 2 - Plans should achieve the targets at a low cost to the state, enterprises and the people.*

### **2.3. Communicating policy information**

Draftsmen of reports must ensure that the recipients understand, accept and use that information, and so they must structure arguments clearly and carefully. Selected information for arguments must meet certain requirements, such as containing meaningful numbers or persuasive evidence.

***Box: Examples of arguments based on evidence and logic:***

Public consultations demonstrated to the People’s Council that a land grant for poor households was not the only way to help them reduce poverty. Contributions to public consultations provided other solutions, such as enhancing irrigation systems and transportation for products, so improving land productivity. These ideas come from the opinions of people in consultative meetings, field visits and in response to the questionnaires of the People’s Councils.

***2.4. Outline of a report on public consultations***

The following is the suggested outline for a report on public consultations:

**Table: suggested outline for a report on public consultations**

***Part I – Background and information***

- Clearly explain the reasons for selecting the issue for public consultations.
- Set out: the level of interest; the scope of the measure; the feasibility of examining policies; and possible solutions to settle issues to be consulted.
- Explore how the measure sat alongside other the People’s Council and People’s Committee activities.
- Set out the objectives and requirements of public consultation activities.
- Explain what information was sought, who was consulted, and which policies or legal documents were attached.
- Provide a summary of relevant administrative information, including; start and finish times; key activities; locations; key persons involved and coordinators; the composition of people to be consulted; times of speeches; and the number of opinions (an annex may be needed).

***Part II – Key contents of the public consultations and viewpoints of the People’s Council***

- Based on the information consolidated from consultative meetings, field visits, questionnaire and previously collected information, this section should address key topics with specific evidence, arguments and quotes from public consultation activities. The section may incorporate material from:
  - reports by the People’s Committees and departments;
  - the writings of experts and individuals;
  - transcripts and recordings;
  - detailed and general minutes of consultative meetings;

- and the opening and closing speeches at consultative meetings.

Example: Through public consultations, the People's Council identified three big issues which are A,B and C. Working groups dealing with issue A tackled detailed points "x,y and z". Analysis of content "x" may then include evidence such as speeches, numbers quoted from the reports of experts and departments, and the arguments of experts in the report. The PPC's perspective on each issue of the People's Council should be mentioned, perhaps by stating: "With regard to point "x" of issue "A", speeches by the people coincide with the ideas and arguments of experts, but the perspective of the People's Committee differs." Then, the report might examine contents "y and z" of group of issue A, before moving onto:

- Details on issue B
- Details on issue C

***Part III- Recommendations on policies***

This section should capture the viewpoints of the People's Council and should present recommendations on policies in relation to each group of issues.

For example: "We recommend the People's Council should..." "The People's Committee should..." "We recommend the National Assembly, Government take appropriate measures to..." (If possible put recommendations to the National Assembly and Government).

***Annexes: The following documents might be attached***

1. Reports by departments; writings of experts; recordings; and opinions of the people regarding policy issues.
2. Documents at consultative meetings; background to the issues;

recordings; administrative minutes; general minutes on key issues; and the opening and closing speeches of consultative meetings.

3. Documents for communication, such as video clips, articles, interviews.

4. Reference materials used for reporting (if any).

### ***2.5. Form of reports on public consultations***

The administrative part of the report should be short and concise. In the section tackling the key contents of public consultations, each issue should be presented in a short and concise manner. Policy plans and topics for public consultations must be described with specific examples, before the section compares solutions and sets out the opinions and recommendations of the People's Council. The recommendations should be clear and match collected and analyzed information. In terms of language, use short sentences with simple words. Words and concepts should be consistent from the beginning to the end of the report. If necessary, there should be diagrams, boxes or tables to highlight information.

Any report needs to be sent to the Provincial People's Council and departments in a timely manner so that these agencies will have sufficient time to study it and give feedback to the PPC. The report may also be sent to deputies of the People's Council as a trustworthy source of information, as well as to the key stakeholders involved. Finally, the report should be disseminated widely by sending it to the press, and posting it on the website of the People's Council.

### **3. Use of public consultation results in policy-making process**

The information collected from public consultations, after analysis and consolidation into reports and other attached documents, should be sent to the People's Council, and other organizations, agencies, and relevant individuals. However it is important to consider:

- How the information will be used?
- Does the information demonstrate a need for change?

In sum, information gained from public consultations can help the People's Council to execute more effectively their functions in terms of oversight and decision-making. Public consultation results may enable the People's Council to amend and supplement issued policies or resolutions, and to gather more information for the development of new policies/resolutions, making them of clearer benefit to real life.

#### **4. Providing information and feedback**

##### **4.1. Why is feedback needed?**

People's Councils need to give feedback on the results of public consultations to different groups of people. Promulgating agencies have the right not to do what the public ask them to do, but these agencies need to explain how they make use of people's views in altering policies. Feedback thus provides the People's Councils a means to show that they respect the opinions of the people. Feedback also allows the People's Councils to show that they keep promises, and so contributes to successful interaction. The people can thus better understand what the People's Councils are seeking to do.



#### ***4.2. Recipients of feedback***

In general, the People's Council should find ways to give feedback to the entire public. Through the newspapers and internet the people, organizations, and agencies in the locality can be informed of the results of public consultations. In particular, the People's Council should give feedback to those who participated in the consultative meetings, field visits and social surveys. It is also important to give feedback to interested organizations, agencies, committees, enterprises, associations, and experts.

#### ***4.3. The contents of feedback***

Feedback should include a summary of the public consultation process (the topic, time, main activities, groups of contributors, and opinions), and details on the use of collected information by the People's Council and deputies in deciding and overseeing policies. This document should mention the contributions of different participants in the consultations process, and thus encourage their participation in subsequent activities.

#### ***4.4. Method***

The report on public consultations of the Standing Board of the People's Council should be the basis for feedback to the people participating in public consultations. This report might be sent to relevant organizations, agencies, committees and individuals.

In terms of broader feedback, the Standing Boards of PPCs should also organize workshops to present conclusions and proposals based on results of public consultations to the People's Committees and others. In addition, Standing Members of the People's Council should assign supporting staff to draft a press release on the results of

public consultations. Some other tools for feedback include letters, documents and the mass media. The People's Councils should select a suitable place to post feedback, for example, on the People's Councils' websites, post boxes and email addresses. The People's Councils should also set up a group which monitors and maintains relations with those providing opinions for separate feedback.

## CHAPTER III: KEY PUBLIC CONSULTATION TOOLS

**Objectives:** When preparing for the implementation of public consultations, one of the most important factors is to know how to select and implement public consultation tools. Therefore, this chapter sets out the definitions and methods of application of public consultation tools, alongside some issues to be considered when implementing these tools.

### **Key contents:**

- Large-scale consultative meetings.
- Focus-group discussions.
- Commune meetings.
- Field visits.
- In-depth interviews.
- Internet-based consultations.
- Private briefings.
- Social survey.
- Stakeholders' meeting (public hearings).

*The Law on Laws sets out detailed descriptions of only some public consultation tools to be applied in draft laws and ordinances (public consultations). Based on the practice of PPCs over the past years and experiences and lessons learnt by PPCs participating in activities of Project 00049114 of the Office of the National Assembly and UNDP<sup>3</sup>, this section consolidates and presents public consultation tools appropriate to the context of Viet Nam.*

### **I. Large-scale consultative meetings**

Public consultations in the form of consultative meetings on some key policy issues are commonly conducted by People's Councils at all levels. This tool is applied in different forms, scopes and with differing groups of people, including groups of people or individuals who are directly affected by policies, organizations or agencies in charge of implementing the policies and other stakeholders.

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<sup>3</sup> Project "Strengthening the capacity of representative bodies in Viet Nam – phase III" on pilot public consultations and constituency relations by the Provincial People's Council.



*Picture: A consultative meeting in Dong Thap province.*

### **Organization of consultative meetings**

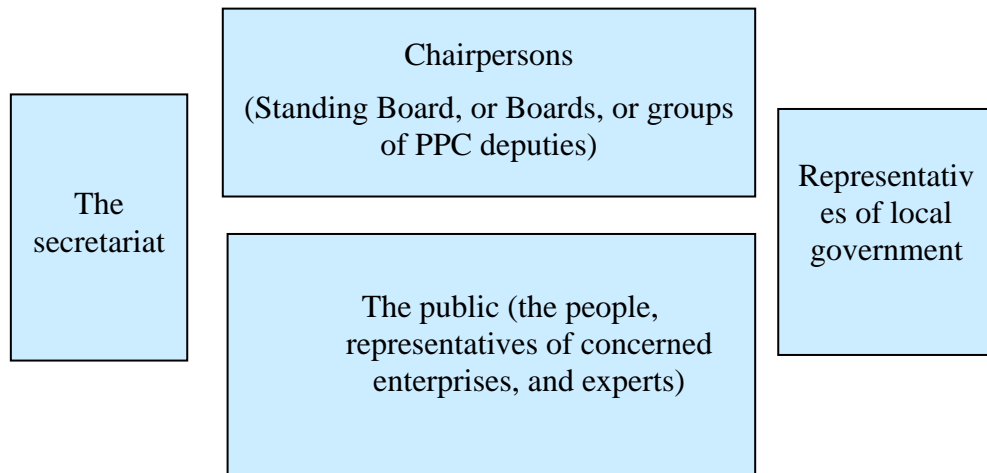
The following points should be considered when organizing consultative meetings:

- **Location:** Large-scale consultative meetings can be organized in districts and communes. For example, meetings can take place with stakeholders in mountainous areas to collect information on policies regarding migration or resettlement, or on the replacement of temporary houses to new ones for the poor in Mekong River Delta.
- **Time and place:** consultative meetings should be organized at a time and place convenient for people wishing to participate. The combination of field visits and consultative meetings may be cost effective.

- **Composition:** Depending on the nature of the meeting, the key composition of the meeting should be decided on. Its composition might include the people, representatives from local government, the Fatherland Front, organizations, agencies and committees, concerned enterprises, consulting units and experts.
  - **Chairperson:** The best option is that the chairmanship falls to a representative of the Standing Board and Boards of the People's Council in charge of verifying the programs and projects, or the heads of groups of PPC Deputies.
  - **The agenda includes three parts:** the introduction of topics to be consulted on; the chairing the discussion of each issue; and the conclusion.
    - *Introduction:* A representative of the People's Council raises the issues. He/she presents at the meeting or assigns another to raise questions to spark consultation.
    - *Chairing:* The chairperson chairs discussions on each key issue. Based on the agreed rules, the chairperson will decide the length of each speech so that speakers address the key issues of the meeting. When no new opinions emerge, the chairperson may move to another topic. (See the chairing skills in Chapter II).
- Conclusion:* The chairperson: summarizes key issues on which agreement has been reached; sets out topical issues for further consideration; and expresses his/her thanks to all participants for their opinions at the meeting.

- **Information collection and analysis:** The secretary takes the minutes under headings of the topics discussed at the meeting. If the meetings are organized in different locations but on the same issue, the secretary should prepare consolidated minutes to submit to the Standing Board of the People's Council for approval, and then send them to the People's Committee and Boards of the People's Council for further examination and improvement.
- **Facilities for the consultative meetings:** To increase interaction among stakeholders, the tables and chairs in the meeting room should be arranged so that people feel comfortable and can move around freely. Tables and chairs could be arranged in a U – shape. The Chairing Board may be at the front, government departments and agencies to one side and the Secretariat on the other side. Chairs for the people could be in the middle. Normally, the consultative meeting is not on a large-scale, but sound, light and ventilation should be ensured. Handouts and other equipment are also necessary so that participants have information to refer to during speaking.
- **Agenda:** There should be an agenda, an executive summary of the topic under consultation or a diagram on A0-sized papers so that the people can have a clearer picture of the contents/issues to be consulted. If possible, computers and projectors can be used.

*Diagram: Arrangement of the large-scale consultative meeting hall*



### **Don'ts**

- The chairperson should not raise 'suggestive' questions such as: 'the People's Council and the People's Committee have met and discussed this issue. Many opinions at the meetings suggest...'.
- Cover too many issues, which limits time and makes it hard to manage the agenda.
- Take too much time for presentation and limit time for feedback. Time for discussion should be longer than that for official presentation.
- Not be decisive in managing consultations, which can lead to unnecessary arguments and discussions moving away from the key issues.

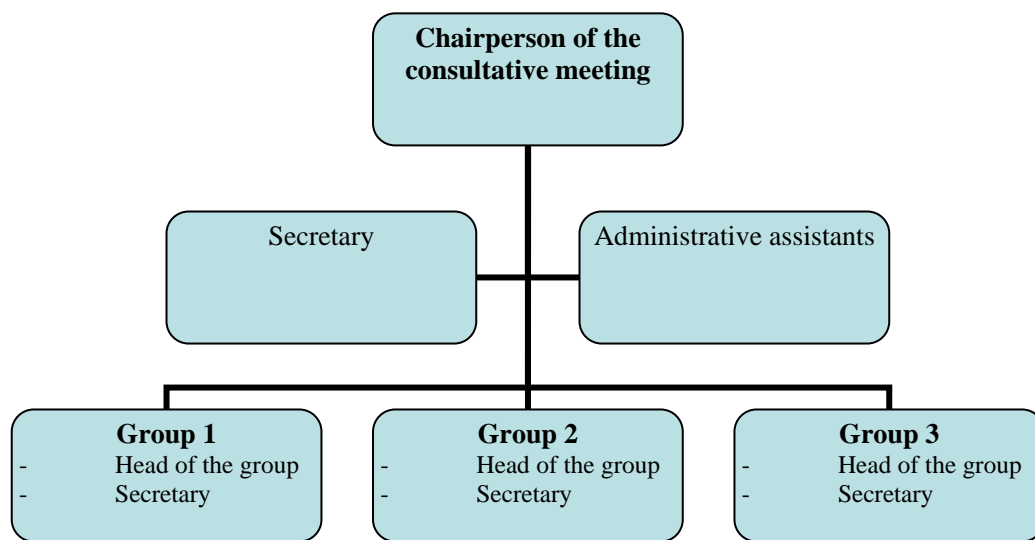


## II. Focus-group discussions

### Concept

In the aforementioned large-scale consultative meetings, different groups participate, and the People's Council puts questions to all. These groups can be separated to discuss and focus on key issues.

Thus, focus-group discussion is a tool which can be applied in consultative meetings. i) *Group*: Participants in a consultative meeting can be divided into groups of 7 to 15 people so that they have more opportunities to express their opinions; ii) *Focus*: Discussions may tackle issue by issue, and when participants do not have new opinions or repeat opinions, another issue/topic is introduced; iii) *Reporting*: the opinions of all groups can be consolidated and presented at the consultative meeting.



### Preparation and implementation

### *Equipment*

A single room can be arranged for each group to hold discussions. Seats should be arranged conveniently for eye contact. A0 sized papers and markers may be used to take notes of discussions. Papers and pens may also be prepared so that members of the group can write their opinions and put them on the table or hand them to the secretary of the group. The room should be equipped with voice recorders.

### *Division of groups*

Two focus groups or more can operate in a consultative meeting; members of groups might be equal, and each group should ideally have 7 to 15 members. The head of the group could be a Deputy of the People's Council or an expert, with staff of the Office of MPs Delegation and People's Council under the request of the deputy in charge of preparing the contents, questions and plan for discussion. Each group has one secretary to note contents and opinions raised at the discussion, who can support the consultative meeting.

- *Head of the group*: chairs the discussion ensuring that its objectives are reached.
- *Secretary*: takes responsibility for recording general and simple minutes. The minutes should include all contents and relevant information: date, time, location, number of members, description of members, key contents, and the progress of discussions.
- *Supporters*: Implement administrative activities, support, monitor, ensure order.

### **Reports from the groups**

The head of the group reports on the following issues: preparation (issues, objectives, arrangement); results on each issue; an evaluation of people's contributions; the comments of each member on the chairing and management; collected data and documents; and minutes and follow-up activities. At group discussions, shorthand can be applied, or voice recorders can be used. The tapescript can then be prepared so that all can see proceedings. Discussion results of groups should be consolidated so that the chairperson can report to the meeting, and the results will be the inputs for the report of the consultative meeting.

### **What the head of the group should and should not do**

The group leader is responsible for the group achieving the targets of the discussion. The group leaders should: give a short self-introduction and ask other members to do the same; explain the requirements and targets of the group discussion; ensure that questions for discussion are raised logically, quickly and easily; and ensure that each member has an equal chance to answer questions. The head of the group should pay attention to the opinions of group members, clarify the opinions and give feedback. It is necessary to manage the discussion time dedicated to each consultation topic and for each group member to speak.

The group leaders should be aware that each member has their own expectations from the group discussion, and so could ask the following questions regarding their participation:

- Do you understand my perspective?
- Is my opinion seriously taken into account?
- What benefits do I provide when participating in the discussion?

- Did we make the right decisions?
- What does this decision mean to me?
- What will I do after the group reaches a decision?

The head of the group should not: answer the question that he/she raised; raise too many questions simultaneously; focus on only some members; raise difficult questions right from the beginning; and comment or summarise opinions of the speaker (except for clarifying unclear opinions).

### III. Commune meetings

This is a form of small-scale consultative meeting, which involves the people living in the same commune, hamlet or residential area.



*Picture: A consultative meeting of households in mountainous areas, Lao Cai province*

Its form and requirements are similar to the aforementioned consultative meeting, but participants are not selected, being instead representatives of all households in the residential area invited to express their opinions. To ensure fruitful results from the meeting, the number of participants should not be more than 40 per meeting; such a number fits with the capacity of the meeting hall of the commune.

Preparation for this meeting can be made by the Fatherland Front in coordination with the People's Council at the same level. Proposals for the meeting may also come from the group of deputies or deputy as a means to improve relations with the voters in the constituency. After the meeting and with the support of the staff of the Office of MPs Delegation and People's Council, deputies should consolidate collected information, process it and present a timely report to the Standing Board and Boards of the People's Council.

It is necessary to raise the role of groups of deputies or a deputy in using action plans in some meetings to regularly maintain and develop the relations with the voters. All deputies should participate in dialogues with the people.

Keep people informed of the meeting early to ensure their full participation.

***Box: Commune meetings in Lao Cai***

A working group of the PPC of Lao Cai went to a mountain village

to listen to opinions on the effectiveness of the policy on agricultural development. Normally, the organizing board hired the office of the local People's Committee, cultural houses, or schools to organize the meeting. This time, though, the working group hired the house of a widow on the suggestion of the head of the commune. Representatives of 20 households were invited to discuss issues relating to seeds, fertilizers, and plants. The consultative meeting was quite effective with much information gathered. In Lao Cai, this tool of public consultations has been applied in 27 communes with about 450 heads of people participating. The People's Council collected accurate information on relevant issues. Minutes for these meetings were made and consolidated.

#### **IV. Field visits**

##### **Objectives and characteristics of this tool**

This tool helps deputies of the People's Councils become more aware of the issues by collecting information directly from the localities. Field visits also help to collect useful information by observing the work and life of the people so as to facilitate timely judgments on how to improve the situation. Minutes, recordings and pictures of the field visits are also necessary.

##### **How to prepare and conduct this tool**

The aim of the tool is to collect supplementary information, and so important issues to consider include the time, place, and

composition of the field visits. It is important to make a list of those to meet, and to focus on communication work so as to enhance coordination and cooperation among members of the field visits. The composition of these visits should include groups of PPC deputies, and would benefit from the involvement of deputies from the communes, wards and towns where the field visits take place.

In the implementation of the plan for the field visit, it is important to work with concerned sectors and local government, as well as with those who are directly affected by the programs, projects, or in consulting units. Minutes, pictures, audio and visual recordings should be taken.

A meeting of the participants in field visits should be organised to agree on the evaluation, and to arrive at conclusions and recommendations. Results of the field visits should be used to make recommendations to the People's Committee and departments. They should also provide the bases for elected bodies and deputies to express their opinions at sessions of the People's Council. It is also possible to invite experts and representatives from consulting units to the field visits when the oversight activities focus on specialised issues. Independent field visits can also contribute to the oversight program of the elected bodies so as to save time and cost.

## **V. In-depth interviews**



*Picture: A private meeting with a household in Dong Thap*

In-depth interviews with individuals can provide further information on issues after commune meetings and field visits. If there are still important issues that need to be clarified, elected bodies and deputies can use this tool of public consultations to find out more.

#### **How to prepare and conduct this tool**

Depending on the nature of the matter under consultation, all members of the group of People's Council Deputies or 1-2 Deputies may be invited to in-depth interviews.

Representatives of the People's Council or deputies may request the Office of MPs Delegation and People's Council to arrange the meeting, or the deputies can contact people directly themselves. Deputies may arrange interviews and agree on a time and place for the interviews. It is necessary, though, to clarify in advance the issue that



the People's Council and deputies are concerned with. The interviewers need to study relevant information on the issues and select questions to put to the interviewees. They should also arrange an appropriate time for an interview so as to create convenient and safe conditions for interviewees, and to ensure that there will be no intervention except by the agreement of the participants

If the interview takes place in a public area, for example when the interviewees agree to answer questions during the break-time of the commune meeting or when the meeting finishes, the deputy should request supporting staff find a comfortable place which is at a suitable distance from the crowd to carry out the interview.

To ensure the success of the dialogue, it is better to create a warm and reciprocal atmosphere. It may be useful to use audio and visual recorders, as agreed. Information should remain confidential. The collection of information requires recording skills, but the use of the equipment should be agreed by participants, particularly practising shorthand skills when there are no supporting staff. It is important to respect the personal opinions and secrets of the interviewees. Do not express personal opinions. Listen carefully and do not make any comments.

Requirements on the storage of collected information should be met. The use of the information collected from the interviews should be carefully considered as not all information can be open.

#### **Don'ts**

- Raise difficult questions and create a serious working environment.
- Raise too many questions.

- Intentionally or unintentionally reveal the personal information of the interviewees or violate the agreement, or publicise information which causes harm to the interviewees.
- Arrange an inappropriate time and place for the interview.
- Collect inadequate information, and then request another interview.
- Not be tactful in communication.

### VI. Technological communications-based consultations

This can be both a passive and active tool of public consultations through letters, press, email, websites, or fax. With this tool, elected bodies and deputies can collect information from those unable to participate in consultative activities.



The column on public consultations on the website of the PPC of Dong Thap

### **How to prepare and conduct this tool**

A document should be prepared to raise awareness of the issues under consultation, and this document should be posted in newspapers or on the website of the People's Council; it should include the address, method of collecting information and means of giving feedback through the website of the People's Council or through the mails. Letters from the public can be collected and conveyed to a group in charge of analysing and processing them, before requests might be made to people to clarify information for consolidation. Feedback can then be given accordingly.

For issues which require supplementary information and verification, recommendations to civil servants and the local government on specific programs and projects should be sent to authorised agencies for consideration and settlement.

For valuable sources of information or sound recommendations, it is necessary to continue applying other tools of public consultations so as to ensure that they receive corroboration from other sources of information.

**Box: Drawing public interest in the website of the People's Council**

- Inform the people about what the elected bodies need from them. Draft a suitable document to post on the website or in public places and send it to the mass media so that the people know they can send their opinions to the website of the People's Council.
- A petition mail box can be designed on the website to collect opinions. The people who send opinions should provide their names, addresses, email addresses, telephone numbers. Automatic reply should also be designed.
- Small and simple surveys can be designed on the websites on some issues. There should be some options for the users to retrieve.
- If possible, online meetings on a certain topic can be organized with participation of the elected bodies and the people.

Elected bodies can also develop plans for forums on radio and television stations or in local newspapers. Useful matters to consider include: the timely issue of press releases clarifying the policy topic in question; answering interviews to clarify the objectives and contents of public consultations; and giving feedback to people through selected media. For example, the PPC of Ho Chi Minh City conducted public consultations through the program “Talk and Action” of the city TV station and the “Voice of Voters” on the Radio Station.

**Don'ts**

- Do not give out specific addresses, particularly those of former senior officials, intellectuals, heads of villages, or the heads of religious groups.

- Do not publicise telephone numbers, websites or hotlines if people are unable to man the media.
- Do not fail to inform the people when changing the addresses, means, and techniques.
- The group in charge of monitoring and consolidating information should not fail to report to the Standing Board of the People's Council with regard to the updated information.

## **VII. Private briefings**

### **Some characteristics**

This is a form of discussion and workshop, but it is not complicated with consultative activities on specific topics. Participants at private briefings include: small groups of people of common interest; those directly affected by the policies; and those who are well aware of the field and locations (groups of people directly affected by the policies, investors, departments, sectors, experts and consultants).

Topics for private briefings should be clear and appropriate to the participants. Participants should also be informed for preparation of discussion at the briefings. Information collected from private briefings should consolidated in groups of issues and used in verification, oversight and decision of the People's Council.

### **Dos**

- Some private briefings could be organized next to the place where the issue is under consideration, so as to combine them with field visits.

- To ensure the success of the private briefings, it is important to select the right topic and set out the requirements so that the speakers will carefully prepare for their speeches.
- Depending on the nature of each private briefing, it is important to assign members of the Standing Board or heads of Boards of the People's Council and the Fatherland Front, or even members of groups of deputies, to manage and chair the briefings.
- Before the private briefings, the chairperson should provide briefing on the objectives, requirements and methods of conducting discussions. Each topic can then be discussed in a fashion conducive to easy monitoring and consolidation of collected information.
- The chairperson should enable as many people as possible to speak. When an interesting opinion arise, but the speaker is taking too much time, the chairperson may stop the speaker and let him/her continue at a suitable time.
- The results of private briefings can be collected under consultative contents, and information can be supplemented comprehensively.

**Don'ts**

- Do not miss out those affected by the policies owing to the place where the private briefings take place.

- The chairperson should not arrive with preconceived suggestions.
- The chairperson should not discuss and argue with the speaker or fail to manage the briefings.

### VIII. Social survey

A social survey is a form of public consultation through questionnaires or interviews with some people. The ultimate purpose of a social survey for the People's Council activity is to collect information in order to seek solutions to a local issue, or to gather suggestions on a local policy or People's Council's Decision.

#### Characteristics

A social survey has 3 main stages: Stage 1-Preparation; Stage 2-Implementation; Stage 3-Information Processing, Analysis and the Reporting of Results.

#### *Box: Three stages of a social survey*

**1- Preparation:** Research Outline Building; Implementation Planning; Budget Estimation; Research Method Selection; Information Processing Method; Questionnaire Design; Pilot survey; Interview Method Selection; and Sample selection.

**2- Implementation:** Progress diagram; preparation for research field and of research budget; selecting and training survey staff; Time for information collection; sample selection and approach to the interviewees; the collection of preliminary information; the evaluation meeting; information checking and correcting.

**3- Information Processing, Analysing and Report Writing:**

Database cleaning; supplementing measurements; coding open questions; data inputting; basic calculating; calculation checking; information analysis; reporting.

The implementers must have basic knowledge of social survey techniques and survey staff must be carefully trained. Specialization also requires the People's Council to consider whether the agency will conduct the survey or outsource it to a professional survey agency.

The most important elements are to clarify: the right person and topic for the survey; the survey method; the interview method and sample selection; and communication so as to establish good relations between interviewers and respondents. It is also necessary to ensure sufficient resources including time and budget.

The time to implement a social survey can be long, so this tool should not be applied many times in a course of a year or during a session of the People's Council. It should only be applied in special projects.

**Dos**

Answer some questions: to decide to conduct a social survey, the People's Council should discuss carefully answering the following questions:

- What to survey?
- Is the survey really necessary?
- Who are the targets of the survey?



- Who needs the information from the survey?
- Who runs the survey?
- What information will be collected during the survey?
- Where should the budget for the survey come from?
- When will the survey be conducted?
- What are the methodologies used for the information collecting and processing?
- What are the forms of the outputs?

*Self-service or procurement:* The Office of MPs Delegation and People's Council should be assigned to take comments for the Boards of the People's Council and specialised agencies so as to give advice to the Standing Board of the People's Council for consideration and decision. The People's Council should then decide whether the agency will conduct the survey or outsource it to a professional survey agency.

*Firstly*, it is necessary to clarify what the People's Council can do in terms of defining the: targets of the survey; requirements on quality and progress; outputs; time to implement; data for analysis; managing time and progress; communication; subjects and locations for the survey; survey oversight; and approval of outputs.

*Secondly*, it is necessary to clarify the scope of the consulting contract either by signing a contract with a professional body to do all the processes of the survey, or by signing a contract with a professional body to do some assignments in a certain period, such as: preparing the methodology for the selection of samples; collecting

information in the questionnaires; data inputting and analysing; preparation of report; or post-survey quality evaluation.

*Thirdly*, before selecting the professional company, it is necessary to prepare a technical checklist. It may be worth contacting one or two bodies to get an idea of what they can provide and what they think are the technical requirements. The technical requirement checklist must be as full as possible so that the tendered body knows what is expected from them.

*Fourthly*, there should be a plan to: manage the implementation of the contract; assign staff to monitor it; manage the relationship between the tenderer and the contractor so as to create a mutual understanding; and ensure both sides keep regular updates. It is important to regularly maintain sound relations.

Questionnaire design: The key to success is the design of questionnaire. The People's Council should discuss with experts how to develop the most appropriate questionnaire for the survey.

**Don'ts**

- Do not carry out the social survey hastily.
- Do not give insufficient attention to communication. The dissemination of the objectives, requirements and method for survey staff is essential.
- Do not fail to establish relationships between interviewers and respondents.
- Do not fail to provide training for survey staff and those assigned to monitor the survey.

- Do not fail to coordinate with consulting agencies, which can lead to difficulties in implementation and bad results.
- When collecting information of the questionnaire, the interviewers should not fail to be serious in their work, for instance by being impatient and failing to give respondents time to answer questions.
- Do not fail to clarify the coordination mechanism between the consulting agency and those assigned to monitor the survey, which can cause loose management or result in too much intervention in the work of consulting agency.
- Do not draft weak questions. Avoid:
  - any bias when designing the questionnaire;
  - weak questions;
  - dual intention questions, and;
  - binary question (ambiguous, word-feeding questions).

#### **Simple survey in consultative meetings**

This is a kind of social survey applied by some PPCs when they organised consultative meetings to collect more information.



*Picture: The Staff of the Office of MPs Delegation and People's Council are guiding the people in answering a questionnaire at a consultative meeting*

A simple survey does not require 100 percent of participants be involved. 60 percent of them are enough. Therefore, the simple survey can be conducted before the beginning of the consultative meeting.

The questionnaire should not be too long, and should not include too many open or difficult questions. The knowledge of respondents is not equal, particularly in rural and mountainous areas, and so it is better that the questionnaire includes mainly closed questions with only open questions at the end, and covers one page of the A4 sized paper. Both qualitative and quantitative questions should be used. Contents for the survey should be simple to have the best results.

*Table: Scenario for a simple survey in the consultative meeting*

Activity	Contents	Implementers	Time
1. Introduction.	Briefly state the objectives of the simple survey.	Chairperson or one assigned to carry out the survey.	3-5 minutes.
2. Deliver questionnaire.	Deliver questionnaires to participants.	Those assigned to carry out the survey.	2-3 minutes.
3. Guide participants in answering the questionnaire.	Guide participants in answering the questionnaire succinctly and clearly.	Those assigned to carry out the survey.	10-15 minutes.
4. Collect questionnaires.	Quickly collect the questionnaires.	Those assigned to carry out the survey.	2 minutes.
5. Process questionnaires	Quickly process the questionnaires and report to the chairperson for use at the consultative meeting	Those assigned to carry out the survey	5 minutes
6. Reporting	Results of the simple survey should be written on a piece of paper and send to the chairperson of the consultative meeting	One assigned to carry out the survey	1 minute after processing information

### IX. Stakeholders' meeting (Public hearings)

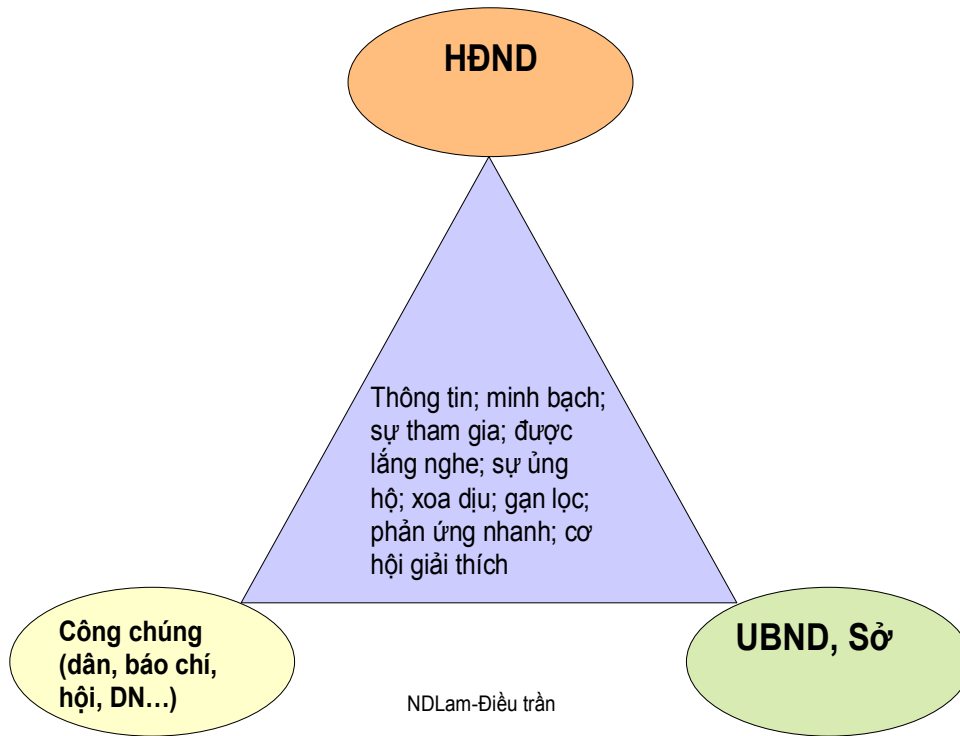
Legal documents related to the organization and functioning of the People's Council do not directly provide for public hearings, and the term 'public hearings' is not used. However, there are some regulations which enable the People's Council to request organizations, agencies, individuals to come and provide information on the issues under the competence of the People's Council. These rules provide the legal foundation for the People's Council to organize such a kind of meeting.

In fact, some PPCs have organized such meetings, although some PPCs called them 'stakeholders' meeting' while others called them 'public hearings'<sup>4</sup>. Based on the relevant regulations as well as national and international practice, this section consolidates the means of carrying out stakeholders' meeting to which PPCs can refer when organizing this kind of meeting.

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<sup>4</sup>See some articles on piloting public hearings of some PPCs: Nguyen Thi Nhan, Nature of public hearings, Elected deputies' Newspaper, 8/12/2009; Dinh Thi Minh Thu, Expansion of tools for constituency relations, Elected deputies' Newspaper, 12/4/2010; Van Duc Son, Public hearings to settle opinions of voters, Elected deputies' Newspaper, 16/4/2010; Doan Dinh Anh, Public hearings in the PPC of Ha Tinh, Elected deputies' Newspaper, 30/7/2010.

## Điều trần: “Ba mặt một lời” – nhiều ích lợi



### Concept

A public hearing is an official meeting of stakeholders on a policy issue, planned and organized by the Standing Board or Boards of the People's Council, after having made use of other tools of public consultations to collect some information from the public. A public hearing is of value when a People's Council finds it necessary to organize a meeting to collect detailed information or evidence from stakeholders on the policy issue. These meetings enable the People's Council to verify, consider and clarify a certain selected policy issue.

Participants in this meeting might include: the People's Committee, concerned departments, organization, agencies, individuals, and social organizations.

### **Special characteristics of the stakeholders' meeting**

The meeting aims to: verify collected information from public consultation activities; clarify topical issues with all stakeholders; and reach agreement on important issues so as to ensure that the issued resolution is implemented effectively. In relation to any resolution that is going to be promulgated, public consultations collect information, clarify and agree on what to include in the draft resolution to submit to the People's Council for consideration and approval and raise a range of related issues for discussion.

### **Preparation**

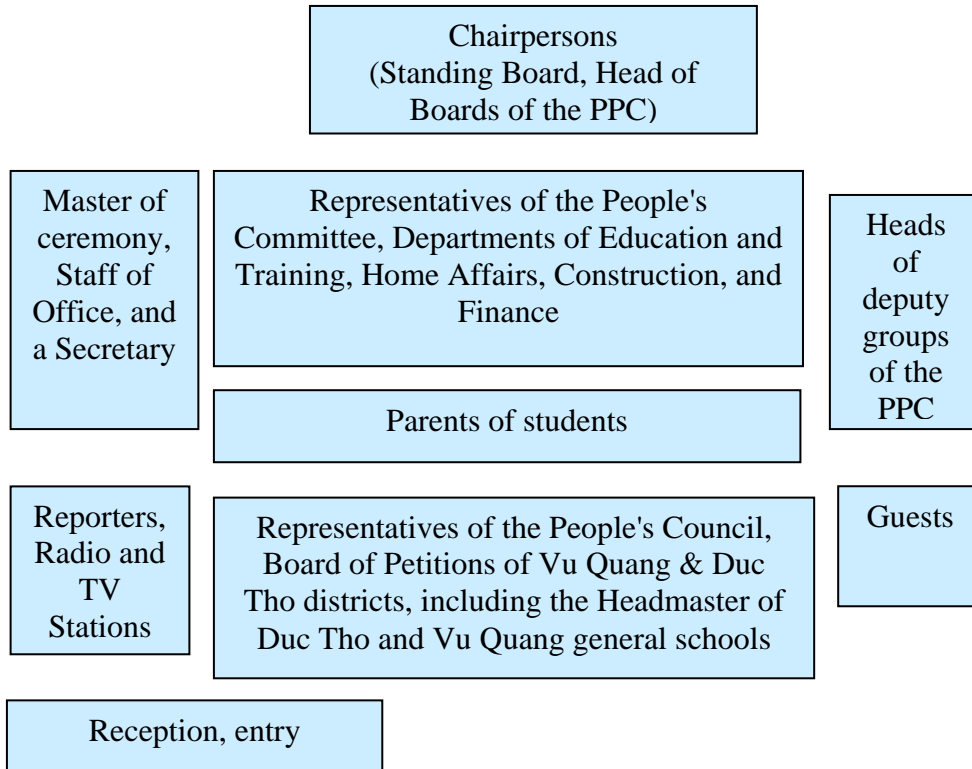
The People's Council should identify topical issues and select suitable persons to participate in public hearings. Participants can provide written or oral information and evidences on issues set out in the invitation letter.

The staff of the Office of MPs Delegation and People's Council should prepare a set of questionnaires in a certain order.

It is important to arrange seats conveniently for eye contact, with participants grouped appropriately (see the arrangement of seats below). In addition, it may be convenient to arrange seats in a U-shape as the PPC of Dong Thap and Nam Dinh did (see the diagram).



**Diagram: public hearings on the establishment of a general school in Ha Tinh**



Witnesses participating in stakeholders' meeting may have different positions. The list of witnesses might include:

- Individuals or representatives of groups or communities of people affected.
- Representatives of administrative agencies (such as those responsible for implementation).
- Representatives of enterprises (to provide information on management, finance, or technical issues).

- Experts and associations (experts, organizations protecting rights of individuals, groups, associations and community groups).

The witnesses should sign a registration form before participating in public hearings. Representatives of organizations and agencies must show their delegating powers in public hearings. If the delegation of power is illegitimate, the Office of MPs Delegation and People's Council should report as much to the chairperson, who will decide whether that person can participate in the public hearings or not. All questions and answers should be recorded, and all evidence and documents provided by witnesses collected and stored under registered numbers.



*Picture: the stakeholders' meeting in Nam Dinh. In the picture, father of a pupil is providing the chairpersons with information.*

### **Role of the chairperson in public hearings**

The chairperson raises questions in a certain order and invites specific participants to answer. The technique of questioning is different from consultative meetings (see the box below).

The People's Council may announce that whether it is an open or closed public hearing. If a part of the public hearings is closed, press agencies must leave the meeting room. The People's Council should explain why the public hearings is open or closed. Closed public hearings may enable participants to provide information and evidences which may not be disclosed publicly.

The Standing Board or heads of Boards of the People's Council chair the public hearings. Their role includes:

- Informing the witnesses of the contents and objectives of the public hearings;
- Setting out the agenda of the public hearings;
- Ensuring the time, contents and questions and answers at the public hearings, and;
- Reporting on the results of the public hearings and follow-up activities.

The Heads of Boards of the People's Council may chair the public hearings at the same time, as the issue may be the responsibility of these Boards. The Standing Board and Boards of the People's Council should set out the issues under question and the agenda of the public hearings for People's Council deputies, and should encourage them to participate.

***Box: Techniques for chairing public hearings***

- Ask questions to collect information from stakeholders.
- Do not seek responsibility (no interpellation).
- Compare information from stakeholders, but avoid argument among witnesses.
- Be neutral, unprejudiced and objective.
- Do not jump to conclusions excepting those on requirements on procedures.
- Do not summarise presented opinions.
- Follow sound techniques in raising questions: clear assignment among chairpersons is key, with one asking a question and the other taking on another role.
- Ask to clarify, and follow up on the basis of answers.
- Manage public hearings in accordance with rules: participants should speak when allowed by the chairperson; there should be no arguments; when invited to speak, participants should be allowed to speak for three minutes each time; and contributors must answer correctly questions of the chairpersons.
- If participants violate the rules, the chairperson may intervene.

**Role of staff of the Office of MPs Delegation and People's Council**

Staff play a key role in preparation for the public hearings.

Staff:

- disseminate information on the public hearings;
- invite witnesses or press agencies;

- prepare questions and briefing materials for the chairperson;
- and arrange meeting rooms.

The secretary must record public hearings and take notes on progress. The secretary should also take notes of answers and convey pieces of paper for the chairpersons. Supporting staff should also carry out registration, and take notes of the arrival and departure times of witnesses. They also check the legitimacy of those delegated by their organizations and agencies.

### **Participation of the mass media**

The mass media can participate, organize interviews and disseminate information about the public hearings. Boards of the People's Council should: have plans to work with the mass media; encourage the press agencies to disseminate information on the public hearings; and collect articles on the contents and results of the public hearings.

**ANNEXES**

1. Legal framework for public consultation activities of the PPCs
2. Example of plans for public consultations
3. Example of table on public consultation activities attached to the overall plan
4. Questionnaire of Ha Tinh PPC
5. Example of the questionnaire of the social survey
6. Example of the method of analysis and dissemination of policy information
7. Table for reviewing information in reports on public consultations

# **MANUAL ON PUBLIC CONSULTATIONS**

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