Setting up a Collaborative Process: Stakeholder Participation

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SUMMARY

Evidence from the literature on collaboration is clear: the composition or inclusiveness of the group is highly correlated to levels of stakeholder satisfaction with collaborative processes. In practice however, there may be a much broader range of criteria of which conveners should be aware when deciding on group composition.

Stakeholder recruitment entails consideration of how and why participants are chosen, as well as being aware of the pros and cons (and potential biases) related to various methods of stakeholder selection.

Mandate can refer to the authority stakeholders hold within the process, or the accountability of the process to the wider community and regional council. The standing of the collaborative process within the existing planning and policy processes underway is a very important issue to resolve within the regional council or other convenors of a collaborative process.

Māori have resource ownership and management rights through the Treaty of Waitangi and have a unique position in collaborative processes that should be considered from the earliest stages.

Perceived failures in managerial and adversarial approaches have seen a rise in popularity of collaborative processes for decision-making. Collaborative processes are now being widely promoted as a promising approach to resolving conflict over the management of freshwater resources in New Zealand (Land and Water Forum 2012, MfE 2013).

Collaborative approaches are unique from other methods of public participation in some key features. The basic, and seemingly straightforward, assumption at the heart of collaboration is that those best suited to decision-making are the individuals or groups who will be most impacted by the planning outcome (Morton et al. 2011). Ideally, collaborative processes bring all relevant stakeholders together for face-to-face discussion and negotiation that result in administrative decisions around a particular issue. The decision-making approach itself is generally (but not exclusively) based on consensus rather than on majority rule.

The ways in which stakeholders are involved in the collaborative planning process can have a significant impact on its overall success (Andrew 2001). This policy brief presents three design considerations related to stakeholder involvement in collaboration: group composition, stakeholder recruitment, and mandate. The role of tangata whenua in collaborative processes is also highlighted.

The paper draw on insights obtained from the TANK collaborative process (see Box 1) currently underway in the Hawke's Bay and the extensive literature on collaboration. These considerations are intended to provide insights for practitioners to use as they make decisions about the design of participatory processes.

> **Box 1: The TANK process**
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> In 2012 the Hawke's Bay Regional Council convened a collaborative stakeholder group to recommend water quantity and quality limits for the Greater Heretaunga and Ahuriri catchment plan change. The process, referred to locally as the TANK group (an acronym for the Tūtaekuri, Ahuriri, Ngaruroro, and Karamu river catchments) is made up of approximately 30 individuals from agricultural and horticultural sectors, environmental and community interest groups, and tangata whenua.

STAKEHOLDER GROUP COMPOSITION

As part of the scoping phase, before committing to a collaborative process, identifying who needs to be represented around the table is among the first considerations. Deciding what the composition of the group should be and achieving representativeness can be challenging and complex. Stakeholder composition is integral to other scoping tasks such as context assessment, and process orientation, to help determine the overall approach to collaboration.

In the Hawke's Bay TANK process, a long list of stakeholders – those most likely to be affected by changes in water quality and quantity limits – was prepared by council staff. The group included representatives from primary production and processing sectors, public agencies, local government, tangata whenua representatives, and community and interest groups. To ensure the representativeness of the group was appropriate from a stakeholder perspective, at the first meeting participants were asked "who is not here". Additional stakeholders were invited to

join, based on the feedback from the other stakeholders, and the final group composition was established by the third meeting. One aspect of stakeholder representation that the group and organisers needed to consider early on in the process was the representation of local interests by local members of national organisations, or by their national representatives residing outside the region. A recommendation was made by the group, to keep the process 'local'. Stakeholders could draw on expertise and advice from national organisations and their wider networks, but all the participants in the group are Hawke's Bay residents.

Involving technical and science staff in the TANK process has been another challenge. Technical/science representatives are not participants per se; rather they provide input and inform the process at key times. The cost and time of having science staff attend every meeting, given all their obligations, were weighed against the consequences of their not being familiar with the on-going discussions and negotiations that established the context for decision-making. There have been meetings at which input from science staff would have been useful, but they were unable to attend because of commitments to other processes that also required technical information. Summary documents that identify objectives, management variables, and performance measures recognised by participants as being important have been useful in this regard, and reports have been shared with stakeholders on a website dedicated to the TANK process. Careful consideration needs to be given to striking the balance between a stakeholder-led process that is not subject to council bias and dominance, and the provision of good quality and timely scientific information that meets the needs of the process participants.

While various options for group composition are described in the literature (see Table 1), the final composition of the stakeholder will depend on the particular context of the collaborative process. Council representatives and/or staff with a clear understanding of the history of water management in an area, and familiarity with local interests, values and issues, and will be valuable in determining the full list of potential stakeholders for any process.

Table 1: Options for choosing group composition (Davies et al. 2005, Bryson et al. 2013)

Type of group composition	Definition	Considerations
Singular	Participants are drawn from a single sector or from a single criterion or category of interest.	Not generally used for collaborative processes, because it is not representative of wider interests. This may work well to form smaller working groups.
Universal	Group composition reflects all relevant categories.	May not be practical for collaborative processes given the diversity of interests involved
Anarchic	Self-selection of participants willing to be involved.	Not favoured by collaborative processes as easily captured by well-organized interests
Selective	Stakeholders are deliberately chosen to represent a chosen selection of categories.	Commonly used in collaborative processes. Categories could be determined through community consultation, expert knowledge or based on the purpose of the collaboration.
Proportionate	All relevant categories and criteria are represented relative to their distribution in the wider population.	Also used in collaborative processes. Risks are that such groups cannot make decisions that run contrary to the status quo.

STAKEHOLDER RECRUITMENT

There are several options for recruiting stakeholders (Table 2). In practice a mixture of approaches is commonly employed, including elements of selection based on social/and or demographic categories, together with deliberately inviting parties known to have relevant credentials and experience.

Table 2: Options for recruiting stakeholders (Bryson 2004, Davies et al. 2005)

Type of recruitment strategy	Definition	Considerations
Election	An interest or group of stakeholders directly appoints a representative.	Ensures there is competent representation of the interest group but may prejudice the process against less formally organised interests.
Sortition	Reasonably random participant selection based on social and/or demographic categories.	Downside is that this approach assumes those in a social category hold uniform views.
Purposeful sampling	Stakeholders are invited to participate based on organizational affiliation and relevant credentials, knowledge or experience.	This approach assumes representativeness and excludes those not affiliated with an organisation.
Volunteerism	Participants volunteer to participate in the process.	While more open than other selection methods this can lead to capture by special interest groups, if they mobilize a large number of volunteers.
Issue orientation	Participants selected to achieve fullness of representation with respect to identified issues. Method, e.g., Q Methodology, required to itemize the issues and arguments for and against positions over those issues, and to identify the representativeness of such arguments and positions.	Allows for broad expression of opinion but does not ensure competence of the participant making those arguments within the deliberative context. Also complex to undertake.

The majority of participants in the TANK collaborative process were purposely recruited by the Council, with some additional participants being invited to join after nomination by their peers. Three councillors volunteered to be involved to ensure the

Council's statutory responsibilities were met with respect to any recommendations/decisions coming from the process and to represent the interests of the Hawke's Bay community at large. Following the first meeting, representatives from the District Health Board, Friends of Ahuriri, and the Napier branch of Forest and Bird were approached to join the TANK process, as were additional Māori representatives, all of whom subsequently accepted and are actively involved in the group.

Depending on the context for the collaborative process, it may be useful to consider more closely, various considerations related to stakeholder recruitment:

- Are there certain competencies required of participants, i.e. in addition to having a vested interest in the outcome, are there personal skills or capacities required of representatives in the group?
- Should the collaborative process use existing representatives of stakeholder groups/interests or seek novel ways of representing interests?
- Are representatives included solely because of their knowledge and perspective or should they have a legitimate mandate to make decisions on behalf of others?
- How can the interests not represented by a spokesperson in the collaborative process be included in discussions?
- How will those with an interest in the collaborative process, but who cannot participate, be informed or involved?

STAKEHOLDER MANDATE

Various possibilities for individual mandate within collaborative processes are shown in Table 3. Within the TANK process, the question of individual mandate was discussed very early in the process. For some stakeholders, it was initially unclear whether or not they had sufficient authority to speak on behalf of their respective sector or group, or whether they were there participating as individuals. The issue was resolved by inserting the following section into the Terms of Reference:

The members of the TANK group have, in the main, been nominated by their respective sector or group to be their mandated representative. Where members have not been given the mandate of their sector or group, they will participate as individuals and are expected to also convey ideas and perspectives from their wider networks. In meeting three, each member will declare whether they are mandated representatives or not. At the end of the process, each member will declare whether they can support the proposed agreement and promote it to their organisations and networks (see definition of consensus below). Members will also be asked, at that point, whether their organisations (where relevant) would formally endorse the consensus agreement.

Stakeholders involved in the TANK process have contributed based on their own personal experiences and perspectives, and in some cases, they have been provided with a mandate from a wider group. To support stakeholders in communicating with their networks and organisations, an interim report is being prepared summarizing the process to date, detailing those topics on which there is consensus, and outlining the objectives, management variables, and performance measures identified by participants.

It is likely that there will be additional discussions related to mandate throughout the process as the group begins to make agreements where stakeholders must decide whether or not they endorse a set of consensus recommendations as individuals, or on behalf of their organisations and/or other networks.

Table 3: Options for stakeholder mandate (Davies et al. 2005, Bryson et al. 2013)

Type of mandate	Definition
Delegates	Selected, or possibly elected, directly to represent a particular position on behalf of a party or constituency. Delegates are often bound to this position and accountable for representing it. This may not be the most productive starting point from which to begin a collaborative process.
Trustees	Also selected or elected to represent a constituency, but have a more flexible mandate, allowing them room to exercise judgment in the interest of their constituency. Their mandate leaves room for them to be persuaded and move positions.
Guardians	Accepted as the representatives of a constituency unable or incompetent to represent their own interests, i.e. children or future generations.
Individuals	Represent only themselves, with no formal or informal accountability to anyone else. It is assumed, or arranged, though, that their views are representative – as in purposive sampling or issue-oriented recruitment. The concern is whether they exercise a public, rather than private or group interest in their participative practice.

TANGATA WHENUA AS PARTICIPANTS IN COLLABORATIVE PROCESSES

In New Zealand resource ownership and management rights accorded to Māori through the Treaty of Waitangi, and the associated negotiations with national, and regional government agencies, represent significant contextual factors for collaborative process initiatives across New Zealand (Memon & Kirk 2012). Relationships between regional and territorial agencies and tangata whenua vary widely. The capacity and organising potential of iwi, and their success or otherwise in achieving levels of autonomy and resource independence through Waitangi Tribunal settlements clearly have profound impacts on the use of collaborative processes. Most importantly for collaborative processes, the Treaty of Waitangi provides tangata whenua with the standing of a direct treaty partner with the Crown. The challenge for collaborative processes is to facilitate tangata whenua participation while recognising they hold a unique position and should be regarded as more than just an interest group.

Developing a collaborative process that is responsive to the particular relationship needs between tangata whenua and the organisers of a collaborative process requires particular effort in relationship building.

In the TANK process, tangata whenua representatives have been involved from the start, and include members of high-standing within the community. The collaborative process meetings are generally held at the local taiwhenua offices, and there has been an opportunity to visit other marae in the region, as part of a group fieldtrip.

In the main, tangata whenua considerations include respect for the unique position of Māori within a collaborative process, clarification of iwi and local government roles and expectations, and appreciation of the importance of historic issues and on-going concerns of Māori. Good practice guidelines for working with tangata whenua and Māori organisations, reviews of past collaborations between tangata whenua and local government, straightforward ideas about how to progress important matters are summarized in Harmsworth (2005) and Harmsworth et al. (2013).

CONCLUSIONS

Insight and good practices for stakeholder recruitment, group composition, and mandate have been drawn from the Hawke's Bay TANK process and the literature on collaborative processes. Stakeholder composition and recruitment are the success factors most widely agreed on by most participants. There are many options available for recruiting stakeholder participants but the choice of what approach to take depends on knowledge of the context and intentions of the collaborative process. Since no approach to stakeholder composition and recruitment will meet all needs, it is important to reflect on what bias may be unconsciously included and act to mitigate this. Stakeholders' mandate for the TANK process was discussed early on, but is not likely to be fully resolved until the final consensus decisions are made. By providing stakeholders with an interim report, and encouraging them to communicate with their organisations and wider networks, the workings of the process are shared with the community. It is also important to consider the unique position Māori have in collaborative processes, and undertake appropriate consultation as part of scoping and planning stages.

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