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An explorative study to ascertain whether councils operate in a procedurally just manner, and whether policy, with an ecosystem addressing equity of knowledge, can be developed to improve any identified deficit

MA Public Leadership and Management

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"Heroes are given too much attention. Most things were a massive team effort"

(Professor Buzzkill, 2022)

"Are we finished?"

(Mr Anthony Bennett, husband of researcher, 2023)

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POLICY BRIEFING PAPER

Over the last four years behavioural issues related to councillors, such as bullying and disrespect, have occurred in over half of councils (Giovanni et al, 2023). These types of incidents create dysfunction and can prevent council business from proceeding (Giovanni et al, 2023) but also leave a legacy of negative impact on the councillors involved (Bennett, 2023), and the council officers and community.

This legacy includes complaints regarding standards of behaviour in public life and the subsequent investigations process, increased dysfunction and fracturing of councils, resignations of councillors and officers, and less people wishing to stand for an elected office or seek employment with a council.

Councillors must make decisions as a corporate body (Local Government Act 1972 S14(2)) and this policy briefing introduces recommendations related to how councillors can interact with each other through fair processes; the term used to describe this is procedural justice. The aim of the policy is to enable councils to run better, with less standards issues with, potentially, more people wishing to become councillors.

RESULTS OF THE RESEARCH

Interviews with councillors, and the work of a Focus Group, provided data relating to councillors' experiences and highlighted a lack of consideration for procedural justice alongside residual negative impacts on councillors. However, all reported positive aspects relating to the outcomes of the decisions made with councillors striving to overcome the injustices they faced to continue delivering community need. All cited increasing requirements to source and digest complex information from multiple sources as well as an increase in support needs related to technology. Of concern female councillors reported not trusting male councillors, with specific examples provided of power and control by "mean old men" (Bennett, 2023).

IDENTIFIED POLICY LEVERS FOR IMPROVING PROCEDURAL JUSTICE

The research culminated in the identification of the following seven policy levers and an ecosystem of equity of knowledge:

1. Contextual Fit

This relates to the trichotomy between strategies and processes of the council, the needs of the community, and the values, knowledge and resource of councillors. Adjusting the decision-making process according to the topic, with a focus on equity, ensures the availability of knowledge to all, and the ability for councillors to voice their agency. This in turn can improve the perception of interpersonal activities and, importantly, the quality of the decision making and actionable outcomes.

Action: consider appropriate pace for decision making, equity of access to appropriate information, and opportunity for engagement.

2. Legitimacy

When the council operates without issue and delivers the needs of both the community and those who are part of the decision making it is accepted as right and proper. In the research councillors did not present with equal power and influence with many unable to represent the needs of their constituents. In these cases, they were legitimate stakeholders with a legitimate resource to offer but operated within a procedurally unjust context.

Action: ask councillors and community whether they perceive the decision making by the council as right and proper and act on procedural injustice that is highlighted.

3. Facilitation

Facilitation of the process and engagement within the decision making, alongside capacity building assistance for agency and appropriate personal interactions, is a key resource requirement for procedural justice within a corporate body. The councillor responses indicated recognition of facilitation needing to be skilled, accessible and trustworthy and relied on officer knowledge and research capacity to provide the knowledge needed for legitimacy. It can offer strategic direction and endeavour to maintain positive actions.

Action: Provide a positive facilitation presence and guide the process to maintain procedural justice. This may require appropriate intervention, awareness raising of procedural injustice being exacted by approaches within the decision makers and one to one assistance to those requiring assistance with specific topics.

4. Integrating Knowledge System

This lies at the heart of councillor decision making. It can be challenging when political manifestos and pressure tactics influence the facts being considered.   Integrating knowledge from all stakeholders enables reflection and learning, informed debate and an opportunity to adjust the decision making process. This is particularly important for community-based projects with community control elements where bespoke approaches to engagement and communication are required for equitable knowledge.

Action: Consider the ecosystem for equity of knowledge; how can the ideal position be accomplished? This may require engagement strategies, workshops, and one to one assistance particularly if technology is required.

5. Adaptive and Flexible Processes

Being adaptive and flexible is a true basis for group decision-making.   Additional information and stakeholders may arise during the decision-making process requiring plans to be adjusted; correctability is made possible and includes changes in strategy and manifesto. The loss of considerable investment in personal and social capital is not always welcomed by those involved.

Action: Encourage reflection within the decision making processes, and creativity and innovation by all when issues arise. This will enable the decision makers to 'own' the need to be adaptive and flexible and identify strategic and operational changes.

6. Interpersonal Activity Resolution

Facilitation by officers within the council environs has limitations; it can offer strategic direction and endeavour to maintain positive actions, and interviewees cited cases where they had called on officers for such help. But councillors also cited a lack of direction when facilitation reached its permitted boundaries; these occasions occurred in times of power play and negative interpersonal activities with councillors withdrawing from processes.

Action: Be mindful of procedural justice and consider an officer-based assessment of the processes utilised; is there any action that can be taken to correct injustices. Can decision makers be encouraged to consider what is not going well and adjust processes?
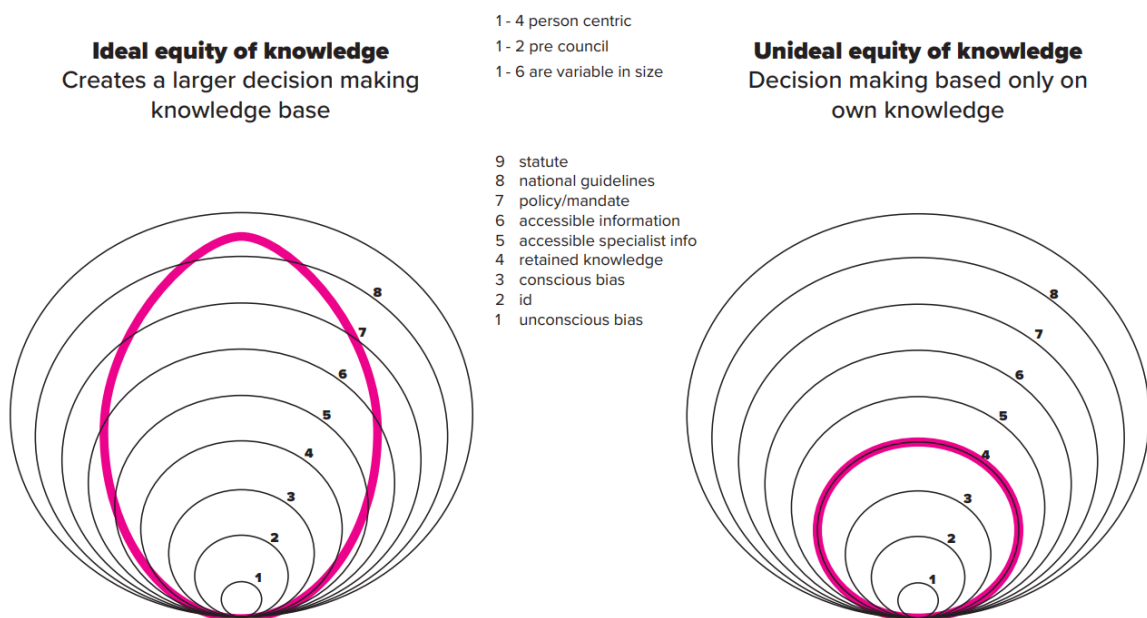
7. Participatory Approach

These policy levers create a framework for procedural justice to which we can add the intentions of transparency and accountability, and action that is free of manipulation. This is a participatory approach of the council as a whole, involving all councillors.

Action: Consider whether there are councillors 'frozen out' of the decision-making processes through direct procedural injustice e.g. inequity of knowledge, or indirect procedural injustice e.g. through the use of governance arrangements and non-inclusion on decision making bodies.

ECOSYSTEM OF EQUITY OF KNOWLEDGE

Councillors demonstrated multiple sources of knowledge; unconscious bias and id that a councillor can be considered to be elected with, conscious bias and retained information that a councillor always has available, levels of knowledge associated with accessible specialist information, accessible information (general), policies and mandates, national guidelines, and statute. These knowledge sources enable us to construct an ecosystem positing a framework for equity of knowledge.

Ideal equity of knowledge
Creates a larger decision making knowledge base

1 - 4 person centric
1 - 2 pre council
1 - 6 are variable in size

Unideal equity of knowledge
Decision making based only on own knowledge

9 statute
8 national guidelines
7 policy/mandate
6 accessible information
5 accessible specialist info
4 retained knowledge
3 conscious bias
2 id
1 unconscious bias

(Bennett, 2023)

8

The ecosystem extant (coloured pink) adjusts dependent on topic and councillors involved. The unideal equity of knowledge occurs by choice (whereupon a councillor chooses not to access the additional knowledge available) or by inequitable decision-making processes (whereupon additional knowledge is not made available).

These ecosystems assist us in identifying the equity of knowledge of councillors when engaged in decision making and where actions can be taken to first assess why we have an inequity and then deliver improvements.

SUMMARY

If we deliver enhanced procedural justice, we have an opportunity to decrease disruptive and negative behaviours within the decision-makers. Councils will run better, there will be less standards complaints and more people will wish to stand as councillors, and be employed by a council. This requires us to influence emotions and attitudes, to change behaviours of councillors and community members and, importantly, to build on the group setting of the body corporate and its culture.

How a body reaches its decisions is as important as the actual decisions made.

Chapter 1: INTRODUCTION

Local councils have provided stability and support to local communities throughout the challenging times of the last three years, and it is recognised that this has kept the communities and country running (Stevens, 2022). But what of councillors who rose to these challenges; to be suddenly delivering increased services under the spotlight of the local community?

Audit systems examine the governance employed, and the compliance with statute; the community can guide on whether the council is respected. But we need to delve into the world of councillors themselves to understand if they truly operate as one body and whether they are able to engage in debate. Importantly, when we recognise that decisions of a local council are made by councillors acting as a corporate body (Local Government Act 1972 S14(2)) we start to ask whether the outcomes are considered as arising from appropriate processes and whether the councillors are engaged. Decisions can be reached by the majority vote however locality-based outputs e.g., provision of services for a minority within the community, are often contentious among specific community members and can be difficult to navigate and fully comprehend.

Council decisions often relate to projects classified as 'community based' that vary in terms of their aims and objectives and include considerations of legal ownership, dependence on external funding, governance arrangements, how the achievements are distributed and celebrated, and how the burdens are shared (a form of distributive justice) (Bradshaw, 2000). These types of projects are complex, and time consuming for councillors, and develop through a chronology of decisions often accompanied with stated aims that include community benefit (to specific sectors in a community) and social value (Nalbandian et al, 2013 and LGA (n.d.)). Councillors are expected to understand all nuances and consequences and articulate these when reflecting the views of their constituents in making decisions; whilst acting within a corporate body. In this environment conflicts and disengagements occur and personal and political opposition can become strong (Blondell et al, 1969); on occasions councillors feel so strongly against actions of the council they resign or shift political allegiance (Rhodes, 2009).

It could be assumed that once a decision is made that there would be no negative impact on future decision making within the body however this is an assumption within a deficit of

research examining the impact on those involved. This includes those in support, against, and those that disengage from the process.

Procedural justice focuses on the way those with decision making capacity interact and impact on the recipient; and is about fairness and perceived justice (Tyler, 2006 in Halliday et al 2009). The research proposed will examine how procedurally just acts enable positive feelings regardless of the outcome, and how unjust treatment affects both wellbeing of councillors and the outcomes for the council.

When people receiving procedural justice feel that they are offered a say before a decision is made this is what is has been termed 'voice' (Nagin and Telep, 2020:765). This can be enabled by ensuring an equitable access to all information thus providing an equity of knowledge. This then provides for appropriate questioning and engenders engagement in debate, promoting the decision making as a fair process. In essence, it allows reasoning to be communicated in an honest and open fashion (Bradford et al, 2013:112).

Adding complexity to the work of local councils the UK government is focussed on community-led projects to deliver community needs[1] however there are studies that demonstrate how perceptions of procedural injustice within community-led projects can engender substantial opposition and conflict within all involved (Simcock, 2016). Research exists into procedural justice felt by those impacted by decision making, but little exists on the key factors affecting the procedural justice perceived by the councillors within the corporate body and whether there is an equity of knowledge.

An argument related to procedural justice lists 'participatory' approaches as a necessary part of any decision in order to sustain the health of the organisation (Cohen 1985:645) however there is also an argument that a participatory approach can result in perceived procedural injustice; the frustration effect (ibid:660) whereupon those involved disengage, disrupt, and behave against the values of the organisation. Perhaps, in the case of councils this is driving the standards issues and examining fairness is particularly timely as society grapples with expectation of equity as a route to equality (GWU, 2020), an increasing use of technology (Gordon et al, 2022) and an unstable financial environment[2]. Against this backdrop the numbers of persons standing for election as local councillors is dwindling (contested elections have dropped from 38% in 2021 to 22% in 2022 (NALC 2022:6)) and principal

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[1]https://www.ndti.org.uk/change-and-development/community-led-support
[2] https://www.ons.gov.uk/economy/inflationandpriceindices

councils are increasingly required to assist in the operation of local councils (57% of local councils report seats vacant after elections ibid:6)). Of particular note the Civility and Respect Project[3] has arisen from increased standards complaints.

If the sense of fairness is an issue and if it can be improved this has an opportunity to encourage local community-members to stand for election. Building on this approach further benefits can be realised for both councillors and the council:

> *"perceptions of procedural justice influence emotions and attitudes, with important implications for subjective wellbeing and people's behaviour (Lind and Tyler, 1988), especially in-group settings (Tyler, 2015)"*

<div align="right">(in Runano-Chamorro et al 2021:2)</div>

Focussing on the questions raised in this introduction this research will deliver:

<div align="center">

An explorative study to ascertain whether councils operate in a procedurally just manner, and whether policy, with an ecosystem addressing equity of knowledge, can be developed to improve any identified deficit

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The research aims to be procedurally just, being influenced by councillors for councillors, in a method that will enable them to tell their stories and elucidate their opinion on whether procedural justice impacted positively and negatively on their participation and sense of fairness, alongside their perception on whether they were able to contribute to the decisions made.

Research Objectives

The first objective is to examine properties within the decision-making process, the second is to examine the voice and engagement of a councillor within those processes, the third focusses on identifying how the councillors are treated by others and whether they are treated fairly. The fourth objective is to develop policy levers and an ecosystem of equity of knowledge that maps the integrating knowledge systems identified within first and second objectives, into a policy recommendation.

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[3] https://www.nalc.gov.uk/our-work/civility-and-respect-project

Chapter 2: LITERATURE REVIEW

When we discuss fairness in the concept of decisions made within a council we are focussing on the work of councillors and perceptions of, and actual, procedural justice within that body corporate. Published literature relating to procedural justice within law enforcement outputs (Tyler, 1994, Murphy et al, 2014) and environmental activities (Adeyeyea et al, 2019) is available however there is a deficit of research relating to procedural justice within the decision making of public bodies such as councils. This literature review will therefore draw theory from both the general concepts of procedural justice as well as these two specific themes. The review will commence with the first concepts and definition of procedural justice, and move through both law enforcement posits and those of environmental activities. It will draw out the theory of the Process Based Model that suggests there are strategies that facilitate the acceptance of decision legitimacy and encompasses perception of procedural justice. The review will then build examine the latest theories developed through studies relating to environmental activities. On occasion the literature will also be drawn from Social Theory as we progress to identifying theories relative to decision makers within a body corporate.

Why Procedural Justice?

Procedural justice focuses on the way those with decision making capacity interact with the recipient of the decision. It is about fairness and perceived justice (Tyler, 2006 in Halliday et al, 2009). As a concept Tyler (1988) first considered the question "What is Procedural Justice?" in relation to legal procedures. This foundation theory developed further work that identified organisational justice (Blader and Tyler 2003) whereupon it was argued that organisational justice is built upon the concepts of distributive and procedural justice (Tyler and Fagan 2008).

More recently other academics have examined organisational justice and identified differing concepts within. Eigen and Litwin (2014) highlight the three encompassed concepts of distributive, procedural and interactional justices whilst Colquitt and Shaw (2013) posit the four encompassed concepts of distributive, interactional, informational and procedural justices.

Parallel to organisational justice discussed above other academics have developed work around distributive justice which focusses on the fairness of any outcomes arising from processes used (Tyler, 2003) however, as Tyler developed his research he found, early on,

that procedural justice had a greater impact on perceptions than distributive justice (Tyler, 1994). In considering these differing approaches it is believed that perception is an important component to the beliefs of councillors that are being researched and this study is therefore focussed on procedural justice i.e. the fairness of processes which will be discussed later on.

What does Procedural Justice look like?

In 2008 Tyler developed "four components of procedural justice"; these are "voice, neutrality, trustworthiness and respect" (in Goodman-Delahunty, 2010:404). Tyler identified that these are the critical elements (amongst others less critical) that provide practices that are procedurally just. It is important to note that the priority of each element is dependent on the circumstances with neutrality occurring when the decision that is made is based on fact rather than opinion or biases (Augustyn, 2016). When neutrality is seen to occur respect and trust increases (Augustyn 2016:257).

Although the research were grounded in criminal justice the findings transpose to general procedural justice in the following ways. When we focus on the component of respect we are informed that a procedurally just act results in the persons affected feeling that they have received polite and appropriate treatment (Bornstein et al, 2016:220). In turn, trustworthiness is born out of a person seeing an act as procedurally just and they feel that it has occurred in their best interest (Galovic et al, 2016:171). This places trust as the component of procedural justice that has the most relationship to perception of 'legitimate authority' (Tyler and Huo, 2002 in Nix et al, 2015:613).

When people receiving the procedural justice feel that they are offered a say before a decision is made this is what is has been termed 'voice' (Nagin and Telep, 2020:765). This can be in the form of allowing questions to be asked and promotes the decision making as a fair process; in essence it allows reasoning to be communicated in an honest and open fashion (Bradford et al, 2013:112).

When we consider all of the components together it is found that "treatment quality (i.e. dignity and respect and trustworthiness) is a stronger predictor of legitimacy when compared with decision-making quality (i.e., neutrality and voice)" Solomon (2019:1200).

Having identified the four components and examined how these influence legitimacy of procedural justice it is important within the context of corporate body decision making to consider a further model of procedural justice; the Process Based Model. This earlier model

determines people's perceptions of procedural justice and fairness (Tyler and Huo, 2002). Recent research demonstrates that perceptions of procedural fairness are of crucial importance (Van der Eijk and Rose, 2021) who examined a range of studies showing that people are most accepting of decisions that go against their preference when they see those decisions made through a fair process; i.e. procedurally just (Van der Eijk and Rose 2021:109). They highlight the importance of procedural justice to public policy making citing studies of tax decision making (Niesiobędzka and Kolodziej, 2020) and school-level educational regulations (Esaisson et al, 2019) that showed acceptance and compliance with the outcome when a fair process was perceived.

Legitimacy of collective decisions is boosted by perceived procedural justice (Martin and Bradford, 2021) with this then achieving 'support, compliance and acquiescence' (Sunshine and Tyler, 2003). With procedural fairness showing good it is argued that "it's presence is always better than its absence" (Van der Eijk and Rose, 2021:109).

This leads us to focus on the process based model that seeks to achieve co-operation and compliance of citizens through fair, and respectful behaviour (Tyler and Huo, 2002:204) who concluded:

> *"When making general evaluations of legal authorities and institutions subsequent to a personal experience, people are more strongly influenced by their perceptions of treatment quality and less strongly influenced by their judgments about the outcomes they received"*
>
> *(Tyler and Huo 2002:197)*

Tyler and Huo (2002) also posit that there are two advantages with this model in that it decreases hostility thus gaining support for decisions made; and it increases long term positive engagement and cooperation. In the case of decision makers operating as a body corporate this is a beneficial outcome for those involved, and those receiving fair and respectful decisions. But this must be examined in a political context for decision making by councils. With perception of fairness within process seemingly having a more important role in acceptance by those impacted, more so than decision favourability, this is likely to be a leading factor within the context of political mandate and competitiveness; this will be examined later.

Delving into the process based model further it is split into two dimensions of the 'type of justice' and the 'source of justice' (Blader and Tyler, 2003:747). Examining their posit of 'type of justice' this links to the later identified four components that highlight 'quality of treatment' (how individuals are treated) and quality of decision making process (whether the outcomes of the process are proportionate and appropriate) (Blader and Tyler, 2003:756)

'Source of justice' includes formal justice such as procedures implemented by an authority figure and informal sources of justice such as the informal rules enacted by officers that more recently have been included in literature as 'street level bureaucracy with discretion'. (Lipsky, 2010).

Procedural Justice Here and Now

This review has considered the theories of procedural justice and the dimensions and components within. Researchers have examined the attitudes and perceptions of the community and posit theories regarding levels of trust, respectfulness, voice and compliance in reference to the resulting decisions.

But society is changing and issues move faster with increasing inequality (UN, 2022:52). Communication can be instant, transparency is a requirement, accountability is often governed by statute and, internationally, everyone is experiencing instability rooted in war, economic crisis, climate change and a continuing pandemic. Within this global society researchers have focussed on procedural justice in relation to environmental and climate change with projects being examined where participatory decision making is a target outcome (Ruano-Chamorro et al, 2021). This approach and resulting theories lend themselves as relevant to the concept of procedural justice within the decision makers as examined by this research and Arnstein's Ladder of Participation (Arnstein, 1969) guides us from the early theories that considered the levels of manipulation, informing and consultation to the advancement of procedural justice into partnership, delegated power and citizen control.

This leads us into an examination to consider the results of the environmental research focus and the 'new' literature which increasingly includes inclusion in decision making; it will demonstrate that it is closest in relevance to examining the procedural justice within the decision making of a council.

Interlinking Environmental and Procedural Justice

Environmental justice focusses on hearing all voices and opinions through the process of procedural justice (York, 2022:1); it can therefore be seen as closely aligned to the processes of decision making of a corporate body such as a council that engages with its community. This form of procedural justice manages the unequal burden of participants and equity of access to resources (Schlosberg, 2013:38) and within environmental justice is a focus to including diverse voices and needs through fairness, inclusivity and non-discriminatory practices. It can achieve this whilst aiming for appropriate decisions that fit as many needs and challenges as possible (Gellers and Jeffords, 2018:100) and offers practical responses to the challenges of inequity and poor governance with policymakers actively seeking its potential and embracing these approaches (Lindgren et al 2021:239).

Important benchmarks of diversity and equity of knowledge are provided however these can create tension between the traditional governance based decision making systems and the participatory process of involving all stakeholders, decision makers, funders and those on the receiving end of the decision. An activist approach to decision making can further increase these tensions with traditional structures and perceptions being challenged by an epistemological pluralism (San Martin and Wood, 2022:257).

When councils run in parallel to political parties and community activists we become aware of differing influential manifestos and are reminded that decision making can often be influenced by 'shadow networks' which are defined as:

> *"informal networks of people who are working both inside and outside of the dominant system, who facilitate information flows, create nodes of expertise, identify knowledge gaps, engage in social learning,, and explore alternatives that could replace the dominant system when there is a window of opportunity"*

> *(Wutich et al 2022:2)*

If we examine these networks under the concept of procedural justice, we can identify the 'pushes and pulls' attached to decision making within a formal structure consisting of elected officers. As a baseline and within the 4 year election cycle fairness, discrimination and inclusion flows between those offering themselves as representatives of the community, those that become the decision makers and those that sit within the shadow network.

When decision makers facilitate the inclusion of the voice (including shadow networks) of available real life experience and life stories as knowledge, we start to gain an understanding

of the complexities of our socio-ecological systems on which we are impacting through our decisions (Gerrits, 2021). But does this inclusion occur in reality? Arnstein (1969) reminds us of the asymmetry of power and control, the consultation (paying lip service) and the steepness of the Participatory Ladder. Are we delivering this new baseline of procedural justice in our council decision making?

Yet again we are cautioned and reminded of the potential to create a negative experience through participation and the repeat of injustices through established unjust systems; justice is relational, place based, and must be offered a positive opportunity to challenge power asymmetries (Alavarez and Coolsaet 2018:14)

Where to Next?

These academics lead us to recognise that procedural injustice can occur to both those within the decision making and those without. The Process Based Model includes perception and later identification of components guides us to identify those key elements to include if we wish to achieve procedural justice. The work arising from the environmental research leads us to recognise the participatory theme with the clear challenge "to develop theories that link behavioural aspects to physical processes" (Gerrits, 2021:2).

Fairness is a word frequently utilised when considering the systems and services provided by a council for its community but is rarely a concept that is taken into account when considering how councillors work together and how they make decisions; there is a deficit of research in this field.   But processes do exist. Statutes set the minimum requirements on a council to provide documentation to the community whilst within the organisations reports are written, budgets produced, internal and external websites are populated, meetings are held and every councillor has, within the legal frameworks, access to the information held by the authority; they are a stakeholder in the decision making. But within that framework there appears to be little recognition of equity and fairness, and the potential negative impacts of actual and perceived procedural injustice on the stakeholders; the majority of whom give their time and resource for free.

The importance of stakeholder participation is highlighted by de Vente et al who identified that facilitating the inclusion of diverse knowledges promotes management legitimacy and fosters "support and compliance with the rules" (de Vente et al 2016:12). Coupled with the identified advantages of decreasing hostility and increasing long term positive engagement

and co-operation (Tyler and Huo, 2002) this starts to set the baseline of a potential policy that aims to increase procedural justice.

It is anticipated that the research will uncover associated emotions and attitudes originating in evidenced and perceived procedural injustice (Tyler, 2015 in Ruano-Chamorro et al 2021); this knowledge will then further assist policy development and an ecosystem aiming to support councillors and thus improve their wellbeing, increase the positive aspects of being a councillor and potentially improve councillor engagement in the decision process.

It is anticipated that the emerging themes from the data analysis and coding will compare to the work undertaken by Ruano-Chamorro et al (2021) whose research developed a framework that assisted in promoting procedural justice focussed on conservation decision making. Emerged criteria was organised into three key domains of "process properties, agency of participants, interpersonal treatment" which they posited are "underpinned by the justice dimension of recognition" (Ruano-Chamorro et al 2021:1) They progressed that work to identify seven policy levers of "contextual fit, scalar fit, conflict resolution, facilitation, free, prior and informed consent, integrating knowledge systems and adaptive and flexible approaches" (Ruano-Chamorro et al 2021:6). It is anticipated that this research focussed on councillors as stakeholders to decision making will enable a similar deductive process and specific, and potentially similar, policy levers to be identified as well as evidenced links referring back to the four components of "voice, neutrality, trustworthiness and respect" (Tyler 2008).

The proposed research builds on the foundations of the theories examining the processes and perception of procedural justice in local councils; the fairness by which decisions are made and who makes those decisions (Martin et al 2015 in Ruano Chamorro 2021:2). It is based on the Process Based Model but with the inclusion of participatory activity and equity of knowledge alongside a consideration of perception.

Chapter 3: RESEARCH METHODOLOGY

A qualitative approach was selected with a requirement to gain adequate and appropriate data that reflects the theoretical needs of the study requires an audit trail to enable others to study the data and reach the same conclusions (Rudestram et al, 2015:148). Triangulation of different data sources gathered by different research methods improves the trustworthiness of the data measured by reliability and internal and external validity (Rudestram et al, 2015:149) thus several data gathering techniques were used with the aim of producing comparable data. Techniques included reflexive research by a focus group (Bryman, 2016:487), semi-structured face to face interviews with councillors (Bryman, 2016:467), and a search for relevant reviews, research studies, government papers, and releases.

The methodology choice considered councillor willingness to engage with an officer, the sensitivity of the personal data sought and the protection of the councillor. An LGA survey identified 16.1 % of councillors declaring disability/health issues (LGA 2018) thus the research was conducted in an inclusive manner to the social model of disability i.e. 'not about us without us' utilising a representative councillor based focus group to guide the research. Protected data was sought, and was provided, from every interviewee.

Key considerations were gaining appropriate access to a sample population of councillors, the time available and the cost to the researcher and councillors. A critical element of any research study is to ensure the representativeness to the focus (Walliman, 2022:151) and the focus group was initially convened by the researcher in consultation with a current councillor. This councillor acted as a lead and nominated two additional councillors to join a focus group providing a cross section of demographics by age, gender, geographical location, educational attainment and length of time as a councillor. In turn, the focus group identified potential interviewees who were also appropriate in relation to numbers, demographics, relevance and interest in the research topic.

Figure 3.1 demonstrates the role of the focus group in guiding the content and structure of the gathering of data from interviewees. The focus group first gained a baseline of knowledge to enable them to function as a focus group for academically based research, to build trust in the approach of the researcher (Kerasidou, 2017:47), to assess the proposed methods of qualitative data collection and to advise on the criteria and questions for the research to ensure the correct values were encompassed (Bryman, 2016:34). The focus group also provided data in a reflexive manner and provided strategic and gatekeeper guidance on

appropriate councillors to invite to interview (Sixsmith et al, 2003:579).   Due to time constraints the preference was to interview councillors who were known to have raised personal observations regarding the decision-making and engagement processes.
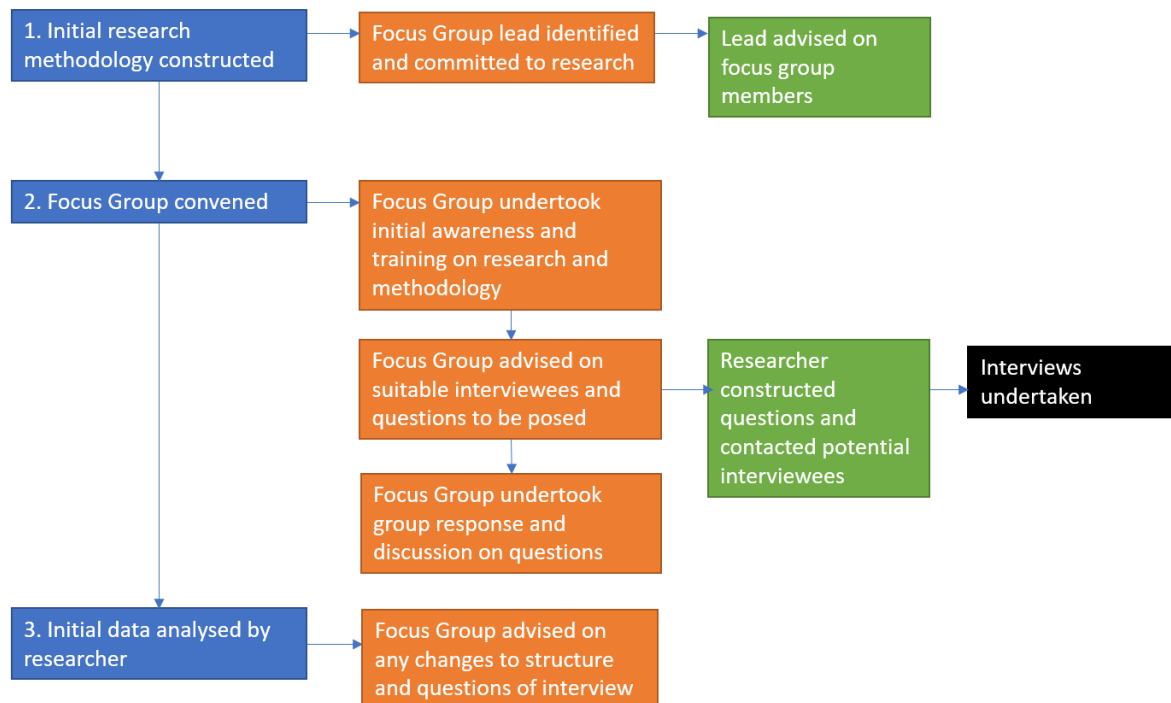
| 1. Initial research methodology constructed | → | Focus Group lead identified and committed to research | → | Lead advised on focus group members |

| 2. Focus Group convened | → | Focus Group undertook initial awareness and training on research and methodology |

| Focus Group advised on suitable interviewees and questions to be posed | → | Researcher constructed questions and contacted potential interviewees | → | Interviews undertaken |

| Focus Group undertook group response and discussion on questions |

| 3. Initial data analysed by researcher | → | Focus Group advised on any changes to structure and questions of interview |

Figure 3.1 The focus group and data acquisition (Bennett 2022)

With time constraints and the slower pace of the qualitative research it was important to maintain manageability; this was delivered by the success of the gatekeepers in nominating appropriate interviewees who were then contacted by the researcher. Challenges were experienced with 'word of mouth' initiating other contacts with the researcher of those who wished to share their experiences. From an initial planned ten interviews fifteen were undertaken with a number of councillors disappointed at being unable to contribute. This indicated that a correct methodology had been selected as previous councillor-based surveys undertaken by the researcher, and based on written questionnaires, had resulted in poor response rates.

Assessing the draft interview structure with the focus group members enabled the responses, and identified change and flux to analysis processes, to be assessed (Bryman, 2016:395). The focus group provided strategic guidance on reaching the objectives of the research and adapted the questions as the interviews progressed to ensure the recommended flexibility of social research (Bryman, 2016:397). The order of the questions was adjusted by the focus

group to facilitate response data as well as improving ethical considerations by focussing on positive as well as negative experiences A semi structured interview was realistic and achieved, and in order to manage the process and maintain equilibrium within the responses, a length of interview was set at a maximum of one hour. This approach produced a dynamic and engaged interview structure, with focus group directional input, which gained quality results and thus provided respondent validation (Bryman, 2016:385).

Local councillors tend to be volunteers of the local community, not quasi elites, and reflecting on the posit of Lind and Tyler (1988) the interviewer was aware of, and prepared for, any triggering of distressing and emotional memories. The identified focus group lead offered to provide a contact point alongside the researcher with informal routes of email, telephone and meeting made available to interviewees; these links have been maintained to provide updates and clarify any arising queries. Three councillors have made contact and the researcher has undertaken welfare checks with one.

Data Capture

Due to the requirements of the General Data Protections Regulations (2016) and the protected characteristics of the councillors being interviewed it was statutory to maintain confidentiality and anonymity. Qualitative interviews have previously relied on the recording and later transcription of responses however this is not permitted within the regulation and context of this research. A software provision known as Glean was utilised that converted speech to text at interview and only a text transcription was recorded.

This approach was a very tense process that required the interviewer to access the transcription and add annotations re observations at the earliest opportunity. The process also required very precise questions and clarification of answers to ensure the transcription captured the response correctly.

Additional Challenge

An addition challenge is introduced by the researcher's deafness. A recent survey found "there are fewer higher level disabled employees within companies" (RAD 2020:7), and identified barriers of accessibility and inclusivity within workplace settings. This appears mirrored within academia with literature and guidance available relative to research on deaf people, and deaf researchers researching within deaf communities; there is nothing related to a deaf person, as a researcher, within a hearing community.

Qualitative research is based on both responses and observations, however, a deaf person is focussed on lip reading in order to gain knowledge to frame further questions within a semi structured methodology. It is exclusionary to negate this approach based on disability however the researcher was aware that considerable effort would be required to observe as a hearing person. Intonation of responses were captured via intense concentration during the interviews.

With personal experience of reservedness and annoyance from hearing individuals who become aware of the researchers deafness a conclusion was reached that the only suitable approach is to be a researcher "trying to overcome her deafness whilst doing research" (Kusters 2012:29). The researcher engaged in intensive training using software and hardware to capture the spoken word however this comes with the risk of emotional cues being missed and low empathy realisation of the researcher (Netten et al, 2015). The semi structured approach enabled questions to be pre-planned to encompass empathetic methodology and assisted the researcher in the time-critical annotations to the transcriptions.

Analysis

On completion of the interviews grounded theory was used to analyse the data received and code the responses. This coding highlighted the early identification of categories that enabled initial data analysis to be undertaken (Bryman 2016:577). Figure 3.2 (below) sets out the schematic of the data analysis:
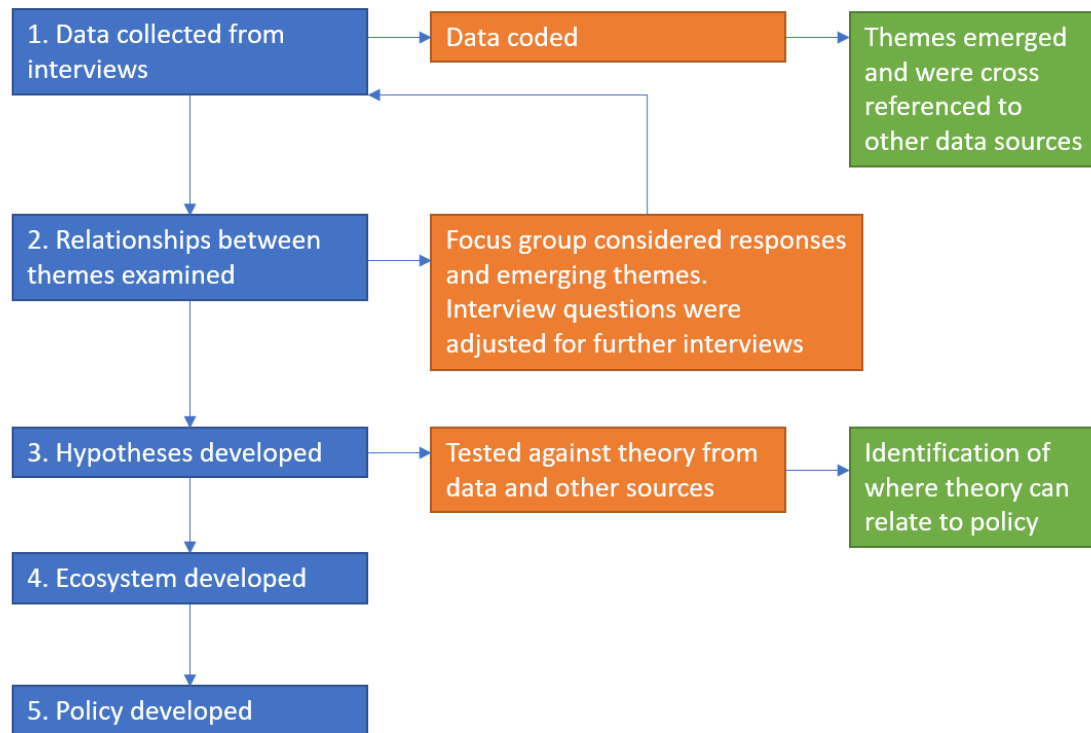
```
┌─────────────────────┐      ┌──────────────────┐      ┌──────────────────┐
│ 1. Data collected   │─────▶│ Data coded       │─────▶│ Themes emerged   │
│ from interviews     │      │                  │      │ and were cross   │
│                     │      │                  │      │ referenced to    │
│                     │      │                  │      │ other data       │
│                     │      │                  │      │ sources          │
└─────────────────────┘      └──────────────────┘      └──────────────────┘
          │                                                       
          ▼                                                       
┌─────────────────────┐      ┌──────────────────────────────────┐
│ 2. Relationships    │─────▶│ Focus group considered responses │
│ between themes      │      │ and emerging themes.             │
│ examined            │      │ Interview questions were         │
│                     │      │ adjusted for further interviews  │
└─────────────────────┘      └──────────────────────────────────┘
          │                                                       
          ▼                                                       
┌─────────────────────┐      ┌──────────────────────┐      ┌──────────────────┐
│ 3. Hypotheses       │─────▶│ Tested against theory│─────▶│ Identification of│
│ developed           │      │ from data and other  │      │ where theory can │
│                     │      │ sources              │      │ relate to policy │
└─────────────────────┘      └──────────────────────┘      └──────────────────┘
          │                                                       
          ▼                                                       
┌─────────────────────┐
│ 4. Ecosystem        │
│ developed           │
└─────────────────────┘
          │                                                       
          ▼                                                       
┌─────────────────────┐
│ 5. Policy developed │
└─────────────────────┘
```

Figure 3.2 Data Analysis (Bennett, 2022)

The quantity of transcription, and demographics data available required considerable hours to be set aside for reading, re-reading, coding, grouping to codes, cross referencing the codes, and regrouping to form the analysis. This form of qualitative research, which investigates perception, and receives emotive responses, calls for particular care in how it is critically evaluated. For this we turn to the trustworthiness and authenticity posit (Guba and Lincoln, 1994). Trustworthiness is broken down into 4 criteria (Bryman, 2016:384) with 'credibility' evidenced through respondent validation by the Focus Group, 'transferability' through the "thick descriptions" (Geertz, 1973a) that provide a database of accounts, and 'dependability and confirmability' through the considerations of themes by the Focus Group and the transcriptions being available in a format permitted by statute. Interviewees also provided confirmability through the identification of policy needs during their interviews.

Authenticity concerns "the broader political impact of research" (Bryman, 2016:386) and the methodology and delivery design represented 'fairness' through the collection of differing viewpoints across a broadly representative demographic sample of councillors. 'Ontological authenticity and educative authenticity' are evidenced through the development of the findings into actionable policy and the ecosystem of knowledge. 'Catalytic and tactical

authenticity' cannot be critically evaluated at this point, however, further research following the delivery of policy to assess whether councillors believe procedural justice is improved, will provide these elements of authenticity.

Taking into consideration all information collated for this research the researcher believes that it has been possible to achieve a well-grounded, trustworthy and authentic, analytical approach to answering the aims and objectives posed that benefits the understanding of procedural justice in the context of decision making by a local council and the elements of an ecosystem of equity of knowledge.

Following the completion of the research and policy it is intended to revisit the focus group and offer presentations of the findings to interested councils.

Deaf Researcher

The research would not be complete without an inclusion regarding learning and research impact related to a deaf researcher in a hearing environment; the methodology was suitable however the 'scalar fit' was physically challenging. Technology provided assistance but could not be relied upon; observations were annotated to transcriptions and meanings were recalled from memory.

The lack of theory related to this research scenario leads us to consider the closest fit to immediate transcription; that of research utilising translation. There is a risk of disconnect between language (in this case the transcript that is gathered) and the meaning of the responses given to the researcher, with Temple and Young (2004) positing that the researcher is not absolved from further considering whether there is a permeable boundary that enables the language to convey the meaning.

The researcher recognises that data will have been missed however with the volume of evidence obtained, and transcribed, it is felt that the boundary was sufficiently permeable not to impact on the trustworthiness and authenticity of the outcome.

Chapter 4: RESULTS AND DISCUSSION

The research aimed to collect data on the experiences, feelings, perceptions, and legacy of being a component of the decision making of a Council. The first objective is to examine properties within the decision-making process, the second is to examine the agency of a councillor within those processes, the third focusses on identifying how the councillors are treated by others and whether they are treated fairly. The fourth objective is to develop policy levers and an ecosystem of knowledge that maps the integrating knowledge systems identified within first and second objectives, into a policy recommendation.

The chart of questions was constructed around the themes of belonging, cultural awareness, council growth, resilience, climate of help, leadership, support, and mindset; the interviews were undertaken in a semi-structured manner allowing councillors to add response that they felt demonstrated their experiences. The conclusion of the interview allowed for a free response and of note is 100% of respondents indicating that taking part in the interview had assisted their wellbeing yet also highlighting 'heartfelt' opinion:

> *"This has been really good. I have not had the chance to talk with someone about this before. I thought it was me. But now I am thinking I have done my best. It isn't me. It is them. They don't want me here"*
>
> *Interviewee 4*

Analysing the results enables identification of key threads within the themes and specific positive and negative experiences within the objectives. The results also provide 'real-life' data on the actual and perceived difficulties being experienced by councillors when they engage in existing as a councillor, and in the decision-making process. These results, and discussion below, assist in developing the policy paper setting out a baseline for procedural justice and equity of knowledge for councillors engaged in making decisions as a council.

Interviewee demographic information

A cohort of potential interviewees was presented by the focus group and researcher. From this cohort ten were identified as appropriate for the objectives of the research (assessed against time available, known health and other issues being experienced, and accessibility) and were subsequently contacted by the researcher. This resulted in an unexpected surge in requests from individuals who became aware of the research and wished to be included; the researcher increased the time available and a total of 15 current and previous councillors were

interviewed. Eleven councillors served office in the New Forest district and four served office in Buckinghamshire.

This form of sampling was dependant on the intimate knowledge of the focus group however it resulted in a good cross section of demographic factors and has highlighted a lack of research and support for councillors in this field with requests to be interviewed still being received.

Of the fifteen councillors interviewed 7 identified as female (mean age 66.1) and 8 as male (mean age 60.6) their ages varied between 33 and 82 (see figure 4.1) giving an overall mean age of 63.2. This provides an appropriate balanced sample and is broadly representative of the identified gender and age demographics of the locations[4]
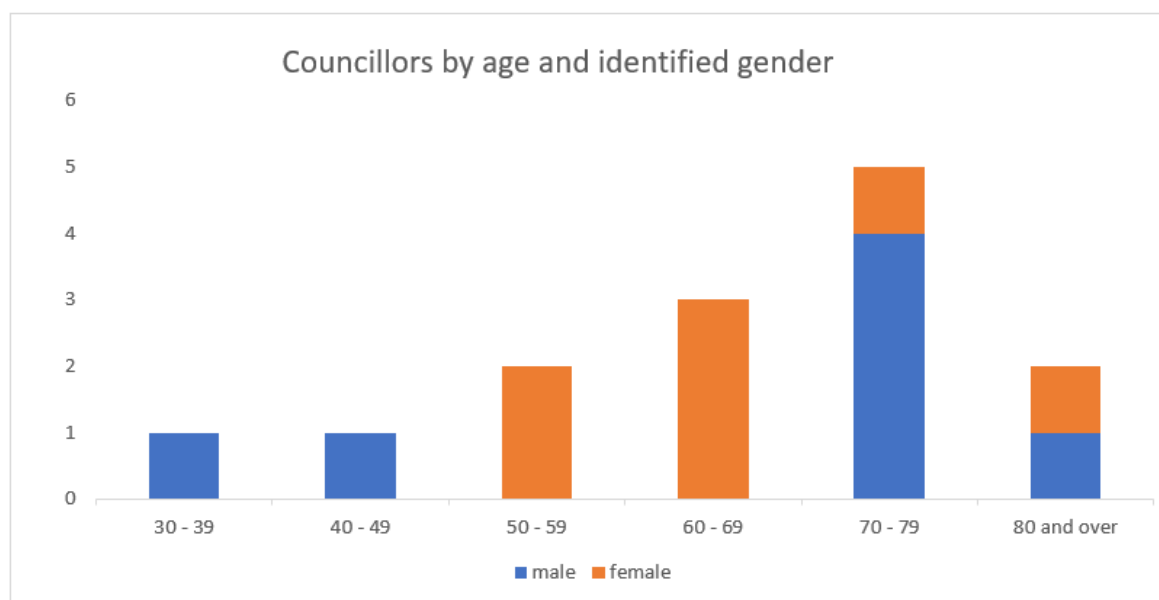
Figure 4.1

When considering educational attainment against identified gender further factors are evident with females tending to have lower attainments (see figure 4.2).
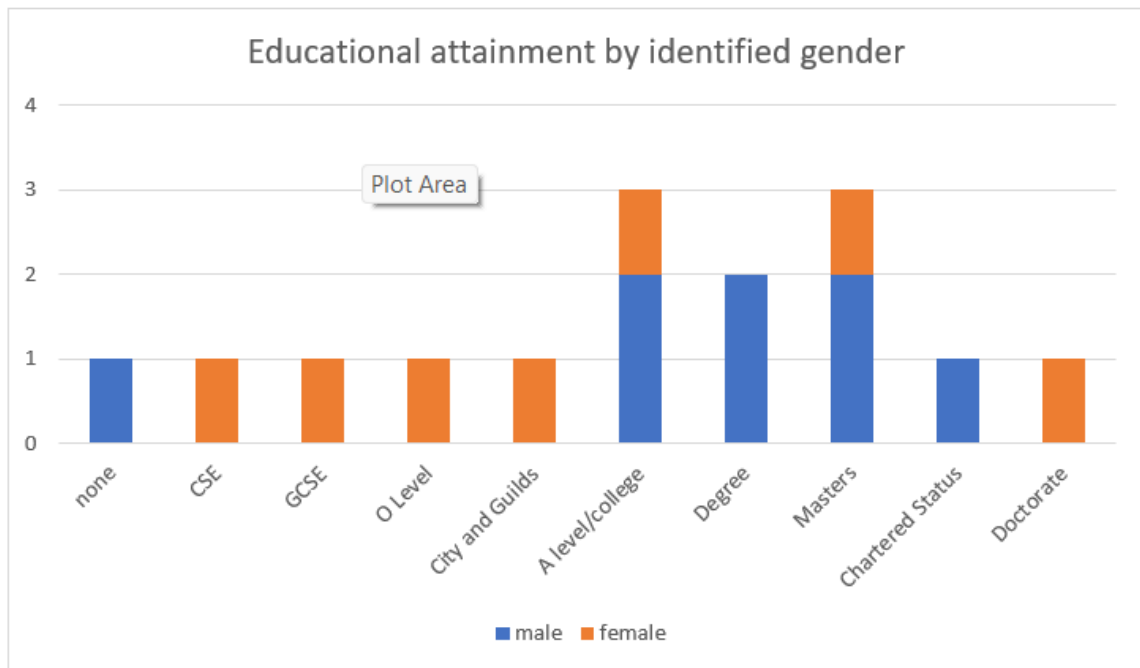
---

[4] https://www.varbes.com/demographics/new-forest-demographics

Figure 4.2

This correlates to the national figures in the mean age groups.[5]

When examining length of time served as a councillor the results are shown in figure 4.3

[5] https://www.ons.gov.uk/peoplepopulationandcommunity/culturalidentity/genderidentity/datasets
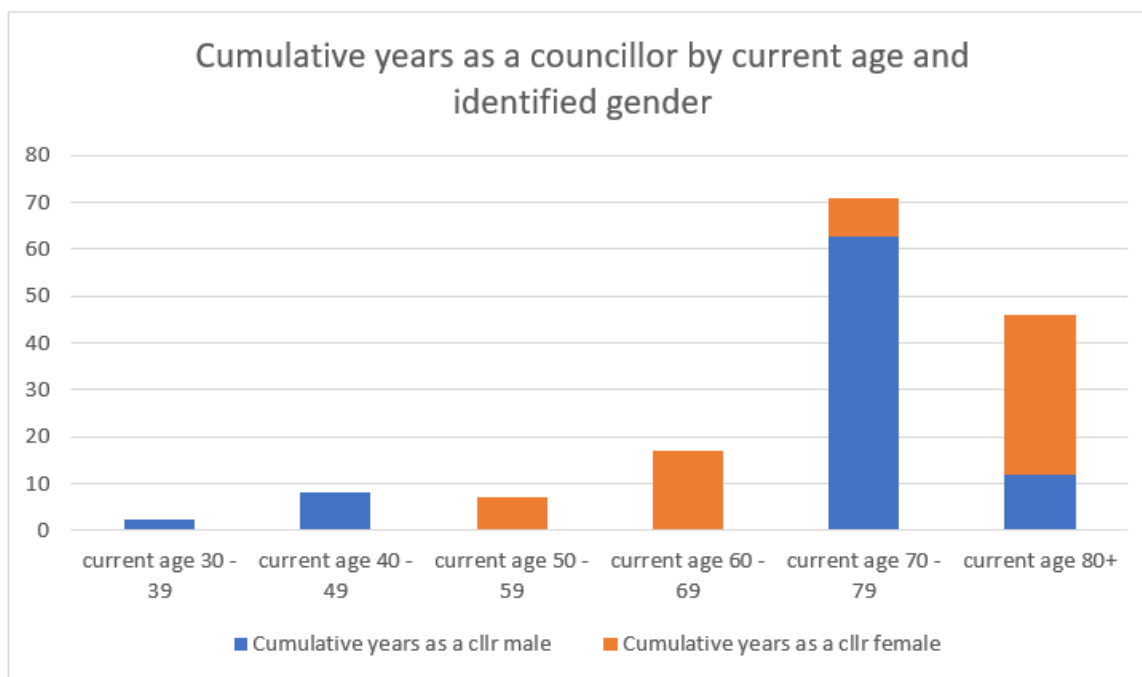/genderidentityfourcategoriesbyageenglandandwalescensus2021

Figure 4.3

In the female 80+ category this is one councillor with 34 years in office, in the male 70 – 79 category this is 4 councillors with a mean of 18.2 years in office.

Of the other demographics data collected all councillors used English as the primary language. Two were carers, six declared a disability and three declared health issues, all of which could be considered to impact on a councillor's engagement in decision making processes; including sight impairment, deafness, incontinence, diabetes, arthritis and back issues.

Despite these difficulties being experienced, when asked how councillors described themselves, the responses were engaging (see Figure 4.3)

Figure 4.3

We will now look more closely to the themes within the research co-related to the first three objectives.

Properties within the Decision-Making Process

Process properties align from 6 criteria; "transparency, accountability, neutrality, correctability, ethicality and trustworthiness" (Ruano-Chamorro et al 2021:4) and these criteria were examined within the question themes of belonging, cultural awareness, leadership, support, and mindset.

Most councillors raised that they felt connected to some of the others and that this didn't change dependent on the topic except if councillors were being badly treated by others; then some felt affinity with the 'persecuted' councillor. Many interviewees reported that party politics stops connections being made and community-based projects occurring:

> *"They don't do anything for the community. It's just what image and how often they are in the paper"*
>
> *Interviewee 10 referring to a specific party*

The reported relationship with the administrative body was more positive with the majority feeling connected; the Buckinghamshire Council constitution was cited as a welcome approach with officers contractually required to respect the needs of councillors. The background to the Constitution was explained:

> *"They* (officers*) regarded engagement with other officers and councillors as unnecessary"*
>
> *Interviewee 10*

Comments were often made that the delivery of policy should be the focus of the officers without the interference of the Chair:

> *"They* (administrative body) *are helpful. So far as they are allowed. The Chairman puts restraints on staff"*
>
> *Interviewee 5*

Most councillors recognised the changing demographics within the community with all principal councillors receiving regular training and updates however this was not considered necessary by local councillors.

> *"I don't think it's an issue of any concern. Everything seems fine"*
>
> *Interviewee 1*

Cross referencing responses to work environs, all interviewees were aware of equality and diversity considerations. Regarding decision making at the council, there was minimum consideration of such, other than for physical access to services by reason of remoteness or mobility issues.

Developing discussions from equality to equity resulted in a change of approach in all interviewees:

> *"We should do this"*

<div align="right">

Interviewee 14

</div>

With most councillors indicating a willingness to welcome new knowledge this is a key provision for policy at a local council level yet challenges regarding opportunity to engage when in possession of knowledge are highlighted by the demographics and the interviews.

The councillor who achieved a doctorate reported not being able to engage despite demonstrable abilities for handling knowledge:

> *"At the parish they* (the councillors) *don't want to know… I offer help. They don't take that up"*

<div align="right">

Interviewee 12

</div>

The councillor with no educational attainment reported being able to fully engage in all decision making and cited being confident in their abilities and knowledge. These two examples signpost us to the Dunning-Kruger effect that occurs when an individual's lack of knowledge in a topic creates over confidence in their own competence. Inversely the councillor who excels in knowledge associated with the council topics appeared to underestimate their abilities (Dunning, 2011). This will be further considered later under considerations of agency and 'voice'.

Interviewees were clear in that they expect the administrative body to guide them, and this led to observations on how information giving performs. Most councillors used information technology however 2 still relied on paper communications; one, who was not of the majority party, believed that they were not provided information to deliberately restrict their knowledge.

All chairs were happy with the information they were provided however on closer questioning all were provided briefings and had self-service access to specialist services e.g. employment advisors, that were not available to other councillors. The chairs appeared unsettled by this realisation and recognised that this put them at a significant advantage in the decision-making, having had more access to knowledge than the other councillors.

One chair has recently become more troubled by the lack of decision making:

> *"Remove democracy. Some councillors are deliberately disruptive, and we can't make decisions… it's as if they are jealous of others around the table…it saps so much time and resources when councillors play these games"*

But then ends his response by adding:

> *"I would like to try to increase the engagement of those who are distant. Empower councillors to engage and debate and decide. We need to get that process sorted"*

Interviewee 14

The wide variety of responses and examples demonstrates occasions of compliance with the 6 criteria however councillors cited issues with transparency and the sharing of knowledge, accountability and neutrality that was ruptured by politics and 'point scoring', and examples relating to correctability were few. One councillor raised an issue regarding racist language and at the next meeting the other councillors turned their backs and would not engage. Ethicality was difficult for councillors with all believing that they are right in their representation of community need yet when further questioned most accepted the decisions made by the council regardless of their position, if debate had taken place. Trustworthiness is difficult to ascertain as many examples were given of working together yet those relationships were cited as difficult when politics became involved. Of the females interviewed all did not trust the male councillors and all cited negative attitudes to the decision-making processes that were controlled by 'mean old men' (Focus Group, 2023).

Agency of a Councillor

Questions were asked to test the power of councillors to engage in the decision making as individuals. If an individual has agency they can cite their position and interests, potentially achieve their preferred outcomes, and perceive that procedural justice has been accomplished (Schreckenberg et al, 2016).

The chart of questions included support, climate of help, resilience and council growth with the majority responding positively that they were able to engage and put forward their views. Of concern 7 of the interviewees provided examples of being shut out of processes and not being permitted an opportunity to exercise their agency and as covered earlier 1 with higher competencies felt unable to engage. Aligned with this, the long serving female also reports difficulty in being heard and in being part of the decision making.

> *"I try but they ignore me. I've given up* (talking about trying to engage in debate*) they just laugh at me and the Chairman went round telling everyone in the community that I was going senile"*

> *Interviewee 10*

The examples of restricted agency varied from long standing councillors imposing restrictions, to lead political parties not permitting an alternative party voice.

One question investigated whether the council knew what was going on for councillors and this exacted some diverse responses with councillors citing that the council did not want to hear what was going on at a ward level particularly when issues arose. There was a strong perception that many councillors couldn't hear from their own communities and possibly didn't want to hear:

> *"They're not able to hear from the people that need the help. They might better hear people who are basically from the same postcode. I hate saying all this, but yeah, there are people below who maybe they* (councillors) *don't even know they exist"*

> *Interviewee 1*

This indicates a conundrum with agency in that the information is available however councillors are not engaging with it in order to exercise most appropriate agency for the community that they represent. This cross references with the choice of councillors not to utilise the information made available (as opposed to councillors who are not enabled access). One interviewee, when considering their engagement in debate, was very clear:

> *"I go by my life experiences. And what I feel is how I would do it"*

> *Interviewee 9*

Within agency three clear standards can be identified, the influence of leaders/controllers, appropriate knowledge availability and recognition, and the ability of voice to be heard. This

leads us to consider the interpersonal treatments that are endemic within local councils and that, as demonstrated above, are influencing both agency and the decision-making process.

Interpersonal Interactions

How people treat each other, directly and indirectly, is referred to as interpersonal interactions and has two criteria: politeness and respect. Importantly for a council, research suggests that people in a group setting are encouraged to co-operate when treated with respect (DeCremer and Tyler, 2005) thus assisting decision-making as a corporate body.

Data for this section is gleaned from examining the responses across all questions but particularly focussing on those related to mindset and fairness. Fairness was used rather than the terminology of respect in order to distance councillors from the legacy of discussions relating to the Civility and Respect Agenda[6] that are ongoing and can create tensions.

Two councillors felt that they had been treated fairly and thirteen offered examples of disrespect and impolite behaviour; 1 Chairman offered insight to indirect interactions via social media:

> *"Facebook has not treated me fairly"*
>
> *Interviewee 14*

One female councillor who indicated that she would not be standing again due to poor interpersonal interactions provided a very negative response:

> *"What I do is … I'll say in a meeting. I just need to point out to the councillor that the language that they just used is contrary to our policy. But I do struggle because of course, I get cross. And of course, I would be a hysterical female if I showed any emotion whatsoever"*

The interviewee recounted other details and became incredibly sad:

> *"I'm isolated enough. And I need to go through that door and be the only person every time… They can be a nasty bunch of blokes if they want to be…sometimes the women too"*
>
> *Interviewee 11*

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[6] https://www.nalc.gov.uk/our-work/civility-and-respect-project

This section of the research received some heartfelt experiences with negative impacts on councillors that continued:

> *"It was absolute rubbish, but sometimes things just stick in the back of your mind"*

Interviewee 6A

Most respondents identified Politics, politics and personalities as the drivers of the impolite and respectful behaviour. One interviewee responded they were treated unfairly in certain circumstances and when asked what drove the unfairness:

> *"Most of all, politics. Politics and particular personalities"*

Interviewee 8

Power was a key factor in this section and can be identified in the instances of the disrespect cited. Half of councillors talked about a need to restrict the number of terms a councillor could stand and one councillor highlighted a discussion with a long standing councillor that provides an insight in the strive for power:

> *"There are councillors who have told me that if they were somewhere else in the country, they would be in the Labour Party* (currently in the Conservative party). *And my response to that is so you're only interested in power and not actually about politics?"*

Interviewee 11

Within the changes suggested by interviewees and the focus group was a strong focus on behaviour protocols to include everyone in the discussion, and working groups to develop decision making options in an inclusive fashion; "less waffle", rather than "pet projects" of councillors with control (Focus Group, 2023). One councillor supported the introduction of flatpack democracy[7] in order to provide a more appropriate decision-making environment but reformation ideas were not mentioned by others who were focussed inwardly.

Summary of Results

The results of the interviews demonstrate experiences of the councillors across objectives 1 to 3 and highlight a lack of consideration for procedural justice within the decision making of a body corporate. All councillors interviewed offered instances where they are 'hurting'

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[7] https://www.flatpackdemocracy.co.uk/

consequential to their engagement in decision-making processes, agency, and interpersonal activities; these negative impacts are reported as remaining with councillors and subsequently affecting their future engagement.

Discussion

The interviewees supported the importance of voice, neutrality, trustworthiness and respect as identified by Tyler (2008) as well as the components of the Process Based Model that includes perception and fairness. Accompanying these strong threads are the domains of decision-making processes, agency and interpersonal interactions as posited by Ruano et al (2021) leading us to consider that decision making as a body corporate is a special case and no single theory sufficiently relates. This is an area of theory that is deserving of further scrutiny.

It is important to progress these findings into policy and for this we return to the work of Ruano et al (2021) and the seven posited procedural justice levers of "contextual, and scalar fit, conflict resolution, facilitation, free prior and informed consent, integrating knowledge systems and adaptable and flexible processes" (Ruano et al, 2021:3). Using these levers as a guide consideration was given by the focus group on integrating the research into suitable policy for operational procedural justice experienced by councillors.

Within this research contextual fit relates to the trichotomy between strategies and processes of the council, the needs of the community, and the values, knowledge and resource of councillors. Adjusting the decision-making process according to the topic with a focus on equity ensures the availability of knowledge to all and the ability for councillors to voice their agency. This in turn can improve the perception of interpersonal activities. One chair commented:

> *"I feel that everyone has had a fair chance to speak ...we've found a majority view"*
>
> *Interviewee 2*

If this is the case, that council is on the way to achieving procedural justice provided that the councillors also feel positive; as the focus group agreed someone needs to ask them.

Scalar fit depends on the timetable and impact of the decision making and is never neutral (Ruano et al, 2021:6). Councillors did not present with equal power and influence and many endeavouring to represent the needs of their constituents were unable to make their voice

heard. In the case of council decision making, scalar fit could best be termed legitimacy i.e. who is a legitimate stakeholder with a legitimate resource to offer.

Facilitation is of value across all domains. Facilitating the process, the capacity building for agency and the interactions, in an appropriate manner. The councillor responses indicated recognition of facilitation needing to be skilled, accessible and trustworthy and relied on officer knowledge and research capacity to provide the knowledge needed for scalar fit i.e., legitimacy. What is of concern is the challenge of facilitating interpersonal activity conflict resolution; with this being raised in every interview. Facilitation by officers within the council environs has limitations; it can offer strategic direction and endeavour to maintain positive actions, and interviewees cited cases where they had called on officers for such help. But councillors also cited a lack of direction when facilitation reached its permitted boundaries; these occasions occurred in times of power play and negative interpersonal activities with councillors withdrawing from processes. What is also key is that councils had not ventured into feedback and investigating what was not going well. In the view of the councillors interviewed this was in part due to a lack of awareness of their difficulties as they were not being asked, but also due to the refusal of those in 'power' to consider why others were not engaged in the decision-making process.

These policy levers begin to create a framework for procedural justice to which we can add the intentions of informed consent that promotes transparency, accessible information and accountability. At its heart this ensures actions free of manipulation.

The two consistent levers of integrating knowledge systems and being adaptive and flexible lie at the heart of councillor decision making particularly in the case of a council post-election where new office-holders are elected, and manifestos are under scrutiny for deliverables. Integrating knowledge from all stakeholders enables reflection and learning, and an opportunity to adjust the decision making process, particularly important for community based projects with community control elements.

Fourth Objective

The responses of the interviewees, the considerations offered by the focus group and the discussion above leads us to identifying seven procedural justice policy levers within decision-making of local councils:

- Contextual fit

38

- Legitimacy

- Facilitation

- Integrating Knowledge System

- Adaptive and flexible processes

- Participatory

- Interpersonal activity resolution

Councillors demonstrated multiple sources of knowledge; unconscious bias and id that a councillor can be considered to be elected with, conscious bias and retained information that a councillor always has available, levels of knowledge associated with accessible specialist information, accessible information (general), policies and mandates, national guidelines, and statute. These knowledge sources enable us to construct an ecosystem positing a framework for equity of knowledge (see Figure 5.1).
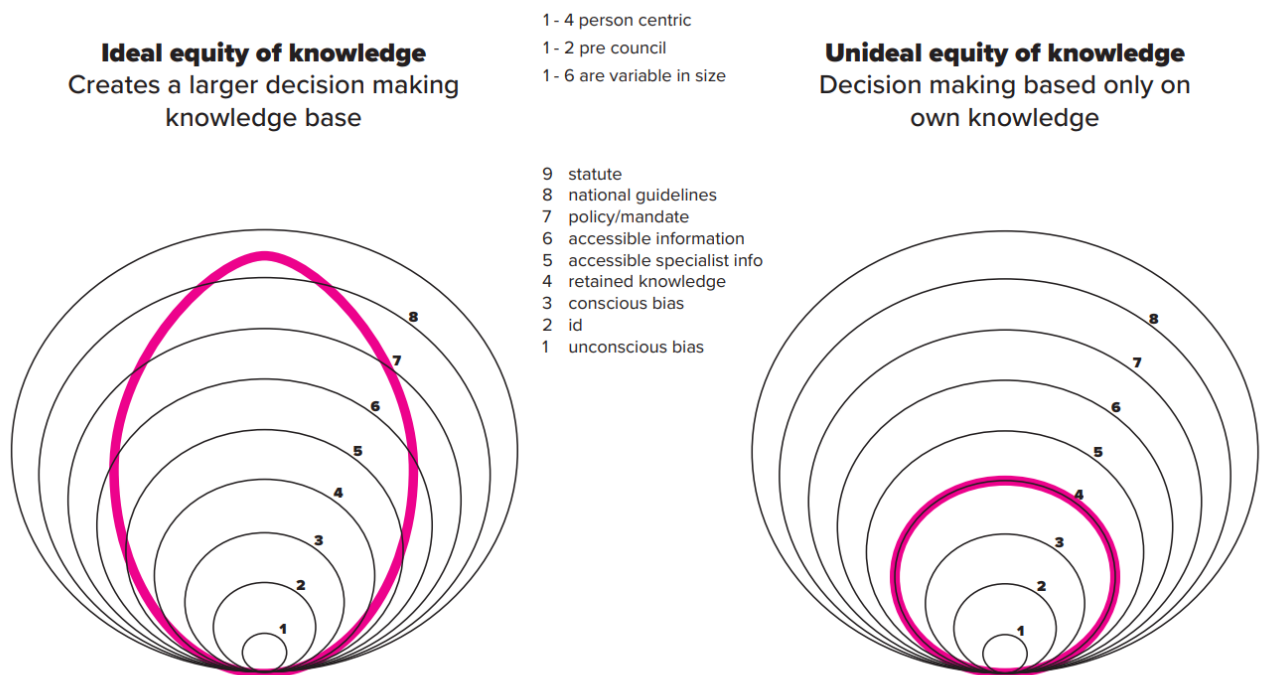

Ideal equity of knowledge
Creates a larger decision making knowledge base

1 - 4 person centric
1 - 2 pre council
1 - 6 are variable in size

9 statute
8 national guidelines
7 policy/mandate
6 accessible information
5 accessible specialist info
4 retained knowledge
3 conscious bias
2 id
1 unconscious bias

Unideal equity of knowledge
Decision making based only on own knowledge

Figure 5.1 (S.Bennett, 2023)

The ecosystem extant (coloured pink) adjusts dependent on topic and councillors involved. The unideal equity of knowledge occurs by choice (whereupon a councillor chooses not to

access the additional knowledge available) or by inequitable decision-making processes (whereupon additional knowledge is not made available).

The ideal equity of knowledge encompasses the knowledge of the individual (1-4) but includes specialist knowledge made available e.g., through consultants, accessible information available e.g. personal research and consultation, policy and/or party mandates providing strategy, and finally national guidelines and statute providing requirements. Levels 5 to 9 are additional to retained knowledge on these subjects.

This equity of knowledge and identified policy levers informed the operational approach set out in the Policy Briefing Paper included at the beginning of this research paper.

Chapter 5: CONCLUSION

This research has examined the theories of Procedural Justice, researched the experience of councillors, and highlighted the procedural justice felt by councillors who are required to operate as a body corporate. A focus group played a key role in designing and developing the research in the construct of 'Not About Us Without Us' and considered the outcomes of the interviews and the messages being given. This provided the researcher with clear messages from councillors about councillors, and highlighted themes within the results thus delivering the first three objectives.

The methodology chosen delivered research that demonstrates trustworthiness and authenticity with further critical analysis of catalytic and tactical authenticity to be available once policy delivery has been implemented. The deliberations of the focus group further increased the validity of the research through respondent validation and could be considered to have delivered collaborative innovation in relation to the policy criteria and ecosystem of knowledge.

The councillors interviewed were struggling with many elements of their work however all reported positivity regarding the work of the council despite the highlighted procedural injustices that were detailed to the researcher. The councillors were continuing to rise to the challenges and all cited increasing need to digest complex information from multiple organisations as well as an increase in support needs and difficulties arising through technology compatibilities.

The interviewee responses, and the considerations of decision-making process, agency and interpersonal activities led to a conclusion that no one theory fits with procedural justice related to local councils. When the results were assessed for procedural justice policy this leads us into objective 4. Seven levers were identified: contextual fit, legitimacy, facilitation, integrating knowledge systems, adaptive and flexible processes, participatory, and interpersonal activity resolution. The results also informed an Equity of Knowledge Ecosystem that were set out within the policy briefing paper.

So, are Councils Procedurally Just?

With councillor responses showing an acceptance (despite personal preferences) regarding the majority of decisions one could conclude this indicates yes, procedural justice is being delivered and councils are procedurally just.

But delving into the decision-making process, agency, and interpersonal activities it has been demonstrated that there is considerable negative experience, that often has long lasting consequences and can result in councillors withdrawing from office. And these negative experiences didn't just relate to internal operations, many councillors cited unfair treatment by community members who themselves either could not, or would not, access the knowledge, or who did not recognise the values of the council or councillors.

Reflecting back to the chair struggling with disruptive behaviour, their wish was to:

> *"Empower councillors to engage, and debate, and decide"*

Interviewee 14

If we deliver enhanced procedural justice, by influencing emotions and attitudes, changing behaviours, and importantly building on the group setting of the body corporate and its culture we can decrease the disruptive and negative behaviours, councils will run better, there will be less standards issues and more people will wish to stand as councillors and be employed by a council.

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Questionnaire – Procedural Justice

Belonging
Do you feel connected to other councillors at the Council?
Do you feel connected to the administrative body of the Council?
Cultural Awareness
How often are you encouraged to consider in greater detail race related issues and subjects?
Are you provided with opportunities to learn about people from different races, cultures and ethnicities
Are you provided with guidance regarding the equality and equity of the services being debated?
Would you welcome new material about people from different backgrounds into your decision making considerations
Council Growth
Does your council recognise good councillors?
How can officers improve their information giving approaches?
How do you receive feedback on your performance as a councillor?
How useful do you find the feedback you receive?
Resilience
If you have a problem while working towards a target, how well can you keep working?
Are you able to access bespoke assistance?
Climate of help
Do you see councillors helping each other?
What sort of help is given this way?
Do you feel that you could offer help to councillors who might find some areas of decision making challenging?
Leadership
How knowledgeable is the Council on what is really going on for councillors?
Support
When you face challenges with topics for decision what support is in place for you?
When you face challenges with other councillors what support is in place for you?
Mindset
Do you feel that if you put more effort into your Council work it would change the decisions made?
How confident are you that you can engage in the debate and decision making of the most pressing concerns for the Council?
Do you feel pressured by any of the agenda items?
During the last 6 months how often did you feel engaged in the decisions made by the council?
Free Response

If you could make changes what would they be?
Do you feel that you have been treated fairly?
Free Response
Quite often these types of interviews trigger many more thoughts than the answers given. Is there anything else you would like to add? You can always email me with any further information.