

Mark Gladwell
Secondary Legislation Scrutiny Committee
House of Lords
LONDON
SW1A 0PW

29 November 2012

Dear Mr Gladwell

Call for Evidence on the Government's new approach to consultations

AMDEA is the UK trade association for large and small domestic appliances, heating, water heating, floor care and ventilation. We represent manufacturers at UK, European and International level; in standards and with non-governmental organisations, consumers and the media. AMDEA protects and promotes its members' interests in all these fields

In the past we have contributed to many consultations on aspects affecting our industry. While our primary consideration is to represent our members we do believe that our comments are also extremely helpful, particularly in areas where our technical expertise can provide valuable assistance to policy makers. We believe that the involvement of a wide range of contributors is crucial to informing government policy and that the public consultation process provides the electorate with a valuable opportunity to participate in the democratic process as well as transparency of how decisions may be reached. Curtailing this process to save money in the short term may well lead to an increase in unforeseen, and possibly costly, consequences if decisions are taken without due consideration.

As a trade association we have to consult our members before making any response. In the case of complex proposals for major legislative change we may even need to call meetings to discuss all the issues. The 12 week period has generally provided us with sufficient time to enable us to carry out this democratic process. However in some cases even this may not be sufficient time to elicit the views of all interested parties. We would like to see 12 weeks as the default option with the facility to shorten or extend this period where necessary.

While it could be argued that for very minor issues a full 12 week period may be overlong, we would point out that two weeks is a fairly standard holiday period so is therefore always too short a timescale, particularly for SMEs that are unlikely to have cover. In our case we

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need time to consider proposals and draft a response which we then circulate to our members for comment. After which we need more time to amend any response before submitting it. As we are a small organisation there is also the possibility that the relevant staff member might be out of the office - AMDEA 's technical staff are frequent travellers to standards committees and it is difficult to coordinate a consultation response among our members when the co-ordinator maybe in a different time zone using limited facilities in an hotel.

The concept of "digital by default" is liable to disadvantage the poor and/or elderly/disabled whose access to internet facilities is more likely to be limited/unaffordable. However, it is also a problem for organisations such as ours. Generally we are quite happy to submit responses by e-mail (indeed we have done so in this instance). However, we do need to be able to print a copy of our draft responses to circulate to our members and a webpage and locked pdfs do not provide this facility. On some recent consultations we have been forced to copy out sections from the website into Word and manually re-format them. This has dramatically increased the amount of time it takes us to consult our members and respond. We would ask that you present the information in such a way that consultees do not need to waste time exporting and editing the information.

It would also be useful to know in advance when consultations were imminent – would it be possible to publish a draft programme, say every three months?

It would also be beneficial to review the consultation process in a more targeted way. We would suggest that, say, one year after publishing new legislation those who commented on the consultation could be asked to review how effective they felt the process had been and to what extent the legislation was fit for purpose without unintended consequences. This could inform future consultations.

AMDEA seeks to engage with relevant parties outside the formal consultation process but while we welcome the opportunity to exchange information and even advise government we would not wish to see such interaction viewed as a substitute for the formal consultation process.

Essentially, except in the case of very minor amendments we would recommend retaining the 12 week consultation period as a default position. We would also argue that most businesses will respond electronically so there seems no reason why you cannot continue to offer a hard copy facility for those that need it. This would avoid potential grievances and allegations of exclusion.

We accept that in certain cases allowing anyone to comment on issues that may well be quite specialised risks a certain percentage of the responses being less than useful. However, the principles of open government would suggest that this is a necessary price to pay to ensure that all efforts are made to make legislation proportionate and enforceable.

Yours faithfully

A handwritten signature in black ink that reads "Douglas Herbison". The signature is written in a cursive style with a long horizontal stroke extending to the right.

Douglas Herbison
Chief Executive