

CONSENSUS BUILDING: FREQUENTLY ASKED QUESTIONS

New England Environmental Finance Center

Some of the case studies highlighted in *Growing Together* involve communities that expended considerable time and resources on building consensus. At least for some viewers, questions may arise regarding how applicable the approach is to your own town or region – either because of the perceived cost or time needed, or concern about the local applicability of the approach.

This list of FAQs is intended to respond to such questions and to provide additional information regarding details of the approach.

1. Is this approach just for large or wealthy town or regions?

2. Is the approach only for dealing with large-scale projects?

3. Does consensus building take more time than a more “traditional” process?

4. Officials and citizens in our community are likely to be skeptical that this approach will work in our town. How do we make the case that it is worth trying?

5. Who should be “in charge” of the process?

6. What options exist for using facilitators?

7. How should we choose a facilitator?

8. Should the facilitator we use have experience in land use planning issues?

9. Can we tap a local person, perhaps one who has some has had some facilitation training?

10. What types of costs can we expect for a consensus building process?

11. What resources exist for funding a consensus-building process?

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1. Is this approach just for large or wealthy town or regions?

No. The approach can be tailored to fit the budget and resources of smaller communities. Use of a facilitator or “neutral” is a key component of the approach, but options exist for containing and covering costs for this aspect (see FAQs 6-11). Another cost-reduction strategy is to set clear parameters on how long the process will take (see FAQ 3). Communities can also be selective about when the consensus-building approach is used – reserving it for periodic contentious or exceptionally complex issues rather than trying to incorporate it into more routine decision making. The approach may be especially cost-effective when used to address a regional issue because the resources of the participating communities can be pooled.

Use of the approach also is not limited to communities that are more urban or suburban in nature. As the case study of Randolph, Vermont showed, consensus building can work well in a more rural setting. Each area, however, will have its own set of challenges and opportunities that must be considered as the approach is adapted.

2. *Is the approach only for dealing with large-scale projects?*

No. Two of the case studies in the film involved relatively large-scale development proposals, but consensus building can be used to reach agreement on smaller projects or on a range of community issues. The primary determinant is that the proposal or issue is considered significant enough to motivate the involvement of people and groups. In some towns, a 10-lot subdivision or proposal for a fast-food restaurant may spark intense community interest adequate to drive a consensus-building process. On the other hand, some projects may elicit little reaction or interest, and not generate the “critical mass” necessary to warrant a consensus-building approach.

While consensus building can be used to address issues that aren’t being driven by a particular development proposal, or that are being considered in conjunction with a long-range planning effort, there also needs to be adequate energy to sustain the process. One of the purposes of a *conflict assessment* – a step promoted in some consensus-building literature – is to make a determination early on whether the issue is likely to be successfully resolved using the approach. Even without this step, it is prudent to make a candid assessment of whether the approach is a good fit given the nature of the issue or planning effort. One option is to mix and match approaches. In developing a long-range plan, for example, a community may decide that it wants to use a more structured consensus-building process guided by a hired facilitator to address a particular hot-button issue, while the overall process is governed by a more traditional process.

In some communities or regions, there may be issues that a particular group feels are critical to address, but which have difficulty gaining traction or widespread interest among the public at large. These issues may eventually be ripe for a consensus-building process, but probably not until citizens are better informed about how the issue is important and how it affects their lives.

3. *Does consensus building take more time than a more “traditional” process?*

The answer to this question depends somewhat on whether one looks only at the time involved in deliberations by the official decision-making body or also includes consensus-building efforts prior to that step. Several advocates in the film make the point that by avoiding the “battle of experts” and the divisiveness that often characterizes a formal review process, consensus building can actually shorten the overall the process, and, that at worst, it is likely to be a wash.

It is important to recognize that resolving difficult issues often takes time – regardless of the approach used. In *Growing Together*, some of cases studies involve processes that were quite lengthy. Use of a “traditional” process in those situations, however, may have taken considerable time as well. Even if the latter approach resulted in a quicker decision, this may be of limited value if it created “winners and losers” and likely future political or legal challenges. Remember that one of the many benefits of successful consensus-building processes are improved working relationships among those who are likely to be involved in the next issue arising in your community.

Regardless of the techniques used, overly drawn out processes are counterproductive on a number of fronts, and taking these measures you can take keep them to a manageable length:

- Design your process well. Having a well organized process that includes defined steps and benchmarks is likely to be time-efficient compared to an open-ended one. Having a person or entity who is clearly in charge and driving the process also helps to move things along.
- Set time frames and limits. Established time frames and limits help groups to stay on schedule and avoid significant time overruns. Time limits should be meaningful enough to encourage adherence to them, but flexible enough to allow adjustments in response to unforeseen circumstances.
- Stop the time clock. Time is money if you have hired a facilitator or some other professional that is involved in your process. If your process gets mired or you decide to take a time out or alternative tack, determine the extent to which you need paid assistance for this interval.

- Avoid attrition. A factor that sometimes contributes to drawn out processes is turnover in the composition of stakeholder groups, which results in the need to revisit issues already discussed. This problem can be reduced by being realistic on the onset about how long the process might take, by seeking an upfront time commitment from participants, and by designating alternate members to represent particular interests.

4. *Officials and citizens in our community are likely to be skeptical that this approach will work in our town. How do we make the case that it is worth trying?*

Perhaps your reaction to the film is this: I like the approach and it seems to have worked well for these communities, BUT – our town or region is different. Maybe you have trouble visualizing how such a process could generate adequate interest in your small town typified by poor meeting turnout, general distrust among different groups or leadership whetted the status quo. Or perhaps the process looks too cumbersome for making decisions in a timely manner.

First of all, it is important to recognize that like anything new, there will be a degree of resistance to trying consensus building. One of the purposes of the film is to demonstrate the power of the approach and to give real life examples. But convincing others that it is worth trying requires persistence and leadership. In instances where your current process is not serving the community well, a compelling argument is: why not try something different?

Second, while the film outlines the steps involved in a typical consensus-building process, there is room for flexibility if you feel that certain aspects need to be tailored to your local situation. Among experts and practitioners, different opinions exist on what components and sequencing of steps are necessary for a successful consensus-building process. In the film for, for example, developer Richard Berman explains how he starts the process a “breaking bread” session – a step that doesn’t always show up consensus-building literature. The key is to adapt the approach to your unique environment while retaining essential elements that preserve the integrity of process and trust in it.

Third, for smaller towns, and in larger communities trying the approach for the first time, it may be wise to use consensus building selectively to resolve pressing issues or situations that are most ripe for an alternative approach. For smaller towns, such selectivity will ensure that the issue generates the interest and commitment need to drive a consensus-building process. For larger towns, initial success with selected issues may build confidence in the approach and result in it being used more broadly.

5. *Who should be “in charge” of the process?*

The organization that initiates a consensus-building process is often termed the *convenor*. Federal, state or local governments are typical convenors, although usually an associated agency, board or committee actually gets the process rolling. At the community level, a local leader, non-profit organization or group comprised different interests may also act as convenors.

While it is not essential that convenors be viewed as completely unbiased toward a particular point of view, it is critical that the process they establish be perceived as fair, neutral and transparent. Use of a facilitator – who is clearly working on behalf of the stakeholder group, not the convenor, is a primary means to create an impartial process and to build trust.

In some processes the convenor retains a general oversight role in keeping things moving and dealing with logistical details. In other situations, the convenor turns this role over to another entity or person, often to the stakeholder group itself, to a subcommittee of it or to a chairperson or staffer. Doing this may make practical sense, and it may also dispel any notion that the convenor is unduly influencing the process – which may be particularly important if the latter is perceived as having a bias. The ultimate managing entity may, in turn, decide either to delegate most administrative duties to the facilitator, or to retain particular functions or roles.

In either case, it is essential that participants, the facilitator and the public at large know who is responsible for this oversight role.

When a public regulatory or policy making body convenes a voluntary group to seek consensus, it is also vital that participants know that their conclusions will be considered and be used by the body. This is a pledge of accountability – not a promise to take any particular action. A facilitator experienced in public issues will help to ensure that issues concerning roles, responsibilities and accountability are well understood by both convenors and participants.

6. *What options exist for using facilitators?*

The field of facilitation and dispute resolution is a rapidly growing one, and practitioners exist in the private, public and non-profit sectors. It is likely that a number of qualified individuals, firms or organizations are available in your community or region to provide such services. The trick is to find the right fit for your needs and budget.

The terms *facilitator*, *mediator* and *neutral* are often used interchangeably to describe individuals who serve as an impartial third party in group processes or negotiations. In this FAQ, the term *facilitator* will generally be used to describe practitioners who serve in this role, recognizing that there are subtle differences between these terms.¹

Many excellent *private sector facilitators* exist whose hourly rates can range from fifty to hundreds of dollars, depending on their experience and expertise, the services they offer and national reputation. While fee considerations are likely to be an important factor as you weigh your options, you should also carefully evaluate track record and approach. In some cases, a highly trained and talented facilitator may help you achieve breakthroughs that save time and money, making the extra investment well worth it.

A number of *public, non-profit or academic organizations* have facilitation or mediation services, or employ individuals willing to provide assistance, either on a fee or pro-bono basis. Several New England States have dispute resolution offices as well as universities that offer services and training – a few with funding to provide assistance at no charge.

A recent trend is the growth of non-profit organizations that provide training in *leadership skills*, of which consensus building process, dispute resolution and collaborative leadership often are a part. These organizations may have staff that are available to assist you either in designing or conducting your process, or they may provide valuable training to small group moderators, other volunteers and participants themselves. Participants well versed in group and leadership skills will find it easier to work together on contentious issues.

¹ Among practitioners, facilitation is typically understood as the tasks and responsibilities involved in establishing processes through which groups can communicate effectively. Mediation is usually viewed as entailing the same process-oriented tasks as facilitation, plus helping participants to develop agreement on the substance of the conflict. Confidential meetings are often used to better define the conflict and to help broker mutually acceptable agreements. Both mediation and facilitation require that the third party to serve as an effective neutral; however there may be cases in which less trained or experienced individuals are able to serve as a neutral as well – particularly if the role is limited to simply observing and recording the proceedings and enforcing ground rules in an impartial manner.

7. *How should we choose a facilitator?*

As a starting point, you should have a clear idea of how the facilitator will be used. If you are only looking for someone to be neutral in a process that is already well defined and driven by a steering committee or other personnel, your selection approach will be different than if you looking for “full service” facilitation that involves design and management of the overall process. Different facilitators often have different skill sets and areas of expertise. Some facilitators, for instance, have specialized training and experience in *alternative dispute resolution* (ADR), which involves understanding how stakeholder interests can be assessed, how the process should be best convened and organized, and how agreements can be developed. Other facilitators such as public relations professionals have communication and organizational skills that can help an established process work, but they may not be qualified to design a new process. In every case, however, your facilitator should possess the basic skills of listening, guiding the group to its best communication level, and diligent recording.

The Internet contains a wealth of facilitation-related resources, including actual listings of practitioners. One particular helpful website is that of the *New England Chapter of the Association for Conflict Resolution* at <http://www.neacr.org>. Additional resources for each New England State are listed below. As listings of practitioners are by no means all inclusive, you should complement your searches by word-of-mouth references, and by identifying what individuals, firms or organizations were involved in successful consensus- building efforts in your region.

Whether you select several individuals or organizations to contact, or use a request for proposal approach, you should conduct a rigorous screening process that involves interviews and checking of references. The latter is particular important in making sure you have the facilitator that is right for you and your process. By actually talking to members of the groups that the person or firm has worked with, you can get a good idea of the candidate’s skills and approach, as well as more intangible elements such as style, personality and ability to keep participants energized and on track.

Selected Resources

Maine

- Maine Association of Dispute Resolution Professionals: <http://www.madrp.org>
- Maine Cooperative Extension Service: <http://www.umext.maine.edu/topics/communit.htm>

New Hampshire

- Cheshire Mediation <http://www.cheshiremediation.org>
- New Hampshire Mediators Association
603-226-1363

Vermont

- Vermont Mediators Association <http://vma.freeyellow.com>
- Dispute Resolution Center: Woodbury College <http://www.woodbury-college.edu/drc>

Massachusetts

- Massachusetts Office of Dispute Resolution. <http://omega.cc.umb.edu/~resolution/>
- Harvard University Dispute Resolution Program <http://www.pon.harvard.edu/research/projects/drp.php3>

Connecticut

- Center on Dispute Resolution. Quinnipiac University School of Law <http://law.quinnipiac.edu/x296.xml>

Rhode Island

- University of Rhode Island Office of Planning Services & Professional Development <http://www.uri.edu/pspd/index.html>

Regional/National

- Sustainable Step: New England <http://www.ssne.org/>
- Mediate.com <http://www.mediate.com>

8. *Should the facilitator we use have experience in land use planning issues?*

In general, it is helpful if the facilitator is familiar with the issues and intricacies of land use and regulatory matters. But, again, the answer to this question depends on the role for which you plan to use the facilitator. If it is primarily as a neutral party whose role is to be an objective listener and recorder, it may be less important for the facilitator to be conversant in land use issues. If, however, the facilitator is to have a more expansive role in helping to design the process that aims and planning-related decisions and outcomes, land use experience may be more valuable and help avoid a steep learning curve.

For complex and contentious policy issues, having a facilitator with experience and skills in public policy consensus building or public policy alternative dispute resolution (PP-ADR) may be extremely useful. Such background will include an understanding of the added needs of public issues – for example, ways to adequately identify and convene all the key interests in the community and to coordinate with regulators or authorities who will have to implement the agreements worked out as part of the process.

Many of the dispute resolution professionals found on Internet and elsewhere are focused on settling conflict between individuals or parties as an alternative to litigation, often on matters involving social services and family issues. Some of these firms and individuals may have a range of skills and experience, so that you should not necessarily exclude them as you consider your options. On the other hand, you should be wary of professionals who try to oversell their services, claim to be expert in any and all sorts of topic areas, or only have experience with individuals or small groups. A diligent checking of what kind of issues and conflicts the prospective consultant has successfully facilitated is always the best approach.

9. *Can we tap a local person, perhaps one whom has some has had some facilitation training?*

How about using a well respected person in your community – perhaps your perennial town meeting moderator – to facilitate or process? Or how about a citizen who has taken some course in facilitation and group processes?

This approach presents several difficulties. The first has to do with being an effective neutral. It is extremely difficult for a person living in a community or region to remain completely impartial regarding issues or development that are confronting the area. Even when it is not on a conscious level, the tendency to take sides can be strong when family, friends and neighbors are part of the process.

Secondly, the skills involved in chairing or moderating meetings are often not the same as those used in a consensus-building process. In fact, it is sometimes difficult for someone accustomed to running meetings using Roberts Rules and votes on motions to make the adjustment to these new techniques. Even when the local person has had some training in consensus building and alternative dispute resolution, it usually takes experience and time to hone skills and gain confidence with this approach.

Finally, while the prospect of using a volunteer facilitator is attractive from a financial standpoint, it is more difficult to expect a person working for free to commit the time and effort that may be needed to bring the issue to resolution.

All of this said, there still may be instances when you are able to effectively use the talents of a local person as part of your process. In most cases, having someone with some experience and knowledge in facilitation is better than someone who has none. On the other had, there are hazards in giving a lead role to someone who is not up to the task, either because of a lack of neutrality or experience. A poorly planned and conducted process can backfire, leaving stakeholders farther apart instead of closer together. In the long run, you may find that using resources to hire a trained facilitator, for at least a portion of your process, is money that is well spent.

A more appropriate role for well respected and connected persons in your community may be for them to act as convenors of the consensus-building process. In this role, they can lend instant credibility to the effort and use their influence to bring people to the table. Citizens with leadership and group skills can also be utilized as small group moderators or recorders, or serve other auxiliary roles.

10. What types of costs can we expect for a consensus building process?

The costs involved in a consensus-building process are highly dependent on the type of process you intend to use and the time spent. A significant cost factor is the extent to which you use a facilitator and his or her hourly rate. If a facilitator with a rate of \$200 an hour or more is used over an extended period, it is not difficult to amass significant expenses. On the other hand, one can argue that you get what you pay for, and that an experienced and skilled facilitator can help reduce the length of your process and foster a higher level of resolution on the issue in question.

For communities that plan to involve municipal staff in the consensus-building process, the assessment of overall cost should account for how much time they are likely to spend participating or providing a supporting role. At the very least, it should be clearly understood that this involvement may come at the expense of other tasks not being completed.

The extent of other costs will be highly variable based on the approach used. If the approach will rely heavily on computer technologies such as visualization software, this may involve considerable expense, unless your town already has these resources. You should also take into account likely administrative costs involving printing and copying materials, use of community space and providing food and beverages. Many of these costs, however, can be reduced by soliciting donations and volunteers.

Although it is not usually possible to accurately predict all expenses, it is useful to flesh out the expected budget, building in some conservatism to account for unforeseen circumstances. Ultimately, a proposed \$12K process that ends up costing \$10K will be viewed in a far more positive light than a proposed \$8K process that ends up costing twice that amount.

The table below provides some extremely rough time/cost estimates based on three different consensus-building scenarios. Actual facilitation rates for some private practices can well exceed \$200 an hour, and, on the other end of the spectrum, you may be able to secure at least some pro-bono facilitation help. The table also does not account for use of municipal staff time.

Description of Process	Facilitator Time Involved	Expense assuming facilitator at \$200/hour	Expense assuming less costly facilitator options (assume \$50 hour)	Other Possible Expenses
One-day Design Charette (assuming use of volunteer moderators for breakout groups).	8 hrs. – Preparation 8 hrs. – Meeting and travel <u>9 hrs.</u> – Debriefing and reporting 25 hrs. – Total	\$5,000	\$1,500	\$300-\$500
A 2-3 month process to address a development proposal (Assume 5 meetings)	20 hrs. – Process design and 20 hrs. – Meetings and travel <u>20 hrs.</u> – Debriefing and reporting 60 hrs. – Total	\$12,000	\$3,000	\$1,000-\$2,000
A one-year process to address an “intractable” community issue. (Assume conflict assessment and 12 meetings)	30 hrs.– Conflict Assessment 30 hrs. – Process Design and prep. 60 hrs. – Meetings and travel <u>30 hrs.</u> – Debriefing and reporting 120 hrs. – Total	\$24,000	\$6,000	\$4,000-\$8,000

11. What resources exist for funding a consensus-building process?

Recognizing the value of resolving conflicts on key issues and moving forward, communities often allocate general funds to cover facilitation services and costs associated with consensus-building efforts. Other options exist, however, for helping to cover costs:

- **Grants:** Funds may be available from a variety of grant programs offered by public, private and non-profit organizations – both regionally and nationally. Sometimes these programs are specifically targeted toward funding consensus building or other groups processes. In other cases, the programs may be focused on community development or a particular issue or topic area, which might be addressed through consensus-building processes. To search for financial and other support online, try the EFC's Directory of Watershed Resources at <http://efc.boisestate.edu> and the New England Grassroots Environment Fund at <http://www.grassrootsfund.org>.
- **Support from development community:** Developers may be receptive to funding or contributing to consensus-building efforts; they may be attracted by the proposition of engaging the public early in the process and addressing community concerns in non-confrontational setting. If this route is taken, it is important that the money be offered and accepted with no strings attached, and that administration of the funds – whether used in hiring a facilitator or put to other uses – is a result of independent decision-making.
- **Support from other stakeholders:** If the process is comprised of different stakeholder organizations, they may also be willing to contribute funds or other resources towards the effort. Again, it is important that such funds and resources be clearly transferred to the entity in charge of the process for use at its discretion, and that this arrangement is transparent to the public.
- **Use of Pro-bono, Volunteer or Matching services:** The citizens and resident businesses and institutions of a community can often represent an untapped pool of talent and experience. Faculty of a neighboring college may be willing to provide facilitation help or advice, or local businesses may share their expertise in mapping or visualization techniques. Student interns may be used to provide logistical or technical support. Such assistance can often be used to strengthen the local “match” component if the community seeks grant funding for its effort.