

HB 327:2010
Communicating and
consulting about risk



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PREFACE

This guide was prepared by a Joint Standards Australia/Standards New Zealand Task Group, with guidance from Committee OB/007, Risk Management.

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The authors appreciate that communication and consultation in risk management is a fast developing area of expertise and would welcome comments and suggestions for the next edition of this Handbook.

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INTRODUCTION

This Handbook is a companion to the Australia/New Zealand Risk Management Standard (AS/NZS ISO 31000:2009)¹ and the Risk Management Guidelines (HB 436:2004)². It uses academic research and practical experience to flesh out the “Communicate and Consult” part of the risk management process. It was written to help people who manage risk.

Risk management takes place in a social context. This means that information needs to be shared by people who are affected differently by a set of risks, who know different things about those risks, and who have different views about them

Communication and consultation are continual and iterative processes that an organization conducts to provide, share or obtain information and to engage in dialogue with stakeholders regarding the management of risk.

The information can relate to the existence, nature, form, likelihood, significance, evaluation, acceptability and treatment of the risk.

Consultation is a two-way process of informed communication between an organization and its stakeholders on an issue prior to making a decision or determining a direction on that issue. Consultation is a process which impacts on a decision through influence rather than power and is an input to decision making, but not joint decision making.

Communication and consultation should facilitate truthful, relevant, accurate and understandable exchanges of information, taking into account confidential and personal integrity aspects.

This Handbook explains why communication and consultation are essential for good risk management and provides advice as to how to do this effectively. The concepts are consistent with each of the 11 principles of effective risk management described in Section 3 of AS/NZS ISO 31000:2009 including the first principle which is that risk management creates and protects value.

The Handbook also shows how to take account of the mix of facts, uncertainties, perceptions, complexities, beliefs and values when taking decisions about risk.

AUDIENCE

This guide is intended to help individuals, organisations and specialists to understand the role and techniques of communication and consultation when managing risk -, especially when using the generic risk management process set out in AS/NZS ISO 31000:2009.

USING THE GUIDE

This Handbook is designed as an “owner’s handbook” rather than a “workshop manual”. It gives basic guidance for understanding and operating relevant aspects of communicating and consulting about risks. It is not an exhaustive compendium of the subjects, nor is it a report on academic research.

¹ AS/NZS ISO 31000:2009 , *Risk Management – Principles and Guidelines*. Standards Australia and Standards New Zealand, , ISBN ISBN 0 7337 9289 8.

² HB 436:2004, *Risk Management Guidelines—Companion to AS/NZS 4360:2004*. Standards Australia and Standards New Zealand, ISBN 0 7337 5960 2.[Under review]

PART 1: WHY DO IT?

1 Communicating and consulting— The process

1.1 A key risk management tool

Those responsible for assessing risks, or choosing or implementing risk treatments, need to involve other people—

- to access knowledge;
- to fulfil obligations of transparency (for example, public bodies are generally expected to act in a transparent way; staff who are involved in decisions that affect them tend to perform better); or
- to explain what is required of others involved in implementation.

1.2 Communication as a process

Effective communication has three elements. The messages must be put into a form that enables them to be transmitted. Secondly, the communication process should transmit the messages, and thirdly, the messages should be able to be “restored”, i.e. received in a form that is consistent with that transmitted, and comprehensible to the receiver. Distortions that interfere with this process can cause errors in what the receivers understand from the message. Stakeholders are likely to make judgments about risk based on their perceptions, which if left uninformed or unacknowledged can have a significant impact on the management of risk.

The message itself is less important than how the message is interpreted, because people will react to what they understand from a message. This means that, when a party wants to send messages to others, the sender should take account of the—

- audience attributes;
- audience engagement;
- audience participation;
- characteristics of the medium being used;
- perceptions and values of the individual parties involved; and
- information quality.

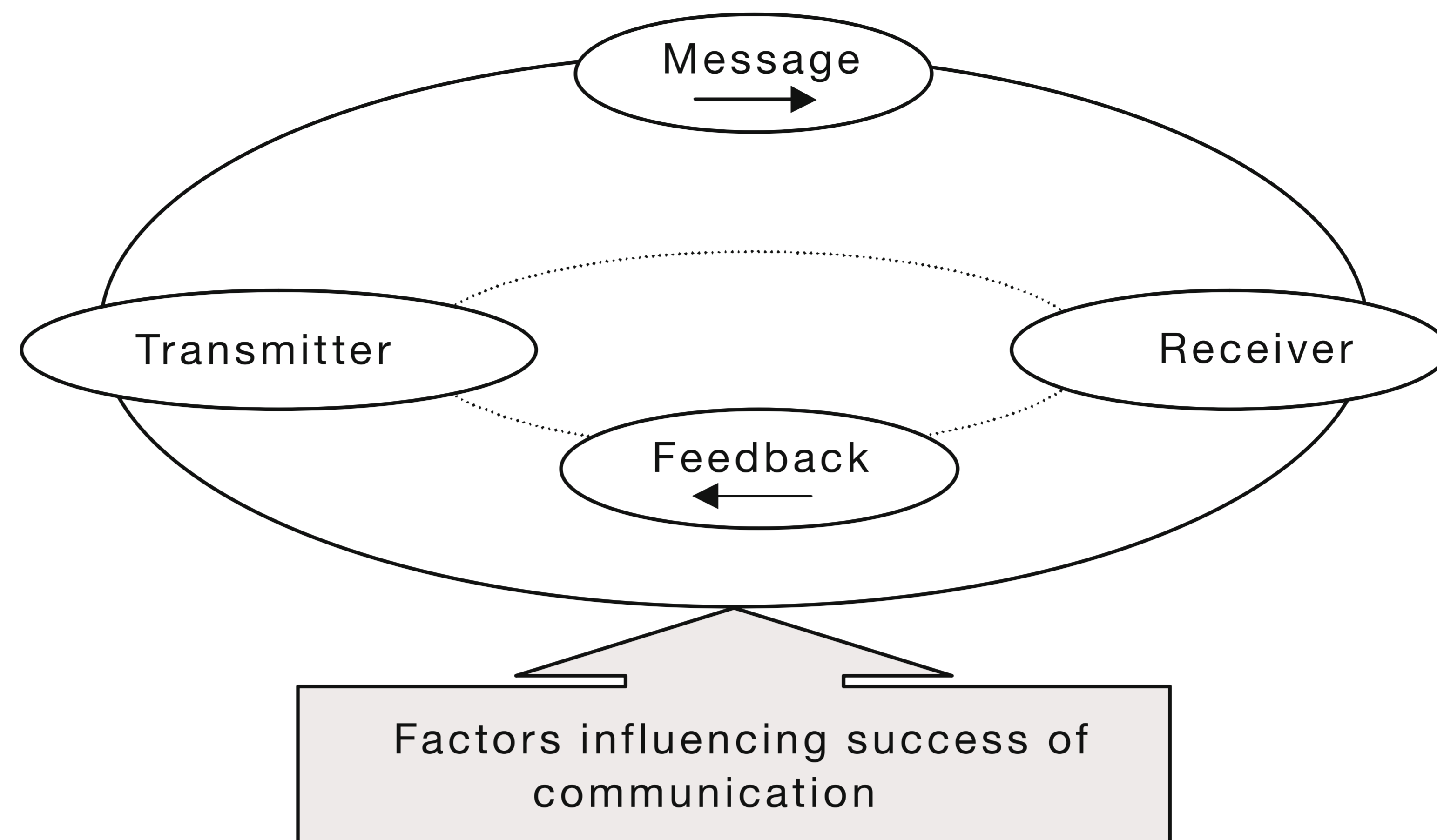


FIGURE 1 FACTORS INFLUENCING SUCCESS OF COMMUNICATION

A wide range of factors may influence the success of a communication. These factors include:

- *Context:* The situation within which the communication occurs.
- *Culture:* The background of the transmitter and the receiver, e.g. the culture or even subcultures within an organisation.
- *Knowledge:* Both the intellectual ability of the receiver and their current background knowledge, understanding or education will influence the options for effective communication and consultation.
- *Language:* The precise meaning of words in different contexts and to people from different cultures; inconsistent use of words associated with risk.
- *Motivation:* The motivation of the transmitter and the receiver may differ relative to the nature and size of the potential consequences if an event occurs.
- *Individual perceptions:* An individual's interpretation of a message may be altered by his or her life experience, attitudes, values, beliefs, culture, and education.
- *Complexity of message:* The message may be made complex due to the technical discipline involved or the complexity of the risk. Similarly the use of jargon may alienate or confuse receivers not familiar with the terminology used.
- *Timeframe:* Communication that is too early or too late to be meaningful can be counterproductive.
- *Interference:* Other information, misinformation, propaganda or competing evidence, may interfere with messages. Interference may also be physical in nature, such as a noisy phone line or poor acoustics at a public meeting.

1.3 Consultation as a process

Whereas all forms of communication require two-way traffic to ensure that messages have been effectively transferred, consultation is undertaken specifically to share views or knowledge.

All the communication factors above apply to consultation but additionally, for consultation to be effective the following aspects must be considered.

- (a) Where the purpose of the consultation is to obtain the views of others (usually stakeholders) those being consulted should as far as practicable be equally informed about the relevant issues and context as are those seeking the views.
- (b) Where the purpose of the consultation is to obtain factual knowledge, the enquiry must be framed in a way that avoids ambiguity about meaning and provides those being consulted with insight about the context in which the enquiry is being made.
- (c) Reasonable time must be provided to allow all parties to the consultation to form considered responses.
- (d) Sensitive issues should be approached carefully to ensure a balance between legitimate expectations of privacy and the overall veracity of the consultation.

1.4 Allowing for communication and consultation in the risk management framework

The “risk management framework” describes the arrangements within the organisation which provide the foundation for the risk management process to be applied effectively. This is described in AS/NZS ISO 31000:2009 and includes the organisation’s mandate and commitment to managing risk effectively – for example, through leadership and articulating clear policies, the allocation of responsibilities and accountabilities for risk management roles and the provision of appropriate resources including training.

Both the intent to communicate and consult effectively and the resources available for doing so require explicit expression and consideration in the design of the framework.

1.5 Benefits from communication and consultation

The main benefit from involving stakeholders is a shared and better understanding of the risks faced and the range of treatment options. The following secondary benefits are derived from this understanding:

- Reassurance to each stakeholder that all views are taken into account.
- Bringing together different areas of expertise
- Endorsement or acceptance of subsequent decisions by people who may not benefit as much as others.
- Enhancement of the decision-making process and change management.
- Improved transparency and assignment of a fair share of responsibility to manage risks to those who are most likely to be affected by the consequences.

1.6 It takes two to tango

Communicating and consulting are like dancing. People come in different sizes, move at different tempos, and prefer different music. The trick is to treat each partner with respect. Forcing a line dancer into a tango may be no more successful than presenting the parents of primary school children with detailed scientific research about radio waves from a telecommunications tower in the playground. While some parents may be comfortable with such information, others may find that it alienates them from the process.

1.7 Medium

Unless there is a face-to-face meeting it is necessary to use an intermediate agency, instrument, or channel to transmit the message. The benefits and drawbacks of each type of medium should be considered carefully.

Mass media, e.g. newspapers, radio and television, are channels of communication through which messages flow. The mass media allow messages produced by a few people to reach many people efficiently and effectively. However, mass media may distort messages, and when people receive mass-media messages they have little opportunity to express an opinion back to the producers.

Similarly there are benefits and drawbacks in using email or SMS text messages on mobile phones. In an emergency, email or SMS can deliver identical information quickly to selected individuals, but using email or SMS about a sensitive issue may be less effective than going face-to-face because the originator does not receive body language cues from the audience and can not use body language to enhance the message being conveyed.

Other media may also be used. In any particular situation it may be useful to use a range of media for both communication and consultation.

1.8 Identifying stakeholders

A stakeholder is a **person or organization that can affect, be affected by, or perceive themselves to be affected by a decision or activity. A decision maker can be a stakeholder.**

Examples of stakeholders might include the following (see also HB 203³):

- individuals within the organisation;
- customers, suppliers, service providers and contractors;
- non-government organisations (NGOs) with an interest in issues related to an activity or proposal;
- government organisations, regulatory authorities, and politicians at all levels of government;
- financial institutions and insurers; and
- local communities and society as a whole.

³ HB 203:2006. *Environmental risk management—Principles and process*. Standards Australia and Standards New Zealand, ISBN 0 7337 7214 5.

Stakeholders are generally able to provide input into decisions that may have an impact on them, and may need to be informed before decisions are made that might affect them. Failure to both communicate and consult in an appropriate way about risks and risk management activities can in itself constitute a risk because it could later prevent an organisation from fulfilling its objectives.

Stakeholders are likely to make judgments about risk based on their perceptions. These can vary due to differences in values, needs, assumptions, concepts and concerns as they relate to the risks or the issues under discussion. Since the views of stakeholders will have a significant impact on decisions, it is important that their perceptions are identified, recorded, and taken into account in the decision making process.

1.9 Engagement

The first challenge in communicating and consulting about risk is getting audience attention, particularly if the audience thinks that “this can’t happen to me” or “this doesn’t matter to me”.

The communicator must generate interest in the target audience. This can be done by making the subject matter directly relevant to the audience’s recognised needs; or making the subject matter relevant to previously unrecognised (subconscious) needs; or by creating curiosity in the subject matter. In presenting information, it may be helpful to grab the attention of the audience with something that is unusual or otherwise stands out from the normal.

If the purpose is to consult the audience, the communicator must make clear what information is being sought and how that will contribute to decision making. Assurances may be needed as to whether or how responses are being recorded and whether individuals will (or will not) be identified.

Regardless of the medium or message, keeping the process clear, simple and brief will help. Despite proposing these over 2000 years ago, Aristotle’s three principles for engaging an audience still apply today:

Ethos (credibility), or ethical appeal, means convincing by the character of the author. Audiences tend to believe people whom they respect; projecting an impression that the communicator is someone worth listening to, an authority on the subject, as well as someone who is likable and worthy of respect.

Pathos (emotion) means appealing to the emotions of the audience. Language choice affects the audience’s emotional response, and emotional appeal can be used effectively to enhance or bias a message. Individuals may have negative or positive emotional responses. A single item of information may elicit a whole spectrum of responses across the audience, so one must carefully consider the desired emotional response and recognise that the actual elicited audience response may or may not align with the desired response.

The emotional response to a communication will affect the way in which individuals process its content. To engage the audience, the desired emotional response and the actual triggered emotional response must align as closely as possible. For example, where the desire is to create some anxiety in order to drive behavioral change (“smoking can damage your health”), what is seen as a patronising tone may lead to an actual response of irritation, so that people ignore or reject the information being presented.

Logos (logic) means persuading by the use of reasoning. This was Aristotle's favourite principle. However, reasoning is not always the most effective way to engage an audience, and it can be very unreliable if it is used alone, even when giving reasons is the heart of a good message. To become engaged the audience must be able to follow the reasoning and preferably find the reasoning intuitively appealing.

1.10 Power

1.10.1 Balancing power, urgency and legitimacy

Sometimes there is an imbalance of power between those assessing risk or making decisions about accepting or treating a risk and those who bear the consequences. Urgency can drive those who will be held responsible, to take action as soon as possible. It is therefore important to bridge the gap between people who make decisions and those who bear the consequences. Although good communication and consultation does not guarantee that "unpopular" decisions can be avoided, it can assist by making sure that all parties are aware of the reasons for the decisions.

If communication or consultation is ineffective, relationships can break down and trust may be reduced. This can lead to proposed remedies being rejected.

In some circumstances it is tempting for those who make decisions to impose their will on others, even if those others resist in some way. If those who make decisions do that, their right to take decisions may be called into question. In any event, an imposed solution will be unlikely to bring common understanding, reassurance, better quality decisions or shared responsibility.

1.10.2 Distortion

When an important stakeholder is nearby, managers of risk have a tendency to act more circumspectly and to allow messages to become distorted. For example, some public officials will tread very warily and may even filter advice that will have a big impact on the personal electorate of their Minister.

Like black holes that exert unseen gravitational pull, local distortions around influential stakeholders may send communication and consultation on risk matters well off course. Although the overall impact can be observed, it may be difficult to pick out the individual distortions in the same way that a melody is heard rather the individual notes that make it up. If a risk is perceived by decision-makers to have significant and immediate consequences for them that supersede the concerns of other stakeholders, very poor decisions can easily result. One example of this was the Nixon administration's cover up of the burglary of the Democratic Party's Watergate Hotel offices because of the perceived threats to President Nixon's re-election.

1.10.3 When power needs consent

Power is the ability to impose one's will on others, even if those others resist in some way. The exercise of that power without the consent of those who bear the consequences of the decision will often create a new set of risks that may, in the long run, cause an organisation to become more exposed. Without effective communication and consultation, consent is unlikely to be either sufficiently informed or willingly given.

1.10.4 Emotional intelligence⁴

Good risk communication and consultation makes as many stakeholders as possible aware of the known circumstances about any given risk. Awareness requires knowledge gained through blending one's own understanding with those of other stakeholders. To develop this sense of awareness into something useful for the management of risk, it is helpful for organisations to have some understanding of emotional intelligence, and the skill of understanding and working with one's own and other people's emotions.

2 Perception

2.1 What are risk perceptions?

Perceptions are what people apprehend to be true—particularly through reliance on their own senses, concepts, experiences, assumptions, knowledge, value sets, intuition and prejudices.

Perceptions may therefore reflect, or vary from, reality but are often a powerful element in the way further information is considered. Consequently, different individuals may view the same information differently and draw different conclusions.

Perceptions of risk can vary significantly between technical specialists, project team members, decision-makers and other interested parties. The precedence they give their considerations will also vary for different types of risk, or risks of similar character encountered under different circumstances.

Perception is an ever present factor that needs to be considered when communicating or consulting about risk. Consultation should specifically seek to obtain an understanding of the perceptions of those being consulted. The method of communication needs to take those into account.

This is necessary because perceptions may influence—

- willingness to consider new information;
- confidence or trust in such information (or its source);
- the relative importance given to information; or
- the selected methods of transferring information and the form of information provided.

Simple misunderstanding should not be confused with or attributed to differences in perception. This is particularly so in risk management where the lexicon has evolved relatively recently. Some words, such as “risk”, have both a carefully defined modern meaning as well as several long standing informal meanings. Consequently, what might seem to be differences in perceptions may simply be a case of talking at crossed purposes. Open dialogue will often resolve such problems.

⁴ Goleman D. *Emotional Intelligence*, London: Bloomsbury Publishing PLC, 1996. W1V. ISBN 0 7475 2830 6

Similarly, if information is presented in a way that the other person simply can not understand (as can be the case with technical information about risks in a field outside their area of expertise) that information will not be transferred, and so true communication will not have occurred. Rather than the resultant non-alignment of views being assumed to be differences in perception, the problem may just lie in ineffective communication.

Both considerations—resolving differences in perceptions, and differences in understanding—are assisted by careful preparation, clear definition of the issue, choice and definition of language, the form of explanation, and scene setting.

Careful adherence to ensuring an adequate risk management framework, the risk management principles and the risk management process described in AS/NZS ISO 31000:2009 will assist in this. For example, some research⁵ suggests that technical specialists and lay people will have different perceptions because they are relating information to different risks. However, applied properly, the risk management concepts in the Standard reveal that risk arises from, and is defined by the organisation's (or individual's) objectives. If the range of, and differences in objectives is not first made transparent, then it is to be expected that there will be variance in perception of both the nature and scale of the risks.

Some people's perceptions will also be influenced by what they see as their "power" relative to the other party. They may regard a risk that they accept voluntarily in a different way to a comparable risk that is imposed upon them. "Outrage" about a risk is usually the consequence of the risk arising from the decisions of others⁶—particularly if for the individual, it is a large risk.

So the key point in relation to risk perceptions is that effective communication and consultation requires awareness of the factors driving the perceptions of others, taking these into account, and also exercising care so that misunderstanding or non-understanding does not inadvertently occur.

2.2 How "rules of thumb" affect perceptions

Heuristics are judgemental rules or "rule of thumb" shortcuts that people use to help gauge situations and help them to make decisions. Three of the most influential shortcuts used when people evaluate risk are "availability", "representativeness" and "anchoring and adjustment".

Availability: People use the availability heuristic to judge the likelihood of events by the ease (availability) of imagining or recall of them. People tend to give higher probabilities than is really warranted to comparatively rare events if they have seen or heard of an occurrence recently. They tend to give lower probabilities to commonplace accidents.

⁵ Early estimates about the way people "accept" different types of risk began with Chauncey Starr in the 1970s Starr C. Risk management, assessment and acceptability. *Journal of Risk Evaluation and Management* 1986. This was followed by work led by Baruch Fischhoff and Paul Slovic in the early 1980s.[Slovic, P. *Informing and educating the public about risk*. *Risk Analysis*, 1986; 6(4): 403-41 5]. A more recent reference is Slovic P, Finvcane M.C., Peters E, McGregor D.G. *Risk as analysis and risk as feelings: some thought about Affect, Reason, Risk and Rationality*. *Risk Analysis*, 2004. 24:311-322.

⁶ In the mid-1980s Dr Peter Sandman (<http://www.psandman.com/index-OM.htm>) coined the formula "Risk = Hazard + Outrage" in an attempt to reflect a growing body of research indicating that people assess risks according to metrics other than their technical seriousness: that factors such as trust, control, voluntariness, dread, and familiarity (now widely called "the outrage factors") are as important as mortality or morbidity in what we mean by risk. Sandman's use of the term "hazard" is different from the normal meaning of hazard as it includes components of magnitude and likelihood.

Representativeness: People “place” an event by its characteristics. They estimate the likelihood of an event by its similarity to another type of event. This leads to a type of bias known as the “gambler’s fallacy” which misjudges the law of probabilities. For example, because a coin toss has not yielded “heads” for six throws it is believed that a head is more likely to occur on the next throw when of course the probability of a head remains 50% for the next throw irrespective of the outcomes that preceded it. This is particularly evident when people are asked to judge the frequency of comparatively rare events such as floods.

Anchoring and adjustment: This involves linking the risky situation to an initially presented value, the anchor. If a risk is not particularly well known and an initial estimate is given, then people tend to revise their estimate by making minor adjustments to that initial estimate. For this reason, negotiators often try to set the initial point of negotiation well into their target territory.

Heuristics are valid risk assessment tools in some circumstances and can lead to “good” estimates of statistical risk in situations where risks are well known. In other cases, where little is actually known about a risk, large and persistent biases may give rise to fears that have no provable foundation; conversely, such as for risk associated with foodborne diseases, inadequate attention may be given to issues that should be of genuine concern.

Although limitations and biases can be easily demonstrated, it is not valid to label heuristics as “irrational” since in most everyday situations, rule-of-thumb judgements provide an effective and efficient approach for estimating risk levels. It’s not unusual for specialists to also rely on heuristics when they have to apply judgement or rely on intuition.

But heuristics often leads to overconfidence. Both lay people and specialists place considerable (sometimes unjustified) faith in judgements reached by using heuristics. In particular, “awareness” of a hazard does not imply any other knowledge than that the hazard exists, but people may be tempted to pass judgement and make decisions based on this alone.

These factors should be taken into account in all aspects of communication and consultation, both internal and external to the organisation, since they can impact on the way risk is estimated and the criteria used for evaluation.

2.3 Lay and specialist perceptions

Stakeholders assess risk using their own perception of the consequences and likelihoods that these will be experienced. Although technical specialists may have access to additional “objective” measures from their own disciplines, they too will also use their own subjective perceptions of a situation. For everyone, perceptions are proven to be influenced by—

- whether the risk is voluntary or involuntary;
- how much control one can exercise over the risk;
- whether the risk is familiar or unfamiliar;
- whether the consequences are likely to be common or dreaded; immediate or delayed;
- the severity of the consequences;
- who benefits;
- who bears the consequence if the risk occurs;

- the degree of personal exposure to harm or loss;
- the perceived necessity of exposure;
- the size of the group exposed;
- the effect on future generations;
- the global catastrophic nature of the risk;
- the changing character of the risk;
- whether the hazard is encountered as part of one's occupation; and
- whether the consequences are reversible.

In addition to these factors a number of demographic and socio-economic determinants such as age, sex, education, social class, ethnicity and income strata also affect individual and group perceptions.

Differing perceptions reflect differing attitudes towards acceptability or tolerability of risk. People with different backgrounds may appear to estimate the levels of risk differently whereas the reality might be that they have different objectives, judging the importance of their needs differently, and thus for them, the risks are different. They may also see and interpret "facts" differently—which often leads to disagreement about "subjective" and "objective" estimates of risk, and what constitutes feasible treatment of those risks. Furthermore, different groups often use different vocabularies to describe their perspectives of a given situation and then try to resolve the perceived differences using their own interpretation of the words used by the other group.

2.4 "Tolerable risk" and "acceptable risk"

The expressions "risk tolerance", "risk acceptance", "tolerable risk" and "acceptable risk" are examples of expressions that are part of the risk management lexicon, are used frequently but have acquired a range of both formal and informal meanings and nuances over time.

Some of these meanings gained greater status by virtue of the authority of their source, for example:

- The Royal Society's 1981⁷ observation that acceptable risk is based on the assumption that *"there is a non-zero level of probability of occurrence of an accident below which the public as a whole is willing to accept the risk; at this level there will be no bar to direct involvement or endorsement of the activity"*.
- The report of the 3 year (1982-5) British public inquiry into the proposal to build the Sizewell B nuclear power station in Suffolk⁸, which observed *"Tolerable risk indicates that people judge the benefits from running a risk to outweigh the potential costs."*, with the Chairman of the inquiry, Sir Frank Layfield QC later commenting that *"although acceptable risk is often used in balancing risks and benefits, it does not adequately convey the reluctance with which possible substantial risks and benefits may be tolerated"*.

⁷ *The Assessment and Perception of Risk*. A Royal Society Discussion. London Royal Society. 1981.

⁸ Layfield F., Sizewell B. Public Inquiry Report HMSO. 1987. ISBN 0 11 411576 1.

The underlying concepts in these two examples are in part reflected in what are almost synonymous definitions of risk acceptance and risk tolerance that now have been standardised in ISO Guide 73:2009⁹:

- Risk acceptance—informed decision to take a particular risk, noting that risk acceptance can occur without risk treatment or during the process of risk treatment, and that accepted risks are subject to monitoring and review
- Risk tolerance—organisation or stakeholders readiness to bear the risk after risk treatment in order to achieve its objectives, noting that risk tolerance can be influenced by legal or regulatory requirements.

This diverse history of meanings requires that in any particular communication or consultation all parties are clear as to the meaning being assumed however, to ensure a common language, the definitions now adopted in the international vocabulary should be used

Another matter to keep in mind is that unless the context has been properly set (which reveals the ownership and scope of objectives that are under consideration) any attempt to set risk criteria (i.e. deciding what will be acceptable/tolerable) may result in there being a range of views. This can result in an action that might be accepted/tolerated by one party not being accepted/tolerated by another—simply because the two parties had different objectives and therefore quite legitimately evaluated the risks differently. Careful and disciplined use of and explanation of risk management language during communication and consultation can help avoid different parties talking at crossed purposes.

3 Uncertainty

3.1 Risk and uncertainty

Communicating and consulting about risk requires an understanding of the central role of uncertainty in the generation of risk.

The risk management Standard AS/NZS ISO 31000:2009 defines risk as the “effect of uncertainty on objectives”¹⁰ and explains that risk arises because organizations of any kind face internal and external factors and influences that make it uncertain whether, when and the extent to which they will achieve or exceed their objectives.

Such uncertainty exists in several forms including:

- where we don’t know whether, when or how often something which could affect achieving our objectives might occur
- where we either do not know all the possible outcomes or the probability of each outcome.
- where we “do not know what we don’t know”.

⁹ ISO/IEC Guide 73:2009. *Risk management—Vocabulary*.

¹⁰ The definition is accompanied by four “Notes” as follows: (1) An effect is a deviation from the expected – positive and/or negative. (2) Objectives can have different aspects (such as financial, health and safety, and environmental goals) and can apply at different levels (such as strategic, organization-wide, project, product and process). (3) Risk is often characterized by reference to potential events and consequences or a combination of these. (4) Risk is often expressed in terms of a combination of the consequences of an event (including changes in circumstances) and the associated likelihood of occurrence.

- where causal chains or networks are uncertain (indeterminacy).
- where there is variability in the nature or extent of exposure, or in susceptibility, or individual response.

Because “uncertainty” impacts on risk management in different ways, one challenge for those involved in communicating and consulting about risk is to ensure the appropriate meaning of uncertainty is identified in each case according to the purpose.

When it is impossible to make accurate predictions, forecasting feasible scenarios is required to assess and treat risk. This in turn requires a good understanding of how and where uncertainties might arise, how they might be recognised, and what effect lack of certainty will have on a decision.

3.2 Measurement uncertainty

Measurement uncertainty and statistical uncertainty are linked to the ability to calculate the size of an effect or the likelihood of its occurrence. For example, a water flow meter in a river may not be reading the “true” flow either because it is not accurate enough, it has been set up incorrectly, the flow of water is variable, or the meter has lost calibration. These measurement uncertainties are well understood by engineers, who in this instance may improve their confidence in the readings by installing two gauges, installing a more accurate instrument, or calibrating more often.

Statistical uncertainty is often expressed as a “margin of error” linked to the sample size. Using the water meter example, statistical uncertainty is related to the variability in repeated measures of the same thing. The more measurements someone takes to enlarge the sample size, the greater the confidence about the final mean value.

3.3 The Precautionary Principle

The expression “the Precautionary Principle” is frequently used particularly in relation to management of risks which are perceived as having very calamitous consequences—whether or not that is correct. The Rio Earth Summit attempted a definition in relation to managing risks to the environment [“Principle 15: *Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation*”]¹¹ but in practice, the “Precautionary Principle” is given many meanings.

Hence considerable care is needed when this expression is used in the course of communication and consultation about risk.

The phrase “precautionary approach” is used in New Zealand legislation such as the Hazardous Substances and New Organisms (HSNO) Act¹². This is usually interpreted as a more limited form of the Precautionary Principle, or simply as a reminder to “be cautious” where there is scientific and technical uncertainty.

¹¹ Rio Declaration on Environment and Development. Annex I Report of the United Nations on Environment and Development. Rio de Janeiro, 3-14 June 1992. <http://www.un.org/documents/ga/conf151/aconf15126-1annex1.htm>

¹² Hazardous Substances and New Organisms (HSNO) Act. 1996. New Zealand Government.

At its essence, the Precautionary Principle serves as two things:

- A reminder to be mindful of the boundaries of and gaps in actual knowledge.
- A type of risk criterion which requires that, where perceived consequences are very high and possibly irreversible and probability is believed to be close to zero but not zero, the risk should be treated even though the effects of the treatment may also be uncertain.

In the water meter example in 3.2, the water flow measurements may be used to estimate the number of fish in a specific section of the river, to set maximum and minimum flows so that fish habitat can be preserved. There may be scientific and technical uncertainty around the relationship between flow rates, habitat degradation and fish stock, but adopting a precautionary approach would require decision-makers to consider a range of possible interventions to minimise the unknown possibility that fish populations could be damaged permanently.

3.4 Communicating uncertainties

Numerical estimates of risk often begin from a set of basic assumptions about what, how and why something is a risk or related to a risk, and how it is best measured, all of which may introduce uncertainty. In addition, the models that are used, and the data that are selected, are likely to include some degree of subjective judgement. This may lead stakeholders to believe that the specialists' information is more certain than is really the case, so these uncertainties need to be explained.

While technical specialists may have the tools and training to recognise the uncertainties involved in their activities, some may have difficulty in explaining these to lay people. It can be useful to involve a neutral communication expert who can translate technical matters into language that non-specialists can understand.

That way, all stakeholders can make informed choices and recognise why particular treatment options have been selected and, importantly, have confidence and take comfort from their decisions.

In summary, explaining uncertainties is important for establishing trust and credibility but it is also difficult to do so in plain language, particularly because it involves discussion of some things that are simply not known.

PART 2: HOW TO DO IT

1 Introduction

Communication and consultation are a necessary part of each step of the risk management process as illustrated in the following diagram which summarises the risk management process in AS/NZS ISO 31000:2009.

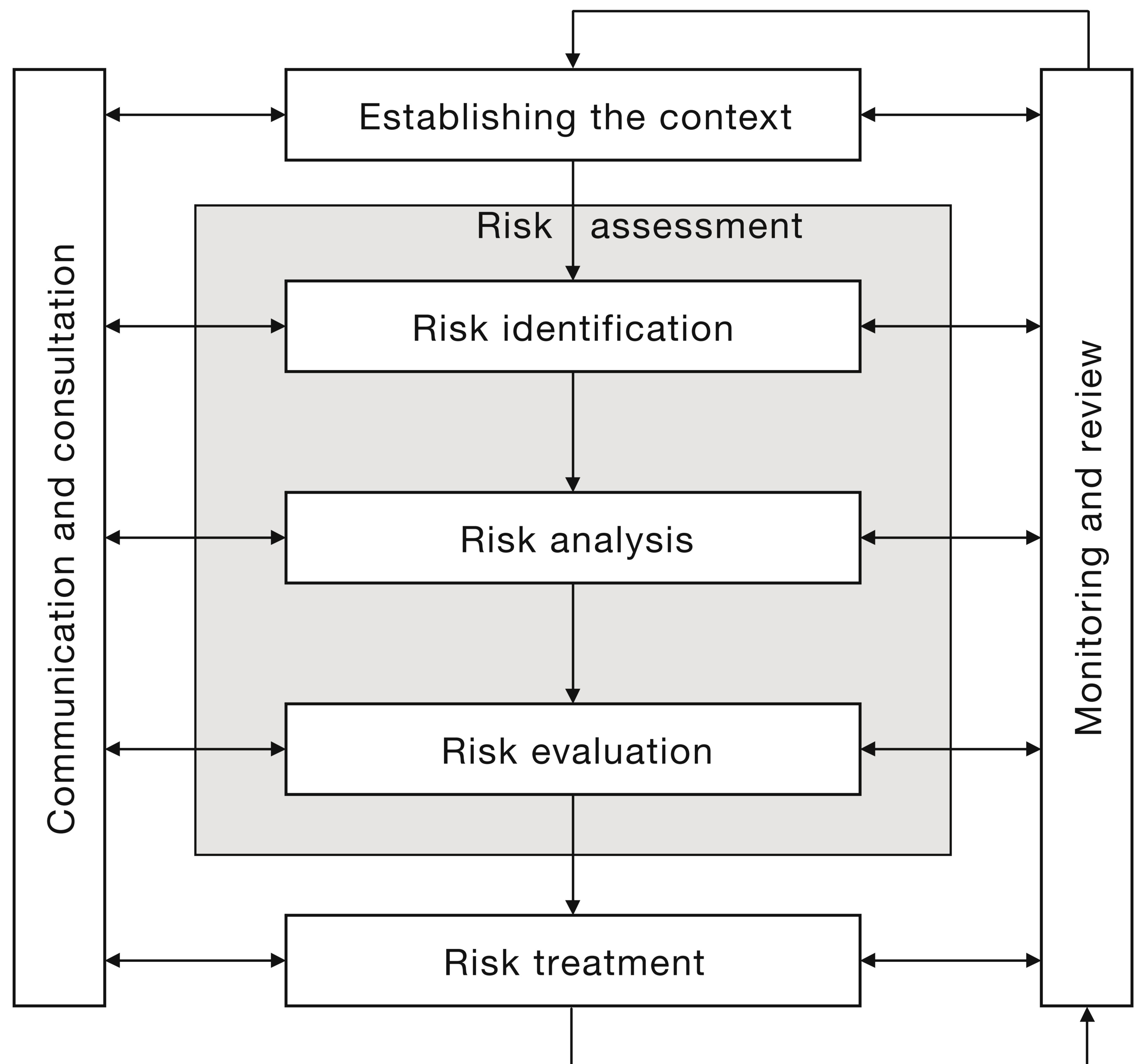


FIGURE 2 The AS/NZS ISO 31000 RISK MANAGEMENT PROCESS

Both communication and consultation should involve a dialogue focused on mutual education rather than a one-way flow of information from the decision maker or the technical analyst to other stakeholders.

A communication and consultation plan for both internal and external stakeholders should be developed at an early stage of the risk management process.

The plan should address the following questions for audiences inside and outside an organisation^{13 14}.

What are the objectives of the specific communication or consultation?

Everybody involved in the communication or consultation process (every stakeholder) must have a good understanding of what they are actually trying to do, i.e. what they are trying to communicate or consult about and why.

Who will be involved and how will the communication channels work?

The lines and direction of communication and consultation with different stakeholders need to be established, i.e. who transmits messages to whom. The credibility of the participants in the communication and consultation is relevant.

What is to be communicated; what is to be consulted about?

Messages specific to each situation should be clearly related to the objectives of managing a given risk.

How will the information be communicated?

General criteria for good risk communication are: clarity, objectivity, timeliness and regularity, and an opportunity for input or exchange of views (see HB 206¹⁴, Clause 2.7.3).

The way in which material is presented helps to establish the credibility of the information. For example, “one part per million” of a contaminant in water from a sewage treatment plant is totally meaningless to many people, whereas offering to drink a glass of water from the output may demonstrate more vividly to some stakeholders that such concentrations are safe (even if it may also offend the intelligence of others). Many people react well to graphs and pie charts, in preference to percentages, numbers expressed in standard form or decimalised, especially when dealing with very small numbers.

When sudden change occurs, or perhaps more realistically when the public suddenly becomes aware of an issue, it may be too late to promote changing attitudes through education. Therefore releasing information at an early stage rather than reacting to requests or trying to deal with the situation after the public has become aware of a potential problem usually works better.

How will consultation be conducted?

Determine what information is sought or what stakeholder entitlements to be consulted are to be exercised. These may be very specific—for example if defined in legislation.

Determine who information is to be sought from.

Determine what information those being consulted will need in order to provide useable advice.

Consider issues of confidentiality or privacy, and information integrity and security.

¹³ See Footnote 2.

¹⁴ See HB 206—2004 (due for revision in 2010), *Initial environmental review*. Standards Australia. ISBN 0 7337 6274 3.

Identify any barriers that may impair consultation (e.g. language, technical knowledge) and determine how these will be overcome.

Overcoming barriers

Many obstacles may prevent good communication or consultation. Some barriers may be placed deliberately, others may occur by force of circumstance or history. Barriers tend to fall into one of the categories described below.

- *Gatekeepers*, people who are given or assume authority for determining what messages others shall receive and how messages shall be presented.
- *Unclear responsibilities* (by accident or design), where no individual is held accountable for the content or transmission of a message.
- *Inconsistency of reporting* (in formats and content), so that nobody is sure what is important or how it should be measured.
- *An insular organisational culture*, where jargon and unnecessary complexity are preferred to brevity and clarity, for example, to demonstrate “intellectual leadership” in a government policy agency.

Overcoming these barriers requires determination and persistence but all respond to the diligent use of the following techniques:

- Getting stakeholders to agree on some concrete aspects of the situation then working on the areas of disagreement with a view to a mutually-desired outcome.
- Actively promoting truthful communication as a fundamental element in managing risk.
- Using any opportunity to reveal tacit knowledge and informal practice associated with the treatment of risk, including finding the underlying cause of any “organisational drift” away from the originally intended practices.
- Ensuring that organisation leaders are aware that people in general judge things by appearances i.e. recognising that many stakeholders will judge an organisation’s means to be acceptable as long as the outcome is beneficial to them.
- Monitoring and measuring behavioural change.
- Actively maintaining organisational memory.

2 Managing communication and consultation

2.1 Participation

Effective communication and consultation depends upon participation which is the first step towards developing partnerships and building relationships based on trust.

For example, in times of emergency, when routine processes are unable to address the consequences of an event, well developed partnerships and relationships improve the likelihood of a timely, considered and measured

response. Staff and other stakeholders may have multiple roles and responsibilities that could contribute to risk management.

Values and experience shape how people think and take decisions, and stakeholders are likely to make judgements about their tolerance of a risk based on their beliefs, perceptions and ability to mitigate their exposure. In this respect risk management goes far beyond being a technical activity; it can also become a social and political process.

Attaining engagement and facilitating understanding is a key aspect of gaining participation, along with the following attributes:

- *Need fulfilment*: participating in the communication must be recognised as meeting the needs of the parties involved.
- *Ability and capability*: the parties involved must have the capacity and capability to become involved.
- *Opportunity*: the parties must be provided with and be able to recognise the opportunity to become involved.
- *Trust*: this must be developed between the parties involved i.e. trust in the source of the information, the integrity and validity of the information itself, the recipient of the information, and the way that the information will be used.

2.2 Participation of senior management

For organisations communicating and consulting about risk, the participation of senior management in both planning and at appropriate stages of the communication and consultation activity is necessary because—

- elicited information (sometimes unpalatable) may require decision and action;
- and because effective communication and consultation may involve cost, which may or may not be budgeted;
- allocation of time and resource with impacts on other demands;
- engagement of external expertise; and
- allocating senior management time in order to demonstrate the organisation's commitment to provide appropriate knowledge and authority.

2.3 Engagement and participation of staff

If communication and consultation is to become fully integrated with normal business operations, then staff, at all levels, need to become involved.

Consideration needs to be given to how staff will provide input, particularly in risk assessment activities; how risk information will be communicated to staff; and how staff can become involved in developing and implementing risk treatments and monitoring and reviewing controls.

Successful engagement often taps into emotional involvement, because an issue that touches upon the emotions of individuals concerned usually gets far stronger involvement. For example, developing options for managing aggressive customers will get greater engagement with employees if they can feel what is like to be threatened.

3 Supporting the risk management process

The points at which communication and consultation are applied in the risk management process are depicted in Figure 2. This section takes each of the stages of the risk management process, explains some of the associated communication and consultation issues and outlines some useful techniques.

3.1 Establishing the context

The risk management process requires a thorough understanding of the organisation's objectives and the internal and external context from which risks arise. Communication and consultation help to ensure that the context is considered broadly and all stakeholder interests are considered. As part of the context the criteria used to make decisions about risk are defined, and these should take into account the views of the stakeholders identified as part of the review of internal and external environments. This analysis also provides the backbone for the communications plan.

Stakeholders need to be identified and mechanisms for communication with stakeholders set up as part of the process of ensuring that all interested parties are appropriately involved. Later in the process, it is necessary to find out the benefits and costs of the risk to the different stakeholders and to be aware of stakeholder perceptions.

A stakeholder analysis should be conducted as part of establishing the context. The plan for communication and consultation can then be developed. This plan should specify the purpose or goal for the process, who is to be consulted and by whom, when it will take place, how the process will occur, and how it will be evaluated. In some situations an organisation may consider it not to be appropriate to communicate with or consult certain external stakeholders, for commercial or security reasons or to restrict the scope of such activity. In these circumstances the communication plan should document a conscious decision not to involve or restrict specified stakeholders but could still take their perspective into account through other means, for example, intelligence or business information.

It is important to realise that the organisation does not pick the stakeholders. (They pick themselves.) If a group is missed initially, it is likely they will emerge later and benefits of early consultation will be missed.

A communications and consultation plan should address issues relating to the risk itself, its causes, its consequences (if known), and the measures being taken to treat it, and therefore should —

- identify key stakeholders;
- specify the communication objectives, the information requirements and the means of meeting them;
- provide and collate information;
- integrate the elements of the plan to provide appropriate information flows at each of the stages of the risk management process; and
- facilitate monitoring and review, including of the communication and consultation activity itself.

3.2 Identifying risks

Organisations must identify its risks. Comprehensive identification using a well-structured systematic process is critical, because any risks not identified at this stage are excluded from further assessment and therefore, possible treatment. Identification should include all sources of risk whether or not they are under the influence of the organisation.

Comprehensive identification is not easy, and wide communication and consultation helps to ensure that as little as possible is overlooked.

Recommended methods include cross-functional, facilitated workshops which contain representatives of internal and external stakeholders. (These are also useful for the subsequent steps of risk assessment.) In the workshop, stakeholders consider the context and brainstorm or use other techniques to reveal the risks and then go on to perform the analysis and evaluation stages either in the same or subsequent workshops.

Other methods include structured interviews, questionnaires, paper audits, analysis of data, and requesting individuals to identify risks or risk sources.

3.3 Analysing risks

Risk analysis builds understanding of the risk and involves consideration of the sources of risk, the controls in place (and their actual effect), the consequences and the likelihood of those consequences being realised. Stakeholders whose actions may affect consequences or likelihoods should be identified and engaged through communication and consultation.

Risks are sometimes analysed using quantitative methods. However, it can be difficult to communicate the results of quantitative analysis to non-specialist stakeholders. To ensure that there is widespread awareness of the process and acceptance of such approaches, appropriate communication and consultation should take place from the outset. When people are involved throughout the process it can help them understand the outcomes of complex analyses. Where appropriate, stakeholder assistance can be sought in designing plans for communication and consultation to ensure that information is relevant, appropriately presented and timely.

If specialists are used, they need to understand each other clearly. Resources for communication and consultation between the stakeholders and different specialists involved in risk analysis need to be planned.

3.4 Evaluating risks

Risk evaluation provides a basis for making decisions about whether to treat risks. The estimated level of risk as determined by the risk analysis should be compared with the risk criteria developed when establishing the context. If the level of risk is low, then the risk may be tolerable and treatment may not be required. Other risks will need to be considered for treatment.

Communicating the rationale for decisions and consulting regarding implementation can aid their acceptance by stakeholders.

3.5 Treating risks

Risk treatment involves identifying the range of options for modifying risk, assessing those options, preparing risk treatment plans and implementing them.

This may include, for example, the re-design or enhancement of existing controls, the introduction of new controls or further monitoring of existing controls.

A cost/benefit analysis of a range of treatment options may be used to assess the options. Cost benefit analysis may require complex economic considerations which can present communication challenges.

Treating risks may involve placing restrictions on activities. Communication and consultation is essential here, to ensure that those responsible for implementing the treatments understand their purpose, and what to do if anything goes wrong. Often this means making sure that operational staff know why particular procedures are required.

Some treatments may in themselves comprise communication to audiences that at the time are neither known individually or likely to be seen, for example, public health warnings.

3.6 Monitoring and review

An organisation should monitor and review its risks, risk management plan and controls to identify any change so as to ensure that these remain current. Monitoring and review can be valuable for evaluating progress, and also for learning lessons for improvement. Communication and consultation will enhance this learning and provide valuable feedback into the review process.

4 Case studies

4.1 Oil spill

This case study focuses on consulting and communicating about treating risk. However, it also demonstrates how communities can contribute to establishing the context and assessing risks by providing information about local conditions, community values and aspects/elements at risk.

In February 2002 the vessel Jody F Millennium was tied up at an exposed berth in the Port of Gisborne, New Zealand, waiting to discharge her cargo, when one of the heaviest southerly storms in years hit. As the ship was being pounded by 4 to 5 metre waves it was decided she would be safer at sea, but she was driven back and ran aground in front of the city.

In addition to her cargo of logs, she was carrying 640 tonnes of heavy fuel oil, of which an estimated 35 tonnes (35 000 litres) spilled from a ruptured fuel tank. At ambient temperature heavy fuel oil has a sticky, viscous, “liquorice-like” consistency, and it causes severe skin irritation if touched.

It was New Zealand’s worst oil spill. The extreme wave action mixed the spilled fuel oil with the surf into a fine hydrocarbon spray—an “aerosol effect” that forced the temporary evacuation of several hundred residents. The oil was spread along an 8 km stretch of shoreline, in many places up to

6 to 8 cm deep. The whole beach was declared off limits, and sea and air exclusion zones were established. The four main hapu (sub-tribes) in the area were very concerned about the risks to wahi tapu (sites and places sacred to Maori), to kai moana (seafood—for many along the coastline, part of their staple diet), and to the coastline over which they held their kaitiaki (steward or guardian) role as tangata whenua (local indigenous people). Local businesses were concerned about a potential fall off in visitors for the remainder of the summer.

The spill response team was led by the New Zealand Maritime Safety Authority (MSA)¹⁵, but the ground teams comprised the local Gisborne District Council staff, supplemented by regional council staff seconded from around the country. The salvage effort was organised by the ship insurers. Dispersants were sprayed for two days to break up the surface oil, booms were deployed across river and stream mouths, and the beach cleaned by removing oil and contaminated sand.

A second storm hit a week after the ship was grounded and still could not be moved. This led to a tense twelve hour period during which several salvage lines broke. The continued presence of the ship, with so much oil remaining on board, caused considerable frustration. Managing expectations became an important focus. Gisborne District Council Mayor and Councilors felt under pressure to get rid of the ship and to clean up the spill quickly. Ministers, government agencies, the media, local business and environmental groups, fishers, and the whole wider community expected regular information on progress.

A diverse communication strategy was employed, both in Gisborne and in Wellington, the New Zealand capital. It included Ministerial and MP briefings, twice daily media conferences, noticeboards on the beach near the salvage site and throughout the town, faxes and emails to local stakeholders and a website (with webcam provided by the Council).

The Mayor and councilors were invited to all the response planning meetings, and there were twice daily briefings for hapu, community and environment groups. Through these efforts the MSA was able to provide comprehensive information, and the interaction led to wide involvement in all aspects of the operation, from decisions about response options through to training in beach clean-up and ongoing impact monitoring.

The key to the success of the operation was building trust, found by the MSA to be best achieved by face-to-face meetings explaining all risks in an open and truthful manner—including worst case scenarios. The MSA's specialist environmental advisors prepared clear and factual scientific data that communicated the message well, since it was presented in plain language with a high graphic content.

This incident demonstrated the need for being flexible, building trust and treating all stakeholders as having something to gain and to contribute as partners.

Sometimes it involved new ways of thinking too. Regarding the four hapu as “nation states” in their own right, for example, provided the appropriate mental framework for working with local indigenous communities. As trust was gradually established, crucial information flowed back to the MSA, improving the oil spill response and the salvage effort. The hapu held important knowledge about local tidal movements and weather patterns, and

¹⁵ Now known as Maritime New Zealand.

could provide extra workforce and access to vessels for towing oil spill booms. They also provided crucial information about seafloor geology to help float the ship.

4.2 Foot and mouth disease

Establishing trust in communities is an important aspect of establishing the context prior to an event occurring. This can facilitate in treating risks.

In 2005, the Prime Minister of New Zealand received a letter claiming that a foot and mouth disease (FMD) virus had been released on the island of Waiheke, close to Auckland. The letter subsequently proved to be a hoax, but the potentially devastating effect of an FMD outbreak on the NZ economy meant that every stop was pulled out to manage the risk.

It was vital that the communication strategy worked well to maintain confidence in NZ agriculture in overseas markets, and to build trust amongst the farming community that public officials would handle the crisis competently. This involved liaising with trading partners to avoid precipitate decisions to close international borders to NZ products as well as providing information and assurance to domestic consumers regarding any food safety issues.

The policy arm of the Ministry of Agriculture and Forestry (MAF) was responsible for recovery management, advising on recovery measures and liaison to facilitate the whole-of-government response. Biosecurity NZ had responsibility for disease management and the NZ Food Safety Authority had primary responsibility for trade and food safety management.

Prior to this incident, the lead agencies had worked hard to build up trust in their relationships with rural communities. In particular—learning from previous unhappy experiences—MAF did not seek to impose scientific treatment from afar without listening to those “on the ground”. The response was predicated on an approach of “all in this together” rather than “we know best”.

This incident demonstrated the need for having a communication and consultation strategy, the benefit of trust coming from all stakeholders sharing information, and the value of putting aside organisational barriers within the NZ Government agencies.

4.3 Deaths from fire

Identifying risks associated with home fires showed that individuals’ behaviour can have significant effects on the outcomes from house fires. This case study illustrates how communication can be an effective risk treatment.

Despite Fire Service costs increasing markedly, the number of people dying each year from accidental fires in New Zealand increased from 24 to 36 from 1992 to 1997.

More than half the fatalities occurred in the family home. The other deaths occurred in institutions such as rest homes in which the occupants were unable to react well to an emergency. Typically, furnishings produced quiet but very fast developing fires, with as little as 90 seconds between the first flame and deadly levels of smoke. This is too fast for fire service rescue.

To reduce the high trend of fatalities, the Fire Service Commission decided on two types of risk treatment: one to change hazardous behaviours to reduce likelihood of fires; another to reduce the consequences of any fire. The key goal of the “consequences” strategy for institutions was to get sprinkler systems installed. Sprinklers control fires before smoke levels become lethal. This was achieved through enforcing existing law.

For dwellings, the key goal for reducing “consequences” was alerting occupants early enough for people to get out before a fire could take hold. This in turn led to a goal of widespread use of smoke detectors to give early warning of fires. However, no enforcement laws applied to New Zealand’s 1.2 million residences and a retrospective law change would have caused very high compliance costs. So the risk treatment was implemented through successfully communicating three specific messages:

- (a) the core characteristics of fire growth (quietness, speed and smoke toxicity);
- (b) the lack of time for Fire Service rescue; and
- (c) the low cost and sensitivity of smoke alarms.

The communication strategy deliberately left the decision to install smoke alarms to the occupant but the slogan “Protect what YOU value” was designed deliberately to bias that decision.

A mix of communication methods was used including a pictorial brochure “Home SAFE Home” published in many languages and delivered to every household, television advertising, engagement with community groups through trained “ambassadors”, flyers in supermarket bags, additions to school curricula, and, when fires occurred, careful media statements reinforcing the core messages.

The effectiveness of these risk treatments was monitored by surveys of knowledge and behaviour, and by tracking smoke alarm sales and fire statistics. Within two years, fatalities caused by accidental fire had reduced by over sixty percent, and by 2007 there were less than one third of the accidental deaths that had occurred in 1995. This dramatic decline demonstrates that risk communication can be a powerful risk treatment in itself; that messages must be carefully selected and their effectiveness monitored; that multiple communication paths improve effectiveness; and that empowering people to make the right decision is more effective than presuming to tell them what they should do.

4.4 Traffic congestion

This case study illustrates the importance of communicating and consulting with communities at a very early stage in any development project. This can both assist in managing risks by ensuring that community knowledge is captured and also in ensuring that where community behaviour is part of treatment, that compliance is enhanced. This case study demonstrates how communication and consultation can enhance all aspects of risk management.

In 1991 the Queensland Main Roads Department (QMRD) in conjunction with the Queensland Department of Transport began considering what to do with traffic congestion around the inner Brisbane suburbs.

As a result of Government adopting a policy requiring road builders to address public concerns regarding new major projects the QMRD developed a program to engage in community communication and consultation prior to the finalisation of major road building projects. The initial program was to upgrade a number of local roads to provide an alternative route around the inner city and to divert traffic from the inner city streets.

A Local Area Advisory Group (LACG) was established and members sought from the affected communities. A consequence of this approach was that the majority of the LACG were opposed to any solution and the effectiveness of the Group was less than ideal as it did not represent all stakeholders. Every week the local suburban newspapers carried articles detailing the problems of the proposed works and concurrent community opposition.

A second LACG was established to deal with a local shopping centre that caused a significant bottleneck on a major arterial road that was about to get even more traffic as a result of improved access works for the city airport. This bottleneck had been a problem for some 40 years but no government was willing to accept the political storm a solution would cause. This time the QMRD recruited members of the LACG from those who sent in applications, to ensure that there were representatives from all stakeholders—commercial and private property owners, business and shop proprietors, residents and interested community organisations. The result was an LACG that was truly representative of the community to be affected by the road project.

The second LACG at its inaugural meeting set out to communicate all the possible solutions to the bottleneck with all of the affected community by way of a direct mail-out to the immediate area and adjoining areas, followed up with a series of public consultations at which representatives of the State and Local Government authorities would be present to answer questions. This resulted in a range of proposals being supported, as well as revealing a major community perception that it was all part of a plan to impose a solution that would result in the destruction of parklands. This suggested option came as a considerable surprise to the road engineers as there was no corporate memory of such a solution, nor had they ever contemplated such a proposal. It transpired that many of the community could still remember such a proposal had been made back in the 1940s. Once it was made clear that there was no intention to locate the original proposal let alone revisit it, the community turned to address the proposals at hand, free of the distracting perception of a hidden agenda.

Following another mail-out to all stakeholders and further consultative meetings with various stakeholder groups a final project proposal was made to government which received bipartisan support and general acceptance by all affected parties as the best solution.

The most interesting aspect of this second attempt at communication and consultation with stakeholders was the absence of any adverse articles in the local suburban newspapers. In fact the only way information could be provided to the communities served by the newspapers was by way of paid advertisements.

The lessons to be learned from the above is to ensure that all stakeholders are involved; communicate all known information; engage in serious consultation with all stakeholders in order to address their perceptions of what it is you are proposing; and then communicate the final decision and the reason for it to all affected stakeholders.

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