LANARK COUNTY COMMUNITY JUSTICE	POLICIES AND PROCEDURES
SECTION: Governance	DATE: Jan. 8, 2018 – Draft 1 Nov 9, 2018 – draft 2
SUBJECT: **Consensus Decision-Making**	HISTORY: New Policy 2018

PURPOSE:

To align decision-making processes with restorative values and to use the creative potential of conflict, by ensuring that decisions are arrived at through a collaborative process characterized by inclusiveness, engaged listening, and an open and thorough discussion of an issue, in which all viewpoints, especially diverse viewpoints, are considered in a transparent, non-judgmental and respectful manner. A decision shall only be undertaken once all parties participating in that decision are "in consensus" as described below.

POLICY:

LCCJ shall utilize consensus decision-making at all meetings of the Board of Directors and Board committees. LCCJ shall promote consensus decision-making as a core value of the organization. Consensus decision making is a creative and dynamic way of reaching agreement between all members of a group. Instead of voting for an item and having the majority of the group get their way, this process is committed to finding solutions that everyone actively supports, or at least can live with. This ensures that all opinions, ideas and concerns are taken into account. Through listening closely to each other, the group aims to come up with proposals that work for everyone.

If significant concerns remain unresolved, a proposal can be blocked and prevented from going ahead. This means that the whole group has to work hard to find solutions that address everyone's concerns rather than ignoring or overruling minority opinions.

PROCEDURE:

Overview: The main features of consensus decision-making are respectful listening to others and the encouragement of open discussion, including diverse opinions, as the group seeks to make the best decision possible on a particular issue.

Steps in Using Consensus:

Discussion

- The person who chairs the meeting (the Chair) shall clarify at the start of the meeting that all decisions will be made using consensus decision-making.

- The Chair shall strive to ensure that all parties who have a significant interest in an issue are present at the meeting. (If a decision is urgent, this may not always be possible to achieve).

- As an item arises requiring a decision, the Chair will ask the proponent, if there is one, to provide appropriate background, present a proposal and their thoughts and views on the proposal.

- The Chair will invite others for their views on the proposal. The Chair will encourage respectful listening and ensure everyone who wishes to comment can do so, without interruption. If more than one person wishes to speak, the Chair shall maintain a list of people who wish to speak (the Speakers' List) and invite them chronologically to do so.

People may be called out of chronological order because they haven't spoken so for or for some other reason. If not using chronological order, the Chair will explain why.

- To support the group, someone may be delegated to take notes about various options or an emerging consensus.

Testing for Consensus

- Following discussion, if it seems there is agreement on a proposal, the Chair will restate the proposal so it is clear to meeting participants and test for consensus by saying *"I am going to test for consensus: Are there any concerns or objections to …[restatement of the proposal]?".*

- If no one speaks, then consensus exists. The chair will declare that consensus exists and a decision has been made. The Chair may repeat the decision for the clarity of the meeting and confirm that the minute-taker has fully recorded the decision.

- If someone raises a concern, then consensus may not exist. The Chair will ask those who have concerns to explain their reasons and to explain what it would take, in their view, to improve the proposal. Discussion continues.

- If agreement still cannot be achieved, the Chair shall ask those with objections if they feel the meeting has heard, understood and considered their views. Discussion may continue.

Standing Aside

- If the objections remain, the chair will ask the person if they are willing to "stand aside" and accept the proposal. "Standing aside" means a person does not support the proposal but does not wish to stand in the way of it going ahead. A member stands aside when they feel any of the following:

  - "I don't see the need for this, but I'll go along"
  - "I think this may be a mistake, but I can live with it"
  - "I personally don't support this, but I won't stop others from doing it."

- When a person stands aside, the consensus is not blocked, so the proposal is approved. If a person cannot support a decision and cannot allow the rest of the meeting to make that decision, then that person should express their opposition and say they are not willing to step aside. This is the strongest form of disagreement. The person is saying "I cannot support this or allow the group to support this." The person will explain as fully as possible the nature of their objection. When this happens, consensus does not exist and the proposal is not approved.

When consensus does not exist

- If any meeting participants do not approve and are not willing to step aside, the Chair will state, *"We do not have consensus on …".* The chair will announce that the proposal is not accepted.

- Depending on the group's interest, the Chair may propose, or ask others to propose, a process to further consider the matter. These can include:

  - Opening further discussion

  - Identifying points of agreement and testing for consensus on those points

  - Identifying unresolved issues and inviting suggestion for how they might be resolved

- o Suggesting a short break for informal caucusing

- o Using any other process to address the needs at the table.

- Voting is not a regular part of our decision-making for the reasons set out in the Policy statement above. However, there is one circumstance in which voting may be used. The meeting may decide to vote on an issue if consensus cannot be reached and <u>making a decision at that time is critical to the organization</u>.

- If consensus cannot be reached, anyone may request a vote. The meeting will then decide if it wants to vote. The Chair will state: *"A vote has been requested. I will now invite comments as to whether people believe making a decision at this time is critical to the organization and voting is how we want to make that decision."*

- The Chair will open discussion on the proposal to use a vote and then test for consensus. If consensus favouring a vote exists, a vote is held.

- If consensus does not exist, no vote is held, unless someone asks for a "vote to vote". In this case the Chairperson may say: *"Consensus has not been reached on this question. We have a request to decide by vote whether we should vote on the matter. I ask for a show of hands to indicate whether you want to decide this by vote. Those in favour? Those opposed?"*

- The decision of whether to vote will be decided by a simple majority of those present (50 percent plus 1). If the proposal to vote does not pass, no vote is held and the consideration of that matter is finished.

- If the meeting decides to vote, the Chair will read the original proposal regarding which consensus could not be reached and then ask *"Those in favour? Those opposed?"* A simple majority of those present is needed to decide. The Chair will not vote unless there is a tie.

- The Chair shall confirm that the Minute-taker has recorded the decision. Those who "stand aside" or who oppose the proposal can have their positions documented, if they so choose.

- At the end of the meeting, the Chair shall thank everyone for their contributions to the discussion.

While there are numerous consensus decision-making guides available, in developing this policy LCCJ is particularly indebted to local resources, the Blue Skies decision-making framework and the Rules of Procedure for Board of Directors developed for use by Lanark Renfrew Health and Community Services. This policy also reflects concepts contained within a consensus decision-making guide developed by Seeds For Change (UK).

Consensus Decision Making Flow Chart

PROCESS

When an item requires a decision, the Chair asks the proponent to provide background, present a proposal and their thoughts and views on the proposal.

The Chair invites others for their views, encourages respectful listening and ensures everyone who wishes to comment can do so, without interruption. If more than one person wishes to speak, the Chair shall maintain a Speakers' List and invite them chronologically to do so. People may be called out of chronological order because they haven't spoken so for or for some other reason. If not using chronological order, the Chair will explain why. Someone may be delegated to take notes about various options or an emerging consensus.

TESTIING FOR CONSENSUS

If there seems to be agreement, the Chair restates the proposal so it is clear and tests for consensus by saying *"I am going to test for consensus: Are there any concerns or objections to ……………………… ?"*

If no one speaks, the chair will declare that consensus exists and a decision has been made. The Chair may repeat the decision for the clarity of the meeting and confirm that the minute-taker has fully recorded the decision.

If someone raises a concern, consensus may not exist. The Chair will ask those who have concerns to explain their reasons and to explain what it would take, in their view, to improve the proposal. Discussion continues.

If agreement still cannot be achieved, the Chair shall ask those with objections if they feel the meeting has heard, understood and considered their views. Discussion may continue.

STANDING ASIDE

If the objections remain, the chair will ask the person(s) if they are willing to "stand aside" and accept the proposal. A member stands aside when they

- don't see the need for this, but will go along
- - think it may be a mistake, but can live with it
- personally don't support this, but won't stop others from doing it.

When a person stands aside, consensus is not blocked, so the proposal is approved.

WHEN CONSENSUS DOES NOT EXIST

If a person cannot support a decision and cannot allow the rest of the meeting to make that decision, that person should express their opposition and say they are NOT willing to step aside. The person will explain as fully as possible the nature of their objection. When this happens, consensus does not exist and the proposal is NOT approved.

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The Chair will then state, *"We do not have consensus on ...."* and announce that the proposal is not accepted.

The chair may propose, or ask others to propose, a process to further consider the matter. These can include:

- Opening further discussion
- Identifying points of agreement and testing for consensus on those points
- Identifying unresolved issues and inviting suggestion for how they might be resolved
- Suggesting a short break for informal caucusing

VOTING

A simple majority (50 percent plus 1) those present constitutes approval in all voting procedures

If consensus cannot be reached, anyone may request a vote. The meeting will then decide if it wants to vote. The Chair will state: *"A vote has been requested. I will now invite comments as to whether people believe making a decision at this time is critical to the organization and voting is how we want to make that decision."*

The Chair opens discussion on the proposal to use a vote and then test for consensus. If consensus favouring a vote exists, a vote is held.

If consensus does not exist, no vote is held, unless someone asks for a "vote to vote". In this case the Chairperson may say: *"Consensus has not been reached on this question. We have a request to decide by vote whether we should vote on the matter. I ask for a show of hands whether you want to decide by vote. Those in favour? Those opposed?"*

If the proposal to vote does not pass, no vote is held and consideration of the matter is finished.

If the meeting decides to vote, the Chair will read the original proposal and then ask *"Those in favour? Those opposed?"* The Chair will not vote unless there is a tie.

The Chair confirms the Minute-taker has recorded the decision. Those who "stand aside" or oppose the proposal can have their positions documented, if they choose.

At the end of the meeting, the Chair thanks everyone for their contributions to the discussion.