

MACEDON RANGES SHIRE COUNCIL
COMMUNITY CONSULTATION FRAMEWORK
ADOPTED BY COUNCIL 22 SEPTEMBER 2010

<u>Contents:</u>	<u>Page:</u>
Our vision	2
Our mission	2
Definitions of governance, engagement, participation and consultation	3
Council's decision-making process	4
When council will consult	5
Statutory consultation	6
Consultative protocol for land use planning	7
Principles underpinning council's consultations	9
How Council will plan a consultation	10
Determining the level of participation	12
Methods of communication and consultation.....	13
Consultation category/methods matrix	15
How council uses feedback and input from consultations	19
Capturing and using our consultative data	19
Co-ordination of our consultations	19
Privacy and consultation	19

Our vision

What we aspire to achieve

To provide leadership in this inspired region by providing the opportunity for all to live a fulfilling life, whilst protecting our heritage, environment and a sense of community through our shared commitment to a sustainable Macedon Ranges.¹

Our mission

What we will do to achieve our Vision

- Engage in a partnership with the community, the business sector, other councils, other levels of government and agencies to enhance the overall health and wellbeing of our community.
- Embrace the leadership role we have within this community to facilitate engagement and participation of our citizens and their understanding of what we are doing.
- Provide a local response to global issues and work actively with our residents, business community and relevant agencies to raise broad environmental awareness and understanding.
- Provide physical assets such as roads, footpaths, drains, buildings and public amenities which are the fundamental infrastructure of a community and facilitate safe, healthy and equitable access and service delivery for our community and visitors.¹

1. Macedon Ranges Vision 2025, Macedon Ranges Shire Council, 2003

Democratic governance exists when a government governs for and on behalf of its community.²

Definitions

Governance

Democratic governance exists when a government governs for and on behalf of its community.

Good democratic governance occurs when governments govern as a result of being elected by an informed and engaged electorate.

Citizens exercise their rights and responsibilities by being informed and engaged.²

Engagement

Community engagement is a characteristic of democratic governance.

Engagement is achieved when the community is and feels part of the overall governance of that community. It is informed, connected and feels it has a role to play.

Engagement, by this definition, is an outcome.

It occurs when there is good ongoing information flow, consultation and participation between a council and its community.²

Participation

Participation means that the community is involved in governance activities.²

Consultation

Consultation can therefore be seen as part of the overall concept of engagement.

The process of informed communication between the council and the community on an issue prior to the council making a decision or determining a direction on that issue.

Key elements

- It is a process, not an outcome.
- It recognises the council has the mandate to be the decision-maker. Consultation is the process by which the council gathers information in order to make a decision. Consultation impacts on a decision through influence, rather than power.
- Consultation is about input into decision-making, not joint decision-making or decision-making by referendum.²

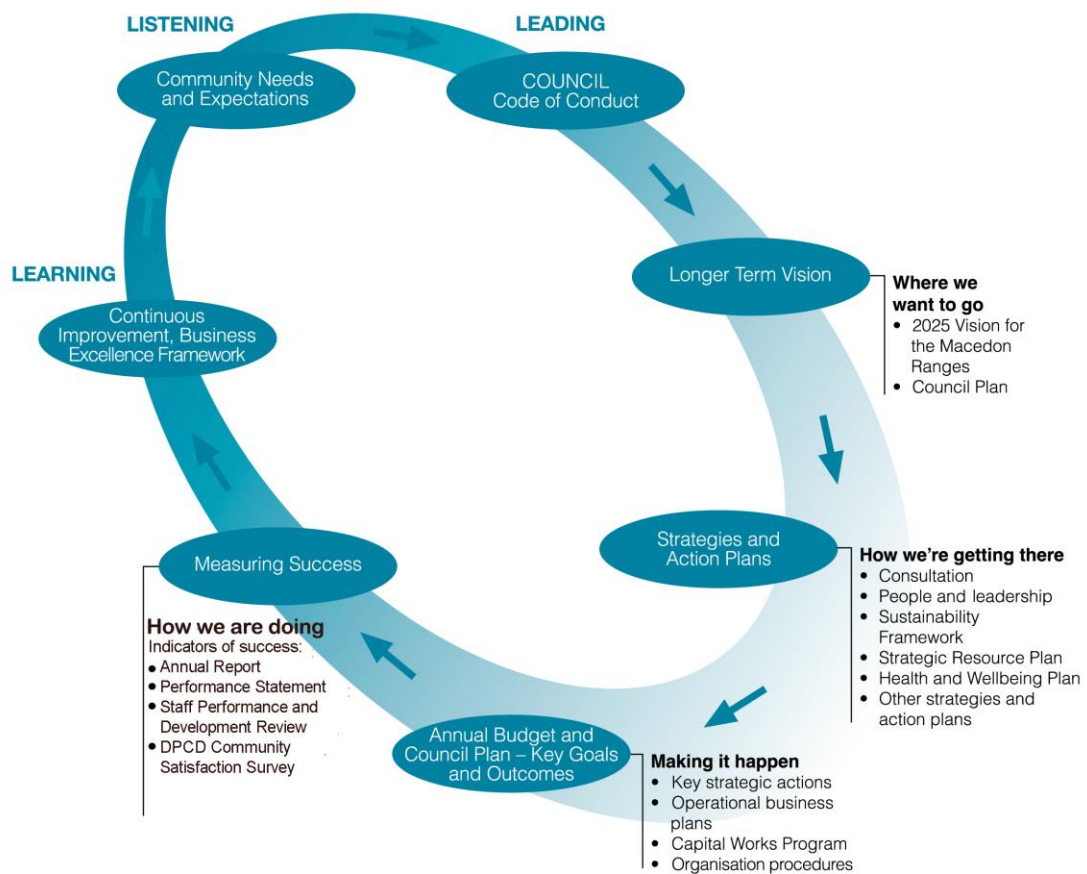
2. www.vlgaconsultation.org.au/definitions, 13 April 2010

Council's decision-making processes

Council has various strategies to guide its decision-making. Consultation is an integral part of this strategy development.

Consultation is also integral to measuring our success and identifying new opportunities and areas for improvement. It is a continuous process.

In making specific decisions, council is guided by relevant legislation and strategies, and consults with stakeholders. Stakeholders include those who may be affected by the decision and those who may have an interest in the decision.



When council will consult

Council believes that there are basically six different categories of issues on which it will wish to consult:

- | | |
|-----------------------|---|
| Category One | Matters that are significant 'one-off' issues *

For example : the temporary closure of a sporting facility for maintenance works |
| Category Two | Matters that change the current arrangements/uses on a single site *

For example : Any significant redevelopment of a community facility |
| Category Three | Matters impacting on an area or neighbourhood *

For example : Traffic management proposals/solutions, streetscape proposals |
| Category Four | Service planning matters which have impacts across the shire

For example : Changes to the garbage service |
| Category Five | Major plans which have impacts across the shire

For example : Development of strategies relating to residential/industrial land use, open space planning or economic development. |
| Category Six | Major projects or issues with shire-wide impacts

For example : Development of a new aquatic centre |

* Note: In relation to town planning applications, see the specific 'Consultative protocol for planning permits' on page 7.

When Council may not consult

This framework will apply predominantly to matters requiring a decision by council. It will not necessarily apply to routine, day-to-day activities such as:

- maintenance activities, including tree maintenance
- works such as new footpaths or roadworks
- implementing an existing plan
- where the work is integral to the work of an advisory committee.

However as a courtesy, when undertaking day-to-day activities such as tree works/footpath works/road works and the like, council will communicate with people living at affected properties where appropriate and in the most appropriate way.

This framework has been developed on the principle of obtaining community input before the council makes a decision on a matter. When the decision has been made and the decision is being implemented or when the activity is routine, it is more appropriate for the council to inform/advise.

There may be occasions when council does not consult on a matter due to circumstances/requirements beyond its control, such as statutory requirements, funding requirements or policy requirements of other levels of government/agencies.

Statutory consultation

Council has responsibilities and makes decisions under a wide variety of Victorian and Australian legislation. In many instances the legislation sets standards and provides minimum requirements in regard to notifications and referrals.

This relates to the following matters:

- Setting councillor and mayoral allowances
- Adopting a council plan
- Making a local law
- Changing the council's system of land valuations for council rates
- Adopting a budget
- Declaring a special rate or a special charge
- Selling, exchanging or leasing land
- Entering into a regional library agreement
- Deviating or discontinuing a road

The consultation required by law for these matters must include the following:

- The council must publish a public notice (in a local or daily newspaper, and on the council's internet website) that identifies the proposal and tells people that they have the right to make a written submission to the council.
- People who wish to make submissions must lodge them by the date specified in the public notice, which is a date not less than 28 days of the public notice.
- Anyone who has made a written submission and asked to be heard in support of this submission is entitled to speak to the council or a committee appointed for the purpose. The submitter may appear in person or be represented by someone else.
- The council must fix a time, date and place for this meeting and give reasonable notice of the meeting to each person requesting to be heard.
- The council or a council committee must, consider any submissions received before making a decision.
- After it has made a decision, the council must write to a person who has lodged a submission advising of the council decision and the reasons for it.

(Note: where a submission is lodged on behalf of a number of people, the council notice of the meeting is required to be sent to the person specified on the submission and the notice of the council decision is only required to be sent to one of the people.)³

This consultative framework is designed to complement these statutory obligations.

3. www.localgovernment.vic.gov.au/web2/dvclgg.nsf, 13 April 2010

Planning scheme amendments

Specific consultation arrangements apply in relation to proposed amendments to the Planning Scheme under the Planning and Environment Act 1987. These arrangements enable a person to make a submission:

- to the planning authority about an amendment to its planning scheme
- to a panel appointed to consider a planning scheme amendment.³

Council is required to give public notice when proposing amendments to its planning scheme, including advice about how submissions can be made.³

Consultative protocol for planning permits

In dealing with any planning application, council uses the following consultative protocol:

- An assessment of the impact of the proposed use or development on surrounding residents/landowners will be undertaken by the planning officer. This may involve an on-site inspection.
- On the basis of the assessed impact, the planning officer will make a decision on the necessity or otherwise and/or extent of notifications required to surrounding residents/landowners.

In making this decision the planning officer will consider, amongst other issues, the scale of the development, the nature and type of use or development and the impact on the surrounding area. The planning officer will consider whether there is any material detriment to any person as is required by state legislation.

- All councillors are advised of every permit application weekly, including the extent of advertising and referral to authorities if undertaken.
- Notifications to surrounding residents/landowners will advise people on how they can view any plans and supporting information on a proposal. In such instances the information will be available at the relevant council service centres.
- In circumstances where the planning officer decides that a proposal has the likelihood of having impacts beyond the immediate neighbourhood area, a sign will be required to be placed on the site, advertising the application and if appropriate, public advertising of the proposal will occur in the local newspaper(s).
- In some circumstances where high levels of community interest are anticipated, community information sessions will be held, either by the developer alone or jointly with council.
- All submissions on a proposal will be considered in determining any application. If there are objections, the planning officer may convene and facilitate an applicant/objector(s) meeting involving the relevant ward councillor and other interested councillors.
- Any planning application that has received objections may be referred to council for decision. Applicants and objectors will be advised of council's decision.
- Planning applications that have shire-wide or significant community input and/or interest, will be referred to council for decision.

Principles underpinning council's consultations

Inclusiveness

- The consultation must encourage the involvement of people who are affected by or interested in a decision.
- Affected and interested parties will be given equal opportunity to do so, including groups who have traditionally not participated previously.
- Affected groups and interested parties can select their own representative to work with Council.
- The type of consultation or contact that is made is sensitive to a group's particular needs.

Purpose

- Consultation is purpose-driven.
- There is a clear statement about what the consultation is about.
- There is a clear statement about the role of council and the role of the participants in the consultation.
- There is a clear statement about how participants' input will be used.
- The type of consultation that is chosen is appropriate for the task.
- There is a commitment from the council to the principles and processes that this document defines in relation to consultation.
- There is a commitment from the council that it will respect the diverse range of interests and views which may exist around a particular issue and make genuine attempts to resolve conflicts, while recognizing that it has the ultimate decision-making role.

Provision of information

- Information relating to the consultation can be accessed easily by everyone involved before key decisions are made.
- Information must be presented in an easily understood format.
- Information relating to the consultation is to be made readily available so that participants can make informed and timely contributions.
- All information on issues that the council is consulting upon will be available unless it is of a commercially sensitive or personnel nature.
- In some circumstances, council may determine to recover part of the cost of providing the information. These circumstances may include situations where documentation is costly to reproduce ie maps/plans/lengthy reports, etc. In such instances the council will endeavour to facilitate access via individual viewing, loaning of the material and or other appropriate methods.

Informed consultation

- Consultation is most effective when people have the facts before them. This means that council may have the officers do some development work on an issue or proposal, prior to the commencement of the consultation.
- This work will generally be described as the scoping work or study. This scoping work will be the factual information that council puts into the public arena for consultation.
- On occasions, council may develop a preliminary preference for a particular position. When this occurs, council will indicate what that preliminary position is. This will assist the community to understand where the council stands at the start of the consultation.

- If the progress of a matter that council is or has consulted on is delayed or extended due to unforeseen circumstances or if the matter is part of the development of a broader issue that may not be completely resolved for some time, the council will provide appropriate updates to those who have participated in the consultation process.

Timing

- The consultation will take place early enough in the decision-making process to ensure that its outcomes are able to be considered prior to the decisions being made.
- The timeframe for the consultation process will be clearly communicated, including when decision-making is to take place.

Informing people of the final outcomes

After a decision has been made, upon which feedback has been sought and received, those who provided feedback and or had input into the process will be informed of the final decision and the reasons for it.

How council will plan a consultation

Step 1. Identify the category of the issue, project or policy – according to the list above in the 'When Council will Consult' section.

Step 2 Identify the scope of the decision, taking into account what data exists, what research is required and what is to be consulted on, as outlined in the 'Informed Consultation' sub-section on page 8.

Step 3 Consult with internal stakeholders, who may:

- need to have input in relation to the proposal/may have actions assigned to them
- be affected by the decision
- have conducted consultation on a similar issue or with the same sector of the community
- have expertise in conducting consultations or elements thereof (e.g. council's sustainable communities planner/social planner)
- be willing to participate in an internal working group.

Advise the following stakeholders of the proposal and proposed consultation:

- councillors
- staff within the organization:
 - executive
 - managers
 - team leaders
 - all staff
- advisory committees of council

Step 4 Identify the external stakeholders who may be affected or have an interest in the decision.

External stakeholders may include:

- Residents in the immediate area
- Ratepayers (including those who do not live in the shire)
- Service users
- Business operators, Business and Tourism Associations (BATAs), and relevant industry associations, e.g. Vignernons Association
- Investors/developers (re: infrastructure requirements)
- Local community groups and organizations
- Service clubs
- Healthcare providers
- Partner agencies (e.g. catchment management authorities)
- Advocacy groups (e.g. welfare organizations/environment groups)
- Special interest groups (e.g. commuters)
- Utilities (water, electricity, gas)
- Emergency services (Police, CFA, SES, Ambulance)
- Australian and Victorian government departments
- Peak bodies (e.g. Municipal Association of Victoria, Planning Institute of Australia)
- Non-government organizations (e.g. funding bodies such as VicHealth)

Step 5 Identify the goal of the consultation, including the level of participation. Refer to the Level of Participation section of this document.

Consider establishing a working group/advisory group, including members of the

- community.
- Step 6 Select the consultation method/s appropriate for the category of issue and suited to the identified stakeholders. Refer to the 'Methods of communication and consultation' section of this document and the consultation category/methods matrix.
- Step 7 Specify how the submissions will be treated with respect to Council's privacy policy, eg. whether submitters' names and addresses will be included in public documents such as council reports.
- Step 8 Identify the timeframe for the consultation and decision-making.
- Step 9 Ensure that adequate resources will be committed to the consultation process. This includes:
- identifying who will manage/auspice the consultation process
 - identifying who will do the work.
- Step 10 The details identified via the steps above form the basis of an implementation plan. Present this to the relevant supervisor/manager/director for approval.
- Step 11 When communicating about a forthcoming consultation, develop a one-page summary (for use in advertisements, letters, fliers, etc.) stating:
- Purpose of the consultation – refer to step 5
 - Background (summarized)– what is proposed
 - Contact person/s
 - Closing date for public comments.
- Step 12_____ After the consultation has been finalized and the decision made, those who provided feedback or had input into the process must be informed of the final decision and the reasons for it.
- Step 13 Review consultation process: what worked/what didn't work.

Determining the level of participation

The nature of the decision will influence the level of consultation, or public participation.

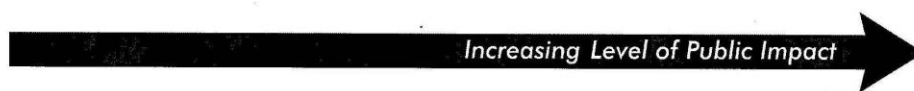
For example, when a decision has been made and is being implemented, or when the activity is routine, it is more appropriate for the Council to inform/advise.

In contrast, community planning is an example of engagement, where the level of consultation 'empowers' local people to decide on what they would like to see happen in their own town or community.

IAP2 Spectrum of Public Participation



International Association
for Public Participation



	Inform	Consult	Involve	Collaborate	Empower
Public participation goal	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision-making in the hands of the public.
Promise to the public	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.

Public Participation Spectrum, developed by the International Association for Public Participation (IAP2).

Methods of communication and consultation

The methods used in relation to any consultation will be selected to suit the category of the issue and the identified stakeholders. It is recommended that several communication methods be used to maximize awareness and participation in the consultation.

It is important to ensure that communications (e.g. printed material) and consultations (e.g. public meetings/forums) are accessible to all people who may be interested in or affected by the decision. This includes those who may have an impairment/disability, those who may not have access to transport, and those who may not have broadband internet access.

It is also important to consider the availability of identified stakeholders and provide a choice of meeting/discussion times. For example, many residents may not be available during the day due to work commitments whilst others may not be available or willing to attend a consultation forum at night due to family commitments, lack of transport, etc.

Methods that may be used include, but are not limited to, the following:

Printed material

- Letter/flier to every affected household or group
- Fact sheet/s
- Brochures
- Technical reports
- Scoping/draft document
- Council newsletter

Media

- Media advertising
- Media release/briefing/photo opportunity
- Community-based newsletters

Display

- Sign/notification on-site
- Static display
- Video/interactive display
- Community noticeboards

Technological

- Information hotline
- Council's website
- eNewsletter
- Email mail list
- Social media*

Surveys

- Comment form
- Surveys (online, written or verbal)
- Delphi process**
- Interviews
- Listening post (in person, in public places)
- Random phone surveys

Small groups (The characteristics of the participants should represent the target group).

- Advisory committees
- Reference group
- Working group
- Expert panels
- Citizen juries***
- Focus groups

- Deliberative discussions****

Public forums

- World cafe
- Open house
- Tours
- Events
- Public meeting
- Workshops

*

Social Media

Council is currently participating in a project by the Municipal Association of Victoria to develop a social media policy that will provide a framework for the issues/processes this organisation needs to consider in using tools such as Facebook, Twitter and LinkedIn.

This is an area where further policy development is likely to occur over the next 12 months.

**

Delphi process: A method of obtaining consensus on forecasts by a group of experts using a survey/questionnaire.

Citizen juries: A process that gathers a randomly selected and demographically representative panel of citizens to carefully examine an issue and make recommendations to the decision-maker.

Deliberative discussions: A highly structured process that enables a group of people to explore a specific issue or topic and develop ideas on how to respond or act.

Consultation category/methods matrix

The following are recommended methods for each type of issue. However, it is acknowledged that:

- some methods, such as a survey, can take various forms,
- the timeframes for the consultation may not coincide with the deadlines of some newsletters,
- some issues may not warrant a meeting or there may be insufficient interest expressed in participating in a meeting/discussion,
- there may be occasions when council does not consult on a matter due to circumstances/requirements beyond its control, such as statutory requirements, funding requirements or policy requirements of other levels of government/agencies,
- specific consultation requirements apply in relation to statutory consultation and land use planning matters.

The reasons for departing from this matrix should be outlined in the implementation plan and/or the report to council.

		One-off issues	Changes to current arrangements on a single site	Area or neighbourhood impacts	Service planning with shire-wide impacts	Major plans with shire-wide impacts	Major projects with shire-wide impacts
A	Write to every affected household/group	√	√	√			
B	Survey/other forms of formal market research *				+/-	+/-	+/-
C	Council's shire-wide 'Update' newsletter			+/-	√	√	√
D	Community-based newsletters	+/-	+/-	√	√	√	√
E	Council's website	+/-	+/-	√	√	√	√
F	Letter/flier to specific area including community noticeboards		+/-				
G	Council-organised meeting		+/-	√	√	√	√
H	Media release/advertisement		+/-	√	√	√	√
J	Input via advisory committee (if a relevant committee exists)	√	√	√	√	√	√
K	Personal contact or meetings on site	√	√	√	+/-	+/-	+/-
L	Attendance at community-organised meetings (if organised)	√	√	√	√	√	√
M	Feedback at council offices/	√	√	√	√	√	√

	service centres						
N	Public exhibition with submissions invited				√	√	√
O	Feedback formally requested	+/-	√	√	√	√	√
P	Notification on-site (if appropriate)	√	√	√			√

Re: Statutory Planning matters, refer to the section of Council's Consultation Framework, titled Consultative Protocol for Planning Permits.

√ Method to be used

+/- Method will be used when appropriate

* Note: Matters that are identified as requiring surveys/other forms of formal market research will be determined on a case-by-case basis, when the scoping of the matter and full consultative program is developed.

Things to consider:

When planning a consultation, consider the following points:

A	Write to every affected household/group	Writing to a select group of people based on a geographic area needs careful consideration. Consider the diversity of your audience and ensure your message is in clear, simple language and meets the requirements of people with a vision impairment, including older people. Consult with the Public Relations Unit to have your letter checked for clarity and grammar.
B	Survey/other forms of formal market research	The validity of a survey is critical if you or council intend to rely on it to support a particular view. Officers are encouraged to consult internally with staff such as council's Sustainable Communities Planner. If external organisations are being engaged, it should be presented to council in the context of the broader consultation plan being pursued.
C	Council's shire-wide newsletter	The public relations unit publishes five editions of this newsletter each year. 19,000 copies are printed and distributed via Australia Post's Household Delivery Service to all households and commercial properties with their mail (incl. PO Boxes, roadside delivery, etc). Large print versions are also provided upon request.
D	Community-based newsletters	There are now 10 community-based newsletters that are published monthly in specific towns/localities across the shire. The content is usually specific to that community and as a result, these publications have a very high readership in their areas. They are a great way to promote events in specific areas.
E	Council's website	<p>Council's website provides the opportunity to publish information relating to a consultation quickly and can be updated as frequently as required. It also enables a lot of content to be published without any cost.</p> <p>It can be an effective way to communicate with those who may have a vision impairment, as it provides the ability to increase the type size and may be read by a screen reader device/software.</p> <p>In addition to publishing text, downloadable files and links to any other relevant websites or pages on council's website, online surveys can be developed with the results able to be exported into an Excel spreadsheet. It is important to ensure that downloadable files are also available in small sections for those who do not have access to broadband internet connection.</p>
F	Letter/flier to specific area	Sending an internal email to everyone may identify someone else in the organisation who is conducting a mail-out or poster run, enabling you to share the mail preparation and postage costs. Consider the community noticeboards/shops/facilities where you may be able to put up a flier.
G	Council-organised meeting	<p>There are many ways to consult with people in a group setting. Think about the most appropriate times, venues, places and methods. Refer to the introductory paragraphs in the 'Methods of communication and consultation' section of this document.</p> <p>Many council officers have experience in best practice methods. Talk to the public relations unit and the community development unit as you develop your consultation plan.</p>
H	Media release/advertisement (including print media, local radio and regional/metropolitan radio/tv)	The public relations unit maintains a forward schedule of media issues in an attempt to manage the timing of the messages we wish to convey, i.e. the organisation generates many positive stories each week/month, and by planning, we can ensure they all receive as much media coverage as possible. Talk to the public relations unit about your consultation plan and build your plan into their forward schedule.
J	Input via advisory committee	At the time of this policy being reviewed in mid 2010, council had seven advisory committees. These committees generally meet monthly and comprise community members and councillors. Whilst these committees primarily focus on their areas of expertise, the responsible officer for each committee will usually be open to the committee being consulted on relevant issues.

K	Personal contact or meetings on site	The offer of personal contact can be an excellent way to personally interact with residents, however consider issues such as timing and safety.
L	Attendance at community-organised meetings	If a community organises a meeting or briefing in relation to a current issue, it may be appropriate for the relevant council officers and councillors to attend, to listen and provide information about the issue.
M	Feedback at council offices/service centres	Council's customer service officers at the four service outlets have the capacity to assist with your consultation if they are appropriately briefed and supported. This could mean simply providing a fact sheet that assists the customer service officers in understanding the matter. It could also involve these staff assisting people to complete a survey for those people who are not confident to make a submission.
N	Public exhibition with submissions invited	The public exhibition of plans and documents at venues across the shire is an appropriate method when detailed maps and plans are involved. Think about accessible locations and discuss with the staff at these locations what you are attempting to achieve. Consider briefing staff at these locations on the key aspects of the matter so they are informed and can respond to queries.
O	Feedback formally requested	After a decision has been made, upon which feedback has been sought and received, those who provided feedback or had input into the process must be informed of the final decision and the reasons for it.
P	Notification on-site (if appropriate)	In the case of works or a project that is funded by council, ensure that council's logo is included at an appropriate size on the sign. For clarification of these requirements or a copy of council's logo, please contact the public relations unit.

Also to note:

Avoid sending letters/holding meetings, etc. during holiday periods

Include a reply paid envelope if seeking a response.

How council uses feedback and input from consultations

In preparing a proposal, council may have already consulted with a sector of the community and developed a background paper or draft document, which council will adopt for public exhibition. Refer to the 'Informed consultation' principle on page 8 of this document.

Following the designated closing date for feedback or input, council will:

- Analyse the feedback received;
- Consider the feedback in the context of the other data, advice, strategies and/or legislation that is relevant to this matter;
- Review the proposal in the context of concerns or suggestions expressed. There is a commitment from the council that it will respect the diverse range of interests and views which may exist around a particular issue and make genuine attempts to resolve conflicts, while recognizing that it has the ultimate decision-making role.
- A report will be presented to council for a decision.
- The decision will be reviewed once implemented, at a time to be determined.

Capturing and using our consultative data

Council regularly consults and engages with people across the shire on a variety of matters, such as specific strategies or plans, changes to service levels, etc. By the very nature of these interactions and engagement, valuable feedback is obtained – both specific to the issue under consideration and also on related issues.

Council is committed to improving its capacity to capture, collate and analyse data received through all its consultative and engagement processes. We recognise that this data should be progressively aggregated to build an important database of knowledge about our communities' views, needs and aspirations and how they evolve and develop over time.

Co-ordination of our consultations

As part of this consultation framework, an organisational commitment to better co-ordinate its major consultations has been recognised. Council will do this by publishing on its intranet a list of forthcoming consultations on a quarterly basis. It also requires council officers to consult with internal stakeholders when planning a consultation, as outlined in step 3 of the 'How council will plan a consultation' section of this document.

Privacy and consultation

Local government decision-making and consultative processes usually affect both public and private interests. In many instances, council will seek written submissions and input to proposals. These public processes imply a certain amount of public disclosure of information and therefore a degree of privacy loss.