IDEAS FOR OPEN GOVERNMENT COMMITMENTS

Introduce a register of lobbyists

Problem or issue to be addressed
Secret lobbying is an issue of public concern. It goes to the heart of why people are disillusioned with politics and there is a lack of trust in government. It is important that citizens are aware of who is meeting with government ministers and potentially influencing government decisions. And a lobbying register would allow public scrutiny of lobbying activity. A refusal to introduce genuine transparency reinforces the perception that public scrutiny is something politicians would rather avoid.

Objective
The government explore the potential for the introduction of a statutory register of lobbyists to help regulate lobbying and ensure greater transparency.

Relevance to Open Government
More transparency and accountability would restore integrity to government and make politicians more accountable to the people they serve.

Ambition/Impact
The fundamental purpose of introducing a register of lobbyists is to allow the public to examine and understand the activities of lobbyists, to improve government accountability and ultimately to rebuild public trust in government.

Category/Theme
Access to Information/Public Accountability

Open Ministerial diaries

Problem or issue to be addressed
It is important that citizens are aware of who is meeting with government ministers and potentially influencing government decisions.

Objective
Northern Ireland Executive Ministers publish diary information about departmental business in an open data format on a quarterly basis.

Relevance to Open Government
More transparency and accountability would restore integrity to government and make politicians more accountable to the people they serve.

Ambition/Impact
To increase public accountability, transparency and openness regarding ministerial activity.

Category/Theme
Access to Information/Public Accountability

Ensure the open and timely publication of government research and introduce a standardised public register of all commissioned studies.

Problem or issue to be addressed

Public representatives and the Public are not always made aware of the existence and availability of government research that could increase/improve their knowledge and help them make more informed choices about socio-political issues that impact their lives.

Government conducts a large amount of research, either directly through the civil service and arms-length public bodies, or through independent academic experts it commissions. There have been high-profile examples where such research was delayed, modified, and misrepresented – or dropped altogether – apparently because the results were politically inconvenient. Recent examples include research looking at the rising use of food banks, international comparisons of drugs policy, and research on Brexit.

This non-publication happens even though there are numerous codes of practice and guidelines in place requiring the prompt release of all government social research. Where this happens it undermines public scrutiny of government policy. Because government points to research to justify policy, there should be a presumption of open publication so that citizens can look at what they're being asked to accord authority to. And if taxpayers pay for research, they're entitled to know the results and what the quality of the study was. The impression that challenging results will be delayed or suppressed risks damaging the trust between government and researchers.

Currently it is not possible to assess the scale or significance of the non-publication of government research, as departments aren't required to hold or publish records of what research is being carried out, by whom, and any agreements around publication of results. Such a record would make it easier to hold government to account, allowing public scrutiny of cases where studies are delayed or suppressed.

Objective

Every government department and arms-length public body should publish a standardised record of all research it carries out, whether conducted by civil servants or commissioned through independent academic experts. The record would include what the research is looking at, who is conducting the study, and any agreements around the publication of results.

Relevance to Open Government

Access to information is essential to the spirit and practice of open government. Right to information legislation (RTI), also referred to as freedom of information or access to information laws, establishes a general presumption that all information held by government should be accessible and sets out the mechanisms by which is can be accessed. Some information may not be released because it is exempt, for security or privacy reasons. But a key principle of Right to Information is that of 'maximum disclosure''. Information should only be withheld from the public where absolutely necessary to prevent harm to a legitimate interest.

Ambition/Impact

Better informed citizens: A standardised record of all government research would empower the public to scrutinise what research is being carried out, by whom, and what the results were. This

transparency would make government more open, and help improve the trust between researchers and policymakers by making it harder for studies to be delayed or suppressed for political reasons.

Category/Theme
Access to Information

Additional Comments
To simplify access to a range of government information available to citizens: Establish an online searchable repository of published Government documents of all kinds (e.g. publications, consultant reports, government research, presentations, white papers, etc.)

Create a Citizens' Budget - Improve fiscal transparency by making essential budget information available in a user friendly accessible format

Problem or issue to be addressed
People need information in an accessible, understandable form to enable them to understand what government is doing with their money and allow them to participate in governmental affairs.

According to the OECD:
"Governments need to proactively help the general public make sense of the budget."

The International Monetary Fund in its Manual on Fiscal Transparency states that:
"A clear and simple summary guide to the budget should be widely distributed at the time of the annual budget."

The International Budget Partnership explains that:
"A citizens' budget can take many forms, but its distinguishing feature is that it is designed to reach and be understood by as large a segment of the population as possible."

The World Bank points out that government budgets are technical and difficult to understand and that a Citizens Budget:
"Makes the budget "accessible" and not just available … Facilitates wide and informed debate on fiscal priorities … Demonstrates the government's commitment to the public and fosters trust in government."

Objective
Produce a Citizens' Budget – a short and accessible guide that uses everyday language and is written with the needs of the general public in mind - to help government to explain in plain language the objectives of its budget. This would help meet the government's responsibility to explain publicly and in plain language, how it is raising, spending, and managing public resources.

Relevance to Open Government
Publication of a citizens' budget is identified as good practice in international fiscal transparency initiatives. Broadening understanding of the country's public finances can help to frame more realistic citizen expectations and to build support for difficult policy choices. It can also help to offset the influence of narrow special interest groups and to avoid public debates being conducted in

jargon by those "in the know". Access to information is a precondition for citizens to: understand how a government is using its entrusted powers to tax, borrow, and spend public resources; become involved in informed public debate during budget process; & hold government properly to account.

Ambition/Impact
By reporting and explaining budget decisions and the state of the public finances with simplicity and clarity, the government can help to demystify the budget beyond the often necessarily technically complex detail in the budget documentation. A Citizens' Budget will serve the public and it will also serve the government by enhancing public knowledge about the budget and the reasoning behind the choices made in putting it together.

Category/Theme: Access to Information/Citizen Participation

COMMENTS
Can we strengthen gender equality of outcomes across all public expenditure and government departments by progressing towards gender responsive budgeting?

Unlock and maximise the value of all NI government data linked to location

The UK Chancellor announced in November 2017 the creation of a new Geospatial Commission to maximise the value of all UK government data linked to location, and to create jobs and growth in a modern economy. The new Geospatial Commission, supported by £40 million of new funding in each of the next two years, will drive the move to use this data more productively - unlocking up to £11 billion of extra value for the economy every year.

The new Commission will draw together HM Land Registry, the Ordnance Survey, the British Geological Survey, the Valuation Office Agency, the UK Hydrographic Office and the Coal Authority with a view to:

- improving the access to, links between, and quality of their data
- looking at making more geospatial data available for free and without restriction
- setting regulation and policy in relation to geospatial data created by the public sector
- holding individual bodies to account for delivery against the geospatial strategy
- providing strategic oversight and direction across Whitehall and public bodies who operate in this area

Objective
Location data that government produces in the course of delivering public services and maintaining laws and regulations can be used to stimulate innovation in the economy.

Individual bodies can be held to account for delivery against the geospatial strategy, and provide strategic oversight and direction across Whitehall.

Ensure that NI falls in line with the rest of the UK to stimulate growth and investment in the NI economy, generate jobs and improve services for citizens

Create an Open Government Charter for Local Government Authorities

A local government charter to be designed in conjunction with NIGLA and SOLACE based around 4 key themes:

- Open Data
- Citizen Participation
- Open Contracting
- Innovation

The charter will set out how Councils will engage with citizens on open government reforms and set out how councils will work with citizens on a jointly agreed action plan.

Create Stronger Citizens

We must change our relationship with local government and help create strong citizens in every town and city.

Local government should be a platform for strong citizens to collaboratively build prosperous, equal and shared places. Unfortunately, local government, government services (e.g. road service, forest service, etc.) and local councils don't collaborate enough with each other which it makes it very hard for community groups to do some of the things that may benefit towns and cities. (This probably needs fixed urgently)

I believe there was an app developed called Gov Chat that may be something useful and maybe some of the ideas in [this attachment](#) may also help or maybe something like neighbourly.co.uk

Improve Record-keeping for Good Governance

Problem or issue to be addressed
A reliable and accessible evidence base is vital for all aspects of open government. Every public sector policy maker, auditor, court official and fraud investigator knows the importance of being able to find, use and trust official records as evidence of policies, actions, transactions, expenditure, precedents, rights and entitlements.

Well-managed records provide clear and durable evidence of what the government has promised, what it has done, what services it has provided and how it has spent public funds.

Weak records controls result in an ad hoc, potentially misleading national evidence base that opens opportunities for manipulation, corruption and fraud; weakens citizens' ability to claim fair rights and entitlements; undermines the ability to plan and monitor policies and services; and makes it difficult to open information effectively.

The quality of the records, especially new forms of digital records, depends on the strength of the control regime, including laws, policies, practices, structures, and skills as developed through international professional collaboration and defined in international records management standard.

Objective

Provide well-managed records that deliver clear and durable evidence of what the government has promised, what it has done, what services it has provided and how it has spent public funds.

Relevance to Open Government

Achieving openness requires high quality, easily accessible information that can be shared between the government and citizens, within government and between government and the private sector.

Ambition/Impact

A strategic government-wide records management policy will provide the basis for maximising the quality and use of public sector information as evidence for accountability and transparency. It also will make it possible to harmonise the records management function with policies for digital governance, open government, right to information and open data to support initiatives for openness and sustainable development.

Category/Theme

Access to Information/Accountability

The Information Commissioner, Elizabeth Denham, set out the following critique of the Stormont practice - as set out by the head of the civil service - of deliberately not minuting ministerial meetings in a bid to thwart Freedom of Information:

Some observers have asserted that FOI impedes good policy-making because the prospect of disclosure "chills" the policy-making process. They argue that FOI impedes frank and fulsome advice because public servants fear disclosure of their advice. For similar reasons, some argue FOI encourages oral government, where things that should be written down are not, due to fear of disclosure.

You may have read about an Inquiry in Northern Ireland into a flawed renewable energy initiative. Statements made in the Inquiry indicate that certain practices in the Northern Ireland Civil Service have been adopted to frustrate Freedom of Information requests.

I have written to the Head of the Civil Service to raise our concerns as a matter of urgency.

One can flip the argument around and point to the fact that the prospect of disclosure of advice through FOI—a prospect that is, given the law's protections, quite remote—is an incentive to diligence, impartiality and professionalism. Those who know their work may be scrutinised should, in other words, want to do their best.

As for oral government, the notion that officials should not record their decisions or actions due to fear of disclosure is utterly at odds with basic principles of good governance. It is bad administrative practice not to document what you have done and why. Governments will be hard-pressed to explain their decisions if the reasons for taking them cannot be recalled. Failure to record reasons for action might even have legal consequences for a public authority called to defend its actions in court. Oral government leads to rapid loss of corporate memory. Lessons learned, both good and bad, will be forgotten, meaning that errors will be repeated and successes re-invented, in both cases at cost to the public purse and public good.

Map the Sustainable Development Goals against NI Programme for Government

Problem and Objective
The SDGs are an increasingly important international framework, which many governments and organisations are using to frame their activities. The UK Government have committed to developing an implementation plan for the SDGs, but there does not appear to have been a lot of progress on this. A relatively simple way to move this forward would be for Government to map the SDGs across the NI Programme for Government.

Relevance
The SDGs require citizen engagement for their successful implementation.

Category
Citizen participation

Introduce citizen centric data usage reports

Provide all citizens with a report on how their individual level data has been used by government services.

Status quo or problem/issue to be addressed
No citizen currently knows how Government has used their data.

Main Objective
Digital Services should provide the citizen with a report on how their individual level data has been used by those services. All uses and flows of a citizen's individual level data within and out of a department/body should be securely and sensitively collated, and made available to a citizen in a secure and confidential digital manner.

Every citizen should be able to see an individual "data bank statement" of how/where Government has used their record and why.

If you don't know where your data has gone, there's no way to know whether your wishes are being respected. And when there is a problem, there's no way to know whether you were personally affected.

To assuage concerns, citizens must be able to understand precisely where their data has gone, and why, through citizen centric data usage reports. This will give the citizen the tools to understand/question inappropriate flows, and Government the ability to communicate directly with a citizen when there is a data incident that may, or more likely may not, impact them.

Relevance
While Data Release Registers provide necessary insight into where some data flows within Government, and are a large step to solving the problem, they do not provide an individual with any detail on whether their data was included in any item in the register.

"Bulk Personal Datasets" have been defined by Parliament as "large databases containing personal information about a wide range of people". Parliament's Intelligence and Security Committee in its 2015 report, 'Privacy and Security: A modern and transparent legal framework', also concluded that as a Dataset of this type "may be highly intrusive and impacts upon large numbers of people, it is essential that it is tightly regulated". Currently, the existence of such datasets is highly opaque. When data incidents occur, and they will continue to do so, there is no simple message that can be given to citizens about what happened, and what they should do about it, that is individualised to them.

Ambition
Over time, no citizen's data should be used by Government without them being able to understand why.

Formally adopt The Declaration of Parliamentary Openness

Objective
Enshrining openness at the heart of our assembly

The Declaration sets out 44 principles for advancing parliamentary openness, grouped under four headings:

Promoting a Culture of Openness:
Parliamentary information belongs to the public. Parliamentary information shall be able to be reused or republished by citizens with any limited restrictions narrowly defined by law. To enable a culture of parliamentary openness, parliament must enact measures to ensure inclusive citizen participation and a free civil society, enable effective parliamentary monitoring, and vigorously protect these rights through its oversight role. Parliament shall also ensure that citizens have legal recourse to enforce their right to access parliamentary information. Parliament has an affirmative duty to promote citizen understanding of parliamentary functioning and share good practices with other parliaments to increase openness and transparency. Parliament shall work collaboratively with PMOs and citizens to ensure that parliamentary information is complete, accurate, and timely.

Making Parliamentary Information Transparent:
Parliament shall adopt policies that ensure proactive publication of parliamentary information, and shall review these policies periodically to take advantage of evolving good practices. Parliamentary information includes information about parliament's roles and functions, and information generated throughout the legislative process, including the text of introduced legislation and amendments, votes, the parliamentary agenda and schedule, records of plenary and committee proceedings, historical information, and all other information that forms a part of the parliamentary record, such as reports created for or by parliament. Parliament shall provide information on the management and administration of parliament, parliamentary staff, and comprehensive and detailed parliamentary budget information. Parliament shall provide information about the backgrounds, activities and affairs of members, including sufficient information for citizens to make informed judgments regarding their integrity and probity, and potential conflicts of interest.

<u>Easing Access to Parliamentary Information:</u>
Parliament shall ensure that information is broadly accessible to all citizens on a non-discriminatory basis through multiple channels, including first-person observation, print media, radio, and live and on-demand broadcasts and streaming. Physical access to parliament shall be provided to all citizens, subject to space and safety limitations, with clearly defined and publicly available policies for ensuring access by media and observers. Parliamentary information must also be available free of charge, in multiple national and working languages, and through tools, such as plain language summaries, that help ensure that parliamentary information is understandable to a broad range of citizens.

<u>Enabling Electronic Communication of Parliamentary Information:</u>
Parliamentary information shall be released online in open and structured formats that allow citizens to analyse and reuse this information using the full range of technology tools. Parliamentary information shall be linked to related information and be easily searchable, as well as downloadable in bulk to encourage the development of new technologies for its exploration. Parliamentary websites enable communication with citizens even in societies with limited Internet penetration, by facilitating information access to intermediaries, which can further disseminate the information to citizens. Parliamentary websites shall seek to use interactive tools to engage citizens and offer alert or mobile services. Parliament shall give preference to the use of non-proprietary formats, and free and open-source software. Parliament has a duty to ensure technological usability of parliamentary information, while guaranteeing the privacy for those accessing the information.

Relevance to Open Government
Signing the declaration is a commitment to openness and transparency and therefore is a way to hold the parliament to account for its actions (or non-actions)

Ambition/Impact
The Declaration is only a document but recognising the commitments within are important for driving a cultural change within legislatures are they move towards being more open and focussed on serving the wider public as well as members.

Category/Theme
Open parliament

Open up the Assembly so more people can contribute and increase citizen involvement in the legislative process

Status quo or problem/issue to be addressed
Citizens distant from the parliamentary process

Main Objective
The parliaments and assemblies of the UK should be encouraged to experiment with new ways that enable the public to contribute to the different stages of the parliamentary process. This would range from putting questions to ministers, addressing and commenting on committees and within the pre-legislative, legislative cycles and during post-legislative scrutiny.

Relevance

Those who take part in the parliamentary process shape the future, but all too often this is a narrow subset of the population and unrepresentative of the wider population. Digital tools allow our legislatures to step out beyond the chamber or committee room in new ways, whether it's taking the parliament out to the people or allowing people to come to parliament through new digital channels, this is about strengthening democratic participation and rebuilding trust as much as it is about enhancing public accountability.

Ambition

More people will be able to contribute to what happens in their parliament, this helps legislations better reflect people's lives and makes parliaments more transparent and accessible.

Category

Open Assembly

Develop Open Government Skills across the Public Sector

Public sector staff must change how they design and deliver programs and services to support the Northern Ireland Executive's commitments to transparency and public engagement. An openness mind-set needs to be integrated into their day-to-day business activities. Open data, for example, is useful not only to those who regularly evaluate and use data to support financial, statistical, and socio-economic analysis, but also to non-data specialists working in policy, operational, and service delivery areas. Sharing and leveraging data, information, and technology across the government can help innovation flourish.

How will it be done: Individuals working in departments across government will have access to learning material to build their skills and capabilities for using open data, open information, and open dialogue to support better operational and policy decisions. Furthermore, to boost the value of available open data to citizens, public sector can be guided to understand how to set priorities for data or information publication, based on its potential value to users both inside and outside of government.

Improve consultation practice - Develop process and tools for more effective consultation practices.

Status quo or problem/issue to be addressed

The principle that those affected by decisions should be given the opportunity to shape those decisions is central to open government. Outside periodically voting for elected representatives, citizens (in the broadest sense of term to mean all inhabitants of a country or local region) must be offered opportunities to provide their input into key policy decisions that affect them.

Consultation provides not only an opportunity to gather opinion and values, but also an opportunity to tap into the expertise of the public; crowdsourcing insights that government would not otherwise have access to. There is little transparency about consultation performance, and little ability for

citizens to raise concerns that decision making has not been sufficiently informed by the public voice.

Main Objectives
Government should work to create a stronger culture of responsive, accessible, and transparent consultation.

Ambition
In an increasingly complex world, citizens' input is a critical resource for policy-making, as good decision-making requires the knowledge, experiences, views and values of the public.

The process of consultation is typically opaque, with little built in requirement for engagement of a wide range of individuals. Institutionalising a minimum level of citizen engagement in the policy process is important for ensuring that the views of citizens and other stakeholders are present when decisions are made, and that decisions are better informed as a result.

A Community Empowerment Act would help communities to do more for themselves, have more say in decisions that affect them; and ensure that public bodies listen to what communities want.

Category
Citizen participation

COMMENTS
Can we agree enforceable Standards for #PublicConsultation, more than just empty exhortations, like engagement, involvement, participation, empowerment...? And stronger than timely', 'reasonable' 'appropriate' and 'as far as practicable'...!

It would also be good if a register of out of date policies, draft policies which are waiting on ministerial, departmental (or both) could be published outlining the draft of expiry for those that are out of date. For those that are being developed, what stage they are at, who is the lead in the department, how they are going to consult. This would help citizen better plan the responses and engagement with the departments on the policies relevant to them. It would also provide transparency as to the development of policies (and how timely these are). There should also be information on the process of policies development, i.e., co design, co-production, open policy making etc.

Trial deliberative citizen engagement methods

Deliberative democratic methods open up the prospect of prescriptions that are both representative of the entire population and based on sober, evidence-based analysis of the merits of competing arguments.

Popular deliberative institutions are grounded in the public's values and concerns, so the voice they magnify is not the voice of the elites. But that voice is usually also, after deliberation, more evidence-based and reflective of the merits of the major policy arguments.

The root notion is that deliberation requires "weighing" competing arguments for policies or candidates in a context of mutually civil and diverse discussion in which people can decide on the merits of arguments with good information.

Mini-publics

Much of the energy in deliberative democracy efforts has focused on statistical microcosms or mini-publics, in which citizens, usually recruited by random sampling, deliberate in organized settings. In some settings, relatively small groups of fifteen or so deliberate online with an elected representative. In other settings, the groups can be given access to balanced information and briefing materials that make the best case for and against various options. They can also be given access to competing experts who answer their questions from different points of view. Then, at the end of the deliberations in these organized settings, there is some way of harvesting their considered judgments.

The basic rationale for the mini-public approach is that if the random sample that is gathered to deliberate is representative of the population, and if it deliberates under good conditions, then it's considered judgments after deliberation should represent what the larger population would think if somehow those citizens could engage in similarly good conditions for considering the issue.

Run a Citizens' Assembly on the theme of Brexit – to give NI Public a voice

Support Participatory Budgeting (PB)

PB is a simple practical method of involving people who often are outside formal decision making processes and therefore excluded from contributing their energy, creativity and intelligence. It has the added benefit of bringing together people who normally don't meet and allowing them to make connections beyond their immediate projects - with positive implications for future understanding. It allows policy makers to engage meaningfully and productively with service users.

The Scottish Government put together a fund and support programme called Community Choices which was to enable Councils to roll out PB across Scotland - it has been very successful with more than 20 councils now doing it. We don't have any similar programme in NI and whilst BCT has funded the PB Works project to provide councils with information and technical support it would be a game changer if regional government was to make a PB fund available for councils to draw from (most likely as a way of delivering on their Community Planning outcomes). So the commitment would be to seek an **"NI Executive led programme to support and resource Participatory Budgeting initiatives across the region, based on the model of the Scottish Government's Community Choices scheme"** https://pbscotland.scot/community-choices/

Run a PB pilot with a government department and capture and share the learning across government

Problem or issue to be addressed
Issues with current funding mechanisms lack engagement and transparency.

PB an innovative way to fairly and transparently invest funds into the community through a process that enables citizens to deliberate on priorities.

Objective
Done well PB can:

- harness collective wisdom and creativity
- enhance levels of political agency, autonomy and wellbeing
- embed a culture of democratic deliberation
- encourage altruism and promote mutual respect and understanding
- lead to stronger partnership working and increase social capital
- improve the quality and impact of the projects funded
- provide people with practical ways of being involved in their community

Relevance to OG
Citizen empowerment and engagement

- It's about local people making direct decisions about how to spend some of their public money.
- It's about helping to implement the UN SDGs by tackling inequalities, solving local problems and connecting with communities.

It's about empowerment, meaningful engagement and achieving outcomes that people want.
Ambition/Impact

PB is more than just about deciding who to fund. It can become a celebration of positive action in the community. One that creates a lasting legacy.

People active in community get to meet each other, often for the first time. This happens at the information event and at the presentation and scoring event. These meetings offer a rare chance to hear about the work of others and maybe think about taking new approaches.

Marginalised or ignored groups, who may be unused to completing applications forms and so struggle to get funding elsewhere, can often do well in PB processes. This is because they can speak directly to their wider community. When there is a limited resource and lots of good ideas on the table, priority is naturally given, through the voting system, to small locally based projects with a commitment to improving their neighbourhood.

Participants learn on the presentation day what it takes to be a successful project and often leave with a greater confidence to apply elsewhere. Even unsuccessful groups will often go on to find funding elsewhere.

Spending time with people who may become useful partners in the future helps build a positive sense of what can be achieved in the community. Participants, funders and citizens, really value that feeling, enjoy taking part and will want it to happen again.

Why Use PB
Hundreds of communities have benefitted from using PB, especially where there are scarce resources and lots of good ideas on how to spend money.

The people most involved in community affairs are often working within local groups.

These groups often struggle to find even small sums with which to make a difference.
Often, grant funding panels and application forms force groups to compete. This does not provide a chance for them to collaborate or influence the outcome.

Only a few 'expert' people get to read and approve applications and the wider community is generally unaware what money is being spent in their community.
Different funders can pool their resources and so bring greater impact: It is common that once a PB programme has been tried and seen to be successful, other people working in the same area realise they can use the same format to distribute their funds.

Greater control can be given to the community over bigger public budgets, like policing, health, youth work and environmental schemes.

Better partnership working can occur and services can become more joined up. Most importantly, un-met need in a community can be recognised, and communities can take on greater responsibility for making their area better.

Current Action
The Participatory Budgeting Works Project is a collaborative effort to raise awareness of and advocate for Participatory Budgeting (PB) across Northern Ireland.
(http://www.participatorybudgetingworks.org/) The project is co-ordinated by Community Places and includes a range of organisations from the public, community and voluntary sector working together to create an enabling and supportive environment for Participatory Budgeting. In parallel to the PBWorks Project, two pilot PB events are currently underway in Causeway Coast & Glens Council, The Big Dish Out. (https://www.wastenotime.net/the-big-dish-out)

Category/Theme
Citizen Engagement and Participation

Undertake research into options for improving environmental governance in NI, including potential for an independent environmental protection agency

Problem and Objective
NI has a poor record with regards environmental governance, and there have been a number of high profile failures in recent years.

Even though repeated enquiries and research reports have recommended a new approach to environmental governance, the NI government has largely failed to act. This has created the situation where NI is one of only 2 countries across Europe without an independent environmental protection agency. This situation has been further complicated by Brexit, as the UK will now need to

develop new governance structures to replace the existing EU oversight. There is a clear risk that without action to improve environmental governance in NI, Brexit will exacerbate these problems. Relevance – The environment needs a transparent and accountable system of Governance.

Relevance
This is exactly what Open Government is about.

Category
Transparency and Accountability

Ensure the integrity, usability and sustainability of government information

Status quo or problem/issue to be addressed
Accountability requires access to information with integrity. Technical standards for information integrity exist, but must be applied consistently across government if openness initiatives are to be meaningful. In an increasingly digital environment, information integrity entails capturing and managing information from creation onwards, through interoperable systems and mechanisms. More needs to be done to develop an information management environment within government that enables information integrity and openness.

Main Objective
The main objective of this commitment is to strengthen government's ability to establish and preserve the integrity of public sector information, so that it can be open and trusted.

Relevance
Records management is an essential underpinning of open government.

Ambition
The ambition of this commitment is to establish an environment that ensures information integrity, so that information can be searched, retrieved and released efficiently with assurance that it is reliable and authentic.

Category
Access to information

Commit to the reintroduction of two compendia of official statistical publications - 'A profile of older people in Northern Ireland' and 'Gender Equality Statistics' annual publications.

Context
There is a legal duty on the Executive to monitor the impact of all law and policy on women, looking for any direct or indirect discrimination. This duty exists in domestic equality and human rights law as well as through obligations under international human rights treaties.

Although gender disaggregated data is quite widely available in Northern Ireland the Women's Resource and Development Agency (WRDA) believe that the removal of the Gender Equality Statistics Update would mean that the raw data would not be translated into a meaningful monitoring mechanism for measuring the impact of law and policy on women and girls and the progress made towards gender equality.

As the Executive works towards the implementation of its Open Data Strategy (2015-18) we note the following commitment: 'We will ensure the open data formats we publish are relevant to the users. We will build the skills and capability within government to proactively release relevant datasets.' This reflects the principles contained in the G8 Charter on Open Data to ensure that data is of a high quality and that it is 'useable by all'.

As users of government data, WRDA wrote to the Executive Office regarding their consultation to end publishing the Gender Equality Statistics Update. The Executive Office responded by saying that Gender Equality is now the remit of the Department of Communities, but this is the only statistical publication that provides a cross-cutting review of indicators of gender equality. Also, there is no information forthcoming from the Department for Communities about their intentions to renew the gender equality strategy since it expired in 2017.

As the Executive Office is the Department with overall responsibility for equality and human rights it would be neglectful for the Executive Office to stop monitoring gender equality data and making it accessible to users, knowing that there is currently nothing to replace it from any other departments.

The provision of links to the various data sets that would normally be used in the report is not sufficient to make this data useable and accessible. On reviewing the 2015 Gender Equality Statistics Update, WRDA found that there were 34 separate data sources cited, not all of which are publicly available and licensed appropriately.

Objective
Users interested in monitoring gender equality could access the evidence base that these compendia provide. It would not be reasonable for the Executive to expect users to do this given their duty to use data to monitor the impact of law and policy on women.

Introduce retrospective transparency on donations to NI political parties

Problem or issue to be addressed

We very much welcome the intention to create transparency around donations and loans to political parties in Northern Ireland from 1st July 2017. This helps to address the democratic deficit felt by citizens here. And it may also go some way towards reassuring people in England, Scotland and Wales that funding for political parties, who may be in a position to directly influence government decisions at the highest UK level, will be transparent from July 2017 onwards.

Objective

This transparency measure should be backdated to January 2014. All parties in Northern Ireland understood that the publication of political donations over £7,500 was to be retrospective to 1st Jan 2014. Not backdating the publication of donations feeds the scepticism of many people who feel that some local parties have something to hide and that the UK government is complicit in this secrecy.

Ambition/Impact

Retrospective transparency on donations to political parties in Northern Ireland is clearly in the public interest. It's important for citizens in Northern Ireland and for citizens in the rest of the UK.

Category/Theme

Transparency

COMMENTS

Strengthen the powers of the Information Commissioner

Disclose information on what decisions senior NI civil servants are legally and constitutionally allowed and expected to make in the absence of Executive Ministers

Status quo or problem or issued to be addressed

It appears that we are in a period of uncontrolled drift – without devolved government, without direct rule and even without talks to potentially end the democratic vacuum. There is no clarity about what decisions Stormont civil servants can take without ministers and what decisions they cannot take. The potential for inaction or abuse of power is obvious.

Whilst senior civil servants seem to be prepared to take decisions on some issues, they fail to do so on other pressing matters that impact on public health, education and wellbeing. This creates the impression that they can pick and choose what issues to deal with and use the lack of ministerial direction to justify inaction in other areas. Such a situation is unsustainable and inconsistent with the basic principles of democracy.

Main objective
Clarity and transparency for accountability. Disclosure of any oral or written legal advice provided to civil servants in relation to what decisions they are allowed and expected to take in the absence of ministers.

Brief description of commitment
Disclose information on what decisions senior NI civil servants are legally and constitutionally allowed and expected to make in the absence of Executive Ministers

OGP challenges addressed by the commitment
If there is a lack of clarity and transparency about responsibilities for decision making there is a serious risk of inaction on pressing matters that impact people's lives.

Relevance
Open government and a properly functioning democracy requires transparency for accountability.

Ambition/Impact
The public and civil servants are clear about what decisions senior NI civil servants are legally and constitutionally allowed and expected to make in the absence of Executive Ministers.

Category/Theme
Access to information/Accountability

Implement Civil Service Guidelines on record keeping for good governance

Status quo or problem or issued to be addressed
It is clear from local media reports, from the words of the Information Commissioner and from a public statement from the Head of the NI Civil Service that there is a practice of deliberating not minuting ministerial meetings. This is bad administrative practice and is utterly at odds with both the basic principles of good governance and civil service guidelines.

As the Information Commissioner has pointed out:
"It is bad administrative practice not to document what you have done and why. Governments will be hard-pressed to explain their decisions if the reasons for taking them cannot be recalled. Failure to record reasons for actions might even have legal consequences for a public authority called to defend its actions in court. Oral government leads to a rapid loss of corporate memory. Lessons learned, both good and bad, will be forgotten, meaning that errors will be repeated and successes re-invented, in both cases at cost to public purse and public good."

The Head of the NI Civil Service made his statement in the context of the RHI Inquiry and explained that: in order to thwart freedom of information requests meetings were not minuted; and as the two main parties were sensitive to criticism, it was 'safer' not to have a record that might be released under FOI. However, it is clear that the practice of not recording ministerial meetings was

not confined to one department or one particular flawed renewable energy initiative, but was implemented, perhaps at the request of the two main political parties, in other areas of government.

Main objective
Ensure good administrative practice by providing well-managed records that deliver clear and durable evidence of ministerial meetings that protect the historical record for the public good.

Brief description of commitment
Implement Civil Service Guidelines on record keeping for good governance.

OGP challenges addressed by the commitment
A reliable and accessible evidence base is vital for all aspects of open government. Every public sector policy maker, auditor, court official and fraud investigator knows the importance of being able to find, use and trust official records as evidence of policies, actions, transactions, expenditure, precedents, rights and entitlements. The absence of records opens opportunities for manipulation, corruption and fraud.

Relevance
Achieving openness requires high quality, easily accessible information that can be shared between the government and citizens, within government and between government and the private sector.

Ambition/Impact
Record-keeping for good governance going forward provides an incentive for diligence, impartiality and professionalism in government.