



OPEN GOVERNMENT PARTNERSHIP

STEERING GROUP

Hemma, 73 Holyrood Road, Edinburgh, EH8 8AU
4 October 2018 1.30-3pm

NOTE OF MEETING

Attendees

Co-chairs

Michael Russell – Cabinet Secretary for Government Business and Constitutional Relations (apologies) – Colin Cook (Director Digital) deputising
Lucy McTernan – Chair of Civil Society Steering Group

Civil Society

Alex Stobart – MyDex
Benjamin McElwee – See Me Scotland
Catherine Gee – Keep Scotland Beautiful
Eddy Borges-Rey – The University of Stirling (apologies) Chiara Bernardi deputising
Eric Honore – Fife Centre for Equalities
Kaela Scott – Involve (apologies)
Shaben Begum – Scottish Independent Advocacy Alliance (apologies)

Scottish Government

Audrey MacDougall – Deputy Director Communities Analysis Division and Chief Social Researcher
Barbara Allison – Director Communications, Ministerial Support & Facilities
Claire McPherson – Deputy Director Public Service Reform Division
Colin Cook – Director Digital (deputising as co-chair)
Doreen Grove – Head of Open Government
Roger Halliday – Chief Statistician and Head of Performance (apologies) Liam Cavin deputising
Scott Bell – Head of Procurement Development and Construction Review Division
Stephen Gallagher – Interim Director Communities and Local Government (apologies)

Local Government

Councillor Elena Whitham – COSLA's Community Wellbeing Spokesperson (apologies)
Councillor Graham Houston – COSLA's Vice President (apologies)

OGP Secretariat

Niamh Webster – Open Government, Scottish Government

Observers

Daren Fitzhenry – Scottish Information Commissioner

Gillian Cruickshank – Scottish Government

Mick Doyle – Scottish Community Development Centre (SCDC)

Paul Bradley – Open Government Network Coordinator, SCVO

Simon Cameron – COSLA

1. Welcome and Introductions

Co-chairs Colin Cook, Director Digital deputising for Michael Russell, Cabinet Secretary for Government Business and Constitutional Relations, and Lucy McTernan, representing the Open Government Partnership (OGP) Civil Society network, welcomed members to the Open Government Steering Group. Congratulations were given to Lucy McTernan for her recent appointment to the Global Open Government Steering Committee. Mr Russell was unable to attend the meeting due to being unwell, so apologies were given for his absence.

The purpose of the second meeting of the Steering Group was for the group to consider the draft commitments as prepared by government, for civil society to contribute feedback and for the group to agree on the shape and direction of the Action Plan as a whole, prior to a submission for Cabinet approval and publication towards the end of October.

The agenda is attached at **Annex A** along with the attendee list, and the papers for the meeting with the draft commitment is included at **Annex B**.

2. Key themes and Commitments

Following introductions of members and observers, the group were asked for their reflections on the draft commitments and key themes as circulated prior to the meeting for consideration (**Annex B**), before going into detail on each commitment.

The group agreed that the themes were right and that the general shape of the commitments and direction felt right. Comments from the group included:

- There was a question from Government on how ambitious these ideas are from the public and whether the process was inclusive enough to be representative
- The main improvement needs that were identified were: to make sure these are easy to understand; to make sure these are ambitious enough; and to decide how and who to take these forward.

- Accountability of public services commitment wording didn't feel like the right tone: shouldn't just be about seeking redress, and instead should be relational not transactional.

3. Update on progress to date

The group heard from the Secretariat and Mick Doyle, Scottish Community Development Centre (SCDC), the external facilitators of the public dialogue events, on the process of public engagement and discussion events. This public engagement was carried out to hear key themes and ideas from the public. These draft commitments have been developed directly from the ideas heard from the public and the shape of the plan reflects the key themes and priorities.

Mick Doyle summarised the key messages from the public, and gave us his reflections on the process more broadly.

People told us:

- They wanted to know what those in government are doing with resources which should benefit the governed?
- They were clear that to have influence, people need information
- They thought that more could be done to get us meaningfully involved-
- They thought that services and public institutions are still not accountable enough
- Most people needed support to develop understanding in order to have influence

Reflections on process more broadly:

- People saw the opportunity as a chance to advocate for wider democratic improvement
- People are curious about how the OGP links to other initiatives
- There was significant discussion about democracy and influence at the local government level
- Direct participation opportunities can often unleash quite negative responses which can be hard to work with constructively but there is generally good will towards the attempts to improve the democratic process and this was the majority view in this process. This was due to the fact that we engaged those generally progressive to work focused on the need for change and be able to direct it. This might mean we need to think about how to engage the more alienated sections of society who weren't evident but whose voices also need to be heard.
- Expectations were high on ambition but reasonable pragmatic with more emergent and gradualist expectations being most prevalent
- People responded well to our design of the sessions which allowed for reflection and forward thinking.

Comments from the group on this included that this should be an iterative process, with the next series of consultation starting now and effort should be made to connect the dots on relating initiatives and pieces of work.

4. Action Plan publication

The group agreed that this document needs to be clear and accessible. Lucy noted that the final version of this will be two documents:

1. A publication that tells the story of open government in Scotland, and joins up the work across this area, and is about the broader changes that open government aims to achieve beyond a 2 year action plan.
2. A more technical document for OGP reporting with the 5 commitments in stipulated templates.

There was general agreement from the group that they all shared an enthusiasm for this agenda, that a key part of this is going beyond just these commitments and generally improving open government in Scotland. There seemed to be some agreement that much of this should be around improving literacy to make our work accessible, and improving the structures that go behind and support this to happen. This was seen in the broader question of how to get long term things in place that enable people to understand and influence the work of government.

5. Discussion of draft commitments

The group discussed each commitment in turn to provide feedback and comments. The OGP Secretariat provided further detail on the commitments to supplement the outline of commitments provided in the circulated papers.

The Steering Group agreed pairings of Government and civil society to take forward discussions on potential commitments which are listed next to each commitment below.

1. Financial and Procurement Transparency

Government: Eleanor Ryan, John Nicholson
Civil Society: Lucy McTernan, Catherine Gee

Discussion points included:

- Financial transparency connected to a wider purpose: it's about helping people understand the big picture and increasing their capacity to do so.
- Adding performance to section was welcomed by civil society – essential that work on SDGs and NPF is included in the action plan
- Group discussed what information people need about the flows of money
- Positive response for tracking the flow of money but a challenge raised of how we take Scotland as a whole and increase capacity to dig into this longer term?
- A need for defined measurement: how will we know we're successful? What's the baseline for this and how are we measuring?
- Financial transparency connected to a wider purpose: t's about helping people understand the big picture and increasing their capacity to do so

- Offer from Scottish Information Commissioner to support Government with commitment – mystery shopper style techniques etc.
- Scottish National Investment Bank – participatory processes through set-up and the bank’s governance once running.
- Civil society keen to ensure ongoing participatory budgeting and access to information around finance is not lost, if sits elsewhere in the plan.
- Procurement may be better placed under participation commitments to drive ambition and focus on relational participation to improve decision making. To be further discussed where work fits.
- Government to circulate more info on this commitment as soon as possible

2. Participation and consultation

Government: Doreen Grove, Barbara Allison, Audrey McDougall, Simon Cameron (Cosla),

Civil Society: Benjamin McElwee, Elric Honore

Discussion points included:

- Broad agreement from the group in summarising the discussion that the ideas under this section should be more about open policy-making and how we help people in a variety of ways to get through processes and be heard.
- Most of the action in this commitment internally focussed, which means not much traction for others outside. Should be seen as less a piece of work, and more about increasing and raising standards in talking to each other.
- Education came up – around how people understand government. Discussion around how we enable people to understand and using different approaches to getting people involved.
- Should not pre-determine partners – say such as or including to leave it open to people to come forward. Also note use of acronyms in commitments – should be clearer language.
- Need to focus on changing language around participation, example given of it being similar to getting people to stop smoking: can’t just be told its good – need incentive.
- Lots of buzz words but what difference will this make? Would an impact assessment help?
- Discussion of multiple similar consultations – open government, democracy matters etc. Proposal from government for a need on a commitment on how government coordinates itself around themes and consultations.

3. Access to information

Government: Roger Halliday, Liam Calvin

Civil society: Eddy Borges-Rey, Alex Stobart

Discussion points included:

- Focus on creating data champions across Scotland. Two way data exchange where information from carers etc. can feed into regional view of what's needed.
- Commitment to focus on how we make openness as standard for data in a way that works for the end user.
- Need options for those who want to use data and those who don't (infographics etc.)
- Civil society generally content with content of this commitment
- The offer was made from Scottish Information Commissioner to support Government with commitment, and the need for developments to work with existing regulatory structures – this also applies to commitments 1 and 5.

4. Accountability of public services

Government: Doreen Grove, Joseph Dowd (Scottish Government Economy team), Simon Cameron (Cosla)

Civil society: Alex Stobart (also likely Shaben Begum TBC)

Discussion points included:

- Civil society content with accountability mapping with scrutiny bodies, although again stating a need to ensure possible partnerships are kept open and organisations listed are not the only ones who can participate.
- In addition, comments from civil society included thinking about going beyond accountability, registering a disappointment that there was no commitment on specific public policy areas such as health, social care, transport, environment, education.
- Justice/health one possibility, but a proposal was submitted for a commitment around the Steering Group taking forward work over course of action plan in three or four areas for a 'deep dive' into health, education or other social policy. Conversations already taking place in policy areas across government to shift approach – need to link this action plan up with those.

5. Understanding and influencing

Government: Alan Johnston, (Scottish Government EU Exit team)

Civil society: Ruchir Shah (SCVO)

Discussion points included:

- Time did not allow for a long discussion of this point. Group content with proposals creating opportunities for people to input on current big issues: civil society content with commitment round citizen participation activity and increased transparency on Brexit negotiations.
- OGP Secretariat to share more information.

6. Next steps

The OGP Secretariat at Scottish Government will circulate comments for feedback on these meeting notes, before publishing. The comments received will be incorporated to the draft commitments. The OGP Secretariat proposes to publish updates weekly on comments and discussions ongoing to finalise the commitments to ensure the process is open during the next couple of weeks, and can be as streamlined and efficient as possible.

The Action Plan will be submitted to Cabinet for approval at the end of October, or early November subject to Cabinet timelines, publication and time taken for finalising the commitments. The Steering Group will be updated if there is any cause for changes to scheduled timeline.

Please note:

Focus group reflection session: postponed

Please note that this focus group on 10th October has now been postponed to November when plan has been published, following feedback from steering group members that would be more useful at a later date, when we are not in midst of developing and finalising the action plan.

Forward meetings:

We are suggesting the following dates/times to schedule future meetings for the year, to be held in Edinburgh. Please send us your availability.

February:

Wednesday 6th February 10:00 – 11:30

Wednesday 20th February 10:00 – 11:30

Thursday 28th February 09:30 – 11:00

May:

Wednesday 1st May 10:00 – 11:30

Wednesday 15th May 10:00 – 11:30

Thursday 30th May 13:30 – 15:00

7. Actions

- Note of meeting will be circulated to group for comments before publishing.
- Open Government Team to share information on commitments as more details confirmed.
- Pairings of government and civil society representatives to communicate and work together on detail of commitments. OGP Secretariat and civil society coordinator to be cc'd to help keep track of developments and final wording.
- Steering Group members to send indication of availability re proposed dates for next meetings.

END

Niamh Webster
OGP Secretariat
Open Government Team, Scottish Government
Oct 2018

OPEN GOVERNMENT PARTNERSHIP

STEERING GROUP

Hemma, 73 Holyrood Road, Edinburgh, EH8 8AU
4 October 2018, 1.30-3pm

AGENDA

1.30 – 1.40	Welcome <ul style="list-style-type: none"> • Purpose of the meeting • Expectations – where we want to get to 	Colin Cook Lucy McTernan
1.40 - 1.50	Introductions <ul style="list-style-type: none"> • To introduce who you are and who you represent 	All (Members and observers)
1.50 – 2.00	Action Plan process <ul style="list-style-type: none"> • Update progress since last meeting and timelines What we heard from the public <ul style="list-style-type: none"> • Update and reflections from facilitators • Reflection process on learning for next time 	OGP Secretariat and Civil Society Coordinator Mick Doyle - SCDC
2.00 – 2.10	Draft commitments so far <ul style="list-style-type: none"> • Brief summary of draft commitments for the Action Plan (as sent in advance) 	OGP Secretariat
2.10 – 2.40	Discussion of draft potential commitments Each commitment in turn: <ul style="list-style-type: none"> • Are there any gaps? • Do these commitments lead to an ambitious and transformative Action Plan? • Where might deliver in partnership? 	All
2.40 – 2.50	Decision on draft commitments <ul style="list-style-type: none"> • Agreement on programme to get the plan to Cabinet • Agreement of any actions and next steps 	All
	AOB?	
2.50 – 3.00	Next steps and Close	Lucy McTernan Colin Cook



OPEN GOVERNMENT PARTNERSHIP

STEERING GROUP MEETING (2)

Thursday 4 October 2018, 1.30 – 3pm
Hemma, Edinburgh

OPEN GOVERNMENT PARTNERSHIP ACTION PLAN 2018-20: UPDATE ON PROGRESS AND DRAFT POTENTIAL COMMITMENTS

Below is an update on progress to develop the Action Plan and a summary of the potential commitments that are currently being drafted. At the meeting we can provide you with a clearer view of the negotiations and discussions that have got us this far and by next Thursday will endeavour to provide a more accurate view of the programme for the completion of the plan.

We will discuss the shape and scale of the Plan at the Steering Group meeting next week, but you might like to consider these potential commitments. We are only allowed 5, because of that restriction, as you will see, we have proposed propose one commitment for each of the themes identified by the public, some have a number of separate actions. It would be helpful to hear your answers about the Plan to the following questions:

- Are there any obvious gaps?
- Do these commitments lead to an ambitious and transformative Action Plan?
- Where might these commitments be delivered in partnership and supported by civil society? What might this look like?

If anything is unclear do get in touch and we will try to clarify. You can either circulate your comments in advance or come prepared with your contributions to the meeting.

Please note these commitments are very much in draft; after the Steering Group we will have a more complete version that we will circulate for wider comment.

This will allow us to include the comments, decisions and any changes from the Steering Group before they are circulated for comment ahead of publication. We will publish a note after the meeting with your discussions and decisions as we move towards a finalised and agreed Action Plan. We plan to publish a finalised Action Plan once it is approved by Cabinet at the end of October.

1. UPDATE ON THE DEVELOPMENT OF THE SCOTTISH ACTION PLAN

The Scottish Government has been working on the development of the new Action Plan over the summer and carrying out engagement to find out what the public want. We have been working closely in partnership with civil society to make sure that the ideas in the plan are co-produced, and have continued to support the newly established Steering Group to take a leading role.

The work on both governance and public engagement have been designed to address issues raised by Independent Reporter who audited the development phase of the 2016-18 Scottish Action Plan development. This time we have specifically addressed those criticism.

The public engagement activity included the following:

- hosted 7 open public discussion events across the country that were independently facilitated;
- gathered almost 60 ideas on our online crowdsourcing site;
- held informal events such as conversation cafés and attended existing events to reach new networks, for example, working with Inclusion Scotland.

We heard from people across the country about what open government means to them and the ideas for improvements they would like to see. We have had positive feedback about the process from the public, from the network and partners, and the OGP officials too. We are doing some work to reflect on the learning to improve for next time, with the independent facilitators at SCDC who worked with us in delivering the public discussion events.

We recently published a [report](#) with a summary of all the ideas which has been well received. The types of commitments we're trying to develop are based on these key themes which we heard strongly and consistently:

The five key themes from the public and civil society are:

1. **financial transparency** - increased transparency round the flow of money and being better able to understand budgets.
2. **participation and consultation** - improved consultation processes and more opportunities for people to participate in decision making.
3. **access to information** - improving access to information to help people understand government decision-making. This includes improving how information and data are published and explained to the public.
4. **accountability of public services** - a specific idea from the public about mapping the landscape of scrutiny bodies to better understand where responsibility lies.
5. **understanding and influencing** - improving people's understanding of how systems work and where they can best take part and influence. We heard ideas around education but also on more informal initiatives like citizen journalism. Also under this theme there were calls for increased transparency during the process of exiting the EU. Highlighted by both the civil society steering group members.

All of these ideas from the public are feeding into the creation of the Action Plan. The Open Government team within Scottish Government have been working on the commitments with policy teams across government. Once you, the Steering Group, have considered them in outline we will finalise the detail, sharing and circulating finalised drafts in advance of sign off from Cabinet.

The themes we heard very strongly and consistently from the public are in line with the government's interest and reforming programme and we are hopeful we can develop some ambitious and transformative commitments.

The process has also been informed by the notes from the Civil Society Steering Group members published here (table at bottom of webpage):
https://opengovpioneers.miraheze.org/wiki/2018-20_OpenGov_Content_Planning

2. POTENTIAL DRAFT COMMITMENTS

The key areas for action and potential OGP Commitments for the 2nd Scottish Open Government Action Plan (2018-20) therefore are as follows:

1) Financial Transparency

Key ideas and actions from public engagement

- Financial transparency was a clear priority throughout the engagement with the public, with calls for increased transparency round the flow of money and being able to track where money goes, as well as being better able to understand budgets and spending when information is announced or reports released.

Potential Actions within a single overall Finance commitment:

- Work with partners and civil society to embed open government policies and practices in the development of the new Scottish Exchequer including research with stakeholders and citizens, improving the flow of information on the flow of money in Scotland to improve understanding of new powers, the fiscal priorities and trade-offs in upcoming budgets and how they link to performance through NPF. To include feasibility exploration of potential web based solution (current or other platform) to explain flow of money of Scottish Government spending.
- Establishing the Scottish National Investment Bank in the culture of open government, with innovative engagement with stakeholders and public on the processes and the priorities.
- Improved use of procurement spend data in ways that make it useful and comprehensible for making decisions on future commissioning, Including continuing reforms to make Public Contracts Scotland portal more transparent, release more information and more easily accessible and easy to understand.

2) Participation and consultation

Key ideas and actions from public engagement

- It was evident from public discussion and engagement that there are numerous problems and challenges in our current system and practices in participation and consultation, with ideas in this theme continuing to be a top priority.
- Improvements in brief include calls for changes to consultation processes to include better feedback processes, and an ask for more variety of, more accessible and increased opportunities for people to participate in decision making.

Potential Actions within a single overall Participation commitment:

- Developing a framework for participation to support the skilling up staff to deliver high quality engagement, provide clear guidance on the best options for engagement and participation, improve confidence and provide a better understanding of existing methods and when to use alternative methods (such as dialogue, deliberative and participative processes, online and digital opportunities), and setting out the training needs to achieve the shift. Including reviewing the consultations process and ensuring this incorporates equality of access and participation for the public: creation of policies for participation and access.
- Incorporating tests of participative approaches, to support the understanding of the range of methods to involve people in the work of government. To include
 - Delivering a hackathon on data, (subject to be agreed) in partnership with the NHS National Services Scotland – Information Services Division.
 - Review of Local Democracy – carrying out large scale deliberative process such as a citizen assembly or mini-public
 - Homeless Action Plan - Co-production
 - Partnership with Edinburgh University to deliver a number of events with experts and with citizens to consider open government through lens of gender.
 - Exploration of digital democracy – potential tools and uses, values and creating a collaboration of interested parties to move Scottish Government thinking forwards in relation to participation supported by online means.

3) Access to information

Key ideas and actions from public engagement

- This included improving access to data and information to help people understand government decision-making and publishing data sets in multiple formats, supporting data-literacy, providing explanations to help people understand data and information.

Potential Actions within a single overall commitment on data:

- Improving accessibility of information through greater use of formats such as infographics to explain financial information. This could involve exploration with the public of how information is accessed, shared and used, experimenting with multiple formats for communicating information and assessing with user feedback.
- Exploration of support for citizen journalism.

4) Accountability of public services

Key ideas and actions from public engagement

- Accountability underpins much of the work around open government, we received a specific idea from the public to improve understanding and access to scrutiny bodies to make their work more effective and accessible.

Potential Actions within a single overall Accountability commitment:

- The scrutiny bodies including the Ombudsman, Information Commissioner, Care Inspectorate Audit Scotland are exploring the option of jointly owning a commitment to develop a more transparent approach to shaping, accessing and seeking redress against public services. Citizens Advice Scotland currently offering to own the commitment, working with the other organisations, they will ensure it is citizen facing.

5) Understanding and influencing

Key ideas and actions from public engagement

- This theme collates ideas around improving people's understanding of how systems work and where they can best take part and influence. We heard ideas around education on democratic participation opportunities, but also through more informal routes.
- **Brexit process should be more transparent and participative, publishing details of ongoing negotiations - raised by the civil society steering group members.**

Potential commitments:

- An action to ensure Scottish Government is as transparent and open as possible on the emerging issues and information on Brexit, setting out to share information timeously with the public and maintaining transparency around Brexit.
- In addition this will include a commitment to public dialogue and discussion on issues, to ensure Scottish Government hears and can act on the concerns of people in Scotland.

We would welcome views and comments on the questions/challenges above and circulate comments via email ahead of the meeting or come prepared to discuss.

END

Niamh Webster, Open Government Team, Ingage

0131 244 0808

September 2018