



## Netherlands: 2013-2014 End of term Report

The Dutch Action Plan was ambitious and relevant to OGP goals. Commitments of interest focused on the structure for participation of civil society in government and control of corruption. Notably, all commitments were based on work already commenced prior to the Action Plan. In the year since the last IRM report, Government and NGOs consistently promoted most of the commitments and advocate carrying them forward to the next Action Plan.

The Open Government Partnership (OGP) is a voluntary international initiative that aims to secure commitments from governments to their citizenry to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. The Independent Reporting Mechanism (IRM) carries out a review of the activities of each OGP participating country. **This report summarizes the final results of the period January 2013- December 2014 and includes relevant developments up to October 2015.**

The OGP in the Netherlands is led by the Ministry of the Interior and Kingdom Relations (Ministry of the Interior) with a team of eight government officials responsible for the administration of the Action Plan and the co-ordination of international OGP efforts. Government created an "Inspiration Team" of civil society, local government, and private enterprise stakeholders to guide the implementation process. The Action Plan was developed to operate within existing government programmes. New budgets were created only for specific open government processes and co-ordination activities.

### Consultation with civil society

Countries participating in the OGP follow a process for consultation during development of their OGP Action Plan and during implementation. Overall, the Netherlands developed the OGP plan with a relatively small, professionally-oriented group of stakeholders, rather than through the general public. While the process was open to all, awareness-raising and event invitations occurred through direct professional networking, and the media did not cover these events. The government organised a forum for the "Inspiration Team" and established a separate Expertise Centre to assist public professionals in implementing open government policies. The second Action Plan is being developed in an interactive manner with significant input from NGOs and the public sector. In July 2015, open governance NGOs formed the Coalition for Open Government. The Coalition published a Manifesto, "Onze Overheid, Onze Informatie" (Our Government, Our information). This Manifesto served as the IRM researcher's main sources for gathering stakeholder views, including both a retrospective evaluation of the first Action Plan and clear priorities for the second Action Plan. At the time of writing, the draft Action Plan was not publicly available.

The IRM researcher found the first Dutch Action Plan lacked SMART commitments and the institutional means to ensure substantial progress on commitments. However, the Open Government Team and the Expertise Centre have made great efforts to implement commitments and shown great enthusiasm for open government. The Ministry of Interior has reflected on the achievements and challenges of Action Plan implementation in a realistic and open spirited manner in the government self-assessment report and in interviews with the IRM researcher in September 2015.

**Table 1: At a Glance**

	Mid-term	End-of-term
Number of commitments	18	
Number of milestones	29	
<b>Level of completion</b>		
Completed	2	3
Substantial	8	4
Limited	4	7
Not started	0	4
Unclear	4	0
<b>Number of commitments with:</b>		
Clear relevance to OGP values	16	
Moderate or Transformative potential impact	8	
Substantial or complete implementation	10	7
<b>All three (☺)</b>	4	2

**Table 2: At a Glance**

Carried over to next Action Plan:	<i>Unknown</i>
Significantly modified or updated to the next Action Plan:	<i>Unknown</i>
Left out of next Action Plan:	<i>Unknown</i>
Unclear relationship to next Action Plan:	<i>Unknown</i>

Table 3: Action Plan Consultation Process

<b>Phase of Action Plan</b>	<b>OGP Process Requirement (Articles of Governance Section)</b>	<b>Did the government meet this requirement?</b>
During Implementation	Regular forum for consultation during implementation?	Yes
	Consultations: Open or Invitation-only?	Open
	Consultations on IAP2 spectrum	Involve

## IMPLEMENTATION OF COMMITMENTS THAT WERE INCOMPLETE AT MID-TERM REPORT

As part of OGP, countries are required to make commitments in a two-year Action Plan. Table 4 (above) summarizes each commitment, its relevance to OGP, its ambition, and its level of completion at the mid-term and the end of term. The tables below summarize progress on commitments and/or milestones that were not complete at the mid-term report.

The Dutch action plan was organized into three themes: Open Information, Open Work, and Open Access with the Ministry of the Interior serving as the institution responsible for implementation with some technical assistance provided by data-oriented civil society organizations. The Dutch action plan focused on increasing accessibility and transparency through online tools. The language of many of the commitments, however, lacked measurable milestones and commitments with transformative potential impact were largely not started.

Since publication of the mid-term report, significantly more information has become available. The current IRM researcher has adjusted completion levels for some commitments in the end of term report. The IRM Procedures Manual (<http://bit.ly/1XSDBGNF>) provides guidance on IRM methodology regarding completion. Adjusted commitments are clearly marked and the revised coding is explained in the narrative section below. Changes can be attributed to the following:

- ....Lack of information resulting in ratings of “unclear.”
- ....Confusion between relevant documents resulting in higher ratings than otherwise assumed.
- ....Corrections and supplementary information provided by government during later interviews.
- ....Incomplete consideration of all milestones by the prior IRM researcher.

The IRM and IEP take these discrepancies seriously and have taken an active role in ensuring that the assessment and level of completion are as accurate as possible going forward.

The following commitments’ completion levels were revised following the introduction of additional evidence and application of IRM methodology regarding completion:

Commitment Name	Mid-term Completion	End of term Completion	Revision in coding
1.b. Active Access	Limited	Not Started	Decrease
2. Open Data	Unclear	Substantial	Increase
3. Open Budgets & open spending	Substantial	Limited	Decrease
4. Open House of Representatives	Substantial	Limited	Decrease
5. Instruments to enhance integrity	Unclear	Not Started	N/A
7. Internet consultation	Substantial	Not Started	Decrease
9. Informal FOI requests	Substantial	Limited	Decrease
11. Changing attitudes & procedures	Substantial	Limited	Decrease
12. Water coalition	Unclear	Not Started	N/A
16. Online announcements & notifications	Substantial	Limited	Decrease
17. Public services and other user perspectives	Unclear	Substantial	Increase

In the mid-term report, four commitments (3, 6, 11, and 16) were evaluated as star commitments. Star commitments are measurable, clearly relevant to OGP values as written, of moderate or transformative potential impact, and substantially or completely implemented. As a result of these changes in coding for completion, three commitments (3, 11, and 16) that were evaluated as star commitments in the mid-term report were **not** evaluated as star commitments in the end of term report. In the end of term report, two commitments (2 and 6) were evaluated as star commitments.

### About “Did it Open Government?”

Often, OGP commitments are vaguely worded or not clearly related to opening government, but they actually achieve significant political reforms. Other times, commitments with significant progress may appear relevant and ambitious, but fail to open government. In an attempt to capture these subtleties and, more importantly, actual changes in government practice, the IRM introduced a new variable ‘How did it open government?’ in End-of-Term Reports. This variable attempts to move beyond measuring outputs and deliverables to looking at how the practice of governing has changed as a result of the commitment. This can be contrasted to the IRM’s “Starred commitments” which describe *potential* impact.

IRM Researchers code the “Did it open government?” variable using the same scale as the “potential impact” variable. This allows for comparisons of intention (potential impact) with outcomes government. A variable scale also allows categorization of results along a spectrum, as some commitments may have mixed results. The scale is as follows:

- ....Worsens: worsens government openness
- ....None: maintains the same degree of government openness
- ....Minor: an incremental but positive step for government openness in the relevant policy area
- ....Major: a major step forward for government openness in the relevant policy area, but remains limited in scope or scale
- ....Transformative: a reform that has transformed ‘business as usual’ in the relevant policy area by opening government

To assess this variable, researchers establish the status quo at the outset of the action plan. They then assess outcomes *as implemented* for changes in government openness.

Readers should keep in mind limitations. IRM End-of-Term Reports are prepared only a few months after the implementation cycle is completed and focus on government practice, so the variable does not capture longer term changes and on-the-ground impacts. Second, as with all assessments of OGP commitments, the variable assesses only the outcomes of the commitment. It should therefore not be interpreted as an evaluation of open government on the whole in the national context as the scope of each action.

### About Starred Commitments

Note that the IRM updated the star criteria in early 2015 in order to raise the bar for model OGP commitments. Under the new criteria, a commitment receives a star if it is measurable, clearly relevant to OGP values as written, has *transformative* impact, and is substantially or completely implemented. To preserve clarity and consistency across the mid-term and end of term reports, this report uses the old criteria for evaluating starred commitments. The mid-term and end of term IRM reports on the second Dutch Action Plan will evaluate commitments using the new criteria.

Table 4: Assessment of Progress by Commitment

Commitment Overview	Specificity				OGP value relevance				Potential Impact				Completion		Midterm	Did it open government?					
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	End of term		Worsens	None	Minor	Major	Transformative
															Substantial	Completed					
I.a. Active publication of government information			✓		✓		✓				✓			✓					✓		
I.b. Active access			✓		✓		✓				✓		✓					✓			
2. Open data			✓		✓		✓			✓		Unclear						✓			
3. Open budgets and spending				✓	✓	✓	✓				✓			✓					✓		
4. Open House of Representatives				✓	✓		✓		✓					✓				✓			
5. Instruments to enhance integrity		✓			✓		✓		✓			Unclear					✓				
6. Revamp the legislative calendar			✓		✓	✓	✓			✓					✓			✓			
7. Increased online consultation		✓			✓	✓	✓		✓						✓			✓			
8. More transparency in decision making through Volgdewet.nl		✓			✓	✓	✓		✓							✓			✓		
9. Informal Freedom of Information (Fol) requests		✓			✓		✓								✓				✓		

Commitment Overview	Specificity				OGP value relevance				Potential Impact				Completion		Midterm	Did it open government?					
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not started	Limited	End of term		Worsens	None	Minor	Major	Transformative
															Substantial	Completed					
10. From rules to freedom			✓			✓	✓			✓					✓			✓			
11. Changing attitudes and procedures			✓		✓	✓	✓			✓				✓				✓			
12. Water coalition	✓				Unclear				✓				Unclear				✓				
13. Participation policy		✓				✓				✓				✓				✓			
14. Accessible government information		✓			✓					✓					✓			✓			
15. Citizen access to personal data			✓		✓		✓	✓			✓			✓				✓			
16. Online announcements and notifications			✓		✓		✓	✓			✓			✓					✓		
17. Public services and other user perspective	✓				Unclear					✓			Unclear						✓		

Editorial Note: Due to discrepancies in the application of IRM methodology in the mid-term report, the IRM researcher has adjusted completion levels for some commitments in the end of term report. Adjusted commitments are clearly marked and explained in the narrative sections below.

## Theme I: Open Information

### I.a. Active publication of government information

#### Commitment Text:

*Action 1a: Designate categories of government information for active access.*

*Information from the government should be actively made accessible. Though this principle is enshrined in the Government Information (Public Access) Act, it does not happen as a matter of course. The House of Representatives has adopted a motion “the Voortman motion of 20 December 2012” calling for a presumption in favour of openness to be applied to government information. Some catching up will be required, and it will not be technically - or financially - possible to provide immediate access to all government information.*

*In autumn 2013 the Ministry of the Interior will launch a study to determine which categories of information would bring the most added value if actively made accessible. Demand from citizens and companies will be identified, and the study will also consider public-sector organisations’ technical, practical and financial capacity for actively making information accessible. This will highlight not only low-hanging fruit, but also future potential. There will be a clear link between this and the following action in this plan: “open by design.”*

*Pending the outcomes of the study, the following types of information will be considered for active release in the future, since consultation has revealed a demand for such a release policy.*

#### Central government research reports

- Feasibility tests
- Central government procurement information
- Central government grant information.

Responsible institution: Ministry of the Interior

Supporting institution(s): None

Start date: 1 September 2013....

End date: Not Specified

Commitment Overview	End of term completion				Did it open government?				
	Not started	Limited	Substantial	Complete	Worsens	None	Minor	Major	Transformative
I.a. Overall		✓					✓		
I.a.1. Finish study of categories of government information that can be made actively accessible		✓					✓		
I.a.2. Make first category of information accessible			✓				✓		
I.a.3. Identify potential for adapting ARVODI and prepare strategy	✓					✓			

## Policy Aim

Although Dutch law provides clear requirements on open access to public information, in practice the scope of information available is still limited. This commitment aimed to speed up the process of open access to government information. The general purpose is to enable citizens to be better informed about what happens in government and to help public servants make better use of each other's information. This commitment sought to align Dutch practice on open access with the European Directive on Public Information 2013/37/EU, that came into power in July 2015 with the Re-use of Information Act.<sup>1</sup>

## Status

### Mid-term: Limited

A study of categories of government information to be made publicly available and two pilot projects on open access research publication opportunities have been started (milestone 1.a.1). The Ministry of Finance has started to publish all information on grants in open data format (milestone 1.a.2).<sup>2</sup> However, the government self-assessment report found that it underestimated the resources needed to implement open access and that the original strategy did not address citizens' needs for open access information. The government indicated that a new study on citizens' needs for open access information was underway. Adaptation of the Government Terms and Conditions for Public Service Contracts (ARVODI) was not included in the agenda and therefore has not been started.

### End of term: Limited

Two pilot studies (milestone 1.a.1) within the Ministry of the Interior and the Ministry of Education and Science were completed in 2015. They resulted in an informal rule set by the Minister of the Interior that research reports on policy issues should be published within 28 days. At the time of writing, new pilots in the ministries of the Interior and Education were underway. As a result of the initial round of pilot studies, one of the conditions is that reports made under ARVODI conditions (public tender) are to be published immediately.<sup>3</sup> At the time of writing of the report, new pilots in the ministries of Interior and Education were underway. Stakeholders interviewed criticized the findings of the pilots as vague and that it is difficult to find the published research reports. The IRM researcher found no evidence of progress made on the publication of implementation assessments ('uitvoeringstoets') also included in milestone 1.a.1. In June 2015, the Minister of the Interior wrote that an inventory on this topic would be held.<sup>4</sup> Regarding milestone 1.a.3, the IRM researcher found that there has not been any development in adapting ARVODI and the milestone remains not started.

## Did it open government?

The main tangible result is an informal rule set by the Minister of the Interior on the timely publication of research reports (28 days for research, immediately for publicly tendered research) based on the two pilot studies. The other results do not have any impact on open government yet, since they focus on more pilots and research. Therefore, the impact is considered minor.

## Carried forward?

In the next Action Plan, the IRM researcher recommends shifting the focus away from more research and reflection to 'doing' by significantly widening the scope of the commitment and incorporating stakeholder feedback on how and where information is being published so that it is easily accessible to the public.

At the time of writing (October 2015), the initiative draft law on open access of public information was still being debated in the House of Representatives. Stakeholders, however, expressed passing this draft and ratifying the Tromsø Convention as one of their main priorities.<sup>5</sup> The IRM researcher recommends including activities related to implementing this law in the new Action Plan.<sup>6</sup>

The IRM researcher does not recommend carrying forward milestone 1.a.3 on adapting the ARVODI and its model contract on research. As written, the contract already allows the government, as the ordering contract party, to publish the findings of reports (unless forbidden by privacy rules).



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<sup>1</sup> Wet hergebruik overheidsinformatie , [wetten.overheid.nl/BWBR0036795](http://wetten.overheid.nl/BWBR0036795).

<sup>2</sup> Only the last 25 tenders are shown on [tendernet.nl](http://tendernet.nl), which should be easy to expand to all tenders. Stakeholders also mention that [tendernet.nl](http://tendernet.nl) only shows aggregated results.

<sup>3</sup> [rijksoverheid.nl/documenten/kamerstukken/2015/06/26/kamerbrief-over-actieve-openbaarmaking-onderzoeksrapporten](http://rijksoverheid.nl/documenten/kamerstukken/2015/06/26/kamerbrief-over-actieve-openbaarmaking-onderzoeksrapporten), june 2015.

<sup>4</sup> [rijksoverheid.nl/documenten/kamerstukken/2015/06/26/kamerbrief-over-actieve-openbaarmaking-onderzoeksrapporten](http://rijksoverheid.nl/documenten/kamerstukken/2015/06/26/kamerbrief-over-actieve-openbaarmaking-onderzoeksrapporten).

<sup>5</sup> Coalition for Open Government, Manifesto "Onze Overheid, Onze Informatie" ("Our Government, Our Information"), [open-overheid.nl/open-overheid/onze-overheid-onze-informatie-manifest-voor-een-open-overheid](http://open-overheid.nl/open-overheid/onze-overheid-onze-informatie-manifest-voor-een-open-overheid).

<sup>6</sup> Wet Open Overheid , TK 2014-2015, nr. 33328.

## I.b. Active access

### Commitment Text:

*Action 1b: Rethink information management and active access: four ‘open by design’ pilot projects.*

*To provide good, rapid access to government information, freedom of information and open standards must be incorporated into the design of information systems. For example, the system must allow non-public information to be labelled as such when information is first created or a form completed. Exactly what this implies for information systems will first have to be determined in a number of pilot projects.*

*The pilot projects will compile a set of functional requirements so they are available when the applications in question need to be put in place. At least four pilot projects will be launched at four different public-sector organisations before any choices are made or directions defined. Opportunities for conducting such projects will be sought in central, local and provincial government, and at water authorities and implementing bodies.*

*The outcomes of the pilot projects will be used to determine when and to what extent open-by- design practices can be introduced into the public sector’s information management regime and implementation processes. The costs of implementation will also be considered.*

*CIOs, the National Archives and the Standardisation Board and Forum will be important partners in efforts to achieve the necessary preconditions for active access and open-by-design practices in central government.*

*The proposed measures must of course comply with the measures agreed by the Government (cost savings, Reform Agenda). The financial implications of this action item (open by design) will be further investigated during and after the pilot projects.*

*Steps to be taken:*

- Complete and publish open-by-design pilot projects
- Have functional requirements ready for new government information systems

Responsible institution: Ministry of the Interior

Supporting institution(s): Chief information officers within the national ministries, the National Archives, and the Standardisation Board and Forum

Start date: September 2013 .....

End date: December 2015

Commitment Overview	End of term completion				Did it open government?				
	Not started	Limited	Substantial	Complete	Worsens	None	Minor	Major	Transformative
I.b. Overall	✓					✓			
I.b.1. Complete and publish open-by-design pilot projects	✓					✓			
I.b.2. Functional requirements ready	✓					✓			

Editorial Note: Following the introduction of additional evidence and application of the IRM methodology, the IRM researcher has adjusted the completion level of this commitment. For more information on IRM methodology regarding completion, please see the IRM Procedures Manual (<http://bit.ly/1XSBGNE>).

### Policy Aim

The goal of this commitment is to determine how, when, and at what cost “open-by-design” can be realised within the information architecture of the Dutch central government. Having “open-by-design” databases and information systems is a prerequisite for active openness and this

commitment seeks to link structured information (databases) and unstructured information (information systems), which could have a transformative potential impact.

### **Status**

#### **Mid-term: Limited**

The previous IRM researcher noted how budgetary limitations and delays led to a change in the design of the project to focus on identifying open-by-design projects already underway to serve as the pilot project. At the time of writing, the previous IRM researcher found evidence that processes and analysis for identifying in-progress open-by-design projects were underway and that the first generic document storage and retrieval services would be available by the end of 2015. Therefore, the previous IRM researcher evaluated progress on this commitment as limited, though no evidence was found to indicate that the pilot projects had been started.

#### **End of term: Not Started**

The Ministry of the Interior confirmed that, at the end of the implementation cycle, no existing open-by-design project had been selected as a pilot project for this commitment. At the time of writing, none of the functional requirements for identifying an existing open-by-design project and implementing the pilot project were in place. The IRM researcher found that this project was too early in its conception and implementation timeline to be evaluated as having achieved limited completion. Therefore, the IRM researcher has evaluated this commitment as 'Not Started'.

### **Did it open government?**

There was no progress on this commitment, so the impact on open government is none.

### **Carried forward?**

This topic has clear significance for open government, and it is one of the priorities in the Coalition for Open Government's Manifesto. There already exist in the Netherlands many on-going projects on active access and open-by-design. The IRM researcher recommends connecting this commitment to existing projects to increase efficiency. In the next Action Plan, government could seek inspiration from and cooperation with other countries, young scientists, and commercial partners to develop public sector-specific projects.

## ✦ 2. Open data

### Commitment Text:

Action 2: Further develop and promote disclosure and use of Open Data.

The basic principle of public access to government information is that data must be provided in a re-usable format. The Ministry of the Interior, the Ministry of Economic Affairs and the Ministry of Infrastructure and the Environment are currently in the process of making their data accessible. These ministries have issued a political statement concerning open data, declaring that they will pursue a policy based on a “presumption of active access.”

This is likely to become the guiding principle for all public-sector organisations. The Netherlands Court of Audit also increasingly recommends in its reports that information be made available in the form of open data.

- .... Open Data NEXT was launched in 2012. To demonstrate the opportunities open data can bring to government, the programme identifies social and economic issues that can be addressed using open data.
- .... Open Geodata breakthrough project: “Open geodata as a resource for growth and innovation.” The focus is on the demand side: what kind of open geodata do businesses need? Public-private partnerships involving public authorities, businesses and research institutions (the “golden triangle”) are bringing together the supply and demand sides of open data. The network organises “relay meetings” on certain themes, chosen on the basis of market demand.
- .... Open data knowledge network. The open data knowledge network focuses mainly on disseminating knowledge to public authorities that wish to start providing open data. A guide is currently being prepared. The knowledge network holds an annual open data conference.
- .... Digital Cities Agenda: It will focus specifically on a top-20 list of easily implementable projects on open data for local authorities. Work is also underway to make open data on energy and education available. Workshops will be organised to promote commercial use of open data.

Data.overheid.nl: Data.overheid.nl (“data.government.nl”) is the central portal for all information on Dutch government open data. The index will be further developed to ensure it meets requirements concerning metadata, standardisation and the findability of open datasets Quality of data: Every dataset published online comes with an “explanatory insert.”

Responsible institution: Open Data Programme, Ministry of the Interior, Open Data Innovation Network

Supporting institution(s): Ministry of Economic Affairs, Ministry of Infrastructure and the Environment

Start date: Not Specified.....

End date: Not Specified

Commitment Overview	End of term completion				Did it open government?				
	Not started	Limited	Substantial	Complete	Worsens	None	Minor	Major	Transformative
2. Overall			✓				✓		
2.1 Explanatory data insert				✓			✓		
2.2 Open Data Next			✓			✓			
2.3 Open Geo data thematic relay-meetings			✓			✓			
2.4. Digital Cities Agenda			✓				✓		
2.5. Data.overheid.nl			✓					✓	

☞ Commitment 2 is clearly relevant to OGP values as written, has moderate or transformative potential impact, and is substantially or completely implemented and therefore qualifies as a starred commitment.

### **Policy Aim**

This commitment focuses on efforts made by the national government to strengthen public access by making government data available in re-usable format. The Open Data Agenda seeks to encourage central government agencies, ministries, municipalities, and private sector to work with open datasets. The language of the commitment largely showcases the different projects and organizations working to make data more accessible rather than outlining concrete, time-bound milestones to support this commitment.

### **Status**

#### **Mid-term: Unclear**

The previous IRM researcher found that written reports on this topic were not available. As no end date was set for this commitment, the previous IRM researcher evaluated this commitment as having unclear completion.

#### **End of term: Substantial**

Four out of five milestones for this commitment were found to be substantially complete. Milestone 2.1 “Guideline on Open Data Usage”), which explains the conditions under which data is considered ‘open data’, has been publicly available on the government’s website since July 2015.<sup>1</sup>

Milestone 2.2, Open Data Next, refers to a demand-based data approach (rather than a supply based approach). Several meetings with citizens were held that resulted in many subjects that could be explored further.<sup>2</sup> This milestone had no clear end terms, but there has been significant progress. An indirect result of Open Data Next, the Ministry mentioned [data.groningen.nl](http://data.groningen.nl) - both the city and the province of Groningen publish detailed financial information on this website. In some sense this could have been accelerated by the Open Cities work.

Milestone 2.3, Open Geo, is an on-going project, which resulted in the public-private partnership, Geo Breakthrough (“Doorbraakproject open geodata”).<sup>3</sup> Many meetings were held during the Action Plan period. Since the Action Plan mentioned organizing meetings for this milestone, the IRM researcher considers this milestone substantially complete.

The IRM researcher found 15 out of 20 projects mentioned in milestone 2.4, Digital Cities, have been realized.<sup>4</sup> Therefore, the IRM researcher found this milestone to be substantially complete.

The IRM researcher found that for milestone 2.5, the Data.overheid register, substantial progress in developing the register has been made through 2015.<sup>5</sup> In July 2015, a nationwide inventory of available data was published.<sup>6</sup> Projects on searchability and expanding the scope of the register will continue beyond 2016. However, the National Court of Audit criticized the open data level in the Netherlands, stating that most open datasets are ‘passive’ with information on what the government *knows* rather than ‘do-data’ on how the government performs its public functions.<sup>7</sup> The Court also notes the lack of a legal obligation to publish data in open format and it suggests establishing an Open Data Institute.<sup>8</sup> The Minister of the Interior sent a letter to Parliament including the National Open Data Agenda (NODA) 2016 on 30 November 2015.<sup>9</sup>

### **Did it open government?**

The commitment clearly shows progress, but the relevance to society as a whole is limited. Most milestones were designed as test cases that promise more impact in the future. Only Open Data (milestone 2.2) has clear and usable results. Additionally, providing more data does not automatically ensure that the information is (1) relevant to citizens’ interests (2) easily accessible and (3) released in a useful and useable manner. The Coalition for Open Government states in its Manifesto that critical data in a variety of policy areas is still lacking or hard to find and advocates for a central register for all public information.

### Carried forward?

The IRM researcher recommends that the next Action Plan should have one or more prominent commitments on open data, preferably in a less incremental and more structured manner than in the current Action Plan. A commitment on NODA could address the lack of interconnectivity between the various milestones, as well as the lack of oversight and supervision in implementation. The breakthrough projects of the Ministry of Economic Affairs (in public-private partnership with scientific institutions and economic partners) would also be a good commitment on open data because it has already made a substantial start, in a receptive setting.<sup>10</sup>

However, findable (open) data is not enough to address citizens' needs. Stakeholders also emphasize the need for open data information that the public can understand and readily use. Even with explanatory data sets, open data in the Netherlands is structured to serve data-experts, like journalists, researchers and open data NGOs. According to the Coalition, the general public does not have the skills to understand data.

Thus, it will be important for future commitments to shift away from the model of 'just throwing out data on the website' to one where data is explained in terms of its relevance for specific policy issues and translated into clear language information. Applications that visualize data and that connect various datasets at the local level will help citizens understand the impact of open data on their lives and futures.<sup>11</sup> "Open Raadsinformatie" and Raadsagenda" (mentioned under commitment I4) may serve as good models for increasing citizens understanding and awareness of open data.

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<sup>1</sup> . <https://data.overheid.nl/leidraad-open-data-gebruik>.

<sup>2</sup> [data.overheid.nl/open-data-next](https://data.overheid.nl/open-data-next).

<sup>3</sup> This is one of the breakthrough projects on [doorbraakprojectenmetict.nl](https://www.doorbraakprojectenmetict.nl), led by the Ministry of Economic Affairs. Another result with mentioning is GeoSamen ("GeoTogether") a vision document 2014-2020 on geodata, [geonovum.nl/sites/default/files/GeoSamen-online.pdf](https://geonovum.nl/sites/default/files/GeoSamen-online.pdf).

<sup>4</sup> [agendastad.nl](https://www.agendastad.nl). This initiative has no direct connotation with Open Government, however.

<sup>5</sup> A comment in the public survey points out that there are many 'broken links' in the data sets.

<sup>6</sup> [data.overheid.nl/inventarisatie-departementen-2015](https://data.overheid.nl/inventarisatie-departementen-2015).

<sup>7</sup> [rekenkamer.nl/Publicaties/Onderzoeksrapporten/Introducties/2015/03/Trendrapport\\_open\\_data\\_2015](https://rekenkamer.nl/Publicaties/Onderzoeksrapporten/Introducties/2015/03/Trendrapport_open_data_2015), p. 14.

<sup>8</sup> [Trendrapport\\_open\\_data\\_2015](https://rekenkamer.nl/Publicaties/Onderzoeksrapporten/Introducties/2015/03/Trendrapport_open_data_2015), p. 14-15.

<sup>9</sup> <https://www.rijksoverheid.nl/documenten/kamerstukken/2015/11/30/kamerbrief-over-nationale-open-data-agenda-2016-noda>

<sup>10</sup> [www.doorbraakmetbigdata.nl](https://www.doorbraakmetbigdata.nl).

<sup>11</sup> This format is also advised by Archief 2020: [archief2020.nl/nieuws/toepassingsprofiel-metadatering-lokale-overheden](https://www.archief2020.nl/nieuws/toepassingsprofiel-metadatering-lokale-overheden).

### 3. Open budgets and open spending

#### Commitment Text:

*Action 3: Increase financial transparency through Open Budget and experiments with Open Spending and Budget Monitoring*

*Budgets will increasingly be drafted in digital form over the coming years. In collaboration with all parties involved and as part of existing practice, the Ministry of Finance will therefore provide access to the annual central government budget, amended budgets and accountability information in the form of open data.*

*However, financial information consists of more than just budget information; income and expenditure are also important. “Open Spending” is an international project and an open source platform administered by the Open Knowledge Foundation (OKFN), an international non-profit organisation that promotes open knowledge through open content and open data.*

*Non-profit organisation Open State is currently implementing Open Spending in the Netherlands. Over the coming period, talks will be held with Open State concerning the possibility of setting up open spending pilot projects (e.g. insight into the financial data of the four levels of administration: central, provincial, local and water authorities).*

*Budget monitoring is a means of allowing citizens, communities and organisations access to financial information, giving them an insight into budgetary processes and public spending.*

*The Ministry of the Interior plans to explore the opportunities and prerequisites for publicising its spending data with the idea of providing active access to public spending data. This exercise will lead to a strategy. It will also identify the costs and benefits of releasing this data.*

Responsible institution: Ministry of Finance, Open Government Programme, Ministry of the Interior

Supporting institution(s): Open State Foundation

Start date: September 2011 .....

End date: Fall 2014

Commitment Overview	End of term completion				Did it open government?				
	Not started	Limited	Substantial	Complete	Worsens	None	Minor	Major	Transformative
3. Overall		✓					✓		
3.1. Open budgeting				✓				✓	
3.2. Active access to spending data	✓					✓			

Editorial Note: This commitment was evaluated as a star commitment in the mid-term report. Following the introduction of additional evidence and application of the IRM methodology, the IRM researcher has adjusted the completion level of this commitment. As a result, this commitment was **not** evaluated as a star commitment in the end of term report. For more information on IRM methodology regarding completion, please see the IRM Procedures Manual (<http://bit.ly/1XSBGNE>).

#### Policy Aim

Since 2012, the budgets of all ministries are accessible in open data format, but with limited specificity on line item allocations and delays between when the information is published in hard copy and becomes publicly available on the government’s website. The commitment seeks to develop a data format that specifies which information should be delivered at each level, so that the open budget effort can move from design to actual implementation.

## Status

### Mid-term: Substantial

The previous IRM researcher found progress on budget monitoring and open spending has been significant. In 2013, the National Court of Audit published its reports in open data format for the first time in an effort to encourage other public organizations to follow suit. CSOs have used this information to set up pilot programs to allow citizens to monitor and compare local expenditures, though the availability of financial information was uneven across administration levels. The Ministry of Finance developed a standardized data format for use by all ministries and it held an exploratory study on active access to open spending data was expected to take place at the end of 2014, pending inter-ministerial consensus on the level and pace of open budget activities.

### End of term: Limited

The IRM researcher found that the annual budget has been published in a visually comprehensive and attractive manner since September 2014.<sup>12</sup> Also, it is available in several machine-readable formats (excel, CSV, ODS) since September 2014.<sup>3</sup> Additionally, the Central Bureau of Statistics publishes all data on local and regional governments in what it classifies as its iv3-standard (information for third parties)<sup>4</sup>. On the second milestone, the IRM researcher was not able to find evidence of the Open Spending and Budget Monitoring programs improving the status quo of access to open budgets or access to spending data during the implementation period. The National Court of Audit found that the Netherlands still lacks open spending and budget monitoring data.<sup>5</sup> Because the second milestone would have significantly moved the status quo forward, the fact that it remained 'not started' during the implementation period sets back overall completion for this commitment to limited. As a result of a motion from Parliament, government made all 2014 central government procurement data available on 30 November 2015.<sup>6</sup>

### Did it open government?

There has been substantial progress on open budgeting in a way that is relevant to both the public and to specific stakeholders. This cannot be said of open spending and budget monitoring. Therefore, the impact is minor.

### Carried forward?

Open Spending and Budget Monitoring are essential to any modern, vibrant democracy. Many CSOs and local initiatives strive for more spending and budget monitoring open data. Stakeholders state in the Manifesto that they need more useable information on spending and budgets so that they can actively participate in policymaking and public debate. The IRM researcher recommends this commitment be continued in the next Action Plan.

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<sup>1</sup> [rijksoverheid.nl/onderwerpen/prinsjesdag/inhoud/archief-prinsjesdag/huishoudboekje-van-nederland-2014](http://rijksoverheid.nl/onderwerpen/prinsjesdag/inhoud/archief-prinsjesdag/huishoudboekje-van-nederland-2014), [rijksoverheid.nl/onderwerpen/prinsjesdag/inhoud/miljoenennota-rijksbegroting-en-troonrede/overheidsfinancien-in-beeld](http://rijksoverheid.nl/onderwerpen/prinsjesdag/inhoud/miljoenennota-rijksbegroting-en-troonrede/overheidsfinancien-in-beeld).

<sup>2</sup> <https://www.rijksoverheid.nl/onderwerpen/prinsjesdag/inhoud/archief-prinsjesdag/huishoudboekje-van-nederland-2014>, [rijksoverheid.nl/onderwerpen/prinsjesdag/inhoud/miljoenennota-rijksbegroting-en-troonrede/overheidsfinancien-in-beeld](http://rijksoverheid.nl/onderwerpen/prinsjesdag/inhoud/miljoenennota-rijksbegroting-en-troonrede/overheidsfinancien-in-beeld)

<sup>3</sup> [opendata.rijksbegroting.nl](http://opendata.rijksbegroting.nl).

<sup>4</sup> <https://www.rijksoverheid.nl/onderwerpen/financien-gemeenten-en-provincies/inhoud/uitwisseling-financiele-gegevens-met-sisa-en-iv3/informatie-voor-derden-iv3>.

<sup>5</sup> [rekenkamer.nl/Publicaties/Onderzoeksrapporten/Introducties/2015/03/Trendrapport\\_open\\_data\\_2015](http://rekenkamer.nl/Publicaties/Onderzoeksrapporten/Introducties/2015/03/Trendrapport_open_data_2015), p. 6.

<sup>6</sup> <https://data.overheid.nl/informatie-over-spendata>



## 4. Open House of Representatives

### Commitment Text:

Action 4: Open House of Representatives

In 2012 the House of Representatives began releasing parliamentary data. The process started with a “hackathon” entitled Apps for Democracy. This will continue along the following lines in the future:

1. *Parlis online*: Information on the parliamentary process will be made accessible via Parlis. Papers, agendas, schedules and reports will all be disclosed to the public.

2. *Further development of API*: Initially, an API was made available to a limited group of users. On the basis of experience to date, it is now being made openly available. This will make it possible to retrieve real-time information, among other things.

3. *House of Representatives SessionApp*.

4. *All sessions can be followed via a livestream, and opportunities to watch again and search footage will be expanded in the longer term.*

Responsible institution: President of House of Representatives

Supporting institution(s): None

Start date: 2008.....

End date: 2012

Relevance: Clear .....

Specificity: High

Potential impact: Minor

Commitment Overview	End of term completion				Did it open government?				
	Not started	Limited	Substantial	Complete	Worsens	None	Minor	Major	Transformative
<ul style="list-style-type: none"> <li>• Relevance: Clear</li> <li>• Specificity: High</li> <li>• Potential impact: Minor</li> </ul>									
4. Overall		✓				✓			
4.1. Parlis online	✓					✓			
4.2. Parliamentary API	✓					✓			
4.3. & 4.4. Session app			✓			✓			

### Policy Aim

This commitment, which seeks to enhance transparency and accessibility in the House of Representatives, is connected to projects focused on modernising the information architecture of the House of Representatives.

### Status

#### Mid-term: Substantial

The previous IRM researcher found that this commitment was substantially complete because two of the three milestones were 'substantially complete', and 'complete'. In terms of technological innovation, the groundwork for this commitment has been done as an API, "appsvoordemocratie.nl", was in place and a basic video stream was available. However, the Parlis.nl site had limited completion because it was not updated, restricted, had a highly technical interface, and was not designed to meet the information needs of the general public.

#### End of term: Limited

This commitment appears to be “dropped” by all parties as the IRM researcher was unable to find evidence of recent, publicly available information on the API or progress on this commitment since the mid-term report. [Parlis.nl](#) has not been updated since 2010 and the API, "[appsvoordemocratie.nl](#)", has not been updated since 2012. The IRM researcher found a beta version of the [Parlis](#) website. The most recent information on [Parlis](#) dates from 2010. The API ([appsvoordemocratie.nl](#)) does not provide the required app to use the data on the website. The IRM researcher found that the data on the API website have been updated through 2016. Further progress to make these tools available to the wider public did not take place. Additionally, the IRM researcher found that parliamentary information was already available on other websites ([officielebekeningen.overheid.nl](#)) in a more user-friendly fashion. However, since some progress was made on this commitment in the first half of the implementation cycle, the IRM researcher found this commitment to have limited completion.

### **Did it open government?**

Since there are hardly any publicly available results and the public still cannot access the API, the IRM researcher concludes that this commitment has not yet contributed to opening the government.

### **Carried forward?**

An open legislative process requires disclosure of documents and information about lobbying activities, undisclosed consultations, as well as (open) data on voting and deeper and more varied information than is currently published on [Parlis.nl](#), [officielebekeningen.overheid.nl](#) or communicated in press briefings. Stakeholders interviewed strongly state that transparency on lobbying activities, particularly lobbyists' influence on the 'legislative footprint', as well as publishing more parliamentary agendas is needed.<sup>1</sup> A commitment on this topic may be included in the next Action Plan, as well as initiatives on local and regional open democracies.

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<sup>1</sup> Manifesto "Onze Overheid, Onze Informatie".

## 5. Instruments to enhance integrity

### Commitment Text:

The Ministry of the Interior developed a new integrity monitor in 2011/2012, in collaboration with Dutch National Office for Promoting Ethics and Integrity in the Public Sector (BIOS), the Association of Netherlands Municipalities (VNG), the Association of the Provinces of the Netherlands (IPO), the Association of Regional Water Authorities (UvW) and the central government sector.

The goal was to devise a benchmark evaluation mechanism which would reveal, at four-year intervals, how things stand with the integrity of public administration. The monitor looks at both the implementation of integrity policy, and the experiences of staff. A general request for information on the number of recorded incidents of unethical behaviour and cases settled has also been made.

The Ministry of the Interior intends to repeat the exercise once every four years and to make the results available in searchable form. Two measures over and above current practice are proposed here.

- .... Disclosure of outside jobs and activities of senior officials and administrators: By law, information on outside jobs and activities of senior officials and administrators must be disclosed and updated. Different organisations do this in different ways. The Ministry of the Interior, along with the VNG, IPO and UvW, will disseminate best practices and study the possibility of achieving a more uniform method of disclosure.

Records of unethical behaviour: In 2008 the Ministry of the Interior developed a uniform national registration system for unethical behaviour. Various evaluations have revealed that many organisations still do not use this system. Arrangements have now been made with the VNG to assess the extent to which existing registration tools can be adapted in order to record unethical behaviour. This will ultimately provide more insight into ethics and integrity within organisations and the public administration. The possibility of tying the registration systems in with the “windows on operations” application - designed to provide clear and well-ordered information on all elements of operational management, including ethics and integrity - will also be examined

Responsible institution: Ministry of the Interior

Supporting institution(s): Union of Dutch municipalities, Interprovincial Association and Union of Water Boards

Editorial Note: the supporting institutions are more commonly know as Association of Netherlands Municipalities (VNG), the Association of the Provinces of the Netherlands (IPO), the Union of Dutch Water Authorities (UvW)

Start date: Mid 2013.....

End date: Not Specified

Commitment Overview	End of term completion				Did it open government?				
	Not started	Limited	Substantial	Complete	Worsens	None	Minor	Major	Transformative
5. Overall	✓					✓			
5.1. Uniform additional jobs disclosure	✓					✓			
5.2. Unethical behaviour records	✓					✓			

Editorial Note: Following the introduction of additional evidence and application of the IRM methodology, the IRM researcher has adjusted the completion level of this commitment. For more information on IRM methodology regarding completion, please see the IRM Procedures Manual (<http://bit.ly/1XSBGNF>).

### Policy Aim

Publishing and updating the registry of outside jobs and activities is a legal obligation for local governments as well as regional water authorities. However, public officials’ job disclosures are not

the focus of prominent monitoring and evaluation measurements on the integrity of Dutch public officials. The most recent national integrity monitor (2012) did provide self-reportage figures about job disclosures by civil servants, but not by public officials.<sup>1</sup> This commitment seeks to modernise registration and ensure 90% to 100% compliance on disclosure obligations for officials. However, it should be noted that in this monitor the *perception* of unethical behaviour is measured rather than actual behaviour itself.

## Status

### Mid-term: Unclear

To ensure compliance, the Ministry of the Interior developed a national integrity monitor. However, the monitor is not included as one of the activities in the language of the commitment, nor does it involve uniform registration.. The practice of publishing and updating local integrity violations registration remains diverse. As a result of efforts to develop the national integrity monitor, a report was published offering insight on the functions of local integrity systems and the way they are perceived and used by public servants. The previous IRM researcher therefore found that completion on this commitment was unclear.

### End of term: Not started

Overall, the IRM researcher found that there was no progress on this commitment. Government stakeholders interviewed stated there was no measurable evidence of progress on Milestone 5.1 (uniform additional or honorary jobs disclosure) and no information on this milestone was included in the mid-term government self-assessment report. A March 2015 television documentary by Nederlandse Omroep Stichting found that while disclosure takes place most of the time, it takes place in a non-uniform manner and often information on actual payment or time spent on these additional jobs is omitted entirely.<sup>2</sup>

With regards to milestone 5.2, the commitment language refers to a “Windows on operations” application for local and regional government agencies that includes the option to register integrity violations. It may be, due to its attractiveness and ease of use, a promising instrument to facilitate authorities to register unethical behaviour better.<sup>3</sup> At the time of writing this report, the application is a non-compulsory benchmark, and thus it does not address the compliance issue. Since there is no clear definition of unethical behaviour and the application does not create an obligation to record and disclose integrity violations, this instrument is inherently unclear as yet. The IRM researcher found this milestone was ‘Not Started’ because additional efforts to study on the use of this application for uniform registration purposes have not taken place.

### Did it open government?

This commitment was not started. Additionally, as described in the language of the commitment, both milestones are not instruments to enhance integrity but rather are mechanisms that improve transparency on jobs disclosure for public officials.

### Carried forward?

While creating mechanisms for reporting violations is relevant to OGP values, the IRM researcher found that there are other instruments better equipped to address this policy issue, such as the upcoming “House for Whistle-blowers Act”, which is warmly supported by stakeholders, that amends current labour laws in both public and private sector to better protect whistle-blowers.<sup>4</sup> The IRM researcher recommends that future commitments be formulated to support the implement of this new Act in a successful and transparent manner. The Senate is expected to pass the draft Act on 9 February 2016. Once the law is passed, it is up to the government to implement the law.

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<sup>1</sup> integriteitoverheid.nl/fileadmin/BIOS/data/Publicaties/I-monitor/DEF\_Monitor\_integriteit\_OB\_2012.pdf, p. 41-43, 78, 80, 81. P. 83 - 85 refer to regulation on job disclosures by political functionaries.

<sup>2</sup> Frequently, information on payment or time spent on the jobs, lacks completely. See: nos.nl/nieuwsuur/artikel/2023106-grote-verschillen-bijbanen-provincie-bestuurders.html.

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<sup>3</sup> Vensters voor bedrijfsvoering, overzicht indicatoren 2013.

[venstersvoorbedrijfsvoering.nl/download/Vensters%20Open%20-%20Bedrijfsvoering%20in%20Verandering.pdf](http://venstersvoorbedrijfsvoering.nl/download/Vensters%20Open%20-%20Bedrijfsvoering%20in%20Verandering.pdf)

<sup>4</sup> EK 2014-2-15, nr. 34105.

## ✦ 6. Revamp the legislative calendar

### Commitment Text:

Action 6: Revamp the legislative calendar

The legislative calendar is being revamped. Data on legislative bills and orders in council under preparation will be published on a publicly accessible website; the information provided will include the title, ministry, first signatory, type of legislation, latest stage completed, reference number, current internet consultation etc. The idea is that it should be possible to track the process from beginning to end: in other words, from the announcement of the fact that an act of parliament/order in council is being prepared up to its entry into force. The process will be made transparent (current stage, stages already completed, stages still to come). The text will be made available as soon as it is public, either on internetconsultatie.nl or as a parliamentary paper. The information published on the website will be in the form of open data which can be re-used on the websites of third parties, such as www.volgdewet.nl. With a view to re-use of existing data, the legislative calendar will be updated on the basis of Kiwi, the interdepartmental system supporting the legislative process. Formal arrangements will be made as to the quality of the data supplied (in terms of how up-to-date, complete and reliable they are). The lead organisations on this project are the Ministry of the Interior and the Ministry of Security and Justice.

Responsible institution: Ministry of Interior and Kingdom Relations, Ministry of Security and Justice, Netwerk Democratie

Supporting institution(s): None

Start date: Not Specified.....

End date: Not Specified

Commitment Overview	End of term completion				Did it open government?				
	Not started	Limited	Substantial	Complete	Worsens	None	Minor	Major	Transformative
<ul style="list-style-type: none"> <li>• Relevance: Clear</li> <li>• Specificity: Medium</li> <li>• Potential impact: Moderate</li> </ul>				✓		✓			

✦ Commitment 6 is clearly relevant to OGP values as written, has moderate or transformative potential impact, and is substantially or completely implemented and therefore qualifies as a starred commitment.

### Policy Aim

This commitment aims to provide government and citizens with greater transparency and government interaction through one integrated legislative calendar for all forms of national legislation. Revamping the legislative calendar is a necessary condition for legal openness as it enhances the value of Internet consultation and civil society's "Follow-the-Law" practices.

### Status

#### Mid-term: Substantial

The previous IRM researcher cited the government's self-assessment report which noted that the functional design of the website with the integrated legislative calendar was delivered in early 2013. The self-assessment report stated that the full website will be online and functional by the end of 2014.

#### End of term: Complete

The website wetgevingskalender.overheid.nl has been online since the end of 2014, showing a simple calendar with one portal for parliamentary documents. After a thorough test search of the site, the IRM Researcher questions the searchability of the website for the general public and the completeness of the information presented. . For instance, draft laws initiated by members of

Parliament do not appear in the calendar, though they appear in other websites that are published by government, such as [overheid.nl](http://overheid.nl). Also, the generally known parliamentary coding (a five-digit number) is not followed on the website in cases where this coding had been given; instead the calendar introduced its own, unofficial 'chain-ID' as a search option and there is no online help tool available. The IRM researcher found that the 'old' calendar created by the Senate, with a comprehensive timeline and direct and specific links to all related documents, seems to do a better job of conveying information in an accessible, user-friendly manner.<sup>1</sup>

### **Did it open government?**

The legislative calendar does not publish any information that was not being disclosed before. The limited, new features of the calendar do not contribute to a more open legislative process. The government mentions that it is working on publishing the calendar as open data.

### **Carried forward?**

The commitment has been completed, but the IRM researcher recommends altering the calendar to be more comprehensive and public-friendly, by adding a more comprehensive time line with more direct links to documents, and to improve the search options.

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<sup>1</sup> [eerstekamer.nl/wetsvoorstellen\\_2](http://eerstekamer.nl/wetsvoorstellen_2).

## 7. Internet consultation

### Commitment Text:

Action 7: More online consultation

Online consultation is being used successfully to inform and consult with citizens, businesses and institutions on planned legislation and policy documents. Participants can submit suggestions for improving the quality and practicability of proposals. Since the launch of the website [www.internetconsultatie.nl](http://www.internetconsultatie.nl) in 2009, citizens, businesses and institutions have responded 22,383 times to a total of 250 online consultations on new legislation put out by the government.

Online consultation has proved particularly effective in the case of legislation that has a substantial impact on the rights and obligations of citizens, businesses or institutions, or on implementation practice. The Government wants to sustain this trend and will encourage ministries to systematically consider whether online consultation is useful and effective in individual cases.

As proposals for new legislation, orders in council or ministerial orders are being prepared, consideration must be given as to whether online consultation has added value and is an effective method of reaching the intended target group. These issues are incorporated into the “integrated decision-making framework for policy and legislation”(IAK), which is based on the principle that proposals that will entail significant changes to the rights and obligations of citizens, businesses and institutions, or have a major impact on implementation practice, should be put out for consultation online, unless there are compelling grounds for not doing so.

Responsible institution: Ministry of the Interior, Ministry of Security and Justice, Netwerk Democratie

Supporting institution(s): None

Start date: Not Specified.....

End date: Not Specified

Commitment Overview	End of term completion				Did it open government?				
	Not started	Limited	Substantial	Complete	Worsens	None	Minor	Major	Transformative
	✓					✓			

Editorial Note: Following the introduction of additional evidence and application of the IRM methodology, the IRM researcher has adjusted the completion level of this commitment. For more information on IRM methodology regarding completion, please see the IRM Procedures Manual (<http://bit.ly/1XSBGNE>).

### Policy Aim

There are no binding rules to establish or promote the use of online consultation in the legislative or policy-making process. IAK (“integrated decision-making framework for policy and legislation”) is a toolkit for civil servants with quality standards for legislation. The decision to perform online consultation is, according to IAK, left to the discretion of the civil servants drafting the law according to the brief, pre-existing “IAK Handout”, that mentions online consultation as an option.<sup>1</sup> This commitment aims to provide government and citizens with greater transparency and government interaction by increasing online consultation on planned legislation and policy documents. The goal is to sustain the trend of collaboration between citizens and ministries on improving the quality and practicability of proposals.

### Status

**Mid-term: Substantial**



At the time of the mid term report this commitment was found to have substantial progress because the Internet consultation mechanism was operational. The previous researcher also indicated that substantive Internet consultation only took place in a limited number of legislative procedures. The House of Representatives and government decides solely which legislative issues or policy documents are open to Internet consultation, with no input from the citizenry.

### **End of term: Not Started**

The IRM researcher found no evidence that more online consultation was taking place, as the commitment promised to deliver. Nor was there evidence that any effort has been made to promote broader Internet consultation by government agencies. Though the commitment language refers to IAK as a guideline for Internet consultation, the IRM researcher found that this statement is not quite accurate. IAK is one of the options available to departments but there are no rules or guidelines on when or how to use it or not, leaving the decision to the discretion of the departments. Since the commitment focused on promotion of the consultation to increase usage and not whether it was operational, the IRM researcher concludes that this commitment was not started. The government pointed out that IAK is an activity of the Ministry of Security and Justice, which does not participate in the Action Plan and its commitments.

### **Did it open government?**

This commitment has transformative potential, but there has not been any measurable result from the activities described in the language of the commitment yet. The IRM researcher was not able to find any evidence that the rise in the number of website visitors had any causal relation to the commitment.

### **Carried forward?**

If carried forward, the IRM researcher recommends Government and House of Representatives shift focus on this commitment to enforce Internet consultation in a less casual manner and deliver clear policies with rules on this topic in the next action plan. The Coalition for Open Government mentions this as one of its priorities in its Manifesto and the IRM researcher recommends future commitments seek to enforce Internet consultation in a less casual manner and develop enforceable guidelines deliver in the next action plan.

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<sup>1</sup> [kcwj.nl/kennisbank/draaiboek-voor-de-regelgeving/hoofdstuk-2-formele-wetten-op-voorstel-van-de-regering-n-74](http://kcwj.nl/kennisbank/draaiboek-voor-de-regelgeving/hoofdstuk-2-formele-wetten-op-voorstel-van-de-regering-n-74).

## 8. Transparency through Volgdewet.nl

### Commitment Text:

Action 8: More transparency in decision making through Volgdewet.nl legislation-tracking website The legislation-tracking website volgdewet.nl (literally: “followthelaw.nl”) is an initiative of Netwerk Democratie and an example of grass-roots action aimed at making government processes more transparent. The website shows how current legislation comes into being, in an effort to demonstrate to people how they can influence the legislative process. Among other things, it uses open data from wetten.nl (“laws.nl”). The website allows citizens and interest groups to track specific legislative proposals, thus promoting transparency in the legislative process. At every stage in the process, they explain what is happening, and show how they are attempting to exert their influence.<sup>1</sup>

Responsible institution: Ministry of the Interior, Ministry of Security and Justice, Netwerk Democratie

Supporting institution(s): None

Start date: Not Specified.....

End date: Not Specified

Commitment Overview	End of term completion				Did it open government?				
	Not started	Limited	Substantial	Complete	Worsens	None	Minor	Major	Transformative
<ul style="list-style-type: none"> <li>• Relevance: Clear</li> <li>• Specificity: Low</li> <li>• Potential impact: None</li> </ul>				✓			✓		

Editorial Note: Commitment 8 was completed at the time of writing the mid-term report.

### Did it open government?

Volgdewet.nl provides information about a small selection of draft laws instead of all the current legislative processes at hand. The explanatory scheme could be helpful to interested citizens, but the site does not yet give more information than the comprehensive website overhead.nl. In its current stage, this commitment has minor influence on opening government, but considering that the site is 'growing', it may have more impact in the future.

<sup>1</sup> In the action plan, this is, “Action 8: More transparency through Follow-the-law legislation tracking website.”

## 9. Informal Freedom of Information (Fol) requests

### Commitment Text:

Action 9: Informal approach to freedom of information requests

The “Pleasant Contact with Government” project found that informal interventions during government decision-making procedures and in the handling of complaints and objections led not only to better-quality decisions, significantly fewer complaint and appeal procedures, lower costs and shorter lead times, but also to greater public trust and satisfaction and greater job satisfaction for public servants. Although the informal approach is currently being used in 300 pilot projects in 16 areas of the public sector, it is seldom applied to freedom of information requests or to complaint and appeal procedures in response to rejected freedom of information requests.

Following a survey of the potential for applying the informal approach to freedom of information requests and a description of several practical examples, a new pioneering process will be launched in autumn 2013. For a year, participants’ experiences will be monitored and the potential for and effects of informal interventions in response to freedom of information requests will be identified. The outcomes and experiences of the pioneers will be recorded and made available at the end of the process, to serve as a source of inspiration and a basis for implementing this approach nationally, where appropriate.

Responsible institution: Ministry of the Interior

Supporting institution(s): None

Start date: September 2013 .....

End date: June 2015

Commitment Overview	End of term completion				Did it open government?				
	Not started	Limited	Substantial	Complete	Worsens	None	Minor	Major	Transformative
<ul style="list-style-type: none"> <li>• Relevance: Clear</li> <li>• Specificity: Low</li> <li>• Potential impact: Minor</li> </ul>									
9. Overall		✓					✓		
9.1. Informal approach to Fol		✓					✓		
9.2. Launch pioneering process		✓					✓		

Editorial Note: Following the introduction of additional evidence and application of the IRM methodology, the IRM researcher has adjusted the completion level of this commitment. For more information on IRM methodology regarding completion, please see the IRM Procedures Manual (<http://bit.ly/1XSBGNE>).

### Policy Aim

The core objective of this commitment, that derived from the project “Pleasant Contact with Government” is to supplement (1) formal Fol-procedures and (2) formal Fol-procedures the often cumbersome, formalized, distanced modes in which public organisations deal with Fol-requests. “Pleasant contact” is a form of alternative dispute resolution or (informal) mediation, recently translated as “Informal Pro-active Approach Model (IPAM)”. This initiative has been implemented by some 300 government agencies and has been found to enhance citizen satisfaction regarding interactions with government agencies and officials.

### Status

#### Mid-term: Substantial

A government analysis of citizen-authority interaction led to three pilots on improving Fol-procedures conducted with public servants from a variety of local and regional authorities. The previous IRM researcher found that the pilots were still underway and were expected to translate into a practice that could be implemented by mid-2015. The previous IRM researcher found the pilot

projects included no means to share the experiences of the pilot participants with a wider array of public servants as was the original intent in launching a pioneering process. Since, at the time of writing the report, the projects were on-going and there was an expectation that the findings would be codified into wider government practice, the previous IRM researcher evaluated this commitment as having substantial completion.

### **End of term: Limited**

The IRM researcher found that only one out of the three pilot projects was followed through (Gouda).<sup>1</sup> Though the participating civil servants showed great enthusiasm, there has not been any clear report published on the findings from this pilot project. According to the written information from the Ministry, the findings would have been published at the end of 2015, together with a comprehensive manual, but the IRM researcher was unable to find these results. Currently, there is no monitoring system on citizen satisfaction with (informal) Fol-procedures. While it is encouraging that the government has continued work on this commitment, since the findings from the pilots and subsequent adoption of new government guidelines were not made publicly available during the implementation period the IRM researcher evaluated this commitment as having limited completion.

### **Did it open government?**

Under Dutch law, government agencies have to pay a non-compliance penalty to the requesters if they do not handle a Fol request within the legal term (4 weeks). This has created an industry of legal consultants and calculating citizens who word their requests for information in an intentionally broad, vague, obscured, or unreasonable manner, so that the request cannot be completed in the 4-week time frame and they can 'profit' from the non-compliance penalty fee. Recent adjudication by the highest administrative court has started to put an end to this practice. One of the side effects of this court ruling is that the wide scope of the Fol Act has been narrowed. This has raised serious criticism from legal scholars. They believe that the baby has been thrown out with the bath water.<sup>2</sup>

"Pleasant Contact" can be used to serve as a fix while the legal and legislative systems resolve the problems caused by the non-compliance penalty. The IRM researcher found evidence that in general this process has increased citizen and civil servant satisfaction by 40 % and reduced the number of legal procedures by up to 70 %.<sup>3</sup> This less formal process may even help to reveal who is a potential 'abuser' of the Fol system and who is not. This commitment improves upon the status quo of access to information in The Netherlands. However, the IRM researcher found that it only has a minor impact on opening government since additional work is needed both in implementing this process and in reforming existing Fol legislation and adjudication to have a transformative influence on the policy area.

### **Carried forward?**

"Pleasant Contact" may clearly play a positive role in preventing or solving Fol-procedures, but it is doubtful whether this needs a different 'pleasant' approach than in procedures on other topics. It is important to 'softly' extend the informal approach from 'believers' to the many agencies that have not adopted this method up till now because - for whatever reason - they hold on to traditional bureaucratic and legalistic ways of coping with conflicts. A top down implementation of a gentle instrument does not work properly. The IRM researcher recommends continuing this commitment in the new Action Plan may help solving the abuse problem that has dominated the Dutch Fol debate and it may help to facilitate an open attitude and enhance public trust in Fol procedures.

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<sup>1</sup> This resulted in a brief 'toolkit open contact' on [open-overheid.nl/open-contact/toolkit-open-contact](http://open-overheid.nl/open-contact/toolkit-open-contact).

<sup>2</sup> JB 2014/246, JG 2015/3, NJB 2015/172.

<sup>3</sup> <http://prettigcontactmetdeoverheid.nl/wat-waarom/waarom-deze-site>.

## Theme 2: Open Work

### 10. From rules to freedom

#### Commitment Text:

Action 10: From Rules to Freedom

The “From Rules to Freedom” project offers citizens, businesses, institutions and public authorities the opportunity to submit ideas that lead to better public services, more scope for professionals and businesses, and greater self-reliance on the part of citizens. Under certain conditions, legislation can be temporarily suspended in order to experiment with these ideas/alternatives, making it possible to study the implications of abolishing or altering a rule. Successful experiments may lead to structural changes to the legislation in question. The project is also exploring whether there is a need for more scope to experiment with legislation.

Responsible institution: Ministry of the Interior, Public Servant 2.0 Network, Smarter Network

Supporting institution(s): None

Start date: 2010.....

End date: December 2014

Commitment Overview	End of term completion				Did it open government?				
	Not started	Limited	Substantial	Complete	Worsens	None	Minor	Major	Transformative
<ul style="list-style-type: none"> <li>• Relevance: Clear</li> <li>• Specificity: Medium</li> <li>• Potential impact: Minor</li> </ul>				✓		✓			

Editorial Note: Commitment 10 was completed at the time of writing the mid-term report.

#### Did it open government?

According to the government, the project failed since the submitted ideas did not alter the status quo. The ideas did lead to experiments, which were detailed in the mid-term report, however these experiments did not produce measureable results critical for studying their impact.<sup>1</sup> The commitment was part of a larger government programme "Vermindering Regeldruk" (less regulation), that resulted in some factsheets.<sup>2</sup>

<sup>1</sup> [rijksoverheid.nl/doe-mee/afgeronde-projecten/van-regels-naar-ruimte](http://rijksoverheid.nl/doe-mee/afgeronde-projecten/van-regels-naar-ruimte).

<sup>2</sup> [vng.nl/onderwerpenindex/recht/goede-regels-gerichte-service-beter-en-concreter/nieuws/regeldruk-aanpakken-gebruik-de-factsheets](http://vng.nl/onderwerpenindex/recht/goede-regels-gerichte-service-beter-en-concreter/nieuws/regeldruk-aanpakken-gebruik-de-factsheets).

## 11. Changing attitudes and procedures

### Commitment Text:

*Action 11: Change attitudes and procedures through Smarter Working and 'Public Servant 2.0'*

*A transparent government is achieved not only through rules and agreements, it also requires awareness among public servants of the added value of transparency in the workings of government and society, and a knowledge of how they can best approach this in their work. The "Smarter Working" and "Public Servant 2.0" projects bring public servants together to discuss the subject and stimulate awareness, knowledge-sharing and knowledge development.*

*Smarter working: Smarter working means doing more with fewer people while maintaining the quality of services and job satisfaction.*

*Smarter network: The goal of this network for innovative professionals is to link up innovators –both managers and professionals- to gather and disseminate knowledge of how the public sector can work in a smarter way.*

*Do-Tanks: Do-Tanks are about new ways of collaborating and organising, with the focus on 'learning by doing'.*

*Scope for professionals: This project aims to create a culture of trust, freedom and connection. One of the methods it employs is a business-case tool that can be used to calculate the benefits of giving professionals more latitude for action.*

*Public servant 2.0 consists of a number of activities designed to achieve more open government.*

*Public servant 2.0 Network: Online platforms allow the sharing of knowledge and examples related to open government and transparent working, thereby raising awareness among the network's members, who currently number almost 10,000. On the sites, members can ask and answer questions and post information.*

*Work 2.0 training: In 2013, training courses will be launched for public servants at all levels of administration and all job levels to help them put Work 2.0 and Transparent Working into practice.*

*Network meetings: A Public Servant 2.0 Day will be held once a year [...], and meetings focusing on a particular theme will be held throughout the year.*

*Pleio, platform for transparent working: Pleio enables public servants to work with others outside their own organisation, via an interface that allows open working.*

*Responsible institution: Ministry of the Interior, Public Servant 2.0 Network, Smarter Network*

*Supporting institution(s): None*

*Start date: 2010.....*

*End date: December 2014*

Commitment Overview	End of term completion				Did it open government?				
	Not started	Limited	Substantial	Complete	Worsens	None	Minor	Major	Transformative
11. Overall		✓				✓			
11.1. Smarter working		✓				✓			
11.2. Public servants 2.0		✓				✓			

Editorial Note: This commitment was evaluated as a star commitment in the mid-term report. Following the introduction of additional evidence and application of the IRM methodology, the IRM researcher has adjusted the completion level of this commitment. As a result, this commitment was **not** evaluated as a star

commitment in the end of term report. For more information on IRM methodology regarding completion, please see the IRM Procedures Manual (<http://bit.ly/1XSBGNE>).

### **Policy Aim**

“Smarter Working” and “Public Servant 2.0” are both financed from a budget for “Innovation by Professionals” from within the programme called “Better Work in the Public Sector.” This project started in 2011 as a result of drastic budget cuts. Its major aim is to 'do a better and more efficient job' with a smaller, more flexible government.<sup>1</sup> One of the minor aims was to establish more interaction and cooperation between citizens and the government by normalizing transparency in bureaucratic procedures amongst civil servants. Most of the goals identified in this commitment are internally oriented, and focused on improvements to job rotation and training. However there were some elements aimed at developing new, open operation modes for public servants.

### **Status**

#### **Mid-term: Substantial**

The previous IRM researcher found that a conference was organised in 2014 and evidence that the project was being integrated into regular central government programmes. Pleio offers a collaborative work environment as well as tools and apps for public professionals from all domains and levels of public administration to share experiences on openness and innovation. Therefore, the IRM researcher evaluated the commitment as substantially complete.

#### **End of term: Limited**

A final conference for the program Better Work in the Public Sector was held in January 2015. From the report of this conference and the programme's website the IRM researcher concluded that this commitment does not have a clear, direct connection to open government.<sup>2</sup> The programme focused on jobs skills, professionalization, and innovative solutions in order for civil servants to work more efficiently within a smaller government. The same has to be said about the other - still on-going - projects. The report's findings noted that that truly connecting to society is difficult and slow.<sup>3</sup> Though the mid term Self Assessment mentions government wanted to use this commitment to enhance social impact of the “Smarter Working” and “Public Servant 2.0” programmes, the commitment language lacked clear milestones to achieve this goal. The promised research on how to create more public value, did not take place, nor could the IRM researcher find evidence of enhanced social impact through these programmes. Therefore, the IRM researcher has evaluated the completion level of this commitment as limited.

### **Did it open government?**

Though many activities took place that suggest significant progress on this commitment, a closer look on what actually happened, shows that there were no specific efforts to 'open up to the outer world'. At the end of the implementation period, it became clear that this commitment –while focused on promoting transparency –was not relevant to OGP values because the conferences and networks were mainly being used to address public administration issues such a reorganization and professionalization that did not have any ties to improving public service using open government solutions as their main goal.

### **Carried forward?**

The IRM researcher recommends the projects in this commitment be carried forward to the next action plan, but with clear public-facing features For example, the Netwerk Politieke Innovatie group on Pleio, which promotes participative initiatives with citizens could be expanded on in the new action plan.<sup>4</sup> Developing concrete, actionable commitments around this group in the new Action Plan may provide the structure and larger scale exposure that may help Pleio to develop and meet open government standards.

Finally, stakeholders interviewed found that this commitment lacked SMART milestones to encourage transparent working and empowerment of public servants and therefore suggest a "Handbook on Open Attitude" be introduced as a milestone under this commitment in the next action plan.

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<sup>1</sup> [rijksoverheid.nl/documenten/brochures/2011/09/01/leaflet-beter-werken-in-het-openbaar-bestuur](http://rijksoverheid.nl/documenten/brochures/2011/09/01/leaflet-beter-werken-in-het-openbaar-bestuur)

<sup>2</sup> [beterwerkeninhetopenbaarbestuur.pleio.nl/](http://beterwerkeninhetopenbaarbestuur.pleio.nl/)

<sup>3</sup> [beterwerkeninhetopenbaarbestuur.pleio.nl/blog/view/31753002/leestip-slimmernetwerk-magazine#.VIGGQeRdE2w](http://beterwerkeninhetopenbaarbestuur.pleio.nl/blog/view/31753002/leestip-slimmernetwerk-magazine#.VIGGQeRdE2w)

<sup>4</sup> [npi.pleio.nl..](http://npi.pleio.nl..)



## 12. Water Coalition

### Commitment Text:

#### Action 12: Water Coalition

The Netherlands is experiencing major developments when it comes to water, too, and we must act now in anticipation of changing circumstances. The economic downturn has forced us to be more creative with the opportunities we have. The climate is changing, and we have to plan for hotter summers, wetter winters and heavier rainfall when developing our physical environment. This means that measures must be taken in both the water system and the water processing cycle (the chain of processes from drinking water supply to sewerage and wastewater treatment).

The National Administrative Agreement on Water sets out arrangements that should help us cope with these changes. One such arrangement involves cost savings by optimising the water processing cycle through an integrated approach. The agreement forms the basis for collaboration between drinking water suppliers, local authorities and water authorities, which will be vital for the goals to be achieved. The Water Coalition, which brings together public and private parties and civil-society organisations, is currently focusing on households in the water processing cycle. What can households do to make the water processing cycle more sustainable, while also saving money, both for themselves and for society as a whole? Clever combinations can help us meet the social challenges we face in relation to water management.

The Water Coalition hopes to reinforce a trend in society, and to harness it to achieve water-related goals by entering into consultation with potentially interested parties, bringing them together in coalitions, sharing and disseminating their knowledge, and providing procedural support for initiatives if necessary.

Responsible institution: Water Coalition

Supporting institution(s): None

Start date: Not Specified.....

End date: Not Specified

Commitment Overview	End of term completion				Did it open government?				
	Not started	Limited	Substantial	Complete	Worsens	None	Minor	Major	Transformative
	✓					✓			

Editorial Note: Following the introduction of additional evidence and application of the IRM methodology, the IRM researcher has adjusted the completion level of this commitment. For more information on IRM methodology regarding completion, please see the IRM Procedures Manual (<http://bit.ly/1XSBGNE>).

### Policy Aim

The Water Coalition consists of, among others, the branch organisation of water suppliers Waternet, social housing corporation Ymere, ASN Bank, and DIY chain Gamma. The Water Coalition organises regular events and carries out projects.

### Status

#### Mid-term: Unclear

While the Water Coalition held awareness-raising events for water-goal related causes, the previous IRM researcher was unable to find evidence of Water Coalition events that were specifically related to OGP and therefore evaluated the completion of the commitment as unclear. The government self-assessment report did not address this commitment.

#### End of term: Not Started

The Water Coalition is a network of private and (semi-) public partners, including many municipalities, water authorities and CSOs that focus on social responsibility and environmental matters. The IRM researcher found that the coalition promotes practical, hands-on activities rather than taking part in policy debates. Of the many initiatives undertaken by the coalition and promoted on their website, none were identified as specifically initiated by the national government, which was announced in the related to OGP or the national action plan,<sup>1</sup> nor did there appear to be a large-scale consultation project on developing national initiatives on water-related goals as described in the language of the commitment.<sup>2</sup> The IRM researcher, therefore, has evaluated this commitment as 'not started' rather than 'unclear'.

### **Did it open government?**

As written, this commitment is not relevant to OGP values and did not open government. This is a lost potential opportunity for an easy 'win' for the government, since historically, deliberative decision-making on water management served as the groundwork for Dutch democracy. Additionally, the Coalition is a valuable and active initiative, consisting of many unexpected partners. It could act as an experimental garden for deliberative decision-making on *water management*, an area that stakeholders identify as potentially benefiting greatly from open government solutions to policy problems. The government has indicated that the Coalition is cooperating with the commitment 13 initiatives in order to learn from each other and share best practices.

### **Carried forward?**

The IRM researcher recommends:

- ...Future commitments on water management include concrete, actionable milestones.
- ...The Dutch Water Authorities Union (UvW) may take the initiative in finding opportunities to partner with the Water Coalition to identify areas where open government solutions could be applied

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<sup>1</sup> watercoalitie.nl.

<sup>2</sup> watercoalitie.nl.

### 13. Participation policy

#### Commitment Text:

Action 13: Develop and implement participation policy at the Ministry of Infrastructure and the Environment

The Ministry of Infrastructure and the Environment has set up a Directorate for Public Participation, which provides services to help engage citizens, civil-society organisations and businesses, and advises on and develops policy for public participation. The directorate actively monitors and responds to new developments such as the “energetic society” transparent government and social media. The authorities are considering how to use the energetic society in decision and policymaking and in the implementation of government projects. The Ministry of Infrastructure and the Environment is working on a vision, a strategy and specific products and services to underpin its dealings with the energetic society.

In this way, it intends to put into practice the Government’s policy document on stimulating social engagement -“do-ocracy”- and particularly the objective of enhancing the government’s capacity to connect with society. Openness and transparency are important if this is to be achieved in an effective and efficient manner.

Responsible institution: Ministry of Infrastructure and Environment

Supporting institution(s): None

Start date: Not Specified.....

End date: Not Specified

Commitment Overview	End of term completion				Did it open government?				
	Not started	Limited	Substantial	Complete	Worsens	None	Minor	Major	Transformative
13. Overall		✓				✓			
13.1. Further develop, test and evaluate the processes of the energetic society	✓					✓			
13.2. Five Action Plans on the energetic society		✓				✓			

#### Policy Aim

In this commitment, the Directorate of Participation of the Ministry on Infrastructure and Environment committed to formulate a government-wide participation policy modelled on its best practices. They also committed to developing five “Action Plans” to realize the participation policy.

#### Status

##### Mid-term: Limited

The previous IRM researcher found there has been limited progress made on two of the five pilot projects under the Energetic Society programme: Climate Agenda and the Utrecht Central Station and *Duurzaam Doen* ('doing sustainably') sustainability programme. The previous IRM researcher noted that the Energetic Society programme did not innovate on existing public participation practices and since it was a programme separate from the national ‘Participation Society’ strategy, it did not capture the attention of the general public.

##### End of term: Limited

Overall, the IRM researcher found no evidence of progress beyond those identified in the mid-term report. The IRM researcher was unable to find documentation on recent participative action in the Utrecht Central Station project. There is no evidence that the Climate Agenda resulted in participative policymaking. Rather, based on this top-down initiative, government assists private partners to develop sustainable initiatives.<sup>1</sup> The project Duurzaam Doen also resulted in a website where people can share information about projects and give tips on sustainability.<sup>2,3</sup> The IRM researcher was unable to find evidence of implementation for the other three pilot projects. Therefore, the IRM researcher finds the completion level for this commitment at the end of term remains limited.

### **Did it open government?**

This commitment was restricted to pilots and projects that did not attract much public attention. Also, both the Climate Agenda and Duurzaam Doen focus on sharing practical solutions and giving information rather than on interactive decision-making. Therefore, it is minor in its impact on open government.

### **Carried forward?**

Apart from focusing on the participatory efforts of the Directorate of Participation and starting up new pilots, the Energetic Society program should emphasize (existing) local grass roots initiatives, such as [jijmaaktutrecht.nl](http://jijmaaktutrecht.nl). According to stakeholders, the local level is the most important when it comes to active citizenship. Though international-level coordination of climate policies and energy is important, it is too broad a topic for participative decision-making. However, there is an opportunity at the local level to apply participative decision-making processes to environmental issues such as town planning or water and landscape management. Quick, tangible, and meaningful results can play an important role in environmental advocacy and be used as inspiration for citizens and politicians to support higher-level initiatives on climate issues. More research on the local projects will be valuable for enhancing public participation and increasing the visibility of the Energetic Society programme within the national “Participation Society” agenda.

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<sup>1</sup> [klimaatagenda.minienm.nl](http://klimaatagenda.minienm.nl).

<sup>2</sup> [duurzaamdoen.nl](http://duurzaamdoen.nl).

<sup>3</sup> [duurzaamdoen.nl](http://duurzaamdoen.nl).

## Theme 3: Open Access

### 14. Accessible government information

#### Commitment Text:

Action 14: Make government information accessible and easy to find

Actively disclosing information involves more than simply publishing documents. Information has to be released in a communicative and accessible manner, so that it actually helps citizens and stakeholders independently form their own opinion or take decisions. Information must be presented in a form appropriate to the context in which citizens and stakeholders operate, particularly when it is made available in greater quantities than is currently the case. There are various approaches to releasing government information. The Council for Public Administration recommends an activities index. Other approaches may be based on life events or top tasks. Active access to government information requires ease of access via the central government portal [rijksoverheid.nl](http://rijksoverheid.nl). The ministries' communication directorates and the Public Information and Communications Department are willing to advise on the best way to release information in a communicative and accessible manner.

People generally access a website with a particular goal in mind. The websites of public sector organisations contain huge amounts of information. Confronted by this, people often find it difficult to achieve their goal (make an appointment, submit an application), or perhaps they are not able to find an answer because the website does not "speak their language." Some do not even manage to reach the site they want because they use a search term that the organisation concerned does not use (e.g. a brand name that has become the generic term for something, such as the "kliko" bins used in the Netherlands; most local authorities do not use the term "kliko").

Liverpool City Council (UK) has already introduced the "top tasks approach" and thus constitutes a good example for the Netherlands. Top tasks are identified by researching which products and services people most frequently search for, and what search terms they use. Those products and services are then given a prominent place on the website. For local authorities, for example, these tasks are likely to be associated with waste disposal and passports. These tasks can also be made more findable by adding synonyms and ensuring that the most important information shows up as the first search result. This sounds logical, but most public-sector websites are not set up like this. Thinking in terms of top tasks requires a different attitude, oriented more towards demand than supply.

Responsible institution: Information Council, Ministry of the Interior, Association of Netherlands Municipalities

Supporting institution(s): Ministries of Economic Affairs, Social Affairs, and Employment, Infrastructure and Environment, Finances

Start date: February 2014.....

End date: November 2014

Commitment Overview	End of term completion				Did it open government?				
	Not started	Limited	Substantial	Complete	Worsens	None	Minor	Major	Transformative
14. Overall			✓			✓			
14.1. Accessible government information		✓				✓			
14.2. Open communication		✓				✓			
14.3. Top tasks approach			✓				✓		

## Policy Aim

This commitment focuses on improved access, “searchability” of public information, and open communication of government information.. The government sought to realize milestones 14.1 and 14.2 through a project called “Tailor-Made Information” which includes a business case of the costs and benefits of open government information architecture. Milestone 14.3 sought to improve the “searchability” of public service websites by implementing the best practices of a “top tasks” approach pioneered by the Liverpool (UK) city council. This approach identifies frequently searched terms and restructures government websites to ensure that important information on these search terms appear in search results and are prominently displayed on the website.

## Status

### Mid-term: Substantial

The previous IRM researcher found that research was commissioned in January 2014 and a report presenting the central government’s vision for information architecture in 2020 was published in October 2014.<sup>1</sup> This research had a wider scope than “Tailor-Made Information” and the findings did not specifically address this commitment nor the national action plan<sup>2</sup> Regarding milestone 14.3, the previous IRM researcher found that the two pilot cities, Vught and Best, have continued to implement top-tasks approach, and over 20 other municipalities have followed suit. At the time of writing the report, the previous IRM researcher found substantial progress appeared to have been made on this commitment.

### End of term: Limited

The project “Tailor-Made Information” is, according to the research report from 2014, part of a larger project, "Helpful Government".<sup>3</sup> In 2015, it focuses on establishing a 'one-government', based on the logic of demand (the citizen) driven information release rather than supplier (government agency) driven. The government stated that at the end of 2015, the commitment resulted in activities in the 2016-2017 programme of the 'Digicommissaris'.

The IRM researcher found that, apart from the commitment, a more general research was published, including concrete suggestions to improve communication that was not included in the commitment. The promise made in the government self-assessment report that an overall vision on this topic would be made during 2014, was not met.<sup>4</sup> “Top tasks” is being supported on a website and it is closely connected to the activities described in commitment 17.<sup>5</sup> Also, there is a web community supported by the Ministry with the same perspective.<sup>6</sup> Since the performed research seems only partly related to the commitment and the Top Tasks project lacks clear end terms, this commitment is considered to be limited in completion.

## Did it open government?

Though the intention of the government is to give more data and information, this does not mean that the disclosed data automatically answer citizen's questions or need for easy-access information. The Coalition for Open Government states in its Manifesto that a lot of information is still lacking or hard to find. The Coalition advocates for a central register of all public information. There is not only a need for easier access to the services that government provides - the main focus of Top Tasks - but about anything that affects them as citizens. "Helpful Government" also has this limited scope, which affects the commitment’s overall impact on opening government.

## Carried forward?

In the next action plan, this commitment must make the leap forward from the government and 'data' paradigm, which is implicitly dominant in the Action Plan and its implementation, to a truly refreshing interactive citizen-oriented approach to data releases, thus embracing citizen engagement further ‘upstream’ than just at the point of data release. A new initiative derived from this commitment is the API Open City Council Information ("Open Raadsinformatie", also mentioned under commitment I), which is currently performing pilots in five municipalities on open data. Thus far, it provides through a search engine open data on agendas, but the actual council documents are in pdf. Stakeholders interviewed warmly welcome such an initiative.

"Open Raadsinformatie" should, as stated under commitment I, be exemplary to make the leap forward from the 'open data' paradigm to a citizen's approach. It can be used to combine the milestones 'access to information' to 'open communication', referring to what citizens want to know and address.

Top tasks for this commitment include improving government websites on the "searchability" of public services, thus enhancing customer satisfaction. However, in order for this activity to have a direct connection to OGP values, these improvements must move beyond mere open data to a model that provides citizens with comprehensive and *comprehensible* information without simplifying complex issues.<sup>7</sup>

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<sup>1</sup> [rijksoverheid.nl/documenten-en-publicaties/rapporten/2014/10/21/informatie-op-maat.html](http://rijksoverheid.nl/documenten-en-publicaties/rapporten/2014/10/21/informatie-op-maat.html).

<sup>2</sup> <http://www.rijksoverheid.nl/documenten-en-publicaties/rapporten/2014/10/21/informatie-op-maat.html>.

<sup>3</sup> [rijksoverheid.nl/documenten-en-publicaties/rapporten/2014/10/21/informatie-op-maat.html](http://rijksoverheid.nl/documenten-en-publicaties/rapporten/2014/10/21/informatie-op-maat.html), p. 2.

<sup>4</sup> [communicatierijk.nl/documenten/jaarplannen/2015/01/29/gemeenschappelijk-jaarprogramma-voorlichtingsraad-2015](http://communicatierijk.nl/documenten/jaarplannen/2015/01/29/gemeenschappelijk-jaarprogramma-voorlichtingsraad-2015).

<sup>5</sup> [goedopgelost.overheid.nl](http://goedopgelost.overheid.nl).

<sup>6</sup> [gebruikercentraal.nl/ontwerpprincipes](http://gebruikercentraal.nl/ontwerpprincipes).

<sup>7</sup> These are the main lessons learned from the on line survey. It is probably the main reason why so little respondents heard about the current Action Plan, let alone knew what it comprised.

## 15. Citizen access to personal data

### Commitment Text:

*Action 15: Make citizens informed and more empowered: public inspection and correction of information*

*In today's information society, people's data are stored once and used multiple times. This leads to benefits in terms of efficiency, but it also means that no one can imagine the full implications of one instance of data registration by an individual whose data are subsequently used in multiple processes. The National Ombudsman, the Rathenau Institute and the Scientific Council for Government Policy have called for people to be better informed, in order to put them on a more equal footing in their dealings with government. Citizens should be able to act as a countervailing force. They can currently access a large number of data registers via [mijn.overheid.nl](http://mijn.overheid.nl) ("my.government.nl") and other Internet portals.*

*A strategy is currently being devised for expanding individual access to data in the municipal register wherever reasonably possible. This will enable the person concerned to point out errors in the data recorded. The authorities are also exploring ways of clarifying how the data held by local government is used. This should make it clear who is re-using the information and provide insight into what data exist and how they are used by the "i-government."*

Responsible institution: Information Council, Ministry of the Interior, Association of Netherlands Municipalities

Supporting institution(s): Ministries of Economic Affairs, Social Affairs and Employment, Infrastructure and Environment, Finances

Start date: January 2013 .....

End date: December 2014

Commitment Overview	End of term completion				Did it open government?				
	Not started	Limited	Substantial	Complete	Worsens	None	Minor	Major	Transformative
<ul style="list-style-type: none"> <li>• Relevance: Clear</li> <li>• Specificity: Medium</li> <li>• Potential impact: Moderate</li> </ul>		✓				✓			

### Policy Aim

Dutch Citizens already have the legal right to review their personal data, but that right is seldom used and little known. Additionally, there is quite little awareness about who has and shares various data, which government agencies connects data sets, government uses of meta data, and government sharing of citizens' personal data with private parties. This commitment seeks to study how to expand citizens' awareness and use of the digital mailbox to review their personal data. This commitment studied MyGov, a digital mailbox, intended to streamline contact between citizens and their government and allow citizens to monitor which government organizations have accessed their personal information.

### Status

#### Mid-term: Limited

A business case study calculating the costs and benefits of this action, the first step in a broader Parliamentary review process on the use of MyGov to review and correct personal data, was completed in November 2013. The study concluded that implementing a system for the entire government is not feasible. The previous IRM researcher found no evidence of additional progress on the review process and therefore found this commitment to be limited. However, the previous IRM researcher noted that since January 2014, Dutch citizens can request online insight in which government organizations use their personal information on the website [WhoGetsMyData.nl](http://WhoGetsMyData.nl)



(Dutch: [wiekrijgtmijngegevens.nl](http://wiekrijgtmijngegevens.nl)). It is not clear if this feature (1) was the result of this review and (2) if adding this feature increased the number of citizens monitoring their personal data.

### **End of term: Limited**

The IRM research found no evidence of additional progress beyond that mentioned in the mid-term report. The negative findings of the business case study may have stalled further action on this commitment. The government pointed out that more agencies' information is accessible on MyGov, but this was not the aim of the commitment.

### **Did it open government?**

Since the commitment, as written, only committed to studying the feasibility of expanding MyGov to all agencies, the potential impact of this commitment was quite limited. However, since no activity took place on this commitment following the negative business case, this commitment did not contribute to open government.

### **Carried forward?**

Since open data starts with open information on oneself - including the right to conceal, change or delete personal data that is collected and used by public (and private) agencies - in an effective manner, this project needs to be carried forward. The right to know, control and protect your own personal 'government-owned' data without unnecessary barriers is vital to individual freedom in the digital era. Privacy is one of the priorities of the stakeholders' Manifesto as well, suggesting that a debate on this issue is necessary. Guidelines to overcome privacy and reliability issues for online requests to view and change personal data should be explored in the next action plan in order to facilitate citizens to knowledge and ownership over their personal data.

## 16. Online announcements and notifications

### Commitment Text:

Action 16: Open announcements and notifications

The announcements that the government publishes have been partly digitised. Since 2009 the Government Gazette, Bulletin of Acts and Decrees and the Treaties Series have appeared in electronic form, and from 2014 other levels of government (local, provincial, water authorities) will announce their regulations in online publications.

The move to solely online publication only is not yet legally permitted for other types of official announcements, for which the common method of notification remains advertisements in magazines and newspapers, combined with published announcement at government buildings. This is true, for example, of the publication of draft decrees to which stakeholders may submit objections. By requiring online announcement of these regulations, information could be provided in a customised way, allowing people to receive digital notifications for those issues in which they take a personal interest, such as matters affecting their local environment, for example. If the entire draft decree were published, rather than just an executive summary, there would no longer be a need to keep a printed version at government buildings. The Government will amend the General Administrative Law Act<sup>12</sup> to make this possible.

Responsible institution: Ministry of the Interior

Supporting institution(s): All central government ministries, Association of Netherlands Municipalities, Association of the Provinces of the Netherlands

Start date: June 2011 .....

End date: 1 September 2015

Commitment Overview	End of term completion				Did it open government?				
	Not started	Limited	Substantial	Complete	Worsens	None	Minor	Major	Transformative
<ul style="list-style-type: none"> <li>• Relevance: Clear</li> <li>• Specificity: Medium</li> <li>• Potential impact: Moderate</li> </ul>									
16. Overall		✓					✓		
16.1. A legal basis		✓				✓			
16.2. Implementation			✓					✓	

Editorial Note: This commitment was evaluated as a star commitment in the mid-term report. Following the introduction of additional evidence and application of the IRM methodology, the IRM researcher has adjusted the completion level of this commitment. As a result, this commitment was **not** evaluated as a star commitment in the end of term report. For more information on IRM methodology regarding completion, please see the IRM Procedures Manual (<http://bit.ly/1XSBGNE>).

### Policy Aim

Since January 2014, all public organisations are legally bound to publish all of their legislation online. However, the General Administrative Law Act regulating the publishing of decisions does not allow for digital publication as the primary source. The Minister of the Interior wants to change this law. The Ministry of the Interior has, through its agency KOOP, developed the single, integrated application Joint Service for Official Publications (GVOP) for official publication for all public authorities. The system has been operational since 1 January 2013.

### Status

#### Mid-term: Substantial

Overall, substantial progress was made in implementing this commitment. In August 2014, the draft law was finished, and it is now subject to interdepartmental co-ordination. At the time of writing the

report, the previous IRM researcher found evidence that ten out of twelve provinces and almost all local governments now use GVOP.<sup>34</sup>

### **End of term: Limited**

At the time of writing this report, the draft law was not publicly available nor was it passed. The Minister of the Interior claims that the Act will be passed in 2017. Many regional and local governments are already using GVOP but it will be used as the (only) official source of information after the law has changed.<sup>56</sup> Since no progress has been made on passing the law and full use of GVOP is contingent on its passage, the IRM researcher found this commitment to have limited completion.

### **Did it open government?**

Though the legal basis is lacking, there is enormous activity on GVOP. This has clear benefits for people searching for official publications by local governments.

### **Carried forward?**

This commitment is clearly relevant to OGP values and progress should be continued in the next action plan. Though publishing announcements online instead of in local newspapers may have its setbacks, the advantages exceed the disadvantages. In order to overcome problems of access to information for non-digital oriented citizens, governments must not stop publishing their information on paper after 2017. The IRM researcher recommends a transitional period should be a legal obligation integrated in the draft law.

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<sup>3</sup> "Deelnemers," GVOP, Producten, KOOP, <http://bit.ly/1Bg2cFz>.

<sup>4</sup> "Deelnemers," GVOP, Producten, KOOP, <http://bit.ly/1Bg2cFz>.

<sup>5</sup> [koop.overheid.nl/producten/lokale-bekendmakingen/meedoen-aan-lokale-bekendmakingen](http://koop.overheid.nl/producten/lokale-bekendmakingen/meedoen-aan-lokale-bekendmakingen). This system includes mail notification systems. It will use MyGov.nl as a means of sending individual decisions to citizens. For service providers, this system is operative since the Service Directive (2006/123/EC) - in the Netherlands implemented in [antwoordvoorbedrijven.nl](http://antwoordvoorbedrijven.nl).

## 17. Public services and other user perspective

### Commitment Text:

*Action 17: Public services and further develop the user perspective*

*The quality of their contact with public-sector organisations matters to citizens. If they believe they are being listened to and given the appropriate attention, an effective connection will be formed between the individual and the system (government bureaucracy). Organisations that perform public tasks also benefit from this contact. As users of their services, citizens have a lot of experience and can provide good suggestions for improvement. Openness and transparency are prerequisites for collaboration between public-sector organisations, and citizens and businesses.*

*A special centre, Kenniscentrum Dienstverlening (known by the acronym “KING”), helps local authorities focus more on the user perspective in providing services, including online and integrated services. The centre organises learning events, runs a website and provides practical help at the request of local authorities.*

*As part of its Online 2017 process, the Government is also working on accessible online services, with a particular focus on the user perspective: if people are not sufficiently computer-literate, they should be given help; processes should be user-friendly and a safety net should always be in place for those who need it.*

*Since many public-sector service providers are engaged in activities designed to make people more computer-literate, it is important that their experiences be catalogued and shared with others, so their efforts have the maximum possible effect. A study is therefore being conducted to establish what initiatives are most effective and efficient, and how they can be introduced more widely.*

Responsible institution: Ministry of the Interior, Quality Institute of Dutch Municipalities (KING), Association of Netherlands Municipalities

Supporting institution(s): None

Start date: July 2013 .....

End date: July 2017

Commitment Overview	End of term completion				Did it open government?				
	Not started	Limited	Substantial	Complete	Worsens	None	Minor	Major	Transformative
<ul style="list-style-type: none"> <li>• Relevance: Unclear</li> <li>• Specificity: None</li> <li>• Potential impact: Minor</li> </ul>			✓				✓		

Editorial Note: Following the introduction of additional evidence and application of the IRM methodology, the IRM researcher has adjusted the completion level of this commitment. For more information on IRM methodology regarding completion, please see the IRM Procedures Manual (<http://bit.ly/1XSBGNE>).

### Policy Aim

This commitment seeks to improve the quality of public sector outreach and understand the effect of openness and transparency on municipalities. The goal is to help local governments address the needs of citizens and service-delivery oriented small-medium enterprises (SMEs), particularly with regards to online service delivery and integrated services. The Kenniscentrum Dienstverlening (KING), a centre that provides knowledge and tools to local governments, is one of the lead agents for this commitment.

### Status

#### Mid-term: Unclear

The previous IRM researcher could not find any clear connection with OGP values and concluded that KING has not taken any steps in that direction. Therefore, the previous IRM researcher found the completion level of this commitment to be “unclear”.

### **End of term: Substantial**

The IRM researcher found that substantial progress has been made by KING and other responsible institutions to make services more accessible for citizens (what is known as 'improve the user perspective' in the commitment language). One of pillars of KING is the Knowledge Centre on Public Services ("Kenniscentrum Dienstverlening"). Among others, sharing knowledge on the user perspective ("Gebruikersperspectief") with municipalities is one of its objectives. Its website provides methods to evaluate citizen opinions and is published in a comprehensive on line benchmark format, "Where'sYourCity" ([waarstaatjegemeente.nl](http://waarstaatjegemeente.nl)). KING also offers Top Task analysis and it holds webinars and meetings on public services and user perspective.

### **Did it open government?**

The IRM researcher could not assess if citizens actually benefit from all the efforts taking place to improve service information. Therefore, this commitment is considered to have minor impact as yet.

### **Carried forward?**

KING, a daughter organization of the VNG (Association of Dutch Municipalities) serves as the major player in providing knowledge and services on improving municipalities' public service delivery capabilities and has the capacity to help facilitate the leap forward from the current government paradigm to a citizen-centred local government. The government pointed out that the scores on citizen satisfaction on services delivered by government in general are rising, so improving public services can be successful. The IRM researcher recommends including the KING programmes in the next Action Plan as tools for use in conjunction with specific public service delivery commitments (such as commitments 14 and 15) rather than as a separate commitment.

## METHODOLOGICAL NOTE

Commitments are ordered following the organization of the Dutch OGP Action Plan. This report is based on an on line survey, interviews with several civil servants in the Open Government team of the Ministry of the Interior, and desk review (public policy documents, (draft) laws and law reviews, parliamentary documents and other (online) information). A meeting with members of the Inspiration Team was cancelled, since they understandably mentioned that they preferred focusing on the next Action Plan rather than assessing the first plan. This was overcome easily as a substantial number of CSOs have formed a coalition, the Maatschappelijke Coalitie voor een Open Overheid, and published a Manifesto in September 2015, which served as a comprehensive source of information for the IRM researcher.

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The Open Government Partnership (OGP) aims to secure concrete commitments from governments to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. OGP's Independent Reporting Mechanism assesses development and implementation of national action plans to foster dialogue among stakeholders and improve accountability.

