

Independent Reporting Mechanism (IRM) Preliminary Review 2017: Scotland

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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. In 2016, OGP opened to subnational participants in their own right as part of a pilot program. The OGP Subnational Pilot Program consists of 15 subnational governments who submitted action plans and signed onto the Subnational Declaration at the Paris Global OGP Summit, and will be implementing them from 1 January 2017 to 31 December 2017.

The Independent Reporting Mechanism (IRM) carries out an annual review of the activities of each government that participates in OGP. As part of the pilot status of the reports, the IRM is releasing this early version of the review of process and commitment form (Specificity, Relevance, and Potential Impact). The final report will be released in the first trimester of 2018.

The early release will be reviewed by the IRM staff and the International Experts Panel (IEP). Thereafter, it will undergo two commenting periods. In the first period (14 calendar days), each OGP-participating government is invited to review the release in draft form before it is put out for broader comment. For the second phase of comments (14 calendar days), there will be a space on the OGP website for broader public comment, which may include formal responses by governments.

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Process of development of the action plan

Governments participating in the OGP follow a process for consultation during development of their OGP action plan and during implementation. This section summarizes the performance of Scotland during the development of their first action plan.

OGP basic requirements

Subnational Governments received the following guidance on participation during action plan development and execution:

May – November 2016: Development of commitments: Participants set up ways to work with civil society organizations and other groups outside government and use these mechanisms to identify priority areas for commitments. Specific commitments should then be developed in partnership with civil society, allowing them the opportunity to support governments in drafting them and establishing milestones. Draft commitments should be shared with the OGP Support Unit as they are being developed, and for comment and advice in October-November. Commitments should be finalized and agreed by the end of November, so they can be published and announced at the OGP Summit in December.

Overall, the Scottish Government met the basic requirements for consultation on the OGP action plan. The Scottish Government consciously designed the engagement process around the development of the action plan to give civil society a central role in reaching out to stakeholders in order to build a sense of partnership. Through this process, civil society engagement was successful in building momentum around the open government movement in Scotland and in suggesting how Scotland might push the boundaries of open government. However, structured engagement with civil society and the wider public in shaping specific commitments and actions as reflected in the final action plan was ultimately limited for a number of reasons, as outlined below.

The Scottish Council for Voluntary Organisations (SCVO), as the leading civil society organisation (CSO) in the OGP in Scotland, coordinated the consultation process with the Government and other civil society organisations through the Scotland Open Government Network, as well as through a series of public events. The SCVO is the membership organisation for Scotland's charities, voluntary organisations and social enterprises, with more than 1800 members who range from individuals and grassroots groups, to Scotland-wide organisations and intermediary bodies¹.

It is worth noting that civil society's involvement in the OGP process pre-dates the development of the Scottish action plan. In particular, Involve and the Democratic Society, two civil society organisations already active in the UK-wide OGP process, were instrumental in laying the foundations for the open government movement in Scotland. The Democratic Society, for example, had already worked with the Scottish Government prior to the 2014 independence referendum on the development of a potential set of Scottish commitments before the Subnational Pilot Program was in place². Involve, meanwhile, the UK CSO which coordinates the UK Open Government Forum, reached out to civil society in the devolved regions of the UK and specifically to SCVO as the leadership body for the non-profit sector in Scotland, for input into the UK national action plan process in 2015. The SCVO was the main Scottish CSO to contribute to the UK national action plan and the sole Scottish representative at the OGP summit in Mexico in 2015, where the Subnational Pilot Program was formally announced³. Thus, while the Scottish Government took the initiative in applying for Scotland's inclusion in the Subnational Pilot Program, the SCVO and others played an active role in supporting the process.

At that time, the Scotland Open Government Network was a sub-group of the online UK Open Government Forum coordinated by Involve. It later evolved into a more active stand-alone network, independent from the UK Forum, under the leadership of the SCVO. Membership of the Scottish network is open to any individual or civil society organisation, with the only criteria being an interest in advancing open government in Scotland. Unlike the UK-wide network, the Scottish network also includes around 10 representatives from government, with a view to building a sense of partnership between civil society and government in the OGP process (see commitment 5 for further details)⁴. Other members include representatives of more than 50 CSOs around Scotland working on a range of issues from local democracy to health and education, local council staff members, members of community associations, academics, students, and members of the Church of Scotland, as well as more than 80 individual members.

It is important to note that the Scottish action plan was born out of Scotland's contributions to the broader UK national action plan. The timing of Scotland's inclusion in the Subnational Pilot Program coincided with the development of the second UK national action plan, meaning there was some overlap between the two processes. The timing also coincided with a number of important political events including elections and the fallout from the Brexit referendum. The former resulted in two periods of pre-election restrictions, whereby central and local government were prevented from making announcements about any new government initiatives, which limited the Government's ability to publicise the development of the action plan⁵. Coupled with pressure on civil servants and civil society to develop the plan in time for the OGP conference in Paris in December 2016, this meant that the time available to develop the plan was limited⁶.

The consultation process

During the initial consultation phase (October 2015 to April 2016), the Scotland Open Government Network (more specifically Involve and the SCVO, in collaboration with the Scottish Government), organised two roundtable events to draw up potential commitments to the UK national action plan, based on the crowd-sourced, UK-wide Civil Society OGP Manifesto which had more than 250 contributions⁷. Both events were open to all interested parties and attendees were self-selecting. The first of these events took place on 21 October 2015 in Edinburgh⁸, and was attended by 10 civil society representatives from a small group of democracy- and citizenship-focused NGOs, including Common Space, the Democratic Society, Involve, the Scottish Community Development Centre, the Scottish Independent Advocacy Alliance and the SCVO⁹. Based on discussions, the SCVO, in collaboration with the Scotland Open Government Network and the Scottish Government, developed the first iteration of 30 detailed commitments and posted them on the network for comment for a period of 44 days¹⁰. The SCVO then refined the commitments, which were then further discussed at the SCVO's annual Gathering in Glasgow on 17 February 2016¹¹.

On 20 April 2016, Involve and other members of the Scotland Open Government Network co-hosted a second roundtable in Edinburgh to review the proposed Scottish commitments for the UK plan. The workshop was attended by 21 individuals representing government (5) and civil society organisations (16), from a similar, if slightly expanded, group of CSOs involved in the first event, including the SCVO, Involve, the Democratic Society, Common Weal, HIV Scotland, the Local Government Information Unit and the Electoral Reform Society¹².

Ultimately, given that the initial set of proposed Scottish commitments for the UK plan were closely aligned to the existing UK-wide OGP manifesto, and based on the fact that the two iterations of the proposed commitments do not vary significantly in terms of content, the level of feedback incorporated throughout this initial phase was limited.

Following the announcement of Scotland's inclusion in the OGP Subnational Pilot Program, the emphasis shifted to developing a specific action plan for Scotland, independent of the UK national

action plan. In order to coordinate the development of the plan, the Scottish Government established an informal steering group, comprising OGP champions within government and a selection of civil society representatives from the Scotland Open Government Network. Consultation on the Scottish action plan involved a roundtable event organised by Involve and the SCVO in collaboration with the Scottish Government and other network members in Edinburgh on 2 September 2016. The event was attended by 15 individuals from a broader range of interest groups than was the case for previous events, including the Scottish Government (3), Alzheimer Scotland, the Carnegie Trust, Children in Scotland, the Democratic Society, Inclusion Scotland, Motor Neurone Disease Scotland, the Scotland Malawi Partnership, the Scottish Churches Parliamentary Office and the SCVO¹³. This was followed by an online consultation process, documented on the Scotland Open Government Network. During the event, the government provided an update on progress and timelines for the Scottish action plan, and sought contributions from civil society on their priorities for future open government initiatives (both specific, implementable ideas as well as thematic priorities). The meeting also provided an opportunity to continue discussions on strengthening the Scotland Open Government Network¹⁴. In addition, on 8 September 2016, the Minister for Parliamentary Business hosted a meeting in Parliament with civil society representatives to discuss the plan, the partnership and future implementation. The meeting was attended by representatives from the SCVO, the Scottish Community Development Centre, Oxfam Scotland and HIV Scotland¹⁵.

Based on these discussions, the steering group met to draft the final action plan¹⁶. The network agreed for the SCVO to represent civil society at this meeting. Although involved in the drafting and revising of commitments at this stage, the SCVO felt this forum was more akin to an internal working group of civil servants to which SCVO was invited to participate, rather than a partnership in the true sense of the word, with the Government taking the final decisions on what was to be included in the plan¹⁷. For Doreen Grove, the importance of political leadership for OGP made it essential that the ultimate decision on the action plan was taken by Scottish Government Ministers¹⁸.

According to the OGP Support Unit, the Scottish Government also sought advice and requested feedback from the OGP secretariat during the formulation of commitments through a series of phone conversations prior to their finalisation. The complete action plan was published on 9 December 2016.

Table 3.1: Basic requirements

<p>1. Participatory Mechanism: Was there a way of working with CSOs and other groups?</p> <p>Guideline: Participants set up ways to work with civil society organisations and other groups outside government and use these mechanisms to identify priority areas for commitments.</p>	Yes
<p>2. Priority identification: Was civil society able to help identify priority areas for commitments?</p> <p>Guideline: Specific commitments should then be developed in partnership with civil society, allowing them the opportunity to support governments in drafting them and establishing milestones.</p>	Yes
<p>3. Commitment development: Did civil society participate in the [development/drafting] of commitments and milestones?</p> <p>Guideline: Specific commitments should then be developed in partnership with civil society, allowing them the opportunity to support governments in drafting them and establishing milestones.</p>	Yes

<p>4. Review: Were commitments submitted for review to the Open Government Partnership Support Unit prior to finalisation?</p> <p>Guideline: Draft commitments should be shared with the OGP Support Unit as they are being developed and for comment and advice in October-November.</p>	Yes
<p>5. Submission: Were commitments submitted on time?</p> <p>Guideline: Commitments should be finalised and agreed by the end of November, so they can be published and announced at the OGP Summit in December.</p>	Yes

Openness of consultation

Who was invited?

Invitation to contribute to the consultation process online and to attend the various public events described above was announced on the Scotland Open Government Network, as well as through event planning platforms such as Eventbrite.co.uk and MeetUp.com. As noted above, the network is open to any individual with an interest in open government and currently has more than 200 members¹⁹, drawn from civil society, academia, the general public and the Scottish Government. Given the way the consultation process was conceived in Scotland, with civil society taking a central role in outreach efforts, it is important to note that civil society members of the network were successful in engaging an increasingly broad range of stakeholders, as demonstrated by the growth in network membership over time.

However, beyond the existing network, the government made few concerted attempts to target different actors from a range of sectors (e.g. private sector, media, etc.). In the view of Robin McAlpine, Director of Common Weal, an NGO campaigning for social and economic equality in Scotland²⁰, participation in the consultation process was thus very much self-selecting: those already aware of the process and interested in democratic reform engaged, others didn't, which meant that few of the 'unconverted' were involved²¹.

How was awareness-raising carried out?

There was no prior reference to the consultation on the Scottish Government's website pages dedicated to OGP and the government did not actively circulate any communication material²². Instead, awareness raising around the action plan development process was led by the SCVO and other civil society organisations through the Scotland Open Government Network. According to Doreen Grove, this was a conscious decision, supported by civil society, to help build a strong partnership between civil society and government²³ (see commitment 5 for further details).

As a result, awareness raising on the consultation process was ad hoc, without a formal set of clearly articulated rules and timelines for the process. The emphasis, in particular during the second phase (development of the Scottish action plan), was more on engaging a broader group of stakeholders around the emerging open government movement more generally²⁴. According to Kaela Scott from Involve, the network felt that such an approach was the best way to build momentum towards delivering the action plan as well as future open government initiatives beyond the first year²⁵.

In parallel to the consultation process, the SCVO in partnership with other CSOs, including Involve, the Democratic Society, NIDOS, the Scotland Malawi Partnership and Represent.me, developed a Wiki page to develop civil society's thinking on a vision for Scotland based on previous conversations and open government papers. The Wiki was conceived as a 'core script' for negotiating with government on the commitments²⁶. The Scotland Open Government Network also

made efforts to engage stakeholders from other groups who may not immediately see open government as relevant to their work, through events such as the SCVO's 2016 annual Gathering and an event hosted by Common Weal in Glasgow in September 2016, attended by 30 members of the public, to discuss what they would like the open government movement in Scotland to look like²⁷. However, these events were not directly tied to the development of specific commitments. Instead they attempted to raise awareness of the development of the current action plan and bring in new voices to the broader debate on the way open government should operate in Scotland, which the SCVO and Common Weal then fed into the more focused consultation process.

Which parts of civil society participated?

While the Scotland Open Government Network represents an increasingly diverse range of interests, from those working on health and wellbeing, to women's and children's rights, through to open data and technology, the consultation events themselves were attended largely by a small core group of Glasgow- and Edinburgh-based CSOs most closely involved in the core open government issues of local democracy and participation and most heavily invested in the OGP process. Having said that, the range of interests represented at the meetings did become more diverse as the consultation process progressed (see above). However, the fact that consultation events were all held in Scotland's two largest cities, Glasgow and Edinburgh, made it difficult for those from other parts of the country to attend.

Participants in the consultation process acknowledged the relatively small number of CSOs present at the discussions as a challenge, and significant time was set aside during consultation meetings to discuss how to strengthen the Open Government Network in Scotland in order to ensure a more diverse set of views informs the OGP process going forward²⁸.

Level of public input

The IRM has adapted the International Association for Public Participation (IAP2) "Spectrum of Participation" to apply to OGP.²⁹ This spectrum shows the potential level of public influence on the contents of the action plan. In the spirit of OGP, most countries should aspire for "collaborative."

Given the time constraints of the Subnational Pilot Program, the Scotland Open Government Network and Government agreed that the network would be the most effective channel for gathering inputs to the development of the action plan, as well as to begin building a partnership between government and civil society. Nevertheless, despite this ambition, the final Scottish action plan uses the term "input from civil society" as opposed to "co-produced with civil society" when referring to the consultation process, as there was limited structured engagement with civil society in the development of specific commitments and milestones³⁰. The SCVO posted the inputs to the consultation process on the Open Government Network. However, the government did not provide any formal feedback on whether, or how, these inputs were incorporated into the final action plan or explain the reasons for their decisions. Neither did the government make the draft plan public for comment before publication, although it shared the plan with a selection of CSO representatives closely involved in the process³¹.

The Scottish Government has acknowledged the limited scope of public input, stating that:

We have developed this plan with input from Civil Society and some active citizens but it does not go as far as we wish nor does it meet the aspirations of all contributors³².

According to Doreen Grove, the process for moving from the initial 30 to the final five commitments involved "picking up on what people said was most important to them, both from

government and from civil society”, rather than a systematic process of co-creation³³. In the view of Kaela Scott, from Involve, this was a pragmatic and efficient approach, in light of the short timescale to develop the plan and the requirement to limit the number of commitments to five³⁴.

However, this view is not shared by all participants. From Robin McAlpine’s perspective, civil society was only very loosely involved in the development and drafting of specific commitments and milestones as part of a large discussion group. In his view, participants “didn’t try very hard to influence the outcome as the commitments were fairly unambitious in the first place so tweaking them was of only limited utility”³⁵.

To some extent, this is echoed by the SCVO and Involve, who see civil society’s role as being much broader than supporting the implementation of the five commitments in the action plan, and involving much longer-term engagement on a broader range of issues³⁶. According to Ruchir Shah from the SCVO, civil society priorities in Scotland were pitched at a higher level than what many CSOs perceived as the “technical and specific” actions in the UK action plan. This resulted in the commitments in the final action plan being deliberately broad, with the initial set of 30 priorities being “pulled into baskets”, at the expense of specificity. In Ruchir’s view, these five baskets were to be understood as a framework for further discussions with civil society during the action plan implementation process, rather than a set of fixed targets. However, in the final rush to publish the plan, the Scottish Government fine-tuned a number of the milestones to include specific actions which had not previously been discussed with civil society (such as milestone 2 under commitment 5: “A prototype model of a Scottish Approach to Service Design will be co-produced and used by 20 organisations involved in the design of public services”)³⁷. Indeed, a number of the final commitments clearly reflect pre-existing Scottish Government priorities. For example, the first commitment on financial transparency responds directly to the recommendations of the Government-commissioned Christie Report (see commitment 1 below) as well as the Auditor General’s comments on the Scottish Government’s 2015-2016 audited accounts that:

While recent developments show the Scottish Government is heading in the right direction, there’s much still to do to ensure that the Scottish Parliament, and the public, have the information they need to fully understand and scrutinise the implementation of the new powers, especially the new tax and spending choices³⁸.

Similarly, the third commitment on delivering a fairer Scotland reflects a long-standing commitment by the Scottish Government as outlined in the ruling Scottish National Party’s (SNP) 2015 manifesto³⁹.

Nevertheless, a number of the priorities that emerged in initial meetings on Scotland’s contribution to the UK action plan did make it into the final Scottish action plan, such as the desire to see better benchmarking of Scotland’s performance on key social progress measures and the commitment to scale up participatory budgeting⁴⁰.

Ultimately then, the level of public engagement in the development of the Scottish action plan can best be described as “consult”, according to IAP2’s Public Participation Spectrum. As Doreen Grove noted:

We would have done more external consultation with time and the process was far from perfect, but we invested a lot of effort in getting buy-in to the OGP process both internally within government and among civil society. The first year of the pilot project is really about getting OGP on the agenda in Scotland.⁴¹

Robin McAlpine from Common Weal expressed a similar sentiment:

It’s really important to note that the fact that some people are perhaps a little underwhelmed by

the initial set of commitments has not reduced in any way their commitment to the Open Government process or their belief that it can have a major beneficial impact. This is going to take time. That round one hasn't been transformational doesn't mean that round two or three couldn't or shouldn't be transformational and we won't get there if we don't persevere.

Table 3.2 Level of public input

Level of public input		During development of action plan
Empower	The government handed decision-making power to members of the public.	
Collaborate	There was iterative dialogue AND the public helped set the agenda.	
Involve	The government gave feedback on how public inputs were considered.	
Consult	The public could give inputs.	✓
Inform	The government provided the public with information on the action plan.	
No Consultation	No consultation	

¹ SCVO: About Us <http://www.scvo.org.uk/about-us/>

² Interview with Alistair Stoddart, Democratic Society, 26 October 2017

³ Interview with Lucy McTernan and Ruchir Shah, SCVO, 11 July 2017

⁴ Interview with Kaela Scott, Involve, 21 June 2017

⁵ Interview with Doreen Grove, Scottish Government, 21 June 2017

⁶ Interview with Ruchir Shah, SCVO, 24 March 2017

⁷ Scotland OGP action plan (last accessed 23 June 2017) <http://www.gov.scot/Publications/2016/12/2667>

⁸ Scotland Open Government Network (2015): Draft Scottish Commitments for inclusion in the UK national action plan, Discussion Paper, October 21st (last accessed 6 September 2017)

https://forum.opengovernment.org.uk/dragonfly/2015/11/24/11/48/43/ebacb74c-4fa7-45ce-8cde-e40659f63ccc/OGP%20Scotland%20-%20Proposed_Actions_Commitments.docx

⁹ Email communication with Ruchir Shah, 8 September 2017

¹⁰ Ruchir Shah: Scottish Commitments to the UK Plan - Draft for review (last accessed 23 June 2017)

<https://forum.opengovernment.org.uk/conversations/450>

¹¹ Ruchir Shah: Scottish Commitments to the UK Plan - Draft for review (last accessed 23 June 2017)

<https://forum.opengovernment.org.uk/conversations/450>

¹² Kaela Scott: New event: Scottish OGP Network - Edinburgh workshop (last accessed 23 June 2017)

<https://forum.opengovernment.org.uk/conversations/549>

¹³ Email communication with Ruchir Shah, 8 September 2017

¹⁴ Eventbrite: Scottish Open Govt Network - Edinburgh meeting (last accessed 23 June 2017)

<https://www.eventbrite.co.uk/e/scottish-open-govt-network-edinburgh-meeting-tickets-27254605258#>

¹⁵ Email communication with Doreen Grove, 18 October 2017

¹⁶ Interview with Doreen Grove, Scottish Government, 21 June 2017

¹⁷ Interview with Lucy McTernan and Ruchir Shah, SCVO, 11 July 2017

¹⁸ Email communication with Doreen Grove, 18 October 2017

¹⁹ As of 23 June 2017

²⁰ <http://www.allofusfirst.org/>

²¹ Email communication with Robin McAlpine, Common Weal, 20 June 2017

²² Email communication with Robin McAlpine, Common Weal, 20 June 2017

²³ Interview with Doreen Grove, Scottish Government, 21 June 2017

²⁴ For example: MeetUp - Opening up Edinburgh because it's Our Democracy (last accessed 23 June 2017)

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- <https://www.meetup.com/Scotland-Open-Government-Meetup/>; Involve: Opening the lid on Open Government in Scotland (last accessed 23 June 2017) <http://www.involve.org.uk/2016/08/30/opening-the-lid-on-open-government-in-scotland/>
- ²⁵ Email communication with Kaela Scott, Involve, 18 October 2017
- ²⁶ The Open Government Pioneers Project Wiki (last accessed 23 June 2017) <https://opengovpioneers.miraheze.org/wiki/Scotland>
- ²⁷ Common Weal: What do people want to see from Open Government? (last accessed 23 June 2017) <http://files.meetup.com/20303875/A%20Scottish%20vision%20for%20an%20Open%20Government.pdf>
- ²⁸ Kaela Scott: Notes from the Edinburgh OGP meeting - April 20th (last accessed 23 June 2017) <https://forum.opengovernment.org.uk/conversations/583>
- ²⁹“IAP2’s Public Participation Spectrum”, International Association for Public Participation Federation, (2014) http://c.yimcdn.com/sites/www.iap2.org/resource/resmgr/foundations_course/IAP2_P2_Spectrum_FINAL.pdf
- ³⁰ Interview with Ruchir Shah, SCVO, 24 March 2017
- ³¹ Interview with Kaela Scott, Involve, 21 June 2017
- ³² Scotland OGP action plan (last accessed 23 June 2017) <http://www.gov.scot/Publications/2016/12/2667>
- ³³ Interview with Doreen Grove, Scottish Government, 21 June 2017
- ³⁴ Interview with Kaela Scott, Involve, 21 June 2017
- ³⁵ Email communication with Robin McAlpine, Common Weal, 20 June 2017
- ³⁶ Interview with Ruchir Shah, SCVO, 24 March 2017; Email communication with Kaela Scott, Involve, 18 October 2017
- ³⁷ Interview with Lucy McTernan and Ruchir Shah, SCVO, 11 July 2017
- ³⁸ Audit Scotland (2016) Auditor General reports on Scottish Government accounts. Press release (last accessed 6 September 2017)
- ³⁹ Stronger for Scotland: SNP Manifesto 2015 (last accessed 6 September 2017) <http://votesnp.com/docs/manifesto.pdf>
- ⁴⁰ Ruchir Shah: Open Government in Scotland workshop | Meeting notes (last accessed 23 June 2017) <http://www.opengovernment.org.uk/2015/10/22/open-government-in-scotland-workshop-meeting-notes/>
- ⁴¹ Interview with Doreen Grove, Scottish Government, 21 June 2017

Early assessment of commitments

I. Financial transparency

Commitment text:

The Scottish Government will seek to improve the presentation and clarity of the financial, procurement and commercial information it publishes so that members of the public can understand it better.

Milestones

- 1. The Scottish Government will undertake a review of the content and format of the information that it currently publishes on its websites, to allow us to then improve the clarity and coherence of the information that we publish (including providing data in more accessible formats).*
- 2. A joint review group between the Scottish Government and Scottish Parliament (including 8 external public/private sector experts) will be established to carry out a fundamental review of the Scottish Parliament's budget process following the devolution of further powers in the Scotland Act 2012 and Scotland Act 2016. By June 2017, the group will then bring forward proposals for a revised budget process for consideration by the Finance Committee and the Cabinet Secretary for Finance and the Constitution (implementation of the new process is expected to be for the 2018-19 budget – starting in summer 2017).*
- 3. The Scottish Government will consider what new financial reporting information it needs to develop and start publishing, both as a result of the devolution of new fiscal powers through the Scotland Act 2012 & 2016, but also to reflect a modern and open approach to public finances. The initial phase of this work (the review) will take place 2017-18 and then implementation of these changes will begin in financial year 2018-19.*
- 4. The Scottish Government will develop an open contracting strategy to support the publication of procurement and commercial reporting information in a manner that is accessible to all, while taking advantage of developing data standards.*

Commitment overview

Start date in action plan:	August 2017
Intended completion date:	Spring 2019
Period under review:	1 January 2017 to 31 December 2017
Responsible Office:	Financial Strategy Directorate, Financial Management Directorate, Scottish Procurement and Commercial Directorate
Lead CSO partners:	None mentioned

Commitment overview	Specificity				OGP value relevance				Potential impact			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative
Overall		✓			✓			✓			✓	

Commitment aim

Overall Objective & Relevance

Objective

To date, Scottish Government financial information has been presented as required for parliament, and thus requires a high degree of “financial literacy” to understand⁴². The aim of this commitment is therefore to make financial information more comprehensible and usable, in conjunction with budget reforms, and ultimately to help citizens better understand the flow of public money, including through the use of technology and involvement of end users in how they want information to be presented. Key targets include financial journalists and citizens involved in participatory budgeting⁴³.

At the same time, the Scottish budget and fiscal environment is changing significantly as a result of the new powers being devolved to Scotland through the 2012 and 2016 Scotland Acts. The new arrangements give the Scottish Government and Parliament more control over public finances and are much more complex than the existing process, which was designed primarily to manage a block grant from Westminster. In particular, there is now a much greater degree of volatility and uncertainty in the budget process in Scotland⁴⁴.

According to the Government-commissioned Report on the Future Delivery of Public Services in 2010 (the so-called Christie Report), the changes in Scotland's fiscal environment are compounded by increased pressure on budgets, as well as new demographic and social pressures and the effects of the global economic downturn. As the Christie report notes:

“Unless Scotland embraces a radical, new, collaborative culture throughout our public services, both budgets and provision will buckle under the strain [...] Contentious issues such as the continuation of universal entitlements must be considered openly and transparently, rather than in the current polarised terms.”⁴⁵

As a result, the Scottish Parliament's Finance Committee recommended in March 2016 that

“Scottish Parliament and Scottish Government officials work together to review the budget process in the first instance with a view to bringing forward proposals for any changes for consideration by our successor and Ministers.”⁴⁶

The aim of milestone 2 is therefore to develop proposals for a revised budget process which addresses this increased level of volatility and uncertainty, as well as the need for robust parliamentary and wider public scrutiny.

With regards to open contracting (milestone 4), the focus to date on procurement reform in

Scotland has been on “reducing the administrative burden and making it easier for businesses to engage with their local contracting authorities”⁴⁷, rather than on transparency per se. The government's Open Data Strategy, published in 2015, made no specific reference to contracting and procurement data. Milestone 4 therefore aims to complement the existing open data strategy by helping the public identify who is delivering government contracts and how well these contracts are performing⁴⁸.

Relevance

Overall, this commitment is relevant primarily to the OGP value of Access to Information, in particular, milestones 1, 3 and 4 which seek to better explain how public finances work and provide accessible presentation of public financial flows into and out of the Scottish Government, including to local authorities, commercial and third sector organisations. Providing citizens with information that is coherent, consistent and in a format that is easy to use should enable citizens to clearly understand how their tax money is spent and to support more informed policy making, including through participatory budgeting at the national and local levels (see commitment 4).

Moreover, milestone 4 is also relevant to the OGP value of Technology & Innovation for Transparency & Accountability, by seeking to make more information public in ways that enable people to both understand what their government does and to influence decisions. For example, the open contracting strategy will mean that the UK Government's Open Government Licence will now apply to Scottish Government information published on Public Contracts Scotland (PCS) (including contract notices, contract award notices and the contract register), while contract and award notices will be available to download in an open data format (XML)⁴⁹.

However, the direct relevance of milestone 2 to OGP values is unclear. The interim report of the parliament's Budget Process Review Group identifies five key themes for further consideration, focussing on the effectiveness of the budget process and of outcome-based scrutiny (including the link between budgets and the National Performance Framework (NPF) (see commitment 2)). The focus of the review process is therefore on internal budgeting processes within government and between the government and parliament, with little reference to public-facing elements.

Specificity and Potential Impact

Specificity

The overall level of specificity for this commitment is low. The commitment identifies the primary institution which is responsible for implementation, although no specific civil society partners are mentioned. The milestones also define start and end dates for activities, although in a number of cases, completion dates are beyond the timeframe of the action plan implementation period (December 2017).

The commitment and milestone language generally describes activities that are objectively verifiable, but some of the milestones are not clearly measurable or directly relevant to the overall commitment objective. This applies in particular to milestones 1 and 3. For example, milestone 1 does not identify a concrete output (it is not clear what the outcome of the review will look like) and does not identify precisely what types of information will be reviewed. Meanwhile, milestone 3 only commits to “*consider(ing) what new financial reporting information it needs to develop and start publishing*” without a set of defined activities. The fact that the process is due to be completed only by the spring of 2019 further limits the level of specificity.

Despite describing concrete outputs to be delivered by the end of 2017, milestones 2 and 4 also lack specificity. Milestone 2 describes the proposed budget review process only in general terms and, as discussed above, is only partially relevant to the overall objective of increasing financial transparency,

given that the focus is largely internally-facing (reforming budgeting processes). The wording of milestone 4, meanwhile, is vague and leaves open to interpretation the specific mechanisms by which the government aims to ensure useable, up-to-date and relevant contracting data is made available to the public. Although a recent update to the strategy development process⁵⁰ provides more detail, this is not clearly articulated in the action plan itself.

Potential impact

The potential impact of the commitment is moderate. As noted above, the commitment addresses a well-defined existing challenge (namely the changing fiscal environment in Scotland on the one hand, and the need to provide citizens with access to clear financial, procurement and commercial information in light of these changes, on the other). Milestone 4, meanwhile, could fill an important gap not covered by Scotland's Open Data Strategy, although this will depend on the content of the proposed new strategy. Combined, the different activities presented would contribute significantly to the objective of enabling citizens to better understand how public finances work in Scotland and would serve to stretch existing government practice in the area of financial transparency. Furthermore, the commitment has clear links to other commitments in the action plan, most notably commitment 2 (Measuring Scotland's Progress), commitment 4 (participatory budgeting) and commitment 5 (increasing participation), thus contributing to a coherent plan of action for open government.

However, potential impact suffers due to the lack of specificity of some of the milestones, as discussed above, making it difficult to judge how certain activities will ultimately benefit citizens. Furthermore, in order to be transformative and to contribute more directly to enhancing public accountability, the commitment would need to support the capacity of civil servants to produce information as intended, and the capacity of citizens to use the information in meaningful ways. While Doreen Grove, the OGP Focal Point for the Scottish Government, noted that both elements would form part of the planned reforms⁵¹, these activities are not explicitly mentioned in the action plan.

⁴² Interview with Doreen Grove, Scottish Government, 21 June 2017

⁴³ Interview with Doreen Grove, Scottish Government, 21 June 2017

⁴⁴ Scottish Parliament (2017) Budget Process Review Group Interim Report, 10 March (last accessed 14 July 2017) [http://www.parliament.scot/S5_Finance/Reports/2017.03.10_BPRG_Interim_Report_\(1\).pdf](http://www.parliament.scot/S5_Finance/Reports/2017.03.10_BPRG_Interim_Report_(1).pdf)

⁴⁵ Commission on the Future Delivery of Public Services (2011) Report on the Future Delivery of Public Services chaired by Dr Campbell Christie (last accessed 14 July 2017) <http://www.gov.scot/Publications/2011/06/27154527/0>

⁴⁶ Scottish Parliament Finance Committee (2016) Legacy Paper, 6th Report, 2016 (Session 4) (Last accessed 14 July 2017) http://www.parliament.scot/S4_FinanceCommittee/Reports/FIS042016R06.pdf

⁴⁷ Public Contracts Scotland (2016) Progress Report for 2014 and 2015 (last accessed 14 July 2017) http://www.publiccontractsscotland.gov.uk/Guides/Guide_Download.aspx?id=2281

⁴⁸ Open Contracting in the Scottish Government: Update – May 2017 (last accessed 14 July 2017) <http://www.gov.scot/Topics/Government/Procurement/OpenContracting>

⁴⁹ Open Contracting in the Scottish Government: Update – May 2017 (last accessed 14 July 2017) <http://www.gov.scot/Topics/Government/Procurement/OpenContracting>

⁵⁰ Open Contracting in the Scottish Government: Update – May 2017 (last accessed 14 July 2017) <http://www.gov.scot/Topics/Government/Procurement/OpenContracting>

⁵¹ Interview with Doreen Grove, Scottish Government, 21 June 2017

2. Measuring Scotland's progress

Commitment text:

The development of a robust framework which enables Scotland's progress towards the Sustainable Development Goals (SDGs) to be measured.

Milestones

1. A programme of public, civil society and stakeholder engagement on the development of a measurement framework
2. Measurement framework in place (Autumn 2017)⁵²

Commitment overview

Start date:	Winter 2016
Intended completion date:	Autumn 2017
Period under review:	1 January 2017 to 31 December 2017
Responsible Office:	Chief statistician
Lead CSO partners:	Scottish Human Rights Commission, Scottish post-2015 Working Group

Commitment overview	Specificity				OGP value relevance				Potential impact			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative
Overall		✓			✓	✓				✓		

Commitment aim

Overall Objective & Relevance

Objective

The Scottish Government has recently committed to signing up to the United Nations Sustainable Development Goals (SDGs), an inter-governmentally agreed set of targets relating to international development. The targets set out under the SDG framework overlap, to some extent, with existing commitments which the Scottish Government has made under various domestic plans, including the National Performance Framework (NPF) and the Scottish National Action Plan (SNAP).

The Scottish Government (then the Scottish Executive) introduced the National Performance Framework (NPF) in 2007 (revised in 2011 and 2016) as an agreed set of national outcomes to improve the quality of life for the people of Scotland. The 66 measures in the NPF provide a broad measure of national and societal wellbeing, incorporating a range of economic, social and environmental measures. The Scottish Government tracks and reports on progress on the NPF through Scotland Performs, as and when the data are available⁵³. The Scottish National Action Plan (SNAP), meanwhile, along with legislation such as the Children and Young People (Scotland) Act 2014, set out the government's commitments to upholding human rights.

This commitment aims to align these different frameworks, enabling Scotland's progress towards the SDGs and human rights obligations to be measured in an effective and transparent way in conjunction with the NPF. According to the action plan, using these frameworks helps ensure the measurement of Scotland's progress towards the SDGs is open and robust.

More specifically, the commitment aims to engage the public, civil society and other stakeholders in the development of the framework. This is an important step forward. For example, in response to the Scottish Parliament's Finance Committee consultation on the NPF in 2013, the Royal Society of Edinburgh (RSE), Scotland's National Academy, noted that:

“there has been limited opportunity for those outwith [sic] Government and the public sector to influence the development of the NPF and Scotland Performs. This not only applies to external technical input and analysis, but also to engagement with the public. (...) It is important that a process of deliberative dialogue is initiated to ensure that civic society is engaged in the development of the NPF”⁵⁴.

Furthermore, a number of civil society organisations welcome the inclusion of the Sustainable Development Goals into Scotland's OGP framework through this commitment. According to the SCVO, the OGP process in Scotland has coincided with increasing interest in work around the SDGs among civil society. The link between the SDGs and Scotland's NPF is clear to many CSOs in Scotland (e.g. Oxfam Scotland, HIV Scotland), and has served as a mechanism to also engage other “unusual suspects” such as the Church of Scotland. The SDGs have therefore acted as an important linchpin to connect OGP to the more immediate priorities of those working on social justice and social services⁵⁵.

Relevance

This commitment is relevant to the OGP value of civic participation insofar as it opens up decision-making on the development of the proposed measurement framework on the SDGs to interested members of the public. It is also relevant to the value of Access to Information as it aims to inform the public about progress towards meeting the SDGs. According to the action plan, the NPF is also a key tool by which the Scottish Government is held to both public and parliamentary scrutiny and accountability. However, according to OGP guidelines, this commitment is not considered directly relevant to the value of public accountability, as it does not include a mechanism whereby citizens can actively seek answers or justification from government regarding their performance under the framework.

Specificity and Potential Impact

Specificity

The level of specificity for this commitment is low. The commitment is narrowly focused and defines two outputs (a programme of engagement and a framework), as well as both government and non-governmental actors responsible for implementation. However, the commitment and milestone text is vague and there is insufficient detail to enable the milestones to be verifiably measured. For

example, it is unclear what form the programme of engagement will take, who will be invited to participate, or how stakeholder views will be incorporated. Thus, while it may be possible to ascertain whether some form of engagement took place, there is little to indicate what successful engagement might look like. Likewise, it is unclear what is meant by the framework being “in place”, for example, whether this means that the content has been finalised, the mechanisms to enact the framework have been developed, or whether the framework is actively being used to measure progress by the intended completion date. Finally, the wording of the commitment leaves some doubt as to whether the government envisages an entirely new measurement framework for the SDGs or a joint framework for measuring all existing commitments including those currently under the NPF and the SNAP as well as the SDGs.

Potential impact

The potential impact of this commitment is minor. While the Scottish Government's commitment to implementing the SDGs, as well as the NPF, is expected to contribute to improving the economic, social and environmental wellbeing of the people of Scotland, the potential impact of having a robust framework in place is a small, albeit important, step in that process. The alignment of Scotland's various commitments could potentially lead to greater efficiency in terms of monitoring and reporting on Scotland's progress, while greater transparency would allow citizens to better understand how government is performing on various measures of social progress. Achieving more meaningful impact is only likely if the resulting measurement framework ultimately reflects the priorities of civil society and other non-governmental stakeholders, and the government adapts its policy priorities to meet the redefined targets. However, the text does not state this outcome as an explicit aim of the commitment.

⁵² For the purposes of this review, this milestone has been added by the IRM researcher. This is because, although it does not appear in the action plan as a discreet milestone, the wording under the “end date” for milestone 1 states “framework is in place Autumn 2017” which would suggest a second milestone.

⁵³ Scottish Government: Scotland Performs (last accessed 14 July 2017) <http://www.gov.scot/About/Performance/scotPerforms>

⁵⁴ The Royal Society of Edinburgh (2013) The Scottish Government's National Performance Framework: A response to the Scottish Parliament's Finance Committee (last accessed 14 July 2017) https://www.rse.org.uk/wp-content/uploads/2016/09/AP13_08.pdf

⁵⁵ Interview with Lucy McTernan and Ruchir Shah, SCVO, 11 July 2017

3. Deliver a fairer Scotland

Commitment text:

To deliver the 50 actions in the Fairer Scotland Action Plan, with annual engagement with people and communities on progress. We will also agree 50 new areas for action with people and communities for the next parliamentary term.

Milestones

1. We will engage with people on progress on the action plan and produce an annual report detailing progress on each of the 50 actions, which will be submitted to the Scottish Parliament (Start date: summer 2017 – end date: first report in October 2017)

2. We will actively consult people on establishing 50 new actions for a Fairer Scotland. This will take place in the second half of this parliament via a citizens' forum. This forum will involve many people and organisations who took part in the initial conversations. (Start date: preliminary work in 2018 – end date: 2019 / 20)

Editorial Note: According to the action plan, the Fairer Scotland Action Plan will be delivered by 2020.

Commitment overview

Start date in action plan:	Summer 2017
Intended completion date:	2020
Period under review:	1 January 2017 to 31 December 2017
Responsible Office:	Social Justice Strategy Unit
Lead CSO partners:	Carnegie UK Trust, Dundee Fairness Partnership, Inclusion Scotland, Joseph Rowntree Foundation, Lloyds TSB Foundation Scotland, The Poverty Truth Commission, The Prince's Trust Scotland, Timewise & Working Families, Working Families, Young Scot, YouthLink

Commitment overview	Specificity				OGP value relevance				Potential impact			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative
Overall		↙				↙				↙		

Commitment aim

Overall Objective & Relevance

Objective

In October 2015, the Scottish Government launched the Fairer Scotland Action Plan to bring about a fairer, more socially just country by 2030. Scotland faces a range of challenges related to poverty and inequality. A recent Oxfam report, for example, notes that one in five people in Scotland currently live in poverty⁵⁶, while the richest 1 percent own more wealth than the bottom 50 percent put together. The report also notes that addressing poverty and inequality in Scotland requires responding to the priorities of people in Scotland, including those in deprived communities⁵⁷. The Fairer Scotland Action Plan sets out 50 actions to tackle these issues through better public services and social security, the provision of more skills and employment opportunities for young people, more opportunities for flexible, well paid work and greater support for older people, among others.

The objective of this commitment has three elements. Firstly, to deliver the 50 actions by 2020; secondly, to engage citizens on progress on the implementation of the 50 actions; and thirdly, to consult them on developing 50 new actions, also by 2020. The focus of the commitment as it applies to the timeframe of the OGP Subnational Pilot Program (by the end of 2017) is on the second of these elements.

The emphasis on public engagement is a critical part of how the Fairer Scotland agenda was conceived. According to the OGP action plan, it initially developed out of the significant discussion about social justice running up to the independence referendum of 2014. The Fairer Scotland discussion was launched in June 2015, with more than 7,000 people and 200 organisations taking part in 200 public events, as well as significant online engagement (17,500 visitors to Fairer Scotland social media platforms over a nine-month period). Prior to publishing the plan, the government published a summary of the discussion to date⁵⁸. As noted in the Action Plan, “while ‘Fairer Scotland’ began as a civic participation exercise, it has become a focused plan”.

In the view of the SCVO, the rationale for this commitment is clear. The development of the Fairer Scotland Action Plan was ground-breaking in terms of engaging the Scottish people. However, the engagement process has since lost momentum, with the plan ultimately being published after a long period of silence on the part of the Scottish Government. The SCVO therefore sees this commitment as an opportunity to re-invigorate the conversations with the Scottish people around the priorities included in the plan⁵⁹.

Relevance

The two milestones in this commitment are clearly relevant to the OGP value of civic participation as they seek to engage people in progress on the Fairer Scotland Plan and consult them on the development of new actions, thus giving citizens the opportunity to have their voices heard. However, they are not clearly relevant to the value of public accountability. Although milestone 1 includes a mechanism that requires the government to explain their actions and justify their performance to Parliament, it is not clear to what extent the government is also expected to justify their performance directly to citizens, which is a more direct, public-facing form of accountability.

Specificity and Potential Impact

Specificity

The level of specificity of this commitment is low. It identifies the relevant actors responsible for implementation from both government and civil society, and the milestones define start and end dates for activities, although for milestone 2 the start and completion dates fall out of the timeframe

of the action plan implementation period (December 2016 - December 2017).

Both milestones describe objectively verifiable activities and measurable outcomes/outputs (an annual report for milestone 1 and a citizens' forum for milestone 2). However, milestone 1 does not specify what mechanism the government will use to engage citizens in progress on the plan. The wording "engage with people on progress" is vague and fails to specify whether the government envisages engaging citizens in the actual monitoring of the plan or in discussions about the plan once it is produced.

Moreover, on their own, the two milestones contribute to but do not cover all aspects required to enable achievement of the overall commitment. Thus, while the commitment text states that it aims "(t)o deliver the 50 actions in the Fairer Scotland Action Plan", neither of the two milestones directly address the issue of delivery and implementation of the actions, focusing instead on monitoring and development of actions.

Potential impact

The potential impact of this commitment is minor. While the Fairer Scotland Action Plan outlines a range of ambitious actions designed to contribute to reducing inequality and poverty in Scotland, the potential impact of the two milestones amounts to a small step in this process rather than the full achievement of the commitment as stated. Ensuring public participation in the monitoring of the action plan could help ensure greater accountability for achieving these changes, and could re-energise the Scottish public's engagement in social justice issues and in local politics more generally, something which has tailed off since the independence referendum.

However, potential impact is limited by the lack of specificity with regards to the mechanisms which the government will use to engage citizens and the degree of citizen engagement envisaged, as discussed above. Furthermore, the fact that the second milestone falls beyond the timeframe of the action plan further limits the extent to which meaningful impact can be achieved within that timeframe.

⁵⁶ According to the Scottish Government, after housing costs, 20% of people in Scotland live in relative poverty. Relative poverty is defined as "individuals living in households whose equivalised income is below 60 per cent of median income in the same year". Source: Scottish Government (2016) Poverty and Income Inequality in Scotland: 2015/16 (last accessed 06 September 2017) <http://www.gov.scot/Resource/0051/00515392.pdf>

⁵⁷ Oxfam (2017) Building a More Equal Scotland: Designing Scotland's Poverty and Inequality Commission (last accessed 14 July 2014) <http://policy-practice.oxfam.org.uk/publications/building-a-more-equal-scotland-designing-scotlands-poverty-and-inequality-commi-620264>

⁵⁸ Scottish Government (2016) Creating a Fairer Scotland: What Matters to you- A Summary of the Discussion so far (last accessed 14 July 2017) <http://www.gov.scot/Resource/0049/00496638.pdf>

⁵⁹ Interview with Lucy McTernan and Ruchir Shah, SCVO, 11 July 2017

4. Participatory budgeting

Commitment text:

The Scottish Government will work in partnership with the Convention of Scottish Local Authorities (COSLA) to increase the scale and pace of community choices to support the involvement of people and communities in financial decision making processes.

Milestones

1. Establish a Community Choices Group in partnership with COSLA to discuss a programme of work to take the 1% commitment forward⁶⁰ and ensure the right infrastructure and skills are in place across a range of partners to deliver participatory budgeting (PB) successfully and with impact in Scotland. This would include consideration of how community choices might be used to reduce social inequalities, foster innovation, and remove barriers to achieving wellbeing by encouraging the participation of marginalised individuals and under-represented communities.
2. Continue to fund a national support programme for local authorities to include on-going consultancy support, digital engagement tools and an evaluation programme, producing learning resources when necessary and continuing to develop and maintain the PB Scotland website as a hub for sharing practice and learning.
3. Work with stakeholders on a capacity building programme by developing a network of Community Choices practitioners in Scotland, to share learning and develop best practice which will lead to a new cohort of trainers in Scotland.
4. Support community organisations through the community choices fund to help implement and build on local initiatives either independently or in partnership with the local authority.

Commitment overview

Start date:	April 2015
Intended completion date:	March 2021
Period under review:	1 January 2017 to 31 December 2017
Responsible Office:	Community Empowerment Unit
Lead CSO partners:	None mentioned

Commitment overview	Specificity				OGP value relevance				Potential impact			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative
Overall			✓		✓	✓		✓			✓	

Commitment aim

Overall Objective & Relevance

Objective

According to the action plan, there is a consistent view that people in Scotland want to influence the decisions made by the public sector that affect them, but that at the same time they don't feel they have sufficient influence. This view is supported by the Scottish Social Attitudes Survey 2015 which found that at least 8 in 10 respondents felt that people either "definitely should" or "probably should" be involved in making decisions about how local services are run and how money is spent on local services⁶¹.

According to a recent review of Participatory Budgeting (PB) in Scotland by What Works Scotland, PB "has the potential to empower and energise communities and to transform and strengthen the relationship between citizens, civil society organisations and all levels of government and public service"⁶². The use of PB in Scotland since 2010 has increased from a handful of isolated interventions to at least 58 processes having taken place by 2016. The report also notes that there has been an increase in political, legislative and policy support for PB at the same time. Overall the report found that funded PB projects reflected "an impressive mix of prioritised demographic groups and thematic issues as well as support for a range of geographically defined facilities, projects and local community representation groups (e.g. community councils)"⁶³.

Participants at a learning event on the implementation of PB in Scotland identified additional benefits of PB in Scotland, including the fact that it brings elected members closer to the public and can therefore benefit both representational and participatory democracy, and that the process brings groups together which can lead to greater understanding and sharing⁶⁴.

Nevertheless, PB implementation in Scotland is not without its challenges. The What Works Scotland review found that while 90 percent of PB processes were located within disadvantaged areas, only one-fifth of interventions stated the explicit goal of addressing inequalities. The review also found little evidence of PB processes that feature substantial opportunities for public dialogue and deliberation between participants and little evidence of the use of digital engagement platforms to support PB processes. A further concern raised at the learning event was that PB risks being seen as tokenistic because of its short-term nature and the relatively small budgets involved. It was suggested that, to address this, PB needs to be a continuous long-term process with ring-fenced budgets (including the suggestion to dedicate 1 percent of all budgets to PB). While statutory backing and cross-party support for PB was also identified as potentially helpful, participants did not see the need for specific PB legislation⁶⁵.

This commitment, as stated, aims to address a number of these identified challenges, by bringing together different strands of the Scottish Government's support to PB. This includes: (i) the commitment to have at least 1 percent of Scotland's 32 Local Authority budgets subject to participatory budgeting, as well as putting in place the necessary skills and infrastructure to deliver; (ii) an emphasis on targeting PB to help reduce social inequalities, foster innovation, and remove barriers to achieving wellbeing; (iii) the provision of digital engagement tools and learning resources on PB; and (iv) the development of a learning network of PB practitioners.

As noted in the action plan, the commitment is also underpinned by the new Community Empowerment (Scotland) Act 2015, which provides a legal framework to promote and encourage community empowerment and participation by creating new rights for communities and placing more duties on public bodies. Specifically, the Scottish Government's Community Choices Programme (commonly known as participatory budgeting) supports the Act by enabling local people

to have a direct say in how, and where, public funds can be used to address local needs.

Relevance

This commitment is clearly relevant to the OGP value of civic participation, as it aims to involve citizens in decision-making processes that most directly affect them. It is also relevant to the value of Access to Information insofar as it requires local public financial information to be made public in a useable manner to support decision-making. Finally, milestone 2 is also relevant to the value of Technology & Innovation for Transparency & Accountability, through the provision of digital engagement tools and maintenance of the PB Scotland website as a hub for sharing practice and learning.

Specificity and Potential Impact

Specificity

The level of specificity for this commitment is medium. It identifies the lead institution responsible for implementation, but does not mention any CSO partners (although it does identify community councils as a key stakeholder). Moreover, the completion dates for three out of the four milestones fall beyond the timeframe of the action plan implementation period (December 2017), while two of the milestones are pre-existing initiatives.

The specificity of the milestones varies from one milestone to another. Milestone 1 identifies an objectively verifiable activity (establishment of a Community Choices Group), but the outputs of the group are not precisely defined, committing, for example, to “*discuss(ing) a programme of work*”, “*ensur(ing) the right infrastructure and skills are in place*” and “*consider(ing) how community choices might be used to achieving wellbeing*”. While the 1 percent goal is a clear and measurable outcome, the wording of the milestone leaves some doubt as to whether this a precise target or something to be worked towards, given that it commits only to “*a programme of work to take the 1% commitment forward*”. Likewise, the wording of milestone 4 is vague, committing to “*support(ing) community organisations (...) to help implement and build on local initiatives*”. The implication is that such initiatives would go beyond participatory budgeting to include other participatory mechanisms, but this is not clearly stated.

In contrast, milestones 2 and 3 are more specific, with a set of clear, verifiable activities and measurable deliverables which directly contribute to the achievement of the commitment’s objective, although it is not clear how “*shar(ing) learning and develop(ing) best practice*” is expected to “*lead to a new cohort of trainers in Scotland*”.

Finally, the wording of the overall commitment “*to increase the scale and pace of community choices*” lacks definition in terms of what increase is expected in terms of scale (beyond the 1 percent commitment) and pace.

Potential impact

The potential impact of this commitment is moderate. As mentioned above, milestones 2 and 4 are pre-existing initiatives with activities ongoing prior to the adoption of this action plan. On the other hand, as discussed above, the commitment does address a number of the current weaknesses in PB in Scotland which have been identified since it was introduced. Furthermore, the 1 percent commitment and community choices groups both represent new elements of participatory budgeting commitments in Scotland and - combined with the fact that COSLA has recently recruited a new member of staff dedicated expressly to implementing this commitment⁶⁶ - signal a shift towards greater institutionalisation of PB in Scotland. The potential impact of this commitment is further strengthened by the strong support it has received from the Scottish Government, as stated

in both the ruling Scottish National Party's (SNP) 2016 manifesto and in Scotland's 2016/17 Programme for Government⁶⁷. In the view of Doreen Grove, the OGP Focal Point for the Scottish Government, 1 percent of spending decisions by government in a city like Glasgow, for example, would represent a significant amount of money. In addition, she stated that the long-term ambition is to introduce PB beyond local authorities and into service sectors (e.g. Health), although this is not stated in the action plan.

Ultimately, the potential impact of PB will depend on the extent to which it addresses "social inequalities, foster(s) innovation, and remove(s) barriers to achieving wellbeing by encouraging the participation of marginalised individuals and under-represented communities". While this is stated as an ambition under milestone 1, it is presented as one to be considered rather than a concrete outcome, thus limiting the extent to which the commitment can be considered transformational.

⁶⁰ "In May 2016 a manifesto commitment stated that local authorities would be set a target of having at least 1 per cent of their budget subject to Community Choices budgeting. In September 2016 this was re-iterated in Scotland's 2016/17 Programme for Government which stated that the SG would continue to work with local government and communities on the delivery of this target." Source: Scottish Government Open Government National Action Plan 2016-2017, <https://www.opengovpartnership.org/about/working-groups/scotland-united-kingdom-subnational-pioneer/action-plan>

⁶¹ Scottish government (2015) Scottish Social Attitudes Survey 2015: Attitudes to Social Networks, Civic Participation and Co-production (last accessed 14 July 2017) <http://natcen.ac.uk/media/1240692/ssa-2015-publication-for-web.pdf>

⁶² Harkins C, Moore K, and Escobar O. (2016) Review of 1st Generation Participatory Budgeting in Scotland, Edinburgh: What Works Scotland (last accessed 14 July 2017) <https://static1.squarespace.com/static/558172f0e4b077ee5306aa83/t/58077b096a4963c2ddd43d11/1476885274437/WWS+Review+of+1st+Generation+PB+in+Scotland.pdf>

⁶³ Ibid.

⁶⁴ SCDC (2014) Advancing Participatory Budgeting in Scotland: A learning event (last accessed 14 July 2017) http://www.scdc.org.uk/media/resources/policy-and-practice/PB%20Learning%20Event%20Oct%202014_Report_final.pdf

⁶⁵ Ibid.

⁶⁶ Interview with Doreen Grove, Scottish Government, 21 June 2017

⁶⁷ "In May 2016 a manifesto commitment stated that local authorities would be set a target of having at least 1 per cent of their budget subject to Community Choices budgeting. In September 2016 this was re-iterated in Scotland's 2016/17 Programme for Government which stated that the SG would continue to work with local government and communities on the delivery of this target." Source: Scottish Government Open Government National Action Plan 2016-2017, <https://www.opengovpartnership.org/about/working-groups/scotland-united-kingdom-subnational-pioneer/action-plan>

5. Increasing participation

Commitment text:

We will improve citizen participation by: (i) bringing local government functions closer to communities through the development of new legislation; (ii) ensuring the people who use public services are involved in designing them; (iii) building an Open Government movement in Scotland.

Milestones

1. Development of local democracy legislation: (i) wide public engagement on developing and finalising policy proposals, (ii) publication of analysis of stakeholder views, (iii) introduction of Bill to parliament.
2. Improved tools and techniques for citizen participation: (i) a prototype model of a Scottish Approach to Service Design will be co-produced and used by 20 organisations involved in the design of public services; (ii) people whose first or preferred language is British Sign Language (BSL) will be able to participate on a fair and equal basis in the design of Scotland's digital public services and policies; (iii) guidance on inclusive methods and tools for service design will be published in an accessible website as they emerge through the development of the Scottish Approach to Service Design and these joint actions.
3. Open Government Movement: Jointly develop a programme of engagement with civil society including a minimum of 6 events over the course of the Pioneer year.

Commitment overview

Start date:	April 2016
Intended completion date:	December 2020
Period under review:	1 January 2017 to 31 December 2017
Responsible Office:	Ingage, Local Government and Communities
Lead CSO partners:	OGP Civil Society Network

Commitment overview	Specificity				OGP value relevance				Potential impact			
	None	Low	Medium	High	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative
Overall		✓				✓		✓			✓	

Commitment aim

Overall Objective & Relevance

Objective

Involvement in democracy was one of the most talked about issues during discussions which emerged from the Fairer Scotland conversation following the independence referendum (see commitment 3). Many members of the public advocated further opportunities for local people to play a part in decisions that affect them and their community⁶⁸. This view is echoed by the Scottish Social Attitudes Survey 2015, which, as noted under the previous commitment, found that at least 8 in 10 citizens felt that people either "definitely should" or "probably should" be involved in making decisions about how local services are run and money is spent⁶⁹.

With regards to citizen involvement in the design of public services specifically, the Commission on the Future Delivery of Public Services noted, in 2011, serious shortcomings in the capacity of public services to deliver better outcomes due to fragmentation, complexity and opacity. In particular, it noted that the public service system was "top down" and unresponsive to the needs of individuals and communities⁷⁰.

The Scottish Government's Digital Strategy, meanwhile, notes a change in people's expectations of public services as access to, and use of, the internet and mobile technology rises, with citizens increasingly preferring to access information and services online. Technology, according to the strategy, allows greater scope for interaction and can contribute to improving outcomes and reducing costs⁷¹.

In order to address these issues, this commitment identifies three strands of work for Government, working with civil society, to improve participation, namely by: (i) engaging citizens on, and introducing, legislation to bring local government closer to communities; (ii) working with those involved in designing digital public services to ensure the tools for engaging citizens promote diversity and inclusion in government; and (iii) building an open government movement in Scotland with civil society to seek the public's views of what an open government should look like.

Relevance

This commitment is primarily relevant to the OGP values of civic participation (all milestones) and Technology & Innovation for Transparency & Accountability (milestone 2), given the clear focus on formal public involvement in the design of legislation and public services and, in the case of milestone 2, in the promotion of modern technologies for information sharing and participation. Milestone 3, meanwhile, is relevant to broader public participation insofar as it aims to support civil society and interested citizens to better define what open government means to them.

Specificity and Potential Impact

Specificity

The level of specificity for this commitment is low. It identifies both government and civil society leads responsible for implementation. However, as with the previous commitment, it includes milestones whose completion dates fall beyond the timeframe of the action plan implementation period as well as two pre-existing initiatives.

Some of the commitment language describes clear, verifiable activities with measurable outputs. This applies in particular to milestone 1, which defines the steps to be taken in consulting on and submitting a bill to parliament. However, for other milestones the language is vague and outputs ill-defined, making it difficult to objectively verify whether the target has been met. For example, under

milestone 2, it is not clear what “a *prototype model of a Scottish Approach to Service Design*” entails, or how its implementation might be measured. Likewise, although milestone 2 commits to enabling people whose use British Sign Language (BSL) to participate in the design of digital public services, the milestone gives no details on what actions will be taken to achieve this goal.

Potential impact

The potential impact of this commitment is moderate. As discussed above, the relevance of the commitment to OGP values and to a number of the challenges and demands identified by citizens is clear. There is a strong desire among the Scottish people to be more actively involved in decision-making and service delivery design. The activities presented in milestones 2 and 3 represent an important step in this direction. For example, under milestone 2, the development of guidance on inclusive methods and tools for service design has the potential to enable a more systematic and consistent approach to citizen engagement in this area, while under milestone 3, the development of an open government movement comprising both civil society and government representatives on an equal footing, is an ambitious approach which has the potential to introduce a more partnership-based model for the way in which the government and civil society interact. The approach is not without its challenges, however, as demonstrated by the limited degree of genuine partnership witnessed during the action plan development process (see *Process of development of the action plan*, above). Early discussions among members of the Scotland Open Government Network also illustrate the inherent tensions in pursuing such an approach. At the heart of these discussions has been the question of how the network can maintain open, frank and critical dialogue on sensitive topics given the presence of Scottish Government representatives in the network. Thus, the potential impact of this partnership-based model will depend on the extent to which the open government movement is able to sustain a supportive yet arms-length approach to engaging with the Scottish Government.

As Doreen Grove, the OGP point of contact in the Scottish Government, noted, this commitment involves not only the use of participation techniques (such as citizen juries), but also building capacity among citizens to participate and in government to support participation⁷². While the commitment language does not clearly convey this approach, the combination of both supply-side and demand-side interventions, if adopted, is more likely to achieve more meaningful and sustained participation.

Nevertheless, the potential of this commitment to be transformative is affected by the fact that it encompasses a rather broad mix of unrelated activities rather than a joined-up approach to increasing participation. This runs the risk of Scottish Government implementing a range of discreet activities which do not add up to a coherent whole. Furthermore, the low specificity of the commitment means that, ultimately, it will be difficult to define and measure impact. Finally, the rationale for milestone 1 (development of local democracy legislation) as a means to increase civic participation is unclear, given the introduction of the Empowerment Act in 2015, which aims to do just that. While Doreen Grove noted that the milestone refers to involving citizens in the development of new legislation more generally, as opposed to developing new legislation to enable participation *per se*, this is not reflected in the wording of the milestone, which makes reference to the introduction of a specific local democracy bill to parliament.

⁶⁸ Scottish Government (2016) *Creating a Fairer Scotland: What Matters to you- A Summary of the Discussion so far* (last accessed 14 July 2017) <http://www.gov.scot/Resource/0049/00496638.pdf>

⁶⁹ Scottish government (2015) *Scottish Social Attitudes Survey 2015: Attitudes to Social Networks, Civic Participation and Co-production* (last accessed 14 July 2017) <http://natcen.ac.uk/media/1240692/ssa-2015-publication-for-web.pdf>

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- ⁷⁰ Commission on the Future Delivery of Public Services (2011) Report on the Future Delivery of Public Services chaired by Dr Campbell Christie (last accessed 14 July 2017) <http://www.gov.scot/Publications/2011/06/27154527/0>
- ⁷¹ Scottish Government (2011) Scotland's Digital Future A Strategy for Scotland (last accessed 14 July 2017) <http://www.gov.scot/Resource/Doc/343733/0114331.pdf>
- ⁷² Interview with Doreen Grove, Scottish Government, 21 June 2017