

Independent Reporting Mechanism (IRM): United Kingdom Progress Report 2016-2017

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Executive Summary

Independent Reporting Mechanism (IRM) Progress Report 2016–17

Commitments in the United Kingdom's (UK) third action plan have lowered ambition in relation to previous OGP cycles. Institutional change and political context in the country have impacted its level of completion.

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 United Kingdom began participating in OGP in 2011. The Independent Reporting Mechanism (IRM) carries out an annual review of the activities of each country that participates in OGP.

The UK Cabinet Office is responsible for coordinating OGP activities. The Office is well coordinate the OGP agenda as it serves the Prime Minister and is the corporate lead for the UK government for important policy.

CSOs took part in the planning and implementation process through a CSO steering group elected by the UK Open Government Network (OGN). The OGN consists of more than 2,000 members, including civil society, developers, academics, journalists and citizens.

OGP Process

Countries participating in OGP follow a process for consultation during development of their OGP action plan and during implementation.

Stakeholders and CSOs were regularly consulted during both development and implementation of the action plan. The steering group met once every 4–6 months. There was online interaction with the broader network through the sharing of updates, online forums, and a series of events and meet-ups. There were also activities within sub-networks in Scotland, Wales and Northern Ireland.

Government-CSO meetings were held during the implementation process. They involved updates on progress and discussion of future issues and obstacles. Overall, the process allowed for collaboration and dialogue between the government and CSOs.

At a Glance:

Member since: 2011
Number of commitments: 27

Level of Completion:

Completed: 7% (2)
Substantial: 44% (12)
Limited: 48% (13)
Not started: 0

Commitment Emphasis:

Access to information: 96% (26)
Civic participation: 56% (15)
Public accountability: 4% (1)
Tech & innovation for transparency & accountability: 44% (12)

Commitments that are

Clearly relevant to an OGP value: 96% (26)
Of transformative potential impact: 11% (3)
Substantially or completely implemented: 52% (14)
All three (★): 2

The UK government's draft self-assessment was published on 17 November 2017. The draft was open for public comment until 1 December 2017. It was publicised via the OGN website and via emails to members of the OGN.

Commitment Implementation

As part of OGP participation, countries make commitments in a two-year action plan. The United Kingdom's action plan contains 27 commitments. Table 1 summarises each commitment's level of completion and potential impact. Table 2 provides a snapshot of progress for each commitment and recommends next steps. In some cases, similar commitments are grouped and reordered to make reading easier.

The UK received two starred commitments (commitments 8 and 9 from Wales). Note that the IRM updated the criteria for starred commitments in early 2015 in order to raise the standard for model OGP commitments. Under these criteria, commitments must be highly specific, relevant to OGP values, of transformative potential impact, and substantially completed or complete.

Table 1: Assessment of Progress by Commitment

| COMMITMENT SHORT NAME | POTENTIAL IMPACT | | | | LEVEL OF COMPLETION | | | |
|--|------------------|-------|----------|----------------|---------------------|---------|-------------|----------|
| | NONE | MINOR | MODERATE | TRANSFORMATIVE | NOT STARTED | LIMITED | SUBSTANTIAL | COMPLETE |
| ⚙️ COMMITMENT IS MEASURABLE, CLEARLY RELEVANT TO OGP VALUES AS WRITTEN, HAS TRANSFORMATIVE POTENTIAL IMPACT, AND IS SUBSTANTIALLY OR COMPLETELY IMPLEMENTED. | | | | | | | | |
| 1. Beneficial ownership | | | | | | | | |
| 2. Natural resource transparency | | | | | | | | |
| 3. Anti-Corruption Strategy | | | | | | | | |
| 4. Anti-Corruption Innovation Hub | | | | | | | | |
| 5. Open contracting | | | | | | | | |
| 6. Grants data | | | | | | | | |
| 7. Elections data | | | | | | | | |
| 8. Enhanced transparency requirements and revised FOI Act Code of Practice | | | | | | | | |
| 9. Identifying and publishing core data assets | | | | | | | | |
| 10. Involving data users in shaping the future of open data | | | | | | | | |
| 11. Better use of data assets | | | | | | | | |
| 12. GOV.UK | | | | | | | | |
| 13. Ongoing collaborative approach to open government reform | | | | | | | | |
| Scotland | | | | | | | | |
| 1. Effective Open Government for governments at all levels | | | | | | | | |

| COMMITMENT SHORT NAME | POTENTIAL IMPACT | | | | LEVEL OF COMPLETION | | | |
|--|------------------|-------|----------|----------------|---------------------|---------|-------------|----------|
| | NONE | MINOR | MODERATE | TRANSFORMATIVE | NOT STARTED | LIMITED | SUBSTANTIAL | COMPLETE |
| <p>⊕ COMMITMENT IS MEASURABLE, CLEARLY RELEVANT TO OGP VALUES AS WRITTEN, HAS TRANSFORMATIVE POTENTIAL IMPACT, AND IS SUBSTANTIALLY OR COMPLETELY IMPLEMENTED.</p> | | | | | | | | |
| Northern Ireland | | | | | | | | |
| 1. Develop & trial effective open policy-making and public engagement methods | | | | | | | | |
| 2. Promote greater levels of public sector innovation | | | | | | | | |
| 3. To investigate implementation of the Open Contracting Data Standard (OCDS) in Central Procurement operations | | | | | | | | |
| 4. Open up government for greater accountability, improve public services and society and building a more prosperous and equal society | | | | | | | | |
| Wales | | | | | | | | |
| 1. Open data plan | | | | | | | | |
| 2. Open data service | | | | | | | | |
| 3. StatsWales | | | | | | | | |
| 4. Administrative Data Research Centre Wales | | | | | | | | |
| 5. Government Social Research Publication Protocol | | | | | | | | |
| 6. Gov.Wales | | | | | | | | |
| 7. Code of practice for ethical employment in supply chains | | | | | | | | |
| ⊕8. Well-being of Future Generations Act – National Indicators for Wales | | | | | | | | |
| ⊕9. Well-being duty on specified public bodies in Wales | | | | | | | | |

Table 2: Summary of Progress by Commitment

| NAME OF COMMITMENT | RESULTS |
|---|---|
| 1. Beneficial ownership <ul style="list-style-type: none"> OGP Value Relevance: Clear Potential Impact: Moderate Completion: Limited | <p>This commitment aims to introduce legislation to create a public register of beneficial ownership for foreign companies who own or buy property in the UK or who bid on UK central government contracts. So far, the government has only conducted a consultation process and confirmed the timeline for legislation approval. It expects the registry to be in place by 2021.</p> |
| 2. Natural resources transparency <ul style="list-style-type: none"> OGP Value Relevance: Clear Potential Impact: Minor Completion: Substantial | <p>This commitment seeks to increase company disclosure regarding payments to government for the sale of oil, gas and minerals. So far, 24 out of 100 companies are reporting. The UK also published its second Extractive Industries Transparency Initiative (EITI) report. However, many CSOs have withdrawn from the EITI process in the UK.</p> |
| 3. Anti-Corruption Strategy <ul style="list-style-type: none"> OGP Value Relevance: Clear Potential Impact: Minor Completion: Limited | <p>This Strategy will provide a long-term vision, priorities and objective for anti-corruption activities across government. However, the proposed scrutiny mechanism is not well defined.</p> |
| 4. Anti-Corruption Innovation Hub <ul style="list-style-type: none"> OGP Value Relevance: Clear Potential Impact: Moderate Completion: Limited | <p>While the anti-corruption hub offers an important space for cooperation and innovation, procedural and legal issues have delayed its operationalisation.</p> |
| 5. Open contracting <ul style="list-style-type: none"> OGP Value Relevance: Clear Potential Impact: Minor Completion: Complete | <p>The existing contract portal has been updated and now implements the Open Contracting Data Standards. There was ongoing engagement with CSOs throughout the process, though some were concerned that the commitment lacked elements of citizen engagement and oversight.</p> |
| 6. Grants data <ul style="list-style-type: none"> OGP Value Relevance: Clear Potential Impact: Moderate Completion: Limited | <p>This commitment would allow the government to improve the quality and quantity of data available on grant making by its different departments. The complexity of the process and asymmetry of available data has limited its completion.</p> |
| 7. Elections data <ul style="list-style-type: none"> OGP Value Relevance: Clear Potential Impact: Moderate Completion: Limited | <p>This commitment seeks to create a standard procedure for collecting election data. Changes in local governments and funding constraints have impacted progress in its implementation.</p> |
| 8. Enhanced transparency requirements and revised FOI Act Code of Practice <ul style="list-style-type: none"> OGP Value Relevance: Clear Potential Impact: Minor | <p>As a result of an independent inquiry, guidance for the FOI Act has been updated for the first time since the law came into force.</p> |

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| <ul style="list-style-type: none"> Completion: Limited | However, the new code was published 16 months behind schedule. |
| 9. Identifying and publishing core data assets <ul style="list-style-type: none"> OGP Value Relevance: Clear Potential Impact: Moderate Completion: Limited | This commitment looks to improve the open data infrastructure. |
| 10. Involving data users in shaping the future of open data <ul style="list-style-type: none"> OGP Value Relevance: Clear Potential Impact: Minor Completion: Limited | This commitment aims to inform data management, use and availability through citizen engagement. The mechanisms the government will use to transform citizen input into changes in practice are unclear. |
| 11. Better use of data assets <ul style="list-style-type: none"> OGP Value Relevance: Clear Potential Impact: Minor Completion: Substantial | The government seeks to strengthen institutional capacity to improve data availability and its use for policy making. Legislation on better access to data across government departments and levels has been passed, but implementation of the law is still pending. |
| 12. GOV.UK <ul style="list-style-type: none"> OGP Value Relevance: Clear Potential Impact: Minor Completion: Substantial | Changes to the GOV.UK website have improved accessibility and navigation. Better communication of results is required, given the internal nature of the process. |
| 13. Ongoing collaborative approach to open government reform <ul style="list-style-type: none"> OGP Value Relevance: Clear Potential Impact: Minor Completion: Substantial | The government aims to collaborate with CSOs and other stakeholders on an ongoing basis. While dialogue and engagement activities took place, there was limited progress on updating existing commitments and publishing new ones. |
| Scotland | |
| 1. Effective open government for governments at all levels <ul style="list-style-type: none"> OGP Value Relevance: Clear Potential Impact: Minor Completion: Limited | Scotland seeks to improve collaboration among actors across the UK involved in the OGP process by holding a summit in April 2018. |
| Northern Ireland | |
| 1. Develop & trial effective open policy making and public engagement methods <ul style="list-style-type: none"> OGP Value Relevance: Clear Potential Impact: Moderate Completion: Limited | This initiative would allow the government and CSOs to experiment with new approaches to participation. Delays on the pilot co-design process have impacted completion of the subsequent milestones. |
| 2. Promote greater levels of public sector innovation <ul style="list-style-type: none"> OGP Value Relevance: Clear Potential Impact: Minor Completion: Limited | This commitment looks to address major societal and environmental challenges by supporting innovation through a new fund, using data analytics among other initiatives. However, the activities are not well specified. |

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| 3. To investigate implementation of the Open Contracting Data Standard (OCDS) <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential Impact: Minor • Completion: Substantial | <p>The government has begun to explore the current framework at numerous star ratings with new data published.</p> |
| 4. Open up government for greater accountability, to improve public services and building a more prosperous and equal society <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential Impact: Minor • Completion: Limited | <p>This commitment aims to continue engagement with partners, while promoting a culture of open data. Many of the commitment's activities had begun prior to the action plan.</p> |
| Wales | |
| 1. Open data plan <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential Impact: Minor • Completion: Substantial | <p>This commitment focuses on implementation of an existing Open Data Plan. It is unclear if activities other than data publication will be implemented.</p> |
| 2. Open data service <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential Impact: Minor • Completion: Substantial | <p>StatWales now offers more data in machine-readable format, while the Lle platform now features an interactive mapping tool. Development of the Open Data Catalogue has been limited due to lack of resources. These activities resemble a small component of the broader Welsh Government open data plan.</p> |
| 3. StatsWales <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential Impact: Minor • Completion: Substantial | <p>This commitment improves users' ability to connect data available on StatsWales to other databases. The government has developed training materials for the public. Future steps could include data visualisation and applications that appeal to a broader audience.</p> |
| 4. Administrative Data Research Centre Wales <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential Impact: Minor • Completion: Substantial | <p>Government data is being made available to produce research that informs public policy. Even though data access is limited to researchers, the resulting work addresses issues of public interest such as the link between health and homelessness. A pilot programme on techniques to provide data is yet to be completed.</p> |
| 5. Government Social Research Publication Protocol <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential Impact: Minor • Completion: Substantial | <p>This commitment is based on an ongoing initiative by the Welsh government to standardise the publication of research. The concrete steps the government will take are not clear.</p> |
| 6. Gov.Wales <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential Impact: Minor • Completion: Limited | <p>A new version of the Gov.Wales website will centralise information published by the Welsh government, ensuring consistency. The timetable for this commitment runs outside of the action plan. So far the government has</p> |

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| | only launched a series of consultations in experimental format. |
| 7. Code of practice for ethical employment in supply chains <ul style="list-style-type: none"> • OGP Value Relevance: Unclear • Potential Impact: Transformative • Completion: Substantial | While this commitment has transformative potential to change business and organisational practice, the commitment is focused on external companies rather than on the government. The Code commits public, private and third sector organisations. |
| 08. Well-being of Future Generations Act – national indicators for Wales <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential Impact: Transformative • Completion: Substantial | This commitment aims to involve civil society and other bodies in publishing indicators and goals on the 2015 Well-being of Future Generations Act, which includes key social, economic, environmental and cultural goals. The Welsh government held an extensive national conversation with the public, published the indicators, and prepared a report on progress. |
| 09. Well-being duty on specified public bodies in Wales <ul style="list-style-type: none"> • OGP Value Relevance: Clear • Potential Impact: Transformative • Completion: Complete | The government seeks to implement the well-being framework at the local level. All 19 public services boards, which include CSO representation, have set and published well-being objectives. They have also conducted assessments of well-being in their respective areas. |

Recommendations

The government must ensure citizens have access to information on how the Brexit process will impact their lives, given the major institutional changes that will take place in the UK as a result. Moving forward, the IRM researcher recommends that the government and CSOs continue experimenting with new ways of engaging with a wider range civil society stakeholders and the public around this and other key issues.

Beginning in 2014, all OGP IRM reports include five key recommendations about the next OGP action planning cycle. Governments participating in OGP will be required to respond to these key recommendations in their annual self-assessments. These recommendations follow the SMART logic; they are Specific, Measurable, Answerable, Relevant, and Timebound. Given these findings, the IRM researcher presents the following key recommendations:

Table 3: Five Key Recommendations

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|---|
| A Parliamentary committee (and respective other devolved equivalents) to oversee transparency policies |
| High Profile Intervention or an event in support of the OGP process |
| A focus on more information and data on the impact of Brexit on everyday life |
| Continue to experiment with new ways of engaging CSOs |
| High profile cross-cutting 'signature' reforms that are cross-cutting and high-profile (of a kind seen in the third action plan such as Beneficial ownership) |

Eligibility Requirements: To participate in OGP, governments must demonstrate commitment to open government by meeting minimum criteria on key dimensions of open government. Third-party indicators are used to determine country progress on each of the dimensions. For more information, see Section VII on eligibility requirements at the end of this report or visit bit.ly/1929F1I.

Ben Worthy is an academic based at Birkbeck College, University of London. He has carried out a wide range of research on areas that include government transparency, open data, political leadership, British politics, digital democracy and public policy and policy making. Besides academic articles, Worthy has written a number of reports and presented evidence to the Justice and Public Administration Select Committees.

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 (IRM) assesses development and implementation of national action plans to foster dialogue among stakeholders and improve accountability.



I. Introduction

The Open Government Partnership (OGP) is an international multi-stakeholder initiative that aims to secure concrete commitments from governments to their citizenry to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. OGP provides an international forum for dialogue and sharing among governments, civil society organisations, and the private sector, all of which contribute to a common pursuit of open government.

The United Kingdom (UK) began its formal participation in 2011, when Prime Minister David Cameron declared his country's intention to participate in the initiative as one of the founding members.

In order to participate in OGP, governments must exhibit a demonstrated commitment to open government by meeting a set of (minimum) performance criteria. Objective, third-party indicators are used to determine the extent of country progress on each of the criteria: fiscal transparency, public official's asset disclosure, citizen engagement, and access to information. See Section VII: Eligibility Requirements for more details.

All OGP-participating governments develop OGP action plans that elaborate concrete commitments with the aim of changing practice beyond the status quo over a two-year period. The commitments may build on existing efforts, identify new steps to complete ongoing reforms, or initiate action in an entirely new area.

The UK developed its third national action plan from July 2015 to April 2016. The official implementation period for the action plan was 1 May 2016 through 1 May 2018. This year one report covers the action plan development process and first year of implementation, from May 2016 until October 2017. However, it is important to note that the devolved government's commitments only became part of the UK OGP plan in December 2016. Beginning in 2015, the IRM started publishing end-of-term reports on the final status of progress at the end of the action plan's two-year period. Any activities or progress occurring after the first year of implementation, October 2017, will be assessed in the end-of-term report. The government published and consulted on its draft self-assessment in November 2017 before publishing it in December 2017.

In order to meet OGP requirements, the Independent Reporting Mechanism (IRM) of OGP has partnered with Ben Worthy of Birkbeck College, University of London, who carried out this evaluation of the development and implementation of the UK's third action plan. To gather the voices of multiple stakeholders, the IRM researcher held a series of interviews and created an online survey. The IRM aims to inform ongoing dialogue around development and implementation of future commitments. Methods and sources are dealt with in Section VI of this report (Methodology and Sources).

II. Context

The third action plan was implemented amid considerable upheaval in British politics following the UK's referendum to leave the European Union (EU) in June 2016. The UK government and devolved governments did, however, work closely with civil society in developing the strategy and implementation of the action plan.

2.1 Background

The UK ranked 35th out of 111 countries in Freedom of Information Law in the latest Access/CLD rating,¹ joint second with Australia in the Global Open Data Index of 2016² and 10th out of 176 countries in the Transparency International Corruption Perceptions Index.³ The UK decreased slightly in the International Budget Partnership's Open Budget Survey, from a score of 75/100 in 2015, to 74/100 in 2017.⁴

The UK underwent considerable political upheaval and uncertainty following the referendum to leave the EU in June 2016 ('Brexit'). The referendum resulted in the resignation of Prime Minister David Cameron in June 2016 a General Election in June 2017 that led to a hung parliament (where no party has an overall majority) and the beginning of the exit negotiations in June to July 2017.⁵

There was considerable discussion and disagreement between parts of the UK in the wake of the referendum, including in Northern Ireland and Scotland, both of which largely voted 'Remain'. In Scotland, a new independence referendum was proposed and discussed. In Northern Ireland, political disagreement between the main parties after the Northern Ireland Assembly elections of March 2017 led to the collapse and suspension of the Assembly. As of January 2018, the Assembly remains suspended amid wider political uncertainty, including complex negotiations around the status of the border between Northern Ireland and the Republic of Ireland as the UK government negotiates Brexit.⁶

Nevertheless, a series of open government related reforms took place outside of OGP as part of the new Prime Minister's corporate governance reforms. In terms of pushing further openness, the new government of Theresa May continued to champion mandatory reporting of gender pay gaps, meaning all businesses with more than 250 employees must publish details between April 2017 and April 2018. There were recommendations over opening up Executive (CEO) pay and publishing pay ratios between the lowest and highest paid in companies.⁷

The UK also proposed a new audit on racial disparity across government, which was published towards the end of 2017.⁸ In July 2017, a controversy over the salaries of TV presenters occurred when the British Broadcasting Corporation (BBC, the UK taxpayer subsidized broadcaster) published salary details for the first time.⁹ The policies, though not part of OGP, reflect open government values of fiscal transparency and access to information.

There were also attempts to limit government openness. A Law Commission consultation examined the possibility of strengthening the Official Secrets Act, which would make whistleblowing more difficult, according to campaigners.¹⁰ The government proposed floating fees for the second tier of appeals for Freedom of Information (FOI), though a ruling on a related issue over access to justice from the Supreme Court in July 2017 put this policy in doubt.¹¹

Perhaps most significantly, the government passed the Investigatory Powers Act in 2016 that gave legal right to bulk data collection by intelligence agencies and, as one newspaper put it, 'legalises a range of tools for snooping and hacking by the security

services'.¹² Although there were independent judicial checks built into the Act, there was widespread national and international concern at the potentially wide ranging powers it gave intelligence agencies.¹³ In early 2018, the Act was struck down at the Court of Appeal over its lack of safeguards.¹⁴

In 2017, there were calls for a future discussion in Scotland around its separate FOI Act. In June 2017, the Scottish Government committed to publish all FOI responses online.¹⁵ This came amid calls for wholesale review of government practices following an open letter from a group of Scottish journalists who were 'increasingly concerned about the way in which the legislation is being interpreted and implemented'.¹⁶ By the end of 2017 both the Scottish Parliament and Scottish Information Commissioner were proposing separate investigations.

In a further development, in September 2017, 10 organisations, including Oxfam, Global Witness and Transparency International, withdrew from the UK Extractives Industry Transparency Initiative (EITI) following what they called a 'decision to give special status to one civil society organisation over its peers', which the organisations felt goes against EITI's founding principles.¹⁷

2.2 Scope of Action Plan in Relation to National Context

The UK government could move towards greater openness around the Brexit process, as well as in other areas where changes happened outside the OGP process but influence openness and the values around OGP.

As interviewed stakeholders acknowledged to the IRM researcher, the repercussions of Brexit meant that less attention was paid to implementation, and time and energy was often focused elsewhere.¹⁸ Both groups recognised that progress on the commitments was slower as a result and some fell behind schedule or, in a few cases, took a different form. In addition, the hung parliament after June 2017 meant there was less space in the parliamentary timetable and so primary legislation would be less likely to happen.

The highest priority theme would be for greater openness around Brexit. The European Commission's approach has been to publish a range of timelines and position papers setting out how the Brexit process will occur and the sequencing and the position of the EU on certain important areas such as citizen rights and a potential financial settlement.¹⁹ Both the EU and UK are committed to engaging and informing their respective parliaments, though the exact level of openness is unclear.²⁰

So far, the UK government has been criticised for its reticence around the process, publishing fewer position papers and seeking to keep its positions confidential.²¹ It has, however, published a White Paper and a major Prime Ministerial speech but these have been seen as lacking in detail.²² Details on the legal reforms for the UK when leaving the EU have also been vague.²³ While there may be certain logic to this position as part of the negotiations, any benefits have been undermined by continual leaking and disagreement.²⁴ This was symbolized in December 2017 when, following FOI requests and select committee pressure for the 58 studies of the impact of Brexit, the government admitted that they did not exist as 'assessments'.²⁵

Given their importance, the UK government could improve transparency around the Brexit negotiations in two ways. First, the government already publishes its proposals and regularly provides updates to Parliament and the public on the progress of the negotiations (at set times such as after each negotiation round, via the Liaison committee with the Prime Minister and through other select committee appearances). The government should, where possible, supplement these updates with data about the impact and changes Brexit may bring to the public. It could also ensure all plans, positions, and speeches are published online. Second, given the division and

uncertainty across the UK, the government could involve the public in more deliberative forums and discussions. This would help reduce uncertainty among groups likely to be affected and strengthen the position of the UK government.

The issues of surveillance and lobbying remain important areas and could be subject to some analysis, especially following the Transparency of Lobbying, Non-party Campaigning and Trade Union Administration Act of 2014 (on lobbying) and Investigatory Powers Act of 2016 (on surveillance powers). Both laws were passed outside of the OGP process but could carry profound consequences for civil rights. These laws could be subject to scrutiny by a joint select committee of both Houses of Parliament to see how they have functioned since being passed and how they could, if necessary, be reformed.

Finally, some of the open government activities outside of OGP could be incorporated into future action plans to give extra international profile and momentum. The reporting of gender pay gaps, in particular, would benefit from the extra publicity and scrutiny being placed in a future action plan would bring, given the comparatively slow uptake by private companies.

¹ Access Info/CLD 'Global Right to Information Rating' RTI Rating website, <http://www.rti-rating.org/country-data/>

² Open Knowledge Foundation (2016) Global Open Data Index, <https://index.okfn.org/place/>

³ Transparency International (2016) 'United Kingdom', <https://www.transparency.org/country/GBR>

⁴ International Budget Partnership (2016) 'United Kingdom: December Update', <https://www.internationalbudget.org/opening-budgets/open-budget-initiative/open-budget-survey/country-info/?country=gb>

⁵ Hung Parliaments, Worthy, Ben 'What is a Hung Parliament and How Long Will It Last?' (blog post 12 June 2017), <http://10-gower-street.com/2017/06/12/what-is-a-hung-parliament-and-how-long-will-it-last/>, and Brexit Huffington Post 'What A Hung Parliament Means', http://www.huffingtonpost.co.uk/alexandra-runswick/what-a-hung-parliament-me_b_17179186.html, and BBC 'Brexit: All you need to know about the UK leaving the EU', <http://www.bbc.co.uk/news/uk-politics-32810887>

⁶ For background, NI Open Government Network Blog (2018) Have you noticed that we don't have a Government?, <https://www.opengovernment.org.uk/2018/02/02/ni-open-government-network-blog-have-you-noticed-that-we-dont-have-a-government/>

⁷ Advisory, Conciliation and Arbitration Service and Government Equalities Office Guidance: Gender pay gap reporting: overview, <https://www.gov.uk/guidance/gender-pay-gap-reporting-overview>, and provisional analysis by the author, Worthy, Ben 'Gender Pay Gap Transparency: Will It Work?', <https://opendatastudy.wordpress.com/2017/08/03/gender-pay-gap-transparency-will-it-work/>

⁸ Corporate governance reforms including pay transparency. Department for Business, Energy & Industrial Strategy: Consultation outcome Corporate governance reform, <https://www.gov.uk/government/consultations/corporate-governance-reform>

⁹ Coverage of the BBC 'BBC pay: How much do its stars earn?', <http://www.bbc.co.uk/news/entertainment-arts-40653861>

¹⁰ Information and Law Policy Centre 'Submissions to the Law Commission's consultation on 'Official Data Protection': Open Rights Group', <https://infocentre.blogs.sas.ac.uk/2017/05/31/submissions-to-the-law-commissions-consultation-on-official-data-protection-open-rights-group/>, and Campaign For Freedom of Information 'Whistleblowers and journalists face prison for revealing information that could be obtained under FOI', <https://www.cfoi.org.uk/2017/05/whistleblowers-and-journalists-face-prison-for-revealing-information-that-could-be-obtained-under-foi/>

¹¹ Campaign For Freedom of Information 'FOI implications of the Justice Committee's report on Courts and Tribunals Fees', <https://www.cfoi.org.uk/2016/07/foi-implications-of-the-justice-committees-report-on-courts-and-tribunals-fees/>

¹² Guardian 'Extreme surveillance' becomes UK law with barely a whimper', <https://www.theguardian.com/world/2016/nov/19/extreme-surveillance-becomes-uk-law-with-barely-a-whimper>

¹³ Analysis of the new law, Legislation.gov.uk 'Investigatory Powers Act 2016', https://www.google.co.uk/search?q=investigatory+powers+act+2016&ie=utf-8&oe=utf-8&client=firefox-b-ab&qfe_rd=cr&dc=0&ei=OK-yWY2UHMP38AemsYyqBw, and Matt Burgess 'What is the IP Act and how will it affect you?', <http://www.wired.co.uk/article/ip-bill-law-details-passed>

¹⁴ Guardian (2018) UK mass digital surveillance regime ruled unlawful, <https://www.theguardian.com/uk-news/2018/jan/30/uk-mass-digital-surveillance-regime-ruled-unlawful-appeal-ruling-snoopers-charter>

¹⁵ Scottish Government (2017) Boost to open government (news item 20 Jun 2017) <https://beta.gov.scot/news/boost-to-open-government/>

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- ¹⁶ BBC 'Scottish journalists voice fears over freedom of information requests', <http://www.bbc.co.uk/news/uk-scotland-scotland-politics-40120002>, BBC 'MSPs condemn government over freedom of information system', <http://www.bbc.co.uk/news/uk-scotland-scotland-politics-40356988>
- ¹⁷ Global Witness (2017) Joint statement: Civil Society Network withdraws from UK Extractive Industries Transparency Initiative (EITI), <https://www.globalwitness.org/en/press-releases/joint-statement-civil-society-network-withdraws-uk-extractive-industries-transparency-initiative-eiti/>
- ¹⁸ Across interviews with CSOs and government the effects of Brexit on the process was discussed. Worthy, Ben, *Brexit and Open Government in the UK: 11 Months of May*, <https://ssrn.com/abstract=2988952>
- ¹⁹ EU Commission 'EU Position Papers on the Article 50 negotiations', https://ec.europa.eu/commission/publications/eu-position-papers-article-50-negotiations_en
- ²⁰ EU Commission (2017) 'The European Commission's approach to transparency in the Article 50 negotiations with the United Kingdom', https://ec.europa.eu/commission/brexit-negotiations/european-commissions-approach-transparency-article-50-negotiations-united-kingdom_en and IFG (2017) 'In Brexit, transparency is a tool – and Europe is using it', <https://www.instituteforgovernment.org.uk/blog/brexit-transparency-tool-and-europe-using-it>
- ²¹ IFG (2017) 'In Brexit, transparency is a tool – and Europe is using it', <https://www.instituteforgovernment.org.uk/blog/brexit-transparency-tool-and-europe-using-it>
- ²² Guardian 'The White Paper on Brexit: A Wish List Disguised as a Strategy', <https://www.theguardian.com/politics/2017/feb/02/the-white-paper-on-brexit-a-wish-list-disguised-as-a-strategy>, and EU law analysis 'As Bad as It Gets: The White Paper on Brexit', <http://eulawanalysis.blogspot.co.uk/2017/02/as-bad-as-it-gets-white-paper-on-brexit.html>
- ²³ Public Law For Everyone 'the Government's White Paper On the Repeal Bill: Some Preliminary Thoughts', <https://publiclawforeveryone.com/2017/03/30/the-governments-white-paper-on-the-great-repeal-bill-some-preliminary-thoughts/>
- ²⁴ Worthy, Ben (2017) 'How Parliament's campaign of attrition forced the government to open up about Brexit', <https://opendatastudy.wordpress.com/2017/12/01/how-parliaments-campaign-of-attrition-forced-the-government-to-open-up-about-brexit/>
- ²⁵ UK Parliament (2017) EU Exit - Sectoral Analysis: Written statement - HCWS231, <http://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2017-11-07/HCWS231/>

III. Leadership and Multi-stakeholder Process

The UK government continued its relatively successful process of consultation with regular and detailed meetings and publications, and frequent updates.

3.1 Leadership

This subsection describes the OGP leadership and institutional context for OGP in the UK. Table 3.1 summarises this structure while the narrative section (below) provides additional detail.

Table 3.1: OGP Leadership

| 1. Structure | Yes | No |
|---|--------|--------|
| Is there a clearly designated Point of Contact for OGP (Individual)? | ✓ | |
| | Shared | Single |
| Is there a single lead agency on OGP efforts? | ✓ | |
| | Yes | No |
| Is the head of government leading the OGP initiative? | | ✓ |
| 2. Legal Mandate | Yes | No |
| Is the government's commitment to OGP established through an official, publicly released mandate? | ✓ | |
| Is the government's commitment to OGP established through a legally binding mandate? | | ✓ |
| 3. Continuity and Instability | Yes | No |
| Was there a change in the organization(s) leading or involved with the OGP initiatives during the action plan implementation cycle? | | ✓ |
| Was there a change in the executive leader during the duration of the OGP action plan cycle? | ✓ | |

The Cabinet Office is responsible for coordinating OGP activities in the UK. The Cabinet Office is well placed to push the OGP agenda as it serves the Prime Minister and is the corporate lead for the UK government that is also responsible for important policies. It worked in consultation with government departments and other bodies responsible, particularly devolved governments that each led on their commitments. Some of the non-government bodies and the devolved governments decided separately on their own commitments and what was to be done.

The Cabinet Office had a dedicated team of two staff (one part-time member and one working 75 percent of a full-time equivalent), plus commitment points of contact for the departments responsible for OGP commitments. There is funding of £100k per year from the Minister for Cabinet Office for funding starting FY 2015/16 and ending 2018/19. The Cabinet office's role as lead coordinator for the third action plan was similar to its approach of the second action plan. For the third action plan, as with the previous plan, the Cabinet Office and CSOs held regular meetings (Section 3.3 describes these activities).

The government's commitment to OGP does not have a specific legal mandate. The UK has a relatively centralised political system with strong control over local government, though the last few decades have seen increasing power given to the UK's constituent nations. The devolved governments in Scotland, Wales and Northern Ireland have considerable autonomy and, in the case of the third action plan, independently developed and implemented separate proposals.

During the period of the third action plan, four important events took place. On 23 June 2016, the UK voted to leave the EU in a country-wide referendum.¹ Prime Minister David Cameron resigned the day after the referendum and was replaced by Theresa May, causing considerable political upheaval in the following months and year. In June 2017, Theresa May called for a General Election that led to a hung Parliament. In addition, in Northern Ireland, which has four OGP commitments, the Executive was suspended between 2 March 2017 and the summer of 2017 until the end of the time period for this report.

3.2 Intragovernmental Participation

This subsection describes which government institutions were involved at various stages in OGP. The next section will describe which nongovernmental organizations were involved in OGP.

Table 3.2: Participation in OGP by Government Institutions

| How did institutions participate? | Ministries, Departments, and Agencies | Legislative | Judiciary (including quasi-judicial agencies) | Other (including constitutional independent or autonomous bodies) | Subnational governments |
|--|---------------------------------------|-------------|---|---|-------------------------|
| Consult: These institutions were invited to or observed the action plan, but may not be responsible for commitments in the action plan | 8 | 0 | 0 | 2 | 3 |
| Propose: These institutions proposed commitments for inclusion in the action plan | 4 | 0 | 0 | 1 | 3 |
| Implement: These institutions are responsible for implementing commitments in the action plan | 8 | 0 | 0 | 2 | 3 |

| | | | | | |
|--|--|--|--|--|--|
| whether or not they proposed the commitments | | | | | |
|--|--|--|--|--|--|

Participation in OGP involved a wide range of government bodies coordinated by the Cabinet Office. This included six central government departments, a representative body of local government, two arms-length bodies and two non-government agencies. Table 3.2 above details the number of institutions that were involved in OGP process.²

The process was pursued through a series of joint working groups and meetings between CSOs and the central and devolved governments. Drawing on previous action plan assessments, including the previous IRM report, the government and CSOs developed a series of key themes for the third action plan.³ The government took the 28 ideas from the crowdsourced Open Government Network (OGN) manifesto as thematic starting points and held a series of discussions around the country, as well as meetings between area experts in the government and civil society. The commitments were then created by consensus. In parallel, the government and civil society worked with devolved governments and the open government CSO networks in Scotland, Wales and Northern Ireland.

The process was built around a series of meetings held every three months, with the lead bodies and the CSO stakeholders' steering committee to discuss progress on the commitments and issues. Minutes and agendas of the meetings were published online. According to both CSOs and government, the meetings were regularly held and well attended, with regular representation from both government commitment leads and CSO representatives. Interviewed CSO representatives viewed these high level, regular meetings as important in pushing forward the implementation, especially as contact with individual commitment leads could be variable.⁴

Commitment 13 of the third action plan addressed feedback from CSOs and a recommendation from the IRM progress report for the previous action plan by pledging to work more closely with devolved governments. In December 2016, four open government commitments by the Northern Irish Executive, one by the Scottish government and nine by the Welsh government, covering openness policies of the government of their respective countries, were incorporated into the broader plan.⁵ The Scottish government's commitments are being assessed separately as part of the OGP's Subnational Government Pilot Program.⁶ These were developed in a similar collaborative process between the individual country CSOs and devolved administrations, though both the UK government and OGN provided help and advice.

3.3 Civil Society Engagement

Countries participating in OGP follow a set of requirements for consultation during development, implementation, and review of their OGP action plan. Table 3.3 summarizes the performance of the UK during the 2016-2018 action plan.

Table 3.3: National OGP Process

| Key Steps Followed: 7 of 7 | | | | | | |
|----------------------------|---|-----|----|--------------------------------|----|-----|
| Before | 1. Timeline Process & Availability | | | 2. Advanced Notice | | |
| | Timeline and process available online prior to consultation | Yes | No | Advance notice of consultation | No | Yes |
| | | ✓ | | | | ✓ |

| | | | | | | |
|------------------------------|---|-----|----|--|------------------------------|-----|
| | 3. Awareness raising | | | 4. Multiple Channels | | |
| | Government carried out awareness raising activities | Yes | No | 4a. Online consultations: | Yes | No |
| | | ✓ | | | 4b. In-person consultations: | Yes |
| | | | | ✓ | | |
| | 5. Documentation & Feedback | | | | | |
| Summary of comments provided | | | | Yes | No | |
| | | | | ✓ | | |
| During | 6. Regular Multi-Stakeholder Forum | | | | | |
| | 6a. Did a forum exist? | Yes | No | 6b. Did it meet regularly? | Yes | No |
| | | ✓ | | | ✓ | |
| After | 7. Government Self-Assessment Report | | | | | |
| | 7a. Annual Self-Assessment Report published? | Yes | | 7b. Report available in English and administrative language? | Yes | |
| | | ✓ | | | ✓ | |
| | 7c. Two-week public comment period on report? | Yes | | 7d. Report responds to key IRM recommendations? | Yes | No |
| | | ✓ | | | ✓ | |

As with the second action plan, the UK government worked closely with a range of CSO. The public participation CSO Involve coordinated the civil society network. CSOs themselves began consulting and developing ideas in advance of the formal development of the action plan through a series of quarterly meetings in London. An online forum generated 79 possible commitments for the action plan, which was launched as an open government manifesto in October 2015.⁷ At the CSO stage, all events were open invitation.

According to the government's self-assessment report, the government began working with the Open Government Network (OGN) in July 2015 to identify the overarching narrative and priority themes for the third action plan, including working with CSOs within OGN.⁸ The government argued that 'having robust discussions early on enabled us to include ambitious commitments in the areas of anti-corruption, open contracting, and freedom of information'. This meant that by December 2015, five priority themes at the UK level were established to help frame the development of the action plan: access to information; anti-corruption; civic participation; open data; and public accountability, with evolved issues developing more organically.⁹

There were then a series of events and workshops, including four in February 2016. In April 2016, the Cabinet Office and OGN hosted three additional workshops in Manchester, Birmingham and Newcastle to discuss progress on the action plan and to gather ideas for future commitments.¹⁰

There were quarterly meetings between the CSO steering group and government leads, as well as engagement on an individual level.¹¹ There was also continued interaction between CSO and government leads for each commitment, though this decreased in some places. Meetings were open and regular and online consultations

were publicised. The government publicised different OGP commitments on blogs and press releases.

There was a wide breadth of consultation lead by the CSO steering group (elected by the OGN), who regularly asked for input from their networks before each meeting and when updates were published. The CSO steering committee shared feedback from their wider networks with the government via a Google document (where members could add comments, questions, and thoughts).¹² This was shared mostly online through the forum and email. The minutes and notes of the meetings were also published online, as were drafts of government updates. The main problem was navigation on the government website (gov.uk), so material was later placed on the UK open government network site, where it was easier to find and more accessible to CSOs.¹³

Table 3.4: Level of Public Influence

The IRM has adapted the International Association for Public Participation (IAP2) “Spectrum of Participation” to apply to OGP.¹⁴ 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.”

| Level of public input | | During development of action plan | During implementation 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 | | |

3.4 Consultation During Implementation

As part of their participation in OGP, governments commit to identify a forum to enable regular multi-stakeholder consultation on OGP implementation. This can be an existing entity or a new one. This section summarises that information.

The stakeholders and CSO network was built on the OGN developed during the first and second action plans. By the third plan, the OGN had more than 2000 members, including CSOs and other interested people such as developers, academics, journalists and citizens.

The stakeholders and CSO groups were regularly consulted during implementation. The government-CSO meetings were well attended and included updates on progress and discussions of future issues and obstacles. CSOs also raised questions from the wider group.¹⁵ The CSO steering group met in person every quarter, in addition to a series of meet-ups and events, and shared updates through the online

discussion forum.¹⁶ The UK OGN network, which was open to all, used its forum and social media to discuss ongoing issues and to reach more people.

A survey by the Cabinet Office found more than half of respondents (made up of CSOs and government officials) felt CSOs were involved to a moderate or large extent in the process, with 67 percent feeling CSOs were involved in individual commitments.¹⁷ Sixty percent felt that the 'strength of the partnership between key government officials and civil society organizations was 'strong' or 'very strong'.

Though the forum was held in London, the online forum was open to all and there were also sub-networks for Scotland, Wales and Northern Ireland. The sub-network included CSOs and interested people from across the Open Data and FOI community. Given the membership, it is unclear what the gender balance was.

Notes and minutes of all the meetings were posted online and various drafts of letters were also circulated for comment.¹⁸ The government updates were also circulated through the forum as a Google document, allowing members to publicly add ideas and comments that then went back to the government.

3.5 Self-Assessment

The OGP Articles of Governance require that participating countries publish a self-assessment report three months after the end of the first year of implementation. The self-assessment report must be made available for public comments for a two-week period. This section assesses compliance with these requirements and the quality of the report.

The UK government published its draft self-assessment on 17 November 2017.¹⁹ The draft was open for public comment until 1 December 2017 and feedback could be left on a Google document or through email. The draft self-assessment covered all parts of the commitments, as well as discussions of the consultation process. It also included a detailed survey of officials and CSOs and their views on implementation and involvement in the process. Some of the commitment updates contained links to evidence, while most were included updated progress. The UK self-assessment was published alongside separate draft documents covering the Welsh, Northern Irish and Scottish commitments in the same period with the same comment period. It was publicised via the OGN website and via email to members of the OGN.

3.6 Response to Previous IRM Recommendations

Table 3.5: Previous IRM Report Key Recommendations

| | Recommendation | Addressed? | Integrated into Next Action Plan? |
|---|--|------------|-----------------------------------|
| 1 | Achieve deeper engagement between government and CSOs throughout the process of the development and implementation of the next action plan, with frequent meetings and keeping of personnel changes to a minimum (where possible). This needs to be sustained throughout the implementation process. | ✓ | ✓ |
| 2 | Promote wider engagement with a more varied group of CSOs. Although some proposals are by their nature technical and niche, an overall strategic vision may allow for a greater appeal to more organizations. | ✓ | ✓ |

| | | | |
|---|---|---|---|
| 3 | Promote wider engagement with numerous governmental bodies across the UK, particularly the devolved assemblies and local government, who should be co-authors of the next report. | ✓ | ✓ |
| 4 | Focus on key gaps in the second action plan, particularly on how innovations can link to public participation and accountability. | ✗ | ✓ |
| 5 | Focus on some vital emerging issues, particularly government surveillance and lobbying. | ✗ | ✗ |

The UK government and CSOs incorporated four of the recommendations from the second action plan into the third action plan. CSOs such as Involve worked to extend and expand the range of people and government bodies involved in OGP through regional meetings, the creation of separate networks across the UK and growth of the forum. The need to have greater participation was partly met by the open-ended commitment in the third action plan to 'Involve data users in shaping the future of open data'.

In response to the previous action plan's lack of devolved involvement in the second action plan for Scotland, Wales and Northern Ireland, Commitment 13 of the third plan committed to an 'ongoing collaborative approach to open government reform'. This led to the inclusion of commitments from the Welsh and Northern Irish devolved governments in the third plan, with a series of meetings and communication with their separate CSO networks and governments also taking place.

The fifth recommendation was not addressed, in part because of the prioritisation of other policies following consultation. It may also have been because a major piece of legislation, the Investigatory Powers Act 2016, came into force on surveillance. However, given the questions surrounding this law, there should be regular examination by a select committee given its potential effect on civil rights.

¹ BBC, 'Brexit: All you need to know about the UK leaving the EU', <http://www.bbc.co.uk/news/uk-politics-32810887>

² The lead bodies were as follows *Central Departments*: Department for Business, Energy & Industrial strategy, HM Treasury, Department for International Development, Home Office, Cabinet Office and Government Digital Service. *Executive agency (linked to the Cabinet Office)* Crown Commercial Service. *Arm's length/Independent Regulator*: Financial Conduct Authority, Office of National Statistics. *Outside Bodies/Associations*: Local Government Association, Involve. Scotland, Wales and Northern Ireland participated through their Executive Offices.

³ Cabinet Office (2016) *Open Government National Action Plan 2016-18* TSO: London (commitment update for July 2016).

⁴ Interview with Tim Hughes, Involve, 20 July 2017.

⁵ Cabinet Office 'Commitments from the Northern Ireland Executive', <https://www.gov.uk/government/publications/commitments-from-the-northern-ireland-executive>, and Cabinet Office 'Commitments from the Welsh Government', <http://www.opengovernment.org.uk/resource/2016-18-uk-open-government-action-plan-commitment-from-the-welsh-government/>

⁶ Opengovernment.org.uk 'Scotland's 2017 Subnational Action Plan', <http://www.opengovernment.org.uk/scotlands-2017-subnational-action-plan/>

⁷ OGP blog, <https://www.opengovpartnership.org/stories/co-creation-uk> and the manifesto, <http://www.opengovernment.org.uk/2015/10/01/open-government-manifesto-launched/>

⁸ Cabinet Office 'Open Government Partnership National Action Plan 2016-18: Mid-term Self Assessment Report' (UK government report September 2017) passed to author pre-publication.

⁹ Cabinet Office 'Open Government Partnership National Action Plan 2016-18:

Mid-term Self Assessment Report' (UK government report September 2017) passed to author pre-publication.

¹⁰ Cabinet Office 'Open Government Partnership National Action Plan 2016-18:

Mid-term Self Assessment Report' (UK government report September 2017) passed to author pre-publication.

¹¹ Opengovernment.org.uk 'About' (CSO network website 2017)

<http://www.opengovernment.org.uk/networks/uk/> the steering group are:

Andy Williamson, Democratise

Colm Burns, NI Open Government Network

Gavin Freeguard, Institute for Government

Jess Blair, ERS Wales & Welsh Open Government Network

Lucy McTernan, Scottish Council for Voluntary Organisations (SCVO) & Scotland Open Government Network

Martin Tisne, The Omidyar Network

Michelle Brook, The Democratic Society

Rachel Davies, Transparency International UK

Tim Davies, Practical Participation

¹² The Google document was shared with the author July 2017: Meeting between CSO and government (telephone conference call July 2017).

¹³ Tim Hughes, Involve.

¹⁴ For more information on the IAP2 spectrum see,

http://c.ymcdn.com/sites/www.iap2.org/resource/resmgr/foundations_course/IAP2_P2_Spectrum_FINAL.pdf.

¹⁵ Meeting between CSO and government, telephone conference call, July 2017.

¹⁶ Opengovernment.org.uk '2016-18 Open Government Action Plan implementation meeting | 27 July 2017 | Meeting note', <http://www.opengovernment.org.uk/2017/08/02/2016-18-open-government-action-plan-implementation-meeting-27-july-2017-meeting-note/>

¹⁷ Tables from Cabinet Office *Self-assessment online survey - summary of results* (online survey September 2017)

¹⁸ Open Government Network (2016) Information on third action plan commitments engagement activities, <https://www.opengovernment.org.uk/resource/information-on-nap3-commitments-engagement-activities/>

¹⁹ Open Government Network (2017), 'For public comment: UK Open Government National Action Plan 2016-

IV. Commitments

All OGP-participating governments develop OGP action plans that include concrete commitments over a two-year period. Governments begin their OGP action plans by sharing existing efforts related to open government, including specific strategies and ongoing programs.

Commitments should be appropriate to each country's unique circumstances and challenges. OGP commitments should also be relevant to OGP values laid out in the OGP Articles of Governance and Open Government Declaration signed by all OGP-participating countries.¹

What Makes a Good Commitment?

Recognizing that achieving open government commitments often involves a multiyear process, governments should attach timeframes and benchmarks to their commitments that indicate what is to be accomplished each year, whenever possible. This report details each of the commitments the country included in its action plan and analyzes the first year of their implementation.

The indicators used by the IRM to evaluate commitments are as follows:

- **Specificity:** This variable assesses the level of specificity and measurability of each commitment. The options are:
 - High: Commitment language provides clear, verifiable activities and measurable deliverables for achievement of the commitment's objective.
 - Medium: Commitment language describes activity that is objectively verifiable and includes deliverables, but these deliverables are not clearly measurable or relevant to the achievement of the commitment's objective.
 - Low: Commitment language describes activity that can be construed as verifiable but requires some interpretation on the part of the reader to identify what the activity sets out to do and determine what the deliverables would be.
 - None: Commitment language contains no measurable activity, deliverables, or milestones.
- **Relevance:** This variable evaluates the commitment's relevance to OGP values. Based on a close reading of the commitment text as stated in the action plan, the guiding questions to determine the relevance are:
 - Access to Information: Will the government disclose more information or improve the quality of the information disclosed to the public?
 - Civic Participation: Will the government create or improve opportunities or capabilities for the public to inform or influence decisions?
 - Public Accountability: Will the government create or improve opportunities to hold officials answerable for their actions?
 - Technology & Innovation for Transparency and Accountability: Will technological innovation be used in conjunction with one of the other three OGP values to advance either transparency or accountability?²
- **Potential impact:** This variable assesses the *potential impact* of the commitment, if completed as written. The IRM researcher uses the text from the action plan to:
 - Identify the social, economic, political, or environmental problem;
 - Establish the status quo at the outset of the action plan; and
 - Assess the degree to which the commitment, if implemented, would impact performance and tackle the problem.

Starred commitments are considered exemplary OGP commitments. In order to receive a star, a commitment must meet several criteria:

- Starred commitments will have “medium” or “high” specificity. A commitment must lay out clearly defined activities and steps to make a judgement about its potential impact.
- The commitment’s language should make clear its relevance to opening government. Specifically, it must relate to at least one of the OGP values of Access to Information, Civic Participation, or Public Accountability.
- The commitment would have a “transformative” potential impact if completely implemented.³
- The government must make significant progress on this commitment during the action plan implementation period, receiving an assessment of “substantial” or “complete” implementation.

Based on these criteria, UK’s action plan contained two starred commitments: commitments 8 and 9 from Wales:

- Well-being of Future Generations Act – National Indicators for Wales
- Well-being duty on specified public bodies in Wales

Finally, the tables in this section present an excerpt of the wealth of data the IRM collects during its progress reporting process. For the full dataset for the UK and all OGP-participating countries, see the OGP Explorer.⁴

General Overview of the Commitments

The UK’s third national action plan covered a broad range of domestic and international issues. It included many areas, from local elections data and grant spending to natural resources openness. The third action plan built on the previous plan in two ways. First, many of its themes overlapped. Notably, an emphasis on anti-corruption emerged from the May 2016 London Anti-Corruption conference, and four commitments focused on this theme. Second, a number of the policies and commitments continued or expanded on commitments from the second plan, such as extending beneficial ownership or filling gaps in the UK’s participation in the Extractives Industries Transparency Initiative (EITI).

One key difference, following recommendations from the previous IRM report, is that the action plan covers all four nations of the UK. Although the plan initially covered 13 UK-wide commitments, in December 2016 a further nine were added specifically for Wales, four for Northern Ireland and one for Scotland. These brought the total number of commitments to 27.

Editorial Note: commitment texts presented in this report have been shortened for brevity. Full texts are available on the action plan: <http://bit.ly/2EfHnFt>.

¹ Open Government Partnership: Articles of Governance, June 2012 (Updated March 2014 and April 2015), https://www.opengovpartnership.org/sites/default/files/attachments/OGP_Articles-Gov_Apr-21-2015.pdf

² IRM Procedures Manual. Available at: http://www.opengovpartnership.org/sites/default/files/IRM-Procedures-Manual-v3_July-2016.docx

³ The international Experts Panel changed this criterion in 2015. For more information visit: <http://www.opengovernmentpartnership.org/node/5919>

⁴ OGP Explorer: bit.ly/1KE2WII

1. Beneficial ownership

Commitment Text: We will establish a public register of company beneficial ownership information for foreign companies who already own or buy property in the UK, or who bid on UK central government contracts.

Objective: The proposed beneficial ownership register will bring greater transparency to who bids on public contracts and owns or buys UK property.

Status quo: We currently do not collect or publish this information.

Ambition: From 6 April 2016, all UK companies are required to hold a register of People with Significant Control (PSC) and from 30 June 2016 UK companies will start providing PSC information to the Companies House public register. The UK is a founding country of the initiative for the automatic exchange of beneficial ownership information. This commitment will require foreign companies who own or buy property in the UK, or bid on central government public contracts, to identify and register their beneficial owners.

Milestones:

1. The intention is to consult by the end of the year
2. Introduce primary legislation in the third parliamentary session

Responsible institution: Department for Business, Innovation and Skills (now Department for Business, Energy and industrial Strategy)

Supporting institutions: Cabinet Office, mySociety, Natural Resource Governance Institute, ONE, Publish What You Pay UK, The Open Data Institute, Transparency International UK

Start date: May 2016

End date: April 2018

| Commitment Overview | Specificity | | | | OGP Value Relevance | | | | Potential Impact | | | | On Time? | Completion | | | |
|--------------------------|-------------|-----|--------|------|-----------------------|---------------------|-----------------------|--|------------------|-------|----------|----------------|----------|-------------|---------|-------------|----------|
| | None | Low | Medium | High | Access to Information | Civic Participation | Public Accountability | Tech. and Innov. for Transparency and Accountability | None | Minor | Moderate | Transformative | | Not Started | Limited | Substantial | Complete |
| 1. Overall | | | ✓ | | ✓ | ✓ | | | | | ✓ | | No | | ✓ | | |
| 1.1. Consultation | | | ✓ | | ✓ | ✓ | | | | ✓ | | | No | | | | ✓ |
| 1.2. Primary legislation | | | ✓ | | ✓ | | | | | ✓ | | | No | ✓ | | | |

Context and Objectives

This commitment builds on the previous action plan's push towards beneficial ownership transparency.¹ The commitment from the second action plan involved publishing details of beneficial ownership of UK registered business owners via the Person with Significant Control register, and was one of the central commitments of

the second plan.² The opening up of business ownership was designed to prevent corruption and money laundering.

The new commitment aims to extend the principle of beneficial ownership further to 'bring greater transparency to who bids on public contracts and owns or buys UK property'. This stemmed from government and CSO concerns that London is being used to invest illicit money from overseas.

In 2017, the government estimated that 'between 2004 and 2014, over £180m worth of property in the UK has been investigated as suspected proceeds of corruption'.³ In the same year, Transparency International reported 'over £4.2 billion worth of properties bought by politicians and public officials with suspicious wealth in London' and argued that 'this could be the tip of iceberg'.⁴ In July 2015, then Prime Minister David Cameron vowed to expose the use of "anonymous shell companies" to buy luxury properties in the UK.⁵ He argued that such movement of money was 'a cancer which is at the heart of so many of the world's problems'.⁶

The commitment followed from the ongoing publication of beneficial ownership data from the second plan. As of June 2016, Companies House had begun publishing the previous commitment's data, known as the Person with Significant Control register, although not all the information was completed by then, and it took until June 2017 to complete, as companies filed their data over the course of that year.⁷ The first tranche of data was published in July 2016.⁸ The Open Corporates team, who make innovations in corporate data and lobby for greater corporate openness, called it a 'significant step forward' and though there were 'significant data quality problems' it felt that 'many of them are teething problems, which can be solved fairly easily'.⁹

The commitment's activities are objectively verifiable; however, the commitment's design lacks a way to indicate how the proposed activities contribute to the aim of the ambition of the commitment. For example, it is not clear as to who would be consulted if the legislation is necessary to collect and publish the data and what concrete changes the legislation aims to make. Finally, the aim of the commitment suggests that it will focus on broadening the existing registry, whereas the activities themselves propose a consultation to develop the legislation.

The commitment could potentially make transparent illegal money or 'shell' (hidden) operations beyond the UK-based companies in the existing registry. While the individual milestones are positive first steps towards expanding transparency in beneficial ownership, the commitment as a whole, if fully implemented, would be a significant improvement. Even though the approval and implementation of the new legislation is not part of this commitment, it would help prevent illicit investment to take place.

Completion

The government has made progress on milestone 1, but CSOs were concerned about the lack of progress on milestone 2.

In March 2016, just before the beginning of the third action plan cycle, the government published a discussion paper looking for views on how to enhance the transparency of beneficial ownership information for overseas companies investing in UK property. It received 38 responses from 'law firms, trade associations and representative bodies, estate agents, civil society and transparency campaigners, government and individuals'.¹⁰ The government argued that the 'responses have confirmed the need to create this register and allowed us to develop the proposals further'.¹¹

The first milestone was completed two months after the March 2017 deadline specified in the action plan. In 2017, a new consultation paper asked for views on:

...proposals for a register of beneficial ownership information for overseas companies or other legal entities that own or buy UK property or participate in UK central government procurement. This call for evidence seeks views on the design of the policy and additional evidence on the impacts of the policy.¹²

The paper was published on 5 April 2017. Those consulted were asked to respond by 15 May 2017 and the government published its response in March 2018, outside of the time period covered in this report.¹³

For the second milestone, the changes in law require primary legislation to alter property registration. Although the deadline for the milestone is April 2018, the Queen's Speech announcing the legislative agenda did not mention it.¹⁴ The delay may be due in part to the General Election of June 2017 and the preceding six-week campaign period. The new hung parliament may also have influenced what can and cannot be passed through.

Although there was cross-party support and backing for the changes, the need to legislate Brexit will leave little time or attention for other laws. In its self-assessment, the government suggested the draft bill would pass through Parliament between November and December 2017.¹⁵ However, CSOs estimated that any provisional law would have needed to be in Parliament in the summer session by 6 September 2017 to give it time to pass.¹⁶ In January 2018, the UK government appeared to commit to a 12-month timetable for legislation, with a promise of a register in place by 2021.¹⁷

CSOs were concerned that the proposals were delayed due to a lack of political enthusiasm on the topic from the new government, and pointed to the lack of government comment on when legislation may appear as a sign of disinterest.¹⁸ They felt that the longer the commitment was delayed, the less likely it would be implemented, as Brexit legislation took up more parliamentary time and attention.

Early Results

At present, there are no early results except the government's consultation paper.¹⁹ The consultation paper has demonstrated that there is a clear policy solution and a consensus for pushing forward these changes among CSOs and political parties in the UK.

Next Steps

Civil society stakeholders hope the government will find time to legislate this change, given that the proposals are coherent, clear and build on the existing policy by using the register that is already in existence. They are also ambitious in extending what was already an important change and addressing what the government and CSOs have seen as an important source of corruption.

The IRM researcher recommends this should be done within the current action plan cycle. Given the complexity and newness of the reforms as a whole, the operation of the entire beneficial ownership scheme should be reviewed either by Parliament or an expert body.

¹ Worthy, Ben 'Offshore Tax Havens and Beneficial Ownership: A Quick Primer', <https://opendatastudy.wordpress.com/2016/04/03/offshore-tax-havens-and-beneficial-ownership-a-quick-primer/>

² UK Government, UK G20 Beneficial Ownership Implementation Plan, by the Cabinet Office, <http://bit.ly/1Sx3iUL>

³ Department for Business, Energy & Industrial Strategy Overseas companies and other legal entities' beneficial ownership register: call for evidence, <https://www.gov.uk/government/consultations/property-ownership-and-public-contracting-by-overseas-companies-and-legal-entities-beneficial-ownership-register>

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- ⁴ Transparency International Faulty Towers: Understanding the impact of overseas corruption on the London property market, <http://www.transparency.org.uk/publications/faulty-towers-understanding-the-impact-of-overseas-corruption-on-the-london-property-market/>
- ⁵ BBC News 'David Cameron: UK property no safe haven for 'dirty money'', <http://www.bbc.co.uk/news/uk-politics-33684098>
- ⁶ BBC News 'David Cameron: UK property no safe haven for 'dirty money'', <http://www.bbc.co.uk/news/uk-politics-33684098>
- ⁷ Gareth Lloyd, "The New 'People with Significant Control' Register," Blog, Companies House, 13 April 2016, <http://bit.ly/2b3BY16>
- ⁸ Financial Transparency Coalition 'A first look at the UK beneficial ownership data', <https://financialtransparency.org/first-look-uk-beneficial-ownership-data/>, and Open Corporates 'UK Beneficial Ownership Information Now in Open Corporates', <https://blog.opencorporates.com/2016/07/06/uk-beneficial-ownership-information-now-in-opencorporates/>, and Global Witness '8 reasons why we all need to be able to see beneficial ownership data not just the police', <https://www.globalwitness.org/en/blog/eight-reasons-why-we-all-need-be-able-see-beneficial-ownership-information-rather-just-police/>
- ⁹ Open Corporates 'UK Beneficial Ownership Information Now in Open Corporates', <https://blog.opencorporates.com/2016/07/06/uk-beneficial-ownership-information-now-in-opencorporates/>
- ¹⁰ Department of Business, Innovation and Skills 'Enhancing transparency of beneficial ownership information of foreign companies undertaking certain economic activities in the UK: summary of responses', https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/606411/beneficial-ownership-transparency-summary-responses.pdf
- ¹¹ UK Government 'Consultation Outcome: Property ownership and public contracting by overseas companies: improving transparency', <https://www.gov.uk/government/consultations/property-ownership-and-public-contracting-by-foreign-companies-improving-transparency>
- ¹² Department for Business, Energy & Industrial Strategy Overseas companies and other legal entities' beneficial ownership register: call for evidence, <https://www.gov.uk/government/consultations/property-ownership-and-public-contracting-by-overseas-companies-and-legal-entities-beneficial-ownership-register>
- ¹³ Department for Business, Energy & Industrial Strategy Overseas companies and other legal entities' beneficial ownership register: call for evidence, <https://www.gov.uk/government/consultations/property-ownership-and-public-contracting-by-overseas-companies-and-legal-entities-beneficial-ownership-register>: See Department for Business, Energy & Industrial Strategy The Government response to the call for evidence https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/681844/ROEBO_Gov_Response_to_Call_for_Evidence.pdf
- ¹⁴ Cabinet Office (2017,) The Queen's Speech 2017: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/620838/Queens_speech_2017_background_notes.pdf
- ¹⁵ Cabinet Office 'Open Government Partnership National Action Plan 2016-18: Mid-term Self Assessment Report' (UK government report September 2017) passed to author pre-publication.
- ¹⁶ Interview with Rachel Davies Teka, August 2017.
- ¹⁷ Guardian (2018), May to set timetable to reveal foreign owners of UK property, <https://www.theguardian.com/politics/2018/jan/17/theresa-may-set-timetable-reveal-foreign-owners-uk-property>, also House of Lords (2018) Sanctions and Anti-Money Laundering Bill [HL] - Third Reading <https://www.theyworkforyou.com/lords/?id=2018-01-24a.1024.2#g1024.3> and here UK Public Register of Overseas Entity Beneficial Ownership: Written statement - HCWS425 <https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2018-01-24/HCWS425/>
- ¹⁸ Interview with Rachel Davies Teka, August 2017.
- ¹⁹ Department for Business, Energy & Industrial Strategy Overseas companies and other legal entities' beneficial ownership register: call for evidence (policy paper/call for evidence 5 April 2017)

2. Natural resource transparency

Commitment Text: *We will work with others to enhance company disclosure regarding payments to government for the sale of oil, gas and minerals, complementing our commitment to the Extractive Industries Transparency Initiative (EITI) and implementation of EU Directives, and explore the scope for a common global reporting standard.*

Objective: *In addition to commitments on timely implementation of EITI and EU Directives, the UK will work with others to enhance company disclosure regarding payments to government for the sale of oil, gas and minerals. The UK will explore the scope for a common global reporting standard and work with others to build a common understanding and strengthen the evidence for transparency in this area.*

Status quo: *Over the last decade, the UK has led the way in encouraging the extractive sector to be more transparent, notably through a combination of voluntary reporting under the EITI and mandatory disclosure rules now present in the EU, Canada, the US and other countries. But despite this progress, a significant gap still exists. Payments from physical commodity trading companies to governments and state-owned enterprises for the sale of oil, gas and minerals – which account for the majority of total government revenues in countries such as Iraq, Libya, Angola and Nigeria – remain largely opaque. Whereas taxes, royalties and other payments are included within existing home disclosure rules, payments from oil traders to governments (often \$US billions/year) are not.*

Ambition: *To enhance company disclosure regarding payments to government for the sale of oil, gas and minerals.*

Milestones:

1. *UK to publish second EITI report by 15 April 2017 and commence validation to become EITI compliant*
2. *UK listed extractive companies will be required to publish data under the EU transparency amending directive in an open and accessible format*
3. *Agree terms of reference for the dialogue on increased transparency around sales of oil, gas and minerals*

Responsible institution: Department for Business, Innovation and Skills, Department of Energy and Climate Change, HM Treasury, Financial Conduct Authority (FCA) and Department for International Development

Supporting institution(s): Department for Business, Innovation and Skills, Department of Energy and Climate Change, HM Treasury, Financial Conduct Authority and Department for International Development

Start date: May 2016

End date: March 2018

| | | | | | |
|---------------------|-------------|---------------------|------------------|----------|------------|
| Commitment Overview | Specificity | OGP Value Relevance | Potential Impact | On Time? | Completion |
|---------------------|-------------|---------------------|------------------|----------|------------|

| | None | Low | Medium | High | Access to Information | Civic Participation | Public Accountability | Tech. and Innov. for Transparency and Accountability | None | Minor | Moderate | Transformative | | Not Started | Limited | Substantial | Complete |
|---|------|-----|--------|------|-----------------------|---------------------|-----------------------|--|------|-------|----------|----------------|-----|-------------|---------|-------------|----------|
| 2. Overall | | | ✓ | | ✓ | | | | | ✓ | | | No | | | ✓ | |
| 2.1. UK publishes second EITI report | | | | ✓ | ✓ | | | | ✓ | | | | Yes | | | | ✓ |
| 2.2. Data publication from UK-listed extractive companies | | | | ✓ | ✓ | | | | | ✓ | | | Yes | | | ✓ | |
| 2.3. TOR for the dialogue on increased transparency | | ✓ | | | ✓ | | | | | | ✓ | | No | | ✓ | | |

Context and Objectives

This commitment continues the extractives transparency commitments from the second action plan. Although CSOs welcomed new commitment, they regarded this commitment as more limited than that of the previous plan. Two of the milestones continue from the reporting requirements of the Extractives Industries Transparency Initiative (EITI), and an extension of openness to a set of companies not fully covered by earlier legislation.¹ The main problem was the ‘gap’ that remained in the reporting, as explained in the commitment text.

The three milestones will continue to make natural resource extraction more transparent and accountable with greater amounts of information and potential for citizen audit, and curb corruption and illicit activity while closing a gap in requirements.² Milestone 1 continues the reporting under EITI rules while milestone 2 closes a gap in certain companies reporting extraction data in machine-readable form.

Milestone 3 is the most significant and involves creating co-operation between a number of countries over payments received when selling and trading (rather than extracting) via government or state-owned countries resources. Such payments can be large.³

The commitment is relevant to the OGP value of access to information. While the first and second milestones are relatively clear, the third milestone has relatively low specificity and has a ‘less tangible outcome’.⁴ While commitment’s the potential impact will be minor for closing the gap in reporting, it could be important on payments for selling and trading.

Completion

The government reported in its July 2017 update that there had been ‘good progress against milestones one and two’.⁵ The first milestone was completed on time with the publication of the UK’s second EITI report in March 2017, and all relevant background data in line with its EITI requirements. Validation is still needed, but as a result of EITI moving the deadline, not for the UK government.⁶

The second milestone covers the 90-100 companies not fully covered by the EU Accounting Directive but by the EU Transparency Directive. This milestone is on schedule to be completed.⁷ Though the companies must report data, the new directive means that they must do so in machine-readable, open format, and following guidance from the UK Financial Conduct Authority. Though the commitment applies to any company reporting after August 2016, given the uneven and different accounting deadlines for each company, all businesses will not have published machine-readable data for some time.⁸ The CSO Publish What You Pay (PWYP) expressed dissatisfaction to the FCA regarding various aspects of the technical operation of reporting, arguing that the software, guidance and means of reporting the data were inadequate.⁹

Progress for the third milestone has been slower and it is behind schedule. Though the deadline for agreeing upon terms of reference was December 2016, these agreements have yet to be reached. The latest government updates claim this is in progress and there was a ‘new OECD-hosted international dialogue on transparency in commodity trading’ where draft terms of reference were agreed.¹⁰ Another policy event was planned for December 2017. Joseph Williams, Senior Advocacy Officer at the Natural Resource Governance Institute, hoped that the agreed TOR and above-mentioned event can create a robust international dialogue on the road to more tangible results.¹¹

However, the UK’s involvement in EITI was put in doubt on 29 September 2017 when 20 civil society representatives withdrew from the process, including major CSOs such as Global Witness, Natural Resource Governance Institute, Transparency International UK and Publish What You Pay UK.¹² The problem arose when an organisation led by ex-MP Eric Joyce called Extractive Industries Civil Society (EICS) was given authority over certain civil society nominations.¹³ Simon Clydesdale, Oil Campaign Leader for Global Witness, said: ‘The UK government is actively subverting the process that helps ensure governments and the extractive industry are held to account over oil, gas and mining deals.’ Miles Litvinoff, Coordinator of Publish What You Pay UK, said: ‘Government officials’ decision to overlook the strong concerns expressed by the Civil Society Network is deeply worrying and goes against the democratic principles fundamental to the EITI and to the UK as a country.’¹⁴

The EITI organisation itself tweeted that there was an ‘unfortunate situation at UKEITI.’ This is an issue first for UK civil society. UKEITI status unchanged & will be validated in April’.¹⁵ It was unclear at the time of writing how this will affect the EITI process or the rest of the OGP process.

Early Results

So far, 24 businesses have reported data.¹⁶ Nevertheless, the kind of results that could be seen were demonstrated by the PWYP data extractors’ collaboration project, where CSOs and activists worked together to map, analyse and hold to account resource extraction activities in a variety of countries.¹⁷

Although some of the government responses were ‘disappointing’ the collaboration demonstrated how ‘civil society engagement with the disclosed data sends an important signal to host governments that civil society is vigilant and will be ready to expose corrupt or questionable dealings’.¹⁸

Next Steps

As the policy has been pursued across two action plans, the IRM researcher recommends it should be carried forward in some form. Though CSOs were critical of the relatively limited aims this time, this followed a high-profile commitment in the second plan and was, as the government pointed out, meant to close a gap.

One suggestion from PWYP is to make the extractives data itself more accessible with better visualizations and an interactive display, rather than being published purely as data, PWYP pointed to successful examples of accessible data from across the world.¹⁹

Joseph Williams of the Natural Resource Governance Institute recommended that future focus could be on UK oil extraction in the North Sea and the post-Brexit questions of which UK legislation would replace the existing EU extractives-based laws.²⁰

¹ Interview with Miles Litvinoff, Publish What You Pay, 25 August 2017, and Joseph Williams, Natural Resource Governance Institute, 5 September 2017. The EITI is a 'global standard to promote the open and accountable management of oil, gas and mineral resources' in 52 countries EITI 'Who We Are', <https://eiti.org/who-we-are>

² Interview with Miles Litvinoff, Publish What You Pay, 25 August 2017, and Joseph Williams, Natural Resource Governance Institute, 5 September 2017.

³ Interview with Joseph Williams, 5 September 2017.

⁴ Interview with Joseph Williams, Natural Resource Governance Institute, 5 September 2017.

⁵ Cabinet Office Open Government National Action Plan 2016-18:

July 2017 Commitment Progress Updates (commitment update for July 2017) pre-publication passed to author.

⁶ Department for Business, Energy & Industrial Strategy *Research and analysis Extractive Industries Transparency Initiative: payments report, 2015*, <https://www.gov.uk/government/publications/extractive-industries-transparency-initiative-payments-report-2015>

⁷ Interview with Miles Litvinoff, Publish What You Pay, 25 August 2017.

⁸ Interview with Miles Litvinoff, Publish What You Pay, 25 August 2017.

⁹ Interview with Miles Litvinoff, Publish What You Pay, 25 August 2017.

¹⁰ UK government commitment update for July 2017.

¹¹ Interview with Joseph Williams, Natural Resource Governance Institute, 5 September 2017.

¹² Publish What You Pay UK 'News: Civil Society Organisations withdraw from UK EITI', <http://www.publishwhatyoupay.org/pwyp-news/civil-society-organisations-withdraw-from-uk-eiti/>

¹³ Publish What You Pay UK 'News: Civil Society Organisations withdraw from UK EITI', <http://www.publishwhatyoupay.org/pwyp-news/civil-society-organisations-withdraw-from-uk-eiti/>

¹⁴ Global Witness 'UK government fails credibility test in anti-corruption fight as NGOs walk out of landmark scheme', <https://www.globalwitness.org/en-qb/press-releases/uk-government-fails-credibility-test-anti-corruption-fight-ngos-walk-out-landmark-scheme/>, and Publish What You Pay UK 'News: Civil Society Organisations withdraw from UK EITI', <http://www.publishwhatyoupay.org/pwyp-news/civil-society-organisations-withdraw-from-uk-eiti/>

¹⁵ EITI International (@EITlorg), <https://twitter.com/EITlorg>

¹⁶ Interview with Miles Litvinoff, Publish What You Pay, 25 August 2017.

¹⁷ Publish What You Pay 'Using UK company data as an accountability tool', <http://www.publishwhatyoupay.org/using-uk-company-data-as-an-accountability-tool/>, and the programme, Publish What You Pay, 'The Data Extractors', <http://www.publishwhatyoupay.org/our-work/using-the-data/the-data-extractors/>

¹⁸ See post 69.

¹⁹ Interview with Miles Litvinoff, Publish What You Pay, 25 August 2017. Examples from Indonesia, <http://eiti.ekon.go.id/en/>, Mongolia, <http://www.eitimongolia.mn/en/>, the USA, <https://useiti.doi.gov/> and Norway, <http://nettsteder.regjeringen.no/eiti2-en/> (supplied by PWYP)

²⁰ Interview with Joseph Williams, Natural Resource Governance Institute, 5 September 2017.

3. Anti-Corruption Strategy

Commitment Text: *To develop, in consultation with civil society, and publish a new Anti-Corruption Strategy ensuring accountability to Parliament on progress of implementation.*

Objective: *To continue to have a robust cross-government Anti-Corruption Strategy that builds on the existing plan and brings together the UK's current and up-to-date anti-corruption efforts in one place. The plan will be developed with civil society and delivered with strengthened accountability to Parliament.*

Status quo: *the first UK Anti-Corruption Plan, published in December 2014, features actions that have now been delivered. A new strategy will meet the government's commitment to create a living document that evolves alongside the nature of the threat from corruption and our response both here in the UK and abroad.*

Ambition: *this presents an opportunity for a new strategy to:*

- *Present a strong strategic narrative around our anti-corruption efforts*
- *To capture international activity from the Prime Minister's Anti-Corruption Summit*
- *To maintain our ambition to develop new commitments in areas of concern*

Enhanced engagement with civil society organisations and more accountability to Parliament will help demonstrate the government's openness to ensuring the principle of transparency is applied to all anti-corruption efforts.

Milestones:

1. *To consult with civil society on the content of and publish a UK Anti-Corruption Strategy*
2. *To publish progress against actions within the Strategy*
3. *To introduce a mechanism allowing greater Parliamentary scrutiny of anti-corruption work*

Responsible institution: Cabinet Office and Home Office

Supporting institutions: All government departments, Bond Anti-Corruption Group (ARTICLE 19, CAFOD, Christian Aid, Corruption Watch, Global Witness, Integrity Action, ONE, Public Concern at Work, The Corner House, Transparency International UK), Campaign for Freedom of Information, International Budget Partnership, mySociety, Natural Resource Governance Institute, Publish What You Pay UK

Start date: May 2016

End date: June 2018

| Commitment Overview | Specificity | | | | OGP Value Relevance | | | | Potential Impact | | | | On Time? | Completion | | | |
|---------------------|-------------|-----|--------|------|-----------------------|---------------------|-----------------------|--|------------------|-------|----------|----------------|----------|-------------|---------|-------------|----------|
| | None | Low | Medium | High | Access to Information | Civic Participation | Public Accountability | Tech. and Innov. for Transparency and Accountability | None | Minor | Moderate | Transformative | | Not Started | Limited | Substantial | Complete |

| | | | | | | | | | | | | | | | | | |
|--|--|--|---|--|---|---|---|--|--|---|--|--|----|---|---|--|--|
| 3. Overall | | | ✓ | | ✓ | ✓ | ✓ | | | ✓ | | | No | | ✓ | | |
| 3.1. and 3.2. Anti-Corruption Strategy | | | ✓ | | ✓ | ✓ | | | | ✓ | | | No | | ✓ | | |
| 3.2. Parliamentary scrutiny mechanism | | | ✓ | | | | ✓ | | | ✓ | | | No | ✓ | | | |

Context and Objectives

The commitment stemmed from a series of anti-corruption initiatives in the second action plan and the personal interest of then Prime Minister David Cameron in global anti-corruption policy. In 2015, David Cameron called for a ‘step change’ in anti-corruption in the UK focusing on domestic, international and partnership work.¹ Specifically, the strategy built on the UK’s first Anti-Corruption Plan, published on 18 December 2014, which covered a range of 66 national and international areas from lobbying to money laundering.² The plan also included creating an inter-ministerial body and an anti-corruption champion.³

However, while there was a plan in place, it lacked an overall vision to develop a cross-government approach and bind together different departments, agencies and bodies over the long-term. Transparency International identified the lack of a UK strategy in 2016, pointing out that the ‘current Anti-Corruption Plan contains a single page, which lays out some strategy in a table: it has some good thoughts, but begs as many questions as it answers’. It also warned that without a strategy, corruption problems would be dealt with in isolation.⁴

The UK-led London Anti-Corruption summit in May 2016 included a promise for a new anti-corruption strategy.⁵ The strategy would build on the plan to create a vision and approach that would cover the whole of government. The International Development Select Committee had also pushed for a ‘whole government’ approach and strategy.⁶ Transparency International argued that experience showed governments needed a long-time horizon and a strategy that ‘contains an overall goal, a set of priorities and an analysis of the capabilities...needed’.⁷ DFID argued in 2013 that strategies elsewhere made a difference to anti-corruption activities:

A mid-term review by DFID country offices in 2013 found that they had made a positive difference in raising the profile of corruption; developing a coherent narrative (including in dialogue with partners); and broadening ownership of the agenda through increasing staff awareness and strengthened staff skills.⁸

The new strategy is relevant to the OGP values of civic participation, as it adds to existing public involvement in the process, and public accountability, as it creates a new set of aims against which government action can be assessed or judged.

The commitment offers medium specificity. Its text does not provide information on the dimensions or content of the strategy, and it does not explain what the scrutiny mechanism would be. If enacted it would provide a long-term vision and set of priorities and objectives across government for the UK’s anti-corruption activities. It would have a potentially minor impact as an addition to the existing plan from the previous action plan.

Completion

At the end of the first year of implementation, the commitment's implementation is limited and behind schedule. The first milestone is incomplete. Although consultation and work has taken place, the publication of the strategy was delayed 11 months beyond its November 2016 deadline. The government argued that the extra time for consultations will improve the commitment, and there have been positive relationships between government and CSOs.⁹ The strategy was finally published on 11 December 2017, outside of the coverage of this report (see below).

The second and third milestones, publishing progress against actions within the strategy and creating parliamentary oversight, have until January 2018 and June 2018 respectively to be implemented. They are likely to be delayed given the delay for the first milestone. It is unclear what form the third milestone may take. CSOs suggested it may be oversight by a select committee or a parliamentary debate.¹⁰ The November 2017 update said the government is finalising a new Anti-Corruption Strategy which will be published in due course and that the Joint Anti-Corruption Unit will meet with representatives of the BOND Group on 28 November 2017.¹¹

Different reasons were given for the delay in implementing the commitment. The government cited the change of government in July 2016, the General Election of June 2017 and the need for more time to consult with other governments as delaying factors.¹² CSOs also recognised these factors as reasons and felt that a delayed but better strategy was preferable to a rushed, poor strategy.¹³ Nevertheless, they were disappointed in the delay, as they see this as an important area.¹⁴ A number of CSOs feared the delay was due to a lack of political interest. It was pointed out that anti-corruption was a signature policy of the previous Prime Minister David Cameron and not necessarily of the new administration. The fact that no anti-corruption champion had been re-appointed for six months was seen as a small but possibly important indicator.¹⁵ CSOs were unsure of what was happening; there was 'no sense of what the new timeline is' but 'the longer it takes the more problematic it becomes'.¹⁶

The IRM researcher believes that the delay is due to a combination of these factors. While Brexit, elections and political changes have undoubtedly slowed down numerous commitments, the government's lack of interest, except in certain signature issues, in other openness activities (see commitments 4 or 8) indicates a lack of political interest and enthusiasm. This is worrying in the case of anti-corruption given that the process of Brexit will involve changes to the legal framework in this area and will also bring risks if trade becomes more complex and global outside of the EU.¹⁷

On 11 December 2017, outside the period covered by this report, the new 72-page strategy document was published, just over a year later than the government's initial commitment date of November 2016.¹⁸ It was intended to pull together cross-government strategy and offer a six-point vision for the UK's anti-corruption activities:

1. Reduce the insider threat in high risk domestic sectors
2. Strengthen the integrity of the UK as an international financial centre
3. Promote integrity across the public and private sectors
4. Reduce corruption in public procurement and grants
5. Improve the business environment globally
6. Work with other countries to combat corruption¹⁹

Following the concerns of CSOs above, John Penrose MP was appointed as the anti-corruption champion.²⁰

The strategy was broadly, if cautiously, welcomed by civil society. The Bond anti-corruption group welcomed the breadth and remit across domestic and international

politics, the appointment of a new champion, the maintenance of the Serious Fraud Office and requirement that the government report annually to Parliament. However, it qualified this by saying ‘the Bond Group also feels that in several places the Strategy doesn’t go far enough - for example, on transparency in the Overseas Territories, corruption in UK politics, golden visas and on a criminal corporate liability offence’.²¹ Transparency International also called the strategy a ‘welcome advance in the fight against corruption both at home and abroad’ but made a similar point that ‘the Strategy fails to address corruption in UK politics and avoids confrontation with Britain’s infamous offshore financial centres’.²²

Further assessment of the strategy and outstanding milestones will be included in the IRM’s end of term report.

Next Steps

The IRM researcher recommends that the strategy be published and implemented during the period of the third action plan, with the second and third milestones at least set out and begun, if not completed. The strategy should also clearly set out what the third milestones would look like and make space in the parliamentary timetable for it to take place.

CSOs have offered some pointers as to what a strategy should look like, with Transparency International describing how it ‘should include the scale of the problem, direction, gaps and areas of interest-with a long-time frame’ probably until around 2030.²³ The machinery exists (in the multi-stakeholder group and official expertise) as does the ideas and policy in the previous action plan. The IRM researcher recommends that scrutiny be carried out through a Select Committee (that could prove forensic examination and draw on outside expertise) such as the International Development Select Committee.

¹ Department for International Development (DFID), ‘Tackling Corruption Overseas’, <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/international-development-committee/tackling-corruption-overseas/written/30262.html>

² HM Government ‘Anti-Corruption Plan’, https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/388894/UKantiCorruptionPlan.pdf

³ HM Government ‘Anti-Corruption Plan’, https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/388894/UKantiCorruptionPlan.pdf

⁴ Transparency International ‘Why Do We Need A World Class Anti-Corruption Strategy?’, <http://www.transparency.org.uk/why-do-we-need-a-world-class-anti-corruption-strategy/>

⁵ UK Government, *Anti-Corruption Summit Communiqué*, by the Cabinet Office, <http://bit.ly/1TRwt72>; Associated Press, “Nations Make Anti-Corruption Vows, but Hard Action Varies,” Wires, Daily Mail, <http://dailym.ai/2fYRbXy>

⁶ International Development Select Committee (2016) *Tackling Corruption Overseas*, <https://publications.parliament.uk/pa/cm201617/cmselect/cmintdev/111/11105.htm>

⁷ Transparency International ‘Why Do We Need A World Class Anti-Corruption Strategy?’, <http://www.transparency.org.uk/why-do-we-need-a-world-class-anti-corruption-strategy/>

⁸ Department for International Development (DFID), ‘Tackling Corruption Overseas’, <http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/international-development-committee/tackling-corruption-overseas/written/30262.html>

⁹ Interview with Alice Pilia and Jeremy Foster, Cabinet Office, 15 August 2017.

¹⁰ Interview with Rachel Davies Tekka, Transparency International, 14 August 2017.

¹¹ Cabinet Office (2017) Open Government National Action Plan 2016-18: November 2017 Commitment Progress Updates, <https://www.opengovernment.org.uk/resource/og-nap-2016-18-november-2017-commitment-progress-updates/>

¹² Interview with Alice Pilia and Jeremy Foster, Cabinet Office, 15 August 2017.

¹³ Interview with Rachel Davies Tekka, Transparency International, 14 August 2017.

¹⁴ Interview with Joseph Williams, 5 September 2017,

¹⁵ Interview with Rachel Davies Tekka, Transparency International, 14 August 2017.

¹⁶ Interview with Joseph Williams, 5 September 2017.

¹⁷ Hough, D. (2016). Anti-corruption after Brexit: what is left of David Cameron's legacy? LSE European Politics and Policy (EUROPP), <http://blogs.lse.ac.uk/euoppblog/2016/07/25/anti-corruption-after-brexit/>

¹⁸ DFID/Home Office (2017) UK anti-corruption strategy 2017 to 2022, <https://www.gov.uk/government/publications/uk-anti-corruption-strategy-2017-to-2022>

¹⁹ DFID/Home Office (2017) UK anti-corruption strategy 2017 to 2022, <https://www.gov.uk/government/publications/uk-anti-corruption-strategy-2017-to-2022>

²⁰ John Penrose (2017) John Named anti-corruption champion, <http://johnpenrose.org/wp/2017/12/11/john-named-anti-corruption-champion/>

²¹ Bond Group (2017) UK makes welcome anti-corruption commitments, now action is needed, <https://www.bond.org.uk/press-releases/2017/12/uk-makes-welcome-anti-corruption-commitments-now-action-is-needed>

²² Transparency International (2017) Transparency International gives qualified welcome to new UK Anti-Corruption Strategy, <http://www.transparency.org.uk/press-releases/transparency-international-gives-qualified-welcome-to-new-uk-anti-corruption-strategy/#.Wifqn3nLjIW>

²³ Transparency International 'Why Do We Need A World Class Anti-Corruption Strategy?', <http://www.transparency.org.uk/why-do-we-need-a-world-class-anti-corruption-strategy/>

4. Anti-Corruption Innovation Hub

Commitment Text: *We will incubate an Anti-Corruption Innovation Hub to connect social innovators, technology experts and data scientists with law enforcement, business and civil society to collaborate on innovative approaches to anti-corruption.*

Objective: *To connect and catalyse innovative approaches to anti-corruption.*

Status quo: *Current efforts to innovate in tackling corruption are often scattered, piecemeal, and do not always utilise the benefits of scale. We need new coalitions to connect social innovators, technology experts, and businesses with law enforcement and civil society organisations to share experience and disseminate good practice that could be replicated and customised in different countries and contexts.*

Ambition: *Champion the use of innovative ways to report, detect and investigate corruption; collaborate on identifying and supporting, emerging anti-corruption innovations; share good practice and promote the use of anti-corruption innovations, and use established conferences and multilateral stakeholder groups to highlight innovative anti-corruption initiatives and opportunities for collaboration.*

Milestones:

1. Establish Innovation Hub
2. Showcase examples of innovative approaches to tackling corruption at the 2016 OGP Summit in Paris in December 2016
3. Operationalise innovation hub

Responsible institution: Cabinet Office (Government Digital Service)

Supporting institutions: Department for International Development, Foreign and Commonwealth Office

Start date: May 2016

End date: May 2017

| Commitment Overview | Specificity | | | | OGP Value Relevance | | | | Potential Impact | | | | On Time? | Completion | | | |
|--|-------------|-----|--------|------|-----------------------|---------------------|-----------------------|--|------------------|-------|----------|----------------|----------|-------------|---------|-------------|----------|
| | None | Low | Medium | High | Access to Information | Civic Participation | Public Accountability | Tech. and Innov. for Transparency and Accountability | None | Minor | Moderate | Transformative | | Not Started | Limited | Substantial | Complete |
| 4. Overall | | | ✓ | | ✓ | ✓ | | ✓ | | | ✓ | | No | | ✓ | | |
| 4.1 and 4.3. Establish Innovation Hub and operationalise | | | ✓ | | ✓ | ✓ | | ✓ | | | ✓ | | No | | | ✓ | |
| 4.2. Showcase examples of innovation at | | | ✓ | | ✓ | | | | | | ✓ | | Yes | | | | ✓ |

Context and Objectives

As with Commitment 3, this commitment emerged from the UK government's anti-corruption plan in the second action plan and the UK-led May 2016 International Anti-Corruption Summit, when different groups were brought together to discuss anti-corruption activities.¹ The problem identified at the Summit was that no mechanisms for sharing ideas or learning exist, nor is there sufficient means for building links between, for example, open data innovators and governments. The hub is designed to spread knowledge, create collaborations and champion and spread innovative approaches to identifying corruption between selected countries and organisations.²

The commitment has medium specificity. Its milestones are clearly related to the commitment's objective but it is not clear how the hub would work or what 'operationalise' may mean in this context (e.g. meetings, knowledge sharing or joint action). The commitment is relevant to access to information, civic participation and technology and innovation.

As the CSO involved and government pointed out, the hub was seen as a knowledge sharing institution that would work across 'departmental silos'. Parts of the remit were purposely left vague, as the proposed consultant was to look into existing networks and bodies and base the hub around what did and did not exist already.³ If fully implemented, with sufficient buy-in, it would be an important source for co-operation and innovation in identifying and tackling corruption. Therefore, its potential impact is considered moderate.

Completion

The commitment is behind schedule. Meetings and activity around the first milestone appear to have taken place according to government updates. The second milestone showcasing developments at the OGP Summit in Paris in December 2016 also took place:

...speakers from OpenCorporates and the Open Data Cooperative who highlighted the work they are doing in beneficial ownership transparency and open contracting. The representative from OpenCorporates discussed the results of the DataDive, which OpenCorporates, DataKind and Global Witness had convened in November 2016 to look at the beneficial ownership data released by the UK under the previous NAP.⁴

However, the operationalisation of the hub in the third milestone, due in May 2017, has not happened. As of November 2017, Ministers were working with officials on plans for the hub.⁵

The delay appears to be primarily bureaucratic. According to updates from July 2017, 'the development of the Anti-Corruption Innovation Hub has been slower than expected due to the difficulty of contracting a consultant to support GDS on developing the Hub as set out according to the original terms of reference'.⁶ The CSO involved in the commitment explained that the contracting procedure for the consultant who would research and shape the hub was delayed due to legal issues. The General Election of June 2017 then further delayed the process.⁷

In June 2016, the opposition criticised the government for an apparent lack of commitment when a question in Parliament revealed only one full-time member of

staff was working on it in government (though the answer pointed out a network outside of government was also involved).⁸ The government is now in discussion with Ministers on how to take the proposal forward.⁹

There are numerous legitimate reasons for the delay. However, the delay suggests that the UK's anti-corruption drive, seen in this commitment and Commitment 3, is simply no longer a political priority for senior politicians and the issue is being de-prioritised, by what one academic called a process of 'benign neglect'.¹⁰

Next Steps

The IRM researcher recommends that the commitment be as fully implemented as possible during the action plan period, or, failing that, carried forward to the next action plan.

The IRM researcher also recommends focusing on particular aspects or the beginnings of a hub e.g. an event with showcases of an innovation or a small online presence, to build the first parts of the hub in the time left and demonstrate how it will work as a proof of concept. The final stages could be carried over into future action plans.

¹ HM Government 'Anti-Corruption Plan', https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/388894/UKantiCorruptionPlan.pdf; Thom Townsend and William Gerry, Cabinet Office, 14 September 2017.

² Thom Townsend and William Gerry, Cabinet Office, 14 September 2017.

³ Interview with Andrew Clarke, Omidyar Network, September 2017; Thom Townsend and William Gerry, Cabinet Office, 14 September 2017.

⁴ Cabinet Office 'Open Government Partnership National Action Plan 2016-18: Mid-term Self Assessment Report' (UK government report September 2017) passed to author pre-publication.

⁵ Cabinet Office (2017) Open Government National Action Plan 2016-18: November 2017 Commitment Progress Updates, <https://www.opengovernment.org.uk/resource/og-nap-2016-18-november-2017-commitment-progress-updates/>

⁶ Cabinet Office *Open Government National Action Plan 2016-18: July 2017 Commitment Progress Updates* (commitment update for July 2017) pre-publication passed to author

⁷ Interview with Andrew Clarke, Omidyar Network, September 2017.

⁸ House of Commons 'Written Question: Anti-corruption hub' (26 May 2016) <https://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2016-05-26/38870/>, and Huffington Post 'Anti-corruption hub employs 1', http://www.huffingtonpost.co.uk/entry/anti-corruption-hub-government-employs_uk_5767b4b3e4b0d033a5757fce

⁹ Interview with Thom Townsend and William Gerry, Cabinet Office, 14 September 2017.

¹⁰ Hough, D. (2016), Anti-corruption after Brexit: what is left of David Cameron's legacy? LSE European Politics and Policy (EUROPP) Blog <http://blogs.lse.ac.uk/euoppblog/2016/07/25/anti-corruption-after-brexit/>, and Hough D., Will Brexit Britain lose its lead in the fight against corruption? The Conversation, <http://theconversation.com/will-brexit-britain-lose-its-lead-in-the-fight-against-corruption-72128>

5. Open contracting

Commitment Text: *To implement the Open Contracting Data Standard (OCDS) in the Crown Commercial Service's operations by October 2016; we will also begin applying this approach to major infrastructure projects, starting with High Speed Two, and rolling out OCDS across government thereafter.*

Objective: *To ensure citizens can see a clear public record of how government money is spent on public contracts and with what results.*

Status quo: *Civil Society tells us that we could open more relevant data, publish it more consistently and in formats that allow it to be more easily analysed. The challenges of working with current published data are a barrier to suppliers and businesses in deciding whether to bid for public sector business, and means third parties are less able to hold government to account for the way public money is spent.*

Ambition: *This policy will help to bring about a bold shift in the global default of public contracting and procurement from closed to open, supporting fair and effective contracting that will reduce fraud and corruption, save governments money and time, create more business opportunities for small and medium sized businesses, and empower civil society oversight and citizen engagement and innovation in service delivery. This represents a transformative commitment to transparency and we are the first G7 country to implement this.*

Milestone:

1. Open Contracting Data Standard to be implemented on Crown Commercial Service procurement

Responsible institution: Crown Commercial Service

Supporting institutions: All government departments, ARTICLE 19, CAFOD, Campaign for Freedom of Information, NCVO, Open Contracting Partnership, The Open Data Institute

Start date: May 2016

End date: June 2018

| Commitment Overview | Specificity | | | | OGP Value Relevance | | | | Potential Impact | | | | On Time? | Completion | | | |
|---------------------|-------------|-----|--------|------|-----------------------|---------------------|-----------------------|--|------------------|-------|----------|----------------|----------|-------------|---------|-------------|----------|
| | None | Low | Medium | High | Access to Information | Civic Participation | Public Accountability | Tech. and Innov. for Transparency and Accountability | None | Minor | Moderate | Transformative | | Not Started | Limited | Substantial | Complete |
| 5. Overall | | | | ✓ | ✓ | | | ✓ | | ✓ | | | No | | | | ✓ |

Context and Objectives

This commitment on Open Contracting links to earlier work in the UK's previous action plan towards opening up contracting, and a series of central and local government initiatives to make contracts more transparent over the past decade. Interviewed CSO representatives generally felt that the previous commitment was

vague and this new commitment offered a clearer set of objectives. The broader issue of the transparency of contracts was given a further boost in the May 2016 International Anti-Corruption Summit in London, where 14 countries agreed to champion the Open Contracting Data Standard.¹

Crown Commercial Service (CCS) is responsible for this commitment. CCS is an executive agency and trading fund.² The commitment involved re-platforming the current contract portal 'Contracts Finder' and implementing the OCDS standard.³ The aim of the commitment is to make contracting more transparent and open, thereby reducing the potential for corruption and increasing citizen control and oversight of procurement and public service delivery.

The commitment meets the OGP values of access to information and technology innovation, as it will provide more information and data than is currently available on the existing portal.

If delivered fully it would make numerous stages of the process more open, particularly on symbolic large-scale projects, such as the UK's HS 2 rail development (a high-speed rail link between London and the Northern England).

Completion

According to the December 2016 and July 2017 updates, the commitment is complete, albeit slightly delayed because of problems with some historical data on the site.⁴

The updated Contracts Finder is now available after a delay, with data available in the OCDS format. Data from Contracts Finder is available on data.gov.uk and APIs have been set up so the data from Contracts Finder can be queried.⁵ The IRM researcher found the site to be active and regularly updated:⁶ 'For HS2, October saw the end to the current manual data entry, replaced by automatic output of data to Contracts Finder'.⁷

In August 2017, the IRM researcher also found 250 separate contracts relating to the high-speed rail development. According the November 2017 update, Contract Finder had 76,466 visitors in October 2017, 784,7171 page views and approximately 100,000 email alert issues per week.⁸

Since January 2017, the CCS has also looked systematically at the outputs on the system and found issues with notices. Work is ongoing to merge the contracts data with other corporate identifiers so that users can match with published information on a company held by Companies House. The approach has been to 'get feedback and adapt as you go along' and to take an 'iterative approach'.⁹

The Open Contracting Partnership spoke of how 'Crown Commercial Service has taken on an ambitious and important task' with 'major progress...achieved to publish daily open data based on the Open Contracting Data Standard'.¹⁰ It continued 'while there is still work to be done to improve quality and completeness of information, the strong focus of the team on user needs, stakeholder engagement bodes well for 2017 and beyond'.¹¹

However, CSOs were disappointed at the commitment as a whole and felt it was obeying 'the letter' but not 'the spirit' of the reforms. CSOs hoped that the contracting data would link to the newly published Beneficial Ownership information on the Person with Significant Control register, although no specific milestone was given in the text and the government disagreed that this was an aim and did not feel that this had been expressed (see Commitment 1).¹² There was also a sense that there was a lack of Ministerial interest in the topic over the past year.

One important point to note is that the CCS established a small steering group, which included representatives of the Open Data Institute, service users, CSO groups and the Open Contracting Partnership. This group meets 3-4 times per year and provided important help and feedback.¹³

Early Results

Statistics from the website show the greater potential reach and scope of the contracts data: the government cites 85,000 notices on the Contract Finder site since February 2017, with 600,000-700,000 page views a month and 30,000 suppliers registered.¹⁴

Next Steps

The CCS itself suggested a series of next steps. They are keen to help create data for non-experts using the government data platform data.gov.uk and to take practical steps in doing more on data quality and ease of access e.g. download ability. CSOs hope to link the data to beneficial ownership could also be an important step forward.¹⁵

¹ Open Contracting Partnership 'Open contracting at the UK Anti-Corruption Summit: Reflections and where next?', <https://www.open-contracting.org/2016/05/23/open-contracting-uk-anti-corruption-summit-reflections-next/>

² Gov.uk 'Crown Commercial Service', <https://www.gov.uk/government/organisations/crown-commercial-service>

³ Gov.uk 'Contracts Finder' (government contracts portal 31 August 2017) and Open Contracting Partnership 'Open Contracting Data Standard: Documentation', <http://standard.open-contracting.org/latest/en/>

⁴ UK government 'OGP UK National Action Plan 2016/18 Commitment progress update', https://www.opengovpartnership.org/sites/default/files/UK_6-month-progress-update_20161213.pdf; Cabinet Office *Open Government National Action Plan 2016-18: July 2017 Commitment Progress Updates* (commitment update for July 2017) pre-publication passed to author

⁵ Gov.uk 'Contracts Finder', <https://www.contractsfinder.service.gov.uk/Search>

⁶ Gov.uk 'Contracts Finder', <https://www.contractsfinder.service.gov.uk/Notice/Summary>

⁷ Gov.uk 'Contracts Finder', <https://www.contractsfinder.service.gov.uk/Notice/Summary>

⁸ Cabinet Office (2017) *Open Government National Action Plan 2016-18: November 2017 Commitment Progress Updates*, <https://www.opengovernment.org.uk/resource/og-nap-2016-18-november-2017-commitment-progress-updates/>

⁹ Interview with Andrew Bowen, August 2017.

¹⁰ Cabinet Office 'Open Government Partnership National Action Plan 2016-18: Mid-term Self Assessment Report' (UK government report September 2017) passed to author pre-publication.

¹¹ Cabinet Office 'Open Government Partnership National Action Plan 2016-18: Mid-term Self Assessment Report' (UK government report September 2017) passed to author pre-publication.

¹² Interview with Tim Davies, Open Contracting Partnership, 4 September 2017; Companies House 'The New People with Significant Control Register', <https://companieshouse.blog.gov.uk/2016/04/13/the-new-people-with-significant-control-register/>

¹³ Interview with Tim Davies, Open Contracting Partnership, 4 September 2017; Interview with Andrew Bowen, CCS, August 2017.

¹⁴ Gov.uk 'Contracts Finder', <https://www.contractsfinder.service.gov.uk/Notice/Summary>

¹⁵ Interview with Tim Davies, Open Contracting Partnership, 4 September 2017.

6. Grants data

Commitment Text: *Government plans to collect more granular data on grant making. This will be in line with the 360 Giving Standard. In addition, the Grants Efficiency Programme in the Cabinet Office will publish more granular level data on Government Grants Expenditure at a scheme and award level. The quantity and type of data provided publicly will be determined following consultation and agreement with the data providers.*

Objective: *Increased release of information about government grant making as open, machine-readable data.*

Status quo: *The government's Grant Register was first published in January 2015 showing detail on government grants schemes for the 2013-14 financial year. The latest version of the register was published in February 2016 with information for the 2014-15 financial year. Collected by the Grants Efficiency Programme in Cabinet Office, the register includes the value of grant schemes and the type and number of recipients. While it is not fully comprehensive, and some of the information is estimated, the Grants Register provides a useful overview of the majority of government grants.*

The recently launched Government Grants Information System (GGIS) has been developed to enable recording of grant information across government in a simple, standardised and scalable way. It improves transparency and provides insight into grant spend enabling departments to manage grants efficiently and effectively, while actively reducing the risk of fraud.

Access to the GGIS is limited to grant giving departments, and associated arm's length bodies that give out grants on behalf of government. It is not open to the public.

Ambition: *At present, we are concentrating on collecting and sharing the scheme and award level data internally across government via the GGIS and working with departments to improve the quality and quantity of that data.*

Going forward, and in line with the transparency agenda, we plan to make that data available publicly via the Grants Register to improve availability of information. The quantity and the type of data provided will be dependent on agreements with the data owners, i.e. government departments.

Milestones

- 1. Collate granular level data on grant schemes and grant awards on the GGIS (New May 2016- March 2017)*
- 2. Publish more granular data sourced from the GGIS on grant schemes and grant awards (the quantity and the type of data provided will be dependent on agreements with the data owners, i.e. government departments) (May 2017 March 2018)*

Responsible institution: Cabinet Office

Supporting institutions: All grant giving departments, 360Giving, NCVO, The Open Data Institute

Start date: May 2016

End date: March 2018

Commitment
Overview

Specificity

OGP Value Relevance

Potential Impact

On
Time?

Completion

| | None | Low | Medium | High | Access to Information | Civic Participation | Public Accountability | Tech. and Innov. for Transparency and Accountability | None | Minor | Moderate | Transformative | | Not Started | Limited | Substantial | Complete |
|------------|------|-----|--------|------|-----------------------|---------------------|-----------------------|--|------|-------|----------|----------------|----|-------------|---------|-------------|----------|
| 6. Overall | | | ✓ | | ✓ | | | | | | ✓ | | No | | ✓ | | |

Context and Objectives

While the government holds data on the grants it makes to various organisations, access to these grants is currently restricted to government officials. The UK government began to open up its data around grant payments when it first published its grants register in 2015, a list of schemes involving grants run by government.¹

The new commitment aims to publish data at a more granular level. It is based on the 360Giving Standard, which aims to offer an open, simple and comprehensive way of publishing grants data.² The standard is a set of fields and definitions to help organisations describe and format their grant making in a consistent way and aims to provide a common way to share transparent and interoperable information on grant making.³ It supports the OGP values on access to information as it provides greater access to more data than before.

The importance of the commitment lies in the fact that, according to 360Giving, the UK government is the largest grant-making body in the country, accounting for more than 50 percent of all grants given.⁴ In 2014, the National Audit Office estimated that government grants made up 41 percent (or £292 billion) of its own expenditure, and was given to 850,000 recipients including charities, companies and others.⁵

For 360Giving the crucial aspect is that data is published down to the award level (the level or specific amount of each grant) as this would tell us 'how much, where, who to (charity or company number)'.⁶ Otherwise it would be impossible to have any accountability, as users could not follow the money.⁷ Its importance was underlined with the controversy over the Kids Company charity, which received £46 million in government grants despite serious concerns of misconduct from 2015 onwards.⁸

The aims are high in specificity, as the 360 standard is clear in what is required, though there is less detail in terms of which departments will publish what data and when. It is also vague on how this would be done as 'the quantity and the type of data provided will be dependent on agreements with the data owners, i.e. government departments'. There was some confusion regarding the exact level of data to be published as part of the commitment.⁹ If fully implemented, the commitment will allow data on grants given by government to be compared openly and easily, and analysed across sources down to the level of the individual grant.¹⁰

Completion

According to the government's July 2017 update, considerable progress has been made in implementing this commitment: 'Since the system's launch in 2016, we have been working with departments to upload more granular level data to the GGIS, and to close any gaps which exist between scheme and award level data, the focus is currently on 2016/17.'¹¹

The first milestone has taken place with discussion and gathering of data with various stakeholders. CSOs praised the collaboration that took place, with officials

learning and sharing with CSO members, and stressed the importance of individual relations between officials and civil society.¹²

The second milestone appears to be on schedule. Departments were due to publish data in September 2017. According to the government, data for 2015-16 and 2016-17 were to be published at scheme level for all departments with two volunteer departments due to publish at granular level. After the close of the evaluation period for this report, the government published, for the first time, data on the Government Grants Information System (GGIS). In October 2017, the Department of Transport and Department of Justice both published data under the 360Giving Standard.¹³ The government is now moving towards more departments publishing at granular level in September 2018, outside the action plan timeline.¹⁴ This progress will be further assessed in the IRM's end of term report.

As 360Giving pointed out, the commitment is a large undertaking, asking for data across 17 government departments, and the data from certain departments may not have as good as the data from others.¹⁵ Some departments have struggled, but CSOs hope that the 'big grant givers' release of data (the Ministry of Justice and Ministry of Transport) can then encourage others.¹⁶ They hope more data will come later but are concerned as to whether a sticking point may be the publication of award-level data.¹⁷ In some sense, it was the type of data published that made the difference as it must be useful and used in an open and useful format to make the process about openness rather than just a 'transparency exercise'.¹⁸

Next Steps

The IRM researcher recommends that the government continue working towards publishing granular level data. It should also develop visualisation tools and a dashboard to allow the public to 'follow the money' of grant-giving data more easily, perhaps working towards a grant-giving equivalent of the USA spending tracker.¹⁹

¹ Gov.uk 'Transparency data: Government grants register',

<https://www.gov.uk/government/publications/government-grants-register>

² 360Giving 'The 360Giving Standard', <http://standard.threesixtygiving.org/en/latest/#>

³ FAQ number 2 here 360Giving 'FAQs', <http://www.threesixtygiving.org/about/faq/>

⁴ Interview with Rachel Rank, 360 Giving, 13 August 2017.

⁵ National Audit Office 'Government Grant services', <https://www.nao.org.uk/report/government-grant-services-2/>

⁶ Interview with Rachel Rank, 360Giving, 13 August 2017.

⁷ Interview with Rachel Rank, 360Giving, 13 August 2017.

⁸ National Audit Office *Investigation: the Government's Funding of Kids Company*, <https://www.nao.org.uk/report/investigation-the-governments-funding-of-kids-company/>

⁹ Meeting between CSO and government, telephone conference call, July 2017.

¹⁰ Community-level funding for deprived area in the UK, 360Giving 'Dive into data reveals government hit grantmaking bullseye with Community First Fund', <http://www.threesixtygiving.org/2017/05/16/dive-into-data-reveals-government-hit-grantmaking-bullseye-with-community-first-fund/>

¹¹ Cabinet Office, *Open Government National Action Plan 2016-18: July 2017 Commitment Progress Updates* (commitment update for July 2017) pre-publication passed to author.

¹² Interview with Rachel Rank, 360Giving, 13 August 2017.

¹³ Cabinet Office (2017) 'Press release: Government releases £100bn of grant data in push for greater efficiency and transparency', <https://www.gov.uk/government/news/government-releases-100bn-of-grant-data-in-push-for-greater-efficiency-and-transparency>

¹⁴ Interview with Wasim Akhtar, Cabinet Office, 14 September 2017.

¹⁵ Interview with Rachel Rank, 360Giving, August 2017.

¹⁶ Interview with Rachel Rank, 360Giving, August 2017.

¹⁷ Interview with Rachel Rank, 360Giving, August 2017.

¹⁸ Interview with Rachel Rank, 360Giving, August 2017.

¹⁹ USSpending.gov 'What is USA Spending.Gov?', <https://www.usaspending.gov/Pages/Default.aspx>

7. Elections data

Commitment Text: *Working with interested parties from government, Parliament and civil society, we will develop a common data standard for reporting election results in the UK faster and more efficiently, and develop a plan to support electoral administrators to voluntarily adopt the standard.*

Objective: *To simplify and improve how the UK collects and publishes election data to enable greater use and reuse of structured information by government and civil society.*

Status quo: *Currently, there is no standard data structure for reporting election results. This means that to aggregate election results requires obtaining non-uniform, often unstructured data from each publishing authority - this is a highly resource intensive process. Local authority returning officers currently have a statutory duty to publish local and national elections on local authority websites. This activity currently takes place in a piecemeal way from one organisation to another with no official guidance or common practice to publish such data in any particular style, format or web location. The Electoral Commission guides that administrators must give public notice of the name of each candidate elected and of the total number of votes given for each candidate (whether elected or not), together with the number of rejected ballot papers as shown in the statement of rejected ballot papers.*

Whilst this approach allows scrutiny and review at the individual organisational level, much manual effort is required in finding the local published webpages and then to collate data from every publishing source to create a national overview. The current practice is difficult, labour intensive, time consuming and often error prone. Substantial savings, better data discovery and data reuse is possible if electoral administration departments can be encouraged to publish their data to a simple consistent form which can be read by humans and machines.

Ambition: *The vision is to work with all interested parties to agree a simple, minimum burden process and data standard to introduce consistency of data availability across the local government sector. Publishing election results in a consistent way will assist those who need to quickly understand the political landscape after an election and encourages other third parties to develop apps and other analysis services to help to inform the public faster about the overarching outcome from elections. It will also promote wider engagement and outreach with innovative application development and scrutiny by the electorate. It is our aim that by 2020, all election results will be reported digitally using a standard, machine readable and open standard.*

Milestones:

1. *Develop a draft schema and publishing process for consideration, refinement and agreement by interested parties - particularly data publishers, election management system (EMS) suppliers, data consumers*
2. *Use the draft data standard for real by gathering local elections results as they are announced*
3. *Develop guidance materials and a support programme to assist Election Services Departments to participate*
4. *Data consumer groups to trial early use of the standard - even to the extent of manually re-working published data into the standard themselves to demonstrate benefits*
5. *Adoption by the suppliers of EMS systems to provide auto-extraction of local election content into the standard format*

6. *Develop online data search, validation, harvesting and aggregation tools to assemble local data into combined regional and national elections results register*
7. *Encourage an initial pilot of local authorities to trial data output in the standard form - using May 2016 local election results. Aim for 20-30 participants*
8. *Encourage wider take up of the process in the 2017 local elections. Aim for 100-120 participants*

Responsible institution: Local Government Association (LGA)

Supporting institutions: Ministry for Housing, Communities and Local Government, Cabinet Office, Government Digital Service, Electoral Commission, Association of Electoral Administrators, House of Commons Information Services, Plymouth University Elections Centre, Democracy Club, Democratic Audit, Democratise, LGiU, mySociety, The Open Data Institute, suppliers of the key electoral management systems (EMS).

Start date: May 2016

End date: June 2018

| Commitment Overview | Specificity | | | | OGP Value Relevance | | | | Potential Impact | | | | On Time? | Completion | | | |
|--|-------------|-----|--------|------|-----------------------|---------------------|-----------------------|--|------------------|-------|----------|----------------|----------|-------------|---------|-------------|----------|
| | None | Low | Medium | High | Access to Information | Civic Participation | Public Accountability | Tech. and Innov. for Transparency and Accountability | None | Minor | Moderate | Transformative | | Not Started | Limited | Substantial | Complete |
| 7. Overall | | | | ✓ | ✓ | ✓ | | ✓ | | | ✓ | | No | | ✓ | | |
| 7.1. –7.6. Develop draft schema and publishing process | | | | ✓ | ✓ | | | ✓ | | ✓ | | | No | | | | ✓ |
| 7.7. Initial Pilot | | | | ✓ | | ✓ | | | | ✓ | | | No | | ✓ | | |
| 7.8. Wider participation during 2017 election | | | | ✓ | ✓ | ✓ | | ✓ | | | ✓ | | No | ✓ | | | |

Context and Objectives

Election data laws are outdated and there is no consistent or common approach to collecting election data, especially at the local level. This makes gathering results a slow process, and it can take 2-3 weeks to know the outcome of individual elections. Results are also difficult to compare or analyse.

Currently, laws governing elections in the UK ask only that notices of results be placed in a public place. This means that election results are placed online in various

forms (as PDFs or scanned images) and there is no consistent means of publishing them.¹ Despite the claim of the commitment, at present the publication of local election results online is not mandated in law.²

In terms of analysis of results, it also makes it difficult to aggregate or compare across regions or areas, making it difficult to know quickly which political parties control a council or who won an election.³ While national elections are relatively well analysed, results are inconsistent and slow for local elections (at the parish, district or county council, as well as for mayoral and police commissioner elections).⁴ This means, as one campaigner put it in 2010, that:

...no freely available database of local election results exists. This is because the data required to compile it is located in different sections of hundreds of different council websites. The information is presented in many different formats and many ways.⁵

Bringing together election results has been tried over four times in the past seven years, beginning with a series of experiments in 2010.⁶ As of 2015, the Open Data Institute argued that there were problems obtaining comparable open data on elections or even finding out the location of polling stations, and called for an incorporated transparency code to be used across elections.⁷

In 2016, a group of CSOs decided to push for data with #outfortheaccount, a crowdsourcing of local election results in May 2016 that pooled the details of 13,068 local election candidates collected by volunteers. This exercise exposed the lack of nationwide knowledge as to what elections were happening and where, and the CSOs called for a common set of consistent data on elections and related information and experimented with a crowdsourced database.⁸

Although the commitment's activities are not individually ambitious, the overall aim of the commitment is a significant step forward, considering the ongoing issues surrounding election data. In line with OGP values, the publication of data on local elections would give the public greater access to information on the performance of public bodies. It is also relevant to technology and innovation and civic participation as it involves 'information sharing, public participation, and collaboration. The commitment's design clearly sets a baseline for the status quo and the targets for individual milestones.

Completion

This commitment began as a reform in 2015 by the Local Government Association, a body that acts as the voice of local government in the UK. In some senses, the commitment appears simple, as local councils are already collecting basic elections data.⁹

However, the commitment is more complex because it involves working with diverse groups including local authorities, CSOs, representative bodies such as the Association of Electoral Administrators (who represent the individuals who run election counts), the Society of Local Authority Chief Executives (SOLACE) that represents the returning officers and the four companies providing the software for election data management and processes (EMS). The process can be politically sensitive, with several different interests, while severe cuts to local government budgets have limited resources.¹⁰ It should be noted that the final aim of common standards for election reporting falls outside the OGP timeline in 2020.

The commitment is behind schedule. There has been progress with milestones 1 and 4. Two rounds of consultations led to an agreed common standard, based on data that is already collected.¹¹ The different bodies broadly agreed on an approach of publishing that already exists. Guidance documents and e-education work has also

been done.¹² Milestone 4 has been delayed as only two case study local authorities (Leeds City Council and Sedgemoor) had manually ordered the data as a showcase.¹³ The project team at the LGA also manually created and published several other sample data sets itself and made them available for early access and use. According to the government self-assessment, 'no councils are able to prepare sample manual data pending a decision on whether this initiative will progress to production status' but 'the LGA is investigating if sample data can be acquired from a few local authorities'.¹⁴

The most recent open consultation of the proposed standard during 2017 included review by the Cabinet Office Open Standards Body and drew additional wide ranging comments from open data experts on GitHub. In November 2017, the Cabinet Office confirmed that the standard was appropriate and approved its entry into the H.M. Government catalogue of open data standards.

The constant change due to staggered elections in local government has caused some delay, as agreements and new relations needed to be built and re-built if/when new parties came into power. The General Election of June 2017 also slowed the process.¹⁵ Since October 2016 the commitment has 'stalled'. The delay is centred on the need for the 'EMS systems to provide auto-export facility of local election content into the standard format',¹⁶ meaning payments to the four EMS to provide a button to output data according to the standard. Otherwise the commitment is 'ready to go'. As of March 2018, (outside of the time period covered in this report) EMS supplier Democracy Counts confirmed that they plan to implement the new standard into their system at their own cost.¹⁷ According to the government self-assessment the EMS providers

...have indicated an expectation that funding will be necessary to commission their development resources. This funding source has not been identified. The status of this section is recorded as "behind schedule" as we are currently unable to proceed until a funding source is identified.¹⁸

Both the Cabinet Office and LGA are looking into funding.¹⁹ There was frustration from across the CSOs and bodies involved that the commitment had halted for more than a year after such hard work and agreement.²⁰

Early Results

The agreement on data offers a clear way forward and important progress on previous attempts, as an agreed code and scheme now exists with support from all parties. So far, the only result is from eight councils, who turned their data by hand into a form in line with the Common Data Standard. This has demonstrated that election data could be created in this way and the automatic data validator facility, the auto discovery facility and the aggregator into a single national file provided by the LGA works most effectively.

Next Steps

The IRM researcher recommends the central government prioritise this commitment and play a strong role in emphasising the importance of making elections more transparent. It should be taken forward and resources made available to complete the process in what is a vital democratic area. There should be a series of trials for local elections as soon as possible to show that the approach works and to test it - perhaps, as Ingrid Koehler of LGIU recommended, across the 32 London authorities or one chosen region.²¹

In 2017, the Association of Electoral Administrators warned of the intense pressure on those working on elections, especially given the snap General Election in June

2017.²² Future reforms and change should take a wider view of how the commitment can help ease the pressure on resources and staff.

¹ Interview with Tim Adams, Local Government Association, August 2017.

² Interview with Tim Adams, Local Government Association, 16 August 2017; Interview with Ingrid Koehler, LGIU, 2 August 2017.

³ Interview with Tim Adams, Local Government Association, 16 August 2017; Interview with Ingrid Koehler, LGIU, 2 August 2017.

⁴ In the UK, local government is divided into parish (village level), district (town or sub-regional), and county council (regional), with other elections for local elected mayors across 25 areas and 31 elected police commissioners – Gov.uk ‘Understand how your council works’, <https://www.gov.uk/understand-how-your-council-works>

⁵ Local Data Panel ‘Publishing Local Open Data - Important Lessons from the Open Election Data project’, <https://data.blog.gov.uk/2010/06/25/publishing-local-open-data-important-lessons-from-the-open-election-data-project/>

⁶ Local Data Panel ‘Publishing Local Open Data - Important Lessons from the Open Election Data project’, <https://data.blog.gov.uk/2010/06/25/publishing-local-open-data-important-lessons-from-the-open-election-data-project/>

⁷ Jeni Tennison ‘A truly open general election? Not quite’, <https://theodi.org/blog/a-truly-open-general-election-not-quite>

⁸ Democracy Club ‘Towards better elections’, https://democracyclub.org.uk/report_2016/

⁹ Interview with Ingrid Koehler, LGIU, 2 August 2017.

¹⁰ Interview with Tim Adams, Local Government Association, 16 August 2017.

¹¹ Tim Adams ‘Consultation No1: Summary of key contributions to the Elections Schema consultation’, <http://e-sd.org/fmcAY>, and Tim Adams, Consultation No2: Summary of key contributions to the Elections Schema consultation, <http://e-sd.org/Rsr9V>

¹² Local Government Association, ‘Local transparency guidance – publishing election results data’, <http://e-sd.org/vqTJ3>; and eLearning modules, Local Government Association ‘Making publishing work for you’, <http://e-sd.org/zDlmh>

¹³ Interview with Tim Adams, Local Government Association, August 2017, and data, <https://aql.datapress.com/leeds/dataset/election-results-local/2016-06-01T15:41:51/Elections.csv> (note the connection is not secure)

¹⁴ Cabinet Office ‘Open Government Partnership National Action Plan 2016-18: Mid-term Self-Assessment Report’ (UK government report September 2017) passed to author pre-publication.

¹⁵ Interview with Ingrid Koehler, LGIU, 2 August 2017.

¹⁶ Cabinet Office *Open Government National Action Plan 2016-18: July 2017 Commitment Progress Updates* (commitment update for July 2017) pre-publication passed to author:

Interview with Tim Adams, Local Government Association, 16 August 2017.

¹⁷ Interview with Tim Adams, Local Government Association, 16 August 2017.

¹⁸ Cabinet Office ‘Open Government Partnership National Action Plan 2016-18: Mid-term Self-Assessment Report’ (UK government report September 2017) passed to author pre-publication.

¹⁹ Cabinet Office ‘Open Government Partnership National Action Plan 2016-18: Mid-term Self-Assessment Report’ (UK government report September 2017) passed to author pre-publication.

²⁰ Interview with Tim Adams, Local Government Association, 16 August 2017; Interview with Ingrid Koehler, LGIU, 2 August 2017.

²¹ Interview with Ingrid Koehler, LGIU, 2 August 2017.

²² Association of Electoral Administrators, ‘It’s time for urgent and positive Government action’, <https://www.aea-elections.co.uk/wp-content/uploads/2017/09/aea-post-election-report-mayjune-2017.pdf>

8. Enhanced transparency requirements and revised Freedom of Information Act Code of Practice

Commitment Text: *To increase transparency and improve the operation of the Freedom of Information (FOI) Act in the public interest.*

Objective: *To enhance proactive transparency by making more information available in a more consistent way across the public sector; and to promote the effective operation of the FOI Act in the public interest by updating and expanding the Code of Practice.*

Status quo: *Public authorities are already required to publish a wide range of information proactively. The Independent Commission on Freedom of Information (the Commission) recognised that advances have been made, with specific reference to senior pay and benefits.*

The Commission also commented on the publication of FOI performance statistics by a range of public authorities, including central government. However, the Commission highlighted a lack of consistency. It noted a lack of reliable FOI performance data across the public sector as a whole.

It also noted that while senior pay is published, details of expenses and benefits in kind are frequently not made available proactively. Further action is required to ensure enhanced and consistent standards of openness in these areas.

The Commission also highlighted the need to review and update the Code of Practice issued under section 45 of the FOI Act. This allows the government to set out the practice that it considers desirable for public authorities to follow in meeting their FOI obligations. The Code of Practice was issued over a decade ago in November 2004, shortly before the FOI Act was introduced, and has not been updated since to reflect developments in best practice and case law.

The recent report by the Commission recommended that:

“The government reviews section 45 of the Act to ensure that the range of issues on which guidance can be offered to public authorities under the Code is adequate.

“The government should also review and update the Code to take account of the ten years of operation of the Act’s information access scheme.”

Ambition: *We are committed to making government more transparent, so taxpayers can hold it to account both on how money is being spent and how decisions are made. This commitment will implement proposals in the Commission’s report. It will improve and increase the range of information available to the public without having to make requests for it and will improve the operation of the Act.*

Further steps will be taken to ensure transparency on issues such as FOI performance and senior pay and benefits across the whole public sector. The public should not have to resort to making FOI requests to obtain it. We intend to issue guidance to public authorities to set a higher standard for the publication of senior level pay and benefits by summer 2016. We will also issue guidance in the revised Section 45 Code of Practice to set a standard that, public authorities with 100 full time equivalent employees or more should publish statistics on their FOI performance, to better hold public authorities to account.

A revised Code of Practice will ensure the range of issues on which guidance can be offered to public authorities is sufficient and up to date. Public authorities should have sufficient guidance to properly manage information access requests in order to protect the right of access to information the FOI Act provides. We aim to consult on and issue a new Code of Practice by the end of 2016.

Milestones

1. Enhanced transparency measures, including statistics on the operation of the FOI Act and data about senior pay and benefits (July 2016- December 2016)
2. Consult on and issue new FOI Code of Practice (July 2016- December 2016)

Responsible institution: Cabinet Office

Supporting institutions: 360Giving, ARTICLE 19, Campaign for Freedom of Information, mySociety, The Open Data Institute, Transparency International UK

Start date: July 2016

End date: December 2016

| Commitment Overview | Specificity | | | | OGP Value Relevance | | | | Potential Impact | | | | On Time? | Completion | | | |
|---------------------|-------------|-----|--------|------|-----------------------|---------------------|-----------------------|--|------------------|-------|----------|----------------|----------|-------------|---------|-------------|----------|
| | None | Low | Medium | High | Access to Information | Civic Participation | Public Accountability | Tech. and Innov. for Transparency and Accountability | None | Minor | Moderate | Transformative | | Not Started | Limited | Substantial | Complete |
| 8. Overall | | | | ✓ | ✓ | ✓ | | | | ✓ | | | No | | ✓ | | |

Context and Objectives

The commitment concerns the updating of the UK's Freedom of Information (FOI) Act 2000, especially the section 45 code of practice that sets guidance on the law which has not been updated since the Act came into force in 2005.¹ The commitment comes at a time of concern over FOI and government openness. Recent assessment by the Institute for Government found that FOI requests were being refused more often than in the past: 54 percent were refused in 2017, up from 34 percent in 2010.² Previous research found that between 2010 and 2017 fewer FOI requests and open data publications were being released, from 37 percent of requests fully withheld in 2010, to 52 percent in 2017.³

The commitment is rooted in a Supreme Court judgement from March 2015 on the government's veto power, and a subsequent review of the FOI law by the independent Burn's Commission in 2015-2016. Both the judgement, that restricted the government's ultimate power to stop FOI releases, and the review, seen as an attempt to weaken the UK's FOI law, caused considerable controversy.⁴ After a long inquiry and criticism from media and civil society, the Burn's Commission concluded that 'the Act is generally working well... It has enhanced openness and transparency... there is no evidence that the Act needs to be radically altered, or that the right of access to information needs to be restricted'.⁵ In March 2016, in response to the Burn's Commission, the government declared that the Act needed updating: "The Freedom of Information Act is one of the pillars on which open government operates. We are committed to supporting the Act. Yet after more than a decade in operation, it is appropriate to review, in the whole, how it has operated in practice, and establish how its mechanisms could be improved."⁶

The government committed to the Commission's recommendations to 'review the operation of section 45 of the Act to ensure that the range of issues on which

guidance can be offered to public authorities under the Code of Practice is sufficient and up to date'. This included dealing more clearly with the issue of vexatious requests and making clearer in what circumstances a public authority could reject a request on the grounds it may, for example, be in some way burdensome.⁷ The government also agreed to a series of other recommendations, including:

- Greater pro-active publication of salaries; and
- Publication of more statistics on FOI performance for bodies with more than 100 employees.⁸

The guidance would make for more consistent statistics on FOI across the UK (rather than the limited monitored bodies that publish statistics at present). It would also limit the time allowed for extensions of the 20-day FOI period and bring about more pro-active publication of salary details for senior board level and equivalents - though what this means may vary. The S.14 explanation would make clear when the 'vexatious' requests section can and should be used. The government argues that this fits with a more proactive publication of data.⁹

The new code, according to the government, would become a helpful guide, especially to organisations with less experience of dealing with FOI, and is intended to be a supplement to the regular guidance published by the Information Commissioner.¹⁰ The commitment fits with the access to information value, as it will open up more data to public scrutiny, including meta-data on performance of public bodies that the public can use to hold those bodies accountable for how they perform. It is also relevant to civic participation as it includes consultations for the new FOI code of practice. The commitment is high specificity with a clear set of recommendations from the independent review.

If fully implemented, the commitment would update the operation of the FOI code and strengthen understanding of it and extend some forms of publication. It would also clear up one severe cause of delay - namely that public bodies could indefinitely extend the 20-day turnaround period for a request.¹¹

Completion

The Code was published but was 16 months behind schedule. The delay may be in part because of the Brexit referendum and subsequent change of government and General Election. However, the government also argued that the drafting took longer than expected and, though there were no particular obstacles, it took time to get the different parts of the code right, especially as the government 'wanted something as comprehensive as possible'.¹²

CSOs felt that the delay on FOI showed the law was not a priority. Some of the recommendations would be downgraded from what the inquiry called for, as some of the original ones required primary legislation (notably the amended section 77 on destruction of documents), while other recommendations were not included (such as the publication of requests and answers by any public body with more than 100 people or 20-day limit on internal reviews).¹³

The IRM researcher recognises the reasons for delay over some complex legal areas. However, the IRM researcher is concerned that the lack of progress is also due to a lack of political enthusiasm at high levels. As well as the research showing that governments since 2010 have become less open, the possibility of charging for second-level appeals and proposed limits on healthcare safety, though neither will happen now, are further signs of the government's attitude towards FOI.¹⁴

Early Results

The government published its consultation document on 15 November 2017, with the consultation open until 2 February 2018.¹⁵ The new code is intended to bring up-to-date the UK Freedom of Information (FOI) Act 2000. The consultation document features a series of recommendations on how to reboot and upgrade FOI in several areas, from defining a request to trying to clarify the issue of vexatious requests. It also includes proposals that all bodies with more than 100 staff should publish statistics on the number of requests and the percentage released or withheld, and the proposal to publish all pay details of salaries of more than £90,000, as well as hospitality and expenses.

Though delayed, the new proposals have been welcomed. UK ATI expert and practitioner 'FOI man' spoke of how it was, overall, a welcome move and would work as a practical guide for public authorities on fulfilling their FOI obligations, and addresses many of the crucial questions that arise for practitioners.¹⁶ However, there was also concern from the UK Campaign for Freedom of Information that it is 'weaker in key respects than the 2004 version of the code', and the effect is to 'limit rather than extend the spread of good practice'.¹⁷

Next Steps

The IRM researcher recommends that the Code of Practice be updated and Burn's recommendation be implemented as soon as possible.

¹ Department for Constitutional Affairs, Guidance: Code of practice on the discharge of public authorities functions under part 1 of the Freedom of Information Act 2000, <https://www.gov.uk/government/publications/code-of-practice-on-the-discharge-of-public-authorities-functions-under-part-1-of-the-freedom-of-information-act-2000>

² Aron Cheung, 'Freedom of Information: Secrecy continues at DExEU and Cabinet Office' (think tank website 21 September 2017):

³ Institute for Government, 'Whitehall Monitor 2017: Communicating Transparently', <https://www.instituteforgovernment.org.uk/publication/whitehall-monitor-2017/communicating-transparently>, and 'Whitehall Monitor 2018: Communicating Transparently' <https://www.instituteforgovernment.org.uk/publication/whitehall-monitor-2018/communication-and-transparency>

⁴ For an overview of the law, Worthy, Ben and Hazell, Robert, 'Disruptive, Dynamic and Democratic? Ten Years of Freedom of Information in the UK' (academic article for Parliamentary Affairs, December 28, 2015), <https://ssrn.com/abstract=2708768>

⁵ Independent Commission on Freedom of Information *Independent Commission on Freedom of Information Report*, https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/504139/Independent_Freedom_of_Information_Commission_Report.pdf

⁶ Cabinet Office, 'Written statement to Parliament: Open and transparent government', <https://www.gov.uk/government/speeches/open-and-transparent-government>

⁷ FOI man, 'The Exemption Index: Section 14 – Vexatious requests', <https://www.foiman.com/archives/767>

⁸ Independent Commission on Freedom of Information *Independent Commission on Freedom of Information Report*, https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/504139/Independent_Freedom_of_Information_Commission_Report.pdf, and Cabinet Office, 'Written statement to Parliament: Open and transparent government', <https://www.gov.uk/government/speeches/open-and-transparent-government>

⁹ Interview with Rachel Anderson, Head of FOI, Cabinet Office, 13 September 2017.

¹⁰ Interview with Rachel Anderson, Head of FOI, Cabinet Office, 13 September 2017.

¹¹ Interview with Maurice Frankel, Director of the Campaign for Freedom of Information, 26 September 2017.

¹² Rachel Anderson, Head of FOI, Cabinet Office, 13 September 2017.

¹³ Email exchange with Maurice Frankel, Director of the Campaign for Freedom of Information; Interview with Maurice Frankel, Director of the Campaign for Freedom of Information, 26 September 2017.

¹⁴ CFI 'Queens Speech proposals Will Lead To Unnecessary Secrecy,) <https://www.cfoi.org.uk/2017/06/queens-speech-proposals-will-lead-to-unnecessary-increase-in-nhs-secrecy/>

¹⁵ Cabinet Office (2017), *Revised Freedom of Information Code of Practice*. Cabinet Office: London, <https://www.gov.uk/government/consultations/revised-freedom-of-information-code-of-practice>

¹⁶ FOI Man (2017), 'A New Code For Christmas' (20/ 11/2017), <https://www.foiman.com/archives/2793>

¹⁷ CFI (2018), Revised Freedom of Information Code of Practice,
<https://www.cfi.org.uk/2018/02/revised-freedom-of-information-code-of-practice/>

9. Identifying and publishing core data assets

Commitment Text: *We will create a high quality national information infrastructure, making government data more secure and easier to find, store and access.*

Objective: *To refine our national information infrastructure in order to support publishing and ensure data is good enough for people and organisations in all sectors of the economy and society to use and build on; this includes exploring options for the creation of an open address register.*

Status quo: *Our data.gov.uk portal has been instrumental in enabling the UK government to open up over 27,000 datasets since its launch in 2010. However, despite considerable recent progress, government data can still be difficult to find and use.*

Too much government data is still held in organisational silos, which are costly and inefficient to maintain. The data we currently make available openly does not always meet users' needs in terms of format, quality and timeliness. At the same time, data publishing processes across government do not fit a standard model. They are not always automated or embedded in 'business as usual', which can mean there is sometimes duplication and overlap in the data government holds.

We want to unlock the power of data to transform public services, drive greater transparency and innovation, and empower civil society. To do this we need to continue to develop our national information infrastructure so that it is as helpful as it can be for all data users.

Ambition: *To refine our national information infrastructure in order to support publishing and ensure data is good enough for people and organisations in all sectors of the economy and society to use and build on; this includes exploring options for the creation of an open address register.*

We need to continue to establish the infrastructure to make finding and accessing good quality data as frictionless as possible. To improve the quality of government data, we need to improve data collection. Within the public sector we need to make more data more easily queried through APIs, while still supporting bulk downloads. This will benefit digital services and improve operational and policy decision-making. Increasingly this will mean those holding data acting as custodians for that data. It will increasingly mean creating open registers, with custodians who understand the importance of their role and the rules under which they should operate.

We are committed to reviewing our existing open data infrastructure to ensure it is fit for the purpose of enabling citizens, businesses and the public sector to locate and access high-quality open data assets from across government. So we will engage with data users and refresh our existing open data architecture to ensure it meets user needs going forward.

We also need to ensure that core reference data is increasingly open and available without friction. This will include exploring options to create an open and freely available national address register, and ensuring the continued and improved availability of high-quality open data following any potential changes in the ownership of public data-holding bodies. An effective infrastructure requires metadata, standardised approaches for accessing data, appropriate institutional arrangements, skills, formalised obligations and effective co-ordination.

Milestones:

1. *Create a register of the fields used within canonical registers to ensure consistency of nomenclature*

2. *Create a linked ecosystem of trusted, resilient and accessible canonical data stores (known as registers), starting with data categories for which the user need is greatest (countries, local authorities, schools and companies) and implementing these during the period of this action plan*
3. *Through a technical working group, adopt existing and define and agree new common and, where possible, open data standards and approaches based on user needs*
4. *Explore options for the creation of an open address register underpinned by an open and authoritative identifier to enable anyone to cite or find a property or premises in the UK*
5. *Develop a better understanding of the data discovery needs of internal and external users of government data, to evolve data.gov.uk and inform the development of data discovery tools and services, with refreshed tools implemented during the period of this action plan*
6. *Report on the effects on the UK data infrastructure of any actions to change the ownership or contract out the operation of key public registers*

Responsible institution: Cabinet Office (Government Digital Service)

Supporting institutions: All government departments, mySociety, The Open Data Institute

Start date: May 2016

End date: June 2018

| Commitment Overview | Specificity | | | | OGP Value Relevance | | | | Potential Impact | | | | On Time? | Completion | | | |
|--|-------------|-----|--------|------|-----------------------|---------------------|-----------------------|--|------------------|-------|----------|----------------|----------|-------------|---------|-------------|----------|
| | None | Low | Medium | High | Access to Information | Civic Participation | Public Accountability | Tech. and Innov. for Transparency and Accountability | None | Minor | Moderate | Transformative | | Not Started | Limited | Substantial | Complete |
| 9. Overall | | | | ✓ | ✓ | ✓ | | ✓ | | | ✓ | | Yes | | ✓ | | |
| 9.1. Create register | | | | ✓ | ✓ | | | ✓ | | ✓ | | | Yes | | ✓ | | |
| 9.2. Canonical data stores ecosystem | | | | ✓ | ✓ | ✓ | | | | | ✓ | | Yes | ✓ | | | |
| 9.3. Technical group agrees on data standards | | | | ✓ | ✓ | ✓ | | | | ✓ | | | Yes | | | ✓ | |
| 9.4. Explore options for open address register | | | | ✓ | ✓ | | | ✓ | | ✓ | | | Yes | | ✓ | | |
| 9.5. Understand | | | | ✓ | ✓ | | | ✓ | | ✓ | | | Yes | | | ✓ | |

The sixth milestone concerns the data infrastructure. Though the language is of a report, it is not intended that any formal report be made.¹⁰ The commitment appears to be more of a continued awareness of any potential political changes, especially privatisation that could remove bodies or data from public ownership or complicate access. This stems from concerns in the past when it was suggested the UK Land Registry would in some way be partially privatised and data ownership would be effectively privatised or commercialised with it.¹¹

According to the government, generally progress has been good, though the backroom nature of some of it made it hard for CSOs to judge. The government pointed out that some departments were open to the new ideas and others less so.¹² There was varied digital awareness and understanding of the importance of good data. The team behind the reforms sought to use its blog and publicity to help make the case, though they argued that the OGP could make more of its influence in persuading government of the importance of change.¹³

Early Results

As of November 2017, the government reports that there 'are now 17 registers ready to use', including Government Domain, Government Service, and Government Organisation', with a further 45 'in progress', of which 10 are open for public feedback. There has also been some work on a 'picker' to help data to be inputted at source, who can be 'plugged into a service and make entry data as needed for register'.¹⁴

The Transparency in Supply Chains (TISC) report highlights that organisations which use open data to globally track and target modern slavery praised the new registers:¹⁵ 'We found the canonical lists of local authorities in the UK and the list of the many and varied different organisations that make up the government to be very useful. We were able to very quickly integrate our new system with the registers platform via their API and immediately begin using the data.'¹⁶

Though the new land data body may help make progress on various issues if it comes into being, campaigners would welcome further exploration on open address registers.¹⁷

Next Steps

The IRM researcher recommends that work continue to improve data management and access. The IRM researcher also recommends that the government continue to explore open address registers, given its importance to a whole range of areas, including basic democratic actions such as the location of polling stations.¹⁸ Given its technical complexity, scrutiny of the final outcomes by external experts or others would be welcome.

¹ Peter Wells, 'Open addresses: will the address wars ever end?', <https://hackernoon.com/open-addresses-will-the-address-wars-ever-end-f1241bd24283>

² Government Digital Service Guidance: Introducing registers, <https://www.gov.uk/government/publications/registers/registers>

³ Interview with Lawrence Hopper and Lois Taylor, Cabinet Office, 26 August 2017; Cabinet Office 'Open Government Partnership National Action Plan 2016-18: Mid-term Self Assessment Report' (UK government report September 2017) passed to author pre-publication; Open Standards github 'Alphagov/Open standards', <https://github.com/alphagov/open-standards/issues>

⁴ Peter Wells, 'Open addresses: will the address wars ever end?', <https://hackernoon.com/open-addresses-will-the-address-wars-ever-end-f1241bd24283>

⁵ UK Authority 'Conservatives Plan for New Land Data Body', <http://www.ukauthority.com/news/7177/conservatives-plan-for-new-land-data-body>

⁶ 2016 Government Digital Service 'An Open Address Register' (23 March 2016) <https://gds.blog.gov.uk/2016/03/23/an-open-address-register/>, and ODI crowdsourced data list Open Data Institute 'Free and Open Address List Launches Today', <https://theodi.org/news/free-and-open->

[address-list-launches-today-open-addresses-uk-calls-for-individuals-and-organisations-to-get-involved](#);
Interview with Lawrence Hopper and Lois Taylor, Cabinet Office, 26 August 2017.

⁷ Peter Wells, 'Open addresses: will the address wars ever end?', <https://hackernoon.com/open-addresses-will-the-address-wars-ever-end-f1241bd24283>, and Wells, Peter 'Budget 2016: The UK must take every opportunity to strengthen data infrastructure', <https://theodi.org/news/budget-2016-the-uk-must-take-every-opportunity-to-strengthen-data-infrastructure>

⁸ Shimonti, Paul, 'UK Land Registry shelves Geospatial Data Body Plan', <https://www.geospatialworld.net/about-us/>

⁹ Interview with Lawrence Hopper and Lois Taylor, Cabinet Office, 26 August 2017.

¹⁰ Interview with Lawrence Hopper and Lois Taylor, Cabinet Office, 26 August 2017.

¹¹ Guardian, 'Land Registry Sell of Plan Put on Hold'

<https://www.theguardian.com/money/2016/sep/07/land-registry-sell-off-plan-put-on-hold>, and House of Commons Library Land Registry Privatisation, <http://researchbriefings.parliament.uk/ResearchBriefing/Summary/CBP-7556>

¹² Interview with Lawrence Hopper and Lois Taylor, Cabinet Office, 26 August 2017.

¹³ Interview with Lawrence Hopper and Lois Taylor, Cabinet Office, 26 August 2017.

¹⁴ Interview with Lawrence Hopper and Lois Taylor, Cabinet Office, 26 August 2017.

¹⁵ 'Tackling modern slavery with supply chain transparency' (online article 22 March 2016), and TISCreport.org 'What We Are Doing', <https://tiscreport.org/what-were-doing> (example supplied by the government)

¹⁶ Jaya Chakrabarti, 'How GOV.UK Registers underpins the TISCreport.org', <https://registers.cloudapps.digital/using-registers/case-study-tiscreport>

¹⁷ Sym Roe, 'Address Base and openness', <https://democracyclub.org.uk/blog/2017/08/11/addressbase-and-openness/>

¹⁸ Sym Roe, 'Address Base and openness', <https://democracyclub.org.uk/blog/2017/08/11/addressbase-and-openness/>

10. Involving data users in shaping the future of open data

Commitment text: *We will ensure government's work to modernise and improve the management, use and availability of data assets is informed by active and wide-ranging collaboration with current and potential data users.*

Objective: *To engage widely with current and potential data users in the development of the Government Data Programme and government's broader open data agenda, in order to ensure that our work meets users' needs and that limited resources are focused on areas of highest priority.*

Status quo: *Effective engagement with users of government data – whether in the public sector, private sector or civil society – is essential to shaping the future of open data. It is also key to the success of the Government Data Programme and our ability to drive innovation, public service, reform and transparency through the better use of data.*

Since our first OGP National Action Plan we have learned a huge amount through our engagement with data users. The feedback we have received has enabled government to prioritise its efforts to open up more data. We have built a clear understanding of the highest value datasets that are not yet freely and openly available, giving us a strong platform on which to continue to pursue greater open access where appropriate. And we have heard clearly from stakeholders that open data quality and reliability, not just quantity, is crucially important. This has helped us to develop a Government Data Programme to address the need for modernised data infrastructure and capability across government, driving better quality data for all users.

We have opened up a huge range of government datasets, while strengthening citizens' rights to request data in open and reusable format through amendments to the Freedom of Information Act and the introduction of the Re-use of Public Sector Information regulations. But we can be clearer and more proactive in raising awareness of the routes by which data access requests can be made available, and public bodies' duties in responding to them.

Ambition: *We need a wide range of engagement opportunities for users of government open data – and, crucially, those who currently do not use government data but stand to benefit from doing so. These will range from public events and speaking engagements, to online collaboration and subject-specific working groups. As government's use of data develops and expands, this engagement will need to be active and on going, and must involve the full spectrum of holders and users of government data. We must also be open and transparent about the discussions we have held and the outcomes of those discussions.*

Milestones:

1. *Develop a strong, ongoing and collaborative conversation with data users across sectors and specialisms, particularly through working groups and meet-ups on specific aspects of the government data agenda, to inform and challenge the Government Data Programme*
2. *Ensure government policy and the Government Data Programme is informed and challenged by leading external thinkers through an active Data Steering Group*
3. *Develop our partnership with the Open Data Institute to help government connect with data businesses, innovators and civil society*
4. *Build cross-government engagement and leadership on data management and open data, and publish plans for departmental engagement with data*

users and new open data commitments, through a cross- government Data Leaders Network

5. *Maintain active and wide-ranging engagement with civil society groups to ensure the Government Data Programme supports better data access and use for smaller civil society organisations*
6. *Maintain regular updates on the government's open data policies online through blog posts and social media - allowing users to interact with these policies as they develop and post suggestions for improvements*
7. *Explore further channels with which to engage users on open data issues, such as the Open Government Forum, Google Communities or Slack – these would have the advantage of real time discussion and problem solving, as well as a more direct link between government and data users*
8. *Engage with citizens, civil society, private and public sectors to develop an ethical framework for the use of data science techniques in government, including through public engagement events and an interactive online engagement tool*

Responsible institution: Cabinet Office (Government Digital Service)

Supporting institutions: all government departments, mySociety, The Open Data Institute

Start date: May 2016

End date: June 2018

| Commitment Overview | Specificity | | | | OGP Value Relevance | | | | Potential Impact | | | | On Time? | Completion | | | |
|---|-------------|-----|--------|------|-----------------------|---------------------|-----------------------|--|------------------|-------|----------|----------------|----------|-------------|---------|-------------|----------|
| | None | Low | Medium | High | Access to Information | Civic Participation | Public Accountability | Tech. and Innov. for Transparency and Accountability | None | Minor | Moderate | Transformative | | Not Started | Limited | Substantial | Complete |
| 10. Overall | | | ✓ | | ✓ | ✓ | | ✓ | | ✓ | | | No | | ✓ | | |
| 10.1. Conversation with users | | | ✓ | | ✓ | ✓ | | | | ✓ | | | Yes | | ✓ | | |
| 10.2. Data Steering Group | | | ✓ | | ✓ | ✓ | | ✓ | | ✓ | | | No | | ✓ | | |
| 10.3. Partnership with Open Data Institute | | | ✓ | | | ✓ | | ✓ | | ✓ | | | Yes | | | ✓ | |
| 10.4. Cross-government Data Leaders Network | | | ✓ | | ✓ | | | | | ✓ | | | Yes | | ✓ | | |
| 10.5. Engagement | | | ✓ | | ✓ | | | | | ✓ | | | No | | ✓ | | |

| | | | | | | | | | | | | | | | | | | | |
|--|--|--|---|---|--|---|--|---|--|---|--|--|--|-----|--|---|--|---|--|
| with civic society groups | | | | | | | | | | | | | | | | | | | |
| 10.6. Government updates through blog posts and social media | | | | ✓ | | ✓ | | ✓ | | ✓ | | | | No | | | | ✓ | |
| 10.7. Explore further channels for engagement | | | ✓ | | | ✓ | | ✓ | | ✓ | | | | No | | ✓ | | | |
| 10.8. Develop ethical framework | | | | ✓ | | ✓ | | ✓ | | ✓ | | | | Yes | | | | ✓ | |

Context and Objectives

This commitment aims to improve and deepen engagement with civil society and expert networks in open data, given the sometimes-limited involvement by CSOs and limited means of doing so. Previous action plans had highlighted the need for wider involvement and suggested experimenting with new ideas. The commitment includes using a series of pre-established bodies to monitor and review activity, as well as activities to extend and innovate on how government and civil society interact.

It draws on two bodies. The Data Steering Group, founded in 2015, has strategic oversight of the use and management of government's data, both inside and outside the public sector.¹ Its role is to champion review, promote data and review policies and advise ministers. Its members include academic Nigel Shadbolt, journalists, UK and Scottish national government representatives as well as those from local government.

The commitment draws on the Data Leaders Network, also established in 2015, created 'to ensure that departments' approach to the use and management of data properly enables the delivery of government policy and operational objectives'.² It is a governmental organisation that consists of representatives of 22 bodies including government departments; the Scottish and Welsh devolved bodies and a series of other agencies, such as the National Statistics authority and Companies House.³

The commitment is relevant to the OGP values of access to information, through greater co-operation on openness across government; civic participation, by creating wider involvement with civil society; and technology and innovation, through experiments with new ways of engaging.

The commitment contains multiple milestones, many of which are vague and involve 'collaborative conversations' or 'challenging' rather than concrete outputs. Nevertheless, the commitment overall is likely to deepen and strengthen user input and engagement with government data.

Completion

As the July 2017 updates point out, the government has been continuously engaging with data users in various ways.⁴ These include attending events at the London Open Data Institute and interacting with user requests made via the data.gov.uk portal.⁵ The UK government also co-sponsored the fourth Open Data Camp in Cardiff in February 2017.⁶ Blogs such as the Data in Government and Government Data

Service blog were also regularly updated. The government also pointed out that there is continuous informal interaction through the Cabinet Office and through other departments.⁷ The government argues that it is currently considering the best way to engage expert thinking and, rather than publish specific engagement plans, different bodies are pursuing different approaches.⁸ CSOs hoped for more progress than has taken place, though recognised the problems in the wider context.

Parts of the commitment appear incomplete or delayed. The Data Steering Group met every three months until September 2016 but appears, according to the website, to have not met since that date.⁹ According to its website and interviews, the Data Leaders Network meets monthly, though meetings are not listed.¹⁰

The government has experimented with new channels and, according to the July 2017 updates, used 'Open Knowledge Forums during the exercise to create the current Global Open Data Index'. It has experimented with a cross-government Slack channel and Google group, as well as continuing regular internal meet-ups of its data community.¹¹ Some CSOs felt the interaction was not as full as it could have been online.¹² In June 2017, it was reported the UK government was clamping down on Slack use by officials over fear of FOIs opening them up or leaks, which may inhibit use.¹³

In May 2016, the government launched the first version of its Data Science Ethical Framework 'intended to give civil servants guidance on conducting data science projects, and the confidence to innovate with data'.¹⁴ It called on civil society and experts to help develop it but there has been no sign of any further activity since.

Next Steps

Innovation with new technology should be encouraged. The apparent clampdown on Slack cited above (especially if it is due to concerns over openness) is a worrying sign that could undermine the engagement and stifle the innovation the commitment seeks. It may also be indicative of a wider lack of interest by politicians towards openness seen elsewhere.

The IRM researcher recommends that experiments with the use of new channels and networks should continue. In particular, the IRM researcher recommends the government continue to work on the ethical framework and revisit the best way to engage expert thinking if current approaches are not working well.¹⁵

¹ Gov.uk 'Data Steering Group', <https://www.gov.uk/government/groups/data-steering-group>

² Gov.uk 'Data Steering Group', <https://www.gov.uk/government/groups/data-steering-group>

³ Government Digital Service 'Our governance Details of governing and steering groups', <https://www.gov.uk/government/organisations/government-digital-service/about/our-governance>, and its terms of reference, https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/507560/DataLeadersNetworkTermsofReference.pdf

⁴ Cabinet Office *Open Government National Action Plan 2016-18: July 2017 Commitment Progress Updates* (commitment update for July 2017) pre-publication passed to author

⁵ The Open Data Institute 'Events', <https://theodi.org/events>, and Data. Gov.uk 'Data Requests', <https://data.gov.uk/data-request>

⁶ Data. Blog. Gov.uk 'Looking Forward to Open Data Camp 2017', <https://data.blog.gov.uk/2017/02/20/looking-forward-to-open-data-camp-2017/>

⁷ Interview with Thom Townsend and William Gerry, Cabinet Office, 14 September 2017; Cabinet Office 'Open Government Partnership National Action Plan 2016-18: Mid-term Self Assessment Report' (UK government report September 2017) passed to author pre-publication.

⁸ Interview with Thom Townsend and William Gerry, Cabinet Office, 14 September 2017.

⁹ Gov.uk 'Data Steering Group', <https://www.gov.uk/government/groups/data-steering-group>

¹⁰ Interview with Thom Townsend and William Gerry, Cabinet Office, 14 September 2017.

¹¹ Government Data Service Technology Blog 'Technology at GDS: Join The Conversation', <https://gdstechnology.blog.gov.uk/join-the-conversation/>, and UK Government Digital 'Slack Channel', ukgovernmentdigital.slack.com; Interview with Thom Townsend and William Gerry, Cabinet Office, 14 September 2017.

¹² Cabinet Office *Open Government National Action Plan 2016-18: July 2017 Commitment Progress Updates* (commitment update for July 2017) pre-publication passed to author

¹³ Civil Service World 'Not picking up the Slack: Whitehall instant messaging clampdown reveals lack of trust in civil servants', <https://www.civilserviceworld.com/articles/opinion/not-picking-slack-whitehall-instant-messaging-clampdown-reveals-lack-trust-civil>

¹⁴ Cabinet Office, 'Guidance: Data Science Ethical Framework', <https://www.gov.uk/government/publications/data-science-ethical-framework>, and Cabinet Office, 'Speech Data Science Ethical Framework launch: Matt Hancock speech', <https://www.gov.uk/government/speeches/data-science-ethical-framework-launch-matt-hancock-speech>

¹⁵ Interview with Thom Townsend and William Gerry, Cabinet Office, 14 September 2017.

11. Better use of data assets

Commitment Text: *We will encourage and support data-driven techniques in policy and service delivery across government departments and encourage the better use of open data in the economy and civil society.*

Objective: *Through our Government Data Programme, we plan to improve the availability, quality and use of government data and make it easier for that data to be used appropriately and effectively, both with and beyond government.*

Status quo: *Since our first OGP National Action Plan we have made considerable progress in opening up government data. Our data.gov.uk portal has enabled us to identify and open up over 27,000 publicly held data sets, fuelling the development of innovative apps, new insights for public service delivery and greater government transparency.*

Doing this has clearly shown the potential for value creation and enhanced public services, as more and more data is made available. The act of opening up data itself improves quality, as data users and publishers respond to incentives to improve it.

Having made this progress, there is now more we can do within government to make better use of the data assets we have, and to make more, better quality data openly and freely available, in order to drive service improvement, economic growth and transparency. To do that, we need to modernise our data infrastructure, and engage actively with data users to understand the demand for open data, as described in the parallel commitments. We also need to overcome legal and organisational barriers that prevent effective data use within the public sector for clearly defined purposes in the public interest, while being clear that identifiable data will never be made open and strict controls will govern the use of any such data. And we need to build the skills and capabilities to make best use of the data we hold.

Ambition: *Better use of data across government will drive up data quality, in turn improving the quality and reliability of the data we are able to make freely and openly available.*

As a result of this work, we expect to see:

- *Government increasingly re-using its own data to enable better operational, policy and economic decisions and drive up data quality*
- *Better cross-government platforms and improved services for citizens*
- *Better quality data available for innovation in the economy and wider society*
- *More accessible open data that is easy for citizens and civil society groups, as well as businesses and large organisations, to use*
- *Clear ethical and legal frameworks to build public support for the better use of data in government*

Milestones:

1. *Pursue legislative changes to enable better access to government data for defined purposes across organisational boundaries in public services and between different levels of government working with internal and external experts and consulting with the public at key stages*
2. *Publish departmental data plans for improving data quality, opening up more data and ensuring continuing engagement with external stakeholders*
3. *Monitor and publish progress against departmental data plans*

4. *Help non-data specialist policy and operational staff across government to understand analytical approaches and the transformational power of data*
5. *Equip government analysts with the latest data science tools and skills, through a programme of work led by the Office for National Statistics*
6. *Showcase best practice in data science through cross government projects, finding opportunities to bring in external expertise to inform the design and delivery of the projects*

Responsible institution: Cabinet Office (Government Digital Service) and Office of National Statistics

Supporting institutions: All government departments, Democratiser, mySociety, The Open Data institute.

Start date: May 2016

End date: June 2018

| Commitment Overview | Specificity | | | | OGP Value Relevance | | | | Potential Impact | | | | On Time? | Completion | | | |
|--|-------------|-----|--------|------|-----------------------|---------------------|-----------------------|--|------------------|-------|----------|----------------|----------|-------------|---------|-------------|----------|
| | None | Low | Medium | High | Access to Information | Civic Participation | Public Accountability | Tech. and Innov. for Transparency and Accountability | None | Minor | Moderate | Transformative | | Not Started | Limited | Substantial | Complete |
| 11. Overall | | | ✓ | | ✓ | ✓ | | ✓ | | ✓ | | | No | | | ✓ | |
| 11.1. Legislative changes | | | ✓ | | ✓ | ✓ | | | | ✓ | | | Yes | | | ✓ | |
| 11.2. Department plans for improved data quality | | | | ✓ | ✓ | ✓ | | | | ✓ | | | No | | ✓ | | |
| 11.3. Monitor and publish progress against plans | | | | ✓ | ✓ | | | ✓ | | ✓ | | | No | | ✓ | | |
| 11.4. Non-data staff training | | | ✓ | | ✓ | | | ✓ | | ✓ | | | No | | | ✓ | |
| 11.5. Equip government analysts with data science tools and skills | | | | ✓ | ✓ | | | ✓ | | ✓ | | | No | | | ✓ | |
| 11.6. Showcase best practice | | | | ✓ | ✓ | | | ✓ | | ✓ | | | No | | | ✓ | |

Context and Objectives

The purpose of this commitment is for the government to make better use of its own data, improving access, skills and the quality of data within government, while building public support and engagement outside. The commitment consists of a number of overlapping goals and milestones including the publication of data plans, training of staff and raising of awareness through showcases and examples.

Parts of the commitment date back to 2014 to a government initiative on Open Policy Making on data sharing in government that involved a series of discussions between civil society and the public sector.¹ A number of bodies, such as the Royal Statistical Society and the House of Commons Science and Technology Committee, have also pressed for improved use of data since 2015.²

While some milestones are highly specific, others have open-ended aims around increasing training and development. As a whole, the commitment is medium in its specificity. The commitment is relevant to the OGP goals of access to information, by publishing new data plans; civic participation through citizen involvement on its processes; and technology and innovation through experiments with new forms of training and tools to boost government skills.

If fully implemented, the commitment will be a positive first step to improve data access and quality within government and promote awareness outside of it. The process will undoubtedly help the UK government's data infrastructure and expertise. The Government Digital Service and their partners should be encouraged for their outreach and community building work.

Completion

For the first milestone, the promised legislation, named the Digital Economy Act 2017, has now been passed.³ Part 5 of the law covers the use of data to 'improve public services to help groups in need, improve fraud prevention, debt management and better use of statistics.'⁴ In a speech in February 2017, the Chief Executive of the UK Civil Service, John Manzoni, explained that the new law 'provides a robust legal framework for sharing data between public authorities, where there is a clear public need and benefit'.⁵ He gave an example of how the law:

...makes provision for public authorities sharing information with energy companies to identify customers living in fuel poverty so they can automatically receive support - such as energy bill rebates or energy-saving measures.⁶

According to the government's July 2017 update, 'work is under way to develop further four Codes of Practice and a set of regulations in respect of the Public Service Delivery power' that will be approved by an affirmative resolution of both Houses of Parliament.⁷ There was concern from CSOs over the provisions for data sharing and the extent to which such processes would be transparent and protect privacy across a range of areas, from details of debt to access to pornography.⁸

The second and third milestones are interconnected and have not completed.⁹ The political events of 2016 and 2017, such as the Brexit referendum and the June 2017 General Election, delayed the plan for departmental data plans. It has been decided that individual department plans will now be rolled into wider strategic plans.¹⁰

For milestones 4, 5 and 6, the government claimed in July 2017 to be making good progress.¹¹ The government is developing the skills of its own analysts through the

Data Science Accelerator Programme, a ‘capability-building programme, which gives analysts from across the public sector the opportunity to develop their data science skills’.¹² Milestone 6 on showcasing best practice in data science is supported by the cross-government Data Advisory Board, which is overseeing a programme of data-enabled transformation. In 2017, the programme included experiments with care home quality data and pensions.¹³ For specialists within the government there has also been a continuous series of community building and showcasing events, as seen on the Government Digital service blogs.¹⁴ There have also been a series of events to help non-specialists¹⁵ with a cross-government training programme through the Government Digital Academy that covers all levels of skills in four different UK locations.¹⁶

Next Steps

The IRM researcher recommends that the delayed milestones 2 and 3 be pursued, as a measurable data plan could serve as a useful yardstick and a potentially useful guide to those searching for data. Perhaps most importantly, section 5 of the Digital Economy Act requires some post-implementation scrutiny, at the same time as the Codes of Practice are being finalised, to address the potential civil rights concerns. Given the complexity and reach of the law, the interest of the Information Commissioner in reviewing the operation is welcomed.

¹ Royal Statistical Society ‘From Bill to Royal Assent: Our work on the Digital Economy Act’, <https://www.statslife.org.uk/features/3459-from-bill-to-royal-assent-our-work-in-the-digital-economy-act>, and ongoing work on data sharing in government datasharing.org.uk ‘About Data Sharing’, <http://datasharing.org.uk/>, and [datasharing.org.uk](http://datasharing.org.uk/conclusions/index.html) ‘Conclusions of civil society and public sector policy discussions on data use in government’, <http://datasharing.org.uk/conclusions/index.html>

² Royal Statistical Society ‘From Bill to Royal Assent: Our work on the Digital Economy Act, and the Science and Technology Select Committee ‘The Big Data Dilemma inquiry’, <http://www.parliament.uk/business/committees/committees-a-z/commons-select/science-and-technology-committee/inquiries/parliament-2015/big-data/>

³ Legislation.gov.uk ‘Digital Economy Act 2017’, <https://www.legislation.gov.uk/ukpga/2017/30/contents>

⁴ Department for Digital, Culture, Media & Sport ‘Guidance Digital Economy Bill Part 5: Digital government’, <https://www.gov.uk/government/publications/digital-economy-bill-part-5-digital-government>

⁵ Cabinet Office (John Manzoni), ‘Speech: Big data in government: the challenges and opportunities’, <https://www.gov.uk/government/speeches/big-data-in-government-the-challenges-and-opportunities>

⁶ Cabinet Office (John Manzoni), ‘Speech: Big data in government: the challenges and opportunities’, <https://www.gov.uk/government/speeches/big-data-in-government-the-challenges-and-opportunities>

⁷ UK government commitment update for July 2017.

⁸ Panopticon ‘Digital Economy Bill made law’, <https://panopticonblog.com/2017/05/03/digital-economy-bill-made-law/>

⁹ Interview with Thom Townsend and William Gerry, Cabinet Office, 14 September 2017.

¹⁰ Interview with Thom Townsend and William Gerry, Cabinet Office, 14 September 2017.

¹¹ Cabinet Office *Open Government National Action Plan 2016-18: July 2017 Commitment Progress Updates* (commitment update for July 2017) pre-publication passed to author

¹² Interview with Thom Townsend and William Gerry, Cabinet Office, 14 September 2017.

¹³ Government Digital Service ‘Guidance Data Science Accelerator Programme’, <https://www.gov.uk/government/publications/data-science-accelerator-programme>, and Government Data Blog ‘The Data Science Accelerator: pensions, patient journeys and predicting public order’, <https://data.blog.gov.uk/2017/04/11/the-data-science-accelerator-pensions-patient-journeys-and-predicting-public-order/>

¹⁴ Government Digital Service ‘Building capability and community through the Government Data Science Partnership’, <https://gds.blog.gov.uk/2017/07/20/building-capability-and-community-through-the-government-data-science-partnership/>

¹⁵ Government Digital service ‘Data literacy: helping non-data specialists make the most of data science’, <https://gds.blog.gov.uk/2016/04/27/data-literacy-helping-non-data-specialists-make-the-most-of-data-science/>

¹⁶ Government Digital Service ‘GDS Academy’, <https://www.gov.uk/government/groups/digital-academy>

12. GOV.UK

Commitment text: Assess opportunities for digital consultation tools, rebuild navigation to bring guidance and policy together by topic, provide APIs for government content and provide a full version history of every published page.

Objective: Use GOV.UK to help all of government become more participative, open and accountable to its users.

Status quo: Centralising all government web publishing to GOV.UK has already radically improved access to information and public accountability. Information including departmental plans, transparency data and public consultations is now more consistently presented and easier to find in a single place.

But there is enormous potential to do more. The vision for GOV.UK over the next two parliaments is to make government work for users - using the opportunity of a single shared platform to increase openness, accountability and civic participation right across government.

Ambition: While GOV.UK has become the best place to find government services and information, it's not yet the best place it can be. GOV.UK has brought government web presences together and we now need to ensure that it really does work for all users and this means, among many other things, ensuring that government is participative, open and accountable.

Milestones:

1. Complete a discovery project to identify opportunities for improved digital consultation tools, identifying next steps (May 2016 September 2016)
2. Improve tagging, navigation, search and notification systems on GOV.UK, so publishers can begin to join together related content (including both guidance and policy) and transactions as coherent services (2017)
3. Provide APIs for government content (April 2017 March 2018)
4. Provide a full version history of every published page (April 2017 March 2018)

Responsible institution: Cabinet Office (Government Digital Service)

Supporting institutions: Democratic Society, Involve, Natural Resource Governance, Institute, The Open Data Institute

Start date: May 2016

End date: March 2018

| Commitment Overview | Specificity | | | | OGP Value Relevance | | | | Potential Impact | | | | On Time? | Completion | | | |
|---------------------|-------------|-----|--------|------|-----------------------|---------------------|-----------------------|--|------------------|-------|----------|----------------|----------|-------------|---------|-------------|----------|
| | None | Low | Medium | High | Access to Information | Civic Participation | Public Accountability | Tech. and Innov. for Transparency and Accountability | None | Minor | Moderate | Transformative | | Not Started | Limited | Substantial | Complete |
| 12. Overall | | | | ✓ | ✓ | | | ✓ | | ✓ | | | No | | | ✓ | |

| | | | | | | | | | | | | | | | | | |
|--|--|--|--|---|---|--|--|---|--|---|--|--|-----|--|---|--|---|
| 12.1. Project for improved digital consultation | | | | ✓ | ✓ | | | ✓ | | ✓ | | | Yes | | | | ✓ |
| 12.2. Improve tagging, navigation | | | | ✓ | ✓ | | | | | ✓ | | | Yes | | | | ✓ |
| 12.3. Provide APIs for government content | | | | ✓ | ✓ | | | | | ✓ | | | No | | ✓ | | |
| 12.4. Full version history of every published page | | | | ✓ | ✓ | | | ✓ | | ✓ | | | No | | ✓ | | |

Context and Objectives

Launched in 2012, Gov.uk is the platform for the websites of all government departments and many other agencies and public bodies.¹ It enables users to see all policies, announcements, publications, statistics and consultations, and to find out how government services are performing and the level of user satisfaction. Gov.uk covers 25 government departments and 376 other bodies and agencies. As one recent blog by the data service explains, ‘Data.gov.uk exists for two reasons: to facilitate the publication of good quality open data by government organisations and to make it easy for users to find it’.²

The commitment aims to improve on the existing platform to make it more ‘participative, open and accountable’ by doing a number of things, including identifying new tools, improving navigation, publishing full histories on sites and providing Application Programming Interfaces for content (making it easier for developers to use the data to build applications).

These reforms are relevant to the OGP values of access to information, by creating more data and through new tools and innovations. If completed, the commitment will make a range of government data easier to find while also enabling users to more easily develop new tools.³ As the commitment improves on an existing platform and content, its potential impact is considered minor.

Completion

The commitment is in progress, but given the backroom nature of the work, judging the exact progress before it is implemented is difficult.⁴

The commitment has offered a series of steps to improve both how the data is placed on the site by those administering it, and how it can be accessed and used by the public. The two government data blogs offer clarity and simplicity in explaining and publicising the changes.⁵

It may be too early to see if the overall changes have influenced how data is used or if the improvements meet the broader aims of transparency and participation. So far, the process has engaged users through set workshops, publicity via blogs, a short survey and more informal encouragement that users get in touch.⁶

According to the July 2017 update, milestones 1 and 2 are complete:

We have created new navigation patterns... and have made significant progress transforming content and grouping it into coherent themes based on terms users use and understand. We are also exploring the needs of users who hold government to account and are investigating what improvements we can make.⁷

This blog explains how the team has worked to make data both easier to publish internally and easier to find externally, through a series of workshops and continuous engagement with users.⁸ These changes have included developing a new design for the homepage making it easier to publish and label data and creating personalized reminders for those working on the site to take particular actions.

According to the July update, milestones 3 and 4 are in progress and on schedule. The work on APIs are under way and the team have finished a 'discovery' into full history publication and are intend to put it into action by early 2018.⁹

CSOs felt that there had been less progress and, where progress was made, it was not well communicated. It was felt that certain milestones were pushed further into the future.¹⁰

Next Steps

The commitment should be continued and completed. The IRM researcher recommends that there be some form of public review or assessment of all the changes, preferably involving users, once they are complete.

¹ Gov.uk 'Welcome to GOV.UK', <https://www.gov.uk/>. The website won design of the year in 2013: Guardian "Direct and well-mannered" government website named design of the year', <https://www.theguardian.com/artanddesign/2013/apr/16/government-website-design-of-year>

² For a general background on Data in Government 'Making it simpler to publish data', <https://data.blog.gov.uk/2017/02/01/making-it-simpler-to-publish-data/> and the blog inside Gov.UK for more on GOV.UK, specifically: <https://insidegovuk.blog.gov.uk/>

³ See this blog setting out the vision: <https://insidegovuk.blog.gov.uk/2016/03/09/the-vision-for-gov-uk-is-to-make-government-work-for-users/>

⁴ Note that at the time of writing (September 2017) interview could not be obtained with the policy leads in government.

⁵ See this blog: <https://insidegovuk.blog.gov.uk/2016/03/09/the-vision-for-gov-uk-is-to-make-government-work-for-users/>

⁶ See this blog update, especially the section on the improvements to the 'common user journey' <https://insidegovuk.blog.gov.uk/2017/10/16/what-we-delivered-in-the-first-3-months-of-our-new-roadmap/> and this example of asking the public for ideas on the AP update <https://insidegovuk.blog.gov.uk/2017/09/11/a-public-api-for-gov-uk-content-inviting-expressions-of-interest/>

⁷ Cabinet Office *Open Government National Action Plan 2016-18: July 2017 Commitment Progress Updates* (commitment update for July 2017), pre-publication passed to author.

⁸ See this blog update, especially this section on the improvements to the 'common user journey' <https://insidegovuk.blog.gov.uk/2017/10/16/what-we-delivered-in-the-first-3-months-of-our-new-roadmap/>

⁹ Data in Government '8 things I learned about data discoveries', <https://data.blog.gov.uk/2017/01/09/8-things-i-learned-about-data-discoveries/>

¹⁰ Interview with Michelle Brook, Democratic Society, 22 September 2017.

13. Ongoing collaborative approach to open government reform

Commitment Text: *Identify, develop and implement robust and ambitious open government commitments on an ongoing basis through collaboration with partners in governments, parliaments and civil society across the UK.*

Objective: *Ensure the UK Open Government Partnership (OGP) remains a key platform for ongoing dialogue, collaboration and open government reform, with governments, parliaments and civil society across the UK.*

Status quo: *The development of this action plan has again demonstrated the benefits of an open and collaborative approach to policy making. Through working with partners from government, Parliament and civil society across the UK, the plan has benefited from a large range of ideas, challenge, expertise, creativity and energy.*

The result is a more ambitious and comprehensive set of commitments than would have been developed by government alone. The OGP has helped to inspire and focus government and civil society collaboration on open government reform in the UK. However, the two-year timescale of an action plan can mean that:

- The political or policy window for potential commitments is missed*
- Activity and collaboration happens in bursts rather than consistently*
- The OGP process happens in parallel to other domestic or multilateral processes*

We want to address these weaknesses and build on the success of the OGP in the UK by embedding an ongoing collaborative approach to open government reform.

Ambition: *As well as being the beneficiaries of open government, citizens and civil society are key to bringing the transformation about.*

We want the OGP in the UK to be the platform for ongoing dialogue, collaboration and open government reform, and this partnership to include increasing numbers of citizens, civil society organisations and public institutions.

To support this we will:

- Be approaching this action plan as a rolling plan, where new commitments are developed and added over its lifespan*
- Continue to work collaboratively across governments, parliaments and the wider public sector in all nations of the UK*
- Broaden engagement with civil society and citizens to ensure that we are focussing efforts on issues that matter most*
- Engage with civil society and citizens on an on going basis, having honest conversations about progress across open government and collaboratively identifying, developing and implementing new reforms*

Milestones:

- 1. Government and civil society will work together to develop and communicate an approach to implementation that supports transparency on progress of implementing commitments and provides forums for engagement at all levels to hold government to account*
- 2. We will identify priority stakeholders and policy areas to inform an approach to broadening engagement and the priority focus for future commitments, including identifying platforms for communicating open government policy*

3. *The UK Open Government Civil Society Network will review its governance, terms of reference and working practices to ensure that it is able to continue to effectively build, involve and represent a broad membership*
4. *Commitments will be updated with new milestones as necessary to provide further clarity on agreed approaches to take work forward work*
5. *New commitments will be published at a minimum of two points in the two-year plan cycle. These will be developed through a co-creation process with civil society, meeting the OGP criteria for starred commitments*

Responsible institution: Cabinet Office and Involve

Supporting institutions: Involve UK government departments and UK Parliament. In consultation with colleagues in Northern Ireland Executive, Scottish Government and Welsh Government and Northern Ireland Assembly, Scottish Parliament and Welsh Assembly. UK Open Government Network, National Council of Voluntary Organisation (NCVO)

Start date: May 2016

End date: June 2018

| Commitment Overview | Specificity | | | | OGP Value Relevance | | | | Potential Impact | | | | On Time? | Completion | | | |
|--|-------------|-----|--------|------|-----------------------|---------------------|-----------------------|--|------------------|-------|----------|----------------|----------|-------------|---------|-------------|----------|
| | None | Low | Medium | High | Access to Information | Civic Participation | Public Accountability | Tech. and Innov. for Transparency and Accountability | None | Minor | Moderate | Transformative | | Not Started | Limited | Substantial | Complete |
| 13. Overall | | | | ✓ | ✓ | ✓ | | | | ✓ | | | No | | | ✓ | |
| 13.1. Develop and communicate approach to implementation | | | | ✓ | ✓ | ✓ | | | | ✓ | | | Yes | | | | ✓ |
| 13.2. Broaden engagement | | | | ✓ | ✓ | | | | | | ✓ | | No | | | ✓ | |
| 13.3. OGN review of its TOR | | | | ✓ | ✓ | | | | | ✓ | | | No | | | | ✓ |
| 13.4. Commitments updated with new milestones | | | ✓ | | ✓ | | | | | ✓ | | | No | | ✓ | | |
| 13.5. New commitments published | | | ✓ | | ✓ | | | | | | ✓ | | No | | ✓ | | |

Context and Objectives

This commitment is designed to strengthen the joint government-civil society OGP process in the UK. As the commitment text points out, some commitments or proposals can be lost because of the two-year time window for implementation. The timing of the process can mean small bursts of activity rather than consistent change as well as overlap with domestic or international timing. Taken together, these problems can make co-ordination difficult for government and civil society. The commitment and milestones are highly specific, as its milestones are objectively verifiable.

To explain the commitment and its aims, findings from a survey of government and CSOs illustrate the extent to which CSOs and government see co-operation.¹ While many of those involved see relations as collaborative, there is still room for improvement. While 31 percent thought collaboration happened to a large extent, 27 percent said it was moderate and 38 percent said 'some' collaboration happened. In terms of the strength of partnership, 8 percent felt it was 'very strong', 38 percent 'strong', 46 percent 'moderately strong' and 8 percent 'weak'.²

The commitment is shared between the UK Cabinet Office, the coordinating CSO Involve and UK devolved bodies, and involves a series of changes including an agreement to close working between government and CSOs, extending the network and creating a 'rolling' programme of commitments and milestones to maintain momentum.³ The key was to help identify priority stakeholders and bring them in.⁴

If fully implemented it would have a minor potential impact on the current process.

Completion

Milestone 1 on collaboration is complete. Following a series of meetings, CSOs and government released a joint statement to:⁵

- Collaborate in identifying, developing and implementing new reforms throughout the period of the action plan;
- Engage on an ongoing basis, having honest conversations about progress across open government; and
- Broaden the number of citizens and civil society organisations who actively engage in open government activities and who hold government to account.

The milestone on identifying areas for new commitments with new stakeholders led to a discussion in November 2016 where civil society representatives felt that the areas should reflect the priorities of citizens and the government, e.g. housing, education, prisons.⁶ The Cabinet Office also published an open record events and key publications but it covers events. The third milestone has also been completed, as the CSO lead Involve has updated their terms of reference.⁷

The milestones on updates and new commitments were subject to some problems and disagreements, as were the addition of milestones. This was partly procedural due to some confusion over the OGP cut-off date.⁸

In December 2016, the OGP process was rolled out to include a further four commitments for Northern Ireland, nine for Wales and one for Scotland, more than doubling the commitments and broadening involvement by bringing in the CSO networks in the respective countries.⁹ This was not, however, what some of the CSOs imagined; seeing it instead as a means of introducing new, perhaps symbolic, policies championed outside of the formal OGP-IRM process to maintain momentum.¹⁰ Overall, a combination of political events (Brexit and the June general election) and a lack of CSOs providing pressure at the right moments slowed the commitment.

Early Results

So far, the commitment has led to joint statement and to the involvement of new groups and new commitments by bringing in devolved bodies. This is a positive development and a major step forward from the London-centric second action plan. However, the inclusion of devolved bodies was on a short timeframe and, as a result, involved picking up existing policies rather than developing new ones.¹¹

The Cabinet Office was widely praised for its work across the UK with devolved governments and civil society.

Next Steps

The IRM researcher recommends three steps:

- For oversight of the ongoing and complex openness policies across the UK, a body could be established or used, such as a Select Committee, to take an overview of the openness process and regularly scrutinise different policies.
- CSOs should experiment with new ways of engaging. In Scotland, the Scottish Council for Voluntary Organisations (SCVO) have matched their openness goals to the Sustainable Development Goals and human rights issues, to give them greater relevance to everyday life. They have also worked with an open Wikisite and meet-ups to broaden their reach.¹² This approach could be mirrored across the UK.
- The focus of future networks and commitments should draw in regional and local government and new institutions, such as Britain's 'Metro-mayors', the new elected heads of city regions in England.¹³

¹ See Cabinet Office *Self-assessment online survey - summary of results* (online survey September 2017)

² See Cabinet Office *Self-assessment online survey - summary of results*, online survey September 2017.

³ Meeting between CSO and government, telephone conference call, July 2017.

⁴ Interview with Thom Townsend and William Gerry, Cabinet Office, 14 September 2017.

⁵ Tim Hughes 'Statement on ongoing government and civil society collaboration on open government', <http://www.opengovernment.org.uk/2016/10/07/statement-on-ongoing-government-and-civil-society-collaboration-on-open-government/>

⁶ UK government 'OGP UK National Action Plan 2016/18 Commitment progress update, December 2016.

⁷ Tim Hughes 'Terms of Reference of the UK Open Government Network', <http://www.opengovernment.org.uk/resource/terms-of-reference-of-the-uk-open-government-network/>

⁸ Interview with Thom Townsend and William Gerry, Cabinet Office, 14 September 2017.

⁹ Interview with Thom Townsend and William Gerry, Cabinet Office, 14 September 2017.

¹⁰ Meeting between CSO and government, telephone conference call, July 2017.

¹¹ Interview with Rhiannon Caunt, Welsh Government, 6 September 2017.

¹² Open Government Network Scotland 'Scotland', <http://www.opengovernment.org.uk/networks/scotland/> and Open Government Network Scotland 'Wiki: Main Page', https://opengovpioneers.miraheze.org/wiki/Main_Page, and Open Government Network Scotland 'Opening up Edinburgh because it's Our Democracy Meetup', https://www.meetup.com/Scotland-Open-Government-Meetup/?_cookie-check=ZG6048URNFuzGCom

¹³ Centre For Cities, 'Everything you need to know about metro mayors: an FAQ', <http://www.centreforcities.org/publication/everything-need-know-metro-mayors/>

Scotland

1. Effective Open Government for governments at all levels

Commitment Text: *Developing Effective Open Government for governments at all levels, through the outputs from one or more summit discussions.*

Main objective: *To share learning across the UK in order to establish the effective governance for Open Government commitments – through collaborative dialogue between governments, civil society and experts.*

Status quo: *in reviewing the first five years of Open Government Partnership a number of important themes emerged. Including the need to bring in new political leadership and open government innovations from all levels of government; to ensure that OGP commitments provide real improvement in people's lives. They also identified that only 2% of commitments worldwide are aimed at health or education or climate change.*

Scotland is one of 15 Pioneer governments at various levels worldwide who are developing action plans and working with OGP to consider these questions. Scotland will lead a collaborative discussion within the UK with governments, civil society and experts to identify how best to support the spread of Open Government.

The changing nature of democracy and varying levels of devolution in United Kingdom make it an ideal testing ground for beginning to develop a robust framework, which enables OGP Action Plans to be developed at the level that is most effective for the people they serve. This will mean they are able to tackle some of the most significant societal issues in ways which will support the delivery of the sustainable development goals by 2030.

Ambition: *The result will be a draft framework to set out how OGP, governments and civil society can ensure that commitments are 'owned' at the level of government best able to deliver improvements while maintaining the core values and effective partnership with civil society.*

Milestone:

1. *One or more summit meetings between governments, civil society, OGP and experts to explore the issues collaboratively*

Responsible institution: Scottish Government

Supporting institutions: Governments of Wales, Northern Ireland and Cabinet Office for UK and Open Government Partnership OGP Civil Society Networks from Northern Ireland, Scotland, Wales and UK

Start date: Spring 2017

End date: December 2017

| Commitment Overview | Specificity | | | | OGP Value Relevance | | | | Potential Impact | | | | On Time? | Completion | | | |
|---------------------|-------------|-----|--------|------|-----------------------|---------------------|-----------------------|--|------------------|-------|----------|----------------|----------|-------------|---------|-------------|----------|
| | None | Low | Medium | High | Access to Information | Civic Participation | Public Accountability | Tech. and Innov. for Transparency and Accountability | None | Minor | Moderate | Transformative | | Not Started | Limited | Substantial | Complete |

| | | | | | | | | | | | | | | | | | | | |
|------------|--|--|---|--|---|---|--|--|--|--|---|--|--|----|--|---|--|--|--|
| 1. Overall | | | ✓ | | ✓ | ✓ | | | | | ✓ | | | No | | ✓ | | | |
|------------|--|--|---|--|---|---|--|--|--|--|---|--|--|----|--|---|--|--|--|

Context and Objectives

The commitment aimed to develop co-operation and share learning on open government reforms across the UK. Specifically, the commitment uses the OGP framework to create 'one or more summit meetings between governments, civil society, OGP and experts to explore the issues collaboratively' from across the four nations of the UK. Scotland has its own Freedom of Information (FOI) law that differs slightly from the UK-wide law.¹ The issue of openness, and FOI in particular, has been controversial in Scotland amid complaints that FOI requests were delayed and screened by advisors in the Scottish government, and that records were not being kept at meetings.²

Overall, CSOs were concerned by the climate around transparency and felt they were in a different place from a year previously when the pioneer status had been developed: for its promises of openness the Scottish government was 'pursuing a very traditional approach to policy in tight circles' and neglecting possibilities around the link between public service reform and openness that they had previously championed.³

Scotland is one of 15 participants of OGP's Subnational Government Pilot Program, created to recognise that 'open government innovations and reforms are happening at the local level where governments can engage more directly with citizens and many crucial public services are delivered with their own'.⁴ As a consequence, Scotland has a separate action plan running on a different timeframe (see the Scottish action plan for more details⁵). This plan places its emphasis on local government and locally-focused commitments as 'most openness is at the local government level'.⁶

The aim of the commitment is to hold a summit (or summits) where equivalent Ministers from across UK governments (Britain, Wales, Scotland and Northern Ireland - as well as local government and elected mayors) can meet and discuss open government reforms with civil society. Ideally, the summit will encourage collaboration and, more specifically, develop ideas for the next action plan and future commitments.⁷ However, the methodology to be used to address relevant issues is not specified.

In line with OGP values, the commitment would give the public greater access to information by opening up decision making and increase civic participation by involving CSOs in the meetings and processes.

Completion

The commitment initially had a deadline of December 2017, but discussions took longer. There are currently a range of options, from having simple ministerial meetings of representatives of the four nations of the UK, to an 'all embracing conference' with representatives from local government and civil society.⁸

As of November 2017, the Scottish Government reported that it has not proven possible to find a suitable date within this calendar year. As of early 2018, a date had been set for April 2018, outside of the time period for this report, but within the time period of the action plan.⁹ CSOs did not have high hopes for the meeting and felt

there was not sufficient ministerial buy-in from the higher levels of Scottish government, who were also distracted by Brexit.¹⁰

Next Steps

The summit presents an opportunity to establish a regular forum for a UK-based programme of reform. Given the concerns from the media and civil society, and the allegations over FOI, the IRM researcher recommends for this event to involve scrutiny of progress and openness, as well as some inquiry into the workings of FOI in the future, albeit one that reflects the different approaches to openness across the four nations of the UK.

¹ The University of Edinburgh, 'Freedom of Information in Scotland and the rest of the UK', <http://www.ed.ac.uk/records-management/freedom-of-information/about/scotland-uk>

² BBC 'Scottish journalists voice fears over freedom of information requests' (news article 1 June 2017) <http://www.bbc.co.uk/news/uk-scotland-scotland-politics-40120002>, BBC 'MSPs condemn government over freedom of information system', <http://www.bbc.co.uk/news/uk-scotland-scotland-politics-40356988>

³ Interview with Ruchir Shah, SCVO, September 2017.

⁴ OGP 'Subnational Government Pilot Program', <https://www.opengovpartnership.org/subnational-government-pilot-program>

⁵ Scotland's action plan is available here: <https://www.opengovpartnership.org/documents/scotland-united-kingdom-action-plan>

⁶ OGP 'Scotland, United Kingdom - Subnational Pioneer', <https://www.opengovpartnership.org/about/working-groups/scotland-united-kingdom-subnational-pioneer>; Interview with Doreen Grove and Emma Harvey, Scottish Government, 24 August 2017.

⁷ Interview with Doreen Grove and Emma Harvey, Scottish Government, 24 August 2017.

⁸ Interview with Doreen Grove and Emma Harvey, Scottish Government, 24 August 2017.

⁹ Scottish Government (2017), Scotland Narrative for inclusion in UK Open Government, National Action Plan Self-Assessment Report (update sent to author October 2017).

¹⁰ Interview with Ruchir Shah, SCVO, September 2017.

Northern Ireland

1. Develop & trial effective open policy-making and public engagement methods

Commitment Text: *to explore, develop and trial creative and effective open policy-making and public engagement methods and share the learning across government.*

Objective: *To embed a culture of proactive and meaningful engagement with the public across government departments to ensure that the public's' input contributes in a meaningful way to policy formulation.*

Status quo: *The Northern Ireland Civil Service (NICS) faces a challenging agenda over the next few years. The delivery of priorities, more than ever, depends on the development and implementation of sound, effective and innovative policies. Key to our future in the public service is improving how we engage with the public. Despite the growing awareness of the benefits of effective engagement, there appears to be room for improvement, particularly in engaging stakeholders more openly in the very early scoping and initiation stages of policy development. Consequently, it is important for government to continue to explore and develop innovative approaches for engaging the public in formulation of policies that affect their lives*

Ambition: *To make public participation in government policy making more effective and meaningful.*

Milestones:

1. Government and civil society to co-design a pilot project to test open policy making methodology locally, ensuring that the lessons learned from the pilot are documented and shared across government.
2. Support research and experimentation to create new tools or utilise existing tools and platforms that empower users to be fully active in the government policy making process.
3. Complete the on boarding process to encourage greater levels of uptake from all Executive departments and NDPBs to the NI Direct consultation portal
4. Showcase best practice and innovative examples of public engagement in policy development across Executive departments.

Responsible institution: Department of Finance

Supporting institutions: Policy Champions Network, Open Government Network, Cabinet Office

Start date: December 2016

End date: May 2018

| Commitment Overview | Specificity | | | | OGP Value Relevance | | | | Potential Impact | | | | On Time? | Completion | | | |
|---------------------|-------------|-----|--------|------|-----------------------|---------------------|-----------------------|--|------------------|-------|----------|----------------|----------|-------------|---------|-------------|----------|
| | None | Low | Medium | High | Access to Information | Civic Participation | Public Accountability | Tech. and Innov. for Transparency and Accountability | None | Minor | Moderate | Transformative | | Not Started | Limited | Substantial | Complete |

| | | | | | | | | | | | | | | | | | |
|---------------------------------------|--|--|---|---|---|---|--|---|--|---|---|--|----|---|---|--|--|
| 1. Overall | | | | ✓ | ✓ | ✓ | | ✓ | | | ✓ | | No | | ✓ | | |
| 1.1. Pilot project | | | | ✓ | ✓ | ✓ | | | | ✓ | | | No | | ✓ | | |
| 1.2. New tools that empower users | | | | ✓ | ✓ | | | ✓ | | | ✓ | | No | ✓ | | | |
| 1.3. Complete the on boarding process | | | ✓ | | ✓ | | | | | ✓ | | | No | ✓ | | | |
| 1.4. Showcase best practice | | | | ✓ | ✓ | | | | | ✓ | | | No | ✓ | | | |

Context and Objectives

This commitment aims to create more open ways of policy-making through trials and experiments based around either one case study or a series of pilots that will then be showcased across the government. Together, the milestones will promote alternative approaches to policy-making that use different means (or 'methodologies') and, most importantly, involve the public in the process to a greater extent.

The commitment meets the OGP values on access to information and technology and innovation, as it would result in greater information being published and increase civic participation by involving CSOs. It is considered medium in its specificity - though clear in its aims there was some disagreement about what would be the best way to accomplish this goal.

If successfully implemented, the commitment would set important benchmarks in different, more open, approaches to creating policy that could inspire others and spread knowledge of new approaches.

Completion

According to the government and CSOs, the main focus has been on the first and second milestones, notably the choice of the case study policy and other experiments with opening up policy-making methodologies. The third and fourth milestones depend on the completion of the first two. So far, the milestones are behind schedule and both government and CSOs felt that the final case study or pilot may fall outside of the third action plans timeline of 2018.¹ However, progress appears to be made and the Northern Ireland mid-term assessment lists them as 'on target'²

The government hoped to be further along in implementation, but is optimistic that work would be done on milestone 1 and that a choice would soon be made for a pilot in a particular area.³ It was hoped that the chosen case study would be in some way challenging so as to serve as a better example. According to the government, it would be one that was 'challenging but worth doing' as they were 'keen to be ambitious'.⁴

For milestone 2, the government pointed to other potential 'pilots for smaller areas' that would be revealed later in 2017. There are also several ideas for different policy laboratories and methodologies with a service designer in place and a behavioural

insights unit (using behavioural economics - so-called 'nudge' approaches - to bring change) that are outside of the OGP process but linked to the ongoing work.⁵

CSOs were concerned that not much movement had taken place and were awaiting the choice of the case study/example.⁶ They too pointed out that delivery may not fall within the OGP timeframe and it 'could be a few years'.⁷ CSOs thought that the experiments with policy could be conducted through a policy laboratory, perhaps similar to the UK government's policy lab where new ideas and approaches were tested and this is, indeed, what is now being done.⁸ They felt there was a sense that parts of the executive were not wholly open to ideas of experimenting and testing.

Next Steps

The IRM researcher recommends setting a date for the selection and completion of the case study choice and there should be some way of keeping the policy within future action plans. Otherwise, as the government and CSOs suggested, if the commitment falls outside of the timeline, it may be further slowed down or caught between different action plans. It is the intention of government that this commitment be carried forward to the next action plan to ensure it is completed.

CSOs and officials already meet and monitor progress outside of the formal OGP process. More generally, the IRM researcher recommends detailed scrutiny of the commitments from either the Assembly or perhaps an independent assessment elsewhere (the exact form may depend on the future governance arrangements of Northern Ireland).

¹ Nick Cochrane, Department of Finance and Dr Kelly Wilson, Head of Public Sector Reform Division, Dept. of Finance, 15 August 2017; Colm Burns and David McBurney, Northern Ireland Open Government Network, 11 August 2017.

² Public Sector Reform Division (2017) Northern Ireland (NI) Narrative for inclusion in UK Open Government, National Action Plan Self-Assessment Report, August 2017
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/669433/Northern_Ireland_Input_to_3rd_UK_Open_Gov_National_Action_Plan_-_Self_Assessment_-_Copy_2_.pdf

³ Nick Cochrane, Department of Finance and Dr Kelly Wilson, Head of Public Sector Reform Division, Dept. of Finance, 15 August 2017.

⁴ Nick Cochrane, Department of Finance and Dr Kelly Wilson, Head of Public Sector Reform Division, Dept. of Finance, 15 August 2017.

⁵ The UK Behavioural Insights Team 'The Behavioural Insights Team', <http://www.behaviouralinsights.co.uk/>, and Sunstein, Cass R., Nudging: A Very Short Guide 37 J. Consumer Policy 583 (2014), available at SSRN, <https://ssrn.com/abstract=2499658>

⁶ Colm Burns and David McBurney, Northern Ireland Open Government Network, 11 August 2017.

⁷ Colm Burns and David McBurney, Northern Ireland Open Government Network, 11 August 2017.

⁸ Gov.uk 'Blog: Open Policy Blog', <https://openpolicy.blog.gov.uk/category/policy-lab/>

2. Promote greater levels of public sector innovation

Commitment Text: Develop a more innovative and entrepreneurial culture in the local public sector to address major societal and environmental challenges

Objective: Developing a more innovative public sector

Status quo: The local public sector faces significant challenges, which will require much greater degrees of innovation than it has traditionally deployed

Ambition: Increasing the culture of innovation in the public sector will mean it will be more open, more agile and see a much greater degree of public participation

Milestones:

1. In line with the Executive's Innovation Strategy introduce a SBRI Challenge Fund to support public sector innovations (April 2016 March 2017)
2. Seek to establish a New Executive Innovation Fund to support public sector innovation including SBRI and Challenge Prizes (October 2016 March 2017)
3. Explore funding opportunities for Public sector innovation beyond the region (Ongoing)
4. Explore opportunities for exemplar projects using data analytics to address voluntary, community, social enterprise, public and private sector needs
5. Explore opportunities for the Executive for projects under the Space for Smarter Government Programme (April 2016 March 2018).
6. Develop a proposal for data analytics and research exploitation centre (April 2016 June 2017)
7. Explore opportunities, such as Govcamp, for promoting cross border knowledge sharing and collaboration on digital government ideas and issues. (December 2016 May 2018 (March 2018)

Responsible institution: Department of Finance

Supporting institutions: Department for the Economy, in partnership with other Executive Departments and the wider public sector

Start date: 1 April 2016

End date: 31 March 2018

| Commitment Overview | Specificity | | | | OGP Value Relevance | | | | Potential Impact | | | | On Time? | Completion | | | |
|-----------------------------|-------------|-----|--------|------|-----------------------|---------------------|-----------------------|--|------------------|-------|----------|----------------|----------|-------------|---------|-------------|----------|
| | None | Low | Medium | High | Access to Information | Civic Participation | Public Accountability | Tech. and Innov. for Transparency and Accountability | None | Minor | Moderate | Transformative | | Not Started | Limited | Substantial | Complete |
| 2. Overall | | ✓ | | | ✓ | | | | | ✓ | | | No | | ✓ | | |
| 2.1. SBRI Challenge Fund to | | ✓ | | | ✓ | | | | | ✓ | | | Yes | | | ✓ | |

| | | | | | | | | | | | | | | | | | | | |
|--|--|---|---|--|---|--|--|--|--|--|---|--|--|--|----|---|---|--|--|
| support public sector innovations | | | | | | | | | | | | | | | | | | | |
| 2.2. Explore opportunities for projects | | ✓ | | | ✓ | | | | | | ✓ | | | | No | ✓ | | | |
| 2.3. Data analytics and research exploitation centre | | | ✓ | | ✓ | | | | | | ✓ | | | | No | | ✓ | | |

Context and Objectives

The commitment seeks to develop innovation within the Northern Ireland public sector to make it more open, more agile and more participative. Broken down, the commitment involves securing funding for projects, training staff and engaging with the wider community. The various parts of the commitment are relevant to the OGP value on access to information.

If fully implemented, the commitment would mean the executive would pursue a series of innovative approaches to public sector working in different directions that could lead to new ways of working and greater openness. However, in the commitment text itself, the commitment was a mixture of different milestones of varying lengths with some areas unclear (for example, exactly what the funding would be for and how was unclear, and not all funding was from a specific area). CSOs felt the link to open government was unclear and pointed out that, of all the four Northern Ireland commitments, this was the one that was mostly created inside government.¹ The commitment is considered to have low specificity in OGP terms.

Completion

The government concluded in its mid-term review that 'there has been good progress against most of this commitments'.² Some of the language in the commitment and open-ended milestones make it difficult to precisely pinpoint the exact level of implementation, and many of them seem to sit between limited and substantial. It appears all have been started, a number are in process but none, so far, are complete.

The government believes that all the milestones were in progress at various points. For milestone 1, Small Business Research Initiative and challenge funding had been secured and an innovation lab was being created via EU funding from a collaborative project.³ Similarly, the funding for milestones 2 and 3 were waiting for bid details or the application was being drawn up.⁴

For milestone 5 a project on SMART space would be submitted by autumn 2017, and for milestone 6 new resources were being made available for data exploitation. For milestone 7 Open Gov Camp was held at Narrow Water Castle, Co. Down in Sept 2017 with Open Data Camp held in Belfast in October 2017 with a number of staff attending, representing the Government.⁵

CSOs felt that this commitment was not wholly connected to openness and was primarily a government-driven initiative to which they had agreed.⁶ They felt it may enhance technology around openness and establish a baseline of innovation. They also welcomed the progress made with data analytics training, funding for public sector innovation via the EU funds and Open Gov Camp.⁷

The CSOs were concerned that many parts of the commitment were, and could be, stalled because they were high resource commitments at a time when there was a limited budget present for the Executive. At the time of writing, with the executive and assembly suspended, only a proportion of the budget could be spent on policies already 'signed off', given the unknown governance arrangement of Northern Ireland in the coming months and years.⁸

Early Results

In terms of the data analytics in milestone 4, 30 staff had been trained via Deloitte and the NISRA (Northern Ireland Statistics and Research Agency) is currently developing 10 innovative projects of its own using analytics. The early results are positive, particularly the training of staff and the cross-border Open Gov camp and arrival of Open Data camp in Belfast, which will expand the skills and networks around Northern Ireland, while also promoting the issue and creating awareness. The winning of funding so far will also help provide resource for innovation. According to the mid-term update, although the Executive Innovation Fund has stalled due to the political situation, other funding secured 'will be used in various ways, including 'exploring opportunities in data analytics and....promoting cross border knowledge sharing and collaboration on digital government issues'⁹. However, it is unclear if all the timelines will be met within this cycle.

Next Steps

The commitment is made up of a series of different opportunities for innovation. The IRM researcher recommends that any outstanding areas should be incorporated into a future action plan and the pattern of innovation and experiment, as well as training and network building, should be continued.

The IRM researcher agrees with the CSO-held view that some of the commitments were rather broad and dependent on obtaining funding, and not all of them were related directly to openness. Therefore, the researcher recommends that future commitments should aim to be specific and perhaps time limited and able to feed more directly into openness, for example, by using a specific case study in a policy or one local authority.

¹ Colm Burns and David McBurney, Northern Ireland Open Government Network, 11 August 2017.

² Public Sector Reform Division (2017) Northern Ireland (NI) Narrative for inclusion in UK Open Government, National Action Plan Self-Assessment Report, August 2017
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/669433/Northern_Ireland_Input_to_3rd_UK_Open_Gov_National_Action_Plan_-_Self_As..._-_Copy_2_.pdf

³ Nick Cochrane, Department of Finance and Dr Kelly Wilson, Head of Public Sector Reform Division, , 15 August 2017.

⁴ Nick Cochrane, Department of Finance and Dr Kelly Wilson, Head of Public Sector Reform Division, , 15 August 2017.

⁵ 'OpendataNI 'Open data Camp Is Coming to Belfast', <https://www.opendatani.gov.uk/blog/open-data-camp-is-coming-to-belfast>

⁶ Colm Burns and David McBurney, Northern Ireland Open Government Network, 11 August 2017.

⁷ Colm Burns and David McBurney, Northern Ireland Open Government Network, 11 August 2017.

⁸ Nick Cochrane, Department of Finance and Dr Kelly Wilson, Head of Public Sector Reform Division, , 15 August 2017; Colm Burns and David McBurney, Northern Ireland Open Government Network, 11 August 2017.

⁹ Public Sector Reform Division (2017) Northern Ireland (NI) Narrative for inclusion in UK Open Government, National Action Plan Self-Assessment Report, August 2017
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/669433/Northern_Ireland_Input_to_3rd_UK_Open_Gov_National_Action_Plan_-_Self_As..._-_Copy_2_.pdf

3. To investigate implementation of the Open Contracting Data Standard (OCDS) in Central Procurement operations

Commitment Text: To investigate implementation of the Open Contracting Data Standard (OCDS) in Central Procurement operations.

Objective: To ensure data available on contracts awarded is available for use by stakeholders.

Status quo: An international standard - Open Contracting Data Standard (OCDS) has been introduced around contract data and this has not been implemented locally.

Ambition: The ambition is to establish whether it is practical for Department of Finance Central Procurement Directorate (CPD) to implement the Open Contracting Data Standard moving forward.

Milestones:

1. DoF CPD to explore a pilot project implementing the Open Contracting Data Standard (January 2017 December 2017)
2. Develop visualisation tool with contracts data from CPD as part of the Open Data Strategy (January 2017 December 2017)

Responsible institution: Department of Finance

Supporting institutions: N/A

Start date: January 2017

End date: December 2017

| Commitment Overview | Specificity | | | | OGP Value Relevance | | | | Potential Impact | | | | On Time? | Completion | | | |
|---|-------------|-----|--------|------|-----------------------|---------------------|-----------------------|--|------------------|-------|----------|----------------|----------|-------------|---------|-------------|----------|
| | None | Low | Medium | High | Access to Information | Civic Participation | Public Accountability | Tech. and Innov. for Transparency and Accountability | None | Minor | Moderate | Transformative | | Not Started | Limited | Substantial | Complete |
| 3. Overall | | | ✓ | | ✓ | | | | | ✓ | | | No | | | ✓ | |
| 3.1. Pilot project implementing OCDS | | ✓ | | | ✓ | | | | | ✓ | | | Yes | | | ✓ | |
| 3.2. Develop visualisation tool with contracts data | | | ✓ | | ✓ | | | | | | ✓ | | No | | ✓ | | |

Context and Objectives

The Open Contracting Data Standard is a global, non-proprietary data standard structured to reflect the complete contracting cycle that allows users and partners around the world to publish shareable, reusable, machine readable data, to join that

data with their own information, and to create tools to analyse or share that data.¹ It is rated according to a series of stars that set out the level of openness and interaction of the data (i.e. if it is linked). The Standard makes procurement and contacting more transparent and allows the public to examine, scrutinise and hold to account government contracts. The UK has championed this Standard across the world and has formed commitments in all three of its action plans.

If completed, the commitment would open up all contracts in Northern Ireland to this standard and would allow the public to visualise and scrutinise all of the Northern Irish government's contracting arrangements, which at present it cannot.

The commitment's language is vague in terms of what is implied by 'investigating implementation' or with an ambition 'to establish whether it is practical'. During the interviews with the IRM researcher, the government clarified the terms of the commitment. This will be reflected in the implementation, and therefore considered for the "Did it open government?" variable in the IRM end of term report.

Completion

The commitment appears to be ongoing, with milestone 1 being the main focus. Although the language of the commitment meant it was not entirely clear if the commitment was a pilot or an investigation, the objective and later mid-term assessment made clear it was concerned with rolling out the contract standard.²

There has been some progress towards implementation. For milestone 1, the government set out that there had been some good initial progress with some exploratory work to see how the systems measure up.³ Currently all contracts in Northern Ireland meet the requirements for 1-star data, meaning they are available on the internet under an open license.

Under the commitment, the government is now looking for 2-star and to take the data available as structured data (e.g. as an Excel file instead of images or scans of a table). However, they warned that the next levels (3 or 4 where data is linked to other data) could cause more difficulties and it may be harder to push across separate business areas around government.⁴ It was unlikely that the deadline of a visualisation platform would be met by December 2017, but work is being done to ensure data is compatible with current visualisation⁵.

This commitment was the one that CSOs were most worried about. They were concerned that there was no real interest and CSOs felt the executive were doing the basics to meet the commitments.⁶ CSOs felt there was expertise to offer from the Open Contracting Partnership that was not taken up.⁷

Early Results

So far, the commitment has mainly focused on exploring what can be done internally. The self-assessment claimed that 'analysis of the OCDS framework showed that CPD met the requirements for the Basic Disclosure Level (1-star)' with further actions 'to meet Intermediate Disclosure Level (2-star) level'. In addition, 'improved data disclosure actions' have been introduced and to date the 'contracts awarded' data for the most recent financial year (2016/17) has been published on the Open Data NI portal.⁸

Next Steps

Work on Open Contracting should continue in the next action plan. The government should also follow the recommendations of CSOs. If necessary, it could draw on the expertise and ideas of the Open Contracting partnership, either through informal help or a more formal steering committee, of a type successfully used by the CCS in the UK (see Commitment 5).

¹ Open Contracting Partnership 'Open Contracting Data Standard: Documentation', <http://standard.open-contracting.org/latest/en/>

² Public Sector Reform Division (2017) Northern Ireland (NI) Narrative for inclusion in UK Open Government, National Action Plan Self-Assessment Report, August 2017
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/669433/Northern_Ireland_Input_to_3rd_UK_Open_Gov_National_Action_Plan_-_Self_As..._-_Copy_2_.pdf

³ Nick Cochrane, Department of Finance and Dr. Kelly Wilson, Head of Public Sector Reform Division, Dept. of Finance, 15 August 2017; Colm Burns and David McBurney, Northern Ireland Open Government Network, 11 August 2017.

⁴ Berners-Lee's Five star system for data 5stardata.info '5 Star Data', <http://5stardata.info/en/>

⁵ Public Sector Reform Division (2017) Northern Ireland (NI) Narrative for inclusion in UK Open Government, National Action Plan Self-Assessment Report, August 2017
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/669433/Northern_Ireland_Input_to_3rd_UK_Open_Gov_National_Action_Plan_-_Self_As..._-_Copy_2_.pdf

⁶ Colm Burns and David McBurney, Northern Ireland Open Government Network, 11 August 2017.

⁷ Open Contracting Partnership and Open Contracting Standard at Open Contracting Partnership 'Open Contracting Data Standard: Documentation', <http://standard.open-contracting.org/latest/en/>

⁸ Department of Finance (2017) Northern Ireland (NI) Narrative for inclusion in UK Open Government: National Action Plan Self-Assessment Report (draft available as Google document August 2017),

4. Open-up government for greater accountability, improve public services and building a more prosperous and equal society

Commitment Text: *To establish that all public sector data is Open by default (excepting personal, IPR, commercially or environmentally sensitive data).*

Objective: *To ensure that the Executive's Open Data Strategy is embraced and adopted by all public sector organisations.*

Status quo: *To embed a culture of open by default and increase awareness and demand for open data.*

Ambition: *To increase the number of public sector organisations aware of open data and to encourage publishing of their data on OpenDataNI. Also, to encourage the use of open data as a driver to economic growth; innovation and research, and increased Public Sector efficiency.*

Milestones:

1. *Increase the number of Showcases on OpenDataNI (November 2015 May 2018)*
2. *Support an annual competition to derive and promote innovative services and products (June 2016 May 2018)*
3. *Support and host engagement events between the public sector and the developer community to focus on issues and problems locally and use technology, innovation and open data to find solutions (June 2016 May 2018).*
4. *Increase engagement with a number of partners such as ODI Belfast, NI Digital Catapult, universities, business and developer groups (June 2016 May 2018)*
5. *Increase proportion of public sector agencies to have published open data (June 2016 May 2018)*
6. *Increase the number of public sector staff trained in producing and publishing open data (June 2016 May 2018)*
7. *Increase proactive publication of data from government departments (November 2015 May 2018)*
8. *Publish 2 datasets as 4-star or 5 star linked Open Data as defined by W3C (June 2016 May 2018)*
9. *Work with ODI Belfast and partners to encourage innovative uses of open data for new products and services (November 2015 May 2018)*

Responsible institution: Department of Finance

Supporting institutions: ODI Belfast, NI Digital Catapult, Future Cities

Start date: December 2016

End date: May 2018

| | | | | | |
|--|-------------|---------------------|------------------|----------|------------|
| | Specificity | OGP Value Relevance | Potential Impact | On Time? | Completion |
|--|-------------|---------------------|------------------|----------|------------|

| | None | Low | Medium | High | Access to Information | Civic Participation | Public Accountability | Tech. and Innov. for Transparency and Accountability | None | Minor | Moderate | Transformative | | Not Started | Limited | Substantial | Complete |
|--|------|-----|--------|------|-----------------------|---------------------|-----------------------|--|------|-------|----------|----------------|-----|-------------|---------|-------------|----------|
| 4. Overall | | | | ✓ | ✓ | ✓ | | ✓ | | ✓ | | | No | | ✓ | | |
| 4.1. Showcases on OpenDataNI | | | | ✓ | ✓ | | | ✓ | | ✓ | | | Yes | | ✓ | | |
| 4.2. Annual competition | | | | ✓ | | ✓ | | | | | ✓ | | Yes | | ✓ | | |
| 4.3. Support and host engagement events | | | ✓ | | ✓ | | | | | | ✓ | | No | | | ✓ | |
| 4.4. Increase engagement with a number of partners | | | ✓ | | | ✓ | | | | ✓ | | | No | | | ✓ | |
| 4.5. Increase public sector data | | | ✓ | | ✓ | | | | | ✓ | | | No | | | ✓ | |
| 4.6. Public staff training | | | ✓ | | ✓ | | | | | ✓ | | | No | | | ✓ | |
| 4.7. Proactive publication from government | | | ✓ | | ✓ | | | | | ✓ | | | No | | ✓ | | |
| 4.8. Publish 2 datasets as 4-star or 5-star | | | | ✓ | ✓ | | | | | ✓ | | | No | ✓ | | | |
| 4.9. Encourage innovative uses | | | | ✓ | ✓ | ✓ | | ✓ | | ✓ | | | No | | ✓ | | |

Context and Objectives

This commitment is part of an ongoing process in Northern Ireland based around its Open Data portal and its long-term Open Data strategy that runs from 2015 to 2018.¹ At present, the portal contains 261 datasets as well as a section where users can suggest or recommend new datasets for publication. The strategy commits the Northern Ireland Executive to 'successfully implement and drive open data by default' meaning all data will be created and published automatically in an open format. The development of the portal and philosophy of openness is intended to both improve transparency and stimulate innovation; as the strategy puts it 'to embed a culture' of

‘open by default’ within the Northern Ireland public sector in order to drive public service efficiency, stimulate innovation and improve the economy in Northern Ireland’.²

Some of the milestones are specific (on showcases or star rating) but others spoke more vaguely of engagement or of encouraging departments to publish pro-actively. The commitment is relevant to fits with the OGP values of access to information, civic participation and technology and innovation.

CSOs felt that this commitment would be achieved.³ In a sense, this was because it is the ‘easiest’ of Northern Ireland’s commitments as the government was already going in this direction, and work on the portal was occurring outside of OGP. They praised the Open Data team and the work of the advisory panel, but felt that the problem lay in how ‘adventurous’ the commitment was. More could be done, they argued, to make the area more engaging and democratically orientated.⁴

Completion

The Open Data portal itself was already well established with a project board, team and plan already in place before the action plan. In fact, in May 2017 Northern Ireland scored eighth place in the Open Data Index, partly as a result of the portal.⁵ It appeared that all of the milestones were under way, though all nine of them were not due to finish until May 2018 and some were more open-ended than others.

The milestones on engagement (2, 4 and 9) were partly covered by the Open Data Camp coming to Belfast in October 2017, as well as a series of other initiatives and partnership work with, for example, education bodies and an event celebrating the portal in December 2016.⁶ The training of staff in milestone 3 overlapped with Commitment 3 above, with more than 200 staff trained in data analytics.

According to the government, one area of difficulty appeared to be getting organisations to publish data pro-actively (milestones 5 and 6).⁷ There was not always a full appreciation of the value of open data and pro-active openness was sometimes blocked through a combination of lack of awareness and a lack of resources.

Early Results

Though the commitment will not, by itself, make Northern Ireland fully ‘open by default’ it will go some way towards the goals of the commitment and the Open Data strategy.

The self-assessment argued there had been some progress with three other new bodies publishing data on the portal and successful awareness raising, with training sessions for all Executive departments as well as other bodies and the high profile Open Data Camp in Belfast in October 2017.⁸ Such internal and external work on training and spreading awareness of the importance of openness may help to change cultures, while the Belfast Open Data camp and the partnership work will help create networks of expertise and educate others in the opportunities and importance. The portal team had also created teaching/training guidance and built links with universities.

The IRM researcher was unable to establish if any new showcases were available on the site or if datasets rated 4-star had been published in late 2017 (see milestone 1 and 8). However, the self-assessment revealed there were 16 with another three in progress.⁹

Next Steps

The IRM researcher recommends continuing work on the Open Data portal, as well as continued wider engagement both within other departments and the community.

More targeted and specific goals should be defined, e.g. number of datasets, fixed and clear experiments, rather than the vague aims included in the current commitment.

To ensure higher relevance to OGP values, the IRM researcher recommends that future commitments in this area combine data with visualisation tools, and experiments in public participation and democratic engagement at different government levels.

¹ OpenDatani.gov.uk 'Open data Northern Ireland', <https://www.opendatani.gov.uk/>, and 'Open data strategy for Northern Ireland 2015 – 2018', <https://www.finance-ni.gov.uk/publications/open-data-strategy-northern-ireland-2015-2018>

² Department of Finance, 'Open data strategy for Northern Ireland 2015 – 2018', <https://www.finance-ni.gov.uk/publications/open-data-strategy-northern-ireland-2015-2018>

³ Colm Burns and David McBurney, Northern Ireland Open Government Network, 11 August 2017.

⁴ Colm Burns and David McBurney, Northern Ireland Open Government Network, 11 August 2017.

⁵ Nick Cochrane, Department of Finance and Dr. Kelly Wilson, Head of Public Sector Reform Division, Dept. of Finance, 15 August 2017; Colm Burns and David McBurney, Northern Ireland Open Government Network, 11 August 2017; OpenDatani.gov.uk 'Northern Ireland makes a splash in the 2016 Global Open Data Index survey!', <https://www.opendatani.gov.uk/blog/northern-ireland-makes-a-splash-in-the-global-open-data-index-survey-2016>

⁶ OpenDatani.gov.uk 'Open Data Camp is coming to Belfast!', <https://www.opendatani.gov.uk/blog/open-data-camp-is-coming-to-belfast>, and OpenDatani.gov.uk, 'OpenDataNI - stimulating innovation in the world of local education', <https://www.opendatani.gov.uk/blog/opendatani-stimulating-innovation-in-the-world-of-local-education>, and OpenDatani.gov.uk 'OpenDataNI: The first year', <https://www.opendatani.gov.uk/blog/opendatani-the-first-year>

⁷ Nick Cochrane, Department of Finance and Dr. Kelly Wilson, Head of Public Sector Reform Division, Dept. of Finance, 15 August 2017.

⁸ Department of Finance (2017) Northern Ireland (NI) Narrative for inclusion in UK Open Government: National Action Plan Self-Assessment Report (draft available as Google document August 2017).

⁹ Department of Finance (2017) Northern Ireland (NI) Narrative for inclusion in UK Open Government: National Action Plan Self-Assessment Report (draft available as Google document August 2017).

Wales

1. Open data plan

Commitment text: *develop and implement an open data plan for Welsh Government and work towards achieving the commitments outlined within the plan.*

Objective: *to develop a plan that outlines Welsh Government's ongoing commitment to open data and increase awareness of open data across Welsh Government.*

Status quo: *within Welsh Government we are already striving to increase the accessibility to our data through websites such as Lle and StatsWales. However there is more that can be done to increase the openness and transparency of our data.*

There also needs to be greater awareness of the potential opportunities and benefits that open data can provide to the people of Wales, businesses, the public service sector and Welsh Government. Implementation of our Open Data Plan and its commitments should help address these issues.

Ambition: *whilst work is already on going in the field of open data within Welsh Government we hope that implementation of this Open Data Plan will raise awareness, consolidate on going work and demonstrate Welsh Government's commitment to open data. The plan will hopefully also provide a practical opportunity to work with and encourage public service organisations to increase their publication and use of open data.*

Milestones:

1. *Implement commitments outlined within the Welsh Government Open Data Plan*

Responsible institution: Welsh Government

Supporting institution(s): N/A

Start date: March 2016

End date: March 2018

| Commitment Overview | Specificity | | | | OGP Value Relevance | | | | Potential Impact | | | | On Time? | Completion | | | |
|---------------------|-------------|-----|--------|------|-----------------------|---------------------|-----------------------|--|------------------|-------|----------|----------------|----------|-------------|---------|-------------|----------|
| | None | Low | Medium | High | Access to Information | Civic Participation | Public Accountability | Tech. and Innov. for Transparency and Accountability | None | Minor | Moderate | Transformative | | Not Started | Limited | Substantial | Complete |
| 1. Overall | | ✓ | | | ✓ | | | | | ✓ | | | Yes | | | ✓ | |

Context and Objectives

Although having engaged in Open Data work for some time, the Welsh Government published its first Open Data plan in March 2016.¹ It aimed to:

...demonstrate Welsh Government's commitment to open data [by providing] a practical opportunity to work with and encourage public

service organisations to increase their publication and use of open data.

The plan set a series of goals under the four broad headings of 'open by default', 'quantity and quality', 'make data usable by all' and 'releasing data for improved governance and innovation'. These goals cover improving data quality, creating a Welsh Open Data service, encouraging innovation and publishing more data.

The commitment is low in specificity, as it means implementing a plan that contained a mixture of specific and vague outcomes. The plan also varied in the timing of different parts, as some did not have hard timelines as some are longer term and mainly about pushing agenda more broadly across Welsh government.² The commitment is relevant to the OGP value of access to information, as it aims to increase publication and use of open data from public service organisations.

The commitment's ambition suggests that the implementation could offer more data of a higher quality with an overarching service behind it, while also developing a stronger network of users and engaged people. However, due to the vagueness of the commitment's text, particularly of the activities, it is not possible to determine if the Open Data Plan will actually produce more and higher quality data.

Completion

The commitment appears to be broadly on track for its March 2018 deadline.³

The websites are now publishing in open formats as per the plan and the Welsh government has been working with the Open Data Institute Cardiff, the Welsh Audit Office and Cardiff Capital Region Open Data group in pushing the agenda forward.⁴ One area where there has been less progress is on developing an Open Data catalogue, where there has been delay owing lack of resources.⁵

In June 2017, the Welsh government also announced it would be working alongside CSOs to further engagement, saying: 'We're delighted that the Wales Council for Voluntary Action (WCVA) and Electoral Reform Society Cymru (ERS Cymru) were successful in securing funding from the Big Lottery enabling them to establish a civil society network within Wales.'⁶

Early Results

So far, the government has increased its output of data and begun the process of developing civil society networks. There have been several important steps forward in data quality. The Welsh government has published data on its two main open data platforms: the Lle platform, which is a geo-Portal that has been developed in partnership between Welsh Government and Natural Resources Wales (mostly for environmental data) and now holds 200 datasets, and StatsWales portal now with 1,000 datasets.⁷

According to the draft self-assessment, there had been good progress generally, though 'work to develop a catalogue of open datasets and acquisition of open data certification has been slower than anticipated'.⁸

Next Steps

The IRM researcher recommends that the Welsh government continue publishing and building networks. It could also turn its attention in the future to other aspects such as a process for requesting datasets, as seen on the UK data.gov.uk and more interactive displays and showcasing of apps.⁹ Its work with its new networks and groups could also be helped by civil society hack days and camps, building on the success of Open Gov camp in Cardiff.

¹ Welsh Government 'Open Data Plan',

<http://gov.wales/docs//decisions/General/160331OpenDataPlan.pdf>

² Interview with Rhiannon Caunt, Welsh Government, 6 September 2017.

³ Interview with Jetske Germing, Welsh Council of Voluntary Organizations, 8 September 2017.

⁴ Interview with Rhiannon Caunt, Welsh Government, 6 September 2017.

⁵ Interview with Rhiannon Caunt, Welsh Government, 6 September 2017.

⁶ Digital Land Data Blog 'Working Together To Be More Open',

<https://digitalanddata.blog.gov.wales/2017/06/28/working-together-to-be-more-open/>

⁷ Lle, Welsh Government 'Lle: A Geo-Portal for Wales', <http://lle.gov.wales/home>, and Statistics Wales 'Statistics Wales Portal', <https://statswales.gov.wales/Help/Index>. There are also 2,798 datasets on data.gov.uk covering the Welsh government and Welsh matters, <https://data.gov.uk/publisher/welsh-government>

⁸ Welsh Government (2017), UK Open Government, National Action Plan, Welsh Government Mid-Term Self-Assessment Report (draft document accessed by author October 2017).

⁹ data.gov.uk 'Latest data requests', <https://data.gov.uk/data-request>

2. Open data service

Commitment Text: *develop an Open Data Service for Wales with a focus on helping improve public services.*

Objective: *to increase the openness and amount of data about Wales that is published by Welsh Government and other public sector bodies.*

Status quo: *only a subset of data about Wales held by Welsh Government and other public sector partners is currently published.*

Ambition: *developing an Open Data Service for Wales will increase the accessibility and the amount of data published by Welsh Government and other public sector bodies in Wales. Furthermore making more data openly available will hopefully help improve public services in Wales.*

Milestones:

1. StatsWales data published in machine readable format
2. StatsWales training material on improvements prepared and delivered
3. Lle developed to allow users to build their own maps
4. Open data catalogue produced

Responsible institution: Welsh Government

Supporting institutions: Welsh Government other government departments, StatsWales site team

Start date: March 2016

End date: March 2017

| Commitment Overview | Specificity | | | | OGP Value Relevance | | | | Potential Impact | | | | On Time? | Completion | | | |
|---|-------------|-----|--------|------|-----------------------|---------------------|-----------------------|--|------------------|-------|----------|----------------|----------|-------------|---------|-------------|----------|
| | None | Low | Medium | High | Access to Information | Civic Participation | Public Accountability | Tech. and Innov. for Transparency and Accountability | None | Minor | Moderate | Transformative | | Not Started | Limited | Substantial | Complete |
| 2. Overall | | | ✓ | | ✓ | | | ✓ | | ✓ | | | No | | | ✓ | |
| 2.1. StatsWales data published in machine readable format | | | ✓ | | ✓ | | | ✓ | | ✓ | | | Yes | | | ✓ | |
| 2.2. StatsWales training material | | | ✓ | | ✓ | | | | | ✓ | | | Yes | | | ✓ | |

| | | | | | | | | | | | | | | | | | |
|---|--|--|---|--|---|--|--|---|--|---|--|--|-----|--|---|---|--|
| 2.3. Lle developed to allow users to build their own maps | | | ✓ | | ✓ | | | ✓ | | ✓ | | | Yes | | | ✓ | |
| 2.4. Open data catalogue produced | | | ✓ | | ✓ | | | | | ✓ | | | No | | ✓ | | |

Context and Objectives

As mentioned in Commitment 1, the Welsh government currently publishes some data via its two portals, Lle and StatsWales.¹ The commitment aims to develop an Open Data Service for Wales to improve on the current amount and quality of data available.

As the commitment text points out, only a subset of data about Wales is currently published. The commitment will ensure not only that more data is published but also that the government's openness rating improves, training materials are made available and there is interactive content is published.²

These commitments resembled a small set of sub-aims that fitted with the wider Welsh Open Data plan in terms of increasing the quantity and quality of data publication, and making it more useable for the community that needs it.³ The milestones are medium specific, as it is not clear what type of data will be added to the website.

The commitment meets the OGP values of access to information and technology and innovation. Taken together, they would further increase the openness of the Welsh government, while also making data publication more systematic and interactive. If fully implemented, the commitment would improve the quality of existing data, but would address neither the issue of multiple data portals, nor the issue of determining which data subsets should be required for publication in order to bridge the current gap where only a few subsets are published.

Completion

Three of the four milestones are in progress. An examination of the catalogue shows StatsWales data is being published in machine-readable format. Statistics Wales also has a series of training materials on how to use and analyse the data on the site (both the data itself and the meta-data) with more planned.⁴

For milestone 3, on the geo-spatial Lle website, a new beta development now allows users of the data to build their own maps.⁵ Only milestone 4 is behind schedule, as the open catalogue has been delayed over the development of a prototype from StatsWales, due to lack of resources.⁶

Early Results

The commitment has improved searchability and potential access to data across the Welsh government and undoubtedly pushed forward the amount and type of data.

Next Steps

The IRM researcher recommends that the Welsh government look to other examples of data portals to press forward with usability and accessibility. The Scottish data portal, for example, also allows users to search by broad themes or organisations. It carries a series of icons to help analyse data as a time series or a map, and easily

download it with a helpful ‘How to...’ blog.⁷ The UK data.gov.uk has a site for application showcases as well as a tab where users can request certain datasets.⁸

¹ Lle, Welsh Government, ‘Lle: A Geo-Portal for Wales’, <http://lle.gov.wales/home>, and Statistics Wales ‘Statistics Wales Portal’, <https://statswales.gov.wales/Help/Index>

² The starred openness rating system here 5stardata.info ‘5 Star Data’, <http://5stardata.info/en/>

³ Welsh Government ‘Open Data Plan’, <http://gov.wales/docs//decisions/General/160331OpenDataPlan.pdf>

⁴ Interview with Rhiannon Caunt, Welsh Government, 6 September 2017. Stats Wales ‘Help’, <https://statswales.gov.wales/Help/Index>, and catalogue, <https://statswales.gov.wales/Help/Index>

⁵ Lle, ‘Lidar Composite Dataset’, <http://lle.gov.wales/Catalogue/Item/LidarCompositeDataset/?lang=en>

⁶ Interview with Rhiannon Caunt, Welsh Government, 6 September 2017.

⁷ Scottish Government ‘Statistics.Gov.Scot’, <http://statistics.gov.scot/> and Scottish Government ‘Scottish Statistics Blog: News from the Statistics Team’, <http://blog.statisticsbeta.com/>; data.gov.uk ‘Latest data requests’,

<https://data.gov.uk/data-request>

⁸ data.gov.uk ‘Latest data requests’, <https://data.gov.uk/data-request>

3. StatsWales

Commitment text: *Develop StatsWales, the Welsh Government's online repository for detailed statistical data, to increase its openness rating to 4*.*

Objective: *To increase the openness and amount of structured data that is published by Welsh Government and other public sector bodies.*

Status quo: *Only a subset of data about Wales held by Welsh Government and other public sector partners is currently published. Whilst StatsWales publishes structured data openly there is a need to increase its openness rating.*

Ambition: *Through this commitment we will improve the openness of data published by Welsh Government, enabling our data to be freely shared and used by others.*

Milestones:

1. *StatsWales data published in machine readable format June 2016 (ongoing)*
2. *StatsWales guidance and training videos prepared and published Nov 2016 – Dec*
3. *Accreditation of StatsWales carried out successfully*
4. *StatsWales training material prepared and delivered*

Responsible institution: Welsh Government

Supporting institution(s): N/A

Start date: March 2016

End date: December 2017

| Commitment Overview | Specificity | | | | OGP Value Relevance | | | | Potential Impact | | | | On Time? | Completion | | | |
|---------------------|-------------|-----|--------|------|-----------------------|---------------------|-----------------------|--|------------------|-------|----------|----------------|----------|-------------|---------|-------------|----------|
| | None | Low | Medium | High | Access to Information | Civic Participation | Public Accountability | Tech. and Innov. for Transparency and Accountability | None | Minor | Moderate | Transformative | | Not Started | Limited | Substantial | Complete |
| 3. Overall | | | | ✓ | ✓ | | | ✓ | | ✓ | | | Yes | | | ✓ | |

Context and Objectives

This commitment aims to develop StatsWales, the main data portal in Wales, and increase the quality of its data to a 4-star data rating, which means data is linked (i.e. connected to other data) and served at URIs that work as locators for information on the web.¹ It also includes the creation of training material and guidance. The milestones are highly specific and as to what the outcomes will be - though they appear to overlap with Commitment 2, while milestones 2 and 4 appear to overlap.

The commitment is relevant to the OGP values of access to information and technology and innovation. If fully implemented, the commitment would mean that data is of a higher quality, uniformly consistent and easier to find, use and match with other data. However, the new functionalities would require some level of expertise from users, which could undermine the usability of the data for the public.

Completion

According to the Welsh government all milestones are on schedule to be completed.

For milestone 1, the IRM researcher found all the data on the site to be machine-readable (available as xl or comma separated value).²

For milestones 2 and 4 on training, StatsWales also has a series of training materials on how to use and analyse the data on the site (both the data itself and the meta-data) with more planned.³

The accreditation milestone 3 is also linked to the milestone in Commitment 2 on an Open Data Catalogue that awaits resources and action from elsewhere.⁴

Early Results

As the milestones are all still in progress, there are no firm results yet. However, the commitment is improving the quality and availability of data on StatsWales.

According to StatsWales, which currently holds about 1,000 datasets, 'all non-archived StatsWales data (90 percent of content) [is] now available in machine-readable format'.⁵

Next Steps

The IRM researcher recommends that StatsWales continue to improve the quality of data and interaction. It should also look to other data portals across the UK for inspiration in terms of visualising data, showcasing notable applications and making searching easier.⁶

¹ 5stardata.info '5 Star Data', <http://5stardata.info/en/>

² Search by the IRM on Stats Wales, 27 September 2017.

³ Interview with Rhiannon Caunt, Welsh Government, 6 September 2017. Stats Wales 'Help', <https://statswales.gov.wales/Help/Index>

⁴ Interview with Rhiannon Caunt, Welsh Government, 6 September 2017.

⁵ Statistics Wales 'Statistics Wales Portal', <https://statswales.gov.wales/Help/Index>. Assessment made in Welsh Government (2017) *UK Open Government, National Action Plan Welsh Government Mid-Term Self-Assessment Report* (draft document accessed by author October 2017)

⁶ Scottish Government 'Statistics.Gov.Scot', <http://statistics.gov.scot/>, and Scottish Government 'Scottish Statistics Blog: News from the Statistics Team', <http://blog.statisticsbeta.com/>; data.gov.uk 'Latest data requests', <https://data.gov.uk/data-request>

4. Administrative Data Research Centre Wales

Commitment text: *In partnership with the Administrative Data Research Centre Wales, the Welsh Government will work to ensure that access to government datasets is available in a secure and safe manner for the purposes of academic and public sector research. Furthermore, such access is promoted to maximise the use of such data for research that is published and made available to support better decisions.*

Objective: *Secure and ethical access to data held by government to accredited academic and public sector researchers in approved safe environments with appropriate controls in place, leading to published research for the public good.*

Status quo: *To overcome barriers to access to data for academic or public sector research purposes.*

Ambition: *Through this commitment we will improve the public value of government data by ensuring it is available to use to produce high quality, published, research that will inform public policy and improve the lives of citizens.*

Milestones:

1. Publish further research in partnership with the Administrative Data Research Centre-Wales by the end of the financial year
2. Increase the number of public sector datasets available for Welsh researchers through the ADRC-W by the end of the financial year
3. Pilot techniques for local authorities to supply data for research in the ADRC-W by the end of the financial year

Responsible institution: Welsh Government

Supporting institutions: UK statistics authority, Administrative Data Research Centre – Wales (academic partnership); ESRC; Administrative Data Research Network Board

Start date: March 2015

End date: March 2017

| Commitment Overview | Specificity | | | | OGP Value Relevance | | | | Potential Impact | | | | On Time? | Completion | | | |
|------------------------------|-------------|-----|--------|------|-----------------------|---------------------|-----------------------|--|------------------|-------|----------|----------------|----------|-------------|---------|-------------|----------|
| | None | Low | Medium | High | Access to Information | Civic Participation | Public Accountability | Tech. and Innov. for Transparency and Accountability | None | Minor | Moderate | Transformative | | Not Started | Limited | Substantial | Complete |
| 4. Overall | | | ✓ | | ✓ | | | ✓ | | ✓ | | | No | | | ✓ | |
| 4.1 Publish further research | | | ✓ | | ✓ | | | ✓ | | ✓ | | | Yes | | | ✓ | |
| 4.2. Public sector datasets | | | ✓ | | ✓ | | | ✓ | | ✓ | | | No | | | ✓ | |

| | | | | | | | | | | | | | | | | | | | |
|---|--|--|---|--|---|--|--|---|--|---|--|--|--|----|--|---|--|--|--|
| available for researchers | | | | | | | | | | | | | | | | | | | |
| 4.3. Pilot techniques for local authorities | | | ✓ | | ✓ | | | ✓ | | ✓ | | | | No | | ✓ | | | |

Context and Objectives

This commitment aims to extend secure use of data by the public sector and academics, as part of a partnership between the Administrative Data Research Centre Wales, based at Cardiff University, and the Welsh government. The Administrative Data Research Centre Wales is a centre for leading data scientists and a hub for networks across Wales that ‘uses cutting-edge technology to efficiently link and analyses de-identified administrative data that has the ability to inform social, economic and health related research in the UK’.¹ The commitment will, in line with OGP values, enable greater access to information by the public and involve technology and innovation through new use of data.

The milestones are mostly open ended and considered to be ‘rolling’, particularly milestones 1 and 2.² If fully completed, the commitment would be a positive step towards improved accessibility of data for research, for which there is a demand.³ However, although the commitment’s activities are verifiable, they do not explain what type of research will be published, the granularity of the datasets, and what the pilot techniques will entail.

Completion

So far, milestones 1 and 2 are ongoing, as the Administrative Data Research Centre Wales has continued to make available more data for researchers (though the data is not publicly accessible because of the sensitivity). Both milestones will carry on until the deadline.⁴

For milestone 3, all the funding for the pilot is in place (which took longer than anticipated), and there is now a need to identify a pilot local authority to carry out the project.⁵

There are a range of innovative projects drawing on the new data. They will provide benefit both to data scientists and policymakers, and help ‘overcome barriers’ to access as the commitment intends. The Administrative Data Research Network (ADRN) has begun a detailed project with the Welsh government to accurately map the number of Welsh speakers across Wales by linking survey and census data.⁶ Other ongoing work includes an analysis of disability benefit recipients, social capital and the link between health and homelessness.⁷

Early Results

According to the self-assessment, several joint projects were published in 2016-2017 as part of the ‘Welsh Government Programme to Maximise the Use of Existing Data’. This included data from the ‘Fuel Poverty Data Linking Project’ and ‘initial findings on the impact on Health of the Warm Homes’. Others include ‘Supporting People Data Linking Project’ and more Fuel Poverty Data.⁸

Government and academics have also been working together on a wide variety of projects, at various stages, to identify datasets and information that can be published and potential funding.⁹

Next Steps

The IRM researcher recommends continuing this work and for the local authority case to be completed as soon as possible.

¹ ADRC Wales 'ADRC Wales', <https://adrn.ac.uk/about/network/wales/>

² Interview with Rhiannon Caunt, Welsh Government, 6 September 2017.

³ See: <http://gov.wales/docs/caecd/research/2014/140331-recommendations-improving-research-access-potentially-disclosive-data-summary-en.pdf>

⁴ Interview with Rhiannon Caunt, Welsh Government, 6 September 2017.

⁵ Interview with Rhiannon Caunt, Welsh Government, 6 September 2017.

⁶ NETWORK, https://adrn.ac.uk/media/174234/network_4.pdf

⁷ ADRC Wales 'ADRC Wales projects', <https://adrn.ac.uk/about/network/wales/>

⁸ Assessment made in Welsh Government (2017) UK Open Government, National Action Plan Welsh Government Mid-Term Self-Assessment Report (draft document accessed by author October 2017)

⁹ Assessment made in Welsh Government (2017) UK Open Government, National Action Plan Welsh Government Mid-Term Self-Assessment Report (draft document accessed by author October 2017)

5. Government Social Research Publication Protocol

Commitment text: *Welsh Government will continue to publish government research according to the Government Social Research Publication Protocol, with reports pre-announced and published on the ‘Statistics & Research’ pages of the Welsh Government website. Publication of social research reports, according to the GSR publication protocol, is a key part of the Welsh Government Principles for Research and Evaluation.*

Objective: *To publish research according to the Government Social Research publication protocol.*

Status quo: *The Government Social Research publication protocol has been adopted to increase the transparency of evidence used by the Welsh Government.*

Ambition: *Publication of research puts the evidence Government uses in its decisions in the public domain and also provides research findings useful for other public and third sector bodies to inform their own decision making.*

Milestones:

1. Using the GSR publication protocol for all research publications
2. Ministerial commitment to use of Government Social Research publication protocol

Responsible institution: Welsh Government

Supporting institution(s): N/A

Start date: N/A

End date: N/A

| Commitment Overview | Specificity | | | | OGP Value Relevance | | | | Potential Impact | | | | On Time? | Completion | | | |
|--|-------------|-----|--------|------|-----------------------|---------------------|-----------------------|--|------------------|-------|----------|----------------|----------|-------------|---------|-------------|----------|
| | None | Low | Medium | High | Access to Information | Civic Participation | Public Accountability | Tech. and Innov. for Transparency and Accountability | None | Minor | Moderate | Transformative | | Not Started | Limited | Substantial | Complete |
| 5. Overall | ✓ | | | | ✓ | | | | | ✓ | | | Yes | | | ✓ | |
| 5.1. GSR publication protocol for all publications | ✓ | | | | ✓ | | | | | ✓ | | | Yes | | | ✓ | |
| 5.2. Ministerial commitment to use protocol | ✓ | | | | ✓ | | | | | ✓ | | | Yes | | | | ✓ |

Context and Objectives

This commitment is based upon a Welsh government ministerial commitment and the following of the Government Social Research Publication Protocol. This would help end inconsistency in how research is published and build greater public trust in what government publishes. This is a set of protocols for government that ‘sets out the five principles they should use in the publication and release of all government social research products, with practical advice about how they should be applied’.¹ In summary, the five principles ask that research is published promptly in a way that promotes trust and is communicated clearly and with clear responsibility.²

The commitment text is subject to interpretation and it leads one to assume certain activities will take place without certainty. For example, the adoption of the 2010 protocols and Ministerial commitment both precede the third action plan so the commitment is understood to be rolling, rather than something concrete to be done. As the commitment text makes clear, the (old) protocol has been in use by the Welsh government since 2010, though it has since been updated by the UK government.³ The Welsh government does, however, refer to the updated 2015 version.⁴ The commitment is relevant to the OGP value of access to information, and would be a positive step toward building greater confidence in government research, while improving the transparency of the publication process.

Completion

The commitment was completed before the third action plan cycle. However, if it is intended to be rolling then the Welsh Government website does specifically outline that ‘we will publish research according to the Government Social Research publication protocol’ with an external link to the UK government’s 2015 protocols’ and milestone 1 is simply a continuous process.⁵ According to the self-assessment, ‘Ministerial commitment’ was then ‘reconfirmed following 2016 [Welsh] election’.⁶

Early Results

According to the website, all publications have been published according to the protocol. It is not clear if this has influenced use or uptake.

Next Steps

The IRM research recommends continuing this initiative, but it need not be included in future action plans.

¹ Civil Service and Government Social Research Profession, ‘Guidance: Government Social Research: Publication protocol’, <https://www.gov.uk/government/publications/government-social-research-publication-protocols>

² Government Economic & Social Research Team, ‘Publishing research and analysis in government GSR Publication Protocol’ (policy/protocol report 2015)

³ Civil Service and Government Social Research Profession, ‘Guidance: Government Social Research: Publication protocol’, <https://www.gov.uk/government/publications/government-social-research-publication-protocols>

⁴ Welsh Government, ‘About Statistics & Research’, <http://gov.wales/statistics-and-research/about/?lang=en>

⁵ Welsh Government, ‘About Statistics & Research’, <http://gov.wales/statistics-and-research/about/?lang=en>

⁶ Assessment made in Welsh Government (2017) UK Open Government, National Action Plan Welsh Government Mid-Term Self-Assessment Report (draft document accessed by author October 2017)

6. Gov.Wales

Commitment text: *We will make our information and services easier to find and consume by consolidating our digital content on a new Welsh Government website that is focussed on meeting user needs. The site will include an improved consultation service.*

Objective: *Build a new GOV.WALES to improve access to Welsh Government information and services.*

Status quo: *The Welsh Government publishes information on more than 150 websites. Information is presented inconsistently and is sometimes duplicated. Users do not know whether they have found all Welsh Government information on a particular issue.*

Ambition: *GOV.WALES will accommodate practically all Welsh Government information and services, making it easier for users to understand what we do and how we are performing. It will provide a clearer picture of the public sector in Wales, increasing accountability by allowing the public to see and access those bodies that are working on their behalf. The new consultations service will provide a better way for the public to participate in our decision-making process.*

Milestones:

1. Launch beta consultations service, including response forms that users can save
2. Launch beta campaigns platform
3. Launch beta public bodies platform
4. Publish first tranche of beta corporate content
5. Publish remaining corporate content

Responsible institution: Welsh Government

Supporting institution(s): N/A

Start date: April 2015

End date: June 2019

| Commitment Overview | Specificity | | | | OGP Value Relevance | | | | Potential Impact | | | | On Time? | Completion | | | |
|---------------------|-------------|-----|--------|------|-----------------------|---------------------|-----------------------|--|------------------|-------|----------|----------------|----------|-------------|---------|-------------|----------|
| | None | Low | Medium | High | Access to Information | Civic Participation | Public Accountability | Tech. and Innov. for Transparency and Accountability | None | Minor | Moderate | Transformative | | Not Started | Limited | Substantial | Complete |
| 6. Overall | | | ✓ | | ✓ | ✓ | | | | ✓ | | | Yes | | ✓ | | |

Context and Objectives

At present, information on Welsh government services is spread across 'more than 150 websites' with information 'inconsistent' and 'sometimes duplicated'. This

commitment aims to create a single 'gov.wales' site for Welsh government services along the lines of the UK's Gov.uk.¹ To develop the new site, it is run as a beta version, which means it will run experimentally and its services will be continually tested and improved.²

The milestones are coded as medium, as they are relatively clear and specific with a series of steps. The commitment supports the OGP values on access to information, by increasing the information available to the public, and civic participation by creating new services for the public to provide feedback to the government. While testing these functionalities is a positive step, without a plan to scale and move beyond a beta version, the potential impact is minor.

Completion

Judging the progress is difficult given that the commitment runs outside of the action plan's cycle by one year, until June 2019. According to the government, the commitment is on track to be completed.³ So far, milestones 1 and 2 appear substantially completed as the Welsh government has launched a series of seven consultations in Beta experimental form:⁴

1. [Welsh Government consultations](#)
2. [Superfast broadband campaign](#)
3. [Brexit: Securing Wales' Future](#)
4. [Review of Health and Social Care](#)
5. [Agricultural Advisory Panel for Wales](#)
6. [Welsh Government apprentices campaign 2017](#)
7. [Flood and Coastal Erosion Committee](#)

According to the self-assessment published after the close of the evaluation period for this report, the corporate content was uploaded to the beta version.⁵ This will be further assessed in the IRM's end of term report.

Early Results

Though there is no clear evidence yet, the seven consultations and beta work offer an important series of steps for promoting openness and participation.

According to the self-assessment 'the consultations platform...is well used and positive feedback received from both internal and external users'. The beta platform has reduced costs and several bodies have migrated to it with 'a limited first tranche of content...delivered'.⁶

Next Steps

As the commitment continues outside of the action plan timeline, the IRM researcher advises that the commitment be completed and that it reports to a named body on completion, perhaps a National Assembly select committee.

¹ Gov.uk 'Welcome to GOV.UK', <https://www.gov.uk/>. The website won design of the year in 2013, Guardian, "Direct and well-mannered" government website named design of the year', <https://www.theguardian.com/artanddesign/2013/apr/16/government-website-design-of-year>

² Gov.uk, 'Beta on GOV.UK', <https://www.gov.uk/help/beta>

³ Interview with Rhiannon Caunt, Welsh Government, 6 September 2017.

⁴ Welsh Government, 'Consultations: Beta on GOV.WALES', <https://consultations.gov.wales/help/beta-govwales?lang=en> as verified by the IRM researcher.

⁵ Welsh government (2017) Input to 3rd UK Open Government National Action Plan 2016-2018: Mid-term (2017) assessment report https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/6689

[73/Welsh Government Input to 3rd UK Open Government National Action Plan 2016-2018 - Mid Term 2017 Self Assessment Report.pdf](#)

⁶ Assessment made in Welsh Government (2017) UK Open Government, National Action Plan Welsh Government Mid-Term Self-Assessment Report (draft document accessed by author October 2017)

7. Code of Practice for Ethical Employment in Supply Chains

Commitment text: *Welsh Government will develop a code for ethical supply chain behaviour, that will ensure awareness and understanding of actions to mitigate against ethical supply chain issues.*

Objective: *To achieve high levels of sign-up to 12 commitments aimed at promoting the legal and ethical treatment of workers.*

Status quo: *Unethical and illegal treatment of workers in public sector supply chains.*

Ambition: *One ambition of this piece of work is to raise awareness of the prevalence of modern slavery in our supply chains and take actions to address areas of high risk.*

Another ambition is to raise and level the playing field in Wales so that suppliers that wish to employ workers ethically are not disadvantaged in bidding for public contracts.

A third ambition is to encourage the more widespread adoption of the Living Wage Foundation's Living Wage (based on the costs of living).

Milestones:

1. *First draft completed and introduced at Procurex*
2. *Task and Finish Group established and first meeting set-up*
3. *Engagement with business and third sector*
4. *Ethical supply chain code launch*
5. *Sign-up*

Responsible institution: Welsh government

Supporting institutions: Public sector organisations in Wales Businesses and third sector organisations in Wales

Start date: March 2016

End date: Early 2017

| Commitment Overview | Specificity | | | | OGP Value Relevance | | | | Potential Impact | | | | On Time? | Completion | | | |
|---|-------------|-----|--------|------|-----------------------|---------------------|-----------------------|--|------------------|-------|----------|----------------|----------|-------------|---------|-------------|----------|
| | None | Low | Medium | High | Access to Information | Civic Participation | Public Accountability | Tech. and Innov. for Transparency and Accountability | None | Minor | Moderate | Transformative | | Not Started | Limited | Substantial | Complete |
| 7. Overall | | | | ✓ | Unclear | | | | | | | ✓ | Yes | | | ✓ | |
| 7.1. First draft completed and introduced | | | | ✓ | Unclear | | | | | | | ✓ | Yes | | ✓ | | |

| | | | | | | | | | | | | | | |
|--|--|--|--|---|---------|--|---|---|---|-----|--|---|--|---|
| 7.2. Task and Finish Group established | | | | ✓ | Unclear | | | ✓ | | Yes | | | | ✓ |
| 7.3. Engagement with business and third sector | | | | ✓ | Unclear | | ✓ | | | Yes | | | | ✓ |
| 7.4. Ethical supply chain code launch | | | | ✓ | Unclear | | | | ✓ | Yes | | | | ✓ |
| 7.5. Sign-up | | | | ✓ | Unclear | | | ✓ | | Yes | | ✓ | | |

Context and Objectives

The Welsh Government has committed to a code for ethical supply chain based on 12 separate parts, including a Code of Practice, guidance to help staff spot potential abuse and questions to be asked in the tender process. The new code would be published and championed by the government, with organisations in Wales asked to sign up. In particular, 'all organisations that receive funding from Welsh Government, either directly or via grants or contracts, will be expected to sign up to the code' [while] 'other organisations in Wales are encouraged to sign up'.¹

The code will help prevent modern slavery (forcing people into debt or other bonded arrangements) and blacklisting (illegally preventing people from work in particular sectors), as well as other aspects of poor treatment relating to 'terms and conditions of employment, including zero hours contracts, Umbrella Schemes and False Self-Employment'.² While the commitment addresses an important issue, as written, it is unclear how it is relevant to OGP values. The activities lack a public facing element and are based on internal processes. Additionally, is unclear if the commitment will release information on supply chains to the public or allow broader public scrutiny of the information or the processes.

If fully implemented with sufficient co-operation and sign-ups, the commitment could have a potentially transformative impact. It will create a set of stronger ethical guidelines for a range of businesses and organisations covering around £6 billion per year. It will help to combat severe global problems, including modern slavery, which the National Crime Agency estimated to effect tens of thousands of people in the UK in 2017.³ The TISC report organisation, which uses open data to globally track and target modern slavery, hoped the commitment would serve as an example for governments across the world.⁴

Completion

Milestones 1 through 4 were all on track and completed within the timeframe of the action plan.⁵ The code was launched at the Procurex event in October 2016.⁶ It was then developed with the support of the Workforce Partnership Council and social partners including Unions and released on 29 March 2017 in line with the timetable.⁷ So far, according the Welsh Government's self-assessment, all universities and police forces have signed up and 'one local authority, two housing associations and over 25 businesses and third sector organisations'. It also claims, 'many others are in the process of doing so, or considering this'.⁸

Next Steps

Given the importance of the policy and the issue it addresses, the IRM researcher recommends that the data on ethical supply chains include information on which companies and bodies have signed up (with appropriate opt-out and privacy terms), to encourage interest and further co-operation. Also, there should be scrutiny by a National Assembly of Wales Select Committee, or a different public-facing accountability mechanism, into how the Code has functioned. Implementing these recommendations would clarify the commitment's relevance to OGP values.

¹ Welsh Government 'Code of practice: Ethical employment in supply chains', <http://gov.wales/topics/improvingservices/bettervfm/code-of-practice/?lang=en>

² Welsh Government 'Code of Practice for Ethical Employment launched', <http://gov.wales/newsroom/finance1/2017/58948814/?lang=en>

³ Guardian, 'Tens of thousands of modern slavery victims in UK, NCA says', <https://www.theguardian.com/world/2017/aug/10/modern-slavery-uk-nca-human-trafficking-prostitution>

⁴ localgov.co.uk 'Tackling modern slavery with supply chain transparency', and TISCreport.org 'What We Are Doing', <https://tiscreport.org/what-were-doing>

⁵ Interview with Rhiannon Caunt, Welsh Government, 6 September 2017.

⁶ Public Spend Forum Europe, 'Ethical Employment In Supply Chains – Wales Takes The Lead', <http://publicspendforumeurope.com/2016/10/24/ethical-employment-in-supply-chains-wales-takes-the-lead/>

⁷ Welsh Government, 'Code of Practice for Ethical Employment launched', <http://gov.wales/newsroom/finance1/2017/58948814/?lang=en>

⁸ Welsh Government (2017) UK Open Government, National Action Plan Welsh Government Mid-Term Self-Assessment Report (draft document accessed by author November 2017)

✪8. Well-being of Future Generations Act – National Indicators for Wales

Commitment Text: *To measure progress towards the achievement of the seven well-being goals for Wales set out in the Well-being of Future Generations (Wales) Act 2015, and report on them annually.*

Objective: *In order to improve the social, economic, environmental and cultural well-being of Wales the Welsh Government has developed a set of National Indicators to measure progress against the 7 well-being goals outlined in the Well-being of Future Generations (Wales) Act 2015. In doing so an open and transparent approach is being taken in the development and communication of the National Indicators and the data that underpins them.*

Status quo: *Measuring national progress against the seven well-being goals for Wales set out in the Well-being of Future Generations (Wales) Act 2015.*

Ambition: *If we are to collectively achieve the seven well-being goals set out in the Well-being of Future Generations (Wales) Act 2015, we need a way of measuring, at a national level, what progress is being made. The 46 National Indicators for Wales are intended to measure progress against the seven well-being goals and have been prepared following public consultation. They will be reported on annually through a 'Well-being Report for Wales'.*

Milestones:

1. Lay the 'National Indicators for Wales' before the National Assembly for Wales
2. Produce the first Annual Well-being Report for Wales

Responsible institution: Welsh government

Supporting institutions: Specified public bodies under the Well-being of Future Generations (Wales) Act 2015, Future Generations Commissioner for Wales, Auditor General for Wales

Start date: March 2016

End date: Early 2017

| Commitment Overview | Specificity | | | | OGP Value Relevance | | | | Potential Impact | | | | On Time? | Completion | | | |
|--|-------------|-----|--------|------|-----------------------|---------------------|-----------------------|--|------------------|-------|----------|----------------|----------|-------------|---------|-------------|----------|
| | None | Low | Medium | High | Access to Information | Civic Participation | Public Accountability | Tech. and Innov. for Transparency and Accountability | None | Minor | Moderate | Transformative | | Not Started | Limited | Substantial | Complete |
| 8. Overall | | | | ✓ | ✓ | ✓ | | | | | | ✓ | Yes | | | ✓ | |
| 8.1. Lay the 'National Indicators for Wales' | | | | ✓ | | ✓ | | | | | | ✓ | Yes | | | | ✓ |
| 8.2. Produce first Annual Well-being | | | | ✓ | ✓ | | | | | | ✓ | | No | | | ✓ | |

Editorial note: This commitment is clearly relevant to OGP values as written, has transformative potential impact, and is substantially or completely implemented and therefore qualifies as a starred commitment.

Context and Objectives

In 2015, the National Assembly of Wales passed the Well-being of Future Generations Act.¹ The Act 'aims to improve the social, economic and cultural well-being of Wales by placing a duty on public bodies to think in a more sustainable and long-term way through seven goals'.² The public bodies include the devolved and local government, the Welsh National Health Service and various other institutions, such as Sport Wales and the National Library of Wales.

In terms of transparency and openness, the Act 'puts in place seven well-being goals that public bodies must work to achieve and take into consideration across all their decision-making' based on 46 indicators.³ The policy is labelled as transformative, as it brings together government bodies and CSOs and could have a decisive effect on how governments think and plan strategically for the future, while also involving the public in the debate.

The commitment asks that public bodies across Wales publish reports about how the goals were met and setting out long-term strategic goals. As the Welsh Council for Voluntary Associations explained: 'The public bodies will also need to be able to demonstrate transparency to show how they are working towards the goals. This will be through annual reporting, responding to the Future Generations Commissioner, and publishing a well-being statement.'⁴

Participating CSOs see this commitment as a vital focal point for transparency in Wales, particular as the law establishes 19 joint boards where CSOs have a voice.⁵ Given that the network in Wales is far less developed than in the rest of the UK, the process behind the legislation has provided a much needed reference point, as the new law speaks about 'collaboration and involving' and engagement and has a law and a commissioner to provide pressure and keep momentum.⁶ The concern was that there needed to be support from ministers and across government for the openness aspects of the commitment.⁷

If fully implemented, the commitment could lead to greater openness and discussion over the long-term strategies of public bodies in Wales on important issues, and could give more decision-making power to the public. The policy will increase access to information by making more data available on the actions of government (and other) bodies.

Completion

Milestone 1 is complete. The indicators and goals were developed after an extensive national conversation with civil society and other bodies.⁸ Before becoming law parts of the bill were criticised but it changed as it developed.⁹ The Welsh Government published the well-being objectives in November 2016.¹⁰ The Welsh Commissioner for Future Generations welcomed the publication as a significant step forward for transparency.¹¹

The government's first annual well-being report for Wales, which makes up milestone 2, was slightly behind schedule but was published in September 2017,¹² outside this report's evaluation period. As with the UK government, the Welsh government is

dealing with the effects of the UK's Brexit referendum and held local elections along with the General Election in June 2017.

Next Steps

The IRM researcher believes that public bodies and CSOs should continue the discussion and debate started by the Act and publication.

As one important step forward, the IRM researcher recommends developing a portal with interactive displays, to allow groups to easily see and assess the different goals across Wales. This could further develop the interactive well-being report.¹³ This will also increase this commitment's relevance to OGP values. Given its importance, the policy should be examined either by a National Assembly of Wales Select Committee or body of other experts to assess its impact and performance.

¹ Welsh Government, Well-being of Future Generations (Wales) Act 2015, <http://gov.wales/topics/people-and-communities/people/future-generations-act/?lang=en>, and National Assembly for Wales Research Service, The Well-being of Future Generations (Wales) Act 2015: What is it and what does it mean for Wales? <https://assemblyinbrief.wordpress.com/2016/03/22/the-well-being-of-future-generations-wales-act-2015-what-is-it-and-what-does-it-mean-for-wales/>

² The seven goals are a prosperous Wales, a resilient Wales, a healthier Wales, a more equal Wales, a Wales of cohesive communities, a Wales of vibrant culture and Welsh language and a globally responsible Wales.

³ The goals are listed here and fit with five long-term needs: Long-term thinking, Prevention, Integration, Collaboration, Involvement - see National Assembly for Wales Research Service, The Well-being of Future Generations (Wales) Act 2015: What is it and what does it mean for Wales? <https://assemblyinbrief.wordpress.com/2016/03/22/the-well-being-of-future-generations-wales-act-2015-what-is-it-and-what-does-it-mean-for-wales/>

⁴ WCVA, 'The Future Generations Act-All You Need to Know', [https://www.wcva.org.uk/what-we-do/the-future-generations-\(wales\)-act-all-you-need-to-know](https://www.wcva.org.uk/what-we-do/the-future-generations-(wales)-act-all-you-need-to-know)

⁵ Interview with Jetske Germing, WCVA, 8 September 2017.

⁶ Interview with Jetske Germing, WCVA, 8 September 2017.

⁷ Interview with Jetske Germing, WCVA, 8 September 2017.

⁸ WCVA 'The Future Generations Act-All You Need to Know', [https://www.wcva.org.uk/what-we-do/the-future-generations-\(wales\)-act-all-you-need-to-know](https://www.wcva.org.uk/what-we-do/the-future-generations-(wales)-act-all-you-need-to-know), and WCVA, 'Talking Future Generations: The Conversation So Far' Stakeholder Event Report', <https://www.wcva.org.uk/media/4657899/stakeholder-event-report-english-281016-small-without-watermark.pdf>

⁹ BBC, Welsh government's well-being bill has 'no clear purpose', <http://www.bbc.co.uk/news/uk-wales-politics-31802841>

¹⁰ Welsh Government, 'Written Statement - Taking Wales Forward: The Welsh Government's well-being objectives', <http://gov.wales/about/cabinet/cabinetstatements/2016-new/wellbeingobjectives/?lang=en>

¹¹ Future Generations, Commissioner for Wales 'Commissioner responds to Welsh Government well-being objectives', <https://futuregenerations.wales/news/commissioner-responds-to-welsh-government-well-being-objectives/>

¹² Interview with Rhiannon Caunt, Welsh Government, 6 September 2017: see Welsh Government (2017) Well-Being of Wales 2016-2017, <http://gov.wales/docs/statistics/2017/170925-well-being-wales-2016-17-en.pdf>

¹³ See here for the interactive well-being report: <http://gov.wales/statistics-and-research/well-being-wales/?tab=data&lang=en>

★9. Well-being duty on specified public bodies in Wales

Commitment Text: *All public bodies, listed in the Well-being of Future Generations (Wales) Act 2015, have a duty to set and publish well-being objectives that outline how they will contribute to achieving each of the well-being goals and take reasonable steps to meet those objectives.*

Objective: *Requiring public bodies to do things in pursuit of the economic, social, environmental and cultural well-being of Wales in a way that accords with the sustainable development principle; to require public bodies to report on such action.*

Status quo: *A more consistent approach across the public sector to decision making affecting the well-being of Wales.*

Ambition: *It will place a legal duty on specified public bodies to take account of the importance of involving people that reflect the diversity of the population in their decision making.*

Milestones:

1. Legal duty comes into force (April 2016)
2. Public Bodies publish their first well-being objectives (April 2016 – May 2017)
3. Assessment of local well-being (April 2016 – May 2017)

Responsible institution: Welsh Government

Supporting institutions: The 43 specified public bodies under the Act and Public Service Boards, Future Generations Commissioner for Wales, Auditor General for Wales

Start date: April 2016

End date: On-going

| Commitment Overview | Specificity | | | | OGP Value Relevance | | | | Potential Impact | | | | On Time? | Completion | | | |
|---|-------------|-----|--------|------|-----------------------|---------------------|-----------------------|--|------------------|-------|----------|----------------|----------|-------------|---------|-------------|----------|
| | None | Low | Medium | High | Access to Information | Civic Participation | Public Accountability | Tech. and Innov. for Transparency and Accountability | None | Minor | Moderate | Transformative | | Not Started | Limited | Substantial | Complete |
| 9. Overall | | | ✓ | | ✓ | ✓ | | | | | | ✓ | Yes | | | | ✓ |
| 9.1 Legal duty comes into force | | | ✓ | | | ✓ | | | | | | ✓ | Yes | | | | ✓ |
| 9.2. Public Bodies publish first well-being objectives. | | | ✓ | | ✓ | | | | | | ✓ | | Yes | | | | ✓ |
| 9.3. Public Service Boards – | | | ✓ | | ✓ | | | | | | ✓ | | Yes | | | | ✓ |

Editorial note: This commitment is clearly relevant to OGP values as written, has transformative potential impact, and is substantially or completely implemented and therefore qualifies as a starred commitment.

Context and Objectives

In 2015, the National Assembly of Wales passed the Well-being of Future Generations Act.¹ The Act 'aims to improve the social, economic and cultural well-being of Wales by placing a duty on public bodies to think in a more sustainable and long-term way through seven goals', based on 46 indicators.² Public bodies must publish their strategy for achieving these seven goals.³ Commitment 9 builds directly off Commitment 8 and overlaps considerably with it.

The Act establishes a total of 19 Public Services Boards (PSBs), one for each local authority/local government area in Wales, covering the 43 public bodies in the Act. The Members of the Board must include the local authority, the Local Health Board, the Welsh Fire and Rescue Authority and Natural Resources Wales, as well as the option of a number of other bodies, such as the police. It must include at least one voluntary organisation.⁴

The commitment is relevant to the OGP values of access to information and civil participation because it creates opportunities for the public to become involved in decision-making, and discloses information on those decisions. Its milestones are relevant to the overall objective, but their deliverables are not very clear. If fully implemented the commitment would help promote openness and public discussion regarding long-term well-being in Wales. Making the participatory decision-making process legally binding would be a transformative change to government practice.

Completion

All milestones have been implemented.⁵ In July 2017, the Welsh Commissioner for Future Generations praised the PSBs as having met milestones 2 and 3 by publishing all their objectives:

'Public Services Boards are to be congratulated for the positive approach taken to completing the assessments. They have taken an important first step in the right direction' but warned that 'the work also highlights the real challenges that are faced to be properly prepared to consider the needs of future generations and plan for well-being.'⁶

In terms of openness, the Commissioner advised that 'we need to dig deeper into data' and that the PSB's 'assessments should not just be a collection of data, they should be an opportunity to make connections between key issues and ask, 'so what' as a result of the data we have' and 'Public Services Boards need to demonstrate a broader understanding of well-being'. She also noted that skills needed to be developed within organisations to do this.

Early Results

The co-operation from the PSBs is an important step forward and a good basis for ongoing discussion between public bodies and civil society, especially given that CSOs are represented on each board.⁷ In the future, it is likely to become an important focus for discussion of sustainability and, it is hoped, a 'springboard' for wider discussions around participation and openness in Wales.⁸

Next Steps

The Act has been widely welcomed, with the UN describing it as a ‘world leading’ approach.⁹ Given its importance as described in Commitment 8, the IRM researcher recommends that the policy be examined either by a National Assembly of Wales Select Committee or body of other experts. Thought should be given as to how the many public authorities work together and, as CSOs recommended, how the new boards could be used as a platform for future openness reforms.

¹ Welsh Government, Well-being of Future Generations (Wales) Act 2015, <http://gov.wales/topics/people-and-communities/people/future-generations-act/?lang=en>, and National Assembly for Wales Research Service, The Well-being of Future Generations (Wales) Act 2015: What is it and what does it mean for Wales? <https://assemblyinbrief.wordpress.com/2016/03/22/the-well-being-of-future-generations-wales-act-2015-what-is-it-and-what-does-it-mean-for-wales/>

² The seven goals are a prosperous Wales, a resilient Wales, a healthier Wales, a more equal Wales, a Wales of cohesive communities, a Wales of vibrant culture and Welsh language and a globally responsible Wales.

³ The goals are listed here and fit with five long-term needs Long-term thinking, Prevention, Integration, Collaboration Involvement, National Assembly for Wales Research Service, The Well-being of Future Generations (Wales) Act 2015: What is it and what does it mean for Wales? <https://assemblyinbrief.wordpress.com/2016/03/22/the-well-being-of-future-generations-wales-act-2015-what-is-it-and-what-does-it-mean-for-wales/>

⁴ Welsh Government, ‘Public Service Boards’, <http://gov.wales/topics/improving-services/public-services-boards/?lang=en>

⁵ Interview with Rhiannon Caunt, Welsh Government, 6 September 2017: Interview with Jetske Germing, Welsh Council of Voluntary Organizations, 8 September 2017.

⁶ Future Generations Commissioner for Wales ‘Commissioner responds to Welsh Government well-being objectives’, <https://futuregenerations.wales/news/commissioner-responds-to-welsh-government-well-being-objectives/>

⁷ Interview with Jetske Germing, Welsh Council of Voluntary Organizations, 8 September 2017.

⁸ Interview with Jetske Germing, Welsh Council of Voluntary Organizations, 8 September 2017.

⁹ Independent, ‘Wales is Leading the World with its New Public Health Law’, <http://www.independent.co.uk/life-style/health-and-families/wales-is-leading-the-world-with-its-new-public-health-law-a7766836.html>

V. General Recommendations

The UK's current action plan emphasises commitments aimed at preventing corruption. The Brexit process is a relevant area of interest for future OGP cycles, given its impact on institutional practice and lives of citizens in general.

This section aims to inform development of the next action plan and guide completion of the current action plan. It is divided into two sections: 1) those civil society and government priorities identified while elaborating this report and 2) the recommendations of the IRM.

5.1 Stakeholder Priorities

Current Action Plan

According to the UK government, the UK's action plan commitments are structured around four priority areas:

- Fiscal transparency
- Tackling corruption
- Improving transparency around government and elections
- Investing in our national information infrastructure¹

One of the main priorities concerned anti-corruption, especially as the action plan was created during the time the UK planned its anti-corruption conference in May 2016. A number of the commitments, on the anti-corruption hub and anti-corruption strategy, flowed from this, while others, such as beneficial ownership, were also linked to it.

Next Action Plan

One key area of concern is the process of leaving the EU and what may happen afterwards. Overall, CSOs were concerned by government secrecy over the process and how Brexit-related issues could be incorporated into the next action plan. This could encompass a range of possible commitments, from openness about the effects of leaving to greater transparency over what legislation would replace EU laws.

5.2 IRM Recommendations

As the UK self-assessment put it, 'since the launch of the action plan in May 2016, there has been a lot of institutional change that has taken place in the UK'. The government explained that 'this has meant that some commitments have been delivered more slowly than first anticipated'.² Much of the delay in implementation for the third action plan was a result of the 'Brexit paralysis', with a referendum in June 2016, a change of government in July 2016 and a General Election in June 2017 that resulted in a hung Parliament. Additionally, in the first 16 months of the third action plan, the UK had two Prime Ministers and three different lead Ministers.

Stakeholders and government officials in the UK and devolved bodies widely praised the Cabinet Office for its enthusiasm and willingness to help. Nevertheless, while officials, and the Cabinet Office in particular, were seen as committed, politicians were not. There was a general sense that the OGP process was derailed with 'no strong commitment to values' and support for the 'letter not spirit' of openness from senior politicians.³ The IRM researcher sees these as worrying signs when combined with others signals that, for example, FOI and open data activities are slowing down both in the UK and Scotland. This is especially concerning for a country embarking upon a controversial process of leaving the EU.

1. A Parliamentary committee (and respective other devolved equivalents) to oversee transparency policies

The IRM researcher recommends that a Parliamentary Select Committee (a House of Lords or joint committee) take an overview of the openness process. Equivalent committees in the devolved bodies in Scotland, Wales and Northern Ireland should do the same. As one CSO pointed out ‘the process needs a strong political champion...to ensure that the action plan commitments remain on track’⁴. Interest from a series of select committees would help provide pressure, scrutiny and oversight of the ongoing and complex openness policies across the UK. This could be through regular examination of different policies or audits of transparency policy as a whole.

2. High Profile Intervention or an Event in support of the OGP process

As the UK government self-assessment pointed out, key events such as summits, speeches or announcements can help build support, networks and interest in OGP commitments. The London Anti-Corruption Summit in May 2016 was a good example of how a well-organised event can create momentum.

There was no Prime Ministerial intervention or speech on openness until a letter in December 2017, which is unusual given that every Prime Minister since Tony Blair has made at least one speech in favour of government transparency. Nor has there been Cabinet level or Ministerial speeches or policy papers.

Theresa May’s letter on openness in December 2017 was an important intervention. In the future, greater Prime Ministerial and senior political interest would be welcome and provide much needed energy and momentum. This should take the form of high profile speeches and interventions in favour of openness and in support of the OGP process.

3. A focus on possible changes to everyday life and politics during Brexit

The next action plan should focus on the process of Brexit and its impact. This is not about opening up the negotiations themselves (though the evidence is that such openness improves rather than hinders negotiations), but rather opening up information that would be useful for citizens, whatever their political views.⁵

The government is already reporting to parliament through set piece updates and appearances at select committees. This recommendation seeks, to give greater information on the effects of Brexit on everyday life, rather than high policy negotiations. Brexit will involve major legal and regulatory changes that will go beyond Parliament’s power to scrutinise and assess, and greater transparency and dialogue can help the public understand what these changes could mean.⁶ The IRM researcher recommends thinking of more innovative ways to involve the public through deliberative forums and other experiments. For example, the joint UCL/Involve Citizens Assembly on Brexit, where 45 members of the public have ‘detailed, reflective and informed discussions about what the UK’s post-Brexit relations with the European Union should be’.⁷

This is not simply a matter of democratic principles. Openness would build legitimacy and allow greater public understanding of the potential consequences and trade-offs. One former official who worked on the negotiations in Downing Street explained:

Given the size of this upheaval, there is a basic civic imperative to explain to people what it will mean...the more the U.K. can communicate frankly with its citizens and its negotiating partners about the reality of the trade-offs it faces, the better. Not only that, explaining it will help the U.K. secure a deal that has the consent of its people.⁸

3. Continue to experiment with new ways of engaging CSOs

The IRM researcher recommends that the government and CSOs continue to experiment with new ways of engaging with wider civil society and the public. CSOs expressed concerns that more could be done to apply pressure and work together. The CSOs that engage with OGP should improve their capacity to share their progress and concerns as a group and ensure their learning feeds into the next action plan.⁹

In the UK, the CSO Involve has promoted local meetings and a successful crowdsourcing experiment that could be copied. In Scotland, the SCVO have matched their openness goals to the Sustainable Development Goals and human rights issues to give them greater relevance to everyday life, and have also worked with an open Wikisite and meetups to broaden their reach.¹⁰

CSOs always face difficulty in time, resources and focus, especially now in the UK. One option would be to aim for fewer transformative or signature issues in the next action plan, which is also likely to be overshadowed by Brexit. As the UK government itself suggested:

The second lesson we've identified is that we should focus government's and civil society's efforts in key priority areas, rather than spreading them across multiple commitments.¹¹

4. High profile cross-cutting 'signature' reforms

The IRM researcher recognises the advantages in having a few high profile, cross-cutting signature reforms rather than many competing and diverse issues. The second action plan had a number of cross-cutting and broad reforms, such as beneficial ownership. This would allow CSOs to focus their activity and time and, if chosen correctly, attract greater engagement. There are, of course, trade-offs and problems involved in choosing or excluding other competing ideas.

Another possibility would be to emphasise local or regional government, where most people have most interaction with government in their everyday lives. The UK now has several new regional Mayors who could become powerful sub-national champions, especially as local government is often the place for successful openness experiments.¹²

However, as Commitment 7 demonstrates, co-ordination is difficult and resources are limited at the local level, so any emphasis on local openness would need to be accompanied with resources and support: 'Local authorities have limited capacity and resources and are unlikely to be able to participate unless the process can be made simple.' One compromise could be to use devolved bodies and Metro Mayors alongside the Local Government Association (who may be involved in the planned summit described above).

Scotland

As outlined above, Scotland has a rather different OGP process, with one separate commitment in the UK's second action plan and now separate process of reforms due to its pioneer status, which puts greater emphasis on local government transparency. The planned summit of cross-UK open government representatives and CSOs will, however, represent an important step in further developing a UK-wide policy.

Wales

Wales began from a different point, and, though part of the UK's third action plan, its commitments should be regarded as the first action plan for Wales. Wales has had less time to build networks in civil society or develop original commitments in and

outside of government.¹³ Nevertheless, both the supply chain transparency code (commitment 7 of the Welsh commitments) and the Well-being Act 2015 (commitments 8 and 9 of the Welsh commitments) represent important openness policies.

There is a determination to aim in the future for original policies rather than ongoing work.¹⁴ The IRM researcher recommends starting a process of building greater awareness and support among government and CSOs around openness. This could be done in multiple ways but the new Well-being Act 2015 and Public Service Boards offer an important means to build networks and develop new ideas across different bodies at local and devolved level.

There could also be regular forums for discussing openness and means of scrutiny and tracking progress, such as regular annual events or a series of workshops. This would be helped via a committee in the National Assembly scrutinising openness. As with the UK more generally, high profile speeches by the First Minister and senior politicians would also help apply pressure.

Northern Ireland

Northern Ireland also began from a different point, and, though part of the UK's third action plan, its commitments should be regarded as its first action plan. The Northern Ireland Executive has been pushing an openness agenda since 2015. The four commitments showed progress but underlined the need for greater awareness and support for openness among government and CSOs.

The IRM researcher recommends pushing for a signature issue or policy/policies in the next action plan that can help attract attention, support and interest (as happened with the Well-being Act in Wales in 2015). Showcases and examples also help to spread the message and convince officials and politicians. Given the size of Northern Ireland, there is perhaps greater opportunity for CSOs and different levels of government to work closely together through joint boards and steering committees that already exist. The IRM researcher believes that openness could help create legitimacy, public support and interest at an important and difficult time for Northern Ireland in the wake of Brexit.

The IRM researcher recommends detailed scrutiny from a high-profile body to provide added publicity and pressure. The exact form may depend on the future governance arrangements of Northern Ireland. Scrutiny could come from the Northern Irish Assembly if the Assembly is up and running soon - and could be headed by the Committee for Finance (the department that leads on openness). Another possibility, if Direct Rule is re-imposed, would be for a small OGP-style committee of experts, CSOs and officials to meet and monitor progress outside of the formal OGP to ensure scrutiny is maintained (possibly with OGP sponsorship). As with the UK more generally, high profile speeches by the First Minister and senior politicians would also help apply pressure.

Table 5.1: Five Key Recommendations

| | |
|---|--|
| 1 | A Parliamentary committee (and respective other devolved equivalents) to oversee transparency policies |
| 2 | High profile intervention or event in support of the OGP process |
| 3 | A focus on more information and data on the impact of Brexit on everyday life |
| 4 | Continue to experiment with new ways of engaging CSOs |
| 5 | High profile cross-cutting 'signature' reforms that are cross-cutting and high-profile (of a kind seen in the third action plan such as Beneficial ownership) |

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- ¹ Cabinet Office, 'Open Government Partnership National Action Plan 2016-18: Mid-term Self-Assessment Report' (UK government report September 2017) passed to author pre-publication.
- ² Cabinet Office, 'Open Government Partnership National Action Plan 2016-18: Mid-term Self Assessment Report' (UK government report September 2017) passed to author pre-publication.
- ³ Interview with Tim Davies
- ⁴ Survey by IRM, July-September 2017
- ⁵ IFG 'Taking back control of trade policy',
https://www.instituteforgovernment.org.uk/sites/default/files/publications/IFGJ5448_Brexit_report_160517_WEB_v2.pdf#page=25
- ⁶ Hannah White, 'How can Parliament conduct effective Brexit scrutiny?',
<https://www.instituteforgovernment.org.uk/blog/how-can-parliament-conduct-effective-brexit-scrutiny>,
Ascher Nathan, 'Brexit at Westminster: can parliament play a meaningful role?' <https://constitution-unit.com/2017/03/23/brexit-at-westminster-can-parliament-play-a-meaningful-role/>
- ⁷ Constitution Unit, 'Citizens' Assembly on Brexit' (blog post September 2017)
<http://www.ucl.ac.uk/constitution-unit/research/europe/citizens-assembly-on-brexit>
- ⁸ Politico.eu O'Toole, Matthew 'Florence Brexit speech: An overdue opportunity',
<http://www.politico.eu/article/brexit-theresa-may-florence-speech-an-overdue-opportunity/>
- ⁹ Survey by IRM July-September 2017
- ¹⁰ Open Government Network Scotland 'Scotland',
<http://www.opengovernment.org.uk/networks/scotland/>, and Open Government Network Scotland 'Wiki: Main Page', https://opengovpioneers.miraheze.org/wiki/Main_Page, and Open Government Network Scotland 'Opening up Edinburgh because it's Our Democracy Meetup',
https://www.meetup.com/Scotland-Open-Government-Meetup/?_cookie-check=ZG6048URNFuzGCom
- ¹¹ Cabinet Office, 'Open Government Partnership National Action Plan 2016-18: Mid-term Self Assessment Report' (UK government report September 2017) passed to author pre-publication.
- ¹² Centre For Cities, 'Everything you need to know about metro mayors: an FAQ',
<http://www.centreforcities.org/publication/everything-need-know-metro-mayors/>, Maire Williams 'Open Data or Closed Doors?' Better use of data can unlock economic growth in UK cities',
<http://www.centreforcities.org/publication/open-data-or-closed-doors/>
- ¹³ Cabinet Office, 'Open Government Partnership National Action Plan 2016-18: Mid-term Self Assessment Report' (UK government report September 2017) passed to author pre-publication.
- ¹⁴ Cabinet Office, 'Open Government Partnership National Action Plan 2016-18: Mid-term Self Assessment Report' (UK government report September 2017) passed to author pre-publication.

VI. Methodology and Sources

The IRM progress report is written by researchers based in each OGP-participating country. All IRM reports undergo a process of quality control to ensure that the highest standards of research and due diligence have been applied.

Analysis of progress on OGP action plans is a combination of interviews, desk research, and feedback from nongovernmental stakeholder meetings. The IRM report builds on the findings of the government's own self-assessment report and any other assessments of progress put out by civil society, the private sector, or international organizations.

Each IRM researcher carries out stakeholder meetings to ensure an accurate portrayal of events. Given budgetary and calendar constraints, the IRM cannot consult all interested or affected parties. Consequently, the IRM strives for methodological transparency and therefore, where possible, makes public the process of stakeholder engagement in research (detailed later in this section.) Some contexts require anonymity of interviewees and the IRM reviews the right to remove personal identifying information of these participants. Due to the necessary limitations of the method, the IRM strongly encourages commentary on public drafts of each report.

Each report undergoes a four-step review and quality-control process:

1. Staff review: IRM staff reviews the report for grammar, readability, content, and adherence to IRM methodology.
2. International Experts Panel (IEP) review: IEP reviews the content of the report for rigorous evidence to support findings, evaluates the extent to which the action plan applies OGP values, and provides technical recommendations for improving the implementation of commitments and realization of OGP values through the action plan as a whole. (See below for IEP membership.)
3. Prepublication review: Government and select civil society organizations are invited to provide comments on content of the draft IRM report.
4. Public comment period: The public is invited to provide comments on the content of the draft IRM report.

This review process, including the procedure for incorporating comments received, is outlined in greater detail in Section III of the Procedures Manual.

Interviews and Focus Groups

Each IRM researcher is required to hold at least one public information-gathering event. Researchers should make a genuine effort to invite stakeholders outside of the "usual suspects" list of invitees already participating in existing processes. Supplementary means may be needed to gather the inputs of stakeholders in a more meaningful way (e.g., online surveys, written responses, follow-up interviews). Additionally, researchers perform specific interviews with responsible agencies when the commitments require more information than is provided in the self-assessment or is accessible online.

As the research process took place between July and September 2017, when many people were away due to vacation period in the country, the IRM researcher conducted interviews via telephone and collected feedback through an online survey. The interviews included consultations with government officers, CSOs and other actors involved in the action plan, as follows:

- Tim Adams, Local Government Association

- Wasim Akthar, Cabinet Office
- Rachel Anderson, Cabinet Office
- Rhona Birchall, Department of International Development
- Andrew Bowen, Crown Commercial
- Michelle Brook, The Democratic Society
- Colm Burns, Northern Ireland Open Government Network
- Rhiannon Caunt, Welsh Government
- Andrew Clark, Omidyar Network
- Nick Cochrane, Department of Finance, Northern Ireland Executive
- Time Davies, Open Data Services
- Rachel Davies-Teka, Transparency International
- Maurice Frankel, Campaign for Freedom of Information
- Gavin Freeguard, Institute for Government
- Jetske Germming, Welsh Council Voluntary Organizations
- Doreen Grove, Scottish Government
- Emma Harvey, Scottish Government
- Lawrence Hopper, Cabinet Office
- Ruba Ishak, One
- William Gerry, Cabinet Office
- Ingrid Koehler, Local Government Information Unit
- Miles Litvinoff, Publish What You Pay
- David McBurney, Northern Ireland Open Government Network
- Alice Moore, Cabinet Office
- Rachel Owens, Global Witness
- Alice Pilia, Cabinet Office,
- Rachel Rank, 360 Giving
- Ruchir Shah, Scottish Council Voluntary Organizations
- Antonia Simmons, Cabinet Office
- Lois Taylor, Cabinet Office
- Martin Tisne, Omidyar Network
- Thom Townsend, Cabinet Office
- Peter Wells, Open Data Institute

The IRM researcher also followed up with emails and requested feedback through an online survey.

The IRM researcher carried out a short survey via the Bristol Online survey system between July and September 2017. This survey only received five full responses. During the same time the Cabinet Office sent out a survey to all stakeholders involved in OGP. This survey asked stakeholders about involvement on the action plan development and implementation process; perceptions of collaboration between government and CSOs; perceived level of influence from CSOs in the development of commitments and implementation; and assessment of the country's performance in the implementation process.

The IRM researcher used the feedback received in this survey to complement his desk research and interview findings.

About the Independent Reporting Mechanism

The IRM is a key means by which government, civil society, and the private sector can track government development and implementation of OGP action plans on an annual basis. The design of research and quality control of such reports is carried out by the International Experts Panel, comprised of experts in transparency, participation, accountability, and social science research methods.

The current membership of the International Experts Panel is

- César Cruz-Rubio
- Hazel Feigenblatt
- Mary Francoli
- Brendan Halloran
- Hille Hinsberg
- Anuradha Joshi
- Jeff Lovitt
- Fredline M'Cormack-Hale
- Showers Mawowa
- Ernesto Velasco

A small staff based in Washington, DC, shepherds reports through the IRM process in close coordination with the researchers. Questions and comments about this report can be directed to the staff at irm@opengovpartnership.org

VII. Eligibility Requirements Annex

The OGP Support Unit collates eligibility criteria on an annual basis. These scores are presented below.¹ When appropriate, the IRM reports will discuss the context surrounding progress or regress on specific criteria in the Country Context section.

In September 2012, OGP officially encouraged governments to adopt ambitious commitments that relate to eligibility.

Table 7.1: Eligibility Annex for the United Kingdom

| Criteria | 2011 | Current | Change | Explanation |
|------------------------------------|--------------------------|--------------------------|-----------|---|
| Budget Transparency ² | 4 | 4 | No change | 4 = Executive's Budget Proposal and Audit Report published 2 = One of two published 0 = Neither published |
| Access to Information ³ | 4 | 4 | No change | 4 = Access to information (ATI) Law 3 = Constitutional ATI provision 1 = Draft ATI law 0 = No ATI law |
| Asset Declaration ⁴ | 4 | 4 | No change | 4 = Asset disclosure law, data public 2 = Asset disclosure law, no public data 0 = No law |
| Citizen Engagement (Raw score) | 4 (9.12) ⁵ | 4 (9.12) ⁶ | No change | <i>EIU Citizen Engagement Index</i> raw score: 1 > 0 2 > 2.5 3 > 5 4 > 7.5 |
| Total / Possible (Percent) | 16/16 (100%) | 16/16 (100%) | No change | 75% of possible points to be eligible |

¹ For more information, see <http://www.opengovpartnership.org/how-it-works/eligibility-criteria>

² For more information, see Table 1 in <http://internationalbudget.org/what-we-do/open-budget-survey/>. For up-to-date assessments, see <http://www.obstracker.org/>

³ The two databases used are Constitutional Provisions at <http://www.right2info.org/constitutional-protections> and Laws and draft laws at <http://www.right2info.org/access-to-information-laws>

⁴ Simeon Djankov, Rafael La Porta, Florencio Lopez-de-Silanes, and Andrei Shleifer, "Disclosure by Politicians," (Tuck School of Business Working Paper 2009-60, 2009), <http://bit.ly/19nDEfK>; Organization for Economic Cooperation and Development (OECD), "Types of Information Decision Makers Are Required to Formally Disclose, and Level Of Transparency," in *Government at a Glance 2009*, (OECD, 2009), <http://bit.ly/13vGtqS>; Ricard Messick, "Income and Asset Disclosure by World Bank Client Countries" (Washington, DC: World Bank, 2009), <http://bit.ly/1cloyf>. For more recent information, see <http://publicofficialsfinancialdisclosure.worldbank.org>. In 2014, the OGP Steering Committee approved a change in the asset disclosure measurement. The existence of a law and de facto public access to the disclosed information replaced the old measures of disclosure by politicians and disclosure of high-level officials. For additional information, see the guidance note on 2014 OGP Eligibility Requirements at <http://bit.ly/1EjLJ4Y>.

⁵ "Democracy Index 2010: Democracy in Retreat," The Economist Intelligence Unit (London: Economist, 2010), <http://bit.ly/eLC1rE>.

⁶ "Democracy Index 2014: Democracy and its Discontents," The Economist Intelligence Unit (London: Economist, 2014), <http://bit.ly/18kEzCt>.