

Independent Reporting Mechanism (IRM): Scotland Design Report 2018– 2020

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Executive Summary: Scotland

Scotland's second action plan seeks to build on the country's long tradition of civic participation following incremental improvements to freedom of information inspired by its first action plan. Notable commitments include the creation of a civic participation framework, financial and performance transparency, and accountability for public services. While the country's new multi-stakeholder process led to a more ambitious action plan, implementation will require more specific and concrete actions.

The Open Government Partnership (OGP) is a global partnership that brings together government reformers and civil society leaders to create action plans that make governments more inclusive, responsive, and accountable. The Independent Reporting Mechanism (IRM) monitors all action plans to ensure governments follow through on commitments. Scotland joined OGP in 2016. Since then, Scotland has implemented one action plan. This report evaluates the design of Scotland's second action plan.

General overview of action plan

Since completing its first action plan in 2017, the Scottish Government has improved its performance on freedom of information amid ongoing uncertainties surrounding Brexit. Scotland's second action plan seeks to expand on the country's strong tradition of civic participation by coordinating government practices to involve citizens in both service design and policy-making. The plan also responds to recommendations following its first action plan by committing to improve financial transparency and introducing a commitment on public accountability.

Scotland improved the development of its second action plan by allocating more time and resources to consultations, as well as by involving a broader range of participants. The newly formed multi-stakeholder forum enabled a wider array of Scottish Government, local government, and civil society actors to express input on open governance issues. The forum's Steering Group – composed of government and civil society – could improve the process by holding more regular consultations and developing a targeted strategy to engage local networks and interest groups in the OGP agenda.

Scotland's second action plan process introduced a Steering Group with a collaborative mandate, which ensured parity of representation, and included transparent selection of non-

Table 1. At a glance

Participating since: 2016
Action plan under review: 2
Report type: Design
Number of commitments: 5

Action plan development

Is there a Multistakeholder forum: Yes
Level of public influence: Involve
Acted contrary to OGP process: No

Action plan design

Commitments relevant to OGP values	5 (100%)
Transformative commitments	1 (20%)
Potentially starred:	1 (20%)

Action plan implementation

Starred commitments: N/A
Completed commitments: N/A
Commitments with Major DIOG*: N/A
Commitments with Outstanding DIOG*: N/A

*DIOG: Did it Open Government?



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governmental members. These improvements led to commitments that are more ambitious and broader in scope, but lack specificity, which may be attributed to wider public participation in the plan’s co-creation.

Notable commitments in the second action plan include the development of a coordinated approach to civic participation and the improvement of citizen accessibility to government financial and performance data.

Table 2. Noteworthy commitments

Commitment description	Moving forward	Status at the end of implementation cycle.
<p>1. Financial and Performance Transparency</p> <p>Gather public input on Scotland’s financial transparency practices and apply open government policies to the design and implementation of Scottish financial institutions.</p>	<p>To strengthen this commitment, the government should clarify specific measurable actions that are integral to achieve its financial transparency objectives. The government could also consider conducting activities to build citizens’ capacity to use public financial information and gender impact assessments of budget proposals.</p>	<p><i>Note: this will be assessed at the end of action plan cycle.</i></p>
<p>2. Civic Participation Framework</p> <p>Develop a “Participation Framework” to guide government practices for civic participation in open policy-making and service delivery.</p>	<p>The government could develop an online progress monitoring mechanism and results database for this commitment to ensure the public has access to delivery progress and can verify its achievements. The government could also embed lessons learned from the framework in more specific policy areas and practices.</p>	<p><i>Note: this will be assessed at the end of action plan cycle.</i></p>

Recommendations

The IRM recommendations aim to inform the development of the next action plan and guide implementation of the current action plan.

Table 3. Five KEY IRM Recommendations

1. Ensure ongoing monitoring throughout implementation of the current action plan.
2. Work towards deeper collaboration in the co-creation of future commitments through a longer consultation period, more engagement with other issue-based networks and more iterative dialogue during commitment development.
3. Ensure a more manageable scope for any future action plan by focusing on a more targeted set of commitments and activities in parallel to the government's broader open government work.
4. Increase the specificity of commitments in any future action plan.
5. Continue to tie commitments more explicitly to concrete policy problems.

ABOUT THE AUTHOR

Andy McDevitt is an independent researcher with more than 10 years' experience supporting governance reform around the globe, with a strong focus on transparency, accountability and anti-corruption. He has conducted research for a range of organisations including Transparency International, UNODC, OECD, U4, the Institute of Development Studies and United Cities and Local Governments.

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 is a global partnership that brings together government reformers and civil society leaders to create action plans that make governments more inclusive, responsive, and accountable. Action plan commitments may build on existing efforts, identify new steps to complete ongoing reforms, or initiate action in an entirely new area. OGP's Independent Reporting Mechanism (IRM) monitors all action plans to ensure governments follow through on commitments. Civil society and government leaders use the evaluations to reflect on their own progress and determine if actions have made an impact on people's lives.

Scotland joined OGP in 2016. This report covers the development and design of Scotland's second action plan for 2018-2020.

The Independent Reporting Mechanism of OGP has partnered with Andy McDevitt, who carried out this evaluation. The IRM aims to inform ongoing dialogue around development and implementation of future commitments. For a full description of the IRM's methodology please visit <https://www.opengovpartnership.org/about/independent-reporting-mechanism>

II. Open Government Context in Scotland

The period since Scotland's first action plan in 2017 has been dominated by the ongoing uncertainty surrounding Brexit but has also seen positive developments with regards to the government's performance on Freedom of Information. Scotland's second action plan continues to build on the country's strong tradition of civic participation by supporting greater coherence and coordination in the government's approach to involving citizens in both service design and policy-making. It also responds to the IRM's recommendations from the previous action plan to improve financial transparency and introduces a commitment on public accountability.

The open government agenda in Scotland is underpinned by a long-standing tradition of, and commitment to, civic participation. Since devolution was introduced in Scotland in 1999, the Scottish Government has adopted what it terms a distinctive "Scottish Approach to Government" which recognises the importance of giving a voice to stakeholders and citizens.¹ In 2011, a wide-ranging government-commissioned review of public services in Scotland, carried out by the Christie Commission, further emphasised the need to involve individuals and communities in the design and delivery of the services they use, ensure closer partnerships between public service providers, and prioritise expenditure on public services which prevent negative outcomes.² In response to the review, the government undertook a set of reforms to shift the focus of service provision towards prevention and performance, better integration of local level services through partnership, and development of the public sector workforce.³

Policy context

In 2015, Scotland introduced the Community Empowerment (Scotland) Act,⁴ which placed a number of statutory requirements on government to ensure greater citizen participation. These requirements included reporting on a set of National Outcomes, establishing Community Planning Partnerships between public authorities and community bodies, using community-led Participation Requests, and extending the Community Right to Buy and using Asset Transfer Requests. In addition to the Community Empowerment Act, open government in Scotland is supported by a range of other legal and policy instruments, including:

- The Freedom of Information (Scotland) Act 2002 (FOISA), which came into force on 1 January 2005, and is enforced and promoted by the Scottish Information Commissioner (see further discussion below).⁵
- The National Performance Framework (NPF), initially introduced in 2007, which sets out a single Purpose and an agreed set of National Outcomes for everyone in public service in Scotland.⁶ Public consultation on these National Outcomes was included in Scotland's 2017 OGP action plan and a revised set of draft outcomes was published in 2018.⁷
- Scotland's 2015 Open Data Strategy,⁸ which aims to ensure that anonymised data generated by public bodies is made available through easily accessible channels.
- Scotland's 2017 Digital Strategy⁹ and 2018 Digital Health and Care Strategy,¹⁰ which include a strong emphasis on using technology to design key public services around user needs.

Scotland implemented its first OGP action plan in 2017. The first plan focused on improving citizen understanding of how public finances work, better benchmarking of government performance in key policy areas, and improving citizen participation in government policy and spending decisions.¹¹

Political context

The period since Scotland's first action plan in 2017 has been dominated by ongoing uncertainty surrounding Brexit (as has been the case throughout the rest of the UK). While the UK as a whole voted to leave the European Union (EU) by 52 per cent to 48 per cent, in Scotland, only 38 per cent of voters opted to leave the EU. In the view of some commentators, this strengthened the case for a second Scottish independence referendum in the future¹² (the first independence referendum in 2014 ended with a 55 per cent-45 per cent split in favour of remaining part of the UK). Moves towards a second independence referendum have remained largely on hold while the final outcome of the Brexit negotiations is unresolved. However, the ruling Scottish National Party (SNP) eventually introduced a bill for a second referendum to parliament at the end of May 2019.¹³ In the meantime, Nicola Sturgeon, the First Minister of Scotland, announced in April 2019, that the government would establish a Citizens' Assembly, bringing together a representative cross section of

Scottish society, to consider Scotland's constitutional position and how to best overcome the challenges the country faces, including those arising from Brexit.¹⁴ The dominance of Brexit on the political agenda has also meant that open government has at times taken a back seat, especially given that Michael Russell, the Cabinet Minister now responsible for OGP, is also responsible for negotiating with the UK Government on Brexit on behalf of the Scottish Government.

The period since 2017 has also seen important developments with regards to freedom of information in Scotland, following the widespread criticism of the Scottish Government's performance on responding to freedom of information (Fol) requests. Criticisms included a decline in the number of Fol requests that were responded to on time, allegations of screening requests by senior government advisers, requests being blocked or delayed for "tenuous reasons" and records of informal ministerial meetings not being kept (see 2017 IRM report for further details¹⁵). In response to a parliamentary motion calling for an independent inquiry into the way the government dealt with Fol requests and requesting post-legislative scrutiny of the Freedom of Information (Scotland) Act, the Scottish Information Commissioner initiated an intervention on the matter, the findings of which were published in June 2018.¹⁶ The report made a number of recommendations and required the Scottish Government to develop an action plan which is due to be implemented by November 2019. Among other things, the action plan introduces a revised case-management, tracking and quality assurance system, a revised process for handling requests without reference to the nature of the requester and a suite of learning products for staff, including targeted training and improved record keeping.¹⁷ Meanwhile, the Parliament's Public Audit and Post-Legislative Scrutiny Committee agreed in January 2019 to undertake post-legislative scrutiny of the Freedom of Information (Scotland) Act.¹⁸ The period for written submissions to the committee was ongoing at the time of writing this report.¹⁹

Scope of Scotland's second action plan

The IRM review of Scotland's first OGP action plan in 2017 concluded that it reflected the OGP values of transparency, accountability, and civic participation in a way that was highly relevant to the political and policy context in the country. Specifically, the review recommended "a continued focus on citizen participation in any future action plan, but with a much more focused set of activities, with clear outputs and outcomes tied more explicitly to specific policy areas". It also recognised the already "impressive, yet often uncoordinated, range of activities under way in the field of civic participation which would benefit from greater integration." To this extent, it is encouraging that Scotland's second action plan continues the strong focus on citizen participation. In particular, the commitment to develop a 'Participation Framework', which guides good practice across government while testing existing examples of participatory approaches, is a positive step towards supporting greater coherence and coordination in the government's approach to civic participation. However, while there is some integration of specific policy issues into the plan (such as healthcare) this is still an area which could be expanded on in future.

The 2017 review also called for "a more ambitious commitment to financial transparency" drawing on some of the key recommendations of the Scottish Parliament's Budget Process Review Group (BPRG). The BPRG's final report recommended, among other things, that the Parliament's revised budget process should improve transparency and public understanding and awareness of the budget. Specifically, it proposed enabling committees to incorporate public scrutiny into their work prior to the publication of firm and detailed spending proposals. As noted in the report, "there is little public consultation or transparency in the formulation of the budget. It is also unclear to what extent the government consults with the public bodies in formulating the budget."²⁰ In response, the second OGP action plan commits to seek the views of stakeholders and the wider public (including young people) on how to make Scotland's public finances more transparent and accessible, as well as to find ways of making clearer links between public finance decisions and the NPF and Sustainable Development Goals (SDGs). Beyond financial data, the second action plan also includes a commitment to develop innovative ways to make a broader range of public sector data relevant and accessible to a wide range of users and a commitment on improving transparency around the implications and impacts of Brexit.

Finally, the 2017 IRM review also noted that public accountability was an important gap in Scotland's first action plan. It is therefore encouraging to note a specific commitment (No. 4) in the second

action plan focusing on understanding the accountability landscape in Scotland and improving citizens' access to regulatory/scrutiny bodies and advice and consumer services.

¹ Independent Reporting Mechanism (IRM): Scotland Final Report 2017, <https://www.opengovpartnership.org/documents/scotland-irm-report-2017/>

² See: <https://www2.gov.scot/resource/doc/352649/0118638.pdf>

³ Scottish Government, Renewing Scotland's Public Services: priorities for reform in response to the Christie Commission, <https://www.gov.scot/publications/renewing-scotlands-public-services-priorities-reform-response-christie-commission/pages/3/>

⁴ Scottish Government, Community empowerment, <http://www.gov.scot/Topics/People/engage/CommEmpowerBill>

⁵ Scottish Information Commissioner, The Freedom of Information (Scotland) Act 2002, <http://www.itspublicknowledge.info/Law/FOISA.aspx>

⁶ See: <https://nationalperformance.gov.scot/>

⁷ Scotland's Well-Being: Delivering the National Outcomes, https://nationalperformance.gov.scot/sites/default/files/documents/NPF_Scotland%27s_Wellbeing_May2019.pdf

⁸ Scottish Government, Open Data Strategy, <https://www.gov.scot/publications/open-data-strategy/>

⁹ Scottish Government, Realising Scotland's full potential in a digital world: a digital strategy for Scotland, <https://www.gov.scot/publications/realising-scotlands-full-potential-digital-world-digital-strategy-scotland/>

¹⁰ Scottish Government, Scotland's Digital Health and Care Strategy: enabling, connecting and empowering, <https://www.gov.scot/publications/scotlands-digital-health-care-strategy-enabling-connecting-empowering/>

¹¹ See: Independent Reporting Mechanism (IRM): Scotland Final Report 2017 <https://www.opengovpartnership.org/documents/scotland-irm-report-2017/>

¹² Reuters, Scottish independence case helped by "Brexit chaos": Sturgeon, <https://www.reuters.com/article/us-britain-eu-scotland/scottish-independence-case-helped-by-brexit-chaossturgeon-idUSKBN1CD0B2>

¹³ The Guardian, Scottish government publishes independence referendum bill, <https://www.theguardian.com/uk-news/2019/may/29/scotland-publishes-second-independence-referendum-bill>

¹⁴ Scottish Government, Brexit and Scotland's future: First Minister statement, <https://www.gov.scot/publications/first-minister-statement-brexit-scotlands-future/>

¹⁵ See: Independent Reporting Mechanism (IRM): Scotland Final Report 2017 <https://www.opengovpartnership.org/documents/scotland-irm-report-2017/>

¹⁶ Scottish Information Commissioner, Intervention Report, <http://www.itspublicknowledge.info/home/AboutSIC/WhatWeDo/Intervention201702016ScottishGovernment.aspx>

¹⁷ Scottish Government, FOI request handling: action plan, <https://www.gov.scot/publications/foi-request-handling-action-plan/>

¹⁸ The Scottish Parliament, Post-legislative Scrutiny, <https://www.parliament.scot/parliamentarybusiness/CurrentCommittees/105094.aspx>

¹⁹ Interview with Daren Fitzhenry, Scottish Information Commissioner, 14 May 2019.

²⁰ Budget Process Review Group, Final Report, https://www.parliament.scot/S5_Finance/Reports/BPRG_-_Final_Report_30.06.17.pdf

III. Leadership and Multi-stakeholder Process

Overall, Scotland made significant progress in its consultation for the second action plan compared to the previous plan, including more lead in time, more resources and the involvement of a broader range of participants. Nevertheless, some areas where Scotland can improve include holding more regular Steering Group meetings and developing a strategy to engage a broader range of local networks and interest groups in the OGP agenda in ways which are meaningful to them.

3.1 Leadership

This subsection describes the OGP leadership and institutional context for OGP in Scotland.

The mandate for OGP participation in Scotland comes from the highest level of government, although it is not set out in legislation. The First Minister of Scotland, Nicola Sturgeon, while not directly involved in coordinating the OGP process in Scotland, has publicly stated her ambition for Scotland to become “an outward-looking government, which is more open and accessible to Scotland's people than ever before”.¹ Since 2018, political leadership for OGP has switched from Joe Fitzpatrick, Member of the Scottish Parliament (MSP) and Minister for Parliamentary Business, to Michael Russell, MSP and Cabinet Secretary for Government Business and Constitutional Relations (a more senior position than his predecessor). Mr Russell launched Scotland's second open government action plan at an official event in January 2019.²

The Open Government Team (formerly Ingage), which sits within the Local Government and Communities Directorate, continues as the lead government body responsible for coordinating the OGP process within the Scottish Government.³ Responsibility for leading on the implementation of the five commitments is spread among different directorates. In order to coordinate implementation, the Open Government Team conducts occasional meetings among the high-level commitment leads to discuss progress. These commitment leads represent government on the Multi-Stakeholder Forum (see further discussion below). The Open Government Team also coordinates an informal, internal network of those civil servants responsible for implementing the concrete activities under each commitment so that they can learn from each other.⁴

According to Doreen Grove, the Scottish Government's point of contact for OGP and Head of Open Government, the resources dedicated to OGP within government amount to approximately GBP 20,000 plus two Full Time Equivalents (FTE) of staff time. On the civil society side, the Big Lottery funding, administered by the Scottish Council for Voluntary Organisations (SCVO) to support the development and management of the Open Government Network during the first action plan, has come to an end. While SCVO has dedicated some resources to keep the digital platforms going, there is currently no human resource capacity to mobilise and manage the network.⁵

The central role of the Open Government Team in coordinating implementation of the action plan enables a cross-cutting approach which is reflected in the breadth of the plan's scope. It also contributes to the continued strong focus on collaboration and civic participation, which is at the core of the team's mission. At the same time, the plan also includes a significant focus on opening up financial and other public sector data to citizens, which is a reflection of the increasing involvement of those directorates responsible for the economy and budgeting, traditionally more inward-looking departments.

A significant development vis-à-vis Scotland's first action plan is the greater involvement of a wider range of public sector stakeholders in the plan's development and delivery, most significantly COSLA (the association of local governments in Scotland) and public sector scrutiny bodies, including the Scottish Information Commissioner. This approach should help to permeate open government throughout the system although, as noted by Niamh Webster, from the Open Government Team, it also presents accountability challenges as the Scottish Government remains ultimately responsible for delivery of the action plan.⁶

3.2 Multi-stakeholder process throughout action plan development

In 2017, OGP adopted the OGP Participation and Co-Creation Standards intended to support participation and co-creation by civil society at all stages of the OGP cycle. All OGP-participating

countries are expected to meet these standards. The standards aim to raise ambition and quality of participation during development, implementation, and review of OGP action plans.

OGP's Articles of Governance also establish participation and co-creation requirements a country or entity must meet in their action plan development and implementation to act according to OGP process. Scotland **did not** act contrary to OGP process.⁷

Please see Annex I for an overview of Scotland's performance implementing the Co-Creation and Participation Standards throughout the action plan development.

Table [3.2]: Level of Public Influence

The IRM has adapted the International Association for Public Participation (IAP2) "Spectrum of Participation" to apply to OGP.⁸ 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 "collaborate."

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

Multi-stakeholder forum

Scotland established a multi-stakeholder forum (the OGP Steering Group) to oversee the development and delivery of Scotland's 2018-2020 action plan during the course of 2018.⁹ The Steering Group has equal civil society and government participation: eight government representatives and eight civil society representatives. It also has an equal gender balance on both the civil society and government sides. Civil society members are drawn from the Scotland Open Government Network (OGN), which was established during the development of Scotland's first action plan in 2016. The network opened nominations for civil society representatives in April 2018.¹⁰ In the event, it received eight nominations, the same number as allocated civil society places. Thus, all eight nominees were selected uncontested.¹¹ Civil society members include a range of interests from academia and advocacy to democratic innovation, equalities, and the environment. The Steering Group is co-chaired by Michael Russell, Cabinet Secretary for Government Business and Constitutional Relations, and Elric Honoré from the Fife Centre for Equalities. In addition, the Steering Group has two representatives from local government as well as a number of observers, including the Scottish Information Commissioner. The Open Government Team acts as the Secretariat for the Steering Group.

Members have decision-making authority from government and the Scotland OGN to ensure the Steering Group is sufficiently empowered to take action. The quorum for decision making is eight, with a minimum of four from government and four from civil society. The Steering Group endeavours to reach consensus in all decisions, but when this is not possible a vote is taken. In the event of deadlock, the government co-chair has the deciding vote.¹²

The Steering Group meets at least three times per year to monitor implementation of the action plan and set the broader strategic direction of the open government agenda. To date, the Steering Group has met four times in Edinburgh (June 2018, October 2018, February 2019 and June 2019). All Steering Group meeting agendas and notes are available on the Scottish Government OGP website and Scotland OGN pages.¹³

Participation and engagement throughout action plan development

Between June and August 2018, the government and the Scotland OGN hosted seven events across the country to invite the public and third sector organisations to share their ideas for the second action plan (Dundee, Stirling, Inverness, Glasgow x2, Edinburgh x2), with a total of 117 participants.¹⁴ The Scottish Community Development Centre (SCDC) acted as an independent facilitator for the events. The government and network advertised the events through civil society partners, and Scotland's Third Sector Interface (TSI) Network,¹⁵ with a sign up through the Eventbrite platform. Emma Harvey, formerly of the Open Government Team, acknowledged that there was an initial struggle to engage citizens because the language and framing of OGP was too technical. As a result, following the first event, the team re-evaluated how they could reach a wider audience and adapt their messaging to enable a more open discussion around what citizens wanted to know about government.¹⁶ According to Mick Doyle, the independent facilitator from SCDC, this allowed time to better prepare the subsequent events, but it also shortened the time available at the end of the process to finalise the action plan.¹⁷ Public engagement was also affected by the fact that changes to the online platform hosting the Scotland OGN in 2018 required all members to re-register on the network. As a result, OGN membership declined from more than 300 members to 40.¹⁸

In addition to the in-person events, the government invited members of the public to submit ideas online through its crowdsourcing platform (ideas.gov.scot)¹⁹, which received 57 proposals. The outputs from all events, conversations, and ideas were brought to a final event in Edinburgh on 21 August to refine the broad ideas into more specific commitments and prioritise the key themes to take into final discussions with government policy teams for agreement and inclusion in the action plan. This final prioritisation event was attended by 21 people from a mix of third sector organisations, community councils, and campaigning groups, as well as several individuals.²⁰ The government informed participants of the process, namely that the OGP Steering Group would use the inputs from the discussions to develop up to five commitments.²¹ These were then shared with the Scottish Cabinet who made the final decision on the five commitments.

Throughout the engagement process, the government published updates on the action plan development via its Open Government blog. This included a report containing a full record of each of the seven public engagement events²² and a presentation listing the ideas received.²³ Later, in June 2019, SCDC also published a reflection report on the consultation approach and lessons learned from the exercise, based on focus group discussions among 10 participants who actively participated in consultations.²⁴

Following the public engagement process, the Open Government Team validated the prioritised themes with the OGP Steering Group, and shared these, along with the report on the outcomes of the public engagement exercise, with the relevant policy teams within government as a basis for developing the detailed wording for each commitment. At this point, civil society members of the OGP Steering Group self-selected to pair up with government members to provide oversight of the writing process. The extent of involvement of the civil society representatives at this stage varied from commitment to commitment, with input particularly evident for commitments 2 and 3.²⁵ For example, civil society representatives were instrumental in ensuring the inclusion of specific sectoral work on health and social care services and online identity assurance under Commitment 2, while much of the detail of Commitment 3 was developed by a small number of civil society representatives active in the field of open data.²⁶

The government published the draft action for public consultation on its blog on 14 November 2018, with a two-week window for receiving comments.²⁷ It later published a response to the public comments on the draft action plan, including reasons for why certain suggestions were not incorporated²⁸ (although it did not provide a response on why some of the ideas put forward earlier on in the process – i.e. during the public engagement exercises - were not included). In order to

facilitate understanding, the government published summaries of the commitments in plain English and a separate document with full details of all commitments.²⁹

Given the large number of ideas received from the public engagement exercises, it was inevitable that many priorities were ultimately not included in the final plan. While there was consensus around the broad thematic areas, there were a number of more specific ideas which received significant public support that were not included in the final plan, such as the proposal for NHS complaints to be dealt with by a separate body or for greater support to citizen journalism. In this sense, Lucy McTernan, former acting Chief Executive of the SCVO, characterised the final plan as “the art of the possible”, while acknowledging that many stakeholders, including within government, had hoped that some of the commitments would be more ambitious in scale and scope.³⁰ Alex Stobart from MyDex Community Interest Company (“MyDex CIC”) gave a similar appraisal, noting that there was no commitment that was entirely “owned” by civil society. In his view, the process was still more government led than he had hoped for.³¹ This conclusion was echoed to some extent during the reflection exercise on the public engagement process, where concerns were raised about activities in the final plan which were viewed as existing government priorities, but which were not fully rooted in the consultation phase (e.g. Brexit, participation framework).³²

Notwithstanding these challenges, in terms of the process overall, SCDC’s reflection report on the engagement approach concluded that: “[...] there was a shared overall sense of significant progress in the way the consultation was designed and delivered in relation to the experience of the previous plan. Participants cited the growth in references to OG in a much wider range of Scottish Government, Local Government and civil society contexts as evidence of growing interest in the issues.”³³

Stakeholders involved in both the 2016 and 2018 consultation processes agreed that it was an improvement on the process for the first action plan, with more lead in time, more resources and the involvement of a broader range of participants, despite there being more room for improvement.³⁴ According to Elric Honoré, the civil society chair of the OGP Steering Group, a key challenge remains the disconnect that exists between the civil society representatives on the Steering Group and grassroots networks of citizens. While acknowledging the efforts to conduct public engagement events around the country was an important improvement on the first plan, he pointed to the need for civil society members to engage existing local networks and interest groups more in the OGP agenda in a way that is meaningful for them.³⁵

Co-creation and participation recommendations throughout development

Scotland showed evidence of achievement and strong performance in the development of the OGP Steering Group mandate, parity of representation (including gender balance) and transparent selection of non-governmental members. This was a key recommendation from the 2017 IRM Report for Scotland’s first action plan. For example, the remit of the Steering Group and the process for nomination and selection of civil society representatives was jointly developed through an online Google Doc,³⁶ and two lists were created, one for men and one for women in order to ensure a gender balance. The Steering Group is also transparent about how it is structured and how it operates thanks to its published articles of governance.³⁷

Some areas where Scotland can improve are:

- The regularity of Steering Group meetings,
- Outreach and awareness-raising activities carried out by the Steering Group with relevant stakeholders to inform them of the OGP process, and
- Scotland’s online OGP repository.

In order to improve performance on these areas, the IRM researcher suggests that, moving forward, the following actions be taken:

- The OGP Steering Group should consider meeting on a more regular basis (at least once a quarter) during action plan implementation in order to ensure ongoing high-level engagement in the process. A practical concern raised among focus group participants was the small number of Steering Group meetings (only two during the development of the action plan).³⁸ Fewer meetings means there is a strong need for self-motivation and self-

regulation and for key staff to be supported with delegated authority to implement the commitments.

- As recommended by the independent facilitator of the public engagement process, the Steering Group could consider developing a systematic stakeholder engagement strategy. This could help create better conditions to bring easy to ignore groups into the process from excluded sections of society (such as minority ethnic groups or people living with disabilities), more “piggy backing” on relevant conversations with other networks, and mobilising other issue-based intermediaries with common interests in aspects of open government.³⁹ Creating stronger links between the Steering Group and other networks would go some way to broadening participation in the open government agenda.
- A related recommendation is for the Steering Group to develop a practical timeline for promotion, marketing, and engagement, to include active dialogue with citizens on implementing the current plan and engagement in the next one. Slippage in timelines as a result of the decision to rethink the engagement strategy after the first public event affected consultative processes and should, as far as possible, be avoided in future.⁴⁰
- The government’s online repository has matured since the development of the first action plan. It now includes a dedicated webpage hosting the first and second actions plans,⁴¹ a Steering Group page with access to Steering Group minutes,⁴² and an informative blog with updates on OGP progress and related open government news, including the government’s response to public comments on the draft action plan.⁴³ While this is a positive development, a more comprehensive repository of all historical background material related to the OGP process would enable readers to more easily trace the evolution of the process in Scotland and give a more detailed line of sight between the consultation process and the final plan. As an example, the crowdsourcing of ideas which fed into the action plan development is no longer available online.⁴⁴ Furthermore, there are currently only a limited number of updates related to commitment implementation posted on the repository, with some updates instead being posted on the Scotland Open Government Network pages. This makes it more difficult for stakeholders to keep track of progress on commitments. Importantly, the development of such a repository is now a requirement for all participating OGP governments.
- In order to make the process of developing the commitments more iterative, the Steering Group should provide a reasoned response for why certain stakeholder priorities identified through the public engagement events are not included, and not simply a response to the stakeholder feedback once the draft plan is published. This would go some way to moving the level of public influence on the contents of the action plan from “involve” to “collaborate” as defined by the International Association for Public Participation (IAP2) “Spectrum of Participation”.

¹ See for example: <https://www.gov.scot/publications/open-government-partnership-scottish-action-plan/pages/2/>

² Scottish Government, Open Government Partnership, <https://blogs.gov.scot/open-government-partnership/2019/01/07/come-to-the-official-launch-of-the-open-government-action-plan-31st-jan-edinburgh/>

³ Scottish Government, Open Government Partnership, <https://blogs.gov.scot/open-government-partnership/2019/04/04/about-us-the-open-government-team/>

⁴ Interview with Doreen Grove and Niamh Webster, Open Government Team, Scottish Government, 17 May 2019.

⁵ Interview with Ruchir Shah, SCVO, 17 May 2019.

⁶ Interview with Doreen Grove and Niamh Webster, Open Government Team, 17 May 2019.

⁷ Acting Contrary to Process - Country did not meet (1) “involve” during the development or “inform” during implementation of the NAP (2) government fails to collect, publish and document a repository on the national OGP website/webpage in line with IRM guidance.

⁸ “IAP2’s Public Participation Spectrum,” IAP2, 2014.

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

⁹ Scottish Government, Open Government Partnership Steering Group, <https://www.gov.scot/groups/open-government-partnership-steering-group/>

¹⁰ Scotland’s 2018/20 Open Government Action Plan, OGP Steering Group, https://docs.google.com/document/d/1Q4PNAFwFSR6mtnkWXcT_vPZ-L7ZMSyBhwKME3pDTlr8/edit#

¹¹ UK Open Government, Announcement: Scotland Network’s OGP Representatives, <https://www.opengovernment.org.uk/2018/04/18/announcement-scotland-networks-ogp-representatives/>

- ¹² Scottish Government, Open Government Partnership Steering Group: articles of governance, <https://www.gov.scot/publications/open-government-partnership-steering-group-articles-of-governance/>
- ¹³ Scottish Government, Open Government Partnership Steering Group, <https://www.gov.scot/groups/open-government-partnership-steering-group/>
- ¹⁴ Scottish Government, Open Government Partnership, <https://blogs.gov.scot/open-government-partnership/2018/09/10/what-we-heard-report/>
- ¹⁵ The TSI Network is made up of 32 organisations which provide support, learning, and development opportunities for people and organisations.
- ¹⁶ Interview with Nicola McDonagh, Martin Macfie, Simon Wakefield, Emma Harvey and Doreen Grove, Scottish Government, 14 May 2019.
- ¹⁷ Interview with Mick Doyle, SCDC, 16 May 2019.
- ¹⁸ Interview with Ruchir Shah, SCVO, 17 May 2019.
- ¹⁹ This site is no longer active
- ²⁰ Scottish Government, Open Government Partnership, <https://blogs.gov.scot/open-government-partnership/2018/09/10/what-we-heard-report/>
- ²¹ UK Open Government Network, <https://discuss.opengovernment.org.uk/t/important-get-involved-and-have-your-say-on-scotlands-open-government-action-plan/208>
- ²² Open Government Network Scotland, Scotland's Open Government Action Plan, <https://blogs.gov.scot/open-government-partnership/wp-content/uploads/sites/43/2018/09/Report-of-public-discussion-events-and-ideas-Open-Government-compressed.pdf>
- ²³ See: <https://www.slideshare.net/NiamhWebster/planning-the-future-of-openness-in-scotland>
- ²⁴ Scottish Government, Open Government Partnership, <https://blogs.gov.scot/open-government-partnership/2019/06/10/lessons-learned-from-co-creation-of-action-plan/>
- ²⁵ Interview with Lucy McTernan, civil society member of the OGP Steering Group, 13 May 2019; Interview with Doreen Grove and Niamh Webster, Open Government Team, 17 May 2019.
- ²⁶ Interview with Doreen Grove and Niamh Webster, Open Government Team, 17 May 2019.
- ²⁷ Scottish Government, Open Government Partnership, <https://blogs.gov.scot/open-government-partnership/2018/11/14/draft-action-plan-on-open-government-we-want-to-hear-your-views/>
- ²⁸ Scottish Government, Open Government Partnership, <https://blogs.gov.scot/open-government-partnership/2018/12/07/thanks-for-sharing-your-views-response-to-public-comments/>
- ²⁹ Scottish Government, Open Government Partnership, <https://blogs.gov.scot/open-government-partnership/2018/11/14/draft-action-plan-on-open-government-we-want-to-hear-your-views/>
- ³⁰ Interview with Lucy McTernan, civil society member of the OGP Steering Group, 13 May 2019.
- ³¹ Interview with Alex Stobart, civil society member of the OGP Steering Group, 13 May 2019.
- ³² Scottish Government, Open Government Partnership, <https://blogs.gov.scot/open-government-partnership/2019/06/10/lessons-learned-from-co-creation-of-action-plan/>
- ³³ Scottish Government, Open Government Partnership, <https://blogs.gov.scot/open-government-partnership/2019/06/10/lessons-learned-from-co-creation-of-action-plan/>
- ³⁴ Interview with Lucy McTernan, civil society member of the OGP Steering Group, 13 May 2019; Interview with Kaela Scott, civil society member of the OGP Steering Group, 14 May 2019; Interview with Daren Fitzhenry, Scottish Information Commissioner, 14 May 2019.
- ³⁵ Interview with Elric Honoré, civil society chair of the OGP Steering Group, 15 May 2019.
- ³⁶ Scotland's OGP Steering Group, https://docs.google.com/document/d/1Q4PNAFwFSR6mtnkWXcT_vPZ-L7ZMSyBhwKME3pDTlr8/edit#heading=h.gjdgxs
- ³⁷ Scottish Government, Open Government Partnership Steering Group: articles of governance, <https://www.gov.scot/publications/open-government-partnership-steering-group-articles-of-governance/>
- ³⁸ Scottish Government, Open Government Partnership, <https://blogs.gov.scot/open-government-partnership/2019/06/10/lessons-learned-from-co-creation-of-action-plan/>
- ³⁹ Ibid.
- ⁴⁰ Ibid.
- ⁴¹ Scottish Government, Policies, Improving Public Services, <https://www.gov.scot/policies/improving-public-services/open-government-partnership/>
- ⁴² Scottish Government, Open Government Partnership Steering Group, <https://www.gov.scot/groups/open-government-partnership-steering-group/>
- ⁴³ Scottish Government, Open Government Partnership, <https://blogs.gov.scot/open-government-partnership/>
- ⁴⁴ Crowdsourcing link (no longer available), <https://www.ideas.gov.scot/open-government>

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/entity'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 The indicators and method used in the IRM research can be found in the IRM Procedures Manual.² A summary of key indicators the IRM assesses is below:

- **Verifiability:**
 - Not specific enough to verify: As written in the commitment, do the objectives stated and actions proposed lack sufficient clarity and specificity for their completion to be objectively verified through a subsequent assessment process?
 - Specific enough to verify: As written in the commitment, are the objectives stated and actions proposed sufficiently clear and specific to allow for their completion to be objectively verified through a subsequent assessment process?
- **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 or policies?
 - Public Accountability: Will the government create or improve public facing 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?
- **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.
- **Completion:** This variable assesses the commitment's implementation and progress. This variable is assessed at the end of the action plan cycle, in the *IRM Implementation Report*.
- **Did It Open Government?:** This variable attempts to move beyond measuring outputs and deliverables to looking at how the government practice, in areas relevant to OGP values, has changed as a result of the commitment's implementation. This variable is assessed at the end of the action plan cycle, in the *IRM Implementation Report*.

What makes a potentially starred commitment?

A potentially starred commitment has more potential to be ambitious and to be implemented. A good commitment is one that clearly describes the:

- I. **Problem:** What is the economic, social, political, or environmental problem? Rather than describing an administrative issue or tool (e.g., 'Misallocation of welfare funds' is more helpful than 'lacking a website.').

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2. **Status quo:** What is the status quo of the policy issue at the beginning of an action plan (e.g., “26 per cent of judicial corruption complaints are not processed currently.”)?
3. **Change:** Rather than stating intermediary outputs, what is the targeted behavior change that is expected from the commitment’s implementation (e.g., “Doubling response rates to information requests” is a stronger goal than “publishing a protocol for response.”)?

Starred commitments

One measure, the “starred commitment” (★), deserves further explanation due to its particular interest to readers and usefulness for encouraging a race to the top among OGP-participating countries/entities. Starred commitments are considered exemplary OGP commitments. To receive a star, a commitment must meet several criteria:

- Potential star: the commitment’s design should be **verifiable**, **relevant** to OGP values, and have **transformative** potential impact.
- The government must make significant progress on this commitment during the action plan implementation period, receiving an assessment of **Substantial** or **Complete** implementation.

This variable is assessed at the end of the action plan cycle, in the *Implementation IRM report*.

General Overview of the Commitments

Scotland’s second action plan contains five commitments which aim to ensure: (1) greater transparency and accessibility of government financial, procurement, and other data, including information on the impacts and implications of Brexit; (2) a more coherent and coordinated approach to civic participation; and (3) a better understanding of, and access to, accountability mechanisms among citizens. Some commitments from Scotland’s first action plan, such as the work on the National Performance Framework (NPF) and participatory budgeting have been carried forward as broader commitments while others have dropped off the agenda (e.g. Fairer Scotland).

Overall, the IRM researcher considers this plan to be broader in scope and more ambitious than the previous plan, but the levels of specificity and verifiability have diminished as a result. This is partly because many of the commitments are conceived of as a work-in-progress which involve iterative discussions with stakeholders around the exact activities and outputs to be implemented. The broader scope coupled with more limited specificity is also in part a reflection of the wider public participation in the development of the plan as compared to the last one.

¹ “Open Government Partnership: Articles of Governance,” OGP, 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,” OGP, <https://www.opengovpartnership.org/documents/irm-procedures-manual>

I. Provide Financial and Performance Transparency

Language of the commitment as it appears in the action plan:

“This Scottish Government commitment is:

- To apply open government policies and practice to the further design and implementation of the newly established Scottish Exchequer and the development of the Scottish National Investment Bank to ensure they develop in line with international good practice on open government. It is proposed that the Scottish National Investment Bank’s operations include an Ethical Statement, and a role for citizen involvement in an Advisory Group. Both of these proposed approaches have the potential and intent to inform thinking around the Bank’s governance and wider accountability as well as improving citizen participation.
- To seek the views of stakeholders and the wider public about how to make Scotland’s public finances more transparent and accessible in order to promote public discussion, debate and participation in financial and policy decision making. This will include learning from young people, primarily through working with YoungScot. The Scottish Government will work with partners and expert civil society actors to review and incorporate good practice on transparency, accountability and citizen engagement into the work of the Scottish Exchequer. This will include a number of round table- events to bring together experts on fiscal transparency to share learning and understanding.
- To build on the work of the first Open Government Partnership Action Plan, in order to improve the effectiveness of budgetary information in communicating with external audiences.”

Activities

1. The Scottish National Investment Bank adopts Open Government principles and culture and explores: (a) setting up a Citizen Advisory Group; (b) developing an Ethical Statement with public participation and input
2. Publish Young people’s understanding of Public Finances Report – with YoungScot
3. Publish a Spending Review Framework by June 2019, which will set out the economic and political context, the criteria which will govern the assessment of budgets and the process and timetable for the review.
4. Make closer links with outcomes under each successive Scottish Budget (December each year), by (a) providing commentary and analysis on how spending contributes to intermediate outputs, measures, milestones and outcomes; (b) providing a clearer link between policies and plans and the Budget document to show how the allocation of resources contributes to priorities, long-term aims and outcomes.
5. Publish more information about Scotland’s progress in relation to the National Performance Framework and Sustainable Development Goals
6. Publish Scottish Government procurement-related spend information
7. Publish Scottish Government contract documentation, starting with large collaborative frameworks
8. Consult with civil society on how best to make published procurement information useful and accessible to a wide audience.

Start Date: December 2018

End Date: December 2020

Editorial Note: The text of the commitments has in some cases been abridged for the sake of brevity. For the full text of this commitment, see: “Scotland’s Open Government Action Plan for 2018-20: Commitments in detail”, pp 2-5.

Commitment Overview	Verifiability	OGP Value Relevance (as written)	Potential Impact	Completion	Did It Open Government?
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	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
I. Overall		✓	✓	✓					✓		Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

This commitment has four key objectives:

- (1) embedding the principle of openness in the foundation of the Scottish Exchequer and the proposed Scottish National Investment Bank (SNIB);
- (2) seeking the views of stakeholders on how to make Scotland’s public finances more transparent and accessible;
- (3) making closer links between the Scottish budget and performance outcomes and
- (4) improving procurement transparency.

These objectives are highly relevant to the current fiscal environment in Scotland in light of the powers devolved to Scotland through the 2012 and 2016 Scotland Acts which have provided significant additional tax, spending, and borrowing responsibilities for the Scottish Government. This has led to growing public and parliamentary interest in financial transparency and how financial management relates to performance against the National Performance Framework (NPF) and Sustainable Development Goals (SDGs).¹ At the same time, the creation of the Scottish Exchequer and the Scottish National Investment Bank provides an opportunity to establish these new bodies in a manner which is open and transparent in order to build public trust from the outset.²

This commitment is primarily relevant to the OGP value of access to information as it aims to support the Scottish Government to present that information in a way which more clearly demonstrates the links between spending decisions and performance outcomes. Publishing a wider range of information on procurement processes and spending could also help citizens better understand how the money is used and accounted for and eventually enable them to interpret and manipulate that data for specific purposes related to their local communities or their local needs. Some of the activities are also relevant to the OGP value of civic participation insofar as they provide opportunities for the public to give their input on the ways in which information is presented (e.g. deliberative workshops with young people, consulting with civil society on making procurement information useful and accessible).

The IRM researcher considers this commitment to be specific enough to be verifiable, although not in its entirety. Some of the activities under the commitment are concrete, such as the plan to set up a Citizen Advisory Group and develop an Ethical Statement for the SNIB, to publish a Young People’s Understanding of Public Finances Report or to publish a Spending Review Framework. In other cases, specific information is provided but not under the activities themselves, which hinders clarity. For example, the plan to work with young people in deliberative workshops is mentioned in the full commitment narrative but not under the activities. The same is true for the plan to hold round table events with the Scottish Exchequer. For other activities, the wording in the plan is too vague to enable independent verification of whether they have been achieved. For example, it is not clear what publishing “more information” about Scotland’s progress in relation to the NPF and SDGs would look like (more as compared to what?). Similarly, the plan for the SNIB to

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adopt “open government principles and culture”, while an important ambition, is not a concrete activity which can readily be measured. Conversations with those within government responsible for the implementation of these commitments shed more light on the detail of the proposed activities but these are not apparent from the action plan itself.

The IRM researcher considers the potential impact of this commitment to be moderate. It responds to the 2017 IRM Report’s recommendation for the government to continue and deepen its work on financial transparency under any future action plan, with a particular emphasis on proactive publication of a much wider set of government-held information.³ The understanding of finance and financial transparency were also clearly identified as priorities during the public consultation events.⁴ At the same time, the government considers the fact that the new Scottish Exchequer and the SNIB have signed up to working in “the spirit and practice” of OGP is highly significant given the traditionally cautious and inward-looking culture among public sector financial institutions.⁵ Lucy McTernan also described the window to influence how these new financial structures and institutions are governed right from the outset as “a once in a generation opportunity”.⁶

However, the potential impact of the commitment is limited by the lack of specificity of some of the activities. As acknowledged by Scotland’s point of contact for OGP, Doreen Grove, the action plan was not yet able to be as specific as some had wanted to be regarding the work on the SNIB and Scottish Exchequer given the early stage of development of these new institutions.⁷ Indeed, while reference is made to the Scottish Exchequer in the commitment text, none of the activities address the stated objective “to apply open government policies and practice” to its design. Similarly, the plan is not specific about how the government will align the indicators for the NPF and the SDGs and how the Scotland Performs website will accurately reflect the progress in both.

Next steps

The IRM researcher recommends that work on financial transparency should continue to form an integral part of future action plans. In particular, the work on making the links between financial resources, policies, and outcomes clear and understandable to citizens is critical to support meaningful participation in decision-making as emphasised in other parts of the action plan. More specifically:

- This commitment suffers from a lack of clarity in terms of distinguishing between ambitions, objectives, and concrete activities. While acknowledging the iterative nature of this work, the IRM researcher recommends any future action plan to more clearly differentiate between the objectives of the work on financial transparency and the specific measurable activities to achieve those objectives. This could be achieved, for example, by articulating a clearer set of sequential milestones, indicating who will deliver the activities and by when.
- More immediately, during implementation of the current plan, the OGP Steering Group should consider developing and publishing a more concrete set of milestones and activities under this commitment as they emerge. This would allow for more transparent ongoing monitoring of the process (see related recommendation under Commitment 2 below).
- Related to the above, any future plan should consider focusing on a smaller set of objectives under this commitment. As currently conceived, this commitment contains a broad range of activities which are loosely connected, making it difficult to identify how they contribute to a bigger goal. At the same time, the IRM researcher acknowledges that the broad scope of the commitment is a reflection of the level of ambition and enthusiasm for working on financial transparency and the constraints imposed by the need to restrict the number of commitments to five. (See Section V: General Recommendations).
- Future iterations of the work on procurement transparency could consider putting more focus on building the capacity of different groups, including individual citizens,

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to make use of the information and data which is released, through for example support for citizen journalism. This also applies to the work on open data more generally under Commitment 3.

- As suggested by participants at the public engagement events, for any future action plan the government could consider producing and publishing gender impact assessments of budget proposals before the budget bill goes to Parliament, as part of the evolving workstream on aligning budgets with outcomes under this commitment.⁸

¹ Scotland's Open Government Action Plan 2018-2020: detailed commitments,

<https://www.gov.scot/publications/scotlands-open-government-action-plan-2018-20-detailed-commitments/>

² Interview with Doreen Grove and Niamh Webster, Open Government Team, 17 May 2019.

³ Open Government Partnership, Scotland IRM Report 2017,

<https://www.opengovpartnership.org/documents/scotland-irm-report-2017/>

⁴ Interview with Doreen Grove and Niamh Webster, Open Government Team, 17 May 2019; Interview with Mick Doyle, SCDC, 16 May 2019.

⁵ Interview with Doreen Grove and Niamh Webster, Open Government Team, 17 May 2019; Interview with Lucy McTernan, civil society member of the OGP Steering Group, 13 May 2019.

⁶ Interview with Lucy McTernan, civil society member of the OGP Steering Group, 13 May 2019.

⁷ Interview with Doreen Grove and Niamh Webster, Open Government Team, 17 May 2019.

⁸ Open Government Network Scotland, Scotland's open government action plan, <https://blogs.gov.scot/open-government-partnership/wp-content/uploads/sites/43/2018/09/Report-of-public-discussion-events-and-ideas-Open-Government-compressed.pdf>

2. Providing a framework to support systemic change in Scottish Government to improve the way people are able to participate in open policy making and service delivery

Language of the commitment as it appears in the action plan:

“In brief, we commit to developing a ‘Participation Framework’ which guides good practice across government. We will illustrate and test examples of approaches in key policy areas. We will also review practice on consultation. [...]

Training, guidance and case studies will be developed to demonstrate progress in types of participation and in various policy settings. It will guide users through the creation of a policy through to implementation of a service.

A Participation Framework will help users to navigate options, techniques and tools (including digital) for open policy making. Including Improvement Methodology, Service Design, User Research, deliberative processes; coproduction principles among others.”

Activities

1. Develop a Participation Framework, including (1.1) providing guidance, advice and case studies on using a variety of participation methods across the Scottish Government; (1.2.) developing a policy on accessibility for citizen participation (1.3.) establishing a working group to review practice on the formal consultation process (1.4.) developing a strategic approach to participation, specific to children and young people
2. Host a series of ‘What does openness mean to you’ discovery events with a broad range of government and non-government participants to explore what ‘openness’ means to people in their work
3. Test citizen participation enabled by technology, including: (3.1.) online progress monitoring of delivery progress on OGP commitments; (3.2.) scoping the feasibility of and appetite for a single portal for engagement and participation opportunities across the public sector (3.3.) explore how people could more easily find out about upcoming consultations by making this available online
4. Explore deliberative and participatory methods through specific examples of active work, using the OGP guidance produced by the deliberative practice group, including; (4.1.) mini-publics; (4.2.) participatory budgeting and deliberative processes; (4.3.) co-production (with homeless organizations); (4.4.) collective leadership (for health and social care services in Scottish prisons).
5. Conduct transparent and open policy-making on Online Identity Assurance through open stakeholder group meetings, publishing papers and minutes of the programme board, and blog posts and public facing ‘show and tells’.
6. Conduct light touch research and evaluation on equality of participation (gender and other protected characteristics), including two learning events and by establishing a consortium of Scottish universities and other interested parties.

Start Date: December 2018

End Date: December 2020

Editorial Note: The text of the commitment has in some cases been abridged for the sake of brevity. For the full text of this commitment, see: “Scotland’s Open Government Action Plan for 2018-20: Commitments in detail”, pp 6-12.

Commitment Overview	Verifiability	OGP Value Relevance (as written)	Potential Impact	Completion	Did It Open Government?
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	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
2. Overall		✓	✓	✓		✓				✓	Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

Improving participation was the highest priority to emerge from the public engagement events to develop the second action plan. Participants raised concerns including: inconsistency of approach to public participation among government departments; reliance on a small number of stakeholders and formal consultation mechanisms; insufficient use of deliberative methods early enough in the development of policies and services; insufficient use of technology; and insufficient accessibility support.¹

This commitment seeks to change the relationship between citizen and state to one of collaboration and partnership through the development of a participation framework for Scottish Government. This framework aims to:

- improve understanding among civil servants of the benefits of involving people early in a process;
- raise awareness of the skills needed to either carry out or commission effective, proportionate and inclusive participation processes, and;
- help to equip people to use the right method, for the right reasons at the right time.

In order to achieve this, the commitment proposes to develop a set of guidance and training materials which can support public servants to make the meaningful involvement of people routine, effective and proportionate. The Participation Framework will be tested through a number of specific examples, with the results to be made publicly available. It will include an exploration of participation enabled by technology and an assessment of the impact on equality. The commitment is primarily relevant to the OGP value of civic participation by opening up services, policy and decision-making to involve the public in a more meaningful way and earlier in the process. Elements of the commitment are also relevant to the values of access to information (e.g. the work on open policy-making on online identity assurance) and technology and innovation for transparency and accountability (e.g. the work on testing citizen participation enabled by technology).

This commitment is specific enough to be verifiable. The core of the commitment, the participation framework, comprises a concrete set of deliverables (guidance material, accessibility policy, review of consultation processes) and test cases (mini-publics, participatory budgeting, co-production etc.). However, the breadth and number of discrete activities included under this commitment makes tracking progress on each one (and the contribution each makes to the broader goal of improving the quality of civic participation) challenging.

The IRM researcher deems this commitment to be potentially transformative. The Democratic Society has suggested changing the relationship between citizen and state requires focusing not merely on single actions or initiatives, but on the culture and skills among institutions and the public. In their words, the commitment should help achieve this “by providing a clear framework for improvement, and a strategy to engage, empower and motivate the workforce and develop their public participation skills.”² In this sense, the

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commitment also goes some way to responding to one of the key recommendations from the 2017 IRM report, namely that: “the government should consider investing in building the capacity of civil servants to understand the relevance of OGP and successfully implement commitments and for citizens to take up the opportunities afforded by their implementation.”³

The potential impact of this commitment is also bolstered by the fact that it ties into existing work on deliberative and participatory methods and could help mainstream the adoption of the National Standards for Community Engagement.⁴ As noted by Kaela Scott from Involve, the framework will be developed in an iterative way that builds on projects that were being initiated at the time the plan was being written in order to systematically test the added value of different types of participatory processes under one overarching framework.⁵

Some of the proposed activities include:

- the testing of “mini-publics”⁶ as part of the government’s local governance review to consider how powers, responsibilities and resources are shared across national and local spheres of government, and within communities.⁷
- developing actions in partnership with homeless organisations and homeless people to implement the recommendations set out in the ‘Homelessness and rough sleeping’ action group’s final report.⁸
- using the Collective Leadership methodology (a form of skilled facilitation to coach a collaborative working group of leaders across a range of organisations) to improve health and social care services to people in prisons who suffer from unusually high health inequalities.
- developing a common public sector approach to online identity assurance (i.e. helping people to securely prove who they are online when accessing public services) in collaboration with a national stakeholder group, with open invitations to interested members of the public, publication of all papers, and filming and streaming wherever possible.

For these activities, the aim is to work as closely as possible with those who are directly affected by different challenges to develop solutions.

The extent to which the potential of this commitment is achieved in reality will depend on whether it is able to galvanise what are currently pockets of good practice within government into something more systemic. However, the action plan does not state how the framework will be rolled out across government once it is finalised. As noted by Elric Honoré, this commitment is trying to create system change by doing lots of little things. The proof will be on the extent to which these practices incrementally propagate across government.⁹

Next steps

The IRM researcher recommends that any future action plan maintains civic participation as its primary focus, building on the work of Scotland’s first and second action plans. More specifically:

- The OGP Steering Group should consider continuing to frame any future iteration of this commitment around ongoing testing and improvement of the participation framework, including publishing the learning from the experiences. Ideally, as participatory and deliberative practices begin to embed themselves more widely in government practice, the methods can be rolled out in a larger set of contexts and policy areas (e.g. health boards, planning processes).
- During implementation of the current plan it is recommended that the OGP Steering Group prioritise the development of a progress monitoring mechanism so that the public have online access to up-to-date delivery progress on commitments, as described under activity 3 above. Given the limited specificity of a number of the

commitments, the IRM researcher considers that this should include a process for updating the activities with more concrete milestones as these become more well-defined through the action plan implementation period to enable subsequent verification. Importantly, a transparent monitoring tool would also help with outreach and enable stakeholders to better judge which stages they can get involved in, and influence, the implementation of commitments.

- In the longer-term, as suggested by focus group participants reflecting on the action plan development process,¹⁰ the OGP Steering Group could consider developing a centralised database of results from a wide range of consultative and participatory initiatives across the country to help avoid a sense of consultation fatigue. The results could be coded in open source locations and searchable by location, subject matter etc. This would represent an invaluable source of ongoing data and could increase the potential for future engagement on open government and other initiatives.

¹ Scotland's Open Government Action Plan 2018-2020: detailed commitments, <https://www.gov.scot/publications/scotlands-open-government-action-plan-2018-20-detailed-commitments/>

² Democratic Society (2018) Scottish Participation Framework: From Model to Practice, <https://blogs.gov.scot/open-government-partnership/wp-content/uploads/sites/43/2018/08/Demsoc-SPF-Implementation-Options-Paper.pdf>

³ See: Independent Reporting Mechanism (IRM): Scotland Final Report 2017 https://www.opengovpartnership.org/sites/default/files/Scotland_Final-Report_2017.pdf

⁴ Scottish Community Development Centre, National Standards for Community Engagement, <https://www.scdc.org.uk/what/national-standards>

⁵ Interview with Kaela Scott, civil society member of OGP Steering Group, 14 May 2019.

⁶ Mini-publics are small assemblies of citizens, demographically representative of the larger population, brought together to learn and deliberate on a topic in order to inform public opinion and decision-making, <https://www.newdemocracy.com.au/2017/05/08/forms-of-mini-publics/>

⁷ Scottish Government, Democracy Matters – Your Community, Your Ideas, Your Future: consultation, <https://www.gov.scot/publications/democracy-matters-community-ideas-future/>

⁸ Scottish Government, Homelessness and Rough Sleeping Action Group: final recommendations report, <https://www.gov.scot/publications/homelessness-and-rough-sleeping-action-group-final-report/>

⁹ Interview with Elric Honoré, civil society chair of OGP Steering Group, 15 May 2019.

¹⁰ Scottish Government, Open Government Partnership, <https://blogs.gov.scot/open-government-partnership/2019/06/10/lessons-learned-from-co-creation-of-action-plan/>

3. Improving how information and data is shared

Language of the commitment as it appears in the action plan:

“We will make more of our rich data public sector data open for social and economic good, and to help people understand how our country is changing.

The Scottish Government will continue to work in partnership across the public sector to expand the range of data hosted on statistics.gov.scot. By 2020, it will include all data underpinning our National Performance Framework and be the 'open as standard' mechanism for publishing all of Scotland's official statistics data, where appropriate. We will develop the platform further to host more types of data, including public sector management information such as financial data.

Building upon and beyond statistics.gov.scot, we will develop innovative ways to make Scotland's data relevant and accessible to a wide range of users, including infographics and interactive apps. To better understand Scotland's communities, we will increase the number of datasets that provide information at a local level. We will promote the use of this information in local area profiles to aid local decision-making. We will ensure open data is accompanied by the appropriate metadata and explanations to help people understand and reuse it.

[...] We will work with representatives from civil society and other government agencies, to consider how we can develop wider data literacy in society. This will include workshops to discuss the idea of developing a programme of data champions or the appointment of a Scottish Data Ombudsman.

[...] (T)he Scottish Government and COSLA have committed in the Digital Health & Care Strategy to involve the public in developing a consistent national approach to the use of health and care information, including clear and appropriate choices for individuals about how their information will be used and how and when it will be shared. [...] The technical delivery of this ambition is being taken forward through the development of a national digital health & care platform, which is in part designed to 'deliver the digital capability for citizens to access and update information about their health & wellbeing, including their records and from personal monitoring, and to interact with services.'”

Activities

1. Publish all datasets underpinning the National Performance Framework on statistics.gov.scot
2. Assess the suitability of all official statistics in the Scottish Government's publication schedule for publication on statistics.gov.scot
3. Increase the number of datasets available for small areas (such as data zone and intermediate zone levels)
4. Develop statistics.gov.scot as a tool for publishing public sector management information
5. Use open data to create publicly available infographics and interactive apps.
6. Use small area data to produce publicly available local area profiles.
7. Review and improve metadata associated with all open datasets
8. [Hold] workshops to consider developing wider data literacy in society
9. In line with the Digital Health and Care Strategy, we will develop an approach with the people of Scotland to ensure their health and care information is accessed and shared in an open and transparent manner in the pursuit of excellent care at the point of contact, further building trust in our health and care services.

Start Date: December 2018

End Date: December 2020

Editorial Note: The text of the commitment has in some cases been abridged for the sake of brevity. For the full text of this commitment, see: “Scotland’s Open Government Action Plan for 2018-20: Commitments in detail”, pp 13-15.

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
3. Overall		✓	✓	✓		✓				Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.					

Context and Objectives

The Scottish Government’s data portal (statistics.gov.scot), launched in 2016, provides free and open access to more than 200 official datasets covering a wide range of topics and organisations. However, much more data remains to be made easily and consistently accessible (e.g. community-level data and local area profiles). Meanwhile, the ability to find and filter databases and datasets, identify and isolate noteworthy information from raw data, and turn this into insights to inform decision-making, remains difficult for most citizens, often because data is not accompanied by appropriate metadata and explanations.¹

In order to fill this gap, this commitment aims to:

- increase the amount of Scotland’s official statistics published as open data
- increase the amount of data published at a geographic level that describes communities
- make data more easily findable, understandable, and reusable
- communicate the insights from this data to a non-technical audience
- plan potential future work on data literacy.

While the commitment largely focuses on the release of data, it also includes plans to develop apps, infographics, and area profiles, which can be accessed by a wider audience to better understand the insights contained in datasets. This, according to Martin Macfie from the Scottish Government’s Digital Directorate, could help improve both transparency and trust in government.²

In addition, the commitment includes a more specific plan to develop a national digital health and care platform to enable citizens to access their own health and care information and to enable carers to access the information they need to deliver high quality care and support. According to Doreen Grove, the inclusion of the work on health and social care data was driven by the strong belief among a number of stakeholders that the commitment should include a focus on a concrete policy area close to the everyday experiences of citizens.³ The government has also committed to delivering the proposed platform in its Digital Strategy.⁴

This commitment is relevant to the OGP value of access to information by increasing the amount of data, including local area data, that government makes available to the public. It is also relevant to the value of technology and innovation for transparency and accountability insofar as it uses technological solutions to present data in ways which make it easier for citizens to understand and interpret. The commitment also has some relevance to the OGP value of civic participation as it aims to involve citizens through workshops to develop wider data literacy to enable them to make use of the published data.

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Some parts of this commitment are specific enough to be verifiable to the extent that they refer to concrete areas of work with specific outputs (e.g. publishing all datasets underpinning the National Performance Framework (NPF),¹ developing a national digital health and care platform). However, for other areas, the wording of the activities is more vague (e.g. assess the suitability of publishing all official statistics, developing statistics.gov.scot as a tool for publishing public sector management information, considering developing wider data literacy). As explained by Doreen Grove, it is not possible to know what the exact output will be for some of these activities until the government has held further discussions with stakeholders and citizens.⁵ To this extent, some of the activities can be considered a work-in-progress.

Partly for this reason, the IRM researcher considers the potential impact of this commitment to be minor. In some cases, there is a clear purpose for publishing more data. For example, publishing more granular and place-based data underpinning the NPF (including data on Scotland's 81 national indicators⁶ and data related to specific policy areas and equality characteristics⁷) should help to paint a clearer picture around public sector performance at the local level. However, in other cases, the purpose is less clear, which limits the potential impact of the commitment. For example, the practical purpose of publishing all official statistics and public sector management information is not established, hence the commitment is only to "assess the suitability" of doing so. Crucially, plans to work on data literacy are not well developed as the plan only commits the government to "consider developing wider data literacy", although, according to Madeleine Fleming from the Open Government team, the government is currently working with stakeholders in community groups and elsewhere to better understand the barriers to data literacy⁸.

Next steps

The IRM researcher considers this commitment could be carried forward to a future action plan but recommends a number of improvements to strengthen its potential impact. The OGP Steering Group could consider including a stronger focus on working with civil servants, civil society and groups of citizens to make use of the data, thus responding to the 2017 IRM Report's recommendation for future action plans to "support the capacity of civil servants to produce information as intended and the capacity of citizens to use the information in meaningful ways". While discussions with the Scottish Government's Digital team indicated that there is work ongoing to build technical skills among groups of government, local government and health care professionals in order to facilitate the fulfilment of data commitments such as building apps and profiles from Scotland's open data platform, this upskilling work is not explicitly mentioned in the plan⁹. More specifically;

- As noted by Elric Honoré, the civil society chair of the OGP Steering Group, one of the missing links in the open data field in Scotland is the "communicators" and "foot soldiers" who operate at the local level and are able to translate and mediate between government and local communities.¹⁰ A future commitment on open data should seek to actively support this kind of communication. This might include, for example, a commitment to encourage citizen journalism, by developing a strategy for targeted training to use information and data actively by mapping services and identifying the skills and resources available to train and mentor citizen journalists. This was identified as a top priority by participants during the action plan prioritisation event.¹¹
- On the government side, participants at the consultation events also suggested that the government consider setting up an "insights team" to analyse the way different audiences consume information to ensure that what is put out in the public domain is done so in a variety of appropriate formats.¹²

¹ Scotland's Open Government Action Plan 2018-2020: detailed commitments, <https://www.gov.scot/publications/scotlands-open-government-action-plan-2018-20-detailed-commitments/>

² Interview with Nicola McDonagh, Martin Macfie, Simon Wakefield, Emma Harvey and Doreen Grove, Scottish Government, 14 May 2019.

³ Interview with Doreen Grove and Niamh Webster, Open Government Team, 17 May 2019.

⁴ Scottish Government, Realising Scotland's full potential in a digital world, <https://www.gov.scot/publications/realising-scotlands-full-potential-digital-world-digital-strategy-scotland/pages/3/>

⁵ Interview with Doreen Grove and Niamh Webster, Open Government Team, 17 May 2019.

⁶ Scottish Government, National indicator performance, <https://nationalperformance.gov.scot/measuring-progress/national-indicator-performance>

⁷ Scottish Government, Equality evidence finder, <https://scotland.shinyapps.io/sg-equality-evidence-finder/>

⁸ Email communication with Madeleine Fleming, Open Government team, 14 October 2019.

⁹ Interview with Doreen Grove and Niamh Webster, Open Government Team, 17 May 2019.

¹⁰ Interview with Elric Honoré, civil society chair of the OGP Steering Group, 15 May 2019.

¹¹ Open Government Network Scotland, Scotland's open government action plan, <https://blogs.gov.scot/open-government-partnership/wp-content/uploads/sites/43/2018/09/Report-of-public-discussion-events-and-ideas-Open-Government-compressed.pdf>

¹² Ibid.

4. Improving the accountability of public services – the citizen’s journey

Language of the commitment as it appears in the action plan:

“This commitment is split into two distinct parts: Part 1 is led by a collaboration of scrutiny bodies and regulators. Part 2 is led by the Scottish Government.

Part 1 – Understanding accountability and improving citizens’ access: We commit to work collaboratively within the current regulatory framework to improve the citizen’s understanding of and access to accountability mechanisms. This means improving people’s understanding of accountability and how Scottish public services are held to account; and how they can exercise their right to seek scrutiny of public services.

We will work together to examine what accountability means to different groups of people. This will include mapping the current landscape of public service scrutiny and regulatory bodies, identifying what sort of decisions they take, what and how they scrutinise and regulate, how they drive improvement and how citizens can access this.

Part 2 – A citizen-focused approach to public services: Accountability isn’t just about reacting when things go wrong. It must be embedded throughout public service design – starting with policy and decision makers hearing people’s views and experiences, learning from past experience when designing new services, and tackling the issues that matter to people in a way that works for them. The Scottish Government is committed to working collaboratively to put these principles into practice by progressing a transformational approach that puts people at the heart of policy making. The Scottish Government will continue its work with a range of partners (taking account of the work of Part 1 of this commitment) to deliver the following milestones under Part 2 below.

Consumer Scotland will establish an investigatory body to tackle issues where there is a high level of consumer detriment. It will provide an important vehicle to build trust and transparency in government by ensuring that those responsible for poor decisions and practices are held to account.”

Activities

Part 1 - Understanding accountability and improving citizens’ access

1. analysing relevant data to identify what public services people seek advice on and the root causes of their concerns;
2. working with regulators and scrutiny bodies to identify and share information about their remits, links and perceived challenges; holding conversations between citizens, regulators, scrutiny bodies and government to identify how citizens would like to exercise their rights to complain, appeal or seek scrutiny of public bodies, and what the barriers are;
3. working with regulators and scrutiny bodies to understand how to share learning and good practice on ensuring citizens are able to help shape their services going forward;
4. identifying ways to improve access to and strengthen citizens’ ability to hold public services to account within the current landscape, to amplify the impact of the scrutiny bodies and their distinct duties.

Part 2 – A citizen-focused approach to public services

5. Develop an approach to consider the impacts of public policy and decision making on people in a systematic and coherent way, and to recognise the importance of citizens in driving high quality public services;
 - Develop a new narrative on the importance of citizens in policy-making
 - Assess methods for representing the citizen voice in policy-making

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- Develop and trial different ways of supporting policy makers to consider citizens
- 6. Review the provision of and access to advice services in a way that adopts the spirit and principles of the Open Government Partnership to uphold the rights of people in accessing advice;
- 7. Develop and implement a statutory consumer body for Scotland - Consumer Scotland - in a way that adopts the spirit and principles of Open Government Partnership.
- 8. Complete and publish impact assessments
- 9. Consumer Scotland Bill laid in Scottish Parliament
- 10. Establish delivery mechanisms for Consumer Scotland

Start Date: December 2018

End Date: December 2020

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
4. Overall		✓	✓	✓	✓				✓		Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

The way in which citizens can hold public services to account in Scotland, including via complaints and appeals processes, is complex. Participants at the public engagement events to develop the second action plan consistently raised this as a concern: namely the challenge of knowing how to navigate the different accountability mechanisms, how to make their voices heard, and how to have a say in, and contribute to, public sector improvement and accountability. This can make individuals feel powerless, frustrated or disengaged and reinforces the sense of a lack of trust in government decision-making.¹

In order to address this challenge, this commitment is split into two sequential parts focusing on both the reactive and proactive faces of accountability: (1) a mapping of the accountability landscape and subsequent identification of improvements to complaints and appeals processes; and (2) the development of a citizen-centred approach to policy-making and advice and consumer services. The objective is to:

- amplify the work of scrutiny bodies and regulators to hold public services to account and make this more visible to people
- support citizens to know how they can hold public services to account
- share good practice among scrutiny bodies, regulators, civil society and government

The commitment is relevant to the OGP value of public accountability as it aims to improve the public's understanding of and access to existing accountability mechanisms and to develop new accountability approaches and mechanisms, including a new consumer protection body for Scotland (Consumer Scotland). It is also relevant to the value of civic participation to the extent that it aims to involve citizens in discussions about how they experience - and would like to improve - the mechanisms in place. Lastly, the commitment is

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relevant to access to information due to the publication of impact assessments for Consumer Scotland.

The IRM researcher considers some parts of this commitment to be specific enough to be verifiable, such as the plan to “complete and publish impact assessments”, or “Consumer Scotland Bill laid in Scottish Parliament”. However, other parts of the commitment are less specific. For part 1, much of the language refers to intentions rather than concrete activities with clear outputs. Examples of this include “analysing relevant data”, “identify and share information”, “understand how to share learning and good practice”, “identifying ways to improve access”. While this wording expresses what the commitment aims to achieve, it does not make it clear how it will be done, nor by whom. Part 2 is also vague in parts. It is not clear what “an approach to consider the impacts of public policy and decision making on people” or “different ways of supporting policymakers to consider citizens” means, what the output would be nor at what level this ambition lies. As with other commitments, the plan makes reference to the provision of services “in a way that adopts the spirit and principles of the Open Government Partnership”, but it does not explain how this will be achieved.

Nevertheless, the IRM researcher considers the potential impact of this commitment – in particular Part 2 - to be moderate. Some elements of the commitment have significant potential. For example, the establishment of Consumer Scotland as a new statutory body is a key deliverable in the 2018-2019 Programme for Government.² According to Saskia Kearns, the government lead for Commitment 4, Consumer Scotland could enable a much more strategic approach to consumer issues in Scotland, such as identifying specific recurring challenges which need to be addressed systematically.³ For Kaela Scott from Involve, establishing this new body in the “spirit” of OGP means doing it in a way that is open, transparent and participatory, ensuring that citizens have been consulted early enough in the process and that information about decision making is made available to the public.⁴ Moreover, the sequential nature of the commitment means that the lessons learned from the first year of the action plan regarding what scrutiny bodies are doing and what citizens would like to be different can be “lifted and shifted” into the design of Consumer Scotland.⁵ According to Daren Fitzhenry, the Scottish Information Commissioner, the potential impact of this commitment is strengthened by the fact that it looks to go beyond central government to include a broader range of public sector bodies (including scrutiny and regulatory bodies).⁶ This demonstrates an increased level of ambition and maturity in Scotland’s approach to open government.

However, the first part of the commitment is less ambitious as it focuses on understanding and identifying ways to improve access to existing mechanisms (but does not commit to implementing any measures to improve access at this stage). In the words of Lucy McTernan, scrutiny bodies “should be doing this anyway, it’s their job”.⁷ Moreover, the potential impact of this commitment suffers as a result of the lack of clarity described above, especially with regards to Part 2. A number of stakeholders acknowledged this lack of clarity, but also challenged the need for more specificity, stating the desire to avoid pre-empting discussions among citizens, regulators and government. Thus, while certain individuals have more specific solutions in mind (such as digital tools or education pieces), these are not included in the detail of the plan at this stage.⁸ To this end, Doreen Grove noted that the commitment will deliver a set of options in the form of a business plan for the future but that it is too early to be specific about what those outputs will be.⁹

Next steps

The IRM researcher notes that the introduction of a commitment focusing on public accountability responds to one of the key recommendations from the 2017 IRM Report.¹⁰ It is also encouraging that this commitment endeavours to involve a broader range of public sector stakeholders (in this case, scrutiny and advice bodies) in the OGP process. The IRM researcher therefore recommends that any future action could build on this commitment. More specifically:

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- Given that this is Scotland’s first explicitly accountability-focused commitment, it is understandable that the first part of this commitment involves a mapping of the accountability landscape in order to understand the status quo. It will be important to ensure that any future action plan includes specific practical actions to implement the improvements which are identified as a result of this mapping exercise. Potentially, work on some of these improvements may even begin during the implementation of the current action plan, in which case more specific milestones could be included in the progress monitoring mechanism, as discussed under the next steps for Commitment 2.
- During implementation, the OGP Steering Group is encouraged to clarify what is meant by “develop an approach to consider the impacts of public policy and decision making on people” and “review the provision of and access to advice services in a way that adopts the spirit and principles of Open Government Partnership”. This should include updating the progress monitoring mechanism with details on the specific steps and activities which are needed to achieve these objectives.

¹ Scotland's Open Government Action Plan 2018-2020: detailed commitments, <https://www.gov.scot/publications/scotlands-open-government-action-plan-2018-20-detailed-commitments/>; and interview with Mick Doyle, SCDC, 16 May 2019.

² Scottish Government, Delivery for today, investing for tomorrow: the government’s programme for Scotland 2018-2019, <https://www.gov.scot/publications/delivering-today-investing-tomorrow-governments-programme-scotland-2018-19/>

³ Interview with Saskia Kearns, Scottish Government, and Alex Stobart, civil society member of the OGP Steering Group, 13 May 2019.

⁴ Interview with Kaela Scott, civil society member of the OGP Steering Group, 15 May 2019.

⁵ Interview with Saskia Kearns, Scottish Government, and Alex Stobart, civil society member of the OGP Steering Group, 13 May 2019.

⁶ Interview with Daren Fitzhenry, Scottish Information Commissioner, 14 May 2019.

⁷ Interview with Lucy McTernan, civil society member of the OGP Steering Group, 13 May 2019.

⁸ Interview with Saskia Kearns, Scottish Government, and Alex Stobart, civil society member of the OGP Steering Group, 13 May 2019; Interview with Daren Fitzhenry, Scottish Information Commissioner, 14 May 2019.

⁹ Interview with Doreen Grove and Niamh Webster, Open Government Team, Scottish Government, 17 May 2019.

¹⁰ See: Independent Reporting Mechanism (IRM): Scotland Final Report 2017 <https://www.opengovpartnership.org/documents/scotland-irm-report-2017/>

5. Transparency and participation in Scotland as the UK exits the European Union

Language of the commitment as it appears in the action plan:

“The Scottish Government is committed to proactively publishing information on the potential impacts of Brexit and actual impacts as these are realised. Where research and analysis is commissioned, we will seek to publish results where possible. To support and encourage involvement of people and communities so we can hear their views and they can understand the information, implications and impacts of the decisions taken by the UK Government. The Scottish Government will make public its preferred approach to leaving the European Union, and the supporting evidence for that approach. We will engage with stakeholders, including the Scottish Parliament, to provide our ongoing assessment of EU exit negotiations, the implications of the outcomes for Scotland and we will listen to views to inform the Scottish Government’s response. This will help to raise understanding by policy makers about the implications and to help protect what matters to the people of Scotland as the UK leaves the EU.”

Activities

1. To hold 3 roundtable discussions with citizens and interest groups in the run up to Brexit
2. To engage rural communities and work with Scottish Rural Parliament and potentially others, to deliver a discussion on the impacts of Brexit on rural communities
3. To work with Children in Scotland to deliver a young people’s advisory panel on Brexit and MyLifeMySay to deliver Brexit Cafes for young people to understand their concerns and views on the future UK-EU relationship with a report due in December, 2018
4. As set out in the Scottish Government’s Programme for Government, we are making provision for a service that will provide practical advice, information and support for EU citizens in Scotland. We envisage a service that will improve awareness and understanding of rights, entitlements and requirements, and we will set out more details of the service in the coming weeks.
5. We will make provision for an advice and support service for those 235,000 EU citizens resident in Scotland. This will seek to offer information on the new settled status scheme and provide support to EU citizens in understanding the impact Brexit will have on them

Start Date: December 2018

End Date: December 2020

Commitment Overview	Verifiability		OGP Value Relevance (as written)				Potential Impact				Completion				Did It Open Government?				
	Not specific enough to be verifiable	Specific enough to be verifiable	Access to Information	Civic Participation	Public Accountability	Technology & Innovation for Transparency & Accountability	None	Minor	Moderate	Transformative	Not Started	Limited	Substantial	Completed	Worsened	Did Not Change	Marginal	Major	Outstanding
5. Overall		✓	✓	✓				✓			Assessed at the end of action plan cycle.				Assessed at the end of action plan cycle.				

Context and Objectives

According to Scotland's second action plan, the UK Government has not provided objective information on the process, outcomes and potential implications of leaving the EU and there is a perception that the public in Scotland do not trust information surrounding Brexit. The action plan further notes that the impact of Brexit will be felt particularly strongly in areas of Scotland where there are concerns around depopulation, less EU funding and lower exports to the EU. Devolution also means the policy and legal implications of decisions made by the UK Government will have different implications and impacts on Scotland.¹

In order to address this gap in information and trust, this commitment aims to continue dialogue across communities in Scotland to:

- improve understanding of all of the issues people are facing in regard to the impacts of Brexit;
- increase understanding of and influence the Scottish Government's policy with regards to negotiations with the UK Government; and
- help build consensus in Scotland for mitigation of the impacts of Brexit on people's lives and wellbeing.

This commitment is relevant to the OGP value of access to information as it aims to provide greater transparency to the public in Scotland on the implications of Brexit. It is also relevant to the value of civic participation as it aims to provide opportunities for different groups of citizens to inform the Scottish Government's response to Brexit.

This commitment is specific enough to be verifiable as it includes a number of clear deliverables targeted at specific groups, such as a set of roundtable discussions, a discussion with the Scottish Rural Parliament, a young people's advisory panel, Brexit Cafes for young people etc. It also includes provisions for an advice and support service for EU citizens in Scotland, although it is not specific about what such a service will entail, noting that "we will set out more details of the service in the coming weeks". It should be noted that activities 4 and 5 are duplicated.

Doreen Grove described Brexit as "the biggest issue affecting trust in government in the UK at the moment",² while Michael Russell labelled it the "elephant in the room" that needed to be addressed in the OGP action plan.³ For Elric Honoré, including a commitment on Brexit in the action plan forces the government to become more responsible and responsive than perhaps it might have been. In his view, the Scottish Government has a duty of care to its citizens to deal with the consequences of Brexit.⁴

However, while recognising the centrality of the issue of trust around Brexit for the citizens of Scotland, the IRM researcher considers that the commitment is likely to have only a minor impact on mitigating the trust gap. This is largely because of the limited clarity on the types of information the government plans to make public as a result of the activities. Furthermore, it is not clear how understanding people's concerns through the range of proposed participation activities will ultimately translate into mitigating the potential impacts of Brexit on citizens.

Next steps

Given the limited potential impact of this commitment, the inherent uncertainty surrounding the Brexit process, and the limited control which the Scottish Government has over it, the IRM researcher does not recommend carrying this commitment forward to future action plans. Moreover, in light of the challenges presented in Scottish context by the requirement to limit the number of commitments to five, it is recommended that other issues emerging more strongly from public consultation be considered in future instead, such as supporting citizen journalism or reforming the mechanisms for handling NHS complaints.⁵

¹ Scotland's Open Government Action Plan 2018-2020: detailed commitments,

<https://www.gov.scot/publications/scotlands-open-government-action-plan-2018-20-detailed-commitments/>

² Interview with Doreen Grove and Niamh Webster, Open Government Team, 17 May 2019.

³ Interview with Michael Russell, Cabinet Secretary for Government Business and Constitutional Relations, 16 May 2019.

⁴ Interview with Elric Honoré, civil society chair of the OGP Steering Group, 15 May 2019.

⁵ Open Government Network Scotland, The priorities emerging from the public engagement process, <https://blogs.gov.scot/open-government-partnership/wp-content/uploads/sites/43/2018/09/Report-of-public-discussion-events-and-ideas-Open-Government-compressed.pdf>

V. General Recommendations

This section aims to inform development of the next action plan and guide implementation of the current action plan. It is divided into two sections: 1) IRM key recommendations to improve OGP process and action plans in the country or entity and, 2) an assessment of how the government responded to previous IRM key recommendations.

5.1 IRM Recommendations

On Process

1. **Ensure ongoing online monitoring throughout implementation of the current action plan:** The IRM researcher recommends that the OGP Steering Group should prioritise the development of a progress monitoring mechanism so that the public have online access to up-to-date delivery progress on commitments, as described under Commitment 2. Given the limited verifiability of several of the commitments, this should include a process for updating the commitments with more concrete milestones and deliverables as these become better defined through the action plan implementation period to enable subsequent verification. A transparent monitoring tool would also help with outreach and enable stakeholders to better judge at which stages they can get involved in, and influence, the implementation of commitments. Ideally ownership and accountability for the monitoring mechanism would be shared between the Scottish Government and civil society with resources allocated for this purpose.
2. **Broaden the scope of the online repository, with regular updates on implementation and a more comprehensive collection of historical background material.** The inclusion of an online repository for OGP-related documents and materials is now a requirement for all participating OGP governments in order to not act contrary to OGP process.¹ The Scottish Government's online repository has matured since the development of the first action plan, with a dedicated webpage hosting the first and second actions plans, a Steering Group page with access to Steering Group minutes and an informative blog with updates on OGP progress and related open government news, including the government's response to public comments on the draft action plan. While this is a positive development, the Scottish Government should work to broaden the scope of the online repository, with regular updates on the implementation of each commitment and a more comprehensive collection of all historical background material related to the OGP process.
3. **Work towards deeper collaboration in the co-creation of future commitments by ensuring a longer and more involved consultation period, more engagement with other issue-based networks earlier on in the process and more iterative dialogue during commitment development:** The co-creation process for the current plan was an improvement on the development of Scotland's first plan with more lead in time, more resources and the involvement of a broader range of participants. However, the process also suffered from an overly technical focus in initial messaging around OGP and a disconnect between OGP and other issue-based networks of citizens. There was also some discrepancy between the priorities identified by stakeholders and the commitments which ultimately made it into the final plan.

The IRM researcher considers that a longer and more involved consultation period before publication of any future action plan would enable a broader set of stakeholders a more direct role in the formulation of commitment contents, beyond identification of priorities. This could be achieved by bringing OGP into other relevant conversations with other networks earlier on in the process, through, for example, joint events. In order to make the process of developing the commitments

more iterative, the Steering Group should provide a reasoned response for why certain stakeholder priorities identified through the public engagement events are not included, and not only a response to stakeholder feedback once the draft plan is published. This would go some way to moving the level of public influence on the contents of the action plan from “involve” to “collaborate” as defined by the International Association for Public Participation (IAP2) “Spectrum of Participation”.²

On content

4. **Ensure a more manageable scope for any future action plan:** The requirement to focus on five commitments remains a challenge in the Scottish context, especially in terms of delivering the wider aspirations identified through public engagement. As noted by SCDC, Scotland’s approach has been to group multiple commitments into overarching themes, with several commitments within them, leading to a degree of conflation of important issues on the one hand, and the loss of other citizen priorities on the other. One potential solution suggested by focus group participants³ may be to consider a two-track approach, whereby the OGP action plan focuses on a more targeted set of commitments and activities, while the government’s broader open government work continues in parallel to, but not explicitly part of, the formal OGP process.
5. **Ensure commitment activities are tied to specific and verifiable outcomes, rather than aspirational goals:** The lack of specificity of some of the commitments makes it difficult to accurately assess their potential impact. The IRM researcher suggests that any future action plan should more clearly differentiate between the objectives of commitments and the specific measurable activities to achieve those objectives. This could be achieved, for example, by articulating a clearer set of sequential milestones, indicating who will deliver the activities and by when. While acknowledging that the current action plan is to some extent conceived of as a work-in-progress with iterative dialogue embedded into the implementation process, a more appropriate balance could be found between allowing space for flexibility and ongoing stakeholder input on the one hand and identifying more concrete deliverables from the outset on the other. This could be achieved, for example, by ensuring a longer and more involved consultation period as described in recommendation 3 above.
6. **Continue to tie commitments more explicitly to concrete policy problems, especially in the area of citizen participation:** The second action plan has gone some way to shifting the balance of actions from technical, process-oriented commitments to policy-focused commitments. However, there is still a long way to go. One area for future action plans where there is good potential to shift this balance further is around the work on participation. Specifically, as participatory and deliberative practices begin to mature within government practice through the adoption and testing of the participation framework, certain methods could be rolled out in a larger set of contexts and policy areas as part of the next action plan. These policy areas may include those identified as priorities through the engagement process such as citizen journalism or the health sector. The IRM researcher also considers that any future action plan should include specific mechanisms to ensure the framework is institutionalised and taken up by different teams across government.
7. **Make stronger links between OGP and other related initiatives:** SCDC’s reflection report noted concerns among participants about perceived overlaps and resulting confusion between OGP and other democracy-related developments (e.g. Democracy Matters, participatory budgeting, implementation of the Community Empowerment Act, etc.) To address this, the IRM researcher supports the suggestion to locate open government more explicitly in a wider narrative on Scotland’s approach to participatory democracy and more clearly acknowledge the links between the different initiatives.⁴

Table 5.1: Five Key Recommendations

1	Ensure ongoing monitoring throughout implementation of the current action plan
2	Work towards deeper collaboration in the co-creation of future commitments through a longer consultation period, more engagement with other issue-based networks and more iterative dialogue during commitment development
3	Ensure a more manageable scope for any future action plan by focusing on a more targeted set of commitments and activities in parallel to the government's broader open government work
4	Increase the specificity of commitments in any future action plan
5	Continue to tie commitments more explicitly to concrete policy problems

5.2 Response to Previous IRM Key Recommendations

Table 5.2: Previous IRM Report Key Recommendations

	Recommendation	Integrated into Current Action Plan?
1	Strengthening OGP governance in Scotland	✓
2	Broadening participation in OGP	✓
3	Building capacity to take OGP forward	✓
4	Continue putting participation at the heart of OGP in Scotland	✓
5	Putting a greater focus on accountability	✓
6	Deepening the commitment to transparency	✓
7	Ensuring greater specificity of commitments	✗

The government addressed, to differing degrees, six out of the seven key recommendations from the IRM 2017 Report in its second action plan. On process, the government established a multi-stakeholder forum (the OGP Steering Group) with equal participation from government and civil society. It also broadened participation in OGP by organising a range of public events across Scotland to feed into the action plan consultation process, although this was to some extent offset by the loss of a significant proportion of members from the Scotland Open Government Network (OGN) due to technical changes to the online platform. And although the second action plan includes some references to concrete policy areas and existing local democracy-related initiatives as a means of broadening the relevance of the OGP agenda in Scotland, this is an area that could be strengthened in any future action plan. The second action plan also includes some work on building the capacity of civil servants to successfully implement commitments and for citizen uptake around discreet areas such as open data and the participation framework, but this is also an area which could be strengthened in future.

On content, the second action plan successfully adopted the three recommendations regarding the thematic coverage of the plan (by maintaining the core focus on civic participation, deepening the work on financial transparency and including a commitment on public accountability). However, the key recommendation to ensure greater specificity of

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the commitments has not been realised and should be a particular area of focus in the implementation of the current plan and the development of any future action plan.

¹ OGP Participation and Co-Creation Toolkit, http://live-ogp.pantheonsite.io/sites/default/files/OGP_Participation-CoCreation-Toolkit_20180509.pdf

² "IAP2's Public Participation Spectrum," IAP2, 2014, <https://www.iap2.org.au/About-Us/About-IAP2-Australasia-/Spectrum/>

³ Scottish Government, Open Government Partnership, <https://blogs.gov.scot/open-government-partnership/2019/06/10/lessons-learned-from-co-creation-of-action-plan/>

⁴ Ibid.

VI. Methodology and Sources

The IRM reports are written by researchers for each OGP-participating country or entity. 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, observation, and feedback from nongovernmental stakeholders. The IRM report builds on the evidence available in Scotland's OGP website,¹ findings in the government's own self-assessment reports, and any other assessments of process and progress put out by civil society, the private sector, or international organisations. At the beginning of each reporting cycle, IRM staff share a research plan with governments to open a seven-day period of comments or feedback regarding the proposed research approach.

Each IRM researcher carries out stakeholder interviews to ensure an accurate portrayal of events. Given budgetary and calendar constraints, the IRM cannot consult all interested parties or visit implementation sites. 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 during the pre-publication review period of each report.

Each report undergoes a quality-control process that includes an internal review by IRM staff and the IRM's International Experts Panel (IEP). Each report also undergoes an external review where governments and civil society are 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.²

Interviews and stakeholder input

The IRM researcher conducted interviews with 17 representatives of government and civil society involved in the design and implementation of the Scottish OGP commitments for the 2018-2020 action plan. Interviews were carried out in person, with occasional follow-up questions by email. The purpose of the interviews was to discuss the co-creation process of the action plan and the design and content of the commitments. Interviews were carried out in Edinburgh, Glasgow and Kirkcaldy. The IRM researcher is grateful in particular to Doreen Grove and Niamh Webster from the Scottish Government for facilitating interviews with relevant government officials.

The IRM researcher conducted the following stakeholder interviews:

- Lucy McTernan, former civil society chair of the OGP Steering Group, 13 May 2019
- Alex Stobart, Mydex Community Interest Company ("Mydex CIC") and civil society member of the OGP Steering Group, 13 May 2019
- Saskia Kearns, Scottish Government (commitment 4), 13 May 2019
- Daren Fitzhenry, Scottish Information Commissioner, 14 May 2019
- Nicola McDonagh, Scottish Government (commitment 1), 14 May 2019
- Martin Macfie, Scottish Government (commitment 3), 14 May 2019
- Simon Wakefield, Scottish Government (commitment 5), 14 May 2019
- Emma Harvey, Scottish Government, former member of Ingage/Open Government Team, 14 May 2019
- Maureen McClair, Scottish Government (commitment 1), 14 May 2019
- Simon Cameron, COSLA, 14 May 2019
- Kaela Scott, Involve and civil society member of the OGP Steering Group, 14 May 2019
- Elric Honoré, Fife Centre for Equalities and civil society chair of the OGP Steering Group, 15 May 2019

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- Michael Russell, Cabinet Secretary for Government Business and Constitutional Relations and government chair of the OGP Steering Group, 16 May 2019
- Mick Doyle, Scottish Community Development Centre, 16 May 2019
- Doreen Grove, Head of Open Government, Scottish Government, 17 May 2019
- Niamh Webster, Open Government Team, Scottish Government, 17 May 2019
- Ruchir Shah, Scottish Council for Voluntary Organisations (SCVO), 17 May 2019

About the Independent Reporting Mechanism

The Independent Reporting Mechanism (IRM) is a key means by which all stakeholders can track OGP progress in participating countries and entities. The International Experts Panel (IEP) oversees the quality control of each report. The IEP is comprised of experts in transparency, participation, accountability, and social science research methods.

The current membership of the International Experts Panel is

- César Cruz-Rubio
- Mary Franco
- Brendan Halloran
- Jeff Lovitt
- Fredline M'Cormack-Hale
- Showers Mawowa
- Juanita Olaya
- Quentin Reed
- Rick Snell
- Jean-Patrick Villeneuve

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.

¹ Scottish Government, Improving public services, <https://www.gov.scot/policies/improving-public-services/open-government-partnership/>

² IRM Procedures Manual, V.3, <https://www.opengovpartnership.org/documents/irm-procedures-manual>

Annex I. Overview of Scotland’s performance throughout action plan development

Key:

Green= Meets standard

Yellow= In progress (steps have been taken to meet this standard, but standard is not met)

Red= No evidence of action

Multi-stakeholder Forum	
1a. Forum established: There is a forum to oversee the OGP process	Green
1b. Regularity: The forum meets at least every quarter, in person or remotely	Yellow
1c. Collaborative mandate development: Members of the forum jointly develop its remit, membership and governance structure.	Green
1d. Mandate public: Information on the forum’s remit, membership and governance structure is available on the OGP website/page.	Green
2a. Multi-stakeholder: The forum includes both governmental and non-government representatives	Green
2b. Parity: The forum includes an even balance of governmental and non-governmental representatives	Green
2c. Transparent selection: Non-governmental members of the forum are selected through a fair and transparent process.	Green
2d. High-level government representation: The forum includes high-level representatives with decision making authority from government	Green
3d. Openness: The forum accepts inputs and representation on the action plan process from any civil society or other stakeholders outside the forum	Green
3e. Remote participation: There are opportunities for remote participation in at least some meetings and events	Yellow
3f. Minutes: The OGP forum proactively communicates and reports back on its decisions, activities and results to wider government and civil society stakeholders	Green

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Key:

Green= Meets standard

Yellow= In progress (steps have been taken to meet this standard, but standard is not met)

Red= No evidence of action

Action Plan Development	
4a. Process transparency: There is a national OGP website (or OGP webpage on a government website) where information on all aspects of the national OGP process is proactively published.	Green
4b. Documentation in advance: The forum shares information about OGP to stakeholders in advance to guarantee they are informed and prepared to participate in all stages of the process.	Yellow
4c. Awareness-raising: The forum conducts outreach and awareness raising activities with relevant stakeholders to inform them of the OGP process.	Yellow
4d. Communication channels: The government facilitates direct communication with stakeholders to respond to action plan process questions, particularly during times of intense OGP activity.	Yellow
4e. Reasoned response: The multi-stakeholder forum publishes its reasoning behind decisions and responds to major categories of public comment.	Green
5a. Repository: Government collects and publishes a document repository on the local OGP website/webpage, which provides a historical record and access to all documents related to the OGP process, including (but not limited to) consultation documents, local action plans, government self-assessments, IRM reports and supporting documentation of commitment implementation (e.g links to databases, evidence of meetings, publications)	Yellow

Editorial note: If a country or local government “meets” the six standards in bold, the IRM will recognize the country’s process as a Starred Process.