

UK Open Government National Action Plan 2021-2023

Introduction

A decade has now passed since the UK co-founded the Open Government Partnership (OGP). In that time we have seen increased levels of citizen participation in decision making at national and local levels, greater scrutiny of public policies, and a steady rise in the number of datasets made available to the public across a wide range of topics.

Open Government has had a profound impact on the way government functions, raising awareness of open policy making approaches, and acting as a constantly evolving set of case studies and examples for the UK to reference and learn from. The domestic work to engage civil society groups and create forums for discussions with policy officials and leads has been reinforced and galvanised by the international elements, enabling countries to learn from one another in striving to become ever more transparent and accountable.

The fifth National Action Plan (NAP) has been developed in unique circumstances, owing to the necessary implications of Covid-safe working practices. The nature of engagement between government and civil society has taken place exclusively via online platforms including video conferences, live documents, and regularly posted summary updates. This has enabled the involvement of a greater number of stakeholders from across the country, enriching the discussions and allowing greater attendance to commitment workshops for interested parties.

While the range and breadth of engagement increased, the pandemic has impacted the speed at which commitments could be developed. The NAP process attempted to take in as many topics as possible, but due to the constraints on civil society time, combined with a public sector still deployed into critical pandemic response roles, not every topic was substantively discussed via the process. Topics such as Aid Transparency, Freedom of Information, Extractives and Public Standards could not be developed in full, and will therefore be explored in greater detail in due course.

We recognise that, according to the Open Government Partnership Articles of Governance, a participating government is considered to have acted 'contrary to the process' if it does not meet 'involve' on the International Association for Public Participation spectrum. In order to meet this criteria the government will amend and develop the initial commitment areas in NAP5 with civil society over the course of

2022.

We also recognise the importance of ensuring strong safeguards against corruption at home, as well as tackling the UK's role in global illicit financial flows. The government will therefore begin a co-creation process with civil society to develop separate commitments on standards in public life and access to information.

As we emerge from the pandemic and into the tenth year of the Open Government Partnership, the principles of transparency, accountability and public participation will be more vital than ever to building trust between citizens and state. Preserving and nurturing this dynamic is crucial for fostering the effective policies and responsive delivery at the core of Open Government.

Commitment 1: Open contracting

Objective

To improve compliance, coverage, and quality of contract publication, from planning to final spend.

What is the problem that the commitment will address?

The COVID-19 emergency and the aspiration to use contract spend for social policy to, for example, 'level-up' or 'build back better' have highlighted the importance of public procurement. Public attention to this important government function has increased. As a broad strategic function, public procurement links to issues such as transparency, integrity, fair treatment of suppliers and non-discrimination.

Despite previous commitments and some progress, the UK public procurement landscape was fragmented even before the COVID-19 emergency. There were missed opportunities to:

- manage spend
- focus on performance and contract management
- improve outcomes

For example, although there is increasing compliance with the requirement to publish contract opportunities and awards on [Contracts finder](#), there are still data gaps and limitations that make it difficult for the public sector, the private sector, civil society organisations and citizens to understand the full pattern of government procurement spend. Bidders have to register on multiple platforms to bid and put in very similar information on each platform.

Transparency in public procurement is still inconsistent. There are concerns about disclosures under the Freedom of Information Act, and some commercially sensitive information is redacted.

In May 2021, the [Queen's Speech](#) announced that new public procurement legislation would be introduced when the parliamentary programme allows.

The [Declaration on Government Reform - June 2021](#), said that government proposes to:

- "do better at making our data available to all so that we can be more effectively held to account"

- “do better at monitoring and managing how we spend, encouraging new organisations to provide public services, holding those with whom we contract more rigorously to account, and minimising the risk of fraud, error and waste”
- “ensure all data is as open as possible to public and third parties”

The UK government has also renewed its international commitments to transparency in the [Carbis Bay G7 Summit Communiqué](#) to strive for “transparent, open, economically efficient, fair and competitive standards for ... procurement”.

What the government will do

The government proposes to take the following actions:

1. Introduce primary and secondary legislation, supported by a learning and development programme to implement increased transparency in public procurement.
2. Embed transparency by default throughout the commercial lifecycle, from planning through to completion, to include transparency notices, including under framework agreements and dynamic purchasing systems, by introducing transparency notices at these stages:
 - planning notices
 - tender notices
 - award notices
 - contract notices
 - implementation notices

Implement the Open Contracting Data Standard

The government will require all contracting authorities to implement the [Open Contracting Data Standard](<https://standard.open-contracting.org/>) (OCDS), to include data for buyers, suppliers, contracts, spend and performance being held and published in OCDS-compatible, open, non-proprietary reusable formats.

Establish a central platform for supplier registration

The government will establish a single, central digital platform for supplier registration and other information, to include:

- a requirement that all contracting authorities publish procurement and contracting data throughout the commercial lifecycle to the central platform through links to their own systems or directly, as appropriate.

- public access to all published data online and through APIs.
- plans for extra functionality including but not limited to: registers of suppliers; a register of commercial tools (framework agreements, dynamic purchasing agreements and so on); contract performance data including spend and KPIs, a central debarment list, procurement pipelines, and register of complaints and a register of legal challenges

How will the commitment contribute to solving the problem?

The public will be more confident in public sector procurement if we embed openness, innovation and transparency into procurement systems. This needs a greater focus on data quality, open reporting, and compliance with rules and guidance.

Improving the use and validation of non-proprietary, unique, reusable organisation identifiers will help to provide a view of government business with specific organisations. It will also help identify where these organisations are based and who owns them.

Improving compliance with policy requirements and guidance to publish contract documents will help with analysis of how contract terms affect the price and delivery of public services. Working with the community to build analytics tools of Contracts Finder data will help government, private firms and citizens use available data to be more informed about public procurement.

Work on contract registers and spend linkage will support a move towards a much more integrated public financial infrastructure, where citizens and government can fully "follow the money".

Milestones to fulfil the commitment	New or ongoing	Start Date	End Date
Achieve 95% of 'above threshold' tenders on Contracts Finder	Ongoing	April 2022	March 2023
Publish 90% of 'above threshold' central government awards on Contracts Finder within 90 calendar days	Ongoing	April 2023	March 2024
Report every year on publication of contract	Ongoing	July 2022	July 2023

documents, and extent of redactions in central government contracts			
Cabinet Office to make available enhanced published data for download in OCDS	New	April 2023	Ongoing
Issue twice-yearly report on progress in meeting NAP5 Open Contracting milestones	New	April 2022	Ongoing

Commitment 2: Open justice

Objective

To improve public access and understanding of the justice system in the context of the rapid and ongoing digitisation of courts and tribunals.

What is the problem that the commitment will address?

Open justice is crucial in promoting understanding and trust of the justice system and the rule of law.

There are challenges and opportunities to the advancement of the open justice agenda, these include:

- the decline of court reporting in the media
- availability of court information is inconsistent
- more use of technology across the justice system

Civil society and legal bloggers play an increasingly important role in promoting public understanding of the justice system, but in practice are not always provided the same level of access as accredited press.

Civil society groups have expressed dissatisfaction with the lack of a single identifiable route to raise issues with access to court information and data. As more hearings are conducted online, there is a need to make sure that journalists and the public are able to:

- better understand when hearings are taking place and how to arrange access
- be informed of any reporting restrictions
- improve access to the case information, judgments and decisions needed to support accurate understanding and reporting of proceedings.

There is also a need to make sure that data is collected and published (where appropriate) to support ongoing public confidence in the justice system as it modernises. The ongoing programme of court modernisation, and recovery from the pandemic, provides a unique opportunity to address these issues and opportunities, and put in place mechanisms capable of delivering and enhancing open justice in a digital age.

How will the commitment contribute to solving the problem?

The commitment will improve access to the data and information that is needed to help the public understand what happens in the justice system and sustain trust in new digitised processes. It will create the infrastructure to make sure that the public, media and civil society are able to understand when hearings are taking place and access the information needed to report accurately on proceedings. The COVID-19 pandemic has underscored the need for greater transparency of justice processes, of which facilitation of access to remote hearings is a critical component.

Milestones to fulfil the commitment	New or ongoing	Start Date	End Date
Improving court data on court users, case types, and outcomes. Making this data available to researchers	Ongoing	Jan 2022	Ongoing
Publication of case law (judgments and other decisions) and working towards a complete record	Ongoing	April 2022	Ongoing
Easier access to existing information on hearings and reporting restrictions	Ongoing	April 2022	Ongoing
Facilitating observation of remote hearings	Ongoing	April 2022	Ongoing

Commitment 3: Algorithmic transparency and accountability

Objective

To help ensure that when advanced algorithmic systems are purchased, developed or used to support decision making that there are appropriate, clear and effective mechanisms for citizens to challenge those decisions.

What is the problem that the commitment will address?

Various government departments use advanced algorithms to improve public services. To help build trust, the government is piloting transparency reporting methods for algorithmic tools used to assist decisions.

While the [Algorithmic Transparency Data Standard](#) is expected to be helpful, civil society has expressed concerns that the mechanisms to enable people to challenge algorithm-assisted decisions, or information on whether algorithms are used in a particular context, are not clearly signposted in the places that people need them, and are not always effective.

How will the commitment contribute to solving the problem?

By making appeal mechanisms for algorithm-assisted decisions more visible this commitment will:

- help people get access to public services to which they are entitled
- help intermediary groups support individuals and communities
- support teams that develop public services and advise on public policy to procure, design, build and operate responsible and trustworthy algorithmic systems

Milestones for discovery are detailed in the table below, however this may in the long-term lead to further actions, for example:

- campaigns to raise public awareness of existing mechanisms
- work with the general public and civil society organisations, particularly civil society organisations that work on frontline with historically unheard groups
- create and update guidance for teams developing public services and advising on public policy

Milestones to fulfil the commitment	New or ongoing	Start Date	End Date
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<p>Work with internal and external stakeholders to gauge the feasibility of conducting a scoping exercise focused on mapping existing legal requirements for appeal mechanisms, for example due to administrative law, data protection law, or domain-specific legislation; with a view to sharing this information with the public</p>	<p>New</p>	<p>March 2022</p>	<p>Jan 2023</p>
<p>Engage with stakeholders and external experts to research public awareness and perceptions of existing accountability mechanisms</p>	<p>New</p>	<p>April 2022</p>	<p>March 2022</p>

Commitment 4: Health

Objective 1: accountability and transparency

Improving communication and engagement with the public about the access and transparency of health data, and decision-making relating to public health.

What is the problem that the commitment will address?

Civil society groups have raised concerns that health data collected and used by government is not clear, transparent or accountable enough. leads to a failure of trust between citizens and government.

COVID-19 has underlined how important it is for the public to feel confident about their health data. Increasing public awareness of the benefits and approaches to data use will improve trust, enabling more effective sharing of information, leading to better health policies.

How will the commitment contribute to solving the problem?

Feedback on the draft health and social care data strategy, [Data Saves Lives](#), published in June 2021 highlighted that meaningful engagement and clearer communication is crucial to building people's trust in how data and information is used to improve health and care.

The NHS and Department of Health and Social Care will work with the public, patients, service users, staff and stakeholders to co-design a reset of how they can be involved in decisions about how data is used. We will also co-design an overhaul of how we keep people informed about how data is shared, accessed and kept safe.

More details will be published in the final version of Data Saves Lives in early 2022.

Milestones to fulfil the commitment	New or ongoing	Start Date	End Date
Improve the standards of engagement on health data use	New	Jan 2022	Ongoing
Provide clearer information on how health data is used	New	Jan 2022	Ongoing

Objective 2: Data standards and interoperability

Common data standards are vital to reducing response times, manual data processing, and errors introduced when data is shared. A common data infrastructure and governance model would also increase transparency and expand the addressable market of suppliers, as well as introduce greater competition. This approach will make sure people can access their own health data, giving them greater transparency, autonomy, and choice. Clinicians and carers can easily access and update relevant data on patients across systems and care settings to improve patient safety and enable better care.

What is the problem that the commitment will address?

A lack of common data standards and appropriate governance models can create a difficult environment for effective data use and innovation. In a complex organisational environment comprising multiple data owning institutions with varying objectives and areas of expertise, the scope for combining data and developing innovative approaches and solutions is narrowed.

Time can be lost across organisational barriers in health and social care organisations, with staff having to log into multiple systems and search for information in redundant or archaic formats. People may be asked to repeat their information in order to overcome this data issue, potentially causing distress and possibly causing decisions to be taken on partial and inaccurate information.

How will the commitment contribute to solving the problem?

Commitments to standards and interoperability help to overcome issues by improving patient safety through the reduction of issues caused by manual editing and re-entry of information, and by making sure clinicians and carers have relevant patient data ready to use.

The commitment will support innovation by enabling healthcare providers to choose from a larger set of products, knowing they will not lose access to information when switching suppliers and enabling decisions based upon quality and value. Adopting a greater focus on interoperability will also enable better policy making through higher quality reporting based on accurate and granular data.

In order for standards to meet these needs, they must be:

- open, maintained, usable and accessible
- tested in reality and based on actual behaviours and needs
- designed to meet people's needs

- developed collaboratively with vendors, suppliers, digital technologists, app developers and the open source community

Milestones to fulfil the commitment	New or ongoing	Start Date	End Date
Develop standards and interoperability strategy for adoption across health and adult social care	New	TBC 2022	Ongoing
Track adoption of standards and develop products/policies to support compliance	New	TBC 2022	Ongoing

Objective 3: Clinical studies

Strengthening clinical trial transparency will improve the allocation of medical research and healthcare resources, and lead to new treatments and cures.

What is the problem that the commitment will address?

Clinical trials are essential to medical innovation. However, the evidence generated from them is not always made public. This manifests as a lack of access to reliable information on the effects of drugs, devices and treatments.

Many clinical trials run in the UK do not pre-register or make their results public. This wastes public medical research funds as studies whose results remain invisible generate no public benefit. It also leads to research being repeated unnecessarily.

Non-reporting leaves gaps in the evidence base and introduces bias. This endangers patient safety, undermines public health, leads to the misallocation of NHS resources to suboptimal treatments, and delays the development of new and better treatments. Not communicating the outcomes to trial participants also undermines public trust and participation in future trials.

How will the commitment contribute to solving the problem?

The Health Research Authority's (HRA) [Make It Public strategy](#) sets out a comprehensive roadmap that, if funded, will resolve this problem. The UK-wide strategy is based on extensive consultation. It has support from the main groups (the Medicines and Healthcare products Regulatory Agency, the National Institute for Health Research, the Medical Research Council, the Association of the British Pharmaceutical Industry patient representatives) and important third sector groups

like Cochrane and Transparency International. Estimated cost of implementation to lay the groundwork for full research transparency is less than £1 million. The HRA is the agency that will implement the strategy.

The strategy’s implementation roadmap was disrupted by COVID-19. However we are restating this commitment to fully implement the [existing strategy](#) by the end of the next NAP implementation timeframe (2023). This plan relies on current post-spending review funding discussions within the Department of Health and Social Care (DHSC).

Milestones to fulfil the commitment	New or ongoing	Start Date	End Date
Automatic registration of clinical trials, starting with clinical trials of medicines	New	Q1 2022	Ongoing
Monitor and publish metrics on community’s performance against research transparency requirements	New	TBC 2023	Ongoing

Commitment 5: Anti-corruption and international illicit finance

Objective: enhancing transparency and collaboration in UK government anti-corruption and international illicit finance activity

Improving transparency and collaboration in UK government efforts to detect and tackle corruption and illicit finance, building on commitments in the UK's G7 presidency.

What is the problem that the commitment will address?

Corruption and illicit finance drain public resources, leach trust in democratic institutions and threaten the stability and security of societies. This makes socio-economic imbalances worse and disproportionately affects women and girls. The pandemic has provided new opportunities for corruption to flourish, while undermining the ability of institutions to tackle the increased threat.

During the UK's G7 presidency, Interior Ministers made a strong public commitment against the threats from corruption and kleptocracy: [G7 statement against corruption and kleptocracies](#). Illicit financial activities, including the misuse of shell companies and the ability of illicit actors to hide wealth, have a profoundly corrosive effect on open societies, security, and prosperity. This is a global problem that also enables crime on the streets of the UK. The UK is a global financial centre and leader in diplomacy and development, and also plays a leading role in tackling the problem internationally. We also recognise that it is important to ensure strong safeguards against corruption at home as well as tackling the UK's role in global illicit financial flows.

How will the commitment contribute to solving the problem?

The broad and transnational nature of corruption and illicit finance means that strong partnerships are required involving governments, the private sector and civil society at local, national and global levels. Greater transparency and collaboration will strengthen the effectiveness of such efforts.

The UK will work with partners to promote the conditions needed for civil society's contribution to achieving the objectives of the UN Convention against Corruption (UNCAC), including independent operation without fear of reprisal.

We will actively collaborate with civil society through the US Summit for Democracy process and the 2022 'Year of Action'. As part of that process we will encourage other countries to do the same. We will take forward relevant commitments from the UK's G7, notably as they relate to a Unified G7 voice, open procurement, real estate

transparency and beneficial ownership.

We will publish annual data covering international asset returns and recovered assets stemming from proceeds of crime, and publicise bilateral agreements detailing the use of returned assets, in line with the G-FAR principles. We will encourage other countries to do the same by sharing our experiences in multilateral fora. We will also support countries to request assistance to recover assets, by maintaining high quality and up to date Mutual Legal Assistance (MLA) guidance on our websites.

We will continue to promote the wider participation of the private sector and of civil society as part of a holistic approach to preventing and countering corruption. Therefore, we will seek to understand and reflect their views more consistently through engagement with representatives from these groups at a working level. In the coming year this engagement will especially focus on the development of the successor to the UK's Anti-Corruption Strategy and an updated Economic Crime Plan.

As anti-corruption is a cross-cutting topic, deliverables across this National Action Plan, for example covering open procurement, will contribute to work in this area. Below is a summary of initial deliverables and, in order to fully meet the Open Government Partnership Articles of Governance, the government will amend and develop these initial deliverables with civil society over the next six months.

Milestones to fulfil the commitment	New or ongoing	Start Date	End Date
Use the UK's membership of the Beneficial Ownership Leadership Group to continue to champion the adoption of public registers of company beneficial ownership. Attend biannual meetings at both political and technical levels of the Beneficial Ownership Leadership Group, and engage other partners, including governments and international institutions, to advance the objective of	New	Sep 2021	Ongoing

making beneficial ownership transparency a global norm.			
Continue to work collaboratively with and provide assistance to the Overseas Territories on implementing publicly accessible registers of company beneficial ownership by the end of 2023, including providing access to support from Open Ownership.	Ongoing	Ongoing	2023
Commit to regular engagement with civil society and private sector partners including on policy discussions in the domestic and multilateral space. Inclusion of a civil society representative in the UK delegation to the 2021 UNCAC Conference of States Parties, quarterly meetings with the UK Anti-Corruption Coalition, and active collaboration with civil society in the Summit for Democracy Year of Action	Ongoing	Ongoing	Ongoing
Commit to engage with a wide range of external stakeholders including civil society in the development of the successor to the UK's AC Strategy and a new Economic Crime Plan	New	March 2022	Dec 2022
Strengthen transparency in our asset recovery and return, through: the publication of asset return statistics and support of other countries that request our help to recover proceeds of crime by maintaining high quality	New	Sep 2021	Ongoing

<p>mutual legal assistance guidance on relevant websites. Collaborate with non-government stakeholders including civil society to uphold the GFAR principles, where possible, and particularly to give effect to Principle 4 (Transparency and Accountability) and Principle 10 (inclusion of non-government stakeholders).</p>			
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Local transparency

Objective

Building on the NAP 4 [Commitment 8: Local transparency](#), the Department for Levelling Up, Housing and Communities (DLUHC) will work with the local government community to develop a set of specific actions to advance transparency in the sector.

The Department for Levelling Up, Housing and Communities will support local governments to solidify their transparency policies and processes, and encourage proactive publication of open data across councils.

Details on this work will be published in 2022 and throughout the NAP 5 term, DLUHC will engage with the sector to understand the barriers to and opportunities of greater local transparency. The subsequent actions will drive further efficiency and innovation within the local government sector.