

Independent Reporting Mechanism (IRM): United Kingdom Transitional Results Report 2019-2021

This report was prepared in collaboration with Bart Scheffers, independent researcher

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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 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 progress and determine if efforts have impacted people's lives.

The IRM has partnered with Bart Scheffers to carry out this evaluation. The IRM aims to inform ongoing dialogue around the 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>.

This report covers the implementation of the United Kingdom's fourth action plan for 2019-2021. In 2021, the IRM will implement a new approach to its research process and the scope of its reporting on action plans, approved by the IRM Refresh.¹ The IRM adjusted its Implementation Reports for 2018-2020 action plans to fit the transition process to the new IRM products and enable the IRM to adjust its workflow in light of the COVID-19 pandemic's effects on OGP country processes.

¹ For more information, see: <https://www.opengovpartnership.org/process/accountability/about-the-irm/irm-refresh/>

II. Action Plan Implementation

The IRM Transitional Results Report assesses the status of the action plan's commitments and the results from their implementation at the end of the action plan cycle. This report does not re-visit the assessments for "Verifiability," "Relevance" or "Potential Impact." The IRM assesses those three indicators in IRM Design Reports. For more details on each indicator, please see Annex I in this report.

2.1. General Highlights and Results

The United Kingdom (UK)'s fourth action plan focused on various areas of open government, ranging from improving access to information, increasing civic participation in policy-making, to strengthening the quality and disclosure of open contracting data. In total, out of eight commitments, one was fully completed, five were substantially completed, one was completed to a limited extent and for one, the level of completion could not be verified.

Two commitments have led to major improvements in open government. Commitment 1 (grants data) has resulted in large amounts of new information on government grants being disclosed to the public. As a result of this work, several new and easy-to-use platforms have been developed that allow the public to track government grants data amounting to over 21 billion GBP per fiscal year. The implementation of Commitment 1 far exceeded the expectations from the IRM 2019-2021 Design Report.¹ Commitment 4 (open contracting data) saw successful collaboration with civil society during its implementation and has led to more incremental, yet valuable improvements, including better adherence of Contracts Finder to the Open Contracting Data Standard (OCDS). The UK has carried forward open contracting to its fifth action plan (2021-2023).² Under Commitment 5, the UK continued to implement the EITI Standard and achieved a high overall score in its 2019 EITI compliance. Under Commitment 6 the UK successfully implemented three deliberative democracy initiatives in the form of citizens' assemblies.

The UK witnessed a tumultuous political situation during the implementation period, a result of the EU exit process and several governmental reorganizations. These developments impacted the implementation of the commitments in various ways. The EU exit, for example, also meant the UK began developing new methods to advertise tenders that were previously advertised via the EU's Tender Electronic Daily. This impacted the work on open contracting as resources were prioritized to ensure this alternative (called Find a Tender) was ready before the UK exited from the EU. Also, as a result of contingency planning efforts in case the UK faced a so-called no-deal scenario, relevant staff from the Cabinet Office were involved with preparing possible government responses and measures.³ That meant they sometimes had considerably less time to devote to the OGP agenda.

In addition, some UK government departments that were involved in the action plan were reorganized or rebranded during the implementation period. The Ministry of Housing, Communities & Local Government (MHCLG), for example, was reorganized and renamed the Department for Levelling Up, Housing and Communities.⁴ In September 2020, the UK Government's Department for International Development (DFID) was merged with the Foreign and Commonwealth Office to become the Foreign, Commonwealth & Development Office. These changes were accompanied by challenges in terms of efficiency and ownership, for example around whether certain work would be continued, or if these changes would also impact the strategic direction of certain commitments.

2.2. COVID-19 pandemic impact on implementation

According to the Cabinet Office's draft self-assessment, progress on a few commitments was delayed due to the redeployment of government resources to respond to the pandemic. For example, the review of HMG's Open Data publication (under Commitment 2) and the

high-level working groups for sharing innovations in open government (under Commitment 7) were not held due to the pandemic. However, lead institutions also successfully re-adjusted commitments during the pandemic. For example, under Commitment 3, Policy Lab developed interactive online training sessions to contextualize open policy making for teams across the UK Government. Commitment 1 helped produce valuable analysis and data on the UK's COVID-19 relief and recovery grants. In addition, the recommendations from the local citizen assemblies under Commitment 6 proved relevant during the pandemic, particularly around public transportation, cycling and walking.

Though not connected directly to the fourth action plan, the pandemic impacted other areas of open government. The Information Commissioner's Office published guidance on delays, record-keeping, data breaches and post-crisis restoration.⁵ UK public authorities could delay their freedom of information (FOI) requests without penalty during the pandemic. Furthermore, although not the focus of Commitment 4, there were serious concerns about the lack of transparency of emergency procurements in response to the pandemic. The UK's National Audit Office found "...examples where there is insufficient documentation on key decisions, or how risks such as perceived or actual conflicts of interest have been identified or managed" and that "a number of contracts were awarded retrospectively or have not been published in a timely manner".⁶

¹ Open Government Partnership, UK Design Report 2019-2021,

<https://www.opengovpartnership.org/documents/united-kingdom-design-report-2019-2021/>

² UK Open Government National Action Plan 2021-2023, https://www.opengovpartnership.org/wp-content/uploads/2022/02/United-Kingdom_Action-Plan_2021-2023.pdf

³ A no-deal scenario meant that "The UK leaves the EU and becomes a third country at 11pm GMT on 31 October 2019 without a Withdrawal Agreement and framework for a future relationship in place between the UK and the EU". See also <https://www.gov.uk/government/publications/uk-governments-preparations-for-a-no-deal-scenario/uk-governments-preparations-for-a-no-deal-scenario>

⁴ National Audit Office, Departmental Overview 2020-2021, <https://www.nao.org.uk/wp-content/uploads/2021/11/Departmental-Overview-2020-21-Department-for-Levelling-Up-Housing-and-Communities.pdf>

⁵ UK Information Commissioner's Office, ICO Regulatory approach during coronavirus, <https://ico.org.uk/media/about-the-ico/policies-and-procedures/2617613/ico-regulatory-approach-during-coronavirus.pdf>

⁶ National Audit Office, 2021, "Investigation into government procurement during the COVID-19 pandemic", <https://www.nao.org.uk/report/government-procurement-during-the-covid-19-pandemic/>

2.3. Early results

The IRM acknowledges that results may not be visible within the two-year time frame of the action plan and that at least a substantial level of completion is required to assess early results. For the purpose of the Transitional Results Report, the IRM will use the “**Did it Open Government?**” (DIOG) indicator to highlight early results based on the changes to government practice in areas relevant to OGP values. Moving forward, new IRM Results Reports will not continue using DIOG as an indicator.

Section 2.3 focuses on outcomes from the implementation of commitments that had an ambitious or strong design, per the IRM Design Report assessment or that may have lacked clarity and/or ambition but had successful implementation with “major” or “outstanding” changes to government practice.¹ Commitments considered for analysis in this section had at least a “substantial” level of implementation, as assessed by the IRM in Section 2.4. While this section provides the analysis of the IRM’s findings for the commitments that meet the criteria described above, Section 2.4 includes an overview of the level of completion for all the commitments in the action plan.

Commitment 1: Grants data	
Aim of the commitment	This commitment aimed to make a greater amount of government grants data accessible in a format that enables greater research and scrutiny. Its activities included publishing grants data for individual financial years in line with the 360Giving Standard, conducting a ministerial event on how to improve the government’s grant data infrastructure, and uploading all relevant grants data to the Government Grants Information System (GGIS).
Did it open government? Major	<p>The implementation of this commitment exceeded the original scope in the action plan and the assessment in the IRM’s 2019-2021 Design Report. By the end of the action plan period, 16 out of 17 central departments were publishing grants data in the 360Giving data standard. The data covers the fiscal years 2018/2019 as well as 2019/2020 and an overall amount of grant funding well over 21 billion GBP per year. This constitutes a major improvement compared to the situation at the end of the previous action plan (2016-2018), when only two departments published such data.²</p> <p>In addition to the number of departments that now publish grants data in compliance with the 360Giving Standard, the data is also far more granular. In fact, the work has resulted in the creation of several easy-to-use platforms such as GrantNav and 360Insights, that the public can use to navigate and filter this data. It also maintains a “quality dashboard” where users can review and compare data of different funders to identify opportunities for it to be further improved.³ Although it remains difficult to quantify what percentage of total government grants are now published (no one has collated what would be 100 per cent so it is possible some data is not captured in the central system), an interviewed stakeholder was confident that nearly all government grants are currently reflected in these databases.⁴ It was also mentioned that CSOs and government stakeholders had good working relationships throughout the implementation, and regular meetings between 360Giving and different government grant functions took place. This contributed to the good quality of the current data and a better and mutual understanding of the value of this work.</p>

	<p>At the same time, engagement with the Cabinet Office was somewhat limited, and stakeholders indicated it was not always easy to keep up with personnel changes.</p> <p>Nevertheless, the impact of this work has allowed the government to improve their grant-making. A recent study by the Open Data Institute found, for example, that these databases are useful for local governments when seeking to diversify their grant financing to 'new or underfunded charities, identifying new potential grant recipients and coordinating with other grant makers to distribute grant money'.⁵ It also produced valuable analysis and data on the UK's COVID-19 relief and recovery grants.⁶</p>
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Commitment 4: Open contracting data	
Aim of the commitment	<p>This commitment aimed to publish in open format a greater volume of contracts data through the UK Government's portal, Contracts Finder.⁷ The activities included increasing the volume of data available publicly in machine-readable format through the Open Contracting Data Standard (OCDS). It also aimed to improve data on international awards and work with the Department for International Development (since September 2020 part of the Foreign, Commonwealth & Development Office) priority countries to improve their own contracting data.</p>
<p>Did it open government?</p> <p>Major</p>	<p>As a result of this commitment, UK procurement data - which all interviewed stakeholders described as previously being highly fragmented - has become substantially more granular and comprehensive. The Involvement of Spend Network and the Open Contracting Partnership (OCP) in the commitment resulted in a strong desire for data interoperability and pushed stakeholders towards working with the OCDS for Contracts Finder. Both CSOs had contractual arrangements with the government regarding their involvement in the action plan, which provided them with modest resources to undertake this project or co-finance the work.</p> <p>The first milestone to develop a joint methodology with civil society to measure how tenders and awards are published was achieved in November 2019 within the UK open contracting steering group. In terms of increasing the number of above threshold tenders and awards on Contracts Finder, the results are mixed. Substantial improvements have been made, and both the draft self-assessment, as well as the accounts of interviewed CSOs,⁸ confirm that the goals of 80 per cent and 90 per cent have been achieved and were slightly exceeded.⁹ This pertains only to tenders, however, and means that for contracts, these numbers were not achieved. Further complicating these results is the fact that for many tenders on Contracts Finder, there is no value listed (or only a range listed). Some stakeholders estimate that only 60 per cent of the contracts on Contracts Finder list the actual contract value.¹⁰ In addition, framework contracts with subcontracts are not always captured, and many exemptions continue to exist (including for departments making sizeable procurements). Moreover, the Contracts Finder website is still not 100 per cent OCDS compliant and the tender(s) associated with a given contract</p>

	<p>are not always published, making it challenging to match contracts with the relevant tender notice.</p> <p>On a positive note, some suppliers on larger central contracts have advertised 58 opportunity and early engagement notices (Milestone 5) and a number of such opportunity notices were also published on Contracts Finder. Moreover, thanks to CSO involvement in this commitment, the work also brought about concrete use cases that helped other parties, such as journalists, to use open contracting data. For example, drawing on data provided by Spend Network and OCP, BBC Newsnight investigated what local councils spent on accommodation for vulnerable teenagers and discovered that the care fell short of what authorities and their contractors were expected to provide.¹¹</p> <p>The design and introduction of fields for reporting on the use of model contract transparency clauses (Milestone 6) did not take place. The draft self-assessment attributes this to the fact that “transparency clauses have been embedded as a standard part of the model services contract” and that “reporting on implementation of a single clause would place an unnecessary burden on contracting authorities”. The draft self-assessment also mentions that buyer and supplier organization identifiers for domestic contract awards of over 1 million GBP (Milestone 8) were not published, most likely as a result of broader challenges, including those related to the pandemic. Consultations on the impact and implications of linking contracts and spending to identify opportunities for identifier exchange between procurement and financial systems (Milestone 10) were postponed, pending the implementation of public procurement reforms announced in late 2020.¹² Lastly, Milestone 11 of this commitment called for four government agencies in DFID priority countries (since September 2020, part of the Foreign, Commonwealth and Development Office) to publish data in line with the OCDS, with assistance from OCP. The draft self-assessment notes that, as of December 2021, five government agencies are regularly publishing data in line with the OCDS.¹³</p> <p>Although not within the remit of this commitment, the government organized a broad consultation from December 2020 to March 2021 to solicit feedback from over 500 relevant stakeholders and organizations and published its findings in the Green Paper: Transforming public procurement.¹⁴ This is commendable, and the IRM recommends that going forward, the outcomes of this consultation feed into relevant commitments in future action plans. In addition, interviewed stakeholders argued that in going forward, it will be essential to deepen the levels of collaboration on open contracting data. To this effect, the IRM recommends continuing making all public contracting data OCDS compliant and upgrading relevant Application Programming Interfaces (APIs) feeding Contracts Finder so that incoming data is OCDS compliant.</p>
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<p>Commitment 6: Innovation in democracy programme</p>	
<p>Aim of the commitment</p>	<p>This commitment aimed to pilot “Area Democracy Forums” (in the form of citizens’ assemblies) in local authorities that would increase the opportunities for citizens to become involved in decision-making over issues that affect their communities. The Area Democracy Forums would</p>

	bring together representative samples of the local authorities and encourage those who would not normally be part of the local decision-making process to have their voices heard. The pilot programme was named the Innovation in Democracy Programme (liDP).
<p>Did it open government?</p> <p>Marginal</p>	<p>Although the action plan anticipated that 8-10 local authorities would participate in the pilot forums, this number was reduced to three authorities during the roll-out of the programme. The three local authorities that took part in the liDP were Dudley Metropolitan Borough Council, Test Valley Borough Council, and the Greater Cambridge Partnership (GCP). Each participating local authority was supported by the Democracy Support Contractor Consortium made up of Involve, the Democratic Society, the RSA and mySociety, and provided with funding to cover the costs of the citizens' assemblies.</p> <p>The citizens' assemblies took place between September and December 2019.¹⁵ Dudley and Test Valley focused their assemblies on the future of town centres. (For Dudley Council, it was Dudley and Brierley Hill town centres, and in Test Valley, the area south of Romsey town centre.) The GCP assembly focused on traffic congestion, public transport and air quality. Each assembly produced a set of actionable recommendations to the local authorities, the implementation of which will be seen over the longer term.</p> <p>The liDP was independently evaluated by the social enterprise Renaisi in February 2020.¹⁶ The evaluation found that the assemblies provided participants with greater awareness of their Council's work and had significant impact on their stated desire to get more involved in other aspects of local decision-making.¹⁷ The evaluation also noted that elected members in the areas recognized that the recommendations required a thorough response and there was an awareness that the assembly participants were now likely to be more invested in and engaged with local issues.¹⁸</p> <p>Although the citizens' assemblies took place in 2019, the COVID-19 pandemic had an impact on the delivery of their outcomes. Involve notes that for the GCP, whose assembly focused on public transport and congestion, COVID-19 changed many of the original assumptions about how people worked, travelled round the city, and around the national and local economy.¹⁹ However, the pandemic also offered new opportunities to test the recommendations from the assembly to inform projects, particularly those on cycling and walking.</p> <p>Overall, this commitment made a positive contribution to civic participation at the local level in the UK. Although the liDP was focused on only three pilot assemblies, these pilots laid a good foundation for future work in deliberative democracy that could be replicated in other local areas. Renaisi's evaluation notes that implementation of some recommendations will require new partnerships and relationships, both internally and externally, to be formed. However, at the time of writing this IRM report, there have been no further updates on the liDP since mid-2020 (over two years after Renaisi's evaluation), which suggests momentum may have been lost. Also, it is unclear if there are plans to replicate the citizens' assemblies elsewhere. Therefore, the IRM considers the overall changes to civic participation in the UK from this commitment to be marginal.</p>

¹ IRM Design Reports identified strong commitments as “**noteworthy commitments**” if they were assessed as verifiable, relevant and “transformative” potential impact. If no commitments met the potential impact threshold, the IRM selected noteworthy commitments from the commitments with “moderate” potential impact. For the list of the UK’s noteworthy commitments, see the Executive Summary of the 2019-2021 IRM Design Report, <https://www.opengovpartnership.org/documents/united-kingdom-design-report-2019-2021/>

² Open Government Partnership, UK End of Term Report 2016-2018, p 25, https://www.opengovpartnership.org/wp-content/uploads/2019/05/United-Kingdom_End-of-Term_Report_2016-2018.pdf

³ 360 Quality Dashboard, <https://qualitydashboard.threesixtygiving.org/alldata>

⁴ Tania Cohen (Chief executive, 360Giving), interview by the IRM, 22 March 2022.

⁵ Open Data Institute, 2022, ‘Measuring the impact of data institutions’, <https://theodi.org/article/measuring-the-impact-of-data-institutions-report/>

⁶ 360, UK Covid relief and recovery grants: data analysis, <https://covidresearch.threesixtygiving.org/>

⁷ UK Government, Find a contract, <https://www.contractsfinder.service.gov.uk/Search>

⁸ Ian Makgill (Spend Network), interview by the IRM, 10 March 2022; Gavin Hayman (Open Contracting Partnership), interview by the IRM, 21 March 2022.

⁹ UK Government, Progress against the open contracting commitments in the Open Government National Action Plan 2019 to 2021, <https://www.gov.uk/government/publications/progress-against-open-contracting-commitments-2019-to-2021/progress-against-the-open-contracting-commitments-in-the-open-government-national-action-plan-2019-to-2021>

¹⁰ Ian Makgill (Spend Network), interview by the IRM, 10 March 2022.

¹¹ See Open Contracting Partnership, <https://www.open-contracting.org/2019/11/18/how-social-care-procurement-in-the-uk-is-putting-vulnerable-children-at-risk/>.

¹² See UK Government, <https://www.gov.uk/government/consultations/green-paper-transforming-public-procurement>

¹³ These agencies are 1) Nigeria: Bureau of Public Procurement, with a number of subnational or similar publishers also adhering to the OCDS, 2) Ghana: Public Procurement Authority and CoST Sekondi-Takoradi, 3) Indonesia: Indonesia Corruption Watch and CoST West Lombok, 4) Nepal: Dhangadhi and the Public Procurement Monitoring Office, and 5) Zambia: Public Procurement Authority.

¹⁴ UK Government, Green Paper: Transforming public procurement, <https://www.gov.uk/government/consultations/green-paper-transforming-public-procurement>

¹⁵ Participants in the three local authority areas met over two weekends and engaged in over 24 hours of learning, deliberation and decision-making. See p. 23, <https://renaisi.com/wp-content/uploads/2020/06/Innovation-in-Democracy-Programme-Evaluation-Final-Report.pdf>

¹⁶ Sally Brammall and Kandy Sisya, “Innovation in Democracy Programme Evaluation: Final Report”, May 2020, <https://renaisi.com/wp-content/uploads/2020/06/Innovation-in-Democracy-Programme-Evaluation-Final-Report.pdf>

¹⁷ Brammall and Sisya, “Innovation in Democracy”, p 56.

¹⁸ Brammall and Sisya, “Innovation in Democracy”, p 52.

¹⁹ Involve, The Innovation in Democracy Programme and its Lessons for Deliberative Democracy, <https://www.involve.org.uk/resources/blog/opinion/innovation-democracy-programme-and-its-lessons-deliberative-democracy>

2.4. Commitment implementation

The table below includes an assessment of the level of completion for each commitment in the action plan.

Commitment	Completion: <i>(no evidence available, not started, limited, substantial or complete)</i>
1. Grants data	<p>Complete</p> <p>For details regarding the implementation and early results of this commitment, see Section 2.3.</p>
2. Public participation	<p>Substantial</p> <p>This commitment aimed to improve public trust in the government’s data-focused work, through the Digital Charter, the Centre for Data Ethics and Innovation (CDEI) and the National Data Strategy (NDS). It called for facilitating public and civil society participation in the development of the new CDEI and the National Data Strategy.</p> <p>The first milestone called for ensuring that the principles of openness and civic participation are built into the operation of the CDEI. The CDEI uses a range of methodologies, including survey research and focus groups, to build a deeper understanding of public attitudes towards the use of data and artificial intelligence governance.¹ The CDEI also has an advisory board of experts from industry, academia and civil society who support the CDEI’s projects and help shape its work.</p> <p>For the second milestone, the Department for Digital, Culture, Media and Sport (DCMS) developed the NDS in September 2020.² According to the draft self-assessment, the DCMS developed the NDS “with a range of stakeholders from across the data ecosystem, within and outside of government”. DCMS opened the NDS for public consultation from September to December 2020 and published its response to the consultation in May 2021.³ DCMS also launched the NDS Forum to help shape the strategy’s implementation and future policy development. According to the DCMS website, 40 events have been convened with over 200 organizations participating.⁴ DCMS also shares policy updates related to the NDS via a monthly newsletter and regular blog posts.</p> <p>The third milestone aimed to review HMG’s Open Data publication to identify key challenges and opportunities of publishing more in machine-readable, standard, openly licensed formats. According to the draft self-assessment report, this activity was delayed due to the pandemic, but the values of open data were reiterated in the NDS.</p>
3. Open policy making	<p>Substantial</p> <p>This commitment involved updating the Open Policy Making Toolkit, involving more stakeholders in developing open policy making practices, and popularizing this process within government. The toolkit builds on the work of the UK Policy Lab, a civil service team dedicated to improving policy-making within central government.</p>

	<p>The first milestone called for updating the Open Policy Making Toolkit in collaboration with delivery partners and stakeholders. According to the draft self-assessment, this is an ongoing activity to share learnings and new tools from policy innovation projects across the public sector through the toolkit on GOV.UK. However, the page for the toolkit on GOV.UK has not been updated since January 2017, so the IRM considers this milestone incomplete.⁵</p> <p>The second milestone called for the Policy Lab to deliver at least four open policy making projects and to share learnings from these projects. The draft self-assessment lists six open policy making projects carried out during the action plan period by the Policy Lab and government departments. Among these projects were creating the Disability Unit and Race Disparity Unit within the Cabinet Office,⁶ holding citizen engagement sessions to inform the design of the National Food Strategy,⁷ working with the DCMS to lead a youth policy co-design project for social innovation,⁸ and co-designing policy in parallel with COP26.⁹ However, the draft self-assessment notes that these projects are pending permission from the policy teams to share learnings.</p> <p>The third milestone aimed to engage stakeholders and publish outcomes of open policy making projects. The draft self-assessment notes that, between January 2019 and December 2021, Policy Lab completed 64 open policy making projects with stakeholders within and outside of government, as well as citizens. Policy Lab published learnings from some of these projects on its blog, or platforms overseen by key project partners.¹⁰ For example, the Office for National Statistics published insights from a video ethnography research project with disabled people in the UK before and during the pandemic.¹¹ However, it is difficult for the IRM to verify how many projects had learnings published.</p> <p>The fourth milestone planned to convene stakeholders to co-create new, and update existing, standards for open policy making based on best practices. According to the draft self-assessment, Policy Lab has been working with the Policy Profession Unit to introduce a “philosophy of open policy making” into its 2021 standards and in the way it operates. However, this milestone was vaguely formulated, and the draft self-assessment does not explain how Policy Lab carried out this work.</p> <p>Lastly, the fifth milestone called for showcasing open policy making approaches and projects back to stakeholders through existing channels (blogs, toolkit, in-person presentations etc.). During the implementation period, Policy Lab continued to update existing channels with progress on open policy making work, such as its blog,¹² SlideShare,¹³ Twitter,¹⁴ and the Open Policy Making Toolkit. The draft self-assessment mentions that during the pandemic, Policy Lab developed interactive online training sessions using digital tools like Slido to contextualize open policy making for teams across the UK Government and internationally.</p>
<p>4. Open contracting data</p>	<p>Substantial</p> <p>For details regarding the implementation and early results of this commitment, see Section 2.3.</p>

<p>5. Natural resource transparency</p>	<p>Limited</p> <p>This commitment aimed to continue the UK’s work on transparency in the governance of natural resources and the extractives industry, particularly related to the Extractive Industries Transparency Initiative (EITI). The activities focused on exploratory and consultative work that would continue to position the UK as a leader in this field.</p> <p>The first milestone called for continuing to lead an international dialogue on increased transparency around sales of publicly owned oil, gas and minerals. The draft self-assessment notes that during the action plan period, the UK continued to provide policy and financial support to organizations working on extractives transparency, such as EITI, the Natural Resource Governance Institute, and the World Bank’s Extractives Governance Programmatic Support trust fund. This was done through the Foreign, Commonwealth & Development Office (formerly the Department for International Development - DFID).</p> <p>The scoping study on how to enhance company disclosure of sales of publicly owned oil, gas and minerals (second milestone) did not take place due to resource constraints, according to the draft self-assessment.</p> <p>The third milestone sought to maintain the UK’s commitment to EITI and to EU Directives for mandatory reporting by companies. The UK continued to implement the EITI Standard and in July 2020 appointed Lord Callanan as its Champion.¹⁵ In 2021 the UK was assessed against the EITI Standard and awarded a high score of 90 out of 100.¹⁶</p> <p>The fourth milestone called for exploring the scope for enhancing the effectiveness of the UK’s reporting requirements. Although this activity was originally scheduled to be completed in August 2020, according to the draft self-assessment, it will likely be completed in 2022. The Department for Business, Energy and Industrial Strategy will conduct a post-implementation review into the Reports on Payments to Governments Regulations 2014, which requires large companies in the extractives to annually report their payments made to governments.</p> <p>Finally, the fifth milestone aimed to clarify for UK-listed extractive companies, under the Disclosure Guidance and Transparency Rules, that transparency disclosures are required to be in both open machine-readable data format and in human-readable formats. The draft self-assessment does not provide information on what was done to clarify these requirements to companies. Thus, the IRM considers it incomplete.</p>
<p>6. Innovation in democracy programme</p>	<p>Substantial</p> <p>For details regarding the implementation and early results of this commitment, see Section 2.3.</p>
<p>7. Effective knowledge sharing for sustainable open government policies and practices across public services</p>	<p>Substantial</p> <p>Under this commitment, the Scottish Government aimed to collaborate on best practices for open governance policies across the UK regions and devolved nations. The activities centred on dialogue, workshops, collaborative development, sharing of</p>

	<p>information and training to strengthen open government practices across the different jurisdictions.</p> <p>The activities took place over 2021 Open Gov Week. For Milestone 1, on 18 May 2021, representatives from four nations in the UK attended a session organized by the Scottish Government to discuss approaches to civil society engagement.¹⁷ The draft self-assessment mentions that workshops were held to develop work streams (Milestone 2). However, it does not provide links to these activities to allow the IRM to assess the sessions and work-streams.</p> <p>The draft self-assessment notes that the high-level working groups with representatives from the work-streams, the OGP Support Unit and political leaders (Milestone 3) were not held due to COVID-19. The final working group was presented as an open session during Open Government Week in May 2021, involving figures from government and civil society from across the four nations of the UK (Milestone 4).¹⁸</p>
<p>8. Local transparency</p>	<p>No evidence available</p> <p>Under this commitment, the Department for Levelling Up, Housing and Communities¹⁹ aimed to collaborate with the local government sector (through visits, meetings and workshops) to better understand challenges experienced by local authorities regarding transparency and data publication.</p> <p>At the time of writing this report, the points of contact to OGP have not received information from the lead department on this commitment and do not anticipate further inputs for the self-assessment. Thus, the IRM is unable to establish the level of completion. The commitment was included in the action plan independently of the broader co-creation process at the initiative of an individual who no longer works at the Cabinet Office, so it was difficult for the Cabinet Office and DCMS to track its status.</p>

¹ UK Government, Centre for Data Ethics and Innovation Blog, <https://cdei.blog.gov.uk/2020/12/10/428/>

² UK Government, National Data Strategy, <https://www.gov.uk/government/publications/uk-national-data-strategy/national-data-strategy>

³ UK Government, UK National Data Strategy Consultation, <https://www.gov.uk/government/consultations/uk-national-data-strategy-nds-consultation>

⁴ UK Government, National Data Strategy Forum, <https://www.gov.uk/guidance/national-data-strategy-forum>

⁵ <https://www.gov.uk/guidance/open-policy-making-toolkit/updates>

⁶ HM Government, Quarterly report on progress to address COVID-19 health inequalities, [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/941554/First Covid Disparities report to PM Health Secretary Final 22-10-20 - Updated December 2020.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/941554/First_Covid_Disparities_report_to_PM_Health_Secretary_Final_22-10-20_-_Updated_December_2020.pdf)

⁷ National Food Strategy Twitter account, https://twitter.com/food_strategy/status/1385910963661062144

⁸ This project was published as a global case study in the 'Design for Social Innovation', November 2021, <https://www.routledge.com/Design-for-Social-Innovation-Case-Studies-from-Around-the-World/Amatullo-Boyer-May-Shea/p/book/9780367898427>

⁹ UK Government, Policy Lab, <https://openpolicy.blog.gov.uk/2021/12/16/tools-for-climate-policy-1-co-design-in-parallel-to-cop26/>

¹⁰ UK Government, Policy Lab, <https://openpolicy.blog.gov.uk/>

¹¹ Office for National Statistics, Coronavirus and the social impacts on disabled people in Great Britain: July 2020,

<https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/disability/articles/coronavirusandthesocialimpactsondisabledpeopleingreatbritain/july2020>

¹² UK Government, Policy Lab, <https://openpolicy.blog.gov.uk/>

¹³ Slideshare, Introduction to Policy Lab, <https://www2.slideshare.net/Openpolicymaking/introduction-to-policy-lab-jan-2021-241087221>

¹⁴ Policy Lab UK Twitter account, <https://twitter.com/PolicyLabUK>

¹⁵ UK EITI, Lord Callanan appointed the new UK EITI Champion, <https://www.ukeiti.org/news-item/lord-callanan-appointed-new-uk-eiti-champion>

¹⁶ UK EITI, Extractive Industries Transparency Initiative United Kingdom, [https://www.ukeiti.org/news-item/uk-achieves-high-score-eiti-validation#:~:text=The%20EITI%20Board%20has%20announced,in%20the%20most%20recent%20validation.&ext=\(3\)%20stakeholder%20engagement](https://www.ukeiti.org/news-item/uk-achieves-high-score-eiti-validation#:~:text=The%20EITI%20Board%20has%20announced,in%20the%20most%20recent%20validation.&ext=(3)%20stakeholder%20engagement)

¹⁷ Open Gov Week: What makes a productive partnership?, <https://www.eventbrite.co.uk/e/open-gov-week-what-makes-a-productive-partnership-tickets-154385329677>

¹⁸ Open Government Scotland Twitter account, <https://twitter.com/scotgovopen/status/1393124397146329091>

¹⁹ Formerly the Ministry of Housing, Communities and Local Government (MHCLG).

III. Multi-stakeholder Process

3.1 Multi-stakeholder process throughout action plan implementation

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 the OGP process. The UK **acted contrary** to OGP process.¹ The UK did not:

- Reach “involve” during the development of the action plan.

Please see Section 3.2 for an overview of the UK's performance implementing the Co-Creation and Participation Standards throughout the action plan implementation.

Table [3.2]: Level of Public Influence

The IRM has adapted the International Association for Public Participation (IAP2) “Spectrum of Participation” to apply it to OGP.² In the spirit of OGP, most countries should aspire to “collaborate.”

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

As explained in Section 2.1, the fourth action plan's implementation coincided with a challenging political situation due to the COVID-19 pandemic, the EU exit processes, and governmental reorganizations. The draft self-assessment mentions that the UK's response to the pandemic necessitated the redeployment of government resources, which had an impact on the government's ability to deliver certain commitments in the fourth action plan. As a result, the Cabinet Office and Department for Digital, Culture, Media and Sport did not hold specific consultations with the UK Open Government Network during this time that would have provided civil society with updates on the progress of the commitment. In addition, the UK's OGP website was not updated with a repository on the implementation progress.³ However, CSOs were actively involved in the implementation of individual commitments, particularly the Area Democracy Forums (Commitment 6), open contracting (Commitment 4) and grants data (Commitment 1). Therefore, the IRM considers the level of public influence during implementation to be “consult”. In the first half of 2021, meetings with

civil society resumed on a more regular basis, but with focus towards co-creating the fifth action plan (2021-2023), as opposed to the status of the fourth plan.⁴

The points of contact at the Cabinet Office provided the IRM with a draft version of the self-assessment report for the fourth action plan. However, at the time of writing this IRM report, the self-assessment has not been published.

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

² “IAP2’s Public Participation Spectrum,” IAP2, 2014,

https://cdn.ymaws.com/www.iap2.org/resource/resmgr/pillars/Spectrum_8.5x11_Print.pdf

³ UK Open Government, Civil Society Network, <https://www.opengovernment.org.uk/>

⁴ UK Open Government, Civil society urged to join groups on government transparency,

<https://www.opengovernment.org.uk/2021/04/29/this-is-an-open-government-emergency-civil-society-urged-to-join-groups-on-government-transparency/>

3.2 Overview of the UK's performance throughout action plan implementation

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	During Development	During Implementation
1a. Forum established: The UK Open Government Civil Society Network (OGN) is a coalition of citizens and CSOs founded in 2012 that collaborates with the government on supporting the UK's participation in OGP. ¹ It currently has around 140 members.	Green	Green
1b. Regularity: Meetings between the government (the Cabinet Office and DCMS) and the OGN were limited during the implementation of the fourth action plan due to ongoing political challenges and the COVID-19 pandemic. However, several workshops with OGN members were held in 2021 to co-create the commitments for the fifth action plan.	Green	Red
1c. Collaborative mandate development: The remit, mandate and governance structure of the fourth action plan were agreed by all parties during the co-creation period.	Yellow	N/A
1d. Mandate public: Information on the OGN's remit and membership is available on the OGN website. ²	Yellow	Yellow
2a. Multi-stakeholder: The OGN coordinates civil society's involvement in the OGP process. It is not a multi-stakeholder forum as it does not include formal government representation. However, the fourth action plan (co-creation and implementation) involved ad hoc engagement between civil society from the OGN and the government.	Yellow	Yellow
2b. Parity: There were no meetings with civil society to discuss the implementation of the fourth action plan.	Yellow	Yellow
2c. Transparent selection: Nongovernmental members of the co-creation meetings were selected through the OGN in a fair and transparent way, with regard for inclusivity and diversity.	Green	N/A
2d. High-level government representation: The co-creation of the action plan saw involvement of medium to high-level representatives (Director level) with some decision-making authority from DCMS. There was no high-level government involvement in the implementation phase.	Yellow	Red
3a. Openness: The OGN accepts input from anyone. There were no meetings with civil society to discuss the implementation of the fourth action plan.	Green	Red

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3b. Remote participation: There were remote consultation events held around the country by the OGN during the co-creation process, but none during the implementation period.	Yellow	Red
3c. Minutes: The OGN reported publicly on its conversations and activities, but there was no publicly available information from the government on the co-creation activities or meetings.	Yellow	Red

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 Implementation	
4a. Process transparency: The OGN maintains a national OGP webpage, but it was not updated regularly (i.e., at least every six months) on the progress of commitments in the fourth action plan.	Yellow
4b. Communication channels: The national OGP website does not have a feature to allow the public to comment on action plan progress updates.	Red
4c. Engagement with civil society: The government did not hold any meetings with civil society to discuss the implementation of the fourth action plan.	Red
4d. Cooperation with the IRM: The DCMS and the Cabinet Office did not share the link to the IRM's 2019-2021 Design Report on the UK's national OGP website during the public comment phase. ³	Red
4.e MSF engagement: The OGN did not monitor or deliberate with the government on how to improve the implementation of the fourth action plan.	Red
4.f MSF engagement with self-assessment report: At the time of writing this report, the Cabinet Office has prepared a draft self-assessment, but has not published it or shared the draft with stakeholders in the OGN.	Red
4.g. Repository: The OGN maintains a website with documents and relevant information on the UK's involvement in OGP. ⁴ This has documents from the co-creation process, but the Cabinet Office and DCMS did not maintain a repository with regular (i.e., at least every six months) updates on the status of the commitments during the implementation period, which is not in line with IRM guidance. ⁵	Yellow

¹ UK Open Government Network, <https://discuss.opengovernment.org.uk/groups/OpenGovUK>

² UK OGN, Resources, <https://www.opengovernment.org.uk/resources/>

³ Open Government Partnership, United Kingdom Design Report 2019-2021, <https://www.opengovpartnership.org/documents/united-kingdom-design-report-2019-2021/>

⁴ UK Open Government, <https://www.opengovernment.org.uk/>

⁵ Open Government Partnership, IRM Guidance for Online Repositories, https://www.opengovpartnership.org/wp-content/uploads/2015/11/IRM_Guidance-for-Repositories_Updated_2020.pdf

IV. Methodology and Sources

Research for the IRM reports is carried out by national researchers. All IRM reports undergo a process of quality control led by IRM staff to ensure that the highest standards of research and due diligence have been applied.

This review was prepared by the IRM in collaboration with Bart Scheffers and was reviewed by external expert Andrew McDevitt. The IRM methodology, quality of IRM products and review process is overseen by the IRM's International Experts Panel (IEP).

This review process, including the procedure for incorporating comments received, is outlined in greater detail in Section III of the Procedures Manual¹ and in the UK's Design Report 2019-2021.

About the IRM

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.



Bart Scheffers is an independent consultant working with civil society, international organizations and the private sector on integrity and anti-corruption. Earlier, he worked for the Open Society Foundations, the International Anti-Corruption Academy (IACA), as well as for a number of financial institutions in the Netherlands.

¹ IRM Procedures Manual, V.3, <https://www.opengovpartnership.org/documents/irm-procedures-manual>

Annex I. IRM Indicators

The indicators and method used in the IRM research can be found in the IRM Procedures Manual.¹ 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?
- **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.

Results oriented commitments?

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

1. **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.')
2. **Status quo:** What is the status quo of the policy issue at the beginning of an action plan (e.g., "26 percent of judicial corruption complaints are not processed currently.")?
3. **Change:** Rather than stating intermediary outputs, what is the targeted behaviour 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.")?

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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. To receive a star, a commitment must meet several criteria:

- The commitment’s design should be **Verifiable, Relevant** to OGP values, and have **Transformative** potential impact. As assessed in the Design Report.
- The commitment’s implementation must be assessed by IRM Implementation Report as **Substantial** or **Complete**.

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

¹ “IRM Procedures Manual,” OGP, <https://www.opengovpartnership.org/documents/irm-procedures-manual>