



1st Comunitat Valenciana Open Government Action Plan 2022-2023

Final Learning Exercise - Summary Report

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INTRODUCTION

The aim of a **final learning exercise** is to identify the lessons to be learned regarding the open government initiatives that were implemented during the action plan and provide recommendations for moving forward. The exercise should identify successes and areas for improvement for the action plan as a whole, from co-creation to the final implementation of the commitments.

The lessons and recommendations should be derived from the investigations conducted for the initial assessment and the end-of-engagement evaluations. They can also be taken from stakeholders during the final learning exercise when they reflect on what worked well or not, what they would have done differently or what lessons they learned from the action plan cycle.

SECTION 1. LOCAL CONTEXT

The Comunitat Valenciana presented its candidacy¹ to join OGP Local in the 2022 call with the aim, as stated in the "Report on the Entry of the Comunitat Valenciana into the Open Government Partnership's Local Programme"², of *"highlighting the importance that open government, transparency and participation should have in the Valencian political agenda"* and continuing *"to be a benchmark for open government in Spain"*. It should, therefore, be stressed that the initiative was part of a framework of open government policies that the then Generalitat Valenciana's Conselleria (Regional Ministry) for Participation, Transparency, Cooperation and Democratic Quality had been implementing over the previous few years³. This implies that the initiative to join the OGP could be seen as part of an overall strategy to promote open government.

However, it is important to note the timing of the candidacy, which took place in the latter stages of a legislature that began in mid-2019 but was marked, at least initially, by the global crisis resulting from the Covid-19 pandemic. The incorporation of the Comunitat Valenciana into OGP Local⁴ was confirmed in May 2022 and the report⁵ mentioned above was published, which outlines the process to be followed from that moment onwards to co-create the action plan. It is important to point out, therefore, that in the case of the Comunitat Valenciana, the process of co-creation and implementation of this 1st Open Government Action Plan was conditioned by the time remaining in the Consell's (Regional Council) term of office, as the duration of the plan could not exceed the duration of the legislature. Therefore, the time horizon available has been one of the main criteria taken into account when selecting commitments, while it has also been an element that has influenced some aspects of the co-creation process.

¹ The application document is accessible here:

<https://gvaoberta.gva.es/documents/7843050/175796778/20220316+Expression+of+Interest.pdf/bf565b74-ea40-4178-8b5b-20e535f3d4d0>

² The report is accessible here:

https://gvaoberta.gva.es/documents/7843050/175796778/20220519+Informe_OGP_19_05_22.pdf/b1de57ca-7b1a-4d48-bd47-f6611d26b664

³ An outline of the policies is available here:

https://gvaoberta.gva.es/documents/7843050/175796778/20220314+Esquema_pol%C3%ADticas_gobierno_abierto.pdf/b3e33f24-b256-4456-b4d2-b30932f77da3

⁴ The press release with the information about joining is accessible here:

https://www.gva.es/es/inicio/area_de_prensa/not_detalle_area_prensa?id=997326

⁵ The press release with information about the presentation of the report is accessible here:

https://www.gva.es/es/inicio/area_de_prensa/not_detalle_area_prensa?id=997706

SECTION 2. ACTION PLAN CO-CREATION PROCESS

2.1 Review of the co-creation process

OGP Local attaches particular importance to the existence of a participatory forum for the Open Government Action Plan co-creation process, which is understood as a participatory space for the development and revision of the government-driven action plan with the support of non-governmental actors. In the case of the Comunitat Valenciana, it was found that the minimum requirements established by the Independent Reporting Mechanism (IRM) regarding the existence of a forum, albeit a moderately inclusive and diverse one, were met. The creation of different participation spaces was promoted (consultation with the different regional, local and provincial administrations, virtual discussion forum⁶ and regular meetings of virtual and face-to-face working groups⁷), on the basis of different networks and alliances for promoting open government, of which the regional government was already a member. The greatest strength in defining these participation spaces was the fact that the process of mapping the agents to be invited to these spaces was based on the aforementioned existing networks and alliances, which represent a group of institutions and people already committed to participation, transparency and open government.

The networks that served as the basis for the aforementioned mapping of agents invited to participate in the process include those composed of governmental institutions (Valencian Alliance for Open Government⁸, Municipal Network for Participatory Governance⁹), bodies made up of government representatives and civil society organisations (CV Council for Citizen Participation¹⁰) and individuals or citizen organisations grouped around their interest in participation and transparency (e.g. participants in the Generalitat Valenciana's ParticipAcció awards¹¹). It should also be noted that the possibility of joining the proposed participation spaces was not limited to the people and organisations contacted. Thus, their existence and the respective calls for participation were publicised so that anyone interested could take part

⁶ The virtual forum created is accessible here: <https://gvaparticipa.gva.es/debates/42-la-comunitat-valenciana-i-l-alianca-per-al-govern-obert?locale=es>

⁷ Twitter thread with information regarding the participatory process and the working groups: <https://twitter.com/GVApaticipacio/status/1570013518476230658?s=20&t=KEkDYJqIK1MUg5tHF8Mfgw>

⁸ Press release with information regarding the creation and composition of the Alliance: <https://comunica.gva.es/es/detalle?id=360966016&site=174859777>

⁹ Composition of the Network: <https://participem.gva.es/es/xarxa-de-governanca-participativa-municipal>

¹⁰ Composition of the Council: <https://participacio.gva.es/es/web/participacio/composicion-actual-del-consejo-de-participacion-ciudadana>

¹¹ List of the organisations and people participating in the first edition of the awards: https://drive.google.com/file/d/107uvgp-k1pCkX25NzZZsN0WAROACokDb/view?usp=share_link

in them¹². This process has resulted in the participation of governmental, non-governmental and civil society actors¹³, and has been fully transparent and fully traceable.

From the point of view of regularity, the minimum requirements established by the IRM to achieve the necessary level of participation in the action plan co-creation process were also exceeded, as several participatory working sessions/meetings were held, both in face-to-face and virtual formats.

However, in order to reach the standards set by the IRM to advance in the co-creation process and to ensure that the dialogue would be permanent during the action plan implementation process, the regional government itself recognised the need for an Action Plan Monitoring Group, made up of people and organisations involved in the co-creation process, but also open to other types of actors in the region. This should enable the regional government to establish a forum with the characteristics set out by the OGP in its Participation Standards. Another aspect that was not entirely clear during the co-creation process, probably due to the time constraints affecting the definition of the Action Plan discussed above, was the effective endorsement of the Action Plan by the stakeholders of the forum or committee/steering group. In any case, there is evidence that the regional government shared information relevant to the development of the action plan with government and civil society actors prior to the scheduled co-creation activities, in order to promote informed and prepared participation. The regional government also tried to ensure that all the interested members of the public could provide input to the action plan and see or have access to the decision-making documentation through different mechanisms and it provided some feedback, again conditioned by time constraints, to the stakeholders in the co-creation process and reporting on the contributions of the participants in the process. It can also be concluded that the regional government, civil society organisations and other non-governmental stakeholders worked together to set the agenda and determine the final selection of commitments and their milestones.

2.2 Recommendations regarding the co-creation process

- It is recommended that the Action Plan Monitoring Group (which was already included in the 1st Action Plan document) be established and that the OGP Participation and Co-creation Standards, which define the multi-stakeholder forum as a *"group of government, civil society and other stakeholders selected through a fair and transparent process, with a clear mandate, membership and governance structure, that meets on a regular basis to oversee the OGP process"*, be adhered to. It is highly

¹² Press release with information on the start of the participatory process and the different co-creation spaces proposed: <https://comunica.gva.es/es/detalle?id=364142250&site=174859777>

¹³ This extract from the 1st Action Plan provides data and information on the organisations participating in the forum: https://drive.google.com/file/d/12XCpNNc8ACiYkCtmtcSOf1meAVdnC-iZ/view?usp=share_link

recommended that this group establishes a calendar of regular meetings in line with the provisions established in the 1st Action Plan itself: *"it will be the organisations and individuals that make up this group who decide on the tasks to be carried out, as well as the frequency of its meetings, with quarterly meetings being the minimum frequency and the starting point for its subsequent organisation"*.

- It is recommended that steps be taken to encourage explicit endorsement of the plan by as many non-governmental actors as possible, so that these endorsements are formally recorded. In this context, it is of particular interest that the feedback on the interim and final results of the co-creation process is provided sufficiently in advance of the delivery of the action plan to the OGP, so that stakeholders can generate the feedback they deem appropriate and that this feedback can in turn be answered by the government.
- It is recommended that the web space (or spaces) provided by the government to publish all the information and documentation related to the design and implementation of open government action plans meets the requirements of the IRM. This is especially relevant in terms of visibility, accessibility and ease of finding the hyperlink, in case the web space is hosted on other institutional websites.
- It is recommended that any information resulting from the iterative and ongoing dialogue process that should be generated during the co-creation process between governmental and non-governmental actors be published as it is generated (e.g. minutes of meetings, results achieved by working groups, criteria for the prioritisation and selection of commitments/actions/activities, etc.), so that there is clear evidence of collaboration during the process of developing the action plan.
- It is recommended that formulas be explored to encourage participation and diversity in the co-creation spaces. Taking into account the possibility of creating an Action Plan Monitoring Group, perhaps its composition could be considered using a quota system so that there would be a balanced representation based on the criteria considered, especially to ensure the participation of organisations that do not form part of the "institutional mainstream" around good governance, tangential organisations such as those linked to the eradication of the multiple inequalities in Valencian society, which are not always present in these participation spaces.

SECTION 3. COMMITMENTS IN THE ACTION PLAN

3.1 Review of the implementation of the commitments

Due to the aforementioned exceptional timing of the 1st Comunitat Valenciana Open Government Action Plan, only three commitments were included in it. Overall, the level of progress in implementing these commitments has been substantial and all the milestones defined for each commitment were implemented as planned.

In relation to Commitment 1¹⁴, internally, no determining factors are considered to affect the implementation of the commitment, insofar as the proposed actions are activities included in programmes that already had some experience in the context of the GVA's open government policies. Externally, the factors that could condition the implementation of the commitment derive mainly from the willingness of the partners to maintain the partnership agreements and their commitment to the proposed projects. At least initially, the signing of the agreements dispels doubts about this willingness and commitment. In this context, the greatest impact of this commitment is that the commitment responds to the need to build a model of collaborative and participatory governance where citizens feel that they are part of the management of public policies, in all its forms: decision-making, participatory processes, co-responsibility, co-design, etc.

There is no doubt regarding the relevance of this commitment, but as its definition mentioned on several occasions, the actions proposed were to give continuity to, influence and deepen programmes and initiatives framed within the range of public policies that the Conselleria is already promoting in the area of open government. In this respect, the changes that the revised commitment can bring about are positive, but in the terms set out by the OGP's IRM, they are not changes that can be considered binding or institutionalised in the regional government or in the institutions that govern a public policy area, at least in the short to medium term. The IRM itself states that the changes brought about by the capacity building are not changes that can be considered binding or institutionalised, although it is clear that, in the long term, they are essential for cultural changes such as the one pursued by the revised commitment. It would be interesting, therefore, if future action plans were to deepen the scope of the commitments to promote the culture change that open government entails.

With regard to Commitment 2¹⁵, of the internal factors that affected the success of the implementation of the commitment, the technological variable should be highlighted insofar as

¹⁴ Open government innovation and culture: Training, educating and building a participatory culture from the educational community, strengthening networks and links between civil society and public administration

¹⁵ Inclusive transparency and the right to understand: improving the usability and communication of government for real and effective accountability

it mainly involved developing new functionalities for the portals that would allow clearer and more comprehensible access for citizens to the actions carried out by the Consell. In this regard, the fundamental impacts of the commitment were reflected in the improvement of accessibility to information, based on the improvement of all the spaces intended for the communication of information on public activity insofar as specific improvement functionalities were developed for them in the browsers and search engines, as well as the launch of the news bulletin of the GVA Oberta and Open Data Portal. In this regard, the precise objective of all the actions covered by this commitment is to provide the GVA with sufficient muscle to ensure that both transparency and accountability become true drivers of government action, but, at the same time, that they are understood as a real window to public action, without limitations or trade-offs on the part of all the agents involved.

In this context, a key barrier to the implementation of inclusive transparency and the right to understanding in the GVA is undoubtedly the lack of equitable access to information. This is due to the digital divide, where certain groups of the population do not have access to technology or the internet, which excludes them from the online information and services it provides.

The expected progress has been made on Commitment 3¹⁶, at least as specified in the initial document. The potential factors behind the commitment are based on "controllable" tools for the organisation: the creation of digital resources (interactive map); the drafting and signing of agreements with organisations, together with training carried out by the organisation; and training, publicity and the signing of agreements to encourage organisations to join REGIA. These are relatively uniform actions with respect to the context, although it is true that they should be assessed in very positive terms as the implementation period has been short. A next stage with more far-reaching or transformational proposals is to be expected. In terms of impacts, the overall commitment contributes to the opening up of more and better-available information. The qualitative leap in this regard is enormous. It would be desirable to have statistics on the use of the portal, its parameters and profile as a step forward in quality public information.

In short, the conceptualisation of the commitment is very positive because it appeals to different levels and spheres of action, combining accessibility and transparency of information (highly necessary) and calling for a change in the organisations themselves, although it is true that it has been activated through the signing of agreements and very specific, but not widespread, training. In a certain sense, the initiative by the Conselleria for Transparency should be reflected, at a later stage, in a co-leadership with local organisations. The success of the commitment will depend on the municipalities taking responsibility for implementing the measures, but also, and above all, for proposing new actions based on their needs. The role

¹⁶ Open Community: Networks and tools to promote public integrity at the local level in the Comunitat Valenciana and make good municipal open government practices visible

played by the Conselleria for Transparency should be to support resources, provide a cross-cutting strategic perspective and accompany the organisations.

3.2 Recommendations for commitments

- This first experience of the Comunitat Valenciana in OGP Local is the paradigmatic example of how the political-administrative impulse can activate the gears for a potential transformation or qualitative leap in regional open government. However, the extent to which this activation can provoke substantial changes that consolidate new administrative practices and cultures depends on **financial resources**, very modest in this first phase; **continuity in the confidence and political will behind the transformational project**; and, above all, the **involvement of the organisations involved, especially the municipalities**. This first phase could be considered as a necessary push, but of a top-down nature, in which a central unit is responsible for the implementation of all the actions, while the partners and recipients are mere spectators or recipients of the initiative.
- Comunitat Oberta's commitment directly appeals to the creation of a plural and heterogeneous ecosystem of actors actively involved in the transformation of open government in the Valencian region. A community in which the general frameworks for action on OG have been established as a starting point but which will **demand or require processes of co-definition, co-leadership and co-responsibility in order for this multi-level transformation to take place**. One of the lessons learned from this first phase is the realisation that the true potential of the OGP project lies in the extent to which the channels of participation and decision making can be opened to the actors involved.
- A major lesson to be learned from all those milestones that need to be addressed and that are based on **technology as a tool to bring knowledge of public action closer to citizens** is, in fact, that it is sometimes a barrier in itself to communication and participation by the key stakeholders.

We understand that the **digital divide** that exists - however small it may be - acts as a direct barrier to the participation of vulnerable groups, preventing the open development of participation policies and the right of access to public information. However, there are **practical ways to overcome this limitation, which can be summarised by the following examples:**

- allowing access to information through offline channels;
- establishing public access centres where people without internet access at home can access online information free of charge;
- promoting digital literacy and skills among vulnerable groups;

- collaborating with community and non-profit organisations to identify and address the specific needs of these groups; and finally,
- developing a more inclusive design of the web portals devoted to the consultation of public information.

In relation to the above, all the websites of the portals and **search engines** should be developed in a **responsive format** so that they can be consulted without any problems on mobile devices.

- We understand that another major learning process has to do with the **capacity of the public administrations to make themselves understood**, insofar as this is a prerequisite for citizen participation and the right of access to public information itself.

In this regard, the **drafting of awareness-raising guides or documents and/or an analysis of the state of the art regarding the issue** is positive, but there is a need for regulated processes or clear protocols to create clearer and more concise administrative documents and rules in general, from the design stage and at source, thus allowing greater accessibility to public information and, consequently, greater opportunities for participation and knowledge of public affairs.

Progress should therefore be made in **defining standards for the production of regulations** - both for individual acts and for general provisions - that include the main guidelines for clear and comprehensible language.