



# Open Government Partnership

Draft

National Action Plan

Ireland

2014 - 2016

8<sup>th</sup> May 2014

## **Foreword by the Minister for Public Expenditure and Reform**

I am delighted that Ireland is taking part in the Open Government Partnership initiative which aims to secure commitments from governments to share more information about their activities, increase civic participation in decision-making, fight corruption and harness new technologies to strengthen governance. OGP membership reaffirms Ireland's commitment to governmental transparency and reform and provides an important platform to further Ireland's current national reform efforts.

This first National Action Plan which has been developed over many months involving close engagement between officials and civil society representatives, will enable Ireland to progress to full membership in June 2014. Development of the Plan is a good example of public participation and shows how working effectively together with the public sector can provide a good and ambitious but realistic Action Plan which will be progressed over the next two years. I welcome the continued engagement of civil society representatives in overseeing the implementation phase.

The Plan spans three main areas, Open Data and Transparency, Citizen Participation and rebuilding public trust in Government. These areas are extremely important to the functioning of government institutions and economic growth. Open Data is aimed at securing commitments from governments to share more information about their activities, increase civic participation in decision-making, fight corruption and harness new technologies to strengthen governance. Citizen participation is at the heart of democracy and I am pleased that the actions will deepen participation further enabling valuable contributions to be made to decision-making, policy formulation, and improving public service delivery. Transparency leads to accountability and is key to rebuilding trust in Government; inclusion in the Plan of legislative reforms will reinvigorate our transparency agenda which is designed to strengthen governance with more open and accountable government.

I am happy to be launching this Plan. I think it is a job well done and I thank the officials and civil society representatives involved for bringing this to fruition. These actions, I believe, will help achieve more Open Government - the hard work will begin now with the implementation!

Brendan Howlin, T.D.,

Minister for Public Expenditure and Reform

### **Foreword by Civil Society Representatives**

Irish citizens are demanding more transparency and accountability in how public funds are spent, how public services are delivered, and seek greater participation in decision making. A strong democracy is one where citizens are able to meaningfully participate in and influence decisions that affect their lives and their communities.

Open government delivers tangible and lasting benefits. By providing transparency, encouraging participation and facilitating accountability, openness improves public services, drives innovation and business growth and helps build trust between government and citizens.

The initiative to join the Open Government Partnership arose from citizens. This OGP National Action Plan was developed as a collaboration between civil society, engaged citizens and government officials. Although it was not always an easy collaboration, we trust and hope the results will demonstrate it to have been worthwhile. We believe that the lessons all parties have learned from this collaborative development provide a foundation for further expansion of citizen participation during implementation, and in the development of future plans.

At the outset, civil society groups developed and contributed a more ambitious set of proposals for opening up government. These proposals formed the basis for collaboration with government representatives. We aspired to stronger and more ambitious commitments in several areas. Many of us are particularly disappointed that further progress could not be made toward abolishing of fees for Freedom of Information requests and the introduction of participatory budgeting. We can only urge that government policy be reconsidered in these areas. Nonetheless, the Plan represents a welcome move towards greater openness in government.

We believe the commitments in this Action Plan go some way towards harnessing the potential of open data, strengthening citizen engagement in decision making and increasing government

transparency. All of these are necessary if we are to achieve greater accountability, improved public services and ultimately, socially and environmentally sustainable economic growth.

We hope the commitments in this Action Plan will play a role in strengthening our democracy and rebuilding trust and confidence in public governance, so badly damaged in the wake of the recent economic and fiscal crisis. Whilst the Plan does not fulfil all of civil society's aspirations, it represents a positive step towards greater openness and we remain committed to working constructively with government to deliver on these commitments. We welcome the commitments not just in their own right but more importantly, as the basis upon which further, future reforms can be built.

**April 2014**

**Open Government Partnership**  
**DRAFT National Action Plan**

**Introduction**

The Government's decision to seek membership of the Open Government Partnership (OGP) was based on the belief that the aims of OGP would strongly reinforce and add further depth to Ireland's ongoing program of wide-ranging democratic reform.

The objective of reform is simple. We need to build new confidence in our institutions and in our government. We need to fix the distrust that has grown between citizens and institutions as a result of the collapse of 2008. Institutions, and government itself, have to be open, accountable and responsive to citizens to rebuild this trust. We have to give citizens confidence that their views matter, and that the mistakes of the past will not happen again.

Rebuilding this trust in institutions and ensuring that we have an open, transparency accountable and ethical system of public administration is a cornerstone for Ireland's national recovery. A new trust in our institutions will form the basis for sustainable long-term growth.

Under the Program for Government, the foundations have already been laid in the area of political and democratic reform. Now, as Ireland begins its OGP Journey, this Action Plan will build upon those foundations and provide a framework for a new phase of reforms.

## **Preparation of the National Action Plan (NAP)**

The NAP has been developed in a manner consistent with the OGP Guidelines for Public Consultation on Country Commitments (<http://www.ogphub.org/wp-content/uploads/2014/01/Additional-Guidance-Consultations.pdf>).

Full details of the consultation process were published online on the Department of Public Expenditure and Reform's (D/PER) website [www.per.gov.ie](http://www.per.gov.ie) and also on the [www.ogpireland.ie](http://www.ogpireland.ie) website which was established in June 2013 on the basis of funding allocated by D/PER. D/PER also separately contacted a large number of organisations directly to advise them of the OGP consultation process and to encourage them to make submissions.

Three public meetings, arranged by Transparency International Ireland with funding support from D/PER, were held during summer 2013 on July 10, August 8 and September 5, involving civil society groups and citizens. The Minister for Public Expenditure and Reform participated in part of the public meeting on July 10. Approximately 40 non-governmental organisations participated in the public consultation, and over 100 individuals participated in total.

The consultation process resulted in a report containing 62 proposed actions for inclusion in Ireland's NAP. This report was published and submitted to the Minister for Public Expenditure and Reform on 2 October 2013. A number of submissions were also submitted to D/PER and can be found at [www.per.gov.ie](http://www.per.gov.ie)

The NAP was developed by a Joint Working Group comprised of representatives of civil society and Government Departments. The JWG met on a weekly basis from February 6 to April 3 with an alternating chair. The civil society representatives on the JWG contributed to the development of the NAP on the basis of the decisions of a Civil Society Forum to which they reported on the work of the JWG on a weekly basis. A detailed response to each of the proposals contained in the report of the consultations carried out by civil society can be found at (insert web address after Government approval)

The action points from the weekly meetings of the JWG and all drafts of the NAP were published on the web.

## **Open Government: Progress to Date**

Substantial progress has been made in delivering a significant programme of reform initiatives many of which are included in the Programme for Government and which dovetail closely with core OGP themes and objectives. These include the following **legislative initiatives**:

- The **Ombudsman Act 2012** results in the most significant expansion in the jurisdiction of the Ombudsman in 30 years.
- The **Houses of the Oireachtas (Inquiries, Privileges and Procedures) Act 2013** establishes a comprehensive statutory framework for the Oireachtas to conduct inquiries within the current constitutional framework.
- **Protected Disclosures legislation** incorporating best practice international standards for whistleblower protection is currently being progressed through the Houses of the Oireachtas.
- The **Regulation of Lobbying Bill** which will establish a comprehensive framework for the regulation of lobbying is currently being drafted and is expected to be published by mid-2014.
- A project has commenced to **overhaul ethics legislation** in Ireland which will consolidate, modernise and update the current statutory framework.
- The next stage in **the Dáil reform programme** with systematic pre-legislative scrutiny being phased in over 2014 will deliver real improvement to parliamentary examination of legislation and scrutiny of budgets and spending and facilitate greater public participation at an early stage.
- Progress in 2013 to facilitate greater use and sharing of data included the drafting of a **Data Sharing and Governance Bill**, the publication of a **Health Identifiers Bill**, and the approval of the roll out of a new **National Postcode Scheme** by 2015.
- Enhancement of the powers of the Office of the Director of Corporate Enforcement by the **Criminal Justice Act 2011**.

Significant reforms have also taken place at **local government level**:

- The **Local Government Act 2014** will fundamentally reform the local government system providing for greater efficiency and improvements to funding, accountability and governance.
- A new **National Oversight and Audit Commission for Local Government (NOAC)** will be established to provide independent scrutiny of local government performance.
- Section 46 of the **Local Government Reform Act 2014** introduces a reserved function whereby each local authority will adopt a framework for public participation in local government.

Since the publication of the Comprehensive Expenditure Report 2012-2014 in December 2011, the Government has introduced a number of changes to the **budgetary architecture**:

- All government departments now publish quarterly details of purchase orders over €20,000
- The **annual Stability Programme Update** (published each April) updates the medium term fiscal targets and extends them by a further year, allowing advance planning by Government based on the resources available.
- The annual Estimates process was replaced by a **modern, multi-annual framework** allowing for full transparency on allocations available to Departments over the coming three year period.
- Other budgetary changes include more targeted **Departmental Estimates**, the introduction of a **Performance Budgeting Initiative**, statutory **Expenditure Ceilings**, **Value for money studies** ([igees.gov.ie](http://igees.gov.ie)), a more functional public service **databank** and a **new public spending code** ([www.publicspendingcode.per.gov.ie](http://www.publicspendingcode.per.gov.ie))

These changes are supported by a number of **broader processes and initiatives**:

- Ireland ratified the **Aarhus Convention** in 2012. There are three pillars to the Convention, access to environmental information, public participation in environmental decision making, and access to justice environmental matters.
- The Department of the Environment, Community and Local Government set up a **Working Group on Citizen Engagement** to make recommendations on citizen input into decision making at local government level. The Report of the Working Group proposes that a “Public Participation Network (PPN)”, is developed in each local authority area to enable the public to take an active role in the authority’s relevant policy making and oversight committees: <http://www.environ.ie/en/Publications/Community/CommunityVoluntarySupports/FileDownload,36779,en.pdf>
- Ireland participates in a range of **international conventions** to fight corruption. These include the evaluation mechanisms established under the **United Nations Convention against Corruption (UNCAC)**, the **Group of States against Corruption of the Council of Europe** and the **OECD Working Group on Bribery in International Business Transactions**. Evaluation mechanisms involve a broad range of stakeholders, including civil society. Ireland is now undergoing review under the first cycle of the UNCAC Review Mechanism.

- The ongoing **Constitutional Convention** is a major venture in participative democracy. The Convention held nine Plenary meetings and nine regional meetings over a 14 month period between January 2013 and February 2014. It held its final plenary session in February 2014 and laid its final reports before the Oireachtas in March 2014. The Convention has put forward a total of 38 recommendations, at least 18 of which involve reform of the text of the Constitution.

## **1. Open Data and Transparency – opening-up Government data for greater accountability, improving public services and achieving economic growth**

### **Impact and Vision**

Opening up Government data has the potential to drive innovation and economic growth, improve public services, strengthen democracy and increase transparency and accountability of government.

Increased transparency is at the heart of the Government's reform programme and these measures will enable the public to hold Government accountable for its performance, use data to identify best practice, encourage the public sector to improve productivity and quality and help citizens make more informed choices. Making data available to businesses will promote development of innovative products and services and drive economic growth. The implementation of Open Data, leading to more open, transparent and accountable Government is a major programme of work with the potential to reap significant benefits.

### **Context**

Open Data has not currently been implemented on a national scale in Ireland. Several Open Data initiatives have been implemented on a more local scale. Fingal County Council has been a notable champion of open data at local government level while organisations such as the Open Knowledge Foundation have made extensive use of 'hackathons' and civil society events in order to advance the Open Data agenda. It is important that these efforts are supplemented by the government's implementation of an ambitious nationwide Open Data programme. This will help to provide a central focus for the energy that currently exists in the Open Data area.

### **DRAFT ACTIONS**

#### **Action 1.1 – Establishment of best practice standards for Open Data**

Best practice standards for the publication and licensing of Open Data in Ireland will be established and implemented drawing on best practice international standards and covering the following areas: carrying out a reiterative data audit, dataset selection, publishing high-quality data, licensing, engaging data users, encouraging data reuse, evaluating impact and identifying options for an appropriate benchmarking system for Open Data. In relation to recommendations on

licensing, the transposition of the EU PSI Directive will be used to examine how the PSI licence can be aligned to international standards and definitions for ‘open’ and ‘re-usable’ Open Data.

### **Action 1.2 - Establishment of Ireland’s Open Data Platform**

Ireland’s Open Data Platform will be established. The Open Data published on the platform will strive to be compliant with the G8 Open Data Charter, including that the data will be available in open, machine-readable formats, with robust and consistent metadata. The Open Data Platform will contain a data catalogue that will allow citizens to search for datasets hosted by public sector bodies. Aligned with international best practices and to maximise the potential for data interoperability, the Open Data Platform will strive to publish 5-star quality data where possible<sup>1</sup>.

The Open Data Ireland Platform will also facilitate feedback from citizens, for example enabling citizens to request additional datasets, to provide information about applications for which the data is being utilized, and to provide practical knowledge about usability and quality of data sets. The Open Data Ireland Platform will be continually supported and new features added where necessary, for example, the potential of the platform to host datasets.

### **Action 1.3 – Undertake an audit of key datasets for publication**

An audit will be carried out of datasets available within the public service. On the basis of this audit, looking at international best practice, and in consultation with the general public, the high value data sets that should be prioritized for publication will be determined. This audit will also be an opportunity to ensure that all currently existing data sets are correctly catalogued on the Open Data Platform.

### **Action 1.4 – Establish a roadmap for the Open Data and an evaluation framework to provide assessment of the ongoing Open Data**

The roadmap will outline steps for the development of Open Data in Ireland over the next three years. The evaluation framework will set out quantitative and qualitative criteria to be met by the project at quarterly milestones over the next three years. The evaluation framework will include

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<sup>1</sup> <http://5stardata.info/>

a progress assessment done regularly comparing G8 Open Data recommendations versus where we are at in Ireland and also benchmarking to best international practice.

**Action 1.5 – Establishment of an Open Data Ireland Governance Board (ODIGB) and Steering and Implementation Group (SIG) for Open Data Ireland**

These two bodies will be established by the Minister for Public Expenditure and Reform to ensure that a comprehensive;

- governance and oversight; and
- implementation framework

is in place in Ireland for the future development of Open Data in line with the roadmap and evaluation framework outlined in **Action 1.4**.

The ODIGB will be responsible for:-

- developing a strategy for Open Data in Ireland for approval by Government; and
- for agreeing the detailed implementation plan drawing on the roadmap (set out at Action 1.4 above) developed by the SIG for implementing that strategy.

The SIG will be responsible for achieving the objectives set out in the strategy through the development and implementation of the implementation plan reporting to the ODIGB.

The members of the ODIGB will be appointed by the Minister of Public Expenditure and Reform, following the selection procedures set out at [www.per.gov.ie/appointments-state-boards/](http://www.per.gov.ie/appointments-state-boards/)

The membership of the ODIGB will be drawn from key stakeholder groups for Open Data in Ireland including civil society. The individual members of the Board will be selected by the Minister for Public Expenditure and Reform on the basis of their demonstrated capacity and skills, expertise and experience to oversee the development of a national strategy for Open Data and a plan for the implementation of the strategy.

The SIG will include representatives from public bodies, industry, academia, and civil society organisations who can drive the implementation of a national strategy for Open Data in Ireland.

The final Terms of Reference for the ODIGB and the SIG will be determined by the Minister following an open public consultation.

**Action 1.6 – Signing up to the G8 Open Data Charter**

Ireland will sign up to the G8 Open Data Charter and will formulate and implement a plan for the release of the high value data sets taking account of the Charter’s Annex within a 2 year timeframe.

The plan will form part of the roadmap for the Open Data strategy (Action 1.4).

**Action 1.7 – Implementing Open Data**

A detailed implementation plan will be developed by the SIG, informed by, for example, the Roadmap and setting out key deliverables and timelines to implement the Open Data strategy.

**Timelines and lead responsibility**

It is proposed that all of the above actions will be initiated in the course of 2014. By virtue of their nature they relate to a programme of work which will be ongoing. All public bodies will be involved in the delivery of these objectives. The lead role will be played by D/PER, working closely with the network of Chief Information Officers in public bodies.

**Action 1.8 Improve computer literacy through implementation of proposed new Digital Strategy for Schools**

In the context of the development of the Digital Strategy for Schools the new policy challenges and opportunities arising from major developments in curricular reform, digital publishing, digital content dissemination tools generally, cloud services, portable computing and student devices, and the deployment of high speed broadband at post-primary level will be addressed.

**Timeline:** The Digital Strategy for Schools is to be published by end 2014

**Lead: D/Education and Skills**

## 2. **Fostering citizen participation/more active citizenship – Greater citizen consultation and involvement to strengthen democracy and improve public services**

### **Impact and Vision**

Citizen participation is based on the right of citizens to have an informed say in the public policy decisions that affect their lives. In a strong democracy, citizens and government work together in partnership to build a society that responds to people's needs, protects individual freedoms, and reinvigorates democratic practice.

By enabling citizens to participate in policy development and in the design of public services, citizens will gain a greater sense of political efficacy, and potentially increase their confidence and trust in the political system. Meaningful participation increases the legitimacy of public decision-making, improves citizens' knowledge and awareness of complex policy challenges, helps decision-makers to make better decisions and leads to improvements in the quality of service provision.

Citizen participation requires accessible and timely information about policy and service development proposals, ways of engaging in dialogue with policy makers; it involves building the capacity of citizens, policy makers and service providers to work together; it thrives on a culture of openness on the part of the public service, the time and means to engage in dialogue and a shift in the locus of decision-making.

The aim of the first Open Government Partnership is to build on initiatives that are in place, and take new steps to **embed citizen participation in a sustainable way** in public policy making and service delivery, across the spectrum of national and local level work.

### **Context**

In the wake of, in particular, the financial crisis, there has been a significantly increased emphasis in, for example, OECD countries on promoting, facilitating and encouraging public participation in relation to public policy reflecting the needs and benefits set out above. In Ireland, citizen

participation has long been the accepted norm and common practice and there are many structures, initiatives and examples of citizen engagement at national and local level. Yet notwithstanding these opportunities, the perception is that citizen participation structures that are currently in place are not reaching all sectors within communities and it remains difficult to get the public to engage. These difficulties are not unique to Ireland. It is in this context that the actions below have been framed.

Notwithstanding the undoubted benefits of consultation, engagement and participation, it is important that public participation is carried out in an efficient and effective manner. Public bodies have sought to put in place effective and streamlined mechanisms to engage with users. There are many such mechanisms in place across the public service to facilitate engagement. However, the effectiveness of these mechanisms depends crucially on the efficacy of engagement efforts by citizens and civil society.

## **DRAFT ACTIONS**

### **Action 2.1 – Review national and international practice to develop revised principles / code for public engagement/consultation with citizens, civil society and others by public bodies.**

This action allows for a thorough review of the guidelines and principles for consultation and engagement with the public in relation to policy development and decision making. It is intended that proposals would be developed to foster greater citizen involvement and participation.

In seeking to develop updated and improved regulations, principles and procedures on public consultation, best international practice as set out by the OECD and the Council of Europe would be taken into account. Areas for examination could include knowledge sharing on best practice, how engagement can be facilitated through the use of technology including, but not limited to, Open Data and social media, and measures for the monitoring and conduct of public consultation.<sup>2</sup>

**Timeline: End 2015**

**Lead: D/Public Expenditure and Reform**

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<sup>2</sup> This action, along with **Action 2.6** below, will feed into the ongoing monitoring of implementation of Ireland's first OGP national action plan and the process of drafting a second plan.

**Action 2.2 – Measures to increase citizen participation in decision making on policy and legislative proposals**

**Action 2.2.1 Undertake public engagement early in the legislative process**

Implementation of the Government’s proposals for increased citizen participation at Committee level in the legislative process through systematic pre-legislative scrutiny of all draft Bills will provide greater opportunities for engagement by the public in law making. At the pre-legislative stage, the Committee can consult with citizens, civic society groups and other interested groups.

**Timeline: Being introduced on a phased basis over 2014**

**Lead: Department of the Taoiseach**

**Action 2.2.2 Build capacity of public bodies to provide access to information under Aarhus Convention**

- (i) Development and delivery of a training module to train staff in public bodies on access to environmental information as provided for in the Aarhus Convention. This module will cover both responding to AIE requests (Article 4 of the Aarhus Convention) and proactive dissemination of environmental information (Article 5). It will also provide information on the requirements of both European and national implementing legislation and on case law.

**Timeline:** Training module to be developed in Q2 2014. Initial training to be delivered in Q4 2014; further training to be considered based on uptake / demand Q1 2015.

- (ii) In parallel it is proposed to create a database which will record requests for information under the AIE Regulations, including statistics on number of requests granted, refused or partially refused. This database will provide a basis for analysis of requests similar to that which is in place for FOI.

**Timeline:** A circular issued to public authorities commencing the data collection process in January 2014. Collection of statistics for 2013 is on-going. It is proposed to continue to carry out this collection on an annual basis.

**Lead: D/Environment, Community and Local Government**

**Action 2.3 Hold referenda arising from the recommendations of the Constitutional Convention**

Arising from the recommendations of the Constitutional Convention, the Government has so far committed to holding three referenda in 2015 in relation to

- Reduce age of candidacy for Presidential elections; **Lead: D/Environment, Community and Local Government**
- Reduce voting age; **Lead: D/Environment, Community and Local Government**
- same sex marriage. **Lead: D/Justice**

**Timeline: End 2015**

**Action 2.4 Increase citizen participation at local level**

**Action 2.4.1 Pilot approach to implementation of Public Participation Networks**

The Report of the Working Group on Citizen Engagement with Local Government proposes that a “Public Participation Network (PPN)” be developed in each local authority area (engaging in and within municipal districts and at the County/City level) to enable the public to take an active formal role in relevant policy making and oversight activities of the Local Authority. PPN structures will be put in place across local government during 2014.

**Timeline: 2014**

**Lead: D/Environment, Community and Local Government**

**Action 2.4.2 Provide legal base for public participation framework in local government**

Regulations will be made and guidelines will be issued by the Department of the Environment, Community and Local Government to provide for the adoption by each local authority of a framework for public participation, which will enable local authorities to take all appropriate steps to consult with and promote effective participation of local communities in local government.

**Timeline: 2014**

**Lead: D/Environment, Community and Local Government**

**Action 2.4.3 Undertake a feasibility study on possible means of enabling further citizen engagement in local authority budgetary processes**

Recognising that the elected members of a local authority have direct responsibility in law for all reserved functions of the authority, which includes adopting the annual budget, request the Members' Association and the County and City Managers' Association to undertake a feasibility study in 2015, in consultation with key stakeholders, on possible means of enabling further citizen engagement in the local authority budgetary processes.

**Timeline: 2015**

**Lead: D/Environment, Community and Local Government**

**Action 2.5 – Support Children and Young People as citizens**

**Action 2.5.1 Develop, finalise and publish the first Government Strategy on children and young people's participation in decision-making.**

This 'National Strategy on Children and Young People's Participation in Decision-making (2014-2020) will seek to ensure children and young people have a voice in decisions that affect their lives. It will include:

- Appropriate participation by children and young people in decision-making in the preparation of Statements of Strategy of all Government Departments and appropriate consultation with them in the development of policy and legislation
- The establishment of a DCYA Children and Young People's Participation Hub to become a national centre of excellence on children and young people's participation in decision-making. The Hub will provide information, guidance and support to Departments and agencies delivering commitments outlined in the Strategy action plan. It will also champion and promote participation, create resources and training materials, conduct training, document and disseminate learning and establish an online children's participation database. The Hub will also partner with third level and adult education institutions to oversee development of education on children's rights (including participation in decision-making) for professionals who work with and on behalf of children and young people.
- the role and capacity of Comhairle na nÓg will be enhanced through the development and implementation of a Five-Year Comhairle na nÓg Development Plan, aligned to Local Government structures and policies. The Five-Year Development Plan will address mechanisms for inclusion of the children under the age of 12 and of children and young people who are seldom heard.

- The development of guidance and training for Children Services Committees on engaging children and young people in decision-making.
- The development of a Toolkit on involving seldom heard children and young people in decision-making.

**Timeline: 2014-2020**

**Lead: D/Children and Youth Affairs**

### **Action 2.5.2 Maximise participation and understanding of young people in civic life**

The Department of Education and Skills will

- encourage schools to explore how the new Junior Cycle can be delivered across the curriculum in terms of the 24 Statements of Learning identifying what students should know, understand and value by the end of the three year cycle, including that students should “value what it means to be an active citizen, with rights and responsibilities in local and wider contexts”, in addition to any provision that they may make for Civic Social and Political Education (CSPE).
- Ensure Politics and Society will be implemented as a Senior Cycle subject.

**Timeline:** The new Junior Cycle is being introduced on a phased basis from September 2014.

**TBC – Politics and Society**

**Lead: Department of Education and Skills**

### **Action 2.6 – Customer improvements to be implemented for citizens through technology**

A key driver of the Public Service Reform Plan 2014-2016 is to provide better services and outcomes for citizens and service users including:

- An analysis of alternative models of service delivery in order to achieve cost savings and deliver better outcomes for users of public services
- Development of an ICT Strategy for the Public Service and a Strategic Implementation Plan for the ICT Strategy with a view to achieving a range of improved transactional processes and reducing the administrative burden on citizens.
  - o Following collation, analysis and publication of the data on these transactional processes, the “Top 20” service processes across the public sector will be identified for consideration as to how they can be significantly improved through digitalisation.

- A new Data Sharing and Governance Bill will be developed to deliver improved digital transactional services
- A number of significant improvements will be made through the new Public Services Card including the incorporation of contactless ticketing chips for travel entitlement and new smart card technology. By the end of 2013, over 600,000 cards had been issued. It is intended that a cumulative target of three million cards will have been issued by the end of 2016. Further services will be reviewed with a view to providing them through use of the Public Services Card
- Development of a range of new public service applications based on the Single Customer View
- The new Local Government portal **localgov.ie** has been put in place facilitating one stop shop access for all citizens to all local authority services.
- New Local Enterprise Offices will be established to provide “first-stop-shops” for the micro-enterprise and small business sector to avail of enterprise support services, other direct business supports and co-ordinated access to other services for business.

**Timeline: Timeline for actions at 2.6 are as set out in the Public Service Reform Plan (<http://reformplan.per.gov.ie/>)**

**Lead: D/Public Expenditure and Reform**

**Action 2.7 Review and enhancement of complaints procedures and using feedback to improve services across the public service**

**Action 2.7.1 A review of citizen complaints procedures will be undertaken.**

This will assess:

- The thoroughness, speed and impartiality of bodies across the public service in responding to customer complaints;
- The availability of clear and timely information about how people can appeal and complain; and
- The effectiveness of remedies that are offered to complainants.

**Timeline: TBC**

**Lead: TBC**

**Action 2.7.2 - Enhance customer engagement**

Customer engagement will be promoted through provision of more customer service training, review of the customer charter process, through formal organisational surveys of customers and through a range of mechanisms including social media, mobile access devices, focus/user groups, meetings, seminars and consultation processes with a view to improving services and levels of engagement with citizens.

**Timeline:** As per public service reform plan (<http://reformplan.per.gov.ie/>)

**Lead:** D/Public Expenditure and Reform

### **3. Rebuilding public trust in Government - strengthening governance and accountability**

#### **Impact and Vision**

The existence of adequate and effective arrangements for governance and accountability within the civil service and between the civil service, the political level and citizens generally is one of the fundamental elements of a democratic system of government. Building on the Government's programme of political reform initiatives, a number of initiatives will be progressed and given further impetus as part of this National Action Plan leading to a more open, transparent and responsive Government and the restoration of public trust.

#### **Context**

As detailed in the expert reports into the banking sector<sup>3</sup>, the financial and fiscal crisis exposed major weaknesses and failures in government, public administration, regulation and the media / public debate. Significant progress has been made in efforts to rebuild capacity, improve governance and restore trust.

#### **DRAFT ACTIONS**

##### **Action 3.1 – Ethics Reform**

The government will bring forward legislation to modernise, consolidate and simplify the statutory framework for ethics in public office. It will implement the recommendations of the Final Report of the Mahon Tribunal agreed by Government and will draw on international best practice, including recommendations from international accountability bodies such as the OECD, GRECO and the UN.

**Timeline: Draft heads published Q3 2014; Bill published by Q2 2015.**

**Lead: Department of Public Expenditure and Reform**

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<sup>3</sup> For example Nyberg Commission of Investigation  
<http://www.bankinginquiry.gov.ie/Documents/Misjudging%20Risk%20-%20Causes%20of%20the%20Systemic%20Banking%20Crisis%20in%20Ireland.pdf>

**Action 3.2 – Strengthening Freedom of Information - Implement the Code of Practice for Freedom of Information (FOI).**

The Government will provide and implement a Code of Practice for Freedom of Information to promote best practice in public bodies in relation to the operation of FOI, guiding and informing their performance in relation to their responsibilities under the FOI Act and ensuring FOI requests are dealt with as efficiently as possible to minimise the administrative burden of FOI; and securing appropriate consistency and standardisation of approach in responding to FOI requests. It will provide a framework for appropriate oversight and accountability of the performance of public bodies through monitoring of compliance with the Code and promote the proactive publication of information by public bodies including routine information likely to be in the public interest. Other actions are:

- Development and implementation of criteria to establish what information is likely to be in the public interest that should be published proactively in order to identify how more information can be made publicly available as a standard.
- Review previous FOI requests and develop from that a model for identifying the information that is frequently requested under FOI as this type of information should be made public outside of the FOI process.
- Introduce a ‘legislative footprint’ in relation to current legislative initiatives, published on each Department’s website including details of publication of general schemes, any consultation documents, publications of draft Bills, pre-legislative scrutiny by Oireachtas Committees, submissions received and meetings held with stakeholders, etc.

**Timeline: Code published mid 2014**

**Lead: D/Public Expenditure and Reform**

**Action 3.3 Reform of FOI**

A comprehensive reform of Ireland’s Freedom of Information legislation will be implemented through the FOI Bill 2013 and the establishment of a Code of Practice for FOI as referenced above.

Key actions in the legislation will include:

- Substantial updating/modernisation of the legislation based on international best practice

- Extension of FOI to all public bodies as a default with limited exceptions as set out in the Bill bringing long-established high profile exclusions from FOI within remit; and to significantly funded bodies to enhance accountability of such bodies
- Restoration of the main amendments to FOI introduced in 2003 which significantly restricted and curtailed the scope of Ireland's FOI regime. This includes reversal of the very wide definition of Government introduced in 2003, restoration of the strict definition of what constitutes a Cabinet record, communications between members of Government will no longer be exempt from FOI; restoration to the original five years of the ten-year prohibition on the release of Cabinet records; provision for some liberalisation of the mandatory 'class' exemption put in place in 2003 in relation to diplomatic communications and defence matters; where a commercial state body provides a service under a contract to a public body subject to FOI, the records relating to that service will be subject to FOI etc.
- Requirement by public bodies to prepare and furnish publication schemes to promote the proactive publication of information outside of FOI. A public body's publication scheme will set out information on its role, responsibilities and activities including organisation charts, structure, contact points and for each Divisional area information relating to role and functions; classes of records held (e.g. publications, legislation, consultation procedures and processes, speeches etc); circulars/guidance/procedures/rules for the purposes of decisions relating to any scheme implemented (e.g. involving grants) with respect to rights, obligations, sanctions etc. to which the public is or may be entitled; or services provided including how such services may be accessed; rights of review or appeal in respect of decisions made by the body; FOI Disclosure logs on non-personal requests;
- Provision of a number of key principles to guide public bodies in the performance of their functions under the Act to achieve greater openness and strengthen accountability
- Extensions of the functions/powers of the Information Commissioner, provisions to ensure that FOI requests relating to information held electronically are dealt with effectively; etc
- Confirmation that there is a general right of access to records held by public bodies and in applying exemptions, the right of access should only be set aside where the exemptions very clearly support a refusal of access.

**Timeline: Ongoing**

**Lead: D/Public Expenditure and Reform**

**Action 3.4 – Regulation of Lobbying**

Secure Government approval for, publish and enact the regulation of Lobbying Bill. Development of a Transparency Code in relation to the transparent operation of working groups, task forces etc appointed by a Minister or Department.

**Timeline: Bill published mid 2014. Enactment end 2014.**

**Lead: D/Public Expenditure and Reform**

**Action 3.5 – Encourage, Protect and Raise Awareness of Whistleblower Duties and Protections**

Communicate and increase awareness of the role of whistleblowing, the proper treatment of whistleblowers and the availability of whistleblowing protection consistent with the Protected Disclosures legislation.

**Timeline: Following enactment of the Protected Disclosures bill**

**Lead: Lead responsibility is with D/PER. Trade unions, relevant CSOs and employer representative bodies involved.**

## **Implementation and Review Arrangements**

Primary responsibility for implementation of each of the actions in this Plan rests with the body to which lead responsibility is assigned.

D/PER will be responsible for collecting information and reporting on progress in respect of the implementation of the Action Plan.

An Implementation and Review Group (IRG) composed of representatives of civil society and Government Departments will be established to monitor and oversee progress in respect of the Plan as a whole. This group would be expected to meet at least every three months and publish a progress report on a six monthly basis.

The IRG will provide the basis for organising meetings, if required, to discuss progress in relation to particular actions in the Plan with the body to which lead responsibility is assigned.

## **Annex – Membership of Joint Working Group**

Denis Parfenov (Open Knowledge Foundation)

Antoin O’Lachtnain (Digital Rights Ireland)

Andrew Jackson (An Taisce)

Flora Fleischer (Open Knowledge Foundation)\*

Nuala Haughey (Transparency International Ireland, TASC)

Anne Colgan (Private Citizen)

**Administrator** – Claire O’Keefe

Angela Long was present at the March 6 meeting

\*Ingo Keck (Open Knowledge Foundation) replaced Flora Fleischer for the April 4 meeting.

Ivan Cooper (The Wheel) was present at the March 6 and March 20 meetings

Evelyn O’Connor (D/PER)

Conor McCann (D/PER)

Claire Martinez (D/PER)

Donal Enright (Department of Environment, Community and Local Government)

William Beausang (D/PER)