**\*To comment, press insert and comment. Or right-click where you want to add the comment.**

**This is Antoin O Lachtnain’s own reworking of the** [**draft OGP National Action Plan**](https://docs.google.com/document/d/1l2CotWwLulQ0a6zrJoniuqGq6ZGizgUvksDCKUmCPew/edit) **produced by the Department of Public Expenditure and Reform. It is presented as a point of view, and I hope we might discuss elements of it at the [weekly civil society meeting on Tuesday 25th March.](http://www.ogpireland.ie/2014/03/21/next-civil-society-meeting-tuesday-25th-march-2014/)**

[**Please also see civil society priorities for inclusion in the National Action Plan.**](https://docs.google.com/a/online.ie/document/d/1pyh05zGDvbzchGhv7L_NZ1ttmtJS0ctwPJ1ssUO4KJ8/edit)

**Other civil society working documents are available** [**here**](http://www.ogpireland.ie/documents/)

**19 MARCH 2014**

**DPER DRAFT FOR REVIEW / CONSULTATION**

**AOL’S EDITS. GO TO FILE - REVISION HISTORY TO SEE MY CHANGES.**

**Open Government Partnership**

**National Action Plan**

**Introduction**

The Government’s decision to seek membership of the Open Government Partnership 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 political 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 catastrophic 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 do not happen again.

Rebuilding this trust in institutions 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 reform. The Action Plan builds upon that foundation and provides a framework for a new phase of reforms.

**Open Government: Progress to Date**

The following have been delivered under the Program for Government to make government more open, accountable and responsive to citizens:

· **The Ombudsman Act 2012** which results in the most significant expansion in the jurisdiction of the Ombudsman in the 30 years since the original Ombudsman legislation was enacted.

·  **The Houses of the Oireachtas Act 2013** establishes a comprehensive statutory framework for the Oireachtas to conduct inquiries within the current constitutional framework.

·  **Ratification of the Aarhus Convention** The Aarhus Convention lays down a set of basic rules to promote public involvement in environmental matters. There are three pillars, access to environemental information, public participation in decisionmaking in relation tot he environment, and access to justice in relation to environmental matters. Although the European Union has been a party since 2005, Ireland ratified the Convention in its own right in 2012.

·  **Protected Disclosures legislation** incorporating best practice international standards for whistleblower protection is currently being progressed through the Houses of the Oireachtas. The legislation will play a central role in safeguarding workers who speak up to raise concerns regarding wrongdoing in the workplace.

·  **The Regulation of Lobbying Bill** which will establish a detailed and comprehensive framework for the regulation of lobbying is currently being drafted and is expected to be published by mid-2014.

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· The commencement of the next stage in the **Oireachtas reform programme** will bring major improvements to the way the Oireachtas (Ireland’s parliament) scrutinizes of proposed legislation, budgets and expenditure. It will also open up the process by bringing civil society, interest groups and experts into the legislative process at an much earlier stage than ever before.

· The Local Government Act 2014 will fundamentally reform the local government system in Ireland. The Act provides for greater efficiency in local government, and improvements to local government accountability and governance, as well as providing for local government taking the lead in economic and community development.

· As part of this program, a new National Oversight and Audit Commission for Local Government (NOAC) is being established to provide open, independent scrutiny of local government performance and in providing value for money for service delivery.

· The powers of the Office of the Director of Corporate Enforcement were enhanced by the Criminal Justice Act 2011. Witnesses may now be compelled to provide certain documents and information. New categories of white – collar crime are also identified in the act, increasing the coverage of corrupt practices.

· All government departments and offices now publish details of purchase orders over €20,000 on a quarterly basis.

· A register of all property prices is published by the Property Services Regulatory Authority since September 2012. A rent index is published by the Private Residential Tenancies Board.

· A number of localised Open Data initiatives are underway, for example in the County of Fingal.

· The Constitutional Convention was a major venture in participative democracy. The Convention was a forum of 100 people, including 66 citizens selected to be representative of the population. It is tasked with considering certain aspects of the Constitution to ensure that it is fully equipped for the 21st Century and makes recommendations to the Oireachtas on possible future constitutional amendments which will be put to the people in referenda.

## Structure of Ireland’s National Action Plan

Building upon this work, we plan to take action under three themes:

- Open Data

- Fostering Citizen Participation

- Rebuilding public trust in governmen

To underpin the work being done in these areas, we will consider what capacity-building is required to enable this work and to provide a framework for continuing engagement and development.

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

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 make it easier for the public to hold Government accountable for its performance, highlight opportunities for 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.

**ACTIONS**

**Action 1.1 – Establishment of best practice standards and developing capability around delivery of Open Data by the public service**

Best practice standards for the publication and licensing of Open Data in Ireland will be established and implemented, drawing on international best practice. These standards will cover the folowing areas: carrying out a data audit, dataset selection, publishing high-quality data, licensing, engaging data users, encouraging data reuse, evaluating impact.

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

Ireland’s Open Data Platform will be established. This website will consist of two main components:

i) A Data Catalogue that will allow citizens to search for datasets hosted by public sector bodies. [Original was very ambiguously phrased, and was unclear as to whether it allowed search for datasets or within datasets. Sentence about hosting is also very unclear and seems unhelpful]

ii) A linked data section providing high-quality linked data versions [it is unclear what is intended by this and DPER will need to clarify]

The Open Data Ireland Platform will also incorporate a facility to track feedback from citizens, for example by allowing 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.

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

The Department of [] will carry out an audit of datasets available within the public service and, on the basis of this audit, and in consultation with interested citizens, determine on an ongoing basis which high value data sets should be prioritized for publication. 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 Project, and an evaluation framework to provide assessment of the ongoing Open Data project**

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

**Action 1.5 – Establishment of a Steering and Implementation Group and Open Data Ireland Governance board**

These two bodies will be formed in order to ensure the proper management and development of Ireland’s Open Data project. The **Steering and Implementation Group (SIG)** will be responsible for overseeing the proper application of the Roadmap outlined in **Action 4**. The SIG will report to the **Open Data Ireland Governance Board** which will have general oversight over Open Data developments in Ireland. The members of the Governance Board will be appointed by [] and will be drawn from [] and the terms of reference will be determined by []. The SIG will include representation from []. The timeline for these actions will be set out in the Roadmap.

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

Ireland will sign up to the G8 Open Data Charter and will formulate a plan for the release of the high value data sets outlined in the Annex. The plan will form part of the roadmap

**2.** **Fostering citizen participation – Greater citizen consultation and involvement to strengthen democracy and improve public services**

More active consultation and participation of citizens in public administration will lead to increased oversight and accountability and to more inclusive decisions which better serve citizens. This is true at both national and local level.

In the area of decisions relating to the environment, the Aarhus Convention gives legal recognition to citizens’ rights in participate in these decisions. However, the importance of citizen participation goes far beyond environmental issues and goes beyond legal rights. We are taking steps to make citizens’ participation a cornerstone of all decisionmaking.

The proposals in this area will seek to deliver a more efficient public service as well as enhancing citizen participation in legislative and other decision-making at local and national level.

**ACTIONS**

**Action 2.1 –** **Customer improvements to be implemented - [ the proposed projects are very weak projects in terms of customer service and would best be left out. Can we propose any better existing projects to list here?]**

**Action 2.2 – Review and enhancement of complaints procedures across the public service**

The Department of [] will undertake a review of citizen complaints procedures. 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.

On the basis of this, best practices will be identified and these will form the basis for capacity building in the area of fielding and resolving citizens’ compaints.

**Action 2.3 – Assess and facilitate the potential of Open Data for greater citizen participation - [This is very weak and would seem to fit better under the Open Data heading]**

**Action 2.4 – Increase citizen participation in decision making**

The government will increase citizen participation in the legislative process through extensive engagement by the public in law making at committee level. At the pre-legislative stage, Committees will consult with citizens with expertise in the area, civic society groups and other interested groups before the Legislation is drafted.

This will entail changes to the mechanics of legislative drafting. The government will carry out a review to consider how the input of the public can be managed, considered and documented in an orderly way as part of the legislative process taking into account current best practices. This in turn will feed into the development of the public service’s capacity to maximise the benefit of the reforms.

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

The government will give greater recognition to the importance of the development of young people as citizens. The government will develop, finalise and publish the first Government policy on children and young people's participation in decision-making. This policy will address:

- the role of young people as citizens and the importance of voting and participation

- the mechanics of government, at local, national and European level and how young people can become engaged and involved

**Action 2.6 Identify and promote existing best practice (our local government action)**

Identify and promote public awareness of best practice initiatives for Local Government consultation, engagement and public participation via the new Local Community and Development Committees (LCDCs), Local Economic and Community Plans (LECPs) and local frameworks for public participation in local government, which should set out the mechanisms by which citizens and communities will be encouraged and supported to participate in the decision-making processes of the local authority.

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

The existence of adequate and effective arrangements for governance and accountability is one of the fundamental elements of a democratic system of government. The financial and fiscal crisis exposed major weaknesses and failures in government, public administration, regulation and in the way the situation was conveyed in the media and publicly debated. This National Action Plan aspires to a more open, transparent and responsive Government and the restoration of public trust, building upon the Program for Government and the progress to date.

**ACTIONS**

**Action 3.1 – Ethics Reform - [This is in both the ‘progress to date’ and in the ‘Actions’. It cannot credibly be in both. I have put it in ‘actions’]**

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 and will draw on international best practice in this area.

**Action 3.2 – Strengthening Freedom of Information**

The Government will promote the proactive publication of information by public bodies. This means that where files are considered likely to be of public interest, they will be published in advance of any specific query, so as to hasten their availability and to reduce the cost and inconvenience for both the government and the public.

The Government will provide and implement a Code of Practice for Freedom of Information (FOI) in order to improve the quality of service for requesters and in order to manage and reduce costs within the public service. [I have no idea what exactly is intended by DPERs proposed wording.]

**Action 3.3 – Regulation of Lobbying**

The government will bring forward and enact the Regulation of Lobbying Bill. This will ensure that interested parties have access to give their input into the legislative and decisionmaking process in a way that is fair and transparent to everyone. This will be enacted in a way that is coordinated with the introduction of reforms to the legislative process.

**Action 3.4 – The Role of the Whistleblower**

Ethics is not only a matter for senior decisionmakers. Every citizen has a duty to be vigilant to wrongdoing and negligence which is wasteful, corrupt or otherwise damaging to the society. The government will clearly communicate the role of the individual citizen in ensuring probity and provide clear guidance and support to ensure that whistleblowers understand the protections available and are encouraged to take advantage of them in the proper context.

## 4. Capacity Building and Future Planning

The OGP National Action Plan represents a step forward in the way Government and citizens work together for the common good and the public interest. This new initiative signals change in the way public bodies do business and in the nature of the relationship between the state and its citizens.

The public service needs to develop new capabilities in order to support this new relationship. A programme of capacity development will ensure that the new skills, knowledge, systems, attitudes and relationships on which the Plan depends are put in place to support the change for this Action Plan and beyond.

**Action 4.1**

The government will map out the core competencies for open government and citizen engagement at national and local level and identify shortcomings where they exist. This will for the basis for a programme to build and strengthen these core competencies

**Action 4.2.**

The government will provide **Best practice guidance** for all civil/public servants in all departments on open government generally, open data and citizen engagement

**Action 4.3**

A programme of **knowledge sharing** among civil/public servants and with civil society about best practice in open government, citizen engagement

**Action 4.4**

Arrangements for **monitoring and evaluating** the quality and quantum of public consultation and engagement in key sectors at national and local level will be put in place.

There will be on-going joint review and improvement of the progress of the NAP and open government generally.

Action 4.5

This monitoring and evaluation will feed into the development of the next Open Government National Action Plan. Government will consult with citizens in a timely manner to consider the priorities for the NAP for 2017-2020

# Appendix

**[I do not think this is really appropriate for the document, but have moved it to here from the front]**

**Compliance with OGP Guidelines for Public Consultation on Country Commitments**

This NAP has been developed in a manner fully consistent with the OGP Guidelines for Public Consultation on Country Commitments as summarised below

**1. Availability of process and timeline: Countries are required to make the details of their public consultation process and timeline available (at least online) prior to the consultation.**

Full details of the consultation process were published online on the Department of Public Expenditure and Reform’s website and also on the website [www.ogpireland.ie](http://www.ogpireland.ie/) website established and maintained by Transparency International Ireland to facilitate participation by civil society and citizens in the public consultation on the basis of funding provided by the Department of Public Expenditure and Reform. The Department also contacted a large number of organisations directly to advise them of the OGP consultation process and to encourage them to make submissions.

**2. Adequate notice: Countries are to consult the population with sufficient forewarning to ensure the accessibility of opportunities for citizens to engage.**

This was achieved as demonstrated by the preparation of a report on the proposals made by civil society and citizens through the public consultation process supported by the Department of Public Expenditure and Reform as well as the submissions received from a number of organisations some of which had participated in the public meetings held as part of the public consultation and some who had not.

**3. Awareness raising: Countries are to undertake OGP awareness-raising activities to enhance public participation in the consultation**

In addition to the provision of funding to support the public consultation process, the Minister for Public Expenditure and Reform has sought on a number of occasions to raise public awareness of the OGP and of the public consultation process contributing to the development of Ireland’s first National Action Plan.

**4. Multiple channels: Countries are to consult through a variety of mechanisms—including online and through in-person meetings—to ensure the accessibility of opportunities for citizens to engage.**

As summarised above, opportunities were provided to contribute to the public consultation process either online or through participation in the public meetings held as part of the public consultation.

**5. Breadth of consultation: Countries are to consult widely with the national community, including civil society and the private sector, and to seek out a diverse range of views.**

The public consultation was designed to facilitate wide consultation with civil society and the private sector. Approximately 40 non-governmental organisations participated in the public consultation and a diverse range of views were received.

**6. Documentation and feedback: Countries are to produce a summary of the public consultation and all individual written comment submissions are to be made available online.**

Following a series of public meetings during summer 2013 involving civil society groups and citizens facilitated by Transparency International Ireland with funding support provided by the Department of Public Expenditure and Reform, a report outlining a number of proposals and recommendations for Ireland’s first OGP National Action Plan was submitted to the Minister on 2 October 2013 and published.