Open Government 3rd National Action Plan
Proposed action: **Open Government Strategy**
Proposed action Start and End Date: Strategy development with oversight from the OGP Roundtable over 12 months, and implementation/review ongoing thereafter over the lifetime of the Strategy.

Who do you think would be the lead implementing Government Department(s) / agency (if known and any relevant contact details)	Department of Public Expenditure and Reform

Proposed Action Description	
What is the public problem that the proposed action will address?	The Government's commitment to developing an OGP National Action Plan (NAP) is welcome, but the tight drafting deadlines and limited timescales do not allow for the development of a long-term vision or commitments that run beyond the NAP's two-year period. As noted by then Minister for Public Expenditure and Reform, Paschal Donohue, in the 2018 OGP NAP: 'The commitments chosen by the Government for inclusion in this plan are those that can be delivered in that time'. In addition, and in our experience, few commitments are made in the NAP that have not already been set out in the Programme for Government or carried over from previous commitments. There is also little evidence of awareness and buy-in for the initiative across government.
What is the proposed action?	A commitment to developing and implementing a comprehensive, long-term **Open Government Strategy** is required if OGP commitments and wider systemic reform of transparency and accountability mechanisms are to be embedded effectively across government and the civil and public service. Development of the Strategy should begin with a public consultation and comprehensive review of, *inter alia,* record keeping, e-government (including e-procurement), and proactive publication of data and documents, with the aim of identifying areas requiring greater transparency and suggesting the mechanisms by which this can be achieved

	Among the objectives that should be considered in the course of devising the Strategy include: • **Statutory duty to make and retain official records:** This would include a requirement that all public officials make and retain accurate records of all meetings and correspondence (including text messages) and store them for as long as they are required for accountability purposes. If records do not exist, then there should be a presumption that they have been destroyed or there was negligence or maladministration. • **Proactive transparency**: This would require digitisation and proactive publication of all records held by government departments and non-commercial public bodies, subject to statutory data protection and commercial confidentiality requirements. This Information would include details of all procurement contracts awarded and progress toward their fulfilment; calendars and agendas of all office holders, including Chief Executives of Local Authorities; and records of meetings between lobbyists/interest groups and senior officials or Ministers. • **Legislative footprint**: The Houses of the Oireachtas Commission, in collaboration with the Standards in Public Office Commission, should consider creating a web-based 'legislative footprint' to allow the public to see the input of different groups and individuals in shaping laws. This would involve the cross-referencing of information using hyperlinks to returns made by lobbyists recorded on the register of lobbying, as well as published submissions in response to public on the relevant legislation on the relevant Bills and Acts page of the Oireachtas website. It is worth noting that the government made a commitment to introduce a legislative footprint in its [first Open Government Partnership National Action Plan](#). The OGP Roundtable would oversee the drafting of the Strategy over a twelve-month period, with Government seeking cross-party support on its contents.
How will the proposed action to solving the public problem?	The Open Government Strategy would be far more ambitious than a NAP in guiding future commitments to

	open government standards. Rather than rearticulating or reframing existing commitments, or focussing on specific actions (e.g., previous objectives such as a Register of Beneficial Ownership, commitment to climate policy transparency etc.), the Strategy would set aspirational, long-term, strategic goals for transparency and accountability, with these aims underpinning the objectives of subsequent NAPs. It would provide a framework beyond the lifetime of a particular cycle or government and set out an overarching roadmap for open government in Ireland. In doing so, the Strategy would address the interconnected problems, outlined above, of the NAP's short-term horizon and the need for ambitious targets.
	A longer-term Open Government Strategy would also raise awareness of open government ideals and the direction of travel in this respect, and would require greater ongoing buy-in across government. Strategic aims such as proactive transparency would require a wholesale cultural shift, complementing the NAP's commitments to specific actions by designated stakeholders. Reviews of the Strategy and its implementation would ensure that the broader principles of open government are embedded across Government and State activities, where the NAP review mechanism would continue to evaluate the implementation of discrete objectives.
Describe what successful implementation of the proposed action would look like?	The successful implementation of an Open Government Strategy would see the principles of transparency, civic participation and public accountability embedded into all government/public body activities. For instance, strategic aims such as proactive transparency and stronger obligations in relation to retaining records would contribute to normalising transparency and accountability as core responsibilities of all actors in all public bodies. As a long-term and overarching document, the Strategy would act as the roadmap guiding the ongoing shift toward a culture of accountability and would inform the development of specific, short-term objectives and discrete responsibilities during the two-year lifetime of the OGP NAP.
	The use of digital tools will be crucial to proactive transparency, both in terms of the initial collection/retention of information and in making it easily accessible in a form

	that can be readily used for comparison and analysis. The successful implementation of the Open Government Strategy would see these factors taken into account as a fundamental success factor in project planning and delivery, and wider use of user-friendly technologies in the publication of information. The impact of a comprehensive, long-term Open Government Strategy could be measured through, for instance: • a snapshot overview of the current level of transparency (e.g., extent of active public disclosure of data etc.) that allows for impact analysis; • a similar exercise (or component of the overview) assessing the digital accessibility of information; • a baseline survey assessing awareness of open government principles and commitment to them among those working in the sector, as well as the experiences of members of the public, with a follow-up evaluation of attitudes and experiences at a suitable interval following the implementation of the Strategy.
Which Open Government value(s) does your proposed action relates too?	<table><tr><td></td><td>Yes</td><td>No</td></tr><tr><td>*Transparency* *(i.e. access to information)*</td><td>x</td><td></td></tr><tr><td>*Civic participation*</td><td>x</td><td></td></tr><tr><td>*Public accountability*</td><td>x</td><td></td></tr></table>
Describe how this proposed action is relevant to the Open Government value(s) identified?	The Open Government Strategy would aim to put in place the infrastructure across government to make more information more readily accessible to the public and to place the values of transparency and accountability at the core of all activities. In creating stronger requirements for record-keeping, requiring records to be made publicly available as a matter of course, and making full use of digital tools to link, compare and analyse information, the Strategy would reinforce civic participation in the democratic process by equipping members of the public with an understanding of the elements at play in policy-making as well as the information and tools to make their own contribution.

What Sustainable Development Goal does this proposed action relate too (if known)?	SDG 16: Peace, Justice and Strong Institutions • Target 16.5: Substantially reduce corruption and bribery • Target 16.6: Develop effective, accountable and transparent institutions • Target 16.7: Ensure responsive, inclusive and representative decision-making • Target 16.10: Ensure public access to information and protect fundamental freedoms
Additional information *(if known)*	Additional recommendations aimed at promoting transparency and accountability have been made in numerous TI Ireland publications and submissions since 2009 – all of which are available at https://www.transparency.ie/resources.

Suggested next steps and milestones to guide implementation *(Don't forget to capture and detail any public facing element desired; e.g. stakeholder engagement)*	Who / What organisation *(if known)*	When *(if known)*	Additional info.
Review of current record-keeping obligations	DPER		
Assessment of *status quo* regarding proactive transparency, e.g. which FoI bodies are in line with Model Publication Scheme requirements, existing good practices in areas indicated etc.	DPER		
Legislative Footprint	DPER		
Assessment of transparency culture/knowledge of OGP initiative and open government principles across government	DPER		
Development of Open Government Strategy	OGP Roundtable		

Contact information	
Lead contact name (required)	John Devitt
Organisation (if applicable)	Transparency International Ireland
Role title (if applicable)	Chief Executive

Email and Phone (required)	jkdevitt@transparency.ie, 086 173 5040	

Special interest and/or policy area of expertise (optional)	Corruption/Anti-Corruption; Transparency; Whistleblowing; Public Sector Ethics		

		Yes	No
For GDPR purposes (required)	We would like your permission, by marking yes or no, to retain your contact details in order to provide you with updates in relation Open Government in Ireland; e.g. launch of the National Action Plan; invitation to participate activities in your areas of interest; future relevant consultations; etc.	<u>Yes</u>	No

Other Actors Involved	Government Ministries, Department/Agency	The Department of the Taoiseach should play a leading role in promoting and communicating the Open Government Strategy to all key stakeholders (including all Government Departments) with day-to-day responsibility resting with the Department of Public Expenditure and Reform.
	CSOs, private sector, multilaterals, working groups	

Transparency: Publication and Freedom of Information Act	*The Open Government Round Table will publish a list of who/what organisations made submissions.*
	All submissions received are subject to the provisions of the Freedom of Information Act. In the interests of transparency, the Open Government Round Table may decide to publish the submissions in full. Please indicate (using insert comment function) if you believe that any part of this submission should be redacted with the legislative reference.