



UK OPEN
GOVERNMENT
CIVIL SOCIETY NETWORK

UK Open Government Civil Society Network Response to the Draft UK Open Government National Action Plan 2018-20

October 2018

The document outlines the UK Open Government Civil Society Network (OGN) response to the public consultation on the draft UK Open Government Action Plan 2018-20.

I. About the OGN

The UK Open Government Civil Society Network is a coalition of active citizens and civil society organisations committed to making government and other powerful institutions work better for people through enhanced transparency, participation and accountability.

The OGN was formed in 2012 by members of UK civil society in response to the UK Government being a founding member of the [Open Government Partnership](#) (OGP). We collaborate with and challenge the UK government to develop and implement ambitious open government reforms. We have previously partnered with the government to develop the UK's [2013-15](#) and [2016-18](#) Open Government Action Plans.

II. Timing of the Process of the UK Open Government Action Plan 2018-20

We welcome the launch on 5 September 2018 of the month-long public consultation on the draft Action Plan. Since then, we have been working to encourage and ensure a broad spectrum of civil society engagement and feedback on the draft.

We note however, that the UK Open Government Action Plan 2018-20 will be completed after the [31 August 2018 deadline](#) set out by the Open Government Partnership. This means the delay in adopting a final Action Plan will leave less time to implement commitments.

Once this public consultation period has ended, we urge the Government to act upon the feedback provided without delay, and to formally publish the final plan as swiftly as possible.

III. UK Commitment to Open Government

We are encouraged by [the commitment of the UK Government](#) to continue supporting open government reforms around the world. The announcement, at the OGP Global Summit in Tbilisi, of a £12 million programme of support over three years for the OGP is to be welcomed. This will help to ensure the principles of transparency, participation and accountability are turned into reality for global public benefit.

However, it is important that this global commitment is also reflected back home. Previous reforms - be they adopting the Open Contracting Data Standard (OCDS), unique identifiers for grant funding data, or creating a publically available register of beneficial owners of companies registered in the UK - have made the UK a global leader on open government. The beneficial ownership register has had, and continues to have, an important global impact.

To match the impact of previous plans, civil society and reformers inside government have been working to develop ambitious and transformative commitments. However, there has been a lack of high-level ministerial interest in such commitments. We are encouraged following our meeting with Margot James, Minister for Digital and Creative Industries, on the same day of the launch of the consultation, that demonstrated renewed ministerial interest in the Action Plan and its successful implementation.

We look forward to developing a successful and effective relationship with the Minister that will bring ambitious and transformative open government reform.

IV. OGP Independent Reporting Mechanism Recommendations

The Independent Reporting Mechanism of OGP (OGP IRM) enables a holistic analysis of the process of previous action plans and the ambition and impact of commitments. The OGP IRM researcher for the UK, Dr. Ben Worthy, [made a series of recommendations that came out of the previous action plan \(2016-18\)](#). The IRM Progress Report for the 2016-28 Action Plan recommends:

- A Parliamentary committee (and respective other devolved equivalents) to oversee transparency policies
- High profile intervention or event in support of the OGP process
- A focus on more information and data on the impact of Brexit on everyday life
- Continue to experiment with new ways of engaging civil society organisations
- High profile cross-cutting 'signature' reforms that are cross-cutting and high-profile (of a kind seen in the third action plan such as beneficial ownership)

The OGN reiterates its support for actions in relation to these recommendations be addressed by the Government in feedback to this consultation, or in the Action Plan.

V. Feminist Open Government

OGP has initiated [a strategic push to promote thematic priorities](#) to help OGP participating countries tackle issues that will make a real difference in the lives of citizens. In 2018, a core objective of OGP

is to promote the uptake of ambitious reforms in a focused set of thematic priorities through national and local action plans.

One of these priorities has been for OGP to work with governments to streamline [gender](#) into open government commitments. For the UK, this could incorporate a commitment to implementing section 106 of the Equality Act that deals with collecting diversity data of election candidates. More broadly, the UK should review how it plans to include gender better in open government work in the UK.

But gender goes beyond just encouraging more gender commitments, to thinking also about applying a gender lens throughout the co-creation and implementation process.

We call upon the UK government to approach the rest of the development and implementation of the Action Plan with a gender perspective, keeping in mind the next OGP Global Summit to be held in Ottawa, Canada in May 2019. This may include, but not limited to, addressing the gender aspects of open data- or transparency-related commitments, and/or ensuring women's participation in policymaking.

VI. Commitments in the draft Action Plan

The OGN is disappointed with the contents of the current draft of the UK Open Government Action Plan 2018-20.

This draft is nowhere near as ambitious or transformative as previous Action Plans, and jeopardises the UK's role as a world leader on open government if the Action Plan were adopted in its current state.

As a first step, commitments currently in the draft Action Plan could be strengthened if they were to have greater political support behind them to drive forward more ambitious objectives. A second step would be to clarify the commitments so that they are specific, measurable, assignable, realistic and time-related, and take into account the recommendations made in the recent IRM Report. Many suggestions have been made in the Google Doc as part of the public consultation that address these two issues. It is important that the UK Government take seriously the responses provided in the consultation, and aim to incorporate these. Where Government has decided not to incorporate feedback, it should explain why this is the case.

Furthermore, the OGN reiterates its recommendation for addressing the lack of Freedom Of Information (FOI)-specific commitments. A commitment on this topic could address extending the scope of FOI so that it covers private bodies delivering public services. This is reinforced by the Information Commissioner's suggestion that the Government needs to modernise the Freedom of Information Act to restore "the public's right to know irrespective of whether the service is delivered by public, private or third sector organisations". It should ensure citizens are able to access information about public services regardless of whether they are delivered by the state or through private entities.

There is also potential to develop a commitment to collect and publish data related to cases of corruption. This is linked to a broader need for enhanced digitalisation and transparency in UK courts. A commitment related to data collection and publishing in standardised and open formats will enable civil society and government to better monitor impact on corruption legislation and develop effective policy.

VII. Conclusion

With major constitutional changes underway as a result of Brexit, the draft UK Open Government Action Plan 2018-20 is an important opportunity to address serious and necessary reform to enhance transparency, participation and accountability in UK institutions.

An ambitious Action Plan will mean we maintain our global role as an open government world leader, but also ensure that UK citizens can enjoy the benefits of a more open government that is ever-more transparent, participatory and accountable.

The Open Government Civil Society Network looks forward to the Government's response to the comments and feedback on the draft Action Plan. We are ready to collaborate with government to ensure ambitious and transformative commitments form part of a robust plan to tackle the challenges faced by the UK.

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