

Multi-Stakeholder Forums on Open Government Across the Open Government Partnership: Lessons and Recommendations for Canada

By: Dr. Mary Francoli

Associate Dean & Director, Kroeger College of Public Affairs
Carleton University
mary.francoli@carleton.ca

Table of Contents

Introduction	3
Objective.....	3
Methodology.....	4
Limitations	5
Findings.....	6
Names and Models	6
Composition	7
Recruitment and Member Selection	7
Meeting Frequency	7
Duties.....	8
Onboarding	8
Conclusions and Recommendations	10
Resources	11
OGP Research and Guidance	11
MSF Terms of Reference	11

Introduction

A collaborative approach to governance is foundational to the vision and principles guiding the Open Government Partnership (OGP). OGP's original *Articles of Governance* set out participation and co-creation requirements that members must meet in the development and implementation of their open government action plans.¹ In 2017, OGP adopted the *OGP Participation and Co-Creation Standards* to support participation and co-creation by civil society at all stages of the OGP cycle. This includes the development of a National Action Plan (NAP), its implementation, and its evaluation. All OGP members are expected to meet these standards. They aim to raise ambition of open government commitments and quality of participation during the development, implementation, and review of OGP action plans. The standards now form part of OGP's Articles of Governance.

The Participation and Co-Creation Standards, require each member country to develop a multi-stakeholder forum (MSF) to oversee the OGP process. At minimum the MSF is expected to:

- Meet 4 times per year;
- Accept inputs and representation on the NAP process from any civil society or other stakeholders;
- Provide opportunities for remote participation for at least some meetings and events to enable the inclusion of groups unable to attend in person;
- Conduct outreach and awareness-raising activities to relevant stakeholders to inform them of the OGP process.

The OGP's Independent Reporting Mechanism (IRM), the independent body assessing member performance and compliance with OGP processes, collects some information on MSFs. That said, there is still much to be learned about MSFs in the OGP context to help ensure that the collaborative vision of the Partnership is fully realized.

Objective

The broad objective of this study is to learn more about MSFs in the OGP context. More specifically, it seeks to identify the composition, selection, and functioning of MSFs across OGP. This will provide TBS insight into how the Canadian MSF compares, and will potentially identify opportunities and considerations for future change. The researcher was asked to look specifically for information regarding the onboarding of new members.

This report proceeds with an overview of: the methodology used to gather information and data about MSFs, the limitations of the study, the findings of the study, and finally conclusions and recommendations for future changes to the Canadian MSF, opportunities for participation with OGP, and issues requiring further study.

¹ OGP Articles of Governance, Retrieved from: https://www.opengovpartnership.org/wp-content/uploads/2019/06/OGP_Articles-of-Governance_2019.pdf, Accessed April 12, 2022.

Methodology

This study used a mixed method approach to meet its objective. Much of the data was gathered using a documentary research approach. All 76 OGP national members were included in the study.

The documentary research included reports and data from OGP, and the OGP's Independent Reporting Mechanism. IRM reports include qualitative data on MSFs and opportunities for civic participation in all OGP processes. These were used to generate a dataset recording:

- Existence of MSF
- Inactivity/ suspensions/ contrary to OGP process
- Number of MSF members
- Breakdown of MSF members (ie. Government and non-government)
- Recruitment and selection processes for MSF members
- Onboarding processes
- Frequency of MSF meetings
- Existence of a repository
- Duties/ mandate
- Notes regarding name and model

The IRM documents covered the period spanning 2016-2021. They included a range of different types of reports (design, implementation, end of term, hybrid, transitional) as the IRM refreshed its products during this time. It should be noted that OGP members have varying experience with OGP. Some were implementing their first NAP while others were working on their fifth.

Of the 76 countries included, 16 were not explored in depth as all OGP reporting was done in Spanish. Table one breaks down the status of MSF data related to the remaining 60.

Clear evidence of MSF	37
Evidence of engagement but unclear MSF	8
No clear MSF	8
Inactive/ Suspended/ Paused members	5
New NAP/ No reporting available	2
Total	60

As can be seen in Table 1, 37/60, or approximately 62% of OGP national members that were explored in depth had an identifiable MSF. This increases to 45/60, or 75% if the definition of an MSF is used more loosely to include evidence of civic engagement outside of a formalized structure. This is somewhat consistent with OGP data.² Further findings regarding the 45 cases where MSFs, or engagement structures, were found are offered later in this report. Countries where there was no clear evidence of an MSF, no reporting available, or where the member had

² OGP Vital Signs: 10 years of data in review, Retrieved from <https://www.opengovpartnership.org/wp-content/uploads/2021/12/Vital-Signs-Full-Report.pdf>, Accessed April 12, 2022.

been rendered inactive, suspended, or paused (such as in the case of Ukraine), were not explored in depth.

Where possible, terms of reference for MSFs were also identified and used to provide further information regarding the points noted above. Links to those identified are included in the resource section at the end of this report.

In addition to documentary research, this study includes outreach and unstructured interviews that were conducted with OGP staff and MSF members from New Zealand and Australia. Outreach to OGP staff allowed for insight as to the state of knowledge and availability of data, about MSFs within OGP. Interviews with MSF members were conducted specifically to provide some insight into onboarding practices. Australia and New Zealand served as useful cases as other members of the Commonwealth. They also have MSFs that have been active across cycles and which have seen a turnover of members.

Outreach was conducted with:

[Redacted]

The planning, research, and writing of this report took place between February and April 29, 2022.

Limitations

The documents drawn upon for this research do pose some limitations to the study. The IRM is in the middle of a refresh and has been changing its reporting. Given this, a range of different types of reports were included in the analysis. Some offered more detail on MSFs than others. The level of detail and quality of the reporting is also dependent on the national researchers working with the IRM, the data available to them, and their style of writing. In some cases, few details were available resulting in some gaps in the data. As such, this report does not actively quantify the practices of OGP members and uses language that simply aims to point to trends. It should be noted that while the dataset generated does have some gaps, it is the first of its kind.

The small number of interviews with MSF members also poses a limitation. Interviews were outside of the scope originally proposed for this project, but were found to be necessary given the lack of information included regarding onboarding within existing documents. That said, the few interviews conducted did provide significant information for consideration.

Finally, it needs to be recognized that the scope of the project did not include an in-depth evaluation of the Canadian MSF or interviews with any current or former Canadian MSF members. This also limited the ability to form highly specific and context driven recommendations for change.

Findings

In spite of the fact that there were gaps in the existing data, it is clear that MSFs look very different across OGP. This section highlights some of the differences found in terms of the names and models used, composition, recruitment and member selection, meeting frequency, duties and onboarding.

Names and Models

OGP members use a variety of names to identify their MSF. Few are explicitly called ‘Multi-stakeholder Forum.’ Variations of ‘Open Government Forum’ or ‘Open Government Steering Committee’ tend to be more common.

In most cases, as in the case of Canada, MSFs are somewhat ad hoc and extra-legal in that there is no legal framework establishing the group or mandating its function. Instead, most MSFs operate more informally through terms of reference that set out a mandate, member selection, procedures, and other ‘rules of the game.’ This more informal structure does have some distinct advantages. For example, it affords a flexibility to adapt. On the other hand, informal arrangements mean there is no guarantee of the Forum’s permanence and its existence can be compromised by lack of participation. Sri Lanka, for example, had a forum but it became inactive. In Georgia, CSOs withdrew from the Forum during the country’s NAP implementation period.

In some cases, MSFs are more highly formalized and are established either by law or decree. This can provide greater stability and potentially clout.³

In terms of a model, many MSFs are similar to Canada’s in that they are one group comprised of government and non-government members. However, others, follow more of a “spoke and hub” model where a smaller centralized MSF operates in conjunction with a series of thematic working groups. Membership in the groups tend to be more open. This is a model worthy of further exploration. It facilitates involvement of a wide range of non-governmental actors as participants can engage in thematic areas more tailored to their interest. This can help to mitigate problems related to unmet expectations, and leaves the smaller hub of MSFs members freer to focus on issues related to OGP process and planning.

Under some models, government members share responsibility for decision making with non-government members. In other cases, the MSF and participation of non-governmental stakeholders is purely advisory with the final decision-making power resting with government members.

³ Designing and Managing an OGP Multi-stakeholder Forum offers an overview of the advantages and disadvantages of various models for forum design (see resources).

Composition

The size of MSFs varies greatly among OGP member countries. The smallest, in Indonesia, includes only four members. The largest, in Lithuania includes 224 members. In this case, the MSF is open to anyone who wants to join. It serves as a pool of experts on matters related to open government, but has no decision-making power. Italy has a similar open format that includes hundreds of non-governmental actors. With a membership of twelve, the Canadian MSF trends on the smaller side with only 8 other MSFs within OGP having fewer members, where data on composition can be found.

Most MSFs aim for parity between government and non-government members. In part, this could be a result of IRM coding which specifically checks for parity. Canada does not have parity between government and nongovernment members. It has 8 from civil society and 4 from government. This is quite unusual. Only Italy, New Zealand, the Republic of Korea, and the United Kingdom have MSFs with larger non-governmental representation. In the cases of Italy, New Zealand, and the United Kingdom, the term MSF is being used quite loosely as there is next to no government involvement. In some cases, such as Armenia, Indonesia, Jordan, Montenegro, Papua New Guinea, and Serbia, government members outnumber the nongovernmental members.

Recruitment and Member Selection

Desk research generated less data on recruitment than it did on composition. IRM reports do code whether member selection is transparent, but in many cases there is little information on the specifics of the recruitment process and selection of members. In Canada, civil society members can either self-nominate or be nominated. It is not clear from the Terms of Reference whether there needs to be an open call when there are vacancies, or if nominations can occur at any time. There is no clear selection process or criteria for government members beyond the criteria of two will come from Treasury Board and two will come from other departments.

A similar lack of transparency around the selection of government members exists across OGP. Most emphasis and detail are placed on the selection of non-governmental members. In the large majority of cases, non-governmental members are solely responsible for the selection of new members. In some countries, no selection is required and all interested non-governmental parties are permitted to participate.

Meeting Frequency

The IRM assesses meeting frequency and OGP guidance says that MSFs should meet quarterly at minimum. Most MSFs strive to meet quarterly, but the reality has been many convene far less. It should be noted that all reports used to generate data for this study covered a period which included the COVID pandemic. The pandemic certainly had a documented impact on the work of MSFs and meeting frequency. While some were able to reframe and continue operating online, others had a more difficult time doing so.

Burkina Faso and Portugal join Canada in specifying the occurrence of bi-monthly meetings. Sierra Leone's MSF is supposed to meet monthly. All other MSFs, where documentation could be found, meet quarterly or less. Italy is an interesting exception. Its MSF meets as a plenary only once per year, but its working groups meet bi-monthly.

Duties

Those MSFs that have information available regarding the duties or functions of the group tend to have general statements about facilitating the OGP process within the country and facilitating the NAP development, implementation, and evaluation. In some respects, this mirrors some of the language in the OGP Participation and Co-creation standards. However, in practice the duties do seem to vary significantly.

In some cases, the MSF is not readily used. This seems to be the case particularly during the implementation phase of NAPs. IRM reports often note involvement which is limited to the MSF receiving briefings on the status of implementation efforts for various commitments. It is very common to see IRM evaluation of civic engagement efforts decreasing across the IAP2 spectrum, the standard used as a measure of engagement, during the implementation period of a NAP.

In other cases, MSFs play a key role in raising awareness about the OGP and in engaging citizens in consultations. MSFs that follow a "spoke and hub" model with a centralized MSF and other thematic working groups have a larger reach and opportunities for engagement. Again, however, the role of the MSF seems to be clearer, and the groups more active, during the NAP development phase.

Onboarding

Onboarding is an important consideration in a well-managed MSF. However, beyond noting that induction material for new members should be available⁴, OGP does not provide a lot of guidance regarding good practices in onboarding. Indeed, there is a knowledge gap here that would benefit from peer learning within OGP. This is something Canada could bring forward for discussion at future OGP events such as Open Government Week, an OGP global summit, or a regional summit.

The terms of reference for the Canadian MSF does state: "New members will be provided with appropriate information and training to ensure common understanding and expectations. This support will include a scheduled call with incoming members."⁵ While this is a more explicit nod to onboarding than is provided in other OGP member countries, it still lacks specificity.

⁴ OGP Designing and Managing MSFs, Retrieved from <https://www.opengovpartnership.org/wp-content/uploads/2016/09/Multistakeholder-Forum-Handbook.pdf>, Accessed April 12, 2022.

⁵ Canada, MSF Terms of Reference, Retrieved from <https://docs.google.com/document/d/1iq4osem8rNeuUDsAKH-d7b0RkNkMaAhisxT4LcpYni4/edit>, Accessed April 10, 2022.

Only two other OGP members were found to mention onboarding or training in their terms of reference. Côte d'Ivoire noted some training sessions would be available for members who were going to lead consultations. The Morocco Steering committee handbook states that leaving members will ensure transfer of skills to new members but does not say how. Given this lack of information, interviews were conducted with MSF members in New Zealand and Australia to provide a bit more of a robust starting point that can be built on by future qualitative studies.

It is important to note that while the IRM has coded New Zealand as having an MSF in the form of its Expert Advisory Panel (EAP), the members of the EAP do not see their group as a true MSF. Apart from one government representative, it only includes non-governmental members and is truly just advisory in function. [Redacted], stated that there had been no formal onboarding until four new EAP members got together and demanded some form of induction. Following this, they were presented with some formal documentation outlining how OGP works. From his point of view there has been high turnover of public service staff and no clear onboarding for the public service representative on the EAP. In some cases, they have reached out to EAP members for information.

In the absence of any formal onboarding, some EAP members have taken the initiative to develop their own orientation. It has been done in a very informal manner with existing EAP members taking new members out for dinner. Members have met informally outside of scheduled EAP meetings.

An interview was also conducted with [Redacted] MSF. [Redacted] has been involved with the OGF since its creation. There was no induction for the first round of members. However, those who comprised the MSF membership had prior experience and involvement with Australia's NAP and as such had some degree of awareness and familiarity with OGP. It is thought that such awareness minimizes the need for a great deal of onboarding.

When the OGF was recruiting its next MSF members, a one-day workshop was held with outgoing and incoming members. According to [Redacted], this was a useful event as it gave incoming members an opportunity to ask questions and afforded a much higher level of engagement with the work of the OGF than simply reading documentation.

Outside of the transitional workshop, [Redacted] stressed the importance of ensuring that good information is available to incoming members. If repositories, required by OGP, are well done, such information should be readily available. That said, an induction package with links to relevant information, communication channels, preferred social media tags, etc. would serve as a useful reference guide.

It is noteworthy that the MSF members from Australia and New Zealand stressed the importance of previous engagement with the national OGP process. In their view, this provided a useful background and experience that changes the onboarding needs. In this case, less information about OGP and the state of the national NAP is required and onboarding can focus more on the administration and logistics of the group. In this sense, onboarding can be thought of alongside other discussions on how to increase engagement with OGP more generally.

Conclusions and Recommendations

This study demonstrates that MSFs vary greatly across OGP members. What works for one member might not work as well for others. Effective functioning is dependent on how OGP has been set up within a country, on the legal frameworks available for institutionalizing OGP, and the state of civil society. Existing documentation places limits on our understanding of MSFs, and particularly with respect to their onboarding, recruitment, and other administrative and logistical aspects that may not be as publicly facing as the work of the MSF itself. That said, the initial scoping and research offered here does allow for some recommendations for consideration:

1. Consider whether there is a legal structure that could give the MSF a more formal voice and authority. A formal legal structure adds an element of formality. Roles for participation are clear, as are rules for documenting and sharing information, which minimizes pressure for formal onboarding processes.
2. Review the model/set-up of the MSF in more detail and consider a 'spoke and hub model' where there is a centralised MSF comprised of governmental and non-governmental members, and a number of working groups or thematic clusters. Under such a model the centralized group would have some decision-making functions in terms of identifying themes for the working groups, approving minutes, etc. Working groups, meanwhile, can be open more widely to non-MSF members, but would report into the MSF.
3. Roles of MSF members, non-MSF participating civil society, chairs, co-chairs, thematic leads, and everyone connected to the MSF need to be very clearly defined to avoid unmet expectations. This included the need to clearly elaborate decision-making roles, advisory roles, and timelines. While this can aid with group cohesion, it can also form a vital component of onboarding documentation for new MSF participants.
4. Use the OGP's peer learning mandate to raise discussions about the functioning of MSFs and onboarding. OGP does not provide a lot of guidance regarding good practices for onboarding. Indeed, there is a knowledge gap here that would benefit from peer learning within OGP. This is something Canada could bring forward for discussion at future OGP events such as Open Government Week, an OGP global summit, or a regional summit.
5. Ensure good and up-to-date information regarding the MSF and the OGP process is available.
6. Conduct further research that specifically includes previous and current Canadian MSF members to allow for more detailed and context specific recommendations for change.

Resources

OGP Research and Guidance

OGP Articles of Governance, https://www.opengovpartnership.org/wp-content/uploads/2019/06/OGP_Articles-of-Governance_2019.pdf

OGP Vital Signs Report, https://www.opengovpartnership.org/wp-content/uploads/2021/12/Vital-Signs_Full-Report.pdf

OGP Participation and Co Creation Standards, <https://www.opengovpartnership.org/ogp-participation-co-creation-standards/>

OGP Designing and Managing MSFs, <https://www.opengovpartnership.org/wp-content/uploads/2019/06/Multistakeholder-Forum-Handbook.pdf>

OGP National Handbook: Rules + Guidance for Participants, <https://open-alliance-admin-assets.s3.eu-west-2.amazonaws.com/documents/openalliance6.pdf>

OGP Participation and Co Creation Toolkit (note currently being updated), https://www.opengovpartnership.org/wp-content/uploads/2018/05/OGP-Participation-Co-Creation-Toolkit_ARCHIVE.pdf

MSF Terms of Reference

***Note: Not all documents are in English or French. Translation software was used to read those not in English.**

Australia: Open Government Forum Terms of Reference, <https://ogpau.pmc.gov.au/sites/default/files/files/og-forum-terms-of-reference-280820.docx>

Georgia: Open Government Interagency Coordination Council, https://ogpgeorgia.gov.ge/upload/pages/38/FileManager/Eng_OGP-Council_Statute.pdf

Georgia: OGP Georgia Forum, <https://ogpgeorgia.gov.ge/en/about-the-forum/>

Italy: Open Government Forum Italy: see Annex for Terms of Reference, <https://open.gov.it/wp-content/uploads/2016/10/2016-10-07-3rd-NAP-Italy-English-version.pdf>

Kyrgyz Republic: National Open Government Forum Terms of Reference, <http://ogp.el.kg/en/normative-acts>

Morocco: Terms of Reference not publicly available electronically, but provided to TBS.

NZ Terms of Reference, <https://ogp.org.nz/assets/Resources/eap/expert-advisory-panel-terms-of-reference-1.pdf>

Portugal: Bylaws for the Portuguese MSF, [https://ogp.eportugal.gov.pt/documents/48760/55198/AMA Estatutos RedeNacionalAdministracaoAberta_20181114.pdf/01cc597f-3e1f-03ce-78cf-54310ce22477](https://ogp.eportugal.gov.pt/documents/48760/55198/AMA_Estatutos_RedeNacionalAdministracaoAberta_20181114.pdf/01cc597f-3e1f-03ce-78cf-54310ce22477)

Romania: Terms of Reference for MSF, <http://ogp.gov.ro/nou/wp-content/uploads/2020/12/MEMO-4.pdf>

United Kingdom: OGN Manifesto 2018, <https://www.opengovernment.org.uk/resource/uk-ogn-manifesto-2018/>

United States: Interagency Open Government Community of Practice, <https://digital.gov/communities/open-gov/>