
Open Government National Action Plan

Round Table establishment and Terms of Reference

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1. Background

An Open Government National Action Plan Round Table is being established pursuant to the Irish Programme for Government: Our Shared Future¹ commitment to *‘continue and reinvigorate participation by the public sector in Open Government Partnership’* and the Open Government Partnership’s basic requirement to *‘identify an existing or new forum to enable regular multi-stakeholder consultation on OGP implementation’*².

2. Research and International Best Practice

Ireland is a member of **Open Government Partnership (OGP)**. This is an internationally recognised approach³ enabling civil society and public service to come together to co-create two-year action plans with commitments to enhance transparency, accountability and public participation in government. All OGP governments sign on to the Open Government Declaration. OGP’s Independent Reporting Mechanism (IRM) monitors all action plans throughout their two-year cycles to measure progress on commitments. There are 78 countries and a growing number of local governments—representing more than two billion people—are members of OGP. Collectively, more than 4,000 commitments have been made globally.

Ireland is an active member of the **OECD Open Government Working Party**⁴ which supports governments by gathering data enabling comparative benchmarking and by designing and implementing policies by providing policy advice and recommendations on how to integrate these core principles into public sector reforms.

3. Purpose of Round Table

The purpose of the Open Government National Action Plan Round Table is to collaboratively work to further enhance open government which is ‘a culture of governance that promotes the principles of transparency, integrity, accountability and stakeholder participation in support of democracy and inclusive growth’ and to meet the Open Government Partnership’s basic requirement to *‘identify an existing or new forum to enable regular multi-stakeholder consultation on OGP implementation’*.

The Round Table will actively contribute to creating a project plan; actively consider how best to consult the public and shape/design commitments leading to a draft Open Government National Action Plan, taking account of the available resources of government, in accordance with the Open Government Partnership process. It will monitor and report on the implementation of the Action Plan. It will approve Self-Assessment Reports and may make recommendations to the Public Service Management Group and the Public Service Leadership Board (and any of their successors,

¹ Government of Ireland (2020), ‘Programme for Government: Our shared Future’, page 122. Available at [gov.ie - Programme for Government: Our Shared Future \(www.gov.ie\)](https://www.gov.ie/en/programme-for-government-our-shared-future/)

² Open Government Partnership website at <https://www.opengovpartnership.org/multistakeholder-forums/>

³ Open Government Partnership website at <https://www.opengovpartnership.org/about/approach/>.

⁴ OECD Open Government is available at <https://www.oecd.org/gov/open-government/>.

if applicable) and then the Minister for Public Expenditure and Reform on Ireland's participation in the Open Government Partnership

4. Membership of Round Table

It is proposed that the Round Table will be co-chaired by a Public Service and Civil Society member. It is proposed that the Round Table comprise a maximum twelve ordinary members and should seek to have equal representation, with at least three ordinary member seats reserved for 'Civil Society' participants and three for Public Service participants. Members will be expected to be experienced in the policy areas relevant to open government.

5. Remuneration of Round Table

As is the norm for similar groups, members of the Round Table will not be paid and will not be provided with expenses. It is anticipated that the Round Table may adopt a blended approach to its way of working to leverage the benefits of online working, in particular the potential wider diversity and geographic spread of representation.

6. State Boards Process

This is a non-statutory round table. Its decisions are not legally binding and the Round Table is not subject to the Code of Governance covering State Boards. Furthermore membership does not attract remuneration and/or expenses. In such circumstances, it is not subject to the State Boards process.

7. Appointment to the Round Table

The Round Table members will be recruited using an expression of interest mechanism advertised on the Department of Public Expenditure and Reform's website and through Civil Society networks.

For the first call, the interim Civil Society Members of the Round Table will assess the quality of expressions of interest and publish their determination on which candidates meet the eligibility criteria. The Round Table Civil Society composition should seek ensure a balance across the relevant policy areas within Open Government Partnership and from small and large representative organisations. The Public Service members will be invited by the co-Chairs, according to the policy areas in focus.

The Round Table will be co-chaired by a Civil Society member and Public Service member. It will seek to have a maximum of 12 ordinary members with equal representation from the Civil Society (i.e. outside the Public Service) and the Public Service. There should be at least three ordinary member seats reserved for Civil Society participants and three for Public Service participants. Participation in the Round Table will be restricted to people outside the party political system who can demonstrate expertise, or the ability to represent citizen groups, relevant to the Open Government Partnership's objectives of promoting: (i) Government Transparency; (ii) Civic Participation (iii) Public Accountability and (iv) Technology & Innovation for Transparency and Accountability.

Appointments will generally be made for a period of two years, although one third of members will be requested to serve for three years to ensure continuity. A member may resign from the Round Table by notifying the co-Chairs in writing in accordance the Terms of Reference attached.

8. Integration with Governance Structures

The Round Table is advisory in nature. The formal governance structure for approval of Public Service-wide initiatives shall reside with the Public Service Management Group and the Public Service Leadership Board (and any of their successors, if applicable). The advisory, non-binding nature of the Round Table is incorporated into the Terms of Reference, attached.

9. Frequency of Meetings

It is proposed that the Round Table will meet at least four times a year prior to scheduled meetings of the Public Service Management Group and the Public Service Leadership Board.

10. Secretariat

The Secretariat to the Round Table will be provided by the Reform Division of the Department of Public Expenditure and Reform. Officer(s) of the Reform Division will be expected to report progress to the Round Table as part of their official functions in accordance with the Terms of Reference.

Appendix 1

TERMS OF REFERENCE – THE OPEN GOVERNMENT PARTNERSHIP NATIONAL ACTION PLAN ROUND TABLE

This document outlines the terms of reference of the Open Government National Action Plan Round Table, thereafter referred to as the Round Table.

The Round Table is being established to progress the Programme for Government: Our Shared Future⁵ commitment to ‘*continue and reinvigorate participation by the public sector in Open Government Partnership*’ and to meet the Open Government Partnership’s basic requirement to ‘*identify an existing or new forum to enable regular multi-stakeholder consultation on OGP implementation*’⁶.

PURPOSE

1. The purpose of the Open Government Partnership National Action Plan Round Table (known hereafter as the Round Table) is to collaboratively work to further enhance open government which is “a culture of governance that promotes the principles of transparency, integrity, accountability and stakeholder participation in support of democracy and inclusive growth”⁷ in a manner aligned with the Open Government Partnership’s requirement to ‘*identify an existing or new forum to enable regular multi-stakeholder consultation on OGP implementation*’⁸.
2. The Round Table will actively contribute to creating a project plan; actively consider how best to consult the public and shape/design commitments leading to a draft Open Government National Action Plan, taking account of the available resources of government, by the end of the year. It will be reported to the Public Service Management Group and the Public Service Leadership Board (and any of their successors, if applicable) then be recommended to the Minister with responsibility for Open Government, who, after considering the draft will present it to the Government for a decision on whether or not to adopt it in early 2022.
3. The Round Table will monitor the implementation of the Open Government National Implementation Action Plan commitments.
4. The Round Table will approve Self-Assessment Reports.
5. The Round Table may make recommendations to the Public Service Management Group and the Public Service Leadership Board (and any of their successors, if applicable) and then to the Minister of Public Expenditure and Reform on Ireland’s participation in the Open Government Partnership.
6. The Round Table will encourage collaboration between the Public Service and Civil Society / Citizens and encourage multi-stakeholder engagement on issues that will invite greater levels of open government across the Public Service.
7. The Round Table will endeavour to raise awareness of the open government agenda wherever possible, mobilise stakeholders, and conduct advocacy and outreach at events and meetings, as relevant.

⁵ Government of Ireland (2020), ‘Programme for Government: Our shared Future’, page 122. Available at gov.ie - [Programme for Government: Our Shared Future \(www.gov.ie\)](http://www.gov.ie)

⁶ Open Government Partnership website

⁷ OECD definition from the ‘Recommendation of the Council on Open Government’ which was adopted on 14th December 2017. Available at [OECD Legal Instruments](http://www.oecd.org).

⁸ Open Government Partnership website

COMPOSITION, MEMBERSHIP AND CONSTITUTION OF THE ROUND TABLE

1. An interim Round Table, to initiate the National Action Plan process and facilitate the establishment of the Round Table, will be co-chaired by the Principal Officer of the Department of Public Expenditure and Reform with responsibility for Open Government Partnership and a nominee from the Civil Society members. The interim Round Table will have equal representation from the Public Service and Civil Society to a maximum of 6 ordinary members each.
2. The Round Table will be co-chaired by a Civil Society member and Public Service member.
3. The Round Table will have a maximum of 12 ordinary members with equal representation from the 'Civil Society' (i.e. outside the Public Service) and the Public Service. There should be at least three ordinary member seats reserved for 'Civil Society' participants and three for Public Service participants.
4. Participation in the Round Table will be restricted to people outside the party political system who can demonstrate expertise, or the ability to represent citizen groups, relevant to the Open Government Partnership's objectives of promoting: (i) Government Transparency; (ii) Civic Participation (iii) Public Accountability and (iv) Technology & Innovation for Transparency and Accountability.
5. The Round Table members will be recruited using an expression of interest mechanism advertised on the Department of Public Expenditure and Reform's website and through Civil Society networks.
6. The interim Civil Society Members of the Round Table will assess the quality of expressions of interest and publish their determination on which candidates meet the eligibility criteria.
7. Should there be more than six eligible Expressions of Interest, the six full term Civil Society members of the Round Table will be selected by preference votes cast by all those who submitted valid expressions of interest.
8. The Round Table Civil Society composition should seek ensure a balance across the relevant policy areas within Open Government Partnership and from small and large representative organisations.
9. The Round Table shall seek to actively celebrate, respect and recognise the value of difference in all its forms in all aspects of its ways of working. In respect of gender balance, diversity and inclusion, the Round Table will seek to adhere to the spirit of the *Code of Practice for the Governance of State Bodies: Annex on Gender Balance, Diversity and Inclusion*, including progressing towards the 40% gender balance requirement and the positive duty on public sector bodies to eliminate discrimination, protect human rights and promote equality of opportunity of their employees, customers, service users and everyone affected by their policies and plans under⁹ Section 42 of the Irish Human Rights and Equality Act 2014.
10. Ordinary members shall be appointed to their role for two years. However, to ensure some continuity, at least one third of the Round Table will be invited to serve for more than two years by the co-Chairs.

⁹ Department of Public Expenditure and Reform (2020), '*Code of Practice for the Governance of State Bodies: Annex on Gender Balance, Diversity and Inclusion*' at <https://assets.gov.ie/86870/49dd9cbc-0ef1-442f-ae50-73a00b1cbcdc.pdf>

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11. An ordinary member may resign his/her seat by notification in writing to the co-Chairs. Appropriate nominations (reflecting the balance of expertise, gender and cognisance of reserved seats) shall be sought by agreement of the Round Table to fill vacant seats and this will be supported by the Secretariat to the Round Table.
 12. The co-Chairs shall remain in place for a period of two years from the date of the first meeting, unless the co-Chairs vacates the role by notifying the membership of the Round Table before the end of that term. Thereafter, a co-Chairs shall be elected from the ordinary members and the vacated seat shall be filled to ensure the requisite balance on the Round Table.
 13. All members of the Round Table shall be unpaid. Attendance at Round Table meetings will not attract travel and/or subsistence payments by the Department of Public Expenditure and Reform.

ROLES, RESPONSIBILITIES, FREQUENCY AND WORKING METHODS

14. The Round Table will have a collaborative, informal and advisory character, with no authority to take binding decisions.
15. The Round Table shall meet a minimum of four times per annum.
16. Members of the Round Table will act on a voluntary basis and in an honorary and strictly personal capacity. Active and ongoing participation is expected of Members of the Round during the term of their mandate.
17. The Co-Chairs will be responsible for convening Round Table meetings, setting agendas, and summarising deliberations of the meetings with the full support of the Secretariat which shall be provided by the Public Service Reform Unit of the Department of Public Expenditure and Reform.
18. The Round Table will consider proposals submitted and/or bring forward proposals for the National Action Plan.
19. Between virtual online and in-person meetings, the Round Table members will be in ongoing communication through a dedicated mailing list or other platform in order to exchange information, advice, new initiatives, capacity-building programmes, and to organise their roles, responsibilities and activities.
20. The Round Table members will actively participate in at least one working group. The working groups will comprise relevant government officials and, subject to their availability, the proposer and relevant experts from Civil Society.
21. The Round Table will aspire to grow and develop over time into a multi-stakeholder forum as outlined by the Open Government Partnership in *'Designing and Managing an OGP Multi-stakeholder Forum - A Practical Handbook with guidance and Ideas – Executive Summary'*¹⁰.

Transparency:

22. The Round Table membership with their affiliations, terms of reference, agenda and minutes of all meetings will be published in accordance with the provisions of the Regulation of Lobbying Act, 2015.

¹⁰ Open Government Partnership website at <https://www.opengovpartnership.org/wp-content/uploads/2016/09/Multistakeholder-Forum-Executive-Summary.pdf>.

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23. The Round Table shall discuss and agree proportionate potential conflicts of interest and code of conduct procedures.
 24. Outputs of the Round Table meetings and other activities will be subject to Freedom of Information Act and will be reported to the appropriate governance structures of the Public Service Reform function, currently the Management Board; the Public Service Management Group and the Public Service Leadership Board and to any Public Service bodies which seeks an update/outputs.

SECRETARIAT

25. The Round Table will be supported by a secretariat for necessary operational and logistical support. This will be provided by the Public Service Reform Unit in the Department of Public Expenditure and Reform.
26. The secretariat shall be entitled to attend meetings of the Round Table.

Amendments tracker:

27th October 2021 - Civil Society request – page 6 replace word as follows:

7. *Should there be more than six eligible Expressions of Interest, the six full term Civil Society members of the Round Table will be selected by preference votes cast by all those who submitted ~~eligible~~ **valid** expressions of interest.*