Chapter 6

Open government: How transparency and inclusiveness can reshape public trust

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From law-making to budgeting and service delivery, efforts to embed greater openness send a clear signal of a government’s commitment to invest in trust while also improving the quality of the policy decisions made. This chapter discusses the links between openness and trust in public policy. The current move towards concepts of ‘open government’ and the even more ambitious ‘open state’ are positive signs that governments are trying to strengthen the dialogue with citizens, even if in some cases this openness can illuminate facts that can generate distrust. Guaranteeing freedom of the media is another sign of an approach to openness that helps to build trust.
Introduction

The relationship between trust in public institutions and open government policies goes two ways. First, as a foundation for government legitimacy, trust is an essential ingredient for open and inclusive policy making, given that a wide range of government actions depends on public involvement and buy-in (OECD, 2014a). Conversely, open government practices seek in part to increase levels of public satisfaction with government services, strengthen accountability, and enhance understanding of government processes and results; as such, they play a critical role in helping increase citizen trust. This chapter will explore the second of these causal relationships, focusing in particular on how open government policies to increase transparency and inclusiveness can help create a foundation of trust.

It is important to note that open government principles and practices serve to support both the means of public service provision (how governments provide these services, for example through consulting with citizens, encouraging their active participation, or co-delivery of public services) and the ends (the results and outcomes of services). OECD data have shown that confidence in public institutions is derived from factors beyond the conventional measures of service quality. This suggests that attention should be paid to the “how” as well as the “what” of public services (OECD, 2014b). In other words, good policy design and public service improvement may not be sufficient to restore trust if citizens are suspicious of the policy-making process and perceive the distribution of costs and benefits as unfair (OECD, 2013a).

This chapter will discuss in more detail the links between open government and trust, primarily by reviewing the principles of transparency and inclusiveness, as these have been highlighted by the literature. Also reviewed are relevant data explaining the relationship between open government policies and trust; provide relevant examples; and discuss the path foreword for the OECD’s work in this field.

Exploring the link between open government and trust

The OECD defines open government as the transparency of government actions, the accessibility of government services and information, and the responsiveness of government to new ideas, demands and needs (OECD, 2005). As such, this definition encompasses both governance processes and outcomes, as it includes the public’s interactions with the government as well as the policies that result from them. This is notable given the role that
trust in government also plays as both a foundation of public sector reforms and as an outcome of reforms, as trust influences public attitudes and decisions (OECD, 2013a). In other words, citizens generally judge democratic governments on the basis of two measures: their “democratic performance” (i.e., the degree to which government decision-making processes live up to democratic principles) and their “policy performance” (i.e., their ability to deliver tangible positive outcomes for society). More transparent and inclusive policy making can contribute to reinforcing both, and open government principles can provide useful insights around which countries can seek to build trust.

This suggests that restoring trust in public institutions requires focusing both on people’s attitudes toward government policies and the actual outcomes of government policies. While the content and effectiveness of public policies, and the quality of public services, is the primary measure around which opinions of governments are formed, the process through which policies are designed and implemented also plays a large role in the public’s attitudes toward government’s effectiveness (OECD, 2014b).

Evidence suggests that “open government” and perceptions of government effectiveness – the latter one of the key drivers of public trust – are positively related. Among OECD countries, for example, the World Bank’s “Voice and Accountability” scores – which capture the perceptions of the extent to which a country’s citizens are able to participate in selecting their government, as well as freedom of expression, freedom of association, and a free media – are positively correlated with governance effectiveness (see Figure 6.1). While the data do not necessarily imply causation or specify the direction of support, the findings do reinforce a premise underlining open government: that increasing the ability of citizens to express their opinions, shape public policies and hold their governments accountable ultimately improves the quality of government.
Countries are beginning to act upon the link between open government and trust, and apply open government principles to explicitly build trust. In the OECD Open Government Survey, 53% of all survey respondent, and 57% of OECD countries, claimed that one of the key national policy objectives they hope to achieve by implementing open government initiatives is to increase citizens’ trust in public institutions (OECD, 2016).

Transparency and inclusiveness have been identified in OECD literature as the essential means by which open government can help build public trust. Notably, the 2013 OECD Government at a Glance report emphasised the role that governments can play in supporting a systemic and comprehensive approach to enhancing transparency – providing relevant, usable information – and inclusiveness, where governments foster interactions with the public to improve accountability and engagement (OECD, 2013a). Furthermore, in the OECD’s Background Paper on Trust (OECD, 2015a), transparency and inclusiveness were highlighted as the two drivers that inform and guide government action, in that they help to ensure that relevant information is shared with citizens in an accessible and usable
manner; that actions and plans are transparent; and that a comprehensive approach to public interaction is in place.

Ultimately, more transparent and inclusive policy-making processes can help ensure that policies better reflect citizens’ desires and needs, and as such stand out as key “process values” that can enhance government responsiveness and thereby increase public trust. How open government policy principles are transformed via policy catalysts into policy outcomes, including on increasing trust in government, is shown in Figure 6.2. Given that implementing open government reforms around transparency and inclusiveness is a process, these reforms will not have an immediate effect on increasing public trust; nevertheless, they provide guidelines for governments in their efforts to harness the potential benefits of increasing citizen awareness of, and involvement in, public activities.

Figure 6.2. Open government theory of change

1. Policy principles
   - Citizen engagement
   - Transparency
   - Accountability
   - Integrity

2. Policy catalysts
   - Change management
   - Innovation
   - ICTs

3. Policy outcomes
   - Quality of public services
   - Quality of democracy
   - Inclusive growth
   - Trust in government
   - Rule of law

Source: Author’s own work.
Transparency

Promoting government transparency by providing access to public sector information, as well as by ensuring the public’s ability to use information effectively, are cornerstones of open government. By making public information and data easily available, and by taking advantage of public insights, scrutiny and input, government performance will improve via more effective policies, better regulation and higher-quality services. Transparency also helps the public gain a better understanding of policies and processes. As a result, citizens’ trust in government can be expected to increase (OECD, 2012). The critical role that transparency plays in countries’ pursuit of broader open government goals is shown in OECD data, which find that 88% of all respondents (and 86% of OECD countries) to the OECD Open Government Survey claimed that one of the key objectives they hope to achieve in implementing open government initiatives is to improve the transparency of the public sector (OECD, forthcoming).

Governments can increase transparency through a number of mechanisms. First, regulation of the right to access information is a critical step to facilitate openness and stakeholder engagement in the policy-making process. Effective legislation, furthermore, is that which provides rights and establishes the institutional framework to help ensure access. This includes measures that mandate the publication of information by public bodies (with the potential exception of some law enforcement, national security and judiciary offices); establish clear limitations on what information should not be made public; require public agencies to establish an information and documentation system to manage public information properly and efficiently; and form oversight offices to settle disputes, and report on the implementation of the law. Box 6.1 describes Brazil’s access to information law and procedures, as well as potential lessons concerning the institutional operation and monitoring of the law’s implementation.
Box 6.1. **Co-ordination for the implementation of the Law on Access to Information in the federal government of Brazil**

Brazil’s Law on Access to Information (ATI, Law 12 527/2011) regulates the constitutional right that allows citizens to obtain information from the government freely. Brazil’s ATI law states that government information is public by default and can only be denied to citizens for specific purposes, such as the protection of taxpayers’ information or to preserve national security. The law was passed in 2011 and was implemented in May 2012.

By the end of 2015, more than 300 public organisations (including companies) had made information available on request through an online platform and bureaus created in each of the organisations. Over 334 000 requests have been made and more than 99% of the requests have been answered. It takes an average of 11 days to answer a request, and information is denied less than 10% of the time.

Design – In order to help ensure widespread buy-in, the ATI law was designed with the involvement of central government organisations, as well as with agencies that hold a large amount of confidential documents and those that could expect the bulk of the requests.

Planning – Each public organisation was required to prepare a roadmap to facilitate implementation of the law. The roadmaps established deadlines for tasks, such as nominating the responsible representatives, organising information within the agency, creating internal processes to answer to requests, etc.

Co-ordination and monitoring – The Office of the Comptroller General (CGU) is charged with co-ordinating and monitoring the implementation of the law and sharing good practices. The CGU gathers data on the performance of each organisation and tracks the number of requests and answers, the profile of the requesters, popular topics and other relevant information. Reports on the performance of each organisation are available publicly.

Training – Agencies and public companies were offered staff training by the CGU. Courses included procedures, how to use the web platform, and legal issues.

Procedures – The procedures to make and respond to information requests and appeals are detailed in regulations put forth by the federal government. Each government unit was obligated to create a Service of Information to Citizens Office (Serviço de Informação ao Cidadão, or SIC) to manage requests and provide support to citizens. An online platform called e-SIC (sic.gov.br) allows citizens to make information requests to any agency. Citizens can use the platform to make requests and receive answers, make appeals, save their requests and access the database with questions and answers from others. In part due to the flexibility provided by e-SIC, 85% of Brazil’s 5 570 municipalities have at least one active information requester.
Access to information can also be supported by explicit government efforts to design and implement Open Government Data (OGD) within the broader framework of digital government and transparency policies. OGD refers to the release of data collected and produced by public organisations while performing their tasks, or to data commissioned with public funds. It is released in open formats that allow for their free use, reuse and distribution, subject only to (at most) the requirement that users attribute the data and that they make their work available to be shared (Ubaldi, 2013). The legal basis for OGD can be different from the laws and processes concerning access to information.

Nevertheless, even comprehensive policies, regulation and legislation that guarantees access to public information and that lays out the institutional structure is not sufficient to ensure transparency. Governments must also provide for effective and transparent implementation, for example by establishing and funding the necessary physical and electronic infrastructure so that information is widely accessible. Finally, governments have to consider usability and technical issues that can prohibit access to information. Indeed, a major obstacle to more comprehensive access remains governments’ use of old or poor-quality data, or of reporting formats that do not allow data to be reused easily. For example, while publishing budget data is an important step for increasing transparency, challenges remain as to how to ensure that the data are comprehensible and digestible for citizens and their representatives in the legislature. If data cannot be easily interpreted, it is unlikely that “dumping” large amounts of raw data on line will increase trust (OECD, 2015b). Data availability must also be paired with effective whistleblower protection and freedom of the press, so that the insights gained can be shared.

The importance of transparency to increasing citizen confidence and trust is borne out by data, which show that changes in the perceived
transparency of policy making are correlated with changes in trust (OECD, 2013b). At the local level, a study from Seoul, South Korea, showed that assessments of government transparency by users of e-government services are positively associated with participants’ trust in the government that provide e-participation programmes (Kim and Lee, 2012). More broadly, Gallup’s World Poll data (2015) suggest a positive relationship between media freedom and confidence in government, which is particularly notable when media freedom scores are greater than 50% (see Figure 6.3). Similar to the relationship between voice and accountability scores and government effectiveness, as discussed above, these data suggest that increased freedom and transparency may support the public’s confidence in the government and point to the importance of addressing governance process issues of transparency and openness.

**Figure 6.3. Freedom of media and confidence in national government**

![Freedom of media and confidence in national government](https://www.gallup.com/services/170945/world-poll.aspx)

Importantly, countries are increasingly supporting some of the key elements that provide the foundation for transparency. For example, see Figure 6.4 for an illustration of how ATI laws have grown within OECD countries over the past half-century.
While the relationship between transparency and trust is clear, countries must be mindful of challenges and implementation hazards that can accompany the pursuit of increased transparency. For example, secrecy creates scarcity of information, which can provide the holders of information with an opportunity to either trade or sell information, which can in turn lead to outright corruption (Stiglitz, 2002). More transparency can also expose mistakes as well as corruption. Increased transparency, therefore, does not automatically lead to increased trust. In fact, increased transparency may at first reduce trust, as controversial information or cases of corruption are brought to light. While there is a strong case that increased transparency can play a positive role in increasing trust, it is important to be aware of both the disincentives to transparency and the risk that information comes to light that may reduce public trust in government. As part of a broader strategy to foster openness, however, increasing transparency is a key element of promoting initiatives that will assure the public that the government is open and worthy of their trust.

**Inclusion and citizen engagement**

A further open government practice that builds trust is a policy-making process that facilitates the participation of all relevant and interested actors, as trust in institutions is driven not only by the substance of policies, but also by the process through which policies are made. The way that policies
are designed and implemented matters to trust, and increasing engagement and inclusion can give governments the chance to tap into wider resources of citizens and civil society to develop better policies and, ultimately, gain more trust (OECD, 2001).

Inclusiveness, in supporting both the process and outcomes of governance, therefore has both intrinsic and functional value. It has an intrinsic value because it leads to a more active citizenry, enhances accountability and encourages debates that lead to broad consensus in support of government initiatives. This has also been referred to as “procedural justice”, which notes that the opportunity to defend interests (“voice”) is valued by disputants, even if they disagree with the outcome (Traber, 2013).

Second, inclusion gives the public the opportunity to influence the substance of the policy outcome – what can be called the functional value of citizen engagement. Such influence should lead to better policy decisions and design, thereby improving satisfaction and ultimately trust in government. More broadly, involving citizens more widely in deliberation, decision making and action also sends the message that the solutions to public issues belong not only to governments, and decreases the political risks and costs (OECD, 2009). Taken together, the process of citizen and stakeholder engagement in policy making can help legitimate resulting policies, in turn increasing citizen buy-in and overall trust in government (OECD, 2013b).

The role of open government principles in supporting citizen engagement is all the more important given the complexities and scale of governance challenges. Governments will not be able to design effective policy responses, or subsequently strengthen legitimacy and trust, without the input, ideas and insights of a wide variety of citizens. By broadening the base of support, governments can ensure that citizens have a say in the decisions that affect them, as well as reduce the risks associated with ambitious new initiatives. Public engagement therefore merits recognition as another lever of governance as it can be integrated into governance activities across the life cycle of policy development, including design, implementation, monitoring and feedback. Importantly, many public policy issues, particularly those that rely on and utilise open data (such as environmental, health care and public safety issues) – cannot be achieved without the active participation of the public. Public engagement therefore is not just desirable; it is a condition of effective governance (OECD, 2009).

The OECD defines the relationships between citizens and public administrations in increasing levels of engagement, as described below:
- **Information provision is a one-way relationship** in which the government produces and delivers information to be used by citizens. It covers both “passive” access to information upon citizens’ demands and “active” measures by government to disseminate information. Examples include allowing access to public records and developing government websites.

- **Consultation is a two-way relationship** in which citizens provide feedback to the government. While this step requires access to information and depends on citizen participation, governments still define the issues for consultation, set the questions and manage the consultative process. Examples include disseminating public opinion surveys and seeking comments on draft legislation.

- **Active participation is a relationship** based on partnership with the government, in which citizens engage in defining the process and content of policy making. Active participation acknowledges equal standing for citizens in setting the agenda, proposing policy options and shaping the policy dialogue, though responsibility for the final decision or policy formulation rests with the government. Examples include participatory budgeting and citizens’ juries (OECD, 2001).

Notably, efforts to increase inclusiveness and promote more direct and responsive relations between citizens and governments often include elements of more than one engagement type. For instance, the Regency of Bojonegoro in Indonesia has put in place weekly public dialogues (see Box 6.2). These provide both information as well as an opportunity for consultation, in that they allow citizens to both ask questions of local government representatives directly while providing the opportunity for public officials to explain their policies and disseminate information and data (OECD, 2016).
Box 6.2. Public dialogue and public information in Bojonegoro

Launched in March 2008, the Public Dialogue and Information programme in the Bojonegoro Regency takes place every Friday and is presided over by the Regent of Bojonegoro. The initiative gives the citizens the opportunity to interact directly with representatives of the local government to address governance or public services issues. The dialogue is open to the public, has an average attendance of 175 people and is simultaneously broadcast on radio. Citizens can also engage in the process through text messages to which the local government will respond. The Regency of Bojonegoro participates in the national complaint management platform and has its own open data portal. The Regency of Bojonegoro benefits from these weekly meetings to socialise open data on a range of issues, especially using simple visualisation to make data more accessible to citizens lacking data skills.

Source: OECD, 2016.

The example of the Citizen Lake Monitoring Network in the United States (see Box 6.3) shows how active participation can in turn increase the provision of public information. Programmes such as these can also be described as “co-production,” whereby citizens engage in partnerships with service professionals in the design and delivery of a public service (OECD, 2011).

Box 6.3. Citizen Lake Monitoring Network (United States)

The Citizen Lake Monitoring Network utilises over 1 000 citizen volunteers across the state of Wisconsin to support the data collection efforts of the Wisconsin Department of Natural Resources (DNR). Its goals are to collect high-quality data, to educate and empower volunteers, and to share this data and knowledge. Volunteers monitor changes in the lake and measure water quality. The DNR provides all equipment to the volunteers, and training is provided by either DNR or the University of Wisconsin. Volunteers provide their time, expertise, energy, and a willingness to share information with their lake association or other lake residents. The information gathered by the volunteers is used by DNR fisheries and water professionals as well as a wide range of local organisations and stakeholders. Volunteers are now increasingly entering the data directly on line, further reducing costs of data collection; the savings can be used to expand the network. This important environmental service would not be affordable without volunteers, and has become an embedded part of the state’s service, supporting and training a network of citizen volunteers.

It is also important to note how citizen engagement practices can inform the entire policy cycle of design, implementation, monitoring and evaluation, and reporting and feedback of public policies (Figure 6.5). Engaging citizens, civil society organisations and the private sector as partners in the policy cycle leads to higher user satisfaction and ultimately greater trust. Partnering with citizens at every stage of service planning and delivery is key to ensuring sustainable service quality improvements. Involving citizens too late can have negative effects. By involving citizens early in the policy cycle – as during the preparatory and explorative stages – citizen engagement can be much more productive. Information, consultation and active participation heighten the chances of constructive debate, better policies and more trust in government (OECD, 2001).

Figure 6.5. Stages of the policy cycle

Box 6.4 presents a number of factors that should be considered when designing consultation activities and that help prevent implementation hazards around inclusiveness. For example, public hearings and notice-and-comment provisions may only involve small or biased segments of the larger public, and often cannot clearly link input to the decisions made later. More inclusive methods of public engagement might include citizen juries, online polls, participatory budgeting processes and citizen assemblies.

Source: Author’s own work.
Another lesson to prevent cynicism and consultation fatigue is to inform participants on the results and impact of their input. For this to happen, however, consultation and participation should be conceived within an ongoing communication process between government and citizens, which in turn may lead to building trust (OECD, 2003). Ultimately, the issue is not whether people want to participate, but rather how to encourage participation in a manner that is both diverse and not overly influenced by special interest groups (OECD, 2009).

Box 6.4. Guiding principles for open and inclusive policy making

1. **Commitment** – Leadership and strong commitment to open and inclusive policy making is needed at all levels – from politicians, senior managers and public officials.

2. **Rights** – Citizens’ rights to information, consultation and public participation in policy making and service delivery must be firmly grounded in law or policy. Government obligations to respond to citizens must be clearly stated. Independent oversight arrangements are essential to enforcing these rights.

3. **Clarity** – Objectives for, and limits to, information, consultation and public participation should be well defined from the outset. The roles and responsibilities of all parties must be clear. Government information should be complete, objective, reliable, relevant and easy to find and understand.

4. **Time** – Public engagement should be undertaken as early in the policy process as possible to allow a greater range of solutions and to raise the chances of successful implementation. Adequate time must be available for consultation and participation to be effective.

5. **Inclusion** – All citizens should have equal opportunities and multiple channels to access information, be consulted and participate. Every reasonable effort should be made to engage with as wide a variety of people as possible.

6. **Resources** – Adequate financial, human and technical resources are needed for effective public information, consultation and participation. Government officials must have access to appropriate skills, guidance and training as well as an organisational culture that supports both traditional and online tools.

7. **Co-ordination** – Initiatives to inform, consult and engage civil society should be co-ordinated within and across levels of government to ensure policy coherence, avoid duplication, and reduce the risk of “consultation fatigue.” Co-ordination efforts should not stifle initiative and innovation but should leverage the power of knowledge networks and communities of practice within and beyond government.
### Box 6.4. Guiding principles for open and inclusive policy making (continued)

8. **Accountability** – Governments have an obligation to inform participants how they use inputs received through public consultation and participation. Measures to ensure that the policy-making process is open, transparent and amenable to external scrutiny can help increase accountability of, and trust in, government.

9. **Evaluation** – Governments need to evaluate their own performance. To do so effectively will require efforts to build the demand, capacity, culture and tools for evaluating public participation.

10. **Active citizenship** – Societies benefit from dynamic civil society, and governments can facilitate access to information, encourage participation, raise awareness, strengthen citizens’ civic education and skills, and support capacity building among civil society organisations (CSOs). Governments need to explore new roles to effectively support autonomous problem-solving by citizens, CSOs and businesses.


The benefits of citizen engagement are seen in results that show that public interest groups that participate more in the decision-making process report higher satisfaction with the policy outcome (Traber, 2013). Within the OECD area, data suggest that countries already widely value inclusiveness: the OECD Open Government Survey has shown that 80% of OECD countries engage with citizens via consultation; 66% of member countries pursue elements of citizen participation in policy making; 57% promote citizen participation in service design; and 49% promote citizen participation in service delivery (see Figure 6.6). As countries continue to expand the range of engagement with citizens, particularly moving from consultation to participation in service delivery, we can expect the effects on public trust to improve as well.
Conclusion

Much of the literature that discusses the relationship between open government and trust also notes that open government practices per se do not create trust, and that transparency and citizen engagement are necessary but not sufficient principles to build trust (Bouckaert, 2012). The causal link between openness and trust is not uniformly positive either, as increased openness can highlight and bring into the open facts that may cause citizens to lose trust, as well as lead to consultation fatigue. At first, reforms may lead only to the intrinsic positives of more openness and greater public accountability, which can in turn elevate the public discourse and public debate. Over time, this can lead to more responsiveness due to greater awareness of citizens’ needs and expectations, which can ultimately build trust in government and public institutions (OECD, 2009).

Much like the path to increased trust, the open government principles of transparency and inclusiveness can also be best understood as a
comprehensive process. Efforts to embed greater openness send a clear
signal of a government’s commitment to invest in trust while also having a
positive impact on the quality of the policy decisions made (OECD, 2013b).
Moving forward, the question will not be simply whether governments
should pursue reforms to expand openness, transparency and inclusiveness,
but rather how to balance and prioritise transparency and inclusive policies
throughout the policy life cycle and at all levels of government in such a
way that increases public trust. While the intrinsic value of transparency and
participation is widely supported, the OECD will continue to focus on
identifying the specific causal links and reforms that support both open
government practices and increased public trust.
References


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Further reading
