



## OECD Public Management Policy Brief

# Engaging Citizens in Policy-making: Information, Consultation and Public Participation

### Reaping the benefits ...

Strengthening relations with citizens is a sound investment in better policy-making and a core element of good governance. It allows government to tap new sources of policy-relevant ideas, information and resources when making decisions. Equally important, it contributes to building public trust in government, raising the quality of democracy and strengthening civic capacity. Such efforts help strengthen representative democracy, in which parliaments play a central role.

### ...by taking concrete steps...

In strengthening their relations with citizens, governments must ensure that:

- information is complete, objective, reliable, relevant, easy to find and to understand;
- consultation has clear goals and rules defining the limits of the exercise and government's obligation to account for its use of citizens' input;
- participation provides sufficient time and flexibility to allow for the emergence of new ideas and proposals by citizens, as well as mechanisms for their integration into government policy-making processes.

### ...to build commitment and capacity

Governments must invest adequate time, resources and commitment in building robust legal, policy and institutional frameworks, developing appropriate tools and evaluating their own performance in engaging citizens in policy-making. Poorly designed and inadequate measures for information, consultation and active participation in policy-making can undermine government-citizen relations. Governments may seek to inform, consult and engage citizens in order to enhance the quality, credibility and legitimacy of their policy decisions... only to produce the opposite effect if citizens discover that their efforts to stay informed, provide feedback and actively participate are ignored, have no impact at all on the decisions reached or remain unaccounted for.

This Policy Brief describes a range of concrete measures and suggests ten guiding principles for strengthening government relations with citizens and civil society.

## Why strengthen government-citizen relations?

OECD countries are strengthening their relations with citizens, in order to:

- Improve the quality of policy, by allowing governments to tap wider sources of information, perspectives, and potential solutions in order to meet the challenges of policy-making under conditions of increasing complexity, policy interdependence and time pressures.
- Meet the challenges of the emerging information society, to prepare for greater and faster interactions with citizens and ensure better knowledge management.
- Integrate public input into the policy-making process, in order to respond to citizens' expectations that their voices be heard, and their views be considered, in decision-making by government.
- Respond to calls for greater government transparency and accountability, as public and media scrutiny of government actions increases, standards in public life are codified and raised.
- Strengthen public trust in government and reverse the steady erosion of voter turn-out in elections, falling membership in political parties and surveys showing declining confidence in key public institutions.

## Defining government-citizen relations in policy-making

Government-citizen relations cover a broad spectrum of interactions at each stage of the policy-making cycle: from policy design, through implementation to evaluation. In reviewing this complex relationship, the OECD survey used the following working definitions:

- **Information:** a **one-way relation** in which government produces and delivers information for use by citizens. It covers both 'passive' access to information upon demand by citizens and 'active' measures by government to disseminate information to citizens.



- **Consultation:** a **two-way relation** in which citizens provide feedback to government. It is based on the prior definition by government of the issue on which citizens' views are being sought and requires the provision of information.



- **Active participation:** a **relation based on partnership** with government, in which citizens actively engage in the policy-making process. It acknowledges a role for citizens in proposing policy options and shaping the policy dialogue -- although the responsibility for the final decision or policy formulation rests with government.



## Main trends

Policy-making in all OECD countries rests on the foundation of representative democracy. Within this framework, many OECD countries have long-standing traditions of extensive citizen involvement. All are looking for new, and complementary, ways to include citizens in policy-making. Trends show that:

- **Information** for citizens is now **an objective shared by all OECD countries**. The scope, quantity and quality of government information provided to the public has increased greatly over the past decade.
- **Consultation** and opportunities for citizens to provide feedback on policy proposals is also on the rise, but at a slower rate. **Large differences remain between OECD countries**.
- **Active participation** and efforts to engage citizens in policy-making on a partnership basis are rare, undertaken **on a pilot basis only and confined to a very few OECD countries**.

## Building legal, policy and institutional frameworks

### Information is a basic precondition

Access to information requires sound legislation, clear institutional mechanisms for its application and independent oversight institutions and judiciary for enforcement. Finally, it requires citizens' to know and understand their rights -- and to be willing and able to act upon them.

- **Laws:** the trend in adopting access to information laws has clearly gathered pace in recent years. In 1980 only 20% of OECD countries had legislation on access to information (also known as freedom of information, or FOI, laws). In 1990, this figure had risen to just over 40%, and by the end of 2000 it had reached 80%. In several OECD countries, access is the rule and secrecy is the exception. All provide access to documents held by public authorities and appeal mechanisms in cases of refusal.
- **Policies:** basic legal rights are given substance through government commitment to provide objective and reliable information. Policies on both 'passive' (e.g. response times or charging) and 'active' access to information (e.g. government communications policy) are needed.
- **Institutions:** Access to information laws generally apply to all administrative units. Implementation may be co-ordinated (e.g. by central government) and subject to external oversight (e.g. by the Ombudsman).

All OECD countries must reconcile the citizen's right to know with the individual's right to privacy and the need to preserve confidentiality where disclosure of information would be against the public interest. Balancing rights of access, protection of privacy and limits to official secrecy is a significant challenge -- especially given the rapid evolution of information and communication technologies (ICTs).

### Consultation is central to policy-making

Consultation has only recently been recognised as an essential element of public policy-making in the majority of OECD countries -- legal, policy and institutional frameworks are still under development.

- **Laws:** Legislation on public consultation may be broad (e.g. establishing petition rights or consultative referenda) or restricted in scope (e.g. requiring consultation with trade unions, professional associations or indigenous peoples during policy-making).
- **Policies:** Some OECD countries rely on rules (e.g. cabinet orders, guidelines, standards) and informal practice when conducting public consultation. Several require public consultation on new regulations (e.g. under regulatory impact assessment procedures), in line with the 1995 OECD Council Recommendation on Improving the Quality of Government Regulation.
- **Institutions:** Several OECD countries have long-standing institutional arrangements for consultation (e.g. tripartite forums of government, business and labour). Many have established permanent or *ad hoc* advisory bodies and commissions that include civil society organisations (CSOs).

### Active participation is a new frontier

Active participation recognises the capacity of citizens to discuss and generate policy options independently. It requires governments to share in agenda-setting and to ensure that policy proposals generated jointly will be taken into account in reaching a final decision. Only a few OECD countries have begun to explore such approaches and experience to date is limited.

- **Laws:** Citizens in some OECD countries have the right to propose new legislation or policy (e.g. under laws on popular legislative initiative or on citizen-initiated referenda). These usually require the prior collection of signatures from a proportion of eligible voters within a specific timeframe.
- **Policies:** A few OECD countries have policies to support new, flexible approaches to ensuring a greater degree of active participation by citizens in policy-making (e.g. joint working groups).
- **Institutions:** There is no single institutional interface. The few examples that exist to date are drawn from different levels of government and policy sectors. Central policy units may play a role in collecting good practices, raising awareness, and developing guidelines.

## Matching tools to objectives

The first step in the design of successful information, consultation and active participation in policy-making is to clearly **define the objective** of the exercise - on the basis of which the **target group** (e.g. all citizens, rural communities, youth) may be identified and an appropriate tool chosen.

- **No single tool or approach** will be suitable for every country or situation. Often a **mix of tools** will be required, and these may need to be adapted to local traditions and practices. The choice of tools will also depend upon the resources (e.g. financial and human), time and skills available.
- **Information:** Even 'passive' access to information requires tools to enable citizens to find what they are looking for (e.g. catalogues and indexes). When governments engage in the 'active' provision of information, they may use a range of different products (e.g. annual reports, brochures, leaflets) and delivery mechanisms, which may be either direct (e.g. information centres, toll-free phone numbers) or indirect (e.g. media coverage, advertising, civil society organisations as intermediaries).
- **Consultation:** Governments use different tools to seek feedback on policy issues (e.g. opinion polls and surveys) or on draft policies and laws (e.g. comment and notice periods) from a broad range of citizens. They may also use tools for consultation that provide greater levels of interaction (e.g. public hearings, focus groups, citizen panels, workshops) with smaller groups of citizens.
- **Active participation:** Engaging citizens in policy deliberation requires specific tools to facilitate learning, debate and the drafting of concrete proposals (e.g. citizens' fora, consensus conferences, citizens' juries).

## Unlocking the potential of ICT

All OECD countries regard new information and communication technologies (ICTs) as a **powerful tool** and are making significant efforts to bring their administrations and their citizens 'on-line'. While many believe ICTs have great potential for engaging citizens in policy-making, today they remain complementary to traditional tools. Most OECD governments are working to bridge the 'digital divide', and recognise the need to ensure that all citizens, whether on-line or not, continue to enjoy equal rights of participation in the public sphere.

- **Information:** All governments in OECD countries provide an increasing amount of information on-line (e.g. via government websites and portals), although the quantity, quality and range varies greatly.
- **Consultation:** The use of ICTs for feedback and consultation is still in its infancy in all OECD countries (e.g. e-mail addresses on government websites, e-mail lists, on-line chat events).
- **Active participation:** Only a very few OECD countries have begun to experiment with on-line tools to actively engage citizens in policy-making (e.g. on-line discussion groups, interactive games).

**Integration** with established, 'off-line' tools and approaches is needed to make the most of ICTs.

## Evaluating performance

All OECD countries recognise the **need to develop tools** and to improve their capacity for evaluation. The survey shows a striking imbalance between the amount of time, money and energy that OECD countries invest in strengthening government-citizen relations and the amount of attention they pay to evaluating effectiveness and impact on policy-making.

No OECD country currently conducts a systematic evaluation of government performance in providing information, conducting consultation and engaging citizens in policy-making.

## Guiding principles for engaging citizens in policy-making

The survey suggests the following guiding principles for successful information, consultation and active participation in policy-making:

### 1. Commitment

Leadership and strong commitment to information, consultation and active participation in policy-making is needed at all levels - from politicians, senior managers and public officials.

### 2. Rights

Citizens' rights to access information, provide feedback, be consulted and actively participate in policy-making must be firmly grounded in law or policy. Government obligations to respond to citizens when exercising their rights must also be clearly stated. Independent institutions for oversight, or their equivalent, are essential to enforcing these rights.

### 3. Clarity

Objectives for, and limits to, information, consultation and active participation during policy-making should be well defined from the outset. The respective roles and responsibilities of citizens (in providing input) and government (in making decisions for which they are accountable) must be clear to all.

### 4. Time

Public consultation and active participation should be undertaken as early in the policy process as possible to allow a greater range of policy solutions to emerge and to raise the chances of successful implementation. Adequate time must be available for consultation and participation to be effective. Information is needed at all stages of the policy cycle.

### 5. Objectivity

Information provided by government during policy-making should be objective, complete and accessible. All citizens should have equal treatment when exercising their rights of access to information and participation.

### 6. Resources

Adequate financial, human and technical resources are needed if public information, consultation and active participation in policy-making are to be effective. Government officials must have access to appropriate skills, guidance and training as well as an organisational culture that supports their efforts.

### 7. Co-ordination

Initiatives to inform, request feedback from and consult citizens should be co-ordinated across government to enhance knowledge management, ensure policy coherence, avoid duplication and reduce the risk of 'consultation fatigue' among citizens and civil society organisations (CSOs). Co-ordination efforts should not reduce the capacity of government units to pursue innovation and ensure flexibility.

### 8. Accountability

Governments have an obligation to account for the use they make of citizens' inputs received through feedback, public consultation and active participation. Measures to ensure that the policy-making process is open, transparent and amenable to external scrutiny and review are crucial to increasing government accountability overall.

### 9. Evaluation

Governments need the tools, information and capacity to evaluate their performance in providing information, conducting consultation and engaging citizens in order to adapt to new requirements and changing conditions for policy-making.

### 10. Active citizenship

Governments benefit from active citizens and a dynamic civil society and can take concrete actions to facilitate access to information and participation, raise awareness, strengthen citizens' civic education and skills as well as to support capacity-building among civil society organisations.

## About this Policy Brief

This policy brief is designed to support policy-makers in building effective frameworks for information, consultation and active participation by citizens in public policy-making. It draws heavily upon the experience and insights of national experts and senior officials from the centres of government in OECD countries, whose deliberations have provided the Secretariat with broad comparative perspectives and concrete examples of good practice. The Policy Brief is based on the main findings of two OECD surveys carried out in 1999-2000 on "Strengthening Government-Citizen Connections" and "Using Information Technology to Strengthen Government-Citizen Connections". The surveys were based on self-reporting by OECD countries: central governments provided information on current provisions for, and practice in, providing information, opportunities for consultation and active participation of citizens in policy-making.

## Promoting good governance

The OECD supports its Member countries in building and strengthening effective, efficient, transparent and accountable government structures. Access to information, consultation and active participation in policy-making contributes to good governance by fostering greater transparency in policy-making; more accountability through direct public scrutiny and oversight; enhanced legitimacy of government decision-making processes; better quality policy decisions based on a wider range of information sources; and, finally, higher levels of implementation and compliance given greater public awareness of policies and participation in their design.

## More information

The OECD publication "Engaging Citizens in Policy-making: Information, Consultation and Public Participation", on which this policy brief is based, is a unique source of comparative information on measures for strengthening citizens access to information, consultation and participation in policy-making. It does not attempt to evaluate or rank countries in terms of their progress in strengthening government-citizen relations. Rather, it offers an overall framework within which to examine a wide range of country experiences, identify examples of good practice and highlight innovative approaches. In doing so, the report takes into account the great diversity of country contexts and objectives in strengthening government-citizen relations to be found among OECD countries.

The report is accompanied by a "Handbook on Strengthening Government-Citizen Relations" designed for government officials in OECD Member and non-member countries. The handbook offers a practical guide in building robust frameworks for informing, consulting and engaging citizens in policy-making.

The report and accompanying handbook will be published in early October 2001 and may be purchased from the OECD Online Bookshop (<http://www.oecd.org/bookshop/>). This policy brief and the handbook will be made available free on-line on the PUMA web site (<http://www.oecd.org/puma/citizens/>). For more information on PUMA's work on government-citizen relations, contact [joanne.caddy@oecd.org](mailto:joanne.caddy@oecd.org).

## Next steps

The OECD report and policy brief will be the subject of public discussion and debate with representatives of civil society organisations (CSOs). Events planned include: national workshops organised by participating governments, an international roundtable event and an on-line electronic discussion forum hosted on the PUMA web site.

PUMA's future work programme on E-government will also focus on two key aspects of government-citizen relations, namely: a) the use of new ICTs in consulting citizens and civil society for policy-making and b) on-line service delivery.

