

The Open Government Partnership: Implications for National Archives

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ABSTRACT

In 2011, the Open Government Partnership (OGP) was established to bring governments and civil society together in the pursuit of more transparent governance. Membership of the OGP requires governments to commit to openness reforms in National Action Plans. Transparency requires access to authentic and reliable records, but record-keeping issues appear in only a few OGP National Action Plans. Questions should be asked about why and how the OGP could be used as a vehicle for promoting good record-keeping as an essential underpinning of access to information, and open government more broadly. Our paper will draw on civil society experiences of working with the UK National Archives to insert record-keeping considerations into the UK National Action Plan. It will reflect on what the UK Government's commitments mean for the National Archives and access to information.

Key words: open government, national archives, civil society, records management, access to information

Il patto di collaborazione per un governo aperto: implicazioni per l'Archivio nazionale

SINTESI

Nel 2011 è stato istituito il Patto di collaborazione per un governo aperto (Open Government Partnership – OGP) per portare i governi e la società civile insieme nella ricerca di una governance più trasparente. L'adesione all'OGP impone ai governi di impegnarsi per le riforme di apertura nei Piani d'azione nazionali. La trasparenza richiede l'accesso ai documenti autentici e affidabili, ma i problemi di conservazione dei documenti appaiono solo in pochi Piani d'azione nazionali OGP. La questione dovrebbe essere perché e come l'OGP possa essere utilizzato come veicolo per promuovere la buona tenuta dei documenti per un sostegno essenziale di accesso alle informazioni, e di governo aperto in senso più ampio. Il nostro articolo si baserà sulle esperienze di lavoro della società civile con l'Archivio nazionale del Regno Unito al fine di inserire considerazioni in tema di conservazione nel Piano d'azione nazionale del Regno Unito. L'articolo mostrerà ciò che l'impegno del governo britannico significa per l'Archivio nazionale e l'accesso alle informazioni.

Parole chiave: amministrazione aperta, Archivio nazionale, società civile, gestione documentale, accesso all'informazione

Posledice odprtega vladnega partnerstva za Nacionalne arhive

IZVLEČEK

V letu 2011 je bilo ustanovljeno odprto vladno partnerstvo (OGP), katerega namen je povezovanje vlad in civilne družbe pri prizadevanjih za bolj transparentno upravljanje. Članstvo v OGP od vlad zahteva, da se v nacionalnih akcijskih načrtih zavežejo k reformam odprtosti. Transparentnost zahteva dostop do verodostojnega in zanesljivega arhivskega gradiva, vendar se vprašanje hrambe arhivskega gradiva pojavlja zgolj v nekaterih nacionalnih akcijskih načrtih OGP. Zastaviti si je potrebno vprašanja, zakaj in kako bi lahko OGP

uporabljali kot sredstvo za spodbujanje dobre hrambe arhivskega gradiva, ki je predpogoj za dostop do informacij, ter za spodbujanje odprte vlade v širšem smislu. Članek bo predstavil izkušnje civilne družbe pri delu z britanskim Nacionalnim arhivom, glede vključevanja hrambe arhivskega gradiva v Akcijski načrt Združenega kraljestva. Predstavil bo pomen zavez britanske vlade za Nacionalni arhiv in za dostop do informacij.

Ključne besede: odprta vlada, nacionalni arhiv, civilna družba, upravljanje z gradivom, dostop do informacij

1 Introduction

On 28th November 2011, the White House released a Presidential Memorandum on Managing Government Records. The memorandum stated that:

Improving records management will improve performance and promote openness and accountability by better documenting agency actions and decisions... When records are well managed, agencies can use them to assess the impact of programs, to reduce redundant efforts, to save money, and to share knowledge within and across their organizations. In these ways, proper records management is the backbone of open Government. (White House, 2011).

In the same year, the US, UK and six other nations founded the Open Government Partnership (OGP) in pursuit of more transparent governance. Membership of the OGP requires governments to commit to openness reforms in National Action Plans (NAP).

In 2013, the second round of NAPs were launched. The USA's second NAP, like its first, contained a commitment to modernise the management of government records, echoing the Presidential Memorandum of 2011. The UK's 2013 NAP contained, for the first time, a commitment on records management. It seems that the burgeoning 'openness movement' is recognising the critical role of records as evidence for government accountability.

This paper draws on civil society experiences of working with the UK National Archives to insert record-keeping considerations into the UK's NAP. It reflects on what the UK Government's commitments mean for the National Archives and access to information.

2 The Open Government Partnership

In 2011, the Open Government Partnership was established to bring governments and civil society together in the pursuit of more transparent governance. The original partnership consisted of eight countries; today there are sixty-four member countries. Participation in the OGP requires countries to achieve eligibility by demonstrating a minimum level of commitment to openness in the four key areas of fiscal transparency, access to information, income and asset disclosures, and citizen engagement; submit a Letter of Intent formally expressing the government's intention to join the OGP and commitment to respect the principles of the Open Government Declaration; and identify a lead agency and develop a (National) Action Plan¹.

Countries that have joined the OGP are required to work with civil society to develop a NAP that contains measurable commitments to opening government, implement their commitments, submit annual progress reports and allow the OGP Independent Reporting Mechanism to assess the development and implementation of the NAP.

The NAPs are expected to address the five OGP Grand Challenges:

1. *Improving Public Services-measures that address the full spectrum of citizen services including health, education, criminal justice, water, electricity, telecommunications, and any other relevant service areas by fostering public service improvement or private sector innovation*
2. *Increasing Public Integrity-measures that address corruption and public ethics, access to information, campaign finance reform, and media and civil society freedom*

1. More detailed information about this process is available at <http://www.opengovpartnership.org/how-it-works/how-join>.

3. *More Effectively Managing Public Resources*-measures that address budgets, procurement, natural resources, and foreign assistance
4. *Creating Safer Communities*-measures that address public safety, the security sector, disaster and crisis response, and environmental threats
5. *Increasing Corporate Accountability*-measures that address corporate responsibility on issues such as the environment, anti-corruption, consumer protection, and community engagement. (OGP, 2014).

Each NAP should provide background on open government efforts to date, the specific commitments that the government is going to undertake in the period, and clear timelines for delivery. The self-assessment reports and the reports of the Independent Reporting Mechanism measure progress against the commitments.

3 Records and Openness

Records, trusted and understood, form the cornerstone of a truly open government... Without the careful management of the content of these files and their context then we'll have a much harder job separating the mundane from the essential, the trawl of chatter from the policy decisions. (Merifield, 2014)

Records management features in relatively few of the current NAPs, yet records are essential evidence for government openness. The significance of records for effective Freedom of Information was recognised in the UK when the Lord Chancellor's Code of Practice on the Management of Records, issued under the Freedom of Information Act of 2000, was published. It provides a clear summary of the significance of well-managed records for FOI:

Freedom of Information legislation is only as good as the quality of the records and other information to which it provides access. Access rights are of limited value if information cannot be found when requested or, when found, cannot be relied upon as authoritative. Good records and information management benefits those requesting information because it provides assurance that the information provided will be complete and reliable. It benefits those holding the requested information because it enables them to retrieve and locate it easily within the statutory timescales or to explain why it is not held. (Ministry of Justice, 2000)

Similar connections between good record-keeping and effective FOI have been made in many jurisdictions, and yet despite the profile of Freedom of Information legislation in the OGP eligibility criteria, relatively few NAPs feature commitments on records management.

Instead, many NAPs talk about publishing sector-specific data, and in this way, the OGP has given new impetus to the open data movement, which seeks the release of government datasets for repurposing by civil society and industry. Thurston (2012) has argued that open data can be a useful aid to transparency but cannot be a means to accountability, since accountability requires evidence, and datasets generally do not share the evidential qualities of records.

In the OGP context, openness is generally conceived as participatory governance, government accountability, and transparency across sectors. None of these aspects of openness are achievable without trustworthy, accurate, accessible public records. Participatory governance requires an informed citizenry, government accountability requires evidence of decisions and transactions, and transparency requires access to reliable data (whether records or raw data drawn from reliable sources). Where reliable records cannot be accessed, openness is unachievable.

Good records management ensures that accurate and reliable records are created and remain accessible, usable and trustworthy for as long as required to provide the basis for improving services, controlling corruption and strengthening democracy. When records are authentic and reliable, open data and Freedom of Information become powerful means of ensuring government transparency and enabling citizens to take ownership of and participate more fully in their governments.

4 The UK OGP National Action Plan

The UK launched its second National Action Plan, covering the period 2013 to 2015, at the Open Government Partnership Summit in London on 31st October 2013. The plan was developed over a twelve month period through a collaboration between the UK government and civil society groups in a process that has since been used as an exemplar of open and participatory policy-making².

The UK's NAP covers sector-specific issues such as transparency in extractive industries and the financial sector. It also includes commitments on cross-cutting issues such as whistleblowing and citizen participation. The International Records Management Trust (IRMT) - a UK-based civil society organisation that promotes record-keeping as the basis of good governance - identified the need to get records management onto the open government agenda. IRMT's aim was, on one hand, to raise the profile of records as evidence for openness internationally, with governments, civil society, and the development community, and on the other, to strengthen attempts at opening government through the incorporation of records management.

In pursuit of these goals, the IRMT joined the network of civil society organisations involved in the preparation of the NAP. Through the NAP development process, IRMT worked with the Cabinet Office to prepare a commitment on records management. Each commitment in the NAP identifies a government agency with responsibility for its implementation; the commitment on records management clearly fell within the mandate of the National Archives. After a number of revisions to the text, the Cabinet Office linked IRMT with the appropriate officers in the National Archives, and the commitment was developed further, in line with the objectives of the National Archives' strategic plan. The commitment would appear in the final NAP as Commitment 5. The final text of the records management commitment is:

The UK government will manage and capture digital records and there will be a comprehensive, accessible and timely paper and digital record of UK government available to the citizen.

The 'Impact and Vision' of the commitment is that:

Citizens will have access to the records of UK government earlier and delivered in ways that make them more accessible and more usable than they have ever before.

The commitment provides some contextual information and sets out the means by which the National Archives plans to deliver on the commitment. These means include defining and delivering a process for the ingest of digital records, developing a minimum metadata standard for the transfer and publication of records, providing guidance on the management of digital records, and exploring new technologies that could aid in the identification and release of government records.

Importantly, Commitment 5 is linked to three of the OGP's Grand Challenges; Grand Challenge 2 (Increasing Public Integrity), 3 (More Effectively Managing Public Resources), and 5 (Increasing Corporate Accountability)³. Effectively, Commitment 5 is a statement by government that records management underpins these three priorities.

5 The Implications of the NAP

Commitment 5 does not increase the burden on the National Archives. Since it is based on the objectives of the National Archives' strategic plan, it does not create new work for the Archives, nor commit it to anything beyond its existing plans. Instead, the implications of Commitment 5 for the National Archives are strategic.

The drive towards smaller government, stemming from financial and ideological considerations, introduces threats to the autonomy, mandate and funding of government agencies, as can be seen in

2. Involve, the CSO that co-ordinated the UK civil society inputs to the NAP, has published a blog post that provides the details of the NAP development process: <http://www.involve.org.uk/blog/2014/02/03/story-of-the-uk-national-action-plan-2013-15/>.

3. More information about the OGP's 'grand challenges' is available at: <http://www.opengovpartnership.org/how-it-works/action-plans#sthash.B9eNSYif.dpuf>.

many of the international examples of ‘convergence’ between national libraries and archives to rationalise expenditure. In this climate, it is important for National Archives to demonstrate their value to their governments. As Lowry and Seles (2013) have argued:

Archives need to consider how to strategically align themselves to government priorities, in order to raise awareness of the contribution they can make to accountability, transparency, risk management and administrative efficiency. Converging with ‘accountability authorities’ such as the Office of the Ombudsman and Office of the Auditor General, as the National Archives of Australia has done, we can better emphasise the intrinsic importance of archives, not simply as ‘memory institutions’ but as administrative units responsible for ensuring government accountability.

The fact that the National Archives is the lead organisation on an OGP commitment positions the National Archives as a key player in the UK’s move towards openness, thereby demonstrating the value of the organisation, its expertise and its leadership, to government and citizens. This could benefit the profile and the budget of the Archives, positioning it to continue to support good record-keeping across government.

The inclusion of Commitment 5 in the NAP also has the potential to effect change in the ministries, departments and agencies of central government, in local government, and potentially in archives outside of government. As a high-profile statement on the importance of records management to openness, the Commitment could be used in making a case for the significance and value of records management in almost any context where accountability and transparency are seen to be desirable.

The commitment is a significant achievement for our profession. It raises the profile of our work and affords records professionals, in the UK and abroad, a renewed basis for promoting record-keeping as an essential underpinning of government accountability. The commitment creates the grounds for records professionals in the UK to argue for increased support and visibility and to develop strategic partnerships.

A National Archives blog post on Commitment 5 rightly draws our attention to the citizen:

But if we go back to the citizen, and at the heart of OGP is the pledge to improve the lives of our citizens, then the documents we hold provide perhaps one of the most personal impacts in a world of open government... (Merifield, 2014)

Citizens seeking information from government will benefit from improved record-keeping. Records management controls enable comprehensive search and retrieval in response to requests for information, and if data standards can be developed to encourage data extraction from reliable records, the proactive release of datasets will result in access to trustworthy information. This access is essential to citizens’ rights; it is the records of government that provide evidence of rights and entitlements.

Conversely, poorly kept records undermine access to information initiatives and result in inaccurate or incomplete data, which in turn can lead to misunderstanding and misuse of information, cover-up of fraud, skewed findings and statistics, misguided policy recommendations and misplaced funding, all with serious consequences for citizens’ lives. Delivery of justice is impaired and rights cannot be protected.

6 Conclusion

So why was it so important to have a commitment to ensuring the ongoing capture of government’s records in the action plan? Most clearly from a perspective of transparency and accountability, the records we take from government provide the bigger picture of the thoughts and decisions behind the actions, behind the data. The need to maintain and manage this evidence base is essential in being able to tell the full story. (Merifield, 2014)

The OGP is a high profile, multilateral partnership that has the potential to open governments to their citizens in new ways. For real openness, access to trustworthy government records will be essential. Records management has an important role to play in open government; it is for the record-keeping profession to articulate this to policy-makers and open government leaders. At the national level, the responsibility for this is with the National Archives.

The implications of Commitment 5 for the UK National Archives, the record-keeping profession and citizens are transferable internationally. With sixty-four countries now signed up to the OGP, sixty-four National Archives have an opportunity to align themselves with government priorities, articulate the contribution that records management can make to openness, position themselves to lead on records management reforms, and demonstrate the value of their expertise to government. The record-keeping profession, and more broadly, citizens seeking information from government, stand to benefit.

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SUMMARY

1. Introduction: This section introduces the Open Government Partnership and the significance of National Action Plans, and it notes that records management appears in few of these plans. It explains that the purpose of the paper is to look at the inclusion of records management in the UK National Action Plan, and to reflect on what the UK Government's commitments mean for the National Archives and access to information.
2. The Open Government Partnership: This section explains the aims of the Open Government Partnership, its eligibility criteria, and the process by which countries can become members. It explains the OGP requirement for National Action Plans, which set out countries' open government efforts to date, the specific commitments that the government is going to undertake, and timelines for delivery. These plans are the basis for monitoring progress towards openness.
3. Records and Openness: This section explains the importance of well-managed records as the evidence base for open government. The authors note that the relationship between records management and Freedom of Information is well recognised, but that the need for records as a source for reliable open data has yet to be established.
4. The UK OGP National Action Plan: This section introduces the UK OGP National Action Plan and provides the text of its commitment on records management. The section provides the background to the inclusion of records management in the NAP, and the means by which the National Archives intends to deliver on the commitment.
5. The Implications of the NAP: This sections proposes that the implications of the commitment on records management for the National Archives are strategic, primarily that the National Archives is now positioned as a key player in the UK's move towards openness. This section suggests that there may be implications for record-keeping across and beyond government, and that there should be benefits to the record-keeping profession and to citizens seeking information.
6. Conclusion: This section summarises the main points of the paper and observes that the implications of the NAP for the UK National Archives are transferable internationally.

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