

Project Scoping Document

Project Name: OGP Commitment 5: Public Participation in Policy Development

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Background

The Open Government Partnership (OGP) is an international agreement by governments to create greater transparency, increase civic participation and use new technologies to make their governments more open, effective, and accountable. New Zealand joined the OGP in 2013 with the State Services Commission taking the leadership role for government.

As an OGP member, New Zealand has an ongoing commitment to produce a National Action Plan every two years. New Zealand's OGP commitment is to improve engagement processes and the ambition of the commitments in successive National Action Plans.

In the second National Action Plan 2016-2018, DPMC was responsible for implementing Commitment 7, which was to improve knowledge of tools and techniques policy makers can use to create more open and user-led policy. This resulted in phase 1 of an online Policy Methods Toolbox, located on the Policy Project part of the DPMC website. The Phase 1 Toolbox content includes guidance material for policy practitioners on public participation in policy development, design thinking, behavioural insights and Start Right (light touch project management tools for policy project initiation).

The 2018-2020 National Action Plan is the product of New Zealand's third OGP planning cycle. It generated 12 commitments generated by officials, drawing on the themes identified through extensive civil society and public engagement by SSC. The commitments are categorised into three themes: participation in democracy, public participation to develop policy and services, and transparency and accountability.

Under the second theme, Commitment 5: Public Participation in Policy Development is to "Develop a deeper and more consistent understanding within the New Zealand public sector of what good engagement with the public means (right across the International Association of Public Participation's (IAP2's) Spectrum of Public Participation"¹). The Department of the Prime Minister and Cabinet (DPMC) is responsible for implementing this commitment, reporting to the Head of Policy Profession (and the Policy Profession Board).

¹ The IAP2 spectrum of public participation was developed by the International Association for Public Participation (1990) and has become the de facto international standard. ©IAP2 International Federation 2014 used with permission. The levels on the spectrum of public participation are: inform, consult, involve, collaborate and empower. Refer Appendix 1 for a diagrammatic summary of the IAP2 Spectrum of Public Participation.

Strategic Objective

The Policy Project's strategic objective is to improve the quality of policy advice, enabling better government decisions and improved wellbeing for New Zealanders. To this end, the Policy Project has previously developed and published three policy improvement frameworks (Policy Quality Framework, Policy Skills Framework and the Policy Capability Framework), and subsequently the Policy Method's Toolbox and other guidance and support materials. The Policy Project is assisting government agencies to apply them.

All three policy improvement frameworks emphasize that being able to engage effectively with citizens, customers of public services and other stakeholders to incorporate their diverse perspectives on policy issues and solutions is a capability that policy practitioners and policy agencies need to have, in order to be able to produce quality advice and good decisions.

Given the current Government's strong commitment to government that is more open, with greater public participation in decision-making, it is appropriate that the Policy Project do more to support policy practitioners across the public service to perform better in this area of their responsibilities.

Project Objective

The objective of this project is to develop a deeper and more consistent understanding within the New Zealand Public Sector of what good engagement with the public means (right across the IAP2's Public Participation Spectrum) by achieving Commitment 5 in New Zealand's OGP 2018-2020 National Action Plan – namely by:

1. Extending existing Policy Methods Toolbox public participation guidance for policy practitioners to include guidance on the following elements:
 - a) How to choose the appropriate engagement approach on the IAP2 public participation spectrum when they tackle a specific policy or service design issue (a decision tool)
 - b) Understanding the characteristics and enablers of effective public participation at whichever point on the spectrum they choose
 - c) Ensuring that the engagement approaches selected appropriately include and reflect the diversity of those interested in and affected by the policies
2. Developing and sharing recent case studies documenting New Zealand innovation success stories of public participation in the policy development process
3. Identifying a live policy issue in which to trial public engagement in policy development that is higher on the public participation spectrum than inform or consult, as a demonstration project (providing a suitable project can be found).
4. Widely disseminating the results of the above actions.

The intended outcomes from achieving Commitment 5 are that New Zealanders will increasingly experience a more timely and collaborative approach to public participation, and consider that their concerns, diversity of views, life experience and time are valued in the policymaking process.

Project Scope

In scope	<p>Extend existing Policy Methods Toolbox public participation guidance as described in preceding Project Objective 1 a) to c)</p> <p>Document case studies of recent innovative use of public engagement in the policy development process</p> <p>Document a single prospective demonstration project higher on IAP2 spectrum than inform or consult</p> <p>Use of a range of engagement channels including workshops with officials and civil society, using design thinking and other innovative methods for engaging with stakeholders (internal and external to government) relevant to achieving Commitment 5</p> <p>Communicate guidance online including potentially in different formats than just a flat document</p> <p>Use of a variety of methods to disseminate widely the results of the above actions to NZ policy practitioners and other interested parties.</p>
Out of scope	<p>Setting a Public Participation Standard as a single all-of-government binding approach to government engagement on policy issues</p> <p>Providing support to agencies in applying the guidance to specific policy issues.</p>

Deliverables

The main deliverables for the OGP Commitment 5 project are outlined in Table 1.

Table 1: Project Deliverables: November 2018 – June 2020

Deliverable	To Whom	By When
1. Project scoping document	Programme Director and DCE	By 30 April 2019
2. International literature survey on learnings about: <ul style="list-style-type: none"> • decision tools • best practice engagement at different IAP2 stages • enabling diversity and inclusion in who is engaged with 	Programme Director	31 May 2019
3. Paper for PM on demonstration project options, with recommendation and related letters of approval	Prime Minister	15 June 2019
4. Agreement with demonstration project lead agency on how we will work together, and on lead agency's demonstration project plan	Programme Director	Subject to identification of project and Prime Ministerial approval – commencing within the second

		quarter 2019 if possible
5. Engagement, implementation and communication plans, including: <ul style="list-style-type: none"> • how to raise policy practitioner awareness and use of online guidance and demonstration project learnings • plan for dissemination to other parties 	Programme Director	Discovery Phase Plan 30 Apr 2019 Design Phase Plan 30 Jun 2019 Dissemination Phase Plan 31 Mar 2020
6. Agendas, participant invitations, run sheets, background reading and other resources for workshops and other forms of engagement on elements of the guidance with officials and with civil society	Programme Director	July to September 2019
7. Draft following elements of guidance: <ul style="list-style-type: none"> • ‘decision tool’ component of the guidance • ‘best practice by IAP2 spectrum engagement approach’ component of the guidance • ‘enabling diversity and inclusion in who government engages with’ component of the guidance 	Programme Director	Preliminary draft for testing – 15 November 2019 Revised draft ready for further testing – 31 Jan 2020
8. Draft case studies and demonstration project write-ups	Programme Director	Preliminary draft for testing – 15 December 2019 Revised draft for further testing – 31 Jan 2020
9. Testing: <ul style="list-style-type: none"> • draft guidance with policy practitioners, Ministers and other relevant parties • case-study and demonstration project write-up drafts with case study and demo agencies and policy practitioners 	Programme Director	Preliminary test on initial draft – 23 Dec Final testing on revised draft – 28 Feb 2020
10. Professional graphic preparation of materials ready for online and hardcopy publication and dissemination and Technical IT assessment of options for communicating guidance and demonstration project	Programme Director	From February 2020
11. Final version of all the guidance elements and of the demonstration project write-up (for approval to load online)	DCE	March 2020
12. Report to Policy Profession Board on final OGP Commitment 5 project deliverables and implementation plan	DCE	March 2020

13. Quarterly reports on project progress	SSC (via Programme Director and DCE)	Quarterly, commencing last quarter 2018
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Success Criteria

The success criteria for the OGP Commitment 5 project are that:

- Policy practitioners rate the guidance as easy to understand, and practical to use
- External-to-government stakeholders (civil society groups) consider that the guidance, if applied, would result in their concerns, diversity of views, and life experience being better taken into account in the policymaking process
- Aligns with and extends Policy Project frameworks and tools to improve policy advice
- Meets agreed deadlines
- Completed within budget.

Stakeholder Analysis

The stakeholder analysis for the OGP Commitment 5 project is outlined in Table 2.

Table 2: Stakeholders and their stake or interests

Stakeholder	Stake or interests
Prime Minister and Ministers	Greater confidence that public consultation is open, inclusive, comprehensive and surfaces legitimate interests
Policy Practitioners	Better equipped to undertake public consultation that is open, inclusive, comprehensive and surfaces legitimate interests
All government agencies	Better informed policy advice and service design that is better informed by public and other stakeholder groups' input
Expert Advisory Panel	Assists with development, implementation and evaluation of the commitments in New Zealand's National Action Plans by providing constructive advice, communicating openly and involving other stakeholders ²
Transparency International	Increased transparency of government policy-making processes; mitigation of potential corruption
Other NZ Special Interest NGOs	Understanding central government's engagement criteria; use of the decision tool for their public engagement practices
New Zealand public (citizens and residents)	Better outcomes that have considered their concerns, diversity of views, and life experience during the policymaking process
Māori	Treaty partnership manifested in public engagement.

² <https://www.ogp.org.nz/assets/Resources/eap/9d045fe081/expert-advisory-panel-terms-of-reference-1.pdf>

Work Breakdown and Resource Requirements

Table 3 outlines the work breakdown and resource requirements for the OGP Commitment 5 project.

Table 3: Work Breakdown and Resource Requirements

Work Area	Tasks	Resources required from who and days
Overall	Project Management	Project Lead (3 hours per week)
Live Demonstration Project	Develop and sign MOU/MOA setting out timelines for Project, observation and data collection points, communications	Project Lead (20 days) Programme Director (4 days)
Guide - Design thinking	<p>Identify and confirm stakeholder groups; identify stakeholder assumptions and ideas for further engagement and solutions</p> <p>Utilise design thinking workshops to empower civil society and policy practitioners to describe the issues from their perspectives:</p> <ul style="list-style-type: none"> • Design purpose, agenda, pre-test measures • Identify stakeholders with like-stakes or interests • Organise venues, catering, equipment, facilitators, recorders • Prepare agenda and other workshop resources • Send invites (retain contact details for further engagement e.g. feedback and post-test) • Invite co-facilitators • Test process and revise as needed <p>Journey mapping of stakeholders' experiences</p> <p>Identify stakeholder assumptions</p> <p>Capture stakeholder ideas for further engagement and solutions testing</p>	<p>Administrative support workshop events management (3 days)</p> <p>Project lead (10 days)</p> <p>Programme Director (1 hour)</p>
Guide - Literature review	Investigate, describe, summarise, evaluate and clarify literature (academic and practitioner's experience) to provide a theoretical and practical base for the design of the decision tool and other elements of the guidance.	Project Team (30 days)

<p>Guide – Stakeholder workshops to understand user and civil society experiences including diverse voices; Synthesizing Stakeholder feedback and data collection; Tool development; testing draft Tool</p>	<p>Work with professional public engagement facilitators and co-designers to :</p> <ol style="list-style-type: none"> 1) partner with policy practitioners, and as relevant the public, in each aspect of the project including developing alternatives and identifying the preferred solution; 2) provide timely feedback to all participants; 3) collect data to test/confirm all stakeholders’ assumptions; 4) drafting (1) decision tool 5) workshop the tool usage by theoretical testing (post-test/journey mapping) 6) workshop events management 7) cross-check tool functionality with mixed stakeholder (NZ public and policy practitioner) groups 8) revisions (draft 2) 9) re-test with participants who have indicated they want to participate in the final test. 	<p>Auckland Co-design Lab, Project Lead, Programme Director, Project Administrator (10 days)</p> <p>Policy Project lead (40 days)</p> <p>Programme Director (10 days)</p> <p>Project Administrator (10 days)</p>
<p>Guidance and Decision Tool Testing</p>	<p>Test guidance content with policy practitioners, case-study and demonstration project agencies, and as appropriate with Ministers</p>	<p>Project lead (10 days)</p>
<p>Guide - Finalise Tool and other content</p>	<p>Final revisions (final draft) of guidance content, including case studies and demonstration project write-up</p>	<p>Project lead (10 days)</p> <p>Programme Director (3 days)</p>
<p>Online guidance implementation</p>	<p>Guidance is loaded on DPMC website within Policy Methods Toolbox part of DPMC web-pages, tested in online format, and finalised</p>	<p>Project lead (3 days)</p> <p>Project Administration (7 days)</p>
<p>Dissemination of guidance</p>	<p>Develop and implement communication and implementation plan for raising policy practitioner and Ministerial awareness of the guidance</p>	<p>Project lead (10 days)</p> <p>Programme Director (2 days)</p> <p>Project Administrator (3 days)</p>

Skill Requirements

The main skill requirements for the OGP Commitment 5 project are outlined in Table 4.

Table 4: Project Skill Requirements

Skill	To achieve which project tasks	How to access skills
Research	Literature review	Policy Project Team
Data collection and analysis	Data collection on diversity of NZ public in regard to public engagement and analysis	Policy Project Lead and Auckland Co-design Lab (co-design and engagement professionals)
Engagement and collaboration	Engage policy practitioners and other stakeholders and build relationship capital to understand diverse expectations, co-create solutions and support implementation	Project Lead and Auckland Co-design Lab (co-design and engagement professionals)
Policy analysis	Conceptual thinking, analysis of evidence and drawing conclusions during all stages of commissioning, development, testing, drafting and disseminating	Policy Project Lead
Project management	Time and budget management; keeping participating stakeholders informed	Policy Project Lead
Project administration	Project tracking, formatting of outputs and publication of guidance	Policy Project Administrator
IAP2 Workshop design and facilitation	Training on IAP2 for input to guidance development	IAP2 Trainer and Project Lead
Graphic Design	Illustrate outputs from design workshops and illustrate the Guide	Engage graphic designer
Digital advisors on government digital engagement	To provide advice on guidance content on how government agencies can use digital tools to engage with the public and other stakeholders	GDCO, DIA
Policy Project Website Expertise	Publication and dissemination of the Guide and Decision Tool	DPMC/CASS/SPARX Policy Project Administrator
Promotion/Dissemination	Promotion and dissemination of all elements of guidance project learnings and demonstration project to policy practitioners and other parties	Policy Project Team

Available Resources and their Sources

The available resources for the OGP Commitment 5 project and their sources are:

1. Project budget: travel, catering, expert advisors, graphic designers, IT costs for website and other disseminations means (DPMC IT/CASS/Sparx) all funded from within existing Policy Project budget
2. Design thinking expertise: provided by the Auckland Co-Design Lab, at no extra expense beyond existing DPMC funding
3. DPMC (The Policy Project) will also contribute workspace, facilities and staff for project administration, management, researchers, facilitation, drafting.
4. DIA digital advisors

Interdependencies/Linkages

The main interdependencies and linkages between the OGP Commitment 5 project and other projects are as follows:

- This project can benefit from the outputs of the Central Government Engaging with Local Government Guidance Project relating to best practice engagement at each point on the IAP2 spectrum of public participation
- DIA's Participate Work Programme could assist the project with structuring the DPMC digital platform for guidance usage and dissemination (subject to funding)
- The Guidance with case studies will enhance the Policy Methods Toolbox.

Assumptions

The main assumptions made in developing the project scoping document for the OGP Commitment 5 project are that:

- The IAP2 spectrum of public participation captures the full range of public participation
- Design thinking, or human-centred design, is a valid and sound methodological approach for conducting this engagement focused project
- One decision tool can successfully accommodate the wide diversity of stages, scales and agency involvements in public participation for policy development
- Feedback about what we learned from their participation and what is next will be provided in good faith to participating stakeholders after each engagement to encourage stakeholders' participation and continuing contributions.

Risks

The risk analysis for the OGP Commitment 5 project is outlined in Table 5.

Table 5: Project Risks

Risk Descriptors	Probability	Impact	Mitigation and Management
If Project leads have reduced availability due to other workload pressures, or there are changes in personnel, this would delay completion of the project on time	Medium	High	Ensure decision-makers retain awareness of Commitment 5 project. Second/borrow staff for short-term or engage contractor(s) until vacancies are filled
If selection and/or completion of the live demonstration project is delayed, there will be delay of Commitment 5 completion	Medium	Medium	Good project planning regarding paper for Prime Minister; if necessary provide interim report on demonstration project and complete in next NAP
If policy practitioners and civil society decline or are unavailable for engagement participation, there will be delay of project completion and the quality of the outputs may be impacted	Low	Medium	Early identification of stakeholder participants who are enthusiastic to participate, specifying level of effort required, providing early notification of events and degree of input needed
If external stakeholders are not adequately included in or listened to at workshops or other engagements, they may publicly express qualms about guidance and be less inclined to participate in other government engagement processes	Low	Medium	Manage participants' expectations for communication, participation, and influence
If internal (government agencies) and external (public, non-government) stakeholders disagree/conflict on satisfaction with project workshops, there will be potential for adverse external media or negative internal perceptions	Low	Medium	Manage participants' expectations for communication, participation, influence
Insufficient Policy Project budget left in last stages of 2019/20 financial year to fund graphic design and putting the guide online	Medium-High	High	Manage Policy Project budget as closely as possible to try and prevent this risk arising. If it does arise, seek transfer of funding from any unspent parts of DPMC to enable these elements of the project to be completed

Reporting

SSC has established a calendar quarter reporting regime. During implementation of a National Action Plan, the lead agency for each commitment reports progress to achieve commitment milestones. These reports will be submitted to the Expert Advisory Panel and published on the OGP New Zealand website operated by SSC.³

Quarterly progress reports are due to SSC by the end of the third week of the following month after the quarter ends.

The Project will also report on progress to the Head of the Policy Profession and Policy Profession Board through six-weekly Progress Dashboards.

A Board Paper on the Project's final deliverables will be presented to the Policy Profession Board in March 2020.

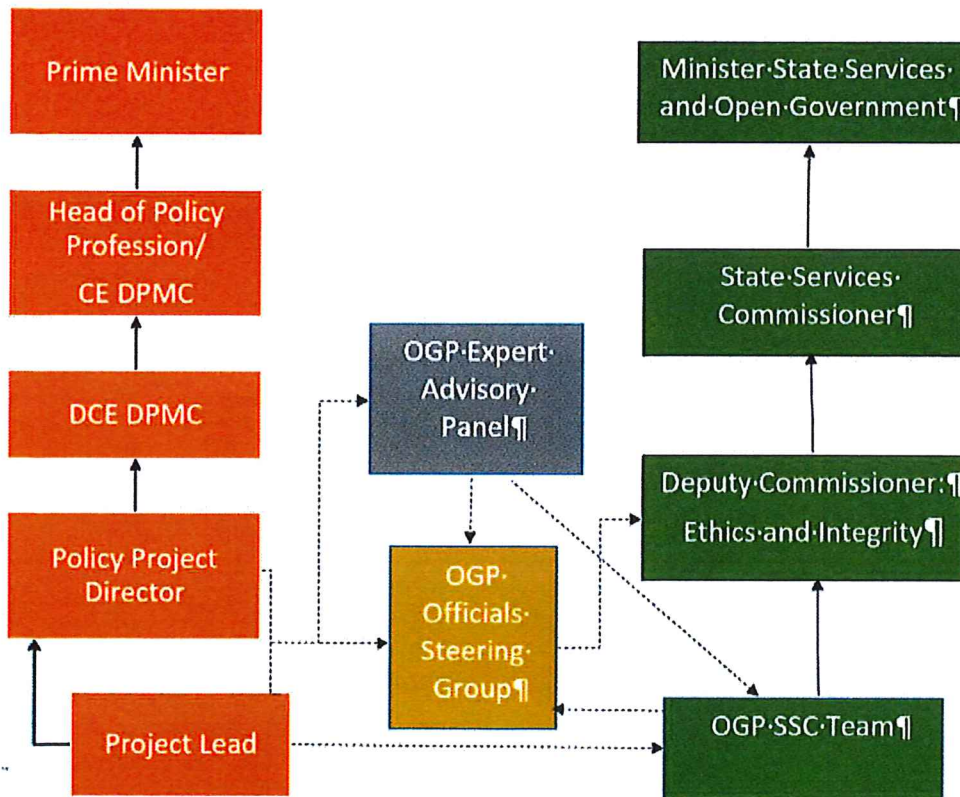
Expected Completion Date

The expected completion date for the OGP Commitment 5 project is 30 June 2020.

Governance

The governance arrangements for the OGP Commitment 5 project are outlined in Figure 1.


Figure 1 Project governance



³ <https://www.ogp.org.nz/new-zealands-plan/taking-action/>

Approval

We agree this is a viable project. We authorise the beginning of the detailed planning and implementation process.



Date:

Diane Owenga
Programme Director



Date: 09/05/19

Anneliese Parkin
Deputy Chief Executive, Policy

Appendix 1:

IAP2 Spectrum of Public Participation



	Inform	Consult	Involve	Collaborate	Empower
Public Participation Goal	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision-making in the hands of the public.
Promise To The Public	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.
Example Techniques	<ul style="list-style-type: none"> • Fact sheets • Web sites • Open houses 	<ul style="list-style-type: none"> • Public comment • Focus groups • Surveys • Public meetings 	<ul style="list-style-type: none"> • Workshops • Deliberative polling 	<ul style="list-style-type: none"> • Citizen advisory committees • Consensus-building • Participatory decision-making 	<ul style="list-style-type: none"> • Citizen juries • Ballots • Delegated decision

