

<b>Lead topic: Government Reform Unit</b>	<b>Sub-topic: Freedom of Information</b>	<b>Contact: Evelyn O'Connor Ext: 5311</b>
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## FAST FACTS

A modernised, consolidated, restructured and more accessible **Freedom of Information Act**, has been complemented by a major drive to improve the operation of FOI by public bodies with the introduction of a Model Publication Scheme and related Guidance.

## Q&A'S

### What public bodies are covered by the FOI Act?

- The Act extends FOI to all public bodies, unless specifically exempt. As new public bodies are established, they will automatically be subject to FOI unless specifically exempt.
- On the 14<sup>th</sup> October 2015, the FOI Act was extended to An Garda Síochána, Iarnród Éireann, Gas Networks Ireland, EirGrid plc and ESB Networks Ltd.

### What does the Model publication Scheme do?

- It provides for a more proactive and consistent publication of information held by FOI Bodies on their website.
- It sets out to make information held by FOI Bodies readily available and easy to find under six headings,–
  - “What we are and what we do”
  - Services provided to the public
  - Decision-making processes for major policy proposals
  - “What we spend and how we spend”
  - Information on procurement
  - Other information which the FOI body intends to publish routinely.
- It is available at <http://foi.gov.ie/model-publication-scheme/>

### What training is available for public body staff?

- Over 1,000 civil and public servants have attended briefing sessions on the new legislation.
- A single FOI Training Framework was established in December 2014. This provides a panel of trainers from which FOI bodies can procure quality-assured training in a consistent and cost-effective manner. The FOI Central Policy Unit

monitors the training to ensure consistency in standards, approach and core messages.

- A total of 64 training sessions have been drawn down to date from the framework.

What other supports are in place?

- The FOI Central Policy Units FOI website ([www.foi.gov.ie](http://www.foi.gov.ie)) is a valuable resource for both public bodies and the general public and will continue to be enhanced in the coming months.
- A Code of Practice has been introduced which seeks to bring about greater efficiency, consistency and promote best practice in the operation of FOI throughout public bodies when dealing with FOI requests
- Manuals, Guidance Notes and sample letters to assist public bodies have been reviewed and revised in line with the Act.
- Existing FOI Networks are being supported and new FOI Networks established, these provide an excellent means of sharing learning and expertise, assisting in the development of common approaches and facilitating the transfer of learning between FOI bodies.

<b>Lead topic: Government Reform Unit</b>	<b>Sub-topic: Open Government</b>	<b>Contact: Evelyn O'Connor Ext: 5311</b>
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## FAST FACTS

- The Department is leading on the **Open Government Partnership** (OGP) which complements existing national reform efforts.
- Ireland became a full member of this Partnership in July 2014
- The Minister hosted the OGP Europe Regional Meeting in Dublin Castle in May 2014 and attended the OGP Mexico Summit on 27<sup>th</sup> - 29<sup>th</sup> October 2015.
- The OGP National Action Plan (NAP) was published in July 2014 on foot of significant collaboration of officials and civil society representatives and a public consultation process.
- The NAP includes 26 commitments spanning three core areas, Open Data and Transparency, Citizen Participation, and Strengthening Governance and Accountability.
- Ireland published its Mid-term Self-Assessment Report assessing its performance in respect of its commitments under the NAP on 21st October 2015. Of the 26 commitments under the NAP, 12 are completed, and 10 more are substantially progressed.

## Q&A'S

### What actions are included?

- The measures in the National Action Plan build on the foundations already laid in the area of political and democratic reform, in particular, on key commitments included in the Public Service Reform Plan, and provide a framework for the implementation of further reforms identified in the National Action Plan.
- Key initiatives for this Department include:
  - Open data
  - Developing updated principles and procedures on public consultation
  - Developing an ICT Strategy for the Public Service
  - Development of a Data Sharing and Governance Bill
  - Reviewing Citizen Complaint procedures
  - Development of revised Ethics legislation
  - Provide and implement a Code of Practice on Freedom of Information
- It includes actions also from other public bodies, in particular the local authorities, the Department of Environment, Community and Local Government, the Department of Education and Skills and others

<b>Lead topic: Government Reform Unit</b>	<b>Sub-topic: Open Data</b>	<b>Contact: Evelyn O'Connor Ext: 5311</b>
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## **FAST FACTS**

- My Department is leading on Ireland's **Open Data** initiative, which forms a core element of the OGP National Action Plan.
- A substantial work programme is being implemented since the launch of the Open Data Initiative in July 2014 of the national portal for public-sector Open Data including:
  - Ongoing development and enhancement of the portal, data.gov.ie.
  - Establishment of the Public Bodies Working Group (PBWG) to advise the Department on practical/technical issues. The PBWG developed a technical framework (setting requirements for licences, formats, metadata, standards, etc) to underpin the publication of datasets.
  - the launch of a public consultations on Open Data Licences, the Technical Framework, and a Foundation Document for the development of an Open Data strategy
  - Outreach and dissemination activities with stakeholders - from public bodies; business; the research and academic community; and from civil society - to create awareness of, promote, and seek views in relation to the Open Data Initiative.
  - Establish an Open Data Governance Group to provide strategic leadership for the next phase of the Open Data Initiative.

## **Q&A'S**

### What is the value of Open Data?

- Publication of official non-personal data in open format has the potential for significant economic, social and political impact in terms of the potential re-use in the development of new products and services, achieving efficiency gains through sharing of data inside and between public administration, and in fostering the participation of citizens in political and social life.
- Open Data provides a unique opportunity to use and re-use public data, to create the standard infrastructure necessary which fuels economic, governmental and societal activity across many different domains.

<b>Lead topic: Government Reform Unit</b>	<b>Sub-topic: Ethics in public office</b>	<b>Contact: Evelyn O'Connor Ext: 5311</b>
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### **FAST FACTS**

- Government agreed to the publication of the General Scheme of a **Public Sector Standards Bill in June 2015**.
- The Public Sector Standards Bill is currently being drafted and it is expected to be published later this year, following approval of the Government.

### **Q&A'S (BRIEF QUESTION AND ANSWER SECTION)**

#### What is the current position?

- The draft General Scheme has been referred to the Office of the Attorney General for priority drafting and, on 8<sup>th</sup> July 2015, was referred to the Joint Oireachtas Committee on Finance, Public Expenditure and Reform for pre-legislative scrutiny.

#### What are the purposes of the General Scheme?

- It was designed to modernise, simplify and streamline the current legislative framework governing the disclosure of interests and other ethical obligations for public officials.
- It seeks to respond to the recommendations relating to conflicts of interest contained in the final report of the Mahon Tribunal.
- It aims to meet the commitment in the Statement of Government Priorities 2014-2016 to publish legislation to consolidate local and national ethics requirements.

#### What are the main features of the new Ethics Framework?

- Replacing the Standards in Public Office Commission with a Public Sector Standards Commissioner who will have increased powers, and establishing a Deputy Commissioner who will be independent in terms of the investigations functions;
- Establishing in legislation a set of integrity principles for all public officials and using these to improve codes of standard and behaviour for different categories of public officials;
- Strengthening the legal obligation for public officials to disclose as a matter of routine actual and potential conflicts of interest;
- Establishing a more effective, streamlined and efficient (IT-based) process for the submission of periodic statements of interests;
- Significantly extending the personal and material scope of disclosures for public officials;
- Application of a graduated approach, with the declarations of interests of politicians and senior officials being made to the Commissioner and published;

private declarable interests will also be disclosed confidentially by politicians and the most senior officials but will not be published; no other public official will be required to declare private declarable interests and will submit their declarations to the head of the organisation;

- Imposing statutory prohibitions on the use of insider information, on the seeking by public officials of benefits to further their private interests, and on local elected representatives from dealing professionally with land in certain circumstances;
- Establishing a new statutory board to address potential conflicts of interest as public officials take up roles in the private sector.

#### What are the reform proposals designed to achieve?

The reform proposals are designed to:

- Significantly enhance the existing framework for identifying, disclosing and managing conflicts of interest as well as minimising corruption risks;
- Strengthen public trust in public administration by reinforcing the standards required from public officials in performance of their functions;
- Achieve a shift towards a more dynamic and risk-based system of compliance;
- Ensure that the institutional framework for oversight, investigation and enforcement is robust and effective;
- Put in place a consistent, coherent and proportionate ethics framework for all public officials at both local and national level which is calibrated to conflict of interest and corruption risk; and
- Ensure Ireland's disclosure and conflict of interest framework corresponds to international best practice and is appropriately balanced to other important public policy objectives including safeguarding privacy and encouraging participation in public life.

#### What consultation took place?

- The General Scheme was developed in consultation with the Standards in Public Office Commission, the Department of Justice and Equality, the Department of Environment, Community and Local Government, the Houses of the Oireachtas Commission, and the Office of the Attorney General.
- A public consultation process open to all took place, with comments sought by 11<sup>th</sup> September 2015. One submission was received and it will be published on the Department's website shortly.

#### What are the next steps?

- The intention is to publish the Public Sector Standards Bill before the end of this year.

<b>Lead topic: Government Reform Unit</b>	<b>Sub-topic: Statute Law Revision</b>	<b>Contact: : Evelyn O'Connor Ext: 5311</b>
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## **FAST FACTS**

- **Statute Law Revision Bill 2015** was enacted in July. It revoked nearly 6000 laws and is the largest repealing Act in the history of state.
- The next Bill will repeal spent and obsolete Acts enacted between 1922 and 1950 and publication of that Bill is envisaged by end year. A draft list of Acts proposed for repeal has been published on the Department website.

## **Q&A'S**

When was the programme of revision approved by Government?

In July 2013 Government approved a new programme of statute law revision and the drafting of a number of statute law revision bills dealing with the following:

- a) Pre- 1948 Secondary Instruments,
- b) Post 1922 Acts,
- c) Post 1948 Secondary Instruments,
- d) Charters

Why statute law revision is necessary/what is the benefit?

The Programme for Government contains a commitment to progress the Statute Law Revision Programme in order to enhance public accessibility to the statute book in respect of '*Overhauling the Way Politics and Government Work*'. The fundamental objective of this commitment, which guides the proposed policy approach, is to ease the regulatory burden on businesses and citizens and provide legal clarity by removing redundant legislation from the statute book. This paves the way for further modernization measures.

What staff currently work on the SLRP?

A full time Programme Manager who is an experienced legal professional and 3 legal researchers engaged through an agency.

