Executive Summary

The Province of Biscay has embraced an open government agenda as a way to improve government efficiency and effectiveness while bringing the administration closer to its citizens. Biscay has made significant progress by developing an Open Government Action Plan (OGAP), adopting the Provincial Law on transparency, and creating a stakeholder participation framework. However, the implementation of the OGAP remains fragmented inside the public administration and according to thematic area, and the Province could consider creating and institutionalizing a comprehensive open government strategy and mainstreaming existing stakeholder participation practices across sectors and throughout the entire policy cycle to ensure long-term success.

Setting the scene for open government reforms

The Province of Biscay in Spain has a high degree of autonomy, particularly in its taxation regime and the size of its economy. Biscay has the largest gross domestic product (GDP) of the three Basque provinces, which provides it with the economic capacity and flexibility to implement ambitious policies, strategies and initiatives. The Province has a strong culture of stakeholder participation and public-private collaboration, especially in the co-production of social services. This culture shapes Biscay's open government environment to a large extent.

Strengthening policy, legal and regulatory frameworks for open government

Biscay has shown high-level political commitment and leadership in open government reforms. Its definition of open government reflects the particularities of the Province and seeks to change the culture of the public sector to improve public services. Although Biscay has developed a 2017-2019 OGAP with short-term commitments, the Province could consider developing a more comprehensive, long-term open government strategy that includes key open government initiatives, together with short, medium and long-term goals and indicators. Biscay adopted its own Provincial Law on Transparency in February of 2016 along with a plan to ensure its implementation. This Provincial Law complies, in general terms, with OECD good practices and important progress has been made in its application. The Province could continue its dissemination initiatives and awareness campaigns among all stakeholders to ensure compliance from entities and public officials subject to the law.

Ensuring a sustainable implementation of Biscay's open government agenda

In 2015, Biscay created two new institutional actors related to the open government agenda, demonstrating its materialising high-level political commitment. The first is the Observatory of Biscay, which is responsible for elaborating, co-ordinating, and monitoring the OGAP. The Observatory also monitors public policies and implements participative

initiatives. The second is the Cabinet of Modernisation, Good Governance and Transparency, responsible for initiatives focused on modernising the public administration and improving transparency. At the same time, implementation of the OGAP is fragmented by department and by open government principle. While these institutional arrangements are intended to encourage more ownership of open government initiatives, they are not sufficient to counter the risk of fragmentation of Biscay's broader open government agenda. Creating a committee that centralises the co-ordination of this agenda could address this risk.

Policy makers must be properly trained for reforms to be successful. Biscay has made significant efforts to include open government principles in competency frameworks, codes of conduct and the job profiles of its civil servants and appointed senior public officials. However, further training is needed to improve "open government literacy", which is the combination of awareness, knowledge, and skills that civil servants and stakeholders require to engage successfully in open government strategies and initiatives. Internal communication campaigns can further raise awareness, understanding and acceptance of the overall open government agenda.

Biscay has implemented several initiatives on digitalisation, promoting open data, reducing bureaucracy and encouraging the use of ICTs at the local level. It could build on these efforts by further cultivating external demand for data and working with municipalities to tailor new technological tools for related policy areas such as stakeholder participation.

Building a monitoring and evaluation framework for open government

The development of a monitoring and evaluation (M&E) system is a high priority for the government of Biscay. However, there is no legal or policy framework guiding M&E across government. The Province recognises the benefits of such frameworks and has started developing an M&E system. Policy makers could consider centralising responsibilities regarding M&E into a single institution in charge of developing a whole-of-government M&E system. Promoting the use and quality of evaluation results could be among the Province's priorities. To this end, Biscay could further develop an M&E culture by offering specific training and guidelines to develop these skills in public officials.

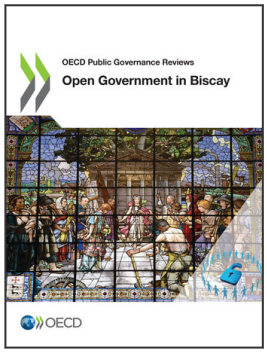
Biscay engaged citizens and public officials in assessing the progress of the OGAP, fostering, to a certain extent, a sense of ownership of it, as well as promoting open government principles both inside and outside public institutions. Biscay could complement its perception-based measurements with a monitoring mechanism that collects regular, up-to-date quantitative data on the implementation of open government initiatives. The gradual development of an M&E system will improve Biscay's capacity to evaluate the achievements of open government initiatives. In the long term, the government could also use a government-wide M&E system to conduct pilot evaluations of the openness of sectorial policies.

Mainstreaming stakeholder participation in Biscay

Biscay has a longstanding participation culture, especially in the social sector. The Province has demonstrated the importance it gives to stakeholder participation in the policy-making cycle. In 2018 Biscay published a Plan for Participation 2018-2019, a Model for Citizen Participation and a Map for Citizen Participation, which form a policy framework for implementing stakeholder participation initiatives. To consolidate such policy frameworks in the long term, other OECD countries have passed laws and

regulations. The current communication strategy for participation and open government focuses only on specific initiatives; there is a need to raise awareness and understanding among stakeholders of open government reforms as a whole.

Finally, Biscay is taking important steps to encourage consultation beyond regulatory processes. Stakeholder participation in policy design, implementation, monitoring and evaluation occurs mainly in social services, for example with the Civil Dialogue Table. Biscay could transfer and mainstream this good practice to other sectors of the Province to ensure that stakeholders are involved throughout the whole policy cycle.



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