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## Good practice principles for deliberative processes for public decision making

Claudia Chwalisz

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Based on analysis of the data collected and in collaboration with an advisory group of leading practitioners from government, civil society, and academia, the OECD has identified common principles and good practices that may be of useful guidance to policy makers seeking to develop and implement representative deliberative processes. This chapter explains the methodology and sets out the good practice principles.

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## Introduction

The OECD's Recommendation on Open Government (2017) provides, with respect to citizen participation in government, that Adherents should:

“8. Grant all stakeholders equal and fair opportunities to be informed and consulted and actively engage them in all phases of the policy-cycle [...]”; and

“9. Promote innovative ways to effectively engage with stakeholders to source ideas and co-create solutions[...]”.

Representative deliberative processes (referred to interchangeably as deliberative processes for shorthand) are one of the most innovative methods of fostering citizen participation in government. The OECD has collected a wealth of evidence as to how representative deliberative processes work across different countries. While there are a wide variety of models, analysis of the evidence collected reveals a number of common principles and good practices that may be of useful guidance to policy makers seeking to develop and implement such processes.

The OECD has drawn these common principles and good practices together into a set of Good Practice Principles for Deliberative Processes for Public Decision Making (hereafter, “good practice principles”). These good practice principles could provide policy makers with useful guidance as to the establishment of deliberative processes and the implementation of provisions 8 and 9 of the Recommendation on Open Government.

In addition to the comparative empirical evidence gathered by the OECD and from which they were drawn, the good practice principles have also benefitted from collaboration with an international group of leading practitioners from government, civil society, and academics who are members of the OECD's Innovative Citizen Participation Network<sup>1</sup> and of the Democracy R&D Network<sup>2</sup>.

The group included:

- Yago Bermejo Abati, Deliberativa, Spain
- Damian Carmichael, Department of Industry, Science, Energy and Resources, Australia
- Nicole Curato, Centre for Deliberative Democracy & Global Governance, Australia
- Linn Davis, Healthy Democracy, United States
- Yves Dejaeghere, G1000 Organisation, Belgium
- Marcin Gerwin, Center for Climate Assemblies, Poland
- Angela Jain, Nexus Institute, Germany
- Dimitri Lemaire, Particitiz, Belgium
- Miriam Levin, Department of Digital, Culture, Media, and Sport, United Kingdom
- Peter MacLeod, MASS LBP, Canada
- Malcolm Oswald, Citizens' Juries CIC, United Kingdom
- Anna Renkamp, Bertelsmann Stiftung, Germany
- Min Reuchamps, UC Louvain, Belgium
- Iain Walker, newDemocracy Foundation, Australia

We called on the review group based on their breadth of experiences. Yago Bermejo Abati was one of the designers and organisers of the City Observatory of Madrid, which blended direct and deliberative processes. Nicole Curato's centre is one of the most widely published and respected academic centres globally, along with the work being done by Min Reuchamps over many years. Linn Davis has led innovations in the US aiming to make citizens' ballot initiatives more considered by incorporating a significant deliberative component, with that work now being trialled in Finland and Switzerland. Damian Carmichael from Australia holds a federal government role in a nation with many deliberative project examples but few at national level, making a public sector perspective of special interest in that context. Marcin Gerwin has run highly influential binding Citizens' Panels and also brought an Eastern Europe perspective. Miriam Levin's role with the UK Government's "Innovation in Democracy" programme was valued in this context. In the OECD's analysis of close to 300 processes, we noted two operators of particularly high quality and high transparency projects, so invited Peter MacLeod from MASS LBP (Canada) and Iain Walker from newDemocracy (Australia) for their input. Yves Dejaeghere's G1000 organisation is responsible for the first permanent deliberative body coming into being (Ostbelgien), while Angela Jain from the Nexus Institute has been involved with many of Germany's local Planning Cells as well as a national level experiment. Dimitri Lemaire from Particitiz in Belgium has long-term experience in a practitioner role, while Malcolm Oswald brings a UK perspective and has organised Citizens' Juries that follow a distinctive format unlike many other jurisdictions in the sample. Finally, Anna Renkamp and the Bertelsmann Stiftung have delivered deliberative processes for the German President and bring a senior-level project perspective as a result.

## Methodology

The development of the good practice principles was informed by analysis of the evidence gathered by the OECD in its work on deliberative processes and to support the implementation of provisions 8 and 9 of the Recommendation on Open Government. In addition, the OECD evaluated existing literature where a number of organisations and academics have already defined some principles for deliberative processes.

As a first step, a mapping exercise was conducted to identify the commonalities and differences across countries' practices and between existing sets of principles, standards, and guidelines. For reference, Annex A includes an overview of existing principles, a table highlighting their commonalities and differences, and a summary of their common threads.

Following this, core principles and good practices required to achieve good deliberative processes that result in useful recommendations for the commissioning public authorities and a meaningful opportunity for citizens to participate in shaping public decisions were identified.

A public consultation was conducted from 28 February to 20 March 2020, after which the good practice principles were amended and were discussed with the OECD Working Party on Open Government for approval. The response to the public consultation was published on 20 May 2020.

The good practice principles are intentionally concise. They are intended to be the starting point for public decision makers wishing to commission deliberative processes and for practitioners wishing to design and organise them. A more detailed set of guidelines for implementing the good practice principles will be published as a follow-up to this report, with details about how to operationalise each of them.

## Good practice principles for deliberative processes for public decision making

Figure 5.1. Good practice principles for deliberative processes for public decision making



1. **Purpose:** The objective should be outlined as a clear task and is linked to a defined public problem. It is phrased neutrally as a question in plain language.
2. **Accountability:** There should be influence on public decisions. The commissioning public authority should publicly commit to responding to or acting on participants' recommendations in a timely manner. It should monitor the implementation of all accepted recommendations with regular public progress reports.
3. **Transparency:** The deliberative process should be announced publicly before it begins. The process design and all materials – including agendas, briefing documents, evidence submissions, audio and video recordings of those presenting evidence, the participants' report, their recommendations (the wording of which participants should have a final say over), and the random selection methodology – should be available to the public in a timely manner. The funding source should be disclosed. The commissioning public authority's response to the recommendations and the evaluation after the process should be publicised and have a public communication strategy.
4. **Representativeness:** The participants should be a microcosm of the general public. This is achieved through random sampling from which a representative selection is made, based on stratification by demographics (to ensure the group broadly matches the demographic profile of the community against census or other similar data), and sometimes by attitudinal criteria (depending on the context). Everyone should have an equal opportunity to be selected as participants. In some instances, it may be desirable to over-sample certain demographics during the random sampling stage of recruitment to help achieve representativeness.
5. **Inclusiveness:** Inclusion should be achieved by considering how to involve under-represented groups. Participation should also be encouraged and supported through remuneration, expenses, and/or providing or paying for childcare and eldercare.
6. **Information:** Participants should have access to a wide range of accurate, relevant, and accessible evidence and expertise. They should have the opportunity to hear from and question speakers that present to them, including experts and advocates chosen by the citizens themselves.
7. **Group deliberation:** Participants should be able to find common ground to underpin their collective recommendations to the public authority. This entails careful and active listening, weighing and considering multiple perspectives, every participant having an opportunity to speak, a mix of formats that alternate between small group and plenary discussions and activities, and skilled facilitation.

8. **Time:** Deliberation requires adequate time for participants to learn, weigh the evidence, and develop informed recommendations, due to the complexity of most policy problems. To achieve informed citizen recommendations, participants should meet for at least four full days in person, unless a shorter time frame can be justified. It is recommended to allow time for individual learning and reflection in between meetings.
9. **Integrity:** The process should be run by an arm's length co-ordinating team different from the commissioning public authority. The final call regarding process decisions should be with the arm's length co-ordinators rather than the commissioning authorities. Depending on the context, there should be oversight by an advisory or monitoring board with representatives of different viewpoints.
10. **Privacy:** There should be respect for participants' privacy to protect them from undesired media attention and harassment, as well as to preserve participants' independence, ensuring they are not bribed or lobbied by interest groups or activists. Small group discussions should be private. The identity of participants may be publicised when the process has ended, at the participants' consent. All personal data of participants should be treated in compliance with international good practices, such as the European Union's General Data Protection Regulation (GDPR).
11. **Evaluation:** There should be an anonymous evaluation by the participants to assess the process based on objective criteria (e.g. on quantity and diversity of information provided, amount of time devoted to learning, independence of facilitation). An internal evaluation by the co-ordination team should be conducted against the good practice principles in this report to assess what has been achieved and how to improve future practice. An independent evaluation is recommended for some deliberative processes, particularly those that last a significant time. The deliberative process should also be evaluated on final outcomes and impact of implemented recommendations.

## Notes

<sup>1</sup> As part of the area of work on innovative citizen participation, the OECD has been engaging with an international network of practitioners, designers, academics, researchers, civil servants, and curators to frame the topics and scope of research, to gather feedback and inputs to the research in an ongoing manner, and to strengthen the ties between these important groups of actors.

<sup>2</sup> The Democracy R&D Network is an international network of organisations, associations, and individuals who are organising, implementing, studying, and advocating for deliberative activities with the aim of helping decision-makers take hard decisions and build public trust. More information is available here: <https://democracyrd.org/about/>.

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