

OGP Subnational Co-Creation: Elgeyo Marakwet Program

Opportunities for Action Plan Co-Creation

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Draft & Not for Distribution

I. Introduction

This document provides an overview of Reboot's proposed approach to supporting Elgeyo Marakwet's OGP action plan co-creation. It is based on areas of alignment identified between OGP's and Elgeyo Marakwet's respective priorities and ongoing work.

These proposed approaches are intended as jumping-off points for discussion with the County's OGP Steering Committee. We ask that the Steering Committee determine up to three priority opportunities that it may wish to integrate into its OGP action plan, and which Reboot may provide support on.

Once these are determined, Reboot will begin preparations for support during the upcoming OGP co-creation period, which is scheduled for October 10 to 28, 2016. In this period, Reboot will support Elgeyo Marakwet in:

- **Building the co-creation structures** needed to successfully develop and implement OGP commitments, and facilitating collaboration between government and civil society.
- **Providing training in technical skills** that are useful to designing strong open government and development initiatives, using up to three commitment areas as opportunities for shoulder-to-shoulder training.
- **Defining its OGP commitments and action plan**, based on assessments of potential impact and feasibility, and in line with OGP protocols. Subnational pilot programs are expected to have no more than five OGP commitments, and action plans are to span one year.
- **Preparing for the OGP Summit in December**, to frame and present the County's open government activities in ways that will support its larger ambitions.

While these activities are intended to support Elgeyo's OGP action plan process, Reboot believes that the structures and skills developed can benefit the County and its partners in its other open government and development work more broadly.

II. Opportunities for Engagement

Through its existing efforts, the Elgeyo Marakwet County Executive has demonstrated its commitment to and track record in promoting transparency, participation, accountability, and technology and innovation.

In terms of OGP action plan development, Reboot has identified a number of opportunity areas that could be explored and ways in which Reboot can support Elgeyo in pursuing these opportunities.

Prior to the October engagement, Reboot asks the County OGP Steering Committee to determine up to three opportunities it would like to explore in this period. These opportunities should relate to commitments that the Steering Committee would like to pursue as part of its inaugural OGP action plan.

1. Accountable, Responsive Public Services, by Institutionalizing Mobile Citizen Engagement Channels

Related OGP Grand Challenges: Improving Public Services; Increasing Public Integrity

Context: Mobile communication platforms, such as WhatsApp, are being used widely by government, civil society, and citizens. The County's use of WhatsApp is innovative: Public officials use it coordinate activities across the Executive, to monitor ward-level needs, and to collect citizen input to inform project execution. These applications of WhatsApp have emerged organically; they are pioneering, if informal.

OGP Opportunity: There is an opportunity to improve public services by optimizing and institutionalizing these channels. One approach, for example, could be to formalize their role as citizen reporting and rapid response mechanisms. This may involve developing more formal protocols for monitoring WhatsApp groups, moderating conversations, tracking issues, and coordinating responses. This may also involve establishing partnerships with local civil society and community groups (e.g. Ward Development Committees, Public Management Committees) to support in issue investigation, tracking, and redressal.

Potential Reboot Support: Reboot can work with the County to build skills in designing these citizen engagement channels for greater utility and efficiency, and to develop a roadmap for implementation. This would involve training and shoulder-to-shoulder work with County open government stakeholders in:

- Conducting design research with citizens to understand their needs and capabilities relevant to participating in these channels
- Consulting with government and civil society stakeholders to understand needs, capabilities, and potential processes relevant to monitoring these channels, and responding to issues raised
- Designing and prototyping channel designs, and their integration with existing government protocol or civil society processes

Significance of Commitment: Reboot believes that the County's existing use of WhatsApp is innovative, and would draw attention from the international community, as strong examples of ICT4D, open government, and good governance. We believe that developing foundational skills in user-centered design will help the County in its future work, both efforts related to open government and beyond. Finally, we

believe that this workstream would lead to tangible prototypes that will attract attention and interest at the OGP Summit in December.

Other Considerations for Engagement: Engagement around this focus area, and the capacity building component in particular, would be time-intensive. As such, it would only make sense to invest in this if there is a group of County representatives—from the relevant government offices, and from civil society actors with capabilities to support citizen engagement in the future—that would be able to participate in this workstream. We imagine this workstream would require approximately 5 full days of time over a 2- or 3-week period.

2. Transparency in Government Data, by Expanding Information-Sharing to Empower Local Actors

Related OGP Grand Challenges: Increasing Public Integrity; More Effectively Managing Public Resources; Increasing Corporate Accountability

Context: While the County seeks to empower and engage local actors in development processes—as evidenced through the establishment of the County Budget Economic Forum and upcoming creation of Community Project Management Committees—a lack of access to relevant information constrains the ability of these actors to execute their mandates.

Government, civil society, and citizens have identified unmet information needs that are important for productive mutual engagement, and broader civic discourse. These needs ranged from contract information for public projects to Quarterly Budget Implementation Reports. In most cases, these documents are already produced by government, but are not publicly published or accessible.

OGP Opportunity: There is an opportunity to increase public sector transparency, using open information as an ingredient to improve government efficiency and effectiveness, and to improve the quality of citizen participation.

Too many open government initiatives focus on transparency as an end in and of itself. This is misguided. Without a clear value proposition or concrete use-cases for government, such initiatives struggle to be sustainable, particularly as they create significant work for already under-resourced governments. Reboot believes there is an opportunity to initiate an open data program that provides value to the County, and requires limited additional resources from the County.

Potential Reboot Support: Reboot can work with both government and civil society to determine what types of data the government should release, and how, to have the most immediate positive impact. From there, we can jointly define a roadmap for open data publishing and usage. This would involve

- Consulting relevant stakeholders (within and outside of government) to understand their information needs prioritizing these needs based on impact and feasibility
- Identifying opportunities to release data with minimal additional burden on government (i.e., by building on existing processes or mechanisms)

- Determining suitable channels for publishing information, and realistic timelines for doing so
- Identifying possible resources that can support forward work in this area
- [Time permitting] Supporting media and/or civil society actors in better interpreting government data to be able to integrate it into their reporting or advocacy work.

Significance of Commitment: Open data is a key ingredient and catalyst for many open government programs—and one that attracts significant external attention from development partners. This engagement could help Elgeyo start laying out a path for its work in open data.

Many open data initiatives, however, also have little impact—this is because they do not clearly identify target users and specific use-cases at the outset, and they do not adequately assess the capabilities that are available for implementation. This creates open data portals that have limited utility, and that often lay collecting dust. Reboot’s proven approach can help mitigate these challenges.

There may also be opportunities to use this area of work to make progress on Kenya’s national OGP commitments that require participation from the counties:

- Commitment 3. Enhance transparency in the legislative process in Parliament and County Assembly
- Commitment 7. Improving access to government budget information and creating wider and more inclusive structures for public participation

If Elgeyo chooses to focus on one or both of these areas, it can demonstrate a replicable process for other counties to adopt. In addition to supporting Kenya’s national open government work, doing so may also improve relations with national OGP stakeholders, who don’t yet seem to have a plan for the implementation of these two commitments at the county level.

Other Considerations for Engagement: The successful exploration of this focus area will require the identification of specific decision-making processes which would benefit from the introduction of open data, and opportunities for Reboot to observe and conduct research on these processes.

It would also require engagement with the relevant government offices responsible for generating the data that is important for the target decision-making processes. These stakeholders would have to be available to engage with the Reboot team while in country.

3. Robust Citizen Participation, by Optimizing Processes based on Empirical Evidence

Related OGP Grand Challenges: Increasing Public Integrity; More Effectively Managing Public Resources

Context: Public participation plays an important role at various level of county governance and decision-making. However, the County has yet to establish formal guidelines that inform their execution and documentation. Not only has this led to significant variation in how public consultations are conducted, it has also facilitated rejections of public deliberations outcomes by other arms of government or by citizens

themselves. Further, a lack of formal reporting protocol for public participation fora has prevented the Office of Public Participation from effectively monitoring and guiding the County's activities in this area.

The County's approach to public participation needs to be redefined. The County executive, members of civil society, and development partners have begun dialogue to define: When, and under what conditions or scenarios, do what types public participation make sense, and using what mechanisms to facilitate effective citizen participation?

OGP Opportunity: Given the County's experiences integrating public participation across a wide range of decision-making levels, Elgeyo Marakwet has an opportunity to develop a robust set of frameworks, guidelines, and templates to support effective public participation in local governance. Topics to cover may include: determining the types of participation appropriate for different situations; selecting the actors that should participate in a particular consultation or co-creation process; providing appropriate inputs to guide a public participation process; facilitating effective public participation; and documenting outcomes.

Potential Reboot Support: Reboot can work with the County to define a framework and set of tools to support public participation. This would involve:

- Reflecting on the various approaches that have been tried by the government, to understand what has worked, what hasn't, and why
- Examining approaches that have been proposed by civil society and development partners, to understand their relevance and potential utility in the Elgey context
- Reviewing legislative policies and guidelines (e.g. from the National Ministry of Devolution and Planning) to understand the parameters within which new frameworks or guidelines need to satisfy
- Synthesizing analysis conducted into a draft framework and set of tools to guide future public participation processes
- Developing protocols for testing various elements of the framework and tools, and for updating them based on the results of testing

Significance of Commitment: Elgeyo's commitment to and experiences with public participation make it uniquely suited to demonstrate thought leadership in how to conduct public participation to support local governance. While this work would address a pressing need in the County, such a set of tools would also be of great interest to the OGP, as many of the questions Elgeyo has wrestled with are also salient for the global open government community.

Other Considerations for Engagement: Refining public participation processes, while a County priority, is influenced by national policy and guidelines. This may make it difficult to make strong progress on a framework if the analytical work reveals that empirical learnings contract legislative requirements.

This is also a challenging topic of discussion, as there are many external partners, agendas, methodologies, and preferences. Coordination between these partners, and facilitating dialogue around this commitment, may prove challenging—especially with limited time windows. Furthermore, the upcoming elections may limit the County executive's interest in trying new approaches to public engagement.

III. Proposed Workplan

Cross-Cutting Activities

For the October working collaboration, there are three core expected activities. These will be scheduled and convened by the County government, and Reboot will be prepared to facilitate these sessions.

Meeting	Timing	Suggested Participants
Entry Meeting	Wed, Oct 12: Morning	OGP Steering Committee and other key government stakeholders
Action Plan Development Workshop	Fri, Oct 21: Full Day	OGP Steering Committee
Outbriefing Meeting	End of week of Oct 21, or before Maritim departs for Washington DC	OGP Steering Committee and other key government stakeholders, including the Governor

Workstream Activities

Reboot and the Government of Elgeyo Marakwet have defined three core workstreams for collaboration in October 2016. These workstreams come out of areas of alignment between the County and OGP, and may inform potential OGP commitments. Beyond OGP, we believe that these skills will help both the County government and civil society develop robust public services and programs in the future.

Suggested participants from government and civil society have been noted for each workstream, based on the alignment between the workstream and actors' respective mandates. Reboot expects that the OGP Steering Committee, County government, and civil society partners may wish to propose additional participants.

Workstream 1: Accountable, Responsive Public Services, by Institutionalizing Mobile Citizen Engagement Channels

This workstream seeks to help County open government stakeholders develop foundational skills in service design through shoulder-to-shoulder collaboration on the institutionalization of mobile citizen engagement channels. Reboot will support this workstream through the following activities:

Week of October 10-16:

- **Consult with government and civil society stakeholders** currently monitoring informal engagement channels (WhatsApp, etc.) to understand needs, capacities, and processes relevant to monitoring these channels, and responding to issues raised.
- **Conduct one-day design research workshop (to schedule for Thursday or Friday)** with key government and civil society stakeholders to develop skills in collecting targeted and specific citizen inputs to inform design of these challenges
- **Conduct background research** on other governments using messaging applications as public

engagement or rapid response channels, to draw out lessons to inform the County's forward work.

Week of October 17-23:

- **Conduct two days of design research with citizens—in collaboration with key government stakeholders**—to understand their needs and capabilities relevant to participating in these channels.
- **Conduct a half-day research synthesis workshop** to develop process findings, develop insights, and set design parameters, taking into account both citizen and government needs.

Week of October 24-28:

- **Design and prototype channel or process designs** that will integrate into existing government protocol or civil society processes, and produce mock-ups of the revised channel and/or process diagrams for how they will be managed. These designs will contribute to one or more potential OGP commitments related to responsive public services (defined in the previous week) and make concrete progress toward these commitments.

Suggested Participants:

Government: Vincent Bartoo (Workstream Owner), Linus Siele

Civil Society: Edwin Rono & Elgeyo Marakwet CSO Network; Members of Ward Development Committees; Members of Public Management Committees

Workstream 2: Transparency in Government Activities, by Expanding Information-Sharing to Empower Local Actors

This workstream seeks to assist the County in identifying specific and immediately impactful applications of publicly released government information, and to determine high-feasibility ways for the County to publish more government information. This will help Elgeyo Marakwet make tangible progress on its transparency agenda and benefit from open data, while minimizing the resource strain required to do so. Reboot will support this workstream through the following activities:

Week of October 10-16:

- **Determine high-impact, high-feasibility uses for open data**, through opportunity and process mapping with government and civil society stakeholders. Together, we will identify specific challenges that can be addressed, or opportunities that can be seized, through the greater publishing of government information.
- **Conduct process mapping and capacity assessments** with different government offices and actors responsible for collecting, managing, synthesizing, and publishing the high-impact information (identified through the previous activity) to determine opportunities to build on existing processes and capacities in sharing information.

Week of October 17-23:

- **Continue process mapping and capacity assessments.**
- **Synthesize findings from last two weeks to determine roadmap** for increased transparency in

government activities.

Week of October 24-28:

- **[Potential] Work with government actors on technical challenges** related to the collection, synthesis, and/or publishing of government data.
- **[Potential] Mentor civil society and/or media actors** on how to access and analyze open data, and integrate into their advocacy and/or reporting work.

Suggested Participants:

Government: John Maritim (Workstream Owner), Representative from Office of ICT

Civil Society: Timothy Kiprono & Kerio Center; Civil society and/or media organizations that seek to use open data

Workstream 3 Robust Citizen Participation, by Optimizing Processes based on Empirical Evidence

This workstream seeks to assist the County in developing revised framework for implementing public participation processes, and specific operational tools to support public participation. This will be done by considering legislation requirements, political needs and sensitivities, and lessons learned from past experiences. Reboot will support this workstream through the following activities:

Week of October 10-16

- **Conduct background research to review** public participation guidelines that inform the Elgeyo Marakwet context—with a focus on legislative requirements and recent experimentation—and survey of complementary literature on participatory planning from other contexts.

Week of October 17-23

- **Conduct a half-day Public Participation Ecosystem & Process Mapping Workshop** to discuss key insights from the County's experiences conducting public participation processes, review research conducted by civil society and development partners, map the various public participation consultations activities conducted by the County, and define an initial scope for the key public participation assumptions to be evaluated.
- **Consult with key stakeholders with executional responsibility (or that could have responsibility) for public participation processes** to explore the challenges, capabilities, and processes identified in the Public participation workshop, to ensure that potential revisions are feasible.

Week of October 24-30

- **Develop draft framework for public participation based on** (i) (ii) develop a public participation evaluation framework and (iii) identify target public participation consultation processes to be revised as part of the OGP commitment and supporting partners.

Suggested Participants:

- **Government:** Kilimo Ruto (Workstream Owner)
- **Civil Society:** Timothy Kiprono & Kerio Center; WDC Member; Civil Society Interest Group