



PUBLIC ENGAGEMENT FRAMEWORK

FINAL VERSION

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This document was drafted by the Ministère du Conseil exécutif. Information regarding the application of the Public Engagement Framework can be obtained by contacting:

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MESSAGE FROM THE MINISTER

Public participation is essential for a government to attain the objectives of transparency and openness; it is one of the key components of an open government. By effectively structuring the public's contribution, we will enhance the development of public policies and their implementation.

The Framework seeks to create conditions conducive to public engagement. It provides an opportunity for participants to truly have an influence on the decision-making process and for the government to develop effective policies. It aims to provide a set of guiding principles that define the practice of incorporating public participation into the development of public policies. These guiding principles, as well as their implementation criteria, will play a key role in the success of participatory initiatives. They reflect the government's commitment to engage with the public more effectively.

The Framework was designed while taking into account best global practices regarding public participation. Furthermore, the draft Framework was developed by the Secrétariat à l'accès à l'information et à la réforme des institutions démocratiques (SAIRID) of the Ministère du Conseil exécutif, in collaboration with six ministries and secretariats. The Framework is intended to guide government leaders tasked with designing and implementing a public engagement process. The government decided that it was important to open its development process to the entire population of Québec.

To that end, the draft Framework was included in the Plateforme de collaboration Objectif numérique, launched by the government in the fall of 2016. From November 7, 2016 to February 28, 2017, it was possible to consult, analyze and comment on the draft Framework via the platform, the topic of which was *Transparent and efficient public administration*. The public also had the option of consulting the draft Framework on the SAIRID website and submitting comments about it. Briefs and comments could be sent directly by email until March 31, 2017.

The contribution of participants allowed for enhancements to the draft Framework. The final version of the Public Engagement Framework is an important milestone in achieving the government's objectives of transparency and openness.

Rita L.C. de Santis
Minister responsible for Access to Information
and the Reform of Democratic Institutions



INTRODUCTORY NOTE

This document aims to provide a Public Engagement Framework, much anticipated by all Quebecers, including members of First Nations and Inuit communities. The Québec government will continue to fulfil its obligation to consult and accommodate Aboriginal communities, as the situation merits, when it is considering actions apt to have an adverse effect on an Aboriginal or treaty right, whose existence has been established or asserted in a credible manner. The mechanisms provided for in this document are not intended to replace or to have an impact on specific processes already in place to respect the obligation to consult Aboriginal communities. This document does not supersede existing agreements between Québec and one or more Aboriginal communities.

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SEVEN GUIDING PRINCIPLES

Principle 1: Commitment of the appropriate authorities

When an appropriate authority undertakes a public engagement process, it should ensure that it provides a real opportunity for participants to influence the decision-making process. Such a step should be taken before any decision has been made, when it is still possible to take different perspectives into account.

Principle 2: Commitment of participants

The participants should be able to commit to respecting certain rules that will ensure a fair and respectful public engagement process. They should make a commitment to do so in good faith, with the goal of sharing their opinions, concerns, expectations, and needs. The appropriate authorities should implement rules enabling fair and respectful exchanges.

Principle 3: Choice of public engagement mechanisms

The public engagement mechanisms chosen should be varied, be adapted to the desired degree of participant involvement, provide adequate resources, have reasonable timeframes, and be inclusive.

Principle 4: Information

Within a reasonable time before the public engagement process, the appropriate authority should make high-quality information adapted to the participants' needs easily accessible.

Principle 5: Promotion

The process should be promoted in such a way that participants are convened and informed a reasonable amount of time before the public engagement process, using means that are likely to reach them and get their attention. The methods of participating should be clear and understood when the process is announced.

Principle 6: Feedback

The appropriate authorities should express and communicate feedback related to the public engagement process to participants within a reasonable period of time.

Principle 7: Evaluation

The participants and appropriate authorities should be able to evaluate the public engagement process.

INTRODUCTION

Over time, the Québec government has become more open to public participation. For several years, the government has been incorporating greater public participation into the process of developing public policies. It consults the public in a number of ways.

This tendency is sure to grow with the formal adoption of the government's vision, as described in Québec's Open Government Declaration (2012): "An open government encourages participation, by placing citizens at the heart of the State's decision-making process. Public input is essential to improving the effectiveness and efficiency of the government. The equal and indiscriminate participation of all citizens is needed to develop public policies that will enable Québec's great collective challenges to be met." This vision specifically defines how the government is committed to establishing a partnership and engaging with citizens. According to the Organisation for Economic Co-operation and Development (OECD), "the objective of the open and participative development of policies is to ensure transparency, accessibility, and responsiveness to the needs of all citizens." This type of development enhances public policies and services.

However, new non-digital participation methods and digital tools are not enough, in and of themselves, to ensure that a public engagement process will provide the desired positive results, i.e. enhancing the effectiveness and fairness of institutions, without hindering their efficiency.

A well-designed participatory approach is crucial to obtaining positive results. Therefore, it is important to build on solid principles. In this regard, one of the approaches recommended by an Open Government Partnership¹ consists in developing guiding principles.

The standards and principles that ensure that a participatory process is effective have been known for several decades. Organizations and governments from around the world have recommended and adopted non-binding frameworks establishing these guiding principles: the United Kingdom, Australia, Ireland, the Netherlands, Canada (federal, Newfoundland and Labrador), the European Commission, the Council of Europe, OECD, etc. This approach has also been used at a local level.

The Public Engagement Framework is consistent with the application of the *Sustainable Development Act* (Chapter D-8.1.1) principles, which public administrations must take into account in its actions, particularly that of participation and commitment. The Framework is among the actions provided for in the Government Sustainable Development Strategy 2015–2020. It complies with Direction 1, which consists of "strengthening sustainable development governance throughout the civil service," and Objective 1.3, which consists of "fostering the adoption of a public engagement approach when setting and implementing government policies and measures.

Public Engagement Framework Final Version ("Framework")

The aim of this Framework is to provide a set of guiding principles that define the incorporation of public participation into the development of public policies. The application of the seven guiding principles allows for the implementation of favourable conditions for public participation by creating an opportunity for participants to have a real influence on the decision-making process and for the government to develop more effective policies.

It was designed by the Ministère du Conseil exécutif's Secrétariat à l'accès à l'information et à la réforme des institutions démocratiques, and benefited from the expertise and collaboration of the six ministries and secretariats that are members of the interministerial working group on the Public Engagement Framework: the Ministère

1. The Open Government Partnership (OGP) is a multilateral initiative that aims to promote open government. This initiative was launched on September 20, 2011, at a meeting of the 8 founding governments, and now has 70 participating countries.

de la Santé et des Services sociaux; the Ministère des Affaires municipales et de l'Occupation du territoire; the Ministère du Développement durable, de l'Environnement et de la Lutte contre les changements climatiques; the Ministère de l'Énergie et des Ressources naturelles; the Ministère du Conseil exécutif for the Secrétariat aux communications gouvernementales; and the Secrétariat du Conseil du trésor.

The Framework was enhanced following a public consultation, which was held from November 7, 2016 and March 31, 2017.

The Framework consists of seven guiding principles, or principles of action proposed by the government. The main objective of these principles is to promote effective public participation in the decision-making process. The 38 implementation criteria are more precise rules that define the actions to be taken to apply the guiding principles.

Scope of the Framework's application

The Framework aims to improve the practice of incorporating public participation into a decision-making process at the request of the appropriate authorities.

It includes principles that reflect best practices in public participation.

The Framework is a way to promote the active participation of the public in decision making processes in various areas of government activity. The developers of and managers responsible for the implementation of a participatory approach are tasked with choosing the methods and techniques best suited to the various areas of application. In addition, innovative participation platforms, consistent with the guiding principles, may be developed.

Therefore, the Framework is not a guide proposing consultation techniques or methods. Above all, it is to serve as a guide to those tasked with designing and implementing such initiatives.

It applies to two of the three types of public engagement processes, as defined by the OCDE²:

- **Consultation:** Consultation consists of a two-way relationship between the government and citizens. The government seeks the views of citizens, and citizens ensure that the government is informed.
- **Active participation:** This form of participation includes citizens in the decision making process from the perspective of a partnership between the government and citizens. It acknowledges equal standing for citizens in proposing options and shaping the policy dialogue, although the responsibility for the final decision or policy formulation rests with the government.

Such a Framework is first and foremost a tool to help design and develop a government's public engagement processes based on the minimum principles to be respected and to help decision makers develop their own public engagement policies.

Participatory processes involve public participation in various participatory activities undertaken by a government, ministry or public body with the goal of developing new public policies or improving those already in place, and facilitating their implementation.

2. Organisation for Economic Co-operation and Development (OECD). *Citizens as Partners: Information, Consultation and Public Participation in Policy-Making*, July 2001. According to the OECD, information is one of the three types of participation and it consists of a one-way relationship in which government produces and delivers information for use by citizens.

The Framework is also designed to guide ministries and public bodies in developing public participation activities that are adapted to their own culture, context, needs and objectives.

It is applicable when appropriate government authorities decide, on their own initiative, to incorporate a public engagement approach into the process to develop, update, or assess a public policy. Its aim is to define the incorporation of public participation into a decision-making process that is not structured by law, regulation, or legal obligation. It may not replace requirements stipulated by law or regulation. The mechanisms provided for in the Framework are not intended to replace specific processes already in place to comply with legal consultation obligations. Ministries and public bodies may use this Framework to harmonize and standardize their public engagement processes by sector, if applicable.

The Framework is a useful tool for developing and implementing a government's public engagement process—a formal, participatory process that is open to all. Such formal participatory processes may mobilize the participation of:

- all individuals and groups concerned or interested in the subject of the participatory exercise;
- community organizations;³
- experts, research institutes, etc.;
- civil society bodies.

³ *Cadre de référence en matière d'action communautaire*, 2004, principe 3 : de la participation aux grands débats publics, p. 9-10.

PRINCIPE 1: COMMITMENT OF THE APPROPRIATE AUTHORITIES

When an appropriate authority undertakes a public engagement process, it should ensure that it provides a real opportunity for participants to influence the decision-making process. Such a step is taken before any decision has been made, when it is still possible to take different perspectives into account.

Explanation

Principle 1 serves as an important and central concept for any public engagement process that aims to be transparent and effective. It helps to determine the degree of commitment that the appropriate authorities should communicate to participants regarding the importance that they attach to a public engagement approach in a decision-making process. It is an opportunity to present the reasons for and relevance of the approach and to clearly define its objectives. This principle is a determining factor in establishing the openness of the decision-making process and clarifying the expectations that the appropriate authorities have regarding the role of those consulted, and to ensure that participants can set realistic expectations.

Implementing the principle:

- 1.1 Initiate a public engagement approach only when it is possible to take into account various perspectives, which can be considered at any stage of the public policy development process.
- 1.2 Communicate the reasons for undertaking a public engagement process. Reasons may include:
 - meeting government objectives;
 - obtaining a consensus on a specific issue;
 - gathering perspectives from a vast number of citizens;
 - confirming or rejecting certain orientations proposed by the government;
 - presenting the multiple issues for and major impacts on the population, when the decision is of public interest;

- ensuring accountability to citizens;
 - eliciting the concerns of citizens raised by a decision.
- 1.3 Specify the degree of influence the public will have on the decision by communicating clear objectives, the elements to be discussed, the scope of discussions, the way in which the contribution of participants will be taken into account moving forward and the expected feedback.
 - 1.4 Establish reasonable timeframes that may be respected for each step, especially those involving organizing the process, preparing participants, analyzing results, developing feedback and incorporating results into decision making.
 - 1.5 During the planning process, take into consideration the human and financial resources required to organize and ensure the smooth functioning of the chosen public engagement approach.
 - 1.6 Explain to participants that their contribution will be rigorously analyzed and seriously considered in the decision-making process.

PRINCIPE 2: COMMITMENT OF PARTICIPANTS

The participants should be able to commit to respecting certain rules that will ensure a fair and respectful public engagement process. They should make a commitment to do so in good faith, with the goal of sharing their opinions, concerns, expectations, and needs. The appropriate authorities should implement rules enabling fair and respectful exchanges.

Explanation

Principle 2 refers to the fact that participants should commit to adhering to certain rules of engagement and that those responsible for a process should create conditions that are conducive to constructive discussions. It relates to the rules enabling the fair and respectful exchange of information between participants and the government. Both the public and the appropriate authorities must be informed of such rules.

- 2.2 Clearly communicate the rules to participants, from the beginning of the public engagement process.
- 2.3 Publish the principles of the Public Engagement Framework in the documents provided to the public, from the beginning of the process.

Implementing the principle:

2.1 Clearly define the rules of the public engagement process that must be respected. These rules may address:

- editorial policy, including principles and rules to adhere to when developing content;
- procedures for moderating and conducting consultation sessions, and managing speaking time;
- conduct (e.g. netiquette);
- protection of intellectual property;
- access to information;
- protection of personal information.

PRINCIPE 3: CHOICE OF PUBLIC ENGAGEMENT MECHANISMS

The public engagement mechanisms chosen should be varied, be adapted to the desired degree of participant involvement, provide adequate resources, have reasonable timeframes, and be inclusive.

Explanation

Principle 3 does not prescribe any specific public engagement mechanisms. It helps to establish what is important to consider in general when designing a public engagement process.

Implementing the principle:

3.1 Choose public engagement mechanisms while considering the following elements:

- the degree of engagement sought from participants;
- the target population, particularly those affected by the subject of the public participation exercise;
- the scope of the public policy being developed, updated, or assessed;
- the allocation of the human and financial resources required to organize and ensure the smooth functioning of the chosen process;
- reasonable timeframes and deadlines for the process, providing participants with adequate time to prepare, thus ensuring broad participation;
- the measures made available to participants to facilitate their participation.

3.2 Choose digital tools that are adapted to the nature of the chosen participatory approach. These tools should be easy to use and accessible.⁴

Using digital tools, in and of itself, is not enough to ensure that a public engagement process is effective and accessible. Face-to-face methods allow for human mediation, which technology alone cannot provide.

3.3 Ensure that the participation mechanisms used are sufficiently diverse and accessible to reach the greatest number of participants, and particularly the public that will be impacted by the proposed public policy. Combining participatory methods is a sound practice for making the most of each one and to compensate for weaknesses with regard to representativeness, accessibility and the degree of engagement sought.

3.4 Identify the participants to be consulted (individuals and groups), determine their expectations and concerns, and identify potential barriers to their participation.

3.5 To the extent possible, anticipate measures to mitigate barriers to participation, such as the socio-economic situation of participants, people with disabilities or the geographic location.

3.6 Ensure that the organizations responsible for a public engagement process show constant concern for the barriers that may be faced by people with disabilities, by putting in place accommodation measures and a proactive approach aimed at ensuring access to the documents and services available, in accordance with the Politique gouvernementale de l'accès aux documents et aux services offerts au public pour les personnes handicapées (2006).

⁴ Conseil d'orientation de l'édition publique et de l'information administrative. *Consultations ouvertes sur Internet organisées par les administrations*, France, November 2016.

3.7 In the timeline for the public engagement process, include sufficient time for:

- the public, groups and the community to prepare their contribution and effectively participate in the public engagement process;
- issuing information;
- analyzing results;
- preparing and disseminating feedback;
- accountability.

3.8 Ensure that those developing the participatory process are familiar with the various public engagement mechanisms, as well as their scope and limitations.

PRINCIPE 4: INFORMATION

Within a reasonable time before the public engagement process, the appropriate authority should make high-quality information adapted to the participants' needs easily accessible.

Explanation

The application of Principle 4 requires the appropriate authorities to establish standards for the preparation, dissemination and accessibility of information and documents in the context of the public engagement process.

Implementing the principle:

- 4.1 Prepare documents with informative content, including a variety of perspectives and high quality information, drafted in plain, comprehensible language, regardless of the target level of knowledge.
- 4.2 Disseminate a sufficient amount of wide-ranging, relevant and high-quality information to enable participants to properly prepare their submissions and to ensure that the issues are fully understood.
- 4.3 Disseminate information proactively at each stage of the participatory process, providing sufficient time for participants to properly prepare for the exercise.
- 4.4 Make accessible to participants additional or more specialized sources of information and data, when available or relevant. Data must be of high quality, up to date and accurate.
- 4.5 Disseminate information using varied means and formats that meet recognized accessibility standards in order to reach as many participants as possible, particularly those with specific needs.

PRINCIPE 5: PROMOTION

The process should be promoted in such a way that participants are convened and informed a reasonable amount of time before the public engagement process, using means that are likely to reach them and get their attention. The methods of participating should be clear and understood when the process is announced.

Explanation

Principle 5 establishes, in general, the defining factors that maximize the public engagement process. Its application involves targeting the population and finding ways to encourage participation and promote accessibility. The clearer the objectives (Principle 1) and timeframes of the appropriate authorities are from the outset, the more realistic it is to implement an effective promotion plan.

Implementing the principle:

5.1 Design and apply a detailed communications plan that takes the following elements into account:

- the context and nature of the process;
- the issues;
- the expected results;
- the measurable outcomes;
- the target populations;
- the planned measures for communicating with people with disabilities or other types of limitations;
- the key component and messages;
- the strategy;
- the means;
- the dissemination period;
- the budget available to the organization;
- the evaluation methods.

5.2 Launch communications activities as soon as the process is initiated and continue with them throughout the process to encourage optimal participation by the target populations.

5.3 Choose media and methods of communication based on their ability to reach the maximum number of people in the target populations, and based on the funds available.

5.4 Increase the involvement of local and societal players in promoting public engagement processes.

5.5 Communicate information in plain, comprehensible language, regardless of the level of knowledge of the target population.

5.6 Disseminate information aimed at promoting the process in a proactive manner, allowing enough time for participants to prepare their submissions. This information must include at least the following elements:

- the theme and scope of the participatory process;
- the target population;
- the objectives, main issues, and expected results;
- the main steps in the participatory process and the duration of each step;
- the locations where participants can find information (addresses, websites, etc.);
- the contact information of those responsible for organizing the process;
- the contact information of those responsible for accommodation measures;
- the participation mechanisms provided for and the details on how to participate;
- the plans for follow-up and accountability.

PRINCIPE 6: FEEDBACK

The appropriate authorities should express and communicate feedback related to the public engagement process to participants within a reasonable period of time.

Explanation

Principle 6 relates to government feedback and contributes to the credibility of a public engagement process. Feedback is the means by which participants can assess the impact of the public engagement process, and it increase transparency. The nature of this information is also important, as it will reflect the degree of transparency in and the commitment of authorities to the participatory process.

In general, feedback follows the participatory exercise, but it can sometimes be communicated to participants during the process. Feedback can take many forms, such as a summary of participation efforts, or it can include responses or observations. Under this principle, the appropriate authorities must determine the nature of the feedback and should therefore, from the outset, properly analyze and identify the objective of the public engagement process and the nature of the feedback they intend to publish, as well as the timeframes concerned.

Implementing the principle:

- 6.1 Proactively disseminate the documents (e.g. briefs, comments) submitted by participants. However, it must be ascertained in advance that participants consent to this and that the content of the responses respects the rules regarding ethics and the confidentiality of personal information.
- 6.2 Establish a reasonable timeframe for the publication of feedback following the public engagement process, while taking into account the decision deadline.
- 6.3 Carefully and rigorously analyze all responses and comments received.

6.4 Produce and disseminate a feedback document, which includes:

- an overview of the comments received;
- the impact of the engagement process on the final decision based on comments gathered and, where possible, the reasons justifying the choices made;
- a summary of the process itself, including the number of meetings held, the number of participants (in the room, via the Internet, via videoconference, etc.), the number of briefs and other types of responses;
- the method used to analyze participant responses and comments.

6.5 Inform participants of the steps following the public engagement process.

6.6 Use varied and accessible tools (e.g. social media, website, media releases) to enable the public to follow the progress of the decision-making process following the public engagement process.

6.7 Set up a follow-up mechanism to keep participants informed of decisions made.

PRINCIPE 7: EVALUATION

The participants and appropriate authorities should be able to evaluate the public engagement process.

Explanation

Principle 7 is important for improving and developing decision-making processes that are open to public participation. Appropriate authorities must determine the criteria and means of evaluation, which must be transparent, objective, and incorporated into an accountability process.

Implementing the principle:

- 7.1 Evaluate the public engagement process using criteria and indicators defined prior to initiating the process. The indicators may be both quantitative and qualitative in nature. The methods of evaluation should be disclosed at the beginning of the process.
- 7.2 Seeking public input on the evaluation is a sound public engagement practice. Before, during and after the participatory process, use a variety of tools (e.g. mailbox, email, mail, telephone) to ensure participants can comment on progress. Consent should be obtained from participants.
- 7.3 Carry out an assessment of the participatory process and publish best practices related to public participation, stemming from the evaluation's findings.

