



Submission to Ireland's fourth Open Government National Action Plan 2023-2025 Public Consultation

Age Action is Ireland's leading advocacy organisation on ageing and older people. Age Action advocates for a society that enables all older people to participate and to live full, independent lives

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Please see below Age Action’s suggestions for Ireland’s fourth Open Government National Action Plan 2023-2025.

We would be interested in attending the online workshop to discuss our proposed actions and we would be interested to attend the meeting in May to discuss the outcomes of the consultation, either online or in-person.

Suggestion 1: Digital Inclusion

Q1. which theme does your proposed government action relate most closely to? (Choose one. Choose ‘other’ if your proposal does not fit well within any of the themes.)

Other – All of them.

Q2. What specific action do you think the government should take to make government more open, transparent and accountable in relation to the thematic area?

Based on the Public Sector Human Rights and Equality Duty, the government should provide a quality guarantee in relation to access to public services and public participation, so that those who cannot access the internet achieve equality of outcome with those who are online.

Digital First should not mean ‘Digital Only’. The pressure on public bodies and publicly funded services to transact online risks marginalising those who are not using the internet. While the government has made some commitment to using digital services to free up resources to assist those who cannot use digital channels, there is a risk that public bodies and publicly funded services won’t be granted sufficient funds to offer quality offline communication channels, including the staffing of phone lines and desk services.

A formal quality guarantee would expand on this commitment, to provide detail about the level of service and participation that all public bodies and publicly funded services would be expected to provide to those not using the internet.

For context, out of the entire population of 1.03 million adults aged 60 or older, 29% are not using the internet at all and a further 33% have ‘below basic’ digital skills, meaning that six in ten (62%) adults aged 60 or older are ‘digitally excluded’.

In 2022, based on CSO figures, three in ten (29%) adults aged 60 or older are not using the internet (including those who have not used it in the last three months).¹ While seven in ten (71%) older persons are using the internet, nearly half of those older internet users have ‘below basic’ digital skills according to Eurostat data.² That is, nearly half of older internet users do not have the skills to confidently and safely do so, especially for complex online processes or transactions.

Q3. How would the proposed action contribute to achieving the objective and making government more open, transparent and accountable in the thematic area?

There is a serious risk that open, transparent and accountable government and opportunities to participate will only be available to those using the internet, whereas many citizens will continue to prefer offline channels of information for the next 15-20 years at least. Despite assurances to the contrary, many older persons report being forced to transact online to access publicly funded services.

Public consultations often have short time frames, and participation in some of these consultations has been digital only. Even this OGP consultation appears to be almost entirely digital, as it provides an online form or the alternative of email but does not invite responses by post.

Suggestion 2: Age-Disaggregated Data

Q1. which theme does your proposed government action relate most closely to? (Choose one. Choose ‘other’ if your proposal does not fit well within any of the themes.)

Public Access to Government Data

Q2. What specific action do you think the government should take to make government more open, transparent and accountable in relation to the thematic area?

All publicly funded services should gather data on service users disaggregated by year of age, so that they can publish statistics on service users by decade of age, not just one ‘over-65’ category.

¹ <https://data.cso.ie/table/ICA76>

² [https://ec.europa.eu/eurostat/databrowser/view/ISOC_SK_DSKL_I21\\$DV_1201/default/table?lang=en](https://ec.europa.eu/eurostat/databrowser/view/ISOC_SK_DSKL_I21$DV_1201/default/table?lang=en)

The WHO's *Global Report on Ageism* warns of ageism in official statistics that do not distinguish between different cohorts of older persons.³ While younger age groups are often distinguished in official reports, older persons are often lumped together into one generic 60+ or 65+ category, which disguises the diversity of circumstances among older adults. Poorer data leads to poorer decisions and/or weaker accountability.

For example, as of March 2021, publication of hospital waiting list data for older adults ceased,⁴ which reduced transparency and accountability about issues affecting older persons. GDPR was given as an explanation for this cessation, but that's implausible as a reason not to publish data when the number of persons affected is above a minimum threshold. Also, the information has been given in response to Parliamentary Questions,⁵ but it is simply no longer published for citizens to freely access.

Q3. How would the proposed action contribute to achieving the objective and making government more open, transparent and accountable in the thematic area?

The timely publication of service-use statistics disaggregated by age is necessary to hold publicly funded services to account for how they treat older persons and for the outcomes attained by older service users.

Suggestion 3: Engagement with Older Citizens

Q1. which theme does your proposed government action relate most closely to? (Choose one. Choose 'other' if your proposal does not fit well within any of the themes.)

Citizen Decision Making

Q2. What specific action do you think the government should take to make government more open, transparent and accountable in relation to the thematic area?

Formal permanent structures should be developed to ensure that participation in decision-making processes is widely understood, accepted, and routinely realized by both public authorities and rights holders. Such structures may include a coordinating body for participation in government processes; participation coordinators or facilitators in departments; joint public-civil society councils, committees or working groups; or framework agreements between public authorities and civil society bodies to support

³ <https://www.who.int/teams/social-determinants-of-health/demographic-change-and-healthy-ageing/combating-ageism/global-report-on-ageism>

⁴ <https://data.gov.ie/dataset/op-waiting-list-by-group-hospital>

⁵ <https://www.oireachtas.ie/en/debates/question/2023-03-21/1174/speech/1395/>

participation. The UN Office of the High Commission on Human Rights (OHCHR) provides guidelines for such processes.

It is important that participation in decision making is recognized as a continuum – participation before, during and after decision making requires different strategies. The open government national action plan should set an inclusive standard for public administration that includes accessible communication channels, improvements to plain English skills among civil and public servants, and the consolidation of rights-based approaches to ensure that everyone, regardless of background or situation, can meaningfully participate.

For example, the action plan should adopt the PANEL principles to ensure meaningful participation of rights holders (people living in Ireland) in the design and implementation of public policy.

While the range of public consultations has increased significantly in recent years,⁶ there is a tendency for many consultations to be held with insufficient time to allow meaningful participation by those who are not using the internet. Sometimes consultations are effectively ‘digital only’ as relevant information is only available online. Other consultations are held with such short timeframes that there is little time for a postal response to be received.

The action plan should audit government departments participatory approaches and institutional arrangements to ensure the equal participation of individuals and groups in the design, implementation and evaluation of any law, regulation, policy, programme or strategy affecting them, including effective remedies for when the standard is not reached.

While the action plan obviously involves civil society voices in its co-creation, it should also recognize and protect the unique contribution of civil society organisations to national discourse and policymaking. National social dialogue should be promoted as an important approach for collaboration with civil society organisations, to help government identify and articulate gaps, needs and solutions.

Q3. How would the proposed action contribute to achieving the objective and making government more open, transparent and accountable in the thematic area?

Publication and enforcement of quality standards for participation of people, exercising their right to participate in public affairs, would help ensure that the voice of older persons (and others not using the internet) can be heard as part of consultations.

⁶ <https://www.gov.ie/en/consultations/>

Suggestion 4: Processes for Administrative Justice

Q1. which theme does your proposed government action relate most closely to? (Choose one. Choose 'other' if your proposal does not fit well within any of the themes.)

Strengthening Public Trust in Government (including taking specific steps to improve understanding of and access to the Justice system)

Q2. What specific action do you think the government should take to make government more open, transparent and accountable in relation to the thematic area?

The government should review the accessibility of the wide range of processes that exist to allow people to appeal administrative decisions. For example, social welfare appeals, appeals in applications for Medical Cards, appeals in applications for driving licences, social housing complaints and appeals, healthcare and social care complaints, bringing discrimination cases to the Workplace Relations Commission, etc.

Many older persons tell Age Action that they find these processes to be onerous and, in some cases, insurmountably difficult to use. Even when they can go through the process, their lack of familiarity, understanding, or confidence, or their inability to dedicate adequate time or resources to the process, may significantly lower their chances of a favourable outcome.

Where these procedures are quasi-judicial in nature, older persons should have the opportunity to avail of civil legal aid.

Q3. How would the proposed action contribute to achieving the objective and making government more open, transparent and accountable in the thematic area?

A review of administrative justice processes should be followed by the development and enforcement of best practice standards to ensure the accessibility and ease-of-use of these processes, including for those not using the internet but also for those with literacy difficulties, physical or cognitive disabilities, limited financial resources, etc.

Suggestion 5: Publish Evidence for Policy Decisions

Q1. which theme does your proposed government action relate most closely to? (Choose one. Choose 'other' if your proposal does not fit well within any of the themes.)

Transparency and Accountability in Public Office

Q2. What specific action do you think the government should take to make government more open, transparent and accountable in relation to the thematic area?

The open government action plan should identify specific actions to promote the Sustainable Development Goal 16, which includes targets to ensure responsive, inclusive, participatory and representative decision-making at all levels (target 16.7) and to ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements (target 16.10)

For example, the evidence informing public policy decisions – such as budget decisions to raise social welfare rates or decisions to change means-test thresholds – should be published. A specific example is that in the past there was a commitment that the maximum rate of the contributory State Pension would be in line with 34% of average earnings. However, the dataset used is a bespoke dataset provided directly to the Department of Social Protection by the CSO, not the data on average earnings published on the CSO’s website. Data such as this – which is central to the accountability of a significant decision in public policy – should be routinely published.

This is not limited to budget decisions. There has been a lack of transparency and accountability for some major policies, such as COVID restrictions or exclusions to national redress schemes.

Q3. How would the proposed action contribute to achieving the objective and making government more open, transparent and accountable in the thematic area?

The publication of this evidence would provide much greater transparency about the rationale underpinning key public policy decisions.