**IN DIALOGUE – Some observations on a new platform for local government online consultations**

I was impressed to see a demonstration of the *In Dialogue* platform. The design has clearly emerged from thoughtful consideration and is potentially a tool that can be used by local administrations in Poland and beyond.

In these notes, I shall comment on three aspects of the platform:

i) The legal and cultural challenges posed by maintaining a database of participants

ii) The selection of information materials

iii) The importance of feedback and demonstrable efficacy


**1. The legal and cultural challenges posed by maintaining a database of participants**

The collection of data regarding participants in consultations (such as name, postcode, date of birth, occupation) can be used to identify the same people listed on other datasets. This exposes participating citizens to potential data-mining techniques whereby their opinions and social behaviour can be tracked by various institutions. While consumers are often willing to accept such loss of privacy in order to obtain a higher quality of market service, in the case of citizens' relationship with the state there is widespread sensitivity to such exposure, leading to an understandable desire for e-privacy.

E-privacy can be understood in three ways:

i) user privacy (the user as an individual cannot be identified)

ii) data privacy (the data emerging from users is aggregated and individual inputs are anonymized)

iii) service privacy (the body collecting data has to enter into a clear contract with users regarding the uses and transparency of data collected)

Each of these ways of thinking about e-privacy entails particular legal and organisational challenges. But the legitimacy of an online consultation database would depend upon at least one of them being shown to function effectively. I am not an expert on data privacy or encryption methods, but have drawn upon the following studies in order to arrive at practical solutions within my own work on online public consultations:

Hiller, J., and France Belanger. "Privacy strategies for electronic government. Washington, DC: IBM Center for the Business of Government." (2001).

Belanche, Daniel, et al. "Trust transfer in the continued usage of public e-services." *Information & Management* 51.6 (2014): 627-640.

Bélanger, France, and Robert E. Crossler. "Privacy in the digital age: a review of information privacy research in information systems." *MIS quarterly* 35.4 (2011): 1017-1042.

Patsakis, Constantinos, et al. "Interoperable privacy-aware e-participation within smart cities." *Computer* 48.1 (2015): 52-58.

Szewczak, Edward J. "The national health information network and the future of medical information privacy." *Communications of the IIMA* 6.4 (2015): 3.

Nissenbaum, Helen. "Protecting privacy in an information age: The problem of privacy in public." *Law and philosophy* 17.5 (1998): 559-596.

Wang, Yang, Yun Huang, and Claudia Louis. "Respecting user privacy in mobile crowdsourcing." *SCIENCE* 2.2 (2013): pp-50.

From these works, I would propose the following principles:

i) As a rule, citizens participating in online consultations should not remain anonymous. There should be a registration process, but a form of encryption should be used so that the collection of names in the registration database is separable from data relating to the content of the consultation.

ii) Users should be assured that data provided by them within the consultation cannot be connected to information that they provide as part of the registration process.

iii) In line with EU legislation, users should be assured that databases will not be shared with other organisations, including businesses or legal bodies.

iv) The above assurance should ideally be extended to the sharing of personal data with other departments of local or national government. Participating in an online consultation should not be open to cross-reference by other parts of government or political parties.

v) A privacy and transparency contract should appear prominently on the platform and set out in language that users can access and understand.

vi) An annual report should be published by consultation providers (local government bodies) detailing the ways in which they have maintained user privacy and responding to any breaches of privacy that were reported.

**ii) The selection of information materials**

When government institutions provide information to citizens, as in the case of these proposed online consultations, there is often a top-down approach to users' information needs.  While the orthodox model of civic information is based on the paternalistic assumption that the public cannot know what they need to know, but will benefit from the right information if it is placed before them by experts, a radically different approach to democracy suggests that citizens, rather than being mere subjects, are knowledge-makers as well as knowledge-receivers; actors upon the dynamics of social power as well as victims of hegemonic structures, hierarchies and beliefs.

Coleman and Moss (in press) argue for the provision of civic information based on the notion of citizens' 'capabilities'. This approach asks what things people should be able to do or be — what capabilities they require — in order to function as a member of a democratic society. Coleman and Moss derive such capabilities from extensive qualitative research in which citizens are invited to become experts on determining their own information needs. Given the problem of 'adaptive preferences', capabilities cannot be limited to the stated preferences of individuals. As Nussbaum (2003: 34) argues, we must be 'willing to make claims about fundamental entitlements that are to some extent independent of the preferences that people happen to have, preferences shaped, often, by unjust background conditions'. In this view, some capabilities are so important that they should be made available to all citizens as 'entitlements'. How particular capabilities can be secured for different social groups in a meaningful way is a complex policy question. But, as is the case with rights, if a capability is understood as an entitlement, then obligations are placed on public authorities as well as other actors to recognise and help to promote that capability (Garnham 1997).

In practice, this would mean that, rather than have local government officials or selected experts deciding what sort of information consultees need to have available, the process of determining the kinds of information needed should involve citizens themselves. This takes longer than the top-down approach, but has democratic benefits likely to enhance both the legitimacy of the consultation exercise and the educational value of the discussion.

### iii) The importance of feedback and demonstrable efficacy

Platform designers can do little to ensure that local governments making use of the consultation platform will do so in a fully democratic fashion. The latter requires authorities to not merely gather public input, but offer feedback which demonstrates a meaningful relationship between input and output. A solely input-centred model of democracy would soon lose credibility. For citizens to feel that they are being democratically represented, they need to believe that there is a meaningful relationship between their input to the political sphere and policy outputs. The term political efficacy was conceived to refer to people's subjective belief that a communicative relationship exists between themselves and the institutions that govern society. A political efficacious person is able 'to construct a psychic map of the political world with strong lines of force running from himself to the place of officialdom'. (Easton and Dennis, 1967, p. 26) Various studies have reported that those who feel that they can exert effective political influence, individually or in concert with others, are more likely to be actively involved in politics than those who do not (Campbell, Gurin & Miller, 1954; Milbrath, 1965; Sullivan & Riedel, 2004).

It seems to me, then, that there is a further stage of the platform design needed which demonstrates to users from the outset what kind of reasonable expectations they should have as participants. The current design includes a space for indicating the consultation outcome, but this is insufficient. Users are entitled to know at the very beginning of their consultation journey (Wright, 2011) how their inputs will be connected to the policy and decision-making process.

In addition to the above three issues, which I regard as being highly significant, there are considerations of aesthetic design that call for attention. Citizens used to interacting with expensively-designed television and web-based content will expect the platform to look and feel inviting as well as functional. This is an often overlooked aspect of e-government planning and I would urge the platform designers to seek input from graphic artists who are not constrained by generic political-institutional constraints.

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