

Multi-Stakeholder Forum Terms of Reference

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Mission

The Multi-Stakeholder Forum aims to advance constructive, ongoing dialogue on open government between the Government of Canada and civil society.

Establishing a permanent forum for dialogue provides a formal structure for regular, two-way communication between the government and its key open government stakeholders. This process is designed to achieve real gains in transparency, accountability and participation.

Introduction

The Multi-Stakeholder Forum (“Forum”) is a regular meeting of civil society and government representatives to promote government-civil society dialogue on open government policies, with a focus on the development, implementation and assessment of the Open Government Partnership (OGP) National Action Plan. The Forum will be consultative, with a focus on consensus building, collective action and co-creation. Informed by [OGP Participation and Co-Creation Standards](#), this dialogue mechanism is expected to evolve and deepen collaboration with Forum members and other committed stakeholders.

The Forum promotes a membership that is highly effective, non-partisan, from a diversity of regions and backgrounds, reflective of Canada’s gender and linguistic profile, to support inclusive dialogue.

The Forum is only one element of the government’s commitment to consult widely with stakeholders on open government issues, including as required by the OGP [Articles of Governance](#), and is intended to supplement, not replace, other means of consultation.

This document describes the membership, activities, rules and processes of the Forum. Process details will be agreed by the members of the Forum on an ongoing basis (for example, the specific election method). These Terms of Reference may be amended based on lessons learned as part of the review outlined in the [Evaluation](#) section.

Meetings

Frequency

The Forum meets on a quarterly basis at a regular time to be agreed by members. However, when developing a National Action Plan, the Forum may meet more frequently to collaborate on the National Action Plan development process (for example, number of events, location, and format).

Additional meetings

Members may agree to hold additional meetings as needed. For example, the Forum hopes to host a meeting of MSF alumni from civil society and government at least once a year to leverage historical knowledge in informing current priorities.

Working groups

Working groups may be created to focus on specific open government challenges. Working group participation can be extended to non-MSF members from both civil society and

government. Decisions regarding the composition of working groups must be approved by the MSF Co-Chairs. Working groups will meet outside of quarterly MSF meetings and elect a representative to report to MSF at regular quarterly meetings.

Participation means

The Treasury Board of Canada Secretariat (TBS) arranges for remote participation via teleconference or video conference and reserves a room for in-person participation unless no member participates in person. For better communication, understanding, trust and collaboration, in-person participation is encouraged. All members will meet in person once a year. TBS will provide financial support regarding expenses related to travel for the in-person meeting using the National Joint Council's [Travel Directive](#).

Location

Unless otherwise agreed, the room for in-person participation is in Ottawa.

Language

Members may express themselves in either English or French. All meeting materials will be made available in English and French.

Non-member attendance

Chairs may agree to invite non-members to a meeting. For example, if members are meeting to discuss a commitment in the OGP National Action Plan, the department implementing the commitment may be invited. MSF members may also request permission from the MSF Co-Chairs to bring a silent observer for learning purposes. However, MSF members are not permitted to send a delegate on their behalf to participate in regular MSF meetings.

Members

Composition

The Forum will be composed of eight civil society members and four federal government members. Observers from the federal government or other sectors may be invited to meetings as agreed by members on an ad hoc basis. At least six civil society members must be representatives of Canadian civil society organizations. Member selection is guided by the principle of diversity to ensure representativeness of diverse regions, ethnic and cultural backgrounds, genders and linguistic profiles on the Forum.

Selection of government members

The Forum includes high-level representatives with sufficient delegated decision-making authority from the federal government to ensure it is empowered to take action. Government representatives will include at a minimum one representative from TBS.

Selection of civil society members

The selection of new civil society members will be undertaken by a selection committee, comprised of two civil society members from the current Forum, elected by civil society members. The Forum Co-Chairs will not serve as members of the committee.

Candidates for the civil society positions on the Forum may be nominated or self-nominated as described in [Appendix B](#).

The committee will assess the long list of nominations using the selection criteria in [Appendix A](#) to decide an initial short list, which will aim to contain at least twice as many names as positions to be filled. The short list will be made public. Short-listed candidates will be asked to provide two references and will be invited to an interview (in person where possible). The committee will make public an account of their process, deliberation and choice.

Vacancies

If a civil society seat becomes vacant, members agree on a selection schedule. The same pool of verified applicants is used to fill vacancies.

Term

Members are elected for four-year terms. Terms will be staggered, beginning the month and year that a new member assumes their position. Terms may be extended for a one-year period thereafter with no limit.

Onboarding

New members will be provided with appropriate information and training to ensure common understanding and expectations. This support will include a scheduled call with incoming members.

Description of offices and responsibilities

- **Chairs:** The Forum has a Government Chair and a Civil Society Chair. Chairs prepare draft agendas for meetings and amend the agendas based on other members' comments. Each Chair alternately chairs the meetings. In meetings, a Chair can delegate responsibilities to another member. Chairs also represent the Forum in any public documentation that may be issued, such as blog posts or feedback reports.
- **Secretariat:** TBS will provide secretariat support to the Forum, such as circulating documents, preparing minutes, reserving rooms, inviting non-members, preparing communications, and so on. TBS will also provide the necessary support to ensure that Forum members are able to use the official language of their choice to fully and equally participate in Forum activities, pursuant to the conditions set out in the *Official Languages Act* and the *TBS Policy on Official Languages*.

Appointment of officers

- **Government Chair:** The TBS Executive Director who holds responsibility for open government policy assumes the Government Chair role.
- **Civil Society Chair:** The civil society members select the Civil Society Chair.

Termination

A membership is terminated when:

- the member's organization dissolves
- the member resigns
- the member's term expires
- the member is absent without cause from three consecutive meetings or
- the member is absent without cause from a majority of meetings in a calendar year

Notwithstanding the above, the end of a member's term may be temporarily extended until a successor is appointed, provided that no such extension shall exceed 12 months.

Conflict of interest guidelines for Forum members ("members")

Purpose

The purpose of the conflict of interest guidelines is to assist members in performing their duties for the Forum in such a manner that public confidence and trust in the integrity of Treasury Board, the Forum and the Government of Canada are maintained.

It is recognized that members serve the Forum only in a part-time capacity and have expertise in the fields relevant to open government and stakeholders. Consequently, members may be associated with organizations that receive funding from Treasury Board or federal bodies. This may result in potential, real or apparent conflicts of interest that need to be managed to protect the reputations of the Government of Canada, the Forum, the members and the recipient organization.

Any member who is officially or formally connected with the proposed recipient, shall indicate his or her relationship with the proposed recipient, and shall recuse from any discussion, decision, debate or vote on the proposed recipient. However, such a recusal should not affect the existence of the quorum.

Meaning of conflict of interest

A conflict of interest arises whenever a member has a personal interest likely to influence the exercise of his or her Forum duties and responsibilities.

A personal interest relates *inter alia* to an economic benefit that may be granted or provided to a member, to a member of his or her immediate family or to an organization with which the member is formally or officially connected.

A **real** conflict of interest exists at the present time, an **apparent** conflict of interest could be perceived by a reasonable observer to exist, whether or not it is the case, and a **potential** conflict of interest could reasonably be foreseen to exist in the future.

Disclosure

The Forum and TBS depend on members to disclose their individual conflicts of interest, if any, on an ongoing basis and as they arise. Members should complete annually a disclosure form and submit it in confidence to the Chairs of the Forum. In addition to completing the annual disclosure forms, members should report to the Chairs all real, potential, or apparent conflicts of interest which exist from time to time. The Civil Society Chair shall report all of his or her real, potential, or apparent conflicts of interest which exist from time to time to the Multi-Stakeholder Forum.

Members will review each Forum meeting agenda with a view to identifying any potential conflicts of interest and shall declare the conflict at the outset of the meeting.

General duty to resolve conflicts of interest

A member will recuse him or herself from any discussion, decision, debate or vote on any matter in respect of which he or she would be in a conflict of interest.

Where practical, members will avoid or withdraw from participation in activities or situations that place them in a real, potential, or apparent conflict of interest. Members are encouraged to review their activities and affiliations to determine whether these might be perceived by an unsympathetic observer to present a conflict of interest with their role as members and to discuss with the Chairs whether steps need to be taken to resolve the perceived conflict of interest.

It is impossible to foresee every situation that could give rise to a real, apparent or potential conflict of interest. Where there is doubt as to whether a real, potential, or apparent conflict of interest exists or whether any particular action is likely to bring into question the integrity of TBS or the Forum, members shall raise the matter with the Chairs for advice and guidance.

The Chairs will ensure that an agreement is reached between the member and the Multi-Stakeholder Forum to address the conflict of interest in a manner that preserves and protects the reputations of all involved.

Communication

Timely and clear communication maintains momentum and productivity within the Forum and provides transparency and accountability to external stakeholders.

Means

Within the Forum, members may communicate between meetings via email and/or mailing lists. The Forum will use Google Docs as the default application for sharing and collaborating on documents. The Forum may communicate with external stakeholders through websites, newsletters, social media, mailing lists and so on. The Forum may present at existing open government events and may organize new events. TBS will publish Forum information and materials on the open.canada.ca site in English and French.

Accountability

The Forum publishes online meeting minutes and agendas within six weeks, once agreed by the members. Members may agree to publish additional documents about Forum activities. External stakeholders should be invited to comment on the information provided and to ask questions and request information. The Forum should act on and respond to feedback.

Participation

The Forum should normally publish online notices of meetings and opportunities to comment in advance of meetings, and other notices for public participation.

Evaluation

The Forum should evaluate progress regularly to ensure its iterative development and continuous improvement. The first evaluation will occur six months after the establishment of the Forum. Thereafter, members should perform self-assessments of the Forum every year. The assessment should use multiple means, such as a survey prepared by members and distributed among members and non-members interested in the Forum. The results may be discussed in a special meeting that invites non-members. A discussion may follow about how to maintain positive aspects and improve negative aspects, with specific deliverables assigned to members with deadlines.

Requests for revision or review of these Terms of Reference can be made by member request; using meeting decision-making protocols outlined in the [Meetings](#) section.

Activities

The Forum can take any action that it believes will further the cause of maintaining a vision for open government in Canada, including guiding principles, evaluation standards, and maturity models, in addition to the activities below.

The activities are not meant to replace or substitute any activities the government has already planned, such as online consultations and in-person meetings to develop the OGP National Action Plan.

Plan drafting

The Forum will:

- engage civil society and other stakeholders in developing the National Action Plan. This may include highlighting thematic priorities, identifying problems to resolve and/or suggesting ideas for commitments
- assist in the design of the National Action Plan development process (for example, number of events, location, format)
- review commitment proposals through an open and transparent process
- make all reasonable efforts to come to consensus on the commitments to be included in the National Action Plan
- support compliance as outlined in the [OGP Participation and Co-Creation Standards](#)
- prepare a preface to accompany the final OGP National Action Plan

The Forum may identify stakeholder organizations as champions of commitments.

Plan implementation

The Forum will:

- participate in biannual National Action Plan implementation meetings organized by the Multi-Stakeholder Forum Secretariat; the purpose of National Action Plan implementation

meetings is for relevant government institutions and the Forum to discuss National Action Plan commitment progress

- meet with relevant government institutions on an ad hoc basis to provide feedback and guidance on National Action Plan commitment activities and progress

The Forum may:

- encourage dialogue within government to ensure the successful implementation of action plan commitments
- form working groups including a range of relevant stakeholders for implementing and monitoring commitments, with their members selected through an appropriate method (for example, by the Forum or through an open call)
- support the engagement of relevant stakeholder organizations to assist commitment leads (that is, the implementing departments and any stakeholder partners) in implementing commitments
- request that commitment leads provide relevant information on their activities, challenges and results
- invite commitment leads to meetings to discuss challenges and explore solutions, including identifying stakeholder partners to contribute their expertise
- publish regular joint government-stakeholder updates on the Forum website

Mid-term self-assessment

The Forum should provide feedback to a draft assessment.

The Forum will prepare a preface to accompany the mid-term self-assessment report which reflects their feedback on progress

Independent reporting mechanism (IRM) progress report

The Forum will use the report to inform its activities and identify areas for improvement.

The Forum should assist the IRM researcher in collecting information for the report, for example, by providing access to key participants in the OGP National Action Plan process.

Final self-assessment

The Forum should provide feedback to a draft assessment.

The Forum will prepare a preface to accompany the final self-assessment report which reflects their feedback on final progress.

IRM end-of-term report

The Forum will use the report to inform its activities and identify areas for improvement.

The Forum should assist the IRM researcher in collecting information for the report, for example, by providing access to key participants in the OGP National Action Plan process.

Forum transitions

The Forum will prepare and share appropriate information and training with new members to ensure common understanding and expectations.

Appendix A: Selection Criteria

Civil society candidates must not be public servants.

Civil society candidates for the Forum must be able to:

- engage strategically at the national level, exercising good judgment and engaging effectively with senior government officials and civil society members
- canvas and represent the concerns and interests of the Canadian civil society community
- champion and articulate core open government ideas and values on the national stage, particularly protecting and promoting engagement of civil society
- participate in and add demonstrable value to in-person and virtual Forum meetings and to the working groups of which they are a member
- powerfully and clearly articulate open government issues, and effectively promote open government to the Canadian civil society community

Other requirements include:

- long-term experience in civil society and/or grounding and legitimacy in national, regional or international networks
- experience in at least one area of the Open Government Partnership Declaration (transparency, participation, accountability)
- live up to open government principles by practising high levels of openness, integrity and accountability (for example, disclosure of annual plans, budgets, audited accounts)
- ability to dedicate a day a month to the Forum, with intensity increasing around Forum meetings
- possessing skills that can advance a civil society agenda in the context of current open government challenges
- thoughtful, good listener, and well respected within the national or international civil society or policy communities

Appendix B: Nomination Process

Nominations must include:

- a) A CV [curriculum vitae / resumé] (maximum 4 pages)
- b) A cover letter explaining your (or the candidate you are nominating):
 - a) motivation for joining
 - b) open government experience and skills
 - c) demonstrated track record in international or national level leadership, articulation and strategy (maximum 2 pages)
 - d) one strong example of a video, blog post, article or piece of writing by the candidate that reflects the candidate's thinking and articulation on open government and civil society issues

All complete nominations will be uploaded in full to the Forum's public website.