








São Paulo and Participatory Governance - Advances and Challenges in Public Policy Co-creation Processes

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Abstract: The city of São Paulo is one of the largest cities in the world, full of different socio-economic and cultural realities. Designing and implementing quality public policies in such a diverse environment poses a challenge that can only be met through an open government that ensures that the various social groups that make up the São Paulo metropolis are involved. In order to achieve this goal, São Paulo has emerged as one of the pioneers in promoting the Open Government agenda, an international initiative that, based on four pillars - transparency, social participation, accountability, and innovation and technology - seeks to foster a new form of citizen-centered governance. However, co-creative processes are fraught with challenges that can be highlighted through a case study of the Open Government Action Plans of the city of São Paulo, a series of commitments co-created, co-implemented and co-assessed by the Public Authorities in conjunction with Civil Society, with a certain duration, which aim to guarantee the openness of government, making popular action more participatory in the design, implementation and monitoring of Public Policies at various levels and thematic sectors of the municipality.

Keywords: Social Participation, Public Administration, Civil Society, Open Government, São Paulo.

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1. Introduction

The city of São Paulo, the largest city in the southern hemisphere, has a population of 12.4 million and stands out as an economic and financial center, with the highest Gross Domestic Product (GDP) of any municipality in the country [1]. In this context, the population's engagement with public policies is a major challenge.

According to Torfing, Sørensen and Røiseland [2], co-creation has emerged as a transformative element in the public sector, turning it into an arena where different actors, both public and private, collaborate to solve shared problems.

The authors define co-creation as a process in which two or more actors, from both the public and private sectors, try to solve a shared problem, challenge or task. This process involves a constructive exchange of different types of knowledge, resources, skills and ideas between the participants, with the aim of enhancing the production of public value. Public value here refers to plans, policies and strategies that are improved, either by continuously improving results or by introducing innovative changes.

This definition highlights the collaborative nature of co-creation and recognizes that co-creation is not limited to the joint production of specific services, but encompasses the creation of public value in a broader sense, including the transformation of the public service delivery system.

Therefore, through the case study of the city of São Paulo with the Open Government Program, the risks, benefits, drivers and barriers of co-creation processes will be discussed.

2. Co-creation in theory

Co-creation has three main functions in the public sector: service provision, public problem solving and regulation. In service provision, co-creation is facilitated by the proximity between public and private actors. In public problem solving, co-creation takes place in less routine contexts, involving a wider range of actors, which can make it difficult to facilitate. In public regulation, co-creation is challenged by the distance between public and private actors, but cases of co-creation are also observed in this context [3].

The co-creation of open government plans in the city of São Paulo corresponds to the second context of application, in which different agents are invited to identify public problems and together propose solutions.[4]

It is important to note that co-creation not only brings potential benefits, but also some risks such as biased participation, lack of democratic accountability and the costs associated with coordination and destructive conflicts. The benefits, in turn, involve improving democratic participation, efficiency in the search for solutions and strengthening social cohesion.

Resistance to change in the perceived roles of participants is identified as a significant barrier. However, politicians, public managers, citizens and private organizations have reasons to engage in co-creation, such as strengthening political leadership, mobilizing external knowledge and seeking innovative solutions. [5]

3. The city of São Paulo and the Open Government agenda

The decade of the 2010s was marked by a wave of rapprochement between citizens and the government, both nationally and internationally, with open government practices and the promotion of social participation and transparency. The highlight of this process was the creation of the Open Government Partnership (OGP), a multilateral initiative founded by Brazil, Indonesia, Mexico, Norway, the Philippines, South Africa, the United Kingdom and the United States, in 2011, which provided a legitimizing definition for the concept of Open Government as the use of technology and innovation to boost access to information and spaces for social participation, as well as promoting transparency in government actions, to prevent and combat corruption, strengthening government integrity. In addition, the OGP has also created an institutional process for establishing, monitoring and certifying open government processes through the signing of commitments by Open Government Action Plans, co-created with Civil Society and evaluated by an independent process [6].

The Open Government agenda can be understood as opening up public administration to citizens, facilitating social control over the state and making public administration more accessible and responsive to individuals and the community. This openness is based on: encouraging social participation in government decision-making spaces, strengthening the means by which members of the public administration account for their actions (accountability), transparent access to public information and the use of technology to promote new forms of information sharing, public participation and collaboration.

With the institutionalization of Open Government policies such as the Intersecretarial Open Government Committee (Comitê Intersecretarial de Governo Aberto - CIGA), São Paulo sought to legitimize the political and governmental importance of the open government agenda. The next step was to gain international recognition for its Open Government actions by joining the Open Government Partnership, which requires the establishment of Action Plans co-created with society.

In 2016, the city of São Paulo became one of the local members of the OGP, joining more than 75 countries, 104 local governments and various civil society organizations with the common goal of building more transparent and participatory governments based on the Open Government agenda [7].

3.1 The role of Open Government Action Plans

As a local member of the OGP, the municipality of São Paulo, through the intermediary of the Open Government Coordination Office, must periodically draw up these Open Government Action Plans[8]. The main objective of these Action Plans is to strengthen the Open Government agenda in the municipality of São Paulo and they are led by a Multi-Stakeholder Forum, a joint body made up of members of the municipal government and civil society. In the city of São Paulo, the composition of the members of the Multi-Stakeholder Forum is reformulated periodically: as soon as the process of co-creation of the Action Plan begins, a call for civil society organizations to join the Forum is published. The following is a list of the Action Plans of the City of São Paulo.

3.2 The 1st Open Government Action Plan

The 1st Open Government Action Plan was drawn up in 2016 and implemented in 2017. The First Action Plan contained five commitments that were co-created, co-executed and co-assessed with the Multi-Stakeholder Forum:

- 1) "Increase the power of intervention of the Municipal Participatory Councils in their respective Sub-prefectures". Agreed based on the diagnosis that there was low social participation by residents in open government initiatives promoted by the City Council.
- 2) "Expand the Open Government Agents Program as a permanent education and citizenship program, ensuring territorial articulation and capillarity to reach the greatest number of people."
- 3) "Increase the use of the media by the City of São Paulo, publicizing open government actions in various media". The lack of effective communication about Open Government initiatives was one of the points that led to this commitment.
- 4) "Create a network of civil servants involving all the municipal departments, entities and facilities". The implementation of this Committee arose from the diagnosis that there was no inclusion of the Open Government agenda as a state policy within the municipal administration.
- 5) "Improve and strengthen the networking of the City of São Paulo innovation laboratories and spaces". This commitment reflects the lack of technological innovation and social participation [9].

With regard to evaluating the results of each of the commitments, an external evaluation was carried out by an Independent Reporting Mechanism (IRM), which made a diagnosis of the implementation of the commitments and their respective targets. The IRM for the First Action Plan was produced by an independent researcher. In the IRM, the commitments were assessed along five axes: a) specificity; b) relevance to OGP values; c) potential impact; d) level of progress; e) did it promote Open Government? [10]

In this way, and based on the results of the IRM, most of the commitments were of medium complexity, with a moderate social impact; the OGP values that stood out the most were those relating to social participation. Most of the commitments had their progress measured as moderate, and the promotion of Open Government agendas was only marginal.

Based on these results, it is worth noting that this first Action Plan was drawn up in 2016, during the administration of Fernando Haddad (2013-2016), of the Workers' Party, and its implementation in 2017 took place during the mandate of João Dória (2017-2020), of the Brazilian Social Democracy Party. This change of administration implied changes in the implementation of the first Action Plan. In the IRM's assessment, the management transition brought administrative changes, as well as budgetary restrictions. Throughout the municipal administration, there have been changes in the number of public servants, as well as a 30% cut that affected all the city's departments. And São Paulo Aberta, which was the unit spearheading Open Government actions in the municipality, saw its staff shrink from 17 people in 2016 to just 6 in December 2017. This decrease in staff had an impact on the implementation

of Commitments. In the case of Commitment 3, for example, the decrease in the size of the team reduced the capacity to communicate and disseminate Open Government policies, resulting in limited progress and little capillarity in the implementation of this commitment. Other commitments, on the other hand, had a considerable positive impact and continue their legacy to this day, as in the case of Commitment 2, on the Open Government Agents Program, which has been running since 2015.

3.3 The 2nd Open Government Action Plan

São Paulo's 2nd Action Plan was co-created, co-implemented and co-evaluated in the period from 2018 to 2020. The objectives of this Plan were the following: a) reformulation of the participatory process of the annual budget (Citizen Budget); b) Decentralization and Local Development (Action Plan of the Sub-prefectures); c) integration between the Official City Gazette, the Transparency Portal and implementation of the participatory city portal; d) co-creation process of cultural activities and citizenship literacy in the school territory; and e) use of the open contracts model [11].

The main deliverables of the 2nd Open Government Action Plan include:

- 1) Creation of the Open Dialogue: a project that provides biannual meetings open to the public held by the 32 Sub-prefectures of the city of São Paulo, to present to residents the actions developed in their territories;
- 2) Creation of Participe+: creation of the city's social participation portal, a virtual space in which the city council holds public consultations, collects contributions and proposals from civil society, and encourages interaction between residents. Participe+ is an open-source portal based on the Consul software developed by Madrid City Council;
- 3) Reformulation of the participatory process of São Paulo's Annual Budget: from 2020 onwards, the citizens could now send budget proposals to São Paulo's 32 Sub-prefectures. The prioritized proposals are evaluated and voted on by the public on Participe+, selected proposals are forwarded to the relevant departments for feasibility analysis and then forwarded to the City Council, which approves the final version of the Annual Budget Law.

Although the continuity of the co-creation processes of the Open Government Action Plans already represents significant progress, the second plan faced challenges in implementing some commitments. Commitment 4 (to co-create cultural and citizenship literacy activities in the school territory) was mainly affected, as it faced challenges related to the pandemic, resulting in the need to adapt planned activities.

A persistent challenge, reported by the IRM of the 2nd Plan, was the limited capacity of citizens to use the open government tools made available, indicating the importance of promoting awareness and training people in this area. Despite the positive interactions between civil society and government, there is a mutual recognition that there is room for improvement.

In short, the second plan showed a considerably higher level of completion compared to the first, with three commitments fully met and two partially completed.

There was an improvement in the level of public participation during implementation, attributed to the introduction of different stakeholders to oversee each commitment.

3.4 The 3rd Open Government Action Plan (2021 - 2024)

The process of drawing up the 3rd Action Plan involved the participation of civil society and began in February 2021 with the design of the co-creation process. Co-creation began in May 2021 and was divided into 8 stages, namely: (I) mapping the challenges; (II) detailing and prioritizing the challenges; (III) mapping the solutions; (IV) drafting the first version of the commitments; (V) drafting the second version of the commitments; (VI) technical analysis of the commitments; (VII) legal analysis of the commitments and (VIII) final approval of the commitments. [12]. The last stage was completed in September 2021, with CIGA approving the final draft of the 3rd Action Plan and uploading the 3rd Action Plan to the OGP online platform.

As with the other Open Government Action Plans, the 3rd Action Plan was evaluated by the IRM. As stated in the Initial Evaluation, the process of electing the 3rd Multi-Stakeholder Forum was carried out through a selection of civil society organizations and the nomination of civil servants, and there was no selection of representatives from specific segments. According to the IRM, the Forum was well represented in terms of gender and age, but lacked certain segments of society, such as black people, the LGBT+ community and people with physical disabilities.[13]

After the co-creation process, the final draft of the 3rd Action Plan now contains 4 commitments to be implemented and monitored by the City of São Paulo and civil society by October 2024:

- 1) Improve the information and data tools on tenders and contracts, qualifying and expanding the transparency of the City of São Paulo;
- 2) Strengthen public engagement in monitoring the implementation of the 2030 Municipal Agenda;
- 3) Promote actions to institutionally strengthen public policy councils and committees in the City of São Paulo;
- 4) Generating and making available data on hospital infrastructure and vaccination in the City of São Paulo and the impact of Covid-19 on the school attendance of students in the Municipal Education Network [14].

As a strategy for implementing these commitments, in addition to the Multi-Stakeholder Forum, four Working Groups (WGs) have been set up, each responsible for a commitment, with relevant City Secretariats and representatives of civil society. These Working Groups act as the front line for implementing and monitoring the progress of these commitments, planning, validating and publicizing the entire implementation process.

Given the dynamics of co-creation and implementation together with civil society, it is worth noting that these Plans can serve as a reference and inspiration for city managers looking to design and implement a myriad of other public policies.

3.5 Lessons learned from co-creation

Despite the challenges presented in the co-creation processes of each of the three plans, it is possible to highlight some lessons learned.

It is necessary for the co-creation processes to be personalized with those involved, seeking to contemplate the participants in the process. It is crucial to stress that, although there is accumulated learning, each process is customized to reflect the specific characteristics of the social actors involved.

The design of participatory processes requires sensitization of senior managers, inter-secretarial coordination and clarity on the objectives of social participation. Identifying the responsibility of each actor and aligning expectations are key requirements. Clarifying the type of participation expected and defining the best form of interaction are crucial, according to the Organisation for Economic Co-operation and Development (OECD) [15].

During execution, the autonomy of the executive team is fundamental, considering the uncertainty of the results. Execution involves careful management of resources and consideration of competing interests.

In the feedback phase, it is essential to ensure that the population is only consulted when their contributions will have an impact on public policy. Transparency in explaining the changes made to the proposal is crucial to maintaining public engagement. The prior involvement and commitment of the bodies involved is crucial for the effective incorporation of social participation contributions.

4. Conclusion

Although the City of São Paulo stands out as a colossal economic, financial and cultural center, it is not immune to the challenges inherent in public management. Co-creation, as defined by Torfing, Sørensen and Røiseland [16] as a mechanism for transformation in the public sector, can be analyzed through the case study of the Open Government Program in São Paulo.

Co-creation is a collaborative process in which different actors, from both the public and private sectors, come together to solve shared problems. The case study of the city of São Paulo, centered on the Open Government Program, attempts to address the risks, benefits, drivers and barriers of this approach.

By examining São Paulo's experience, it becomes clear that co-creation is not a panacea for the challenges faced by public management. The city, since creating the São Paulo Aberta initiative in 2014 and joining the Open Government Partnership in 2016, has promoted initiatives such as Open Government Action Plans. These, based on the idea of promoting citizen participation in the public policy cycle, seem, at first glance, to be an innovative response.

However, the theory contrasts with the practice. By focusing on solving public problems, co-creation comes up against considerable challenges, such as resistance to change in participants' roles. In addition, the lack of support from traditional bureaucratic models and New Public Management highlights the need for institutional designs and forms of leadership that facilitate collaboration between the public and private sectors.

When examining the First Action Plan, implemented in 2017, the results indicate a mixed picture. While some commitments were met, others faced significant challenges, especially during the management transition, with administrative changes and budget constraints.

The Second Action Plan, despite showing improvements in the completion of commitments, still faced obstacles, such as the limited capacity of citizens to use open government tools. The pandemic impacted the commitment related to the co-creation of cultural activities and citizen literacy, highlighting the vulnerability of this model in the face of unpredictable circumstances.

When approaching the Third Action Plan, it is clear that co-creation remains a central strategy. However, the composition of the Multi-Stakeholder Forum raises questions about the effective representation of civil society, with gaps in important segments.

In summary, while co-creation is promoted as a transformative element, the reality of implementation in São Paulo reveals complex challenges. The transition from theory to practice highlights that co-creation is not a universal solution, requiring constant adaptations and facing structural and budgetary resistance. The road to truly open and participatory public management remains a challenge.

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