

TIGTECH ■

**3 NEW COMPETENCIES FOR A MORE
COLLABORATIVE COMMUNICATIVE
TECH GOVERNANCE**

NO.2

**BUILDING TRUSTED
ENVIRONMENTS FOR
COLLABORATIVE
GOVERNANCE**



This was created as part of the final findings of the TIGTech, Trust in Tech Governance initiative

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To know more about TIGTech and Building Trusted Environments for Collaborative Governance, please contact Hilary Sutcliffe on hilary@societyinside.com

THREE COMPETENCIES FOR A MORE COLLABORATIVE, COMMUNICATIVE TECH GOVERNANCE

Trust is an outcome best achieved by focusing on others. So attempts to earn trust should start with understanding and involving stakeholders, including citizens.

New skills will be needed. TIGTech research identified three which both embody and include the drivers of trust:



Showing evidence of trustworthiness – a new approach to communication



Building trusted environments for governance design

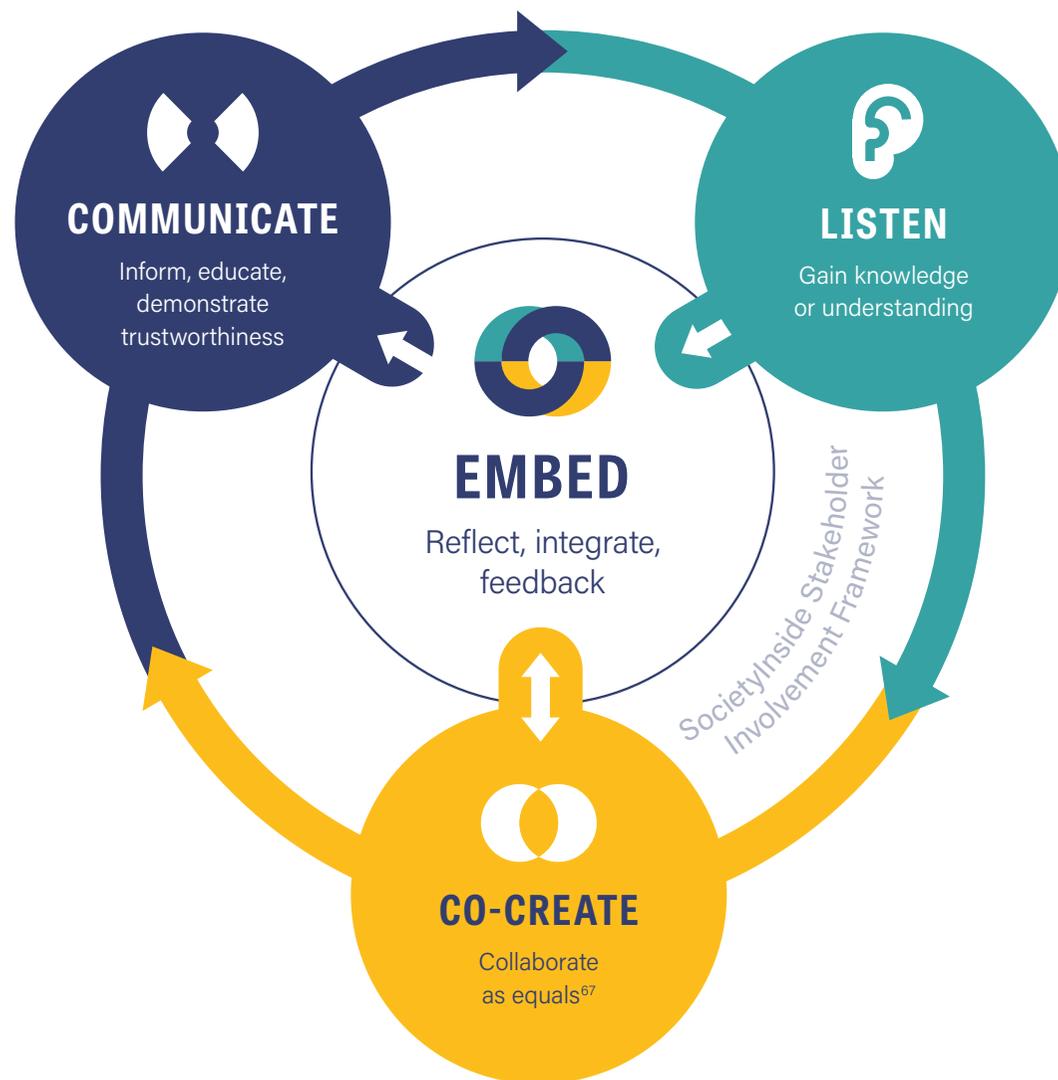


Involving citizens in governance design – ‘Nothing about us without us’



Tech governance organisations engage with their stakeholders in three main ways – through listening, co-creation and communication. All for the overarching purpose of embedding the knowledge gained and the perspectives of those stakeholders into governance design, application, enforcement and outcomes.

NB: The three skills outlined here focus on listening, co-creation and communication – we would like to have been able to find out more about the all-important process of embedding citizen and stakeholder views and priorities within governance design and decision making. Unfortunately this was not possible – partly because such information appears scarce and partly because of the time constraints of the project. (We are seeking funding for this in our next phase of work).



BUILDING TRUSTED ENVIRONMENTS FOR COLLABORATIVE GOVERNANCE

(This thinking is the result of a collaboration between TIGTech and RIVM the National Institute for Public Health and the Environment, The Netherlands)



The 7 Trust Drivers show how the building of trusted environments is important for trust:

- ▶ **Intent** – Defining the public interest is a complex process, a TE is the bedrock of a trustworthy approach
- ▶ **Competence** – A TE is a core process competence, particularly valuable as tech development becomes more contested
- ▶ **Respect** – The key to this approach is the demonstration of respect for all participants
- ▶ **Integrity** – A TE, linked to ‘goldilocks transparency’, is a demonstration of integrity in action
- ▶ **Inclusion** – A TE effectively facilitates inclusion of even opposing views
- ▶ **Fairness** – The commitment to fairness in this approach is a demonstration of this Trust Driver in action
- ▶ **Openness** – The right balance of openness and confidentiality, ‘Goldilocks Transparency’ is a critical factor in creating a TE

Why is this important?

New forms of governance – multi-stakeholder initiatives, codes of conduct, industry guidelines, 'agile' processes such as sandboxes and PolicyLabs – often rely for their effectiveness on a collaborative approach to governance design with the contribution of multiple stakeholders. A significant barrier to the effectiveness of this more collaborative approach is a lack of trust in the process on the part of industry and other stakeholders, including other regulatory agencies. This hampers the appropriate collaboration, sharing of knowledge and information needed to assure health and safety.

A trusted environment (TE) is therefore needed where innovators, regulators and other stakeholders are motivated to understand each other's concerns, navigate difficult trade-offs and anticipate and address safety/ethical/legal/social issues whilst also facilitating the development of safe, sustainable and socially beneficial innovations.

The Horizon 2020 research project NanoReg2 (coordinated by RIVM) identified (primarily through discussion with innovators and regulators) some of the roots of this mutual distrust in relation to nanotechnology safety risk assessment:

Innovators distrusting regulators – fear of information misuse

The focus of distrust for innovators was a concern that information given to regulators would be misused, IP compromised or that regulators would use it against them in the process of enforcement. They did not trust regulators to respect their concerns and the challenges they faced. They also felt that regulators and the regulatory system did not have the necessarily tools, skills or understanding of the technology with which to effectively assess risk.

Regulators distrusting innovators – safety an after-thought

The focus of distrust for the regulator was the concern that innovators were so focused on their commercial or technological goals that safety was put on a back burner until the last moment, if it was even considered at all. This resulted in the potential for unsafe products being placed on the market.

What is a Trusted Environment?

A *trusted environment* could be an institution or a process, but it has at its heart two distinct components:

- 1 A relentless focus on the public interest
- 2 A trustworthy process, derived from the Trust Drivers, embedding an open, inclusive, respectful approach which results in a mutually held view by all stakeholders that a fair process has been undertaken and the outcome achieved.

In a trusted environment stakeholders and participants believe that their views, concerns, context, values and constraints will be heard and taken seriously. Everyone believes that a pathway to a solution can be reached which, although perhaps not perfect for all parties, has been developed fairly in the public interest and is mutually acceptable.



Building blocks for a trusted environment

1

Trust others first.

Taking a proactive step to trust someone first, with the hope and belief, though no guarantee, that you will be trusted back, significantly increases the likelihood of being trusted.^{74,75,76} Counter-intuitively, this is also true of the organisations being regulated. An approach which starts with respect and an inclination to trust is more likely to generate compliance and trustworthy behaviour in return.

“ Government officials who act in a trustworthy manner are more likely to elicit compliance, and virtually all agree that government regulators who trust the people they are regulating are more likely to evoke trustworthy behaviour and compliance”.⁷⁷

The convenors of a process make a conscious commitment to trust participants to have good intent, be cooperative and participate in good faith. They keep an open mind about the potential actions, motivations, values and beliefs of all participants and will design processes and exhibit personal behaviours accordingly.



2

Seek out diversity of perspective, opinion and thought process – and be respectful of that diversity.

Distrust of governance processes and outcomes is often a result of alternative views and dissenting perspectives being ignored or silenced.⁷⁸ This reluctance to take seriously or incorporate the concerns of others can stem from a clash of values or fundamental beliefs, communication styles (e.g. 'emotional' vs 'rational') or organisational incentives & goals or other mismatches. The personal multifaceted nature of trust shows why it may be difficult to find common ground. Nobel Prize winning economist Daniel Kahneman proposes a way around this: 'don't try to persuade, understand the source of resistance and

address that'.⁷⁹ Find out what is the root of any conflict or misunderstanding – a clash of values or beliefs, communication style, lack of residual trustworthiness of or trust in the organisation – and address that.

The process design actively seeks out diversity and designs processes and interventions which respects and takes seriously the views and perspectives of all stakeholders (including potentially citizens).

3

Provide regular opportunity for self – and collective reflection.

Reflection to respectfully uncover and share different starting points and engage in individual and collective exploration of the governance context, expectations, values and beliefs can be done both individually and collectively. This should be done with the aim of finding common ground, and building the collaboration out of that.

The process design provides regular opportunities for self-reflection, particularly at the start and at key stages.



4

Design processes which foster cooperation and mutual understanding, designing out polarisation and conflict.

Mistrust between individuals is often rooted in seeing people as 'other', not 'us'.⁸⁰ Governance process design can exacerbate this inclination, resulting in conflict, stand-offs and deadlock – or it can facilitate mutual understanding, cooperation and find areas of agreement.

Process design actively seeks to create mutual understanding, collaboration and cooperation and find areas of agreement whilst ensuring respect for diversity of perspectives, robustness of debate and ensuring all voices are heard. It actively designs out process which fosters conflict and polarisation. Though of course robust debate and disagreement are almost inevitable, a proactive approach for working these through will also be incorporated.

5

Design for 'Goldilocks' transparency – the right balance of openness and confidentiality – which facilitates sharing and builds external trust whilst safeguarding information and the personal privacy of participants.

The trust of participants and external stakeholders may hinge on the perceived and actual fairness of its process and outcome. Central to earning this trust will be openness and transparency – not just between those participating, but also in the eyes of external stakeholders. Closed processes fuel concern about capture by vested interests but 'warts and all' transparency can make participants reluctant to share opinions freely.

Process designers agree in advance with participants the desired approach to openness, transparency and communication.

6

Default to collaboration and co-creation.

It is challenging to deliver collaboration and co-creation whilst still maintaining focus and momentum.

Process design aims to default to collaboration without dramatic loss of momentum. Openness and clarity about definition of roles, dealing with disagreements and what decisions must be made together and what can be shared or delegated will be central to achieving this.



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