

APPENDIX III

GUIDANCE ON PUBLIC ENGAGEMENT MECHANISM SELECTION

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Guidance on Public Engagement Mechanism Selection

In **Phase 2 – Identifying Preferences, Interests, and Expectations**, we describe participatory data governance as the ways individuals, communities, and stakeholders can shape decisions about how data about or from them is accessed, shared, and reused. We describe how these mechanisms can be vital to digital self-determination and the steps data space operators can take to identify which type of mechanism is most appropriate for their and the communities needs.

In the below, we elaborate on each of the engagement types and several examples of the forms this outreach can take. This information is drawn from a variety of documents offering guidance on public engagement—most prominently the *OECD Guidelines for Citizen Participation* and the US Environmental Protection Agency’s Public Participation Guide (though additional useful readings can be found in the “Sources and Further Reading” at the conclusion of this addendum).¹ We guide the reader through each of these using the considerations that we consider most relevant for data space operators.

- ▶ **LEVEL OF PUBLIC PARTICIPATION:** Assess how much influence data space operators can share or delegate with the community
- ▶ **PURPOSE OR GOAL:** Identify the purpose of this activity for the data space
- ▶ **AUDIENCE:** Map who the relevant parties for the data space are and their likely interests
- ▶ **TIME AND RESOURCES:** Assess the resources, readiness, capacity, and time available to launch a participatory data governance mechanism

Details on each of these questions can be found in the relevant chapter. Data space organizers may also wish to consider the kinds of questions they can ask during the process to advance the agency of participants. This may include questions such as:

- ▶ To what extent can this method advance digital self-determination?
- ▶ How and where can this method be operationalized in the context of a data space?

Informational

LEVEL OF PUBLIC PARTICIPATION: Assess how much influence data space operators can share or delegate with the community

All informational approaches are a one-way flow of information to communicate what is happening to a group of stakeholders. It cedes little to no control to others but can inform participants of their rights and the options available to them to exercise those rights.

Informational mechanisms are low-engagement strategies to bring information about data to the public's attention. This information may include details not only about the data activity itself but also community members' own rights, responsibilities, and options within an engagement. The aim is to give community members a clear, complete, and comprehensive understanding of the data space or other data project. As such, data space organizers must understand the general level of knowledge within the community they seek to engage with and avoid terms and jargon that is beyond their understanding. Simple messages, not complex ones, tend to be most effective.

As the name would suggest, informational mechanisms are a one-way flow of information from the project sponsors to those affected by it. There are no formal opportunities for feedback, nor for the community to express their own preferences. This lack of dialogue can be a problem if the community has objections to the approach or the provided information is too technical or difficult to understand. Pure informational approaches may also struggle to identify the degree to which their information has been received. While metrics like site traffic, flyers distributed can give an indication of what the project sponsor did, these do not indicate the degree to which community members read or digested the content.

Informational outreach can include:

NOTICES

Public notices refer to any written resource intended to explain a data initiative—including brochures, fact sheets, public notes, press releases, newsletters, web sites, social media posts and other content. As they are more likely to be scanned than thoroughly read, notices are best for short, concise summary of an issue or project.²

PURPOSE OR GOAL: Identify the purpose of this activity for the data space

Notices are most effective when they are about issues that are low salient or low importance as there is no guarantee that the materials will be read. Information should be clear and direct.

AUDIENCE: Map who the relevant parties for the data space are and their likely interests

Notices tend to be best for a general audience that needs to be informed of quick, clear facts (e.g. what data is being collected, for what purpose).

TIME AND RESOURCES: Assess the resources, readiness, capacity, and time available to launch a participatory data governance mechanism

Notices are often one of the easiest ways to engage with the public because they are cheap to produce. Costs consist of the cost of printing and mailing or, in the case of digital communication, digitally publishing that information. They can often be produced under short notice.

BRIEFINGS

Briefings are short presentations on a topic to a community or its representatives. They are often oral, though they may make use of visual aids (e.g. a slide deck). Briefings are often accompanied by a brief question-and-answer period, where individuals can ask follow-up questions about the information provided.

PURPOSE OR GOAL: Identify the purpose of this activity for the data space

Briefings are useful when there is a clear audience (e.g. a patients group) and agenda (e.g. explaining to those patients what their rights are in a data space). While briefings can be more detailed than notices, the information should still be concise and action-oriented. Data space organizers should ask themselves, “What information will be useful to this group? What do I expect the audience to do with this information?”

AUDIENCE: Map who the relevant parties for the data space are and their likely interests

Briefings are often best when they are designed for a clear set of stakeholders so that the organizer can know what topics might be of interest and which questions to prepare for. It is much easier to manage a smaller audience for a briefing than a large one.

TIME AND RESOURCES: Assess the resources, readiness, capacity, and time available to launch a participatory data governance mechanism

Briefings are a very low cost, taking less than an hour to deliver, and requiring minimal resources beyond that required to plan remarks or design any visual aids.

Consultative

LEVEL OF PUBLIC PARTICIPATION: Assess how much influence data space operators can share or delegate with the community

Consultative approaches involve inviting community members to share their own attitudes and opinions on a set of actions. They allow groups and individuals to express their opinions without any formal obligation to act upon it. They may be useful in the early stages of a data space launch, allowing for a data space’s sponsor to receive feedback as a model is put into practice.

Consultative approaches are interactions that allow a data space organizer to gain insights about the community’s attitudes. It is about asking questions from stakeholders, seeking to understand their perspectives and interests. Consultations can be done at various parts of a project. They can be done prior to a project’s launch (to inform how the project sponsor approaches the work), during the work (as a feedback mechanism), or at the conclusion of a project (to improve the deployment of future initiatives). Effective consultations establish an ongoing dialogue where public feedback actively shapes policy development.

While consultations can be useful in increasing transparency between actors—allowing a dialogue that can allow each side to understand their interests—this participatory approach is often considered “minimal”. It does not provide the ability for the community or citizens to engage with other stakeholders and does not provide the ability to be part of the decision-making process.

Consultative outreach can include:

PUBLIC MEETINGS

A public meeting is a virtual or in-person gathering convened by a project sponsor with a broad group of stakeholders. Public meetings may include a hearing (where a data space organizers testifies on their work and addresses questions from an institution’s representatives), a townhall meeting (where a data space organizer answers questions from community members themselves), or a workshop (where a data organizer gathers the community to discuss specific topics and participate in hands-on activities).

PURPOSE OR GOAL: Identify the purpose of this activity for the data space

Public meetings offer a way for many different kinds of people to come forward to express their opinions without a set script or agenda. They are good for surfacing concerns, though they provide no formal means of defusing conflict.

AUDIENCE: Map who the relevant parties for the data space are and their likely interests

While public meetings can be any size, they are generally used for large gatherings with a broad group of stakeholders. The more diverse the group, the easier it is to understand competing interests and obligations.

TIME AND RESOURCES: Assess the resources, readiness, capacity, and time available to launch a participatory data governance mechanism

Public meetings may be resource-light but often require some preparation work to be successful. Organizers need to be able to ensure a safe space, where all people can speak comfortably, without concern of retaliation. They also need some degree of facilitation, so that those with the most power or the most domineering verbal style don't overwhelm others trying to participate.

INTERVIEWS AND FOCUS GROUPS

Interviews and focus groups refer to one-on-one conversations or small group discussions with stakeholders about a topic. These engagements are more resource intensive (the data space organizer is giving their full attention to one person at a time) but can provide a chance to get reactions and opinions in a small, tight-knit space.

PURPOSE OR GOAL: Identify the purpose of this activity for the data space

Interviews and focus groups are useful for allowing a project organizer to delve deeply into the attitudes of an individual or small group of individuals. Because they are private and involve intense interactions, they can often be useful in bolstering trust and defusing conflict.

AUDIENCE: Map who the relevant parties for the data space are and their likely interests

Focus groups and interviews are, by their nature, small. They are most effective when engaging with a highly knowledgeable group of community members or with community members otherwise empowered to speak on behalf of the larger whole.

TIME AND RESOURCES: Assess the resources, readiness, capacity, and time available to launch a participatory data governance mechanism

These types of civic engagement processes tend to be more resource intensive in that they require skilled facilitators/interviewers and preparation to identify and recruit participants. The engagements themselves can also be time-consuming and resource-intensive relative to the small audience they reach. As noted, the organizer is giving their full attention to one person or a small set of people at a time.

SURVEYS AND POLLING

Surveys and polls are form-based tools that ask input from a set of community members on a specific set of questions. Polls and surveys can be used to gather qualitative responses (e.g. asking participants to explain their attitudes in their own words) or quantitative responses (e.g. asking them to gauge their opinion based on a set of responses or rankings).

PURPOSE OR GOAL: Identify the purpose of this activity for the data space

Polls and surveys are useful for soliciting input from a large number of stakeholders asynchronously—which can be useful if the issue is low salience or the organizer is having difficulty convening all available parties.

AUDIENCE: Map who the relevant parties for the data space are and their likely interests

Surveys and polls are best to try and reach a large cross section of a general population (e.g. a large group of patients or doctors, an entire municipality). It may be useful to have an audience that has been previously engaged, as “cold calling” may lead to a lower participation rate.

TIME AND RESOURCES: Assess the resources, readiness, capacity, and time available to launch a participatory data governance mechanism

Good surveys require substantial time and resource investments to design compelling questions and format, identify an appropriate sample, secure feedback, and analyze results. The more complicated the analysis and the more people targeted, the greater the cost.

Deliberative

LEVEL OF PUBLIC PARTICIPATION: Assess how much influence data space operators can share or delegate with the community

Deliberative mechanisms involve inviting community members to negotiate with the data space sponsor and one another to advance their interests. They allow for community members to figure out trade-offs between different actions, come to decisions on their interests, and propose their own solutions. Deliberative mechanisms balance power between the data space operator and the community, giving the two parties space to express themselves and their respective solutions.

Deliberative engagements are an “intermediate” level of engagement. These mechanisms include efforts to provide communities and citizens with the opportunity to be a part of decision-making in the form of regular, ongoing conversations where they have the opportunity to express their interests, coordinate with other stakeholders, and develop their own proposed solutions. While decision-making rests in the hands of the project organizer, the expectation is that their actions will reflect the information and feedback given.

This approach allows not merely for organizers to understand the public’s attitudes but to benefit from their skills, expertise, and insights as well. Individuals are called to draw on what they know and to serve as active participants in a discussion instead of passively responding to queries or completing forms. Though they do not require consensus, deliberative engagements can nonetheless allow participants to raise possible conflicts among themselves and the organizer and resolve them.

This format can allow for more robust and meaningful inputs but also requires solicited stakeholders to provide more time and effort to the engagement. As such, organizers may want to think critically about when and where to engage community members and on what. Excessive requests to participate in deliberative conversations can be exhausting, particularly if they do not involve highly salient or contentious issues.

Deliberative outreach can include:

DELIBERATIVE MINI-PUBLIC

A mini-public involves a small, randomly selected group of citizens who deliberate on issues and provide recommendations to inform public opinion and decision-making. Ideally, they are designed to be small enough for genuine deliberation while representative enough to ensure democratic engagement. They may be held in person or virtually.

PURPOSE OR GOAL: Identify the purpose of this activity for the data space

Mini-publics are useful when trying to secure a generally representative cross-section of a larger population and have them discuss their perspectives with one another. Mini-publics can make organizers aware of the issues important to interest groups that exist within a larger community, how those interest groups feel about one another, and the solutions they might suggest to resolve disputes. They can also bolster trust within a community, communicating that the project organizer is trying to solicit unvarnished opinions from the larger group instead of seeking input from participants they know will give them a green-light on their activities.

AUDIENCE: Map who the relevant parties for the data space are and their likely interests

A mini-public is not self-selected but recruited from a larger population. They are, to the extent possible, a randomly selected, representative group that reflects the diversity of the community they are selected from.

TIME AND RESOURCES: Assess the resources, readiness, capacity, and time available to launch a participatory data governance mechanism

Mini-publics are meant to stand in for a much larger population group but often involve more than 100 people.³ Given the random selection, they often require some comprehensive database of the larger community that select participants can be drawn from. Recruiting a large number of people who are willing to participate in an extended or regular conversation with their peers, can take weeks if not months. Briefing participants, securing a space, and hosting the discussion can involve a substantial amount of resources.

DIGITAL CIVIC ENGAGEMENT PLATFORMS

Digital civic engagement platforms are a fusion of data-driven technologies and collective intelligence methodologies. These are platforms that allow community members to connect with one another, discuss issues of concern, develop collective responses to them, and (in some contexts) propose their own solutions.

PURPOSE OR GOAL: Identify the purpose of this activity for the data space

Digital civic engagement platforms are useful for engaging a large community over an extended period of time and fostering “consensus-building social networks”. They can quickly gather and synthesize large volumes of input that can be useful in identifying areas of agreement and disagreement, clustering opinion, and promoting productive dialogue.

AUDIENCE: Map who the relevant parties for the data space are and their likely interests

Civic engagement platforms are useful for large groups, such as the general public. Many successful deployments of these platforms have had thousands to tens of thousands of users. They are less effective if a particular subset of actors needs to be highlighted or elevated, as their inputs may get lost within the larger community.

TIME AND RESOURCES: Assess the resources, readiness, capacity, and time available to launch a participatory data governance mechanism

Digital civic engagement platforms are significant investments. While they can be facilitated over existing platforms (e.g. Slack, Microsoft Teams, Discord), most use dedicated, purpose-built platforms that persist for months if not years. Organizations pursuing a platform approach should also be aware of the need to moderate channels to promote safe spaces for participants. They will also need to conduct regular technical maintenance. Discussions that occur on the platform need to be matched with specific actions from the project sponsor, lest the platform no longer appear useful and relevant for participants.

ADVISORY BOARDS

Advisory boards—also known as committees, task forces, and groups—are a standing body made up of community members who are regularly solicited to provide comments and advice on a project. Boards may be appointed by data space sponsors or selected by the community itself (e.g. through an election, as designated representatives of larger institutions, or through some other means).

PURPOSE OR GOAL: Identify the purpose of this activity for the data space

Advisory boards are useful to raise the concerns of specific groups within the community and develop consensus-based recommendations. As the members of advisory boards tend to be senior members of their respective constituencies, they tend to possess some level of in-depth knowledge and expertise on a project or issue, which can be useful for developing substantive recommendations.

AUDIENCE: Map who the relevant parties for the data space are and their likely interests

As noted, advisory boards tend to be composed of senior representatives of certain subsets within a population. These representatives can speak on behalf of their organization or constituency.

TIME AND RESOURCES: Assess the resources, readiness, capacity, and time available to launch a participatory data governance mechanism

Advisory boards are long-term commitments. While individual meetings may be brief (and, indeed, can be self-organized by the board itself), organizers need to ensure that members are regularly briefed and aware of project updates. They may need to assist in the development of internal rules and processes (e.g. bylaws). They will also need to ensure that the input of the advisory board is, in some way, acted upon to ensure it does not get dismissed as a “rubber stamp” meant to legitimize actions the organizer was already planning to take.

Collaborative

LEVEL OF PUBLIC PARTICIPATION: Assess how much influence data space operators can share or delegate with the community

Collaborative mechanisms require giving community members explicit power and authority to make decisions about how others handle their data. They are explicitly empowered to set the agenda—even if the decisions they arrive at are not what the data space operator would pursue. These approaches tend to be most useful at the beginning or end of a project lifespan, to decide whether the effort should be maintained, what changes should be made, and whether any stakeholders’ interests have shifted since discussions first began.

The final rung of engagement types are those engagement mechanisms where formal power is shared by members of the community and the project organizer. These groups agree to plan and take part in how a project is realized, collaborating with the project sponsor to figure out solutions. Alternatively, some amount of authority is delegated from the project organizer to the community itself in later stages of deployment, allowing the community to sustain work.

Collaborative processes are resource and time-intensive for the organizer and the community itself. While it offers the greatest opportunity for empowerment, that comes with a great level of responsibility. Organizers need to ensure that the way they delegate authority is done in a fair, legitimate, and inclusive manner while community members need to remain engaged long-term to ensure their interests are acted upon.

Collaborative outreach can include:

COLLABORATIVE INNOVATION AND CO-CREATION

Collaborative innovation and co-creation involve institutions engaging with a diverse yet carefully selected group of stakeholders to design policies and programs. Unlike mini-pub-

lics, which aim to represent a broad and statistically accurate cross-section of the population, these groups are specifically chosen for their expertise or interest in particular areas. Common kinds of collaborative innovation methodologies are hackathons, idea “boot camps”, and various challenges and competitions.

PURPOSE OR GOAL: Identify the purpose of this activity for the data space

Collaborative innovation and co-creation is useful when trying to rapidly develop solutions to a specific problem.

AUDIENCE: Map who the relevant parties for the data space are and their likely interests

This engagement type is useful when there is a set of highly trained experts with a specialized knowledge of a particular field or sector.

TIME AND RESOURCES: Assess the resources, readiness, capacity, and time available to launch a participatory data governance mechanism

While collaborative innovation models can take place over a short period of time (a few hours to a week), they often require substantial preparation time. Participants also need some motivation for working on the problem, whether that be financial, recognition, or fulfillment of some other interest.

OVERSIGHT COMMITTEES

An oversight committee, as the name would suggest, is an institution empowered to oversee a project or organization and review its conduct. Committees may be empowered to conduct audits, manage service evaluation and redress mechanisms, make decisions on budgeting, and take other actions.

PURPOSE OR GOAL: Identify the purpose of this activity for the data space

Oversight committees are among the most significant accountability bodies that can be formed and are often done so with the support of a government agency. The goal is to not only ensure transparency but to reinforce a sense of community ownership. They may be particularly useful in contexts where there are very low levels of trust.

AUDIENCE: Map who the relevant parties for the data space are and their likely interests

Oversight committees consist of a small number of people, usually gathered from the general public or identifiable constituencies who have a particular interest in the success of the project. They may be elected or assembled with the support of a government institution.

TIME AND RESOURCES: Assess the resources, readiness, capacity, and time available to launch a participatory data governance mechanism

Oversight committees are highly intensive, requiring organizers cede some of their authority over project timelines, budgets, and staff. Oversight committees need to be able to look at all aspects of a project to be fully legitimate.

SOURCES AND FURTHER READING

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Endnotes

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- 3 Research Institute for Sustainability (RIFS). (2022, August 9). Deliberative mini-publics. <https://www.rifs-potsdam.de/en/output/dossiers/mini-publics>



A ROADMAP FOR
DIGITAL SELF-DETERMINATION
IN DATA SPACES