



Transparency and the Public Interest: Moving from Disclosure to Demonstration

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Transparency has long been a foundational expectation of professional regulation. Most regulatory organizations publish a significant amount of information: legislation, requirements, standards, policies, disciplinary outcomes, Annual Reports, Fair Registration reports, Strategic Plans, Financial Statements, and Council/Board materials. These disclosures are intended to support accountability and provide assurance that regulation is carried out in the public interest.

In many respects, regulators have become increasingly effective at this form of transparency. Information is more accessible, websites are more comprehensive, and expectations around openness have expanded.

However, as practices have matured, a more fundamental question has emerged:

Is transparency simply about what is made available— or about what is actually understood in how it protects public interest and safety?

This points to an important progression. Information explains processes and requirements. Transparency goes further, making decisions, outcomes, and governance visible. Increasingly, public expectations extend beyond both. Stakeholders are not only looking for access to information, but for clarity, context, and responsiveness.

This is where active transparency becomes critical.

Passive transparency refers to what organizations publish. It includes documents, policies, reports, and other forms of disclosure that make information available. This form of transparency is essential, but it has limits. The presence of information does not guarantee that it is accessible, meaningful, or connected to stakeholder questions. In many cases, information is technically available but difficult to locate, interpret, or assess. The burden of understanding shifts to the reader.

Active transparency operates differently. It focuses not only on what is published, but on how information is communicated, interpreted, and connected to the organization's role in protecting the public. This includes explaining decisions, contextualizing performance, and making the link between regulatory activity and public interest outcomes more visible.



Passive vs Active Transparency (In Practice)

The distinction becomes clearer in how transparency is experienced:

- Passive transparency makes information available
- Active transparency makes information understandable

- Passive transparency focuses on disclosure
- Active transparency focuses on explanation and context

- Passive transparency is document-driven
- Active transparency is communication- and engagement-driven

Both are necessary—but they do not achieve the same outcome.

But active transparency extends beyond explanation.

It also involves creating and expanding the channels through which organizations communicate and engage. While websites remain the primary public interface, they are no longer sufficient on their own. Regulators are increasingly expected to communicate through multiple channels—webinars, town halls, newsletters, video explainers, podcasts, and social media—each offering different ways for stakeholders to access, understand, and engage with information.

Equally important is responsiveness. Transparency is not only about what organizations say, but how they respond. The ability to handle inquiries, address concerns, and engage with stakeholders in a timely and meaningful way is now part of how transparency is experienced.

Transparency is no longer a static output. It is an ongoing interaction.

Across Ontario regulators, a consistent pattern is emerging. Many organizations are strong in passive transparency. They publish extensive materials and meet baseline expectations for disclosure.

Fewer demonstrate the same level of maturity in active transparency.

Explanations are often limited, engagement channels underdeveloped, and responsiveness not always visible or consistent. This is not simply a communications issue. In many cases, transparency gaps reflect underlying system capacity.

Organizations that struggle to explain performance often lack well-developed measurement systems and clear public interest rationale. Where decision-making is not easily communicated, governance processes may not consistently capture or articulate the reasoning behind decisions. Where responsiveness is inconsistent, coordination across operational, communications, and leadership functions may be limited.



Transparency is not just what organizations publish. It is an output of how the system operates.

Expectations are also evolving. Stakeholders are increasingly looking not just for information, but for evidence of effectiveness. They want to understand not only what regulators do, but why they are doing it, how well they are doing it, how decisions are made, and how concerns are addressed.

This shifts transparency from a disclosure model to a demonstration model.

What This Requires in Practice

Addressing this does not require more information. Most regulators already publish a significant amount. The opportunity lies in how that information is structured, communicated, and connected:

- Making performance more visible and outcome-focused
- Providing clearer explanations of decisions and their public interest rationale
- Expanding communication and engagement channels
- Ensuring timely, meaningful responsiveness to stakeholder inquiries and concerns

In effect, it means shifting from transparency as disclosure to transparency as demonstration.

Transparency remains essential. But expectations have moved beyond openness alone.

The question is no longer simply whether information is available. It is whether the organization is understandable, responsive, and visibly focused on public protection.

Active transparency does not replace passive transparency. It builds on it. Together, they form the basis of demonstrated accountability—and increasingly, that demonstration is what defines public confidence.

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