

Open Government Partnership New Zealand

National Action Plan 2018-2020

Progress report for: June 2018 – January 2019

Commitment 7: Official Information

Lead agency: Ministry of Justice and State Services Commission



Objective: To improve the availability of official information by:

- providing advice to the Government on whether to initiate a formal review of official information legislation
- progressively increasing the proactive release of official information by publishing responses to requests for information made under the Official Information Act 1982 (OIA). This commitment builds on work - undertaken as part of the National Action Plan 2016-2018 - on official information to make information more accessible, which promotes good government and trust and confidence in the State Services.

Ambition: New Zealanders:

- can have confidence that the regulation of official information remains fit-for-purpose
- have equitable access to official information released in response to specific requests.

OGP values: Public Participation, Transparency, Accountability

Milestones		Progress
1	Test the merits of undertaking a review of the Official Information Act 1982 and provide and publish advice to Government <i>Start/End dates: Following the report back of the Privacy Bill (anticipated November 2018) to June 2019</i>	?
2	Achieve a measurable increase in the proactive publication of official information request responses <i>Start/End dates: October 2018 to June 2020</i>	
3	Implement a policy to publish Cabinet papers proactively within 30 days of final decisions, unless there are good reasons to withhold specific papers <i>Start/End dates: October 2018 to June 2019</i>	

Progress key:



some delays



underway



completed

WHAT WE HAVE BEEN DOING

- Milestone 1: The Privacy Bill has not yet been reported back. Notwithstanding this some preparatory work is being undertaken by MoJ and SSC.

- Milestone 2: For a and workshops have been held to assist agencies, and the SSC's reports on [OIA Statistics](#) now include statistics on agencies' proactive publication of responses to official information requests.
- Milestone 3: The Cabinet has agreed a new policy to proactively release Cabinet material as part of its commitment to Open Government. The new policy applies to the proactive release of all Cabinet and Cabinet committee papers (excluding Appointments and Honours papers) lodged from 1 January 2019. They are to be released and published online, with the approval of the relevant portfolio Minister, no later than 30 business days after final Cabinet decisions have been made unless there is good reason not to publish all or part of the material, or to delay the release. The normal assessments for releasing official information, and a due diligence process to consider potential liability that might arise from publication, must occur prior to proactive release. The Cabinet paper, supporting advice and the associated Cabinet Office Circular have been published. Fora and workshops have been held to support agencies implement the policy, and the SSC website includes a Proactive Release of Cabinet Papers Calculator.

HOW WE ARE INCLUDING DIVERSE VOICES

HOW WE ARE KEEPING DIVERSE COMMUNITIES INFORMED

- Milestone 2: The SSC's reports on [OIA Statistics](#) are published 6-monthly on the SSC website and include statistics on agencies' proactive publication of responses to official information requests.
- Milestone 3: The Cabinet paper establishing the policy, and associated advice, is published on the SSC website, and the Cabinet Office Circular is published on the DPMC website. Proactively released Cabinet material is published on agency websites.

WHAT'S NEXT?

- The next report on OIA statistics, including agencies' proactive publication of responses to official information requests, covers the period July to December 2018, and is scheduled for publication in March 2019.

LINKS – EVIDENCE OF PROGRESS AND MILESTONES ACHIEVED

Milestone 2:

<http://www.ssc.govt.nz/official-information-statistics>

<http://www.ssc.govt.nz/sites/all/files/oia-proactive-release-dec2017.pdf>

Milestone 3:

<http://www.ssc.govt.nz/official-information-proactive-release>

<http://www.ssc.govt.nz/sites/all/files/cabinet-paper-strengthening-proactive-release-requirements-20180903.pdf>

<https://dpmc.govt.nz/publications/co-18-4-proactive-release-cabinet-material-updated-requirements>