

SUMMARY OF COMMENTS AND RESPONSES – OGP NATIONAL ACTION PLAN 2016-18 SELF-ASSESSMENT

Author	Summary of Comment	Response
General		
Andrew Ecclestone	<p>Delivery of outputs (milestones) is claimed as delivery of the outcome described in the commitments.</p> <p>Output measures (milestones) that do not enable assessment of whether the outcome has been achieved are used in many of the commitments in NAP2, and the government needs to ensure that NAP3 (2018-2020) avoids the same problems.</p> <p>For example, commitment 1 - Open Budget. (see below)</p> <p>The fuzziness of evidence of activity versus evidence of achieving the desired outcome makes it easier to claim success in delivering its OGP commitments, but leads to disillusion and distrust in the OGP process on the part of the public and civil society.</p>	<p>Thanks for the constructive feedback. We are working with agencies responsible for Commitments in the 2018-20 National Action Plan about what might be possible in terms of reporting against that Plan.</p>
TINZ	<p>Submission overview comment</p> <p>Pleased to observe the achieved commitments.</p> <p>Applaud the modest range of consultation that has taken place over the life of the plan (i.e. preparation through to completion) as a basis for far greater consultation undertaken for NAP3.</p>	<p>Thanks for the positive feedback.</p>
	<p>Consultation interface</p> <p>Disappointed that the draft self-assessment report was only made available for feedback in PDF format, which (for some people) precludes direct insertion of comments and suggestions.</p> <p>Recommend the option of a Word version of all public documents in which to provide feedback for those who prefer to use Tracked changes.</p>	<p>Thanks for the constructive feedback we will investigate options to make it easier to provide feedback.</p>
	<p>Report formatting</p> <p>The draft report is well structured and tabulated for easy assimilation, use of coloured dots does not cater for monochrome printing.</p> <p>Recommend the coloured dot scoring system be augmented to ensure meaningfulness on monochrome printouts.</p>	<p>Thanks for the constructive feedback we will take this on board for future Reports.</p>
	<p>Consultation deadline</p> <p>It appears to be current standard practice to declare feedback deadlines as 5pm on the selected working day with unlikely action to be taken on these until next working day (or on following Monday after a Friday cutoff).</p> <p>TINZ recommends that all future submission deadlines be stated such that volunteers might benefit from extra time, evenings after their day-job working hours or through a weekend, to finalise submissions ready for SSC staff to receive by start of next business morning.</p>	<p>Thanks for the constructive feedback we will take this on board for future exercises.</p>
	<p>Specific drafting suggestions</p> <p>TINZ provided specific drafting suggestions to elucidate aspects of the Self-Assessment (along with editorial suggestions) as follows (references are to paragraph numbers in the draft published for public comment):</p>	
	<p>Add new para 5 <i>"The new coalition Government, elected in November 2017 knows that the challenge it faces is maintaining trust in Government and public servants and that it is important not to become complacent."</i></p>	<p>We felt this suggestion reiterated the point already made in the paragraph.</p>
	<p>Amend paragraph 9 to read <i>".... society, the general public in the main centres and cross-government officials. The OGP website has elements of functionality that have attracted and engaged more people. This second Plan's seven Commitments and 25 Milestones have greatly enhanced alignment to the OGP values of transparency, civic participation, public accountability and use of technology to facilitate openness."</i></p>	<p>Reflecting on this comment we felt that the sentiment has been reflected in changes made in the paragraph</p>
	<p>Amend paragraph 11.1 to read <i>".....to engage and a greater investment of resources designed to demonstrate to the wider public that there are genuine and ensuring benefits of open government."</i></p>	<p>The paragraph refers to the need for more time to be allowed we felt this adequately reflected the point being made.</p>

	Amend paragraph 11.2 by adding: <i>"While both these late commitments will lead to more open government, they were generated through enthusiastic public officials rather than generated from the public up via civil society."</i>	The paragraph has been amended to reflect this comment.
	Amend paragraph 11.5 to read: <i>"to officials. As a result, the IRM's report was detailed about elements of the commitments that could be further developed, while acknowledging those elements that were completed according to the plan."</i>	The IRM report is a matter of public record and has been responded to in the Self-Assessment
	Amend paragraph 15.1 to read: <i>"..... it provides. This has had the benefit that several of the EAP members have been more empowered to engage their networks, knowing that public officials were genuinely engaged and wanting to find ways to adapt public services to be more responsive to the needs of people as they define them. The EAP"</i>	The paragraph has been amended to reflect this suggestion.
	Amend paragraph 15.5 to read: <i>".....third Plan 2018-20, the Ministry of Education has included this as part of its review of the core curriculum and discussed with civil society."</i>	The paragraph has been amended to reflect this suggestion.
	Amend paragraph 19 by adding a final sentence: <i>"With the experience of hindsight learned from the 2nd NAP it is now possible to understand ways that the first plan could have achieved a higher level of completion."</i>	The paragraph has been amended to reflect this suggestion.
Commitment 1		
Andrew Ecclestone	All the milestones relate to making budget information available after the event; none relate to the issue of public participation in the budget process which the commitments talks about, which is also where the Global Initiative on Fiscal Transparency and Open Budget Index say that New Zealand needs to make progress.	The Treasury appreciates the feedback. They will take this into account as reform of the Budget process is considered for the 2019 and 2020 Wellbeing Budgets.
Commitment 2		
Andrew Ecclestone	See: https://proactivelyopen.org/2018/09/04/openness-and-official-information-act-timeliness/ The milestones do not provide evidence of achieving the commitment. The commitment was to <i>".....improve government agency practices around requests for official information under the OIA'</i> , and the milestones are output activities, not indicators or evidence that enables assessment of whether the desired outcome of improved OIA practices has been achieved. In terms of Milestone 1 - if SSC has done an assessment of how many agencies have easily accessible information about how to make OIA requests on their webpages, it should add this to the ogp.org.nz and ssc.govt.nz websites. Otherwise, all that has happened is consultation and development of guidance.	This comment relates to the earlier point made by this commentator about the need for more evidence of impact. The SSC measures and reports on agency OIA performance every 6 months.
	In relation to Milestone 3 - release of Cabinet papers - Cabinet Office Notice 15(3) has not been published, which makes it problematic for the government to rely on as an example of supporting material. Notice (15)3 now appears to have been superseded by Cabinet Office Circular (18)4 https://dpmc.govt.nz/publications/co-18-4-proactive-release-cabinet-material-updated-requirements . Suggest that the draft report is amended to link to this published guidance instead of the old unpublished guidance. The Government should not have unpublished Cabinet Office Notices, and DPMC should publish these on its website.	The Self-Assessment has been amended to reflect this comment. The comment about publication of Cabinet Office Notices has been referred to the Cabinet Office for consideration.
	Milestone 4 - SSC has developed guidance on data to collect and report, but there is no evidence on adoption of this guidance. This report doesn't even help us know whether SSC has followed its own advice.	The guidance has been promulgated. The SSC reports on agency OIA performance every 6 months.
	Milestone 6 - SSC states that a 'reference group' drawn from the sector has taken over coordination of the OIA Forum. This is not reflected on the SSC web page about the Forum http://www.ssc.govt.nz/oia-forum which also implies that there was no meeting of the Forum between November 2017 and August 2018.	SSC retains responsibility for the Forum but has engaged a reference group of agency representatives to support its responsibility and ensure that the forum is targeting practitioner's needs. It is correct that the Forum did not meet in the period referred to.
Commitment 3		

Andrew Ecclestone	<p>Welcomes adoption of the International Open Data Charter, but concerned that the report resulting from Milestone 2 'Review New Zealand Data and Information Management Principles' is not linked to from this report. Without evidence of completion of this milestone, the government is simply asking us to take it on faith.</p>	The Self-Assessment has been amended in response to this comment
	<p>I note that the all-of-government portal for finding and requesting data sets, data.govt.nz, has been overhauled. Unfortunately, this has made a key element of the site worse and not addressed a shortcomings that has been pointed out to DIA before.</p> <p>This concerns the ability to request that a dataset be published. Previously the 'Request a dataset' link appeared at the head of the page listing available datasets: now it has been relegated to the foot of that page: https://catalogue.data.govt.nz/dataset .</p> <p>Furthermore, the page for filing a request for a dataset makes no mention of the fact that such a request is an OIA request and that (i) requesters can expect agencies to provide a response that is compliant with the OIA, and (ii) that they can complain to the Ombudsman if they are unhappy with the response: https://www.data.govt.nz/request-data/?_ga=2.193035757.1719430582.1541990329-1368809268.1541990329</p>	Stats NZ appreciates the feedback and will revise the information provided on the data.govt.nz website. Stats NZ and DIA are currently redesigning the website to include resources on managing and using data as well as access to open datasets. The redesign was undertaken after user experience research and accessibility improvements were carried out.
Commitment 4		
Andrew Ecclestone	<p>Milestone 3 - there is a reference to publication of survey results in a 'prototype dashboard' on 28 September 2017. No link is provided to this. If it is not publicly available, the report should provide an explanation. Without the link (or explanation) there is an assertion that a milestone has been reached without the evidence.</p>	<p>Stats NZ and DIA appreciate the feedback and advise that they have updated the links for this Commitment to include the Prototype dashboard and the Open Data Maturity Dashboard (updated).</p> <p>DIA also advises that:</p> <ul style="list-style-type: none"> • There was scope in the commitment for the dashboard to be iterated with users rather than simply publishing a not fit for purpose dashboard going forward. • The prototype was publicly commented on and based on this input was refined to ensure that longer term we have something of value. • A static version of the dashboard and survey results were published before the end of the financial year 30 June 2018, the self-assessment report makes note of this and mentions a dynamic dashboard is being developed. • Further all the data powering the dashboard is available on data.govt.nz at: https://catalogue.data.govt.nz/dataset/open-government-data-dashboard-survey-results