# Open Government Partnership New Zealand

# National Action Plan 2016-18 Mid-term self-assessment

2 October 2017

New Zealand Government

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# Foreword from the Head of State Services

I am pleased to present this mid-term self-assessment of the progress the New Zealand government has made in implementing its Open Government Partnership National Action Plan 2016-18.

This progress is part of wider reforms of the New Zealand system consistent with open government principles but outside the OGP National Action Plan. These include the Better Public Services reforms, the Crown-Māori partnership and work to encourage civic participation.

A significant and ongoing programme is underway to improve the outcomes government agencies are achieving for New Zealanders. I am leading 36 chief executives of New Zealand's state services<sup>1</sup>, working to reshape the delivery of public services. We are focused on working together to change how the system works to deliver better results and better services.

A key component of this is building the integrity of our public service system and the trust and confidence New Zealanders have in it. The reality is that if we lose the people's trust and confidence, then the Public Service cannot do its job.

We are focusing our efforts on the four pillars that are central to the way the Public Service operates in New Zealand. These are:

- Providing free and frank advice
- Political neutrality
- Open government
- Independent, merit-based appointments.

New Zealand is internationally recognised as having a Public Service that is one of the world's most open and accountable. This is reflected in the ratings given to New Zealand such as first equal in the Transparency International Corruption Perceptions Index and Open Budget Index, second in the International Civil Service Effectiveness Index as well as top ten ratings in the Open Data Barometer and Rule of Law Index.

There is always room for improvement though. New Zealand's State services are committed to the ongoing work of improving the openness, transparency and responsiveness of New Zealand's government. Our work on open government, including the programme set out in our National Action Plan, is an important part of how we are making our system more open, more transparent and more clearly focused on responding to the needs of New Zealanders.

<sup>&</sup>lt;sup>1</sup> This includes the 29 public service departments.

This mid-term self-assessment indicates we are well on track with delivery. We look forward to seeing more progress in the second stage of our plan, and to reporting on our final delivery in 2018.

Peter Hughes, CNZM State Services Commissioner

# Introduction and background

This report offers a self-assessment of progress on New Zealand's <u>National Action Plan 2016-18</u>, our second open government plan within the Open Government Partnership (OGP).

The State Services Commission is accountable for managing New Zealand's obligations under the OGP, with the overarching mandate to provide leadership and oversight of the State Services.

New Zealand's 2016-18 action plan was launched on 20 October 2016. Its commitments complement broader open government initiatives in the public sector. It is important to see it in this context to gauge New Zealand's commitment to advancing the OGP principles.

### FOCUS OF THE PLAN

The plan contains seven commitments with milestones and deliverables focused on increasing:

- transparency
- civic participation
- public accountability
- use of technology to facilitate openness.

This report summarises the development process for New Zealand's second OGP action plan and the progress made in implementing the commitments to 30 June 2017. It also outlines the position of open government in New Zealand, which sets out the broader context in which the plan stands and needs to be understood.

# **National Action Plan development**

The engagement approach developed for New Zealand's *National Action Plan: 2016-18* was catalysed by a call to better involve civil society in the work, reinforced through the findings of the <u>Independent Review</u> (PDF, 97KB). To develop New Zealand's plan we engaged with New Zealanders across multiple channels, including: online platforms, teleconferencing, webinars, as well as face-to-face engagement.

A <u>government consultation website</u> was used to collect suggestions for the scope of the second national action plan. Using that channel, 28 participants outlined:

- · how we could improve on New Zealand's last plan
- what 'open government' meant to them
- what themes they wanted to see covered in the action plan.

This was supplemented by an <u>online platform</u> that took in 87 suggested actions for the plan by citizens and civil society. Participants could also view, share, rate and comment on other people's suggestions.

Two civic forums were held in Auckland and Christchurch to discuss and debate possible commitments in the plan. The civic forum in Auckland was hosted by the Victoria University's Institute for Governance and Policy Studies. Actions suggested during these events were added to the online platform by independent facilitators, allowing those not at the events to consider and comment on discussions.

The forums were supplemented by events, conferences and surveys facilitated by civil society, including:

- a workshop as part of the *Start Local. Let it happen. Make it work* conference in June 2016. This conference was sponsored by Inspiring Communities, Victoria University's Institute for Governance and Policy Studies, and Local Government New Zealand
- a workshop as part of the Open Source/Open Society conference in August
- Environment and Conservation Organisations of Aotearoa New Zealand (ECO) surveyed their networks to facilitate and support community engagement
- <u>Hui E! Community Aotearoa</u>, a non-government organisation that works to promote, connect and strengthen the community sector, surveying and providing a selection of prioritised submissions on behalf of civil society participants through the online platform.

A member of Hui E!'s leadership team joined with SSC in September 2016 to further shape commitments aimed at advancing engagement in policy.

For participants unable to attend events, teleconferences and webinars were run to explore different themes, including:

- the relationship between citizens/civil society and government
- public participation
- open data
- how to participate in New Zealand's OGP process.

An open entry final co-creation workshop in Wellington brought together government officials with community and civil society representatives. A webcast of the scenesetting presentations was live for those who could not travel to the event. The workshop was divided into two

### SCOPE OF COMMITMENTS

The commitments increase: corporate accountability through engagement, effective management of public resources, public integrity through improving access to information and data, and improving our public services.

stages. In the first, submissions were discussed and prioritised. In the second, participants worked to complete OGP commitment templates, drawing on the submissions received and their table discussions.

These templates were provided to the State Services Commission to continue the conversation with government agencies accountable for carrying the commitments forward.

### COMMUNICATION AND AWARENESS

The <u>timeline for development</u> of the second action plan was shared on the <u>State Services</u> <u>Commission</u> website on 21 July 2016. The timeline and process were also discussed in meetings with our Expert Advisory Panel – providing opportunities for the Panel's networks to be involved – and shared in an <u>online blogpost</u> and via Twitter.

Twitter and government websites, as well as publicly-available **<u>online event databases</u>**, were used to encourage wider awareness of events.

In comparison to the 2014-16 action plan, this engagement process increased the scope of consultation and the partnerships used to develop OGP commitments. However, officials from across the relevant agencies were late to engage and the plan would have benefitted from more time to work through the ideas and issues with government and civil society. However, once under way, we worked hard to get the most value out of the time we had together, which was an improvement on the development of New Zealand's first National Action Plan.

# **Public feedback**

Consultation on the draft mid-term self-assessment of progress was open for two weeks on the Government Online Engagement Service, and one submission from Transparency International New Zealand (TINZ) was received via that channel. Two submissions via email were also received from the Public Service Association (PSA) and the Council of Trade Unions (CTU).

TINZ identified their key areas of interest for the next national action plan (2018-20). Their submission also acknowledged the achievement of progress to date and noted their concern with some milestone timelines near or behind schedule

The PSA identified two commitments which they would like to see explored within the next action plan. They recommended that the commitments on open budget and improving official information practices move towards greater accessibility and openness respectively.

The CTU acknowledged the progress made on the commitments in the National Action Plan 2016-18, while highlighting areas they see could benefit with expansion in the next action plan. This included greater emphasis on proactive release of information, further improvements made to the openness of the budget, and a consistent approach to open data across agencies.

Both the PSA and CTU noted concern about an absence of consultation with civil society in the commitment to improve policy practices.

### INDEPENDENT REVIEW

The Independent Review Mechanism (IRM) researcher for New Zealand's <u>National Action Plan</u> <u>2014-16</u> noted in his <u>progress report</u> (PDF, 96KB, page 47):

"The commitments should have specific outcomes and milestones. They should be more ambitious than reviewing particular policies. Ideally, they should move beyond existing initiatives and at a minimum identify distinct elements of ongoing initiatives that could be expedited or expanded to serve transparency, accountability and participation."

The IRM researcher suggested that the action plan would be more coherent and easier to implement and report on if it is not as multi-faceted as the current one and if it relates more directly to OGP values.

These recommendations were built into and shaped New Zealand's 2016-18 plan.

# Peer exchange

The State Services Commission has undertaken a number of engagements to discuss action plan development and implementation with other OGP countries to exchange information about approaches to the work, where contexts are similar, including:

- Canada
- United States
- Australia
- United Kingdom
- Ireland.

The opportunity to share New Zealand's approach to open government also included delegation visits to the State Services Commission from Singapore and Myanmar in May 2017. These countries are not members of the OGP.

Peer exchange undertaken under each of the commitments is described in the Implementation section.

### CONSULTATION DURING IMPLEMENTATION

The Expert Advisory Panel (and the Stakeholder Advisory Group that preceded it) represents New Zealand's regular multi-stakeholder consultation forum, as stipulated by the OGP.

This stand-alone forum was created specifically for OGP and over the development and implementation period to 30 June 2017 the forum has met eight times.

Meeting minutes are published in the <u>What's happening</u> section of New Zealand's OGP website.

The Expert Advisory Panel is complemented by an officials group representing agencies accountable for progressing OGP commitments or developing the presence of OGP in New Zealand. The two groups held their first formal meeting together in February 2017 and will continue to meet during the plan's delivery.

The Officials Group expanded in 2017 and now includes <u>**Te Puni Kōkiri**</u>, which leads Māori public policy and advises on policy affecting Māori wellbeing, and the <u>**Auckland Council**</u>.

Meeting minutes of the Officials Group are also published on the <u>What's happening</u> section of New Zealand's OGP website.

# Implementation

### Summary of implementation

The status of work under each Milestone at 30 June 2017 is indicated as follows:

not star	rted 🔴	underway	completed					
		Commitment						
Milestones	1 - Open Budget	2 – Official Information	3 – Open Data Access²	4 – Open Data Tracking <sup>3</sup>	5 – Ongoing Engagement	6 – Access to Legislation	7 – Improving Policy Practice <sup>4</sup>	
1						•		
2	•					•		
3		•	٠				٠	
4		٠	٠					
5		•	•					
6								

Below is a description of progress made in implementing each of the commitments in the National Action Plan.

<sup>&</sup>lt;sup>2</sup> Completion dates for Milestones 2, 3, 4 and 5 have been extended, following public consultation.

<sup>&</sup>lt;sup>3</sup> Completion dates for Milestones 3, 4 and 5 have been extended, following public consultation.

<sup>&</sup>lt;sup>4</sup> Milestones 3, 4 and 5 are under way with slight delay. Due for completion by the publication date of the mid-term self-assessment.

# **Commitment 1: Open Budget**

### Theme

Access to information, civic participation, public accountability, technology and information

October 2016 – May 2018	New commitment				
Lead implementing agency	The New Zealand Treasury				
Other government ministries, departments/ agencies	The New Zealand Treasury				
Status quo or problem/issue to be addressed	The Budget can be perceived as a closed process between departments and the Government and information is not regarded as accessible. The Government has begun work to ensure that Budgets become focused on outcomes for citizens rather than funding for departments.				
Main objective	The main objective is to ensure the Budget process is open and transparent and there is an accountable process for public participation.				
Brief description of commitment	We will ensure the Budget process is open and transparent and there is an accountable process for public participation.				
Relevance to New Zealanders	I want to understand how the Government is spending tax- payers' money relating to issues I care about, and I want to know how I can contribute to ensuring that the money is spent wisely.			t, and I want to	
Ambition	Making the Budget more accessible will promote discussion and debate. It will help ensure that central government spending is open and transparent. It will enhance public participation and confidence in the Budget process.				
Completion level	Not startedLimitedSubstantialComplete√				
Description of the results	5 Milestone 1				

### **Commitment 1: Open Budget**

### Theme

Access to information, civic participation, public accountability, technology and information

January 2017 – May 2017 (completed)

Ask key stakeholder groups how the Budget could be made more accessible.

Stakeholder research has been completed by an independent research agency. The agency did 34 interviews with officials from a number of government agencies and citizen groups.

The research was well received, with interviewees recognising the intent to make the Budget more open and transparent. Overall themes were that stakeholders believed New Zealand has one of the most transparent and open Budgets, although more information on trends and context would be helpful. Some stakeholders were unsure about how to engage in the Budget process.

In addition, some citizen groups hadn't realised how long the Budget process lasts and noted the difference between transparency and accessibility (there is limited value to putting material online if groups don't understand Budget basics, like 'appropriations' and 'estimates').

### **Milestone 2**

January 2017 – May 2018:

Invite feedback on the previous Budget – this means making it available in forms people can engage with, which could include machine-readable data, plain English published material and visual presentations.

In Budget 2017 the Treasury introduced three new documents aimed at making Budget information more accessible and understandable. See Appendix One for a brief description of each of the documents.

# Commitment 1: Open Budget

### Theme

Access to information, civic participation, public accountability, technology and information

	Milestone 3			
	<b>—</b> May 2017 – May 2018:			
	Provide Budget data in machine-readable form – this could include open source formats.			
	The Treasury has already made good progress on this milestone: it has created a new data repository to collect Budget data from various sources. Technical infrastructure has been built, the database is being populated, and work wil begin soon to convert the data into machine-readable form.			
	Milestone 4:			
	<b>O</b> May 2017 – May 2018:			
	Work with agencies that have expertise in presenting Budget data in ways that make it easy to understand.			
	The Treasury has started identifying products already used by other governments and agencies with a view to considering what may be appropriate in New Zealand.			
End date	May 2018			
Next steps	Milestones 1 and 2: in the near term the stakeholder research will be published on the Treasury's website, along with a proposed action plan resulting from the recommendations in the research. This plan is expected to include ways to receive ongoing feedback.			
	Progress on the simplification of Budget publications will continue. In addition, improvements to the Budget website ( <u>https://www.budget.govt.nz/</u> ) are expected to be made to further enhance the presentation of Budget material.			
	Milestone 3: Over the next year we intend to begin publishing retrospective Budget data in machine-readable form. We also aim to publish Budget 2018 data on Budget day (May 2018).			
	Additional information			
See Appendix One.				

### Theme

Access to information, civic participation, public accountability, technology and information

October 2016 – June 2018	New commitment				
Lead implementing agency	State Services Commission (SSC)				
Other government ministries, departments/agencies	Office of the Ombudsman The Department of the Prime Minister and Cabinet Department of Internal Affairs Ministry of Justice Statistics New Zealand				
Status quo or problem/issue to be addressed	Practice around how agencies handle requests for official information is not uniform, agencies are burdened by increasing administrative load around official information requests, and the public find it hard to navigate the systems.				
Main objective	To make government information more accessible by adopting a consistent set of agency practices in response to requests for official information.				
Brief description of commitment	We will improve government agency practices around requests for official information under the Official Information Act 1982 (OIA).				
Relevance to New Zealanders	I want to understand what decisions the Government has made that affect me and why it has made those choices so that I have the information I need to hold the Government to account and I can participate in public decision-making.			nose choices so e Government	
Ambition	We are committed to making government more open and transparent and to enhance public participation in decision-making.			•	
Completion level	Not Limited Substantial Comp		Completed		
	$\checkmark$				

#### Theme

Access to information, civic participation, public accountability, technology and information

#### **Description of the results**

#### Milestone 1

Nov 2016 – March 2017 (completed)

Ensure information about the OIA and responses to requests are easy to access on agency websites. This could include development of single OIA web pages for agencies.

SSC consulted with agencies and OGP stakeholders, including the OGP Expert Advisory Panel, to develop good practice OIA web-page guidance (including a template). It explains the process for requesters to help them make requests. Completion of this milestone was slightly delayed against the original schedule.

### **Milestone 2**

November 2016 – March 2017 (completed)

Publish OIA statistics.

In January 2017, SSC published on its website the first State services-wide set of OIA statistics collected from 110 government agencies. The web page is linked to the OGP website. The statistics cover the number of logged OIA requests and the timeliness of responses. A second release of statistics is scheduled for September 2017, covering 1 July 2016 – 30 June 2017. SSC has also given guidance to agencies that encourages them to regularly report their OIA statistics on their websites.

### **Milestone 3**

October 2016 – June 2017 (completed)

Develop a clear statement of government policy on proactive release of Cabinet papers and related material.

In June 2017 Cabinet Office updated the Cabinet Manual. Chapter 8 sets out government policy on the proactive release of Cabinet papers. Guidance for agencies on the processes and responsibilities that follow a Minister's decision to proactively release Cabinet material is provided in Cabinet Office Notice (15)3. Supporting material for Cabinet papers (for example, briefings or reports that provide background to Cabinet decisions) are published at agency discretion.

### Theme

Access to information, civic participation, public accountability, technology and information

	Milestone 4
	November 2016 – November 2017
	Develop a suite of consistent measures about OIA performance.
	We have:
	<ul> <li>worked with agencies to clarify the definition of what kind of OIA requests agencies should be logging, monitoring and reporting on</li> </ul>
	<ul> <li>developed, tested and promulgated with agencies voluntary OIA performance measures for internal and public reporting.</li> </ul>
	Milestone 5
	November 2016 – February 2017 (completed)
	Improve access to official information and develop principles for more proactive release.
	SSC has developed (in consultation with agencies) proactive release principles for agencies to use when releasing official information proactively. Completion of this milestone was slightly delayed against the original schedule.
	Milestone 6
	November 2016 – June 2018
	Support agencies to deliver through development of appropriate guidance and training.
	SSC has developed (in consultation with government agencies) a prototype self-assessment tool for agencies to help them better understand their current level of capability in complying with the OIA and to identify where they can improve.
End date	June 2018

### Theme

Access to information, civic participation, public accountability, technology and information

Next steps	Milestone 2: ongoing publication of OIA statistics
	Milestone 4: SSC will follow up with agencies later this year to identify actions taken, impact, and how to further encourage effective monitoring and reporting practices
	Milestone 6:
	<ul> <li>SSC is planning to provide leadership and guidance, training and expert advice for State sector agencies and will promote good official information practices. This complements the statutory role of the Office of the Ombudsman</li> </ul>
	• SSC is planning to gather information from agencies on whether they have specific official information training or guidance needs that are best coordinated centrally for the sector.
	Additional information

Building on the Government's work under Commitment 2, SSC has gone further and established a new Integrity, Ethics and Standards group. Structure, resourcing and work programme are being developed. The group has a wide brief but its work will support:

- Compliance with the letter and spirit of the Act (includes agency performance reporting and actions to ensure requesters can easily access information and guidance)
- 2. Proactive release of information (includes actions to assist agencies to proactively make more information available)
- 3. Building capability (includes assisting agencies to improve their OIA capability).

SSC produced guidance for agencies to help them develop proactive release policies and procedures, including the principles mentioned above. It is also planning to develop a range of case studies on agency structures and operating models for managing official information requests, to assist agencies considering changes to their approaches.

### **Risks to delivery**

Not all agencies are in a position to report all OIA statistics as requested by SSC. To manage this we are working with agencies on what is feasible for them and acknowledging gaps in reporting capability.

<b>Theme</b> Access to information, civic participation, public accountability, technology and information					
1 October 2016 – 30 June 2018	New commitment				
Lead implementing agencies	Statistics NZ (lead agency from 11 March 2017) Department of Internal Affairs				
Other government ministries, departments/agencies	Land Information New Zealand (lead agency from 1 October 2016 – 10 March 2017)				
Status quo or problem/issue to be addressed	New Zealand has a set of principles guiding the management of government data and information, including proactive release in reusable formats, but the New Zealand principles do not provide sufficient guidance to support agencies to realise open data commitments.				
Main objective	To review and strengthen the principles under which New Zealand releases open data and information.				
Brief description of commitment	We will enhance access to information by reviewing and strengthening the principles under which New Zealand releases open data and information.				
Relevance to New Zealanders	I would like to have easier access to up-to-date government-held data and information, in formats I can understand and use. I would like more confidence in knowing what I can and can't access and why. This would help me get the information I need to hold the Government to account and to build the understanding I need to comment on and provide input into government decision- making. I also might be able to use the information to create new knowledge or business opportunities.				

<b>Theme</b> Access to information, civic participation, public accountability, technology and information				
Ambition	New Zealand has fully modernised and world-leading principles for government-held data and information that provide a strong foundation for open access to data and information, building capability for data reuse, improving the openness of government operations and supporting informed participation by citizens in government decisions through the availability of open data.			
Completion level	Not started	Limited	Substantial	Completed
Description of the results	Milestone 1			
	October 2	2016 – Noverr	ber 2016 (compl	eted)
	•	-	of the Internation back. (see below)	
	Milestone 2			
	October 2	2016 – Novem	ber 2016 (compl	eted)
	Review New Principles.	Zealand Data	and Information	Management
	Work on the charter and principles has been undertaken together. Under New Zealand's membership in the OGP, the Government was asked to consider potential adoption of the International Open Data Charter. Adopting the charter could provide greater alignment with New Zealand's OGP commitments, while reinforcing the Government's existing expectations and support agencies to proactively release open data (CAB Min (11) 29/12). Potential adoption was <u>reviewed</u> and public consultation occurred from August to September 2016 in two phases: firstly looking at whether the charter should be adopted (why and why not) and secondly how the charter could be adopted and the potential impacts. Consultation also covered data and information management principles relevant to Milestone 3 below.			

### Theme

Access to information, civic participation, public accountability, technology and information

The consultation included a <u>teleconference</u>, online engagement (via <u>www.govt.nz</u> and <u>Loomio</u>) and workshops (<u>Wellington government</u>, <u>Wellington general</u> and <u>Auckland</u> <u>general</u>).

The <u>Engagement Summary Report</u> indicates a large amount of support for the charter's adoption.

Drawing on the above consultation, in October and November 2016 officials reviewed the principles under which New Zealand's open government data is released.

Overall, there was a large amount of support for the charter's adoption. The Engagement Summary Report is available at: <u>https://data.govt.nz/assets/Uploads/</u> Engagement-Summary-Open-Data-Charter.pdf

Consultation on potential adoption of the charter was undertaken with core government agencies in April 2017.

#### **Milestone 3**

🛑 1 July 2017 – 30 July 2017

Determine what principles will guide release of, and access to, New Zealand open data and information, using public feedback.

This includes potential consideration of whether to adopt the International Open Data Charter.

#### Milestone 4

🔵 1 August – 30 August 2017

Engage with citizens and government on application of the new/amended open data principles.

#### **Milestone 5**

1 September 2017 – 30 June 2018

Implement new/amended open data principles.

The dates for Milestones 3, 4 and 5 have been re-phased following public consultation in June 2017.

Confirmation of funding has allowed us to reconsider the timeframe by which these activities are delivered.

This has provided an opportunity for greater focus and pace in the foundation work needed to deliver on this commitment.

# Theme Access to information, civic pation, public accountability, technology and information End date 30 June 2018 Next steps Work under Milestones 3, 4 and 5 above. Additional information

New Zealand has worked with the International Open Data Charter Network, including the Charter Team and members of the Open Data Stewards Group, during roll-out of this commitment, including agreement to work with the Australian Government on collaboration to design and produce joint resources for implementing new principles.

# Commitment 4: Tracking progress and outcomes of open government data release

<b>Theme</b> Access to information, civic participation, public accountability, technology and information						
1 October 2016 – 30 June 2018 New commitment						
Lead implementing agencies	Statistics NZ (lead agency from 11 March 2017) Department of Internal Affairs					
Other government ministries, departments/agencies	Land Information New Zealand (lead agency from 1 October 2016 – 10 March 2017)					
Status quo or problem/issue to be addressed	Open data is not currently managed through a set of consistent or cohesive objectives across government. One result of this is that government agencies have a limited understanding of how and why to address barriers to releasing open data.					
Main objective	To help drive the government agency change required to gain value from open government data.					
Brief description of Commitment	We will help government agencies improve public access to and outcomes of, non-personal, government-held data by openly tracking progress on efforts to open up data stores.					
Relevance to New Zealanders	Seeking access to government-held data from different agencies can be challenging. It would be much easier if there was some consistency across different agencies in making data available and accessible.					
Ambition	Government agencies will be knowledgeable about what data they can and cannot publicly release and why and how to remove obstacles to reuse and will be consistently applying these filters to their data holdings. This will increase the amount and quality of data released.					
Completion level Not started Limited Substantial Complet						

# Commitment 4: Tracking progress and outcomes of open government data release

### Theme

Access to information, civic participation, public accountability, technology and information

**Description of the results** 

### **Milestone 1**

May 2017 – 7 July 2017 (completed)

Develop an open government data action plan based on feedback gathered from the open data community and government officials.

Prior to the OGP National Action Plan launch in October 2016, Statistics NZ and the Department of Internal Affairs worked to draft an Open Government Data Action Plan 2017-2020, which included areas for focus to define a future state for open government data in New Zealand. They consulted on it in June 2016 with the open data community and government officials through public and online consultations.

### Milestone 2



Publish the action plan.

### **Milestone 3**

1 August – 31 August 2017

Develop a public dashboard for reporting against the action plan goals.

### **Milestone 4**

1 September – 15 September 2017

Seek public feedback on the proposed public dashboard.

### **Milestone 5**

16 September 2017 – 30 June 2018

Regularly update the public dashboard on government progress towards the goals.

The first milestone has been met and the other four dates have been rescheduled. Delays in finalising and publishing the action plan have caused delays to the remaining milestones.

Confirmation of funding has allowed us to reconsider the timeframe by which these activities are delivered, providing an opportunity for greater focus and pace in the foundation work needed to deliver on this commitment.

# Commitment 4: Tracking progress and outcomes of open government data release

#### Theme

Access to information, civic participation, public accountability, technology and information

1

End date	30 June 2018		
Next steps	Milestone 2: publish the action plan. The Open Government Data Action Plan work programme will be updated annually.		

### Additional information

A version of the data maturity assessment tool, Open Data Pathway (produced by the Open Data Institute), was piloted in June 2017. Government agencies were encouraged to complete the online tool to determine their open data maturity. This will help agencies determine where best to focus their open data efforts.

### Peer exchange and learning

New Zealand has worked with the Open Data Institute (UK and Queensland) on use of the Open Data Pathway maturity model.

# Commitment 5: Ongoing engagement for OGP

<b>Theme</b> Civic participation, technology and innovation				
October 2016 – June 2018 New commitment				
Lead implementing agency	State Services Commission			
Government ministries, departments/agencies, other groups	Department of Internal Affairs OGP Expert Advisory Panel			
Status quo or problem/issue to be addressed	In facilitating development of New Zealand's National Action Plan for the OGP, SSC has built an online platform to engage with New Zealand communities, using both government tools and software provided by an independent vendor. SSC wants to build on this to improve engagement over the life of the next action plan. It is supported in its work by an independent Expert Advisory Panel and a government Officials Group. SSC intends to expand the ways people can get involved over the duration of the plan.			
Main objective	To ensure that government and communities are able to engage on open government topics, using a variety of stable methods – including online platforms and face-to- face meetings and other forums – as part of a wider engagement plan.			
Brief description of commitment	We will build a flexible and enduring platform for engagement between the New Zealand Government and New Zealand communities around the Open Government Partnership.			
Relevance to New Zealanders	I want the Government to understand my perspective about its decisions that affect me. It can be hard to find out how and when to have my say and to do so in a way that I feel listened to and part of a meaningful process.			

Commitment 5: Ongoing engagement for OGP						
<b>Theme</b> Civic participation, technology and innovation						
Ambition	SSC is committed to building a stable, fit-for-purpose platform for New Zealanders to engage with their government, using the technology and channels that people expect to use in a modern society. It will work toward ways of managing New Zealand's participation in OGP that will reflect a spirit of co-creation with communities.					
Completion level	Not startedLimitedSubstantialCompleted					
Description of the results	Milestone 1	er 2016 – June	2018			
	November 2016 – June 2018 Work with the Department of Internal Affairs to improve government's access to, and use of, digital public engagement tools.					
	From June 2016 the Department of Internal Affairs (DIA) began piloting its Government Online Engagement Service (GOES) with 11 government agencies. It offers engagement principles and guidance, an online public consultation tool and an all-of-government consultations listing.					
	-	June 2017, D it met its aims	IA reviewed the sof:	service to find		
	<ul> <li>helping go</li> </ul>	overnment get	ns to participate w better quality de	-		
		ng with New Z s identified DI <i>I</i>	ealanders. A needs to focus	on:		
	<ul> <li>Improvements to the <u>consultations listing</u> – for better coordination across government and transparency in its engagement</li> </ul>					
	• <b>Digital engagement tools</b> – no one tool meets the range of engagement methods required by agencies. There are also existing tools in the market that are better able to meet the needs that the GOES software is built for. DIA will look at a range of procurement and brokering options to make it easier for agencies to use digital engagement tools. Until these arrangements can be made, the GOES software tool will continue to be available					

### **Commitment 5: Ongoing engagement for OGP**

### Theme

Civic participation, technology and innovation

• **Guidance** – DIA will look to create light-touch guidance to help improve government agencies' ability to run successful digital engagement, such as choosing the right engagement method, including appropriate tools, to supplement the existing <u>online engagement guidance</u>.

The review may also recommend more broadly that the public service raise its capability in digital engagement and work on changing its culture to take advantage of open and collaborative engagement methods.

### Milestone 2

November 2016 – March 2017 (completed)

Work with the Expert Advisory Panel to decide how best to report on progress against OGP milestones.

SSC worked with the Expert Advisory Panel and commitment lead agencies to develop regular progress reporting, which is now publicly available on the <u>website</u>. Completion of this milestone was slightly delayed against the original schedule.

### Milestone 3

October 2017 – January 2018

Engage with New Zealanders to develop the approach to the next plan.

SSC has been laying ground work for developing the next plan and building the engagement approach by:

- gathering insights from key stakeholder groups
- building a more dynamic stream of information for New Zealanders: a refreshed, updated website and regular updates and notifications of events and developments
- working to secure use of a digital platform for coproduction and neutral consultancy services to facilitate co-production in the first half of 2018 to develop the *National Action Plan 2018-20*.

End date

# Commitment 5: Ongoing engagement for OGP

#### Theme

Civic participation, technology and innovation

Next steps	Milestone 1: In light of the review, DIA is considering future options and priorities for improvement in government's access to and use of digital public engagement tools. Milestone 2: SSC will upload progress, reporting on the website quarterly and monitor traffic on the site.	
	Milestone 3: SSC will further develop and implement plans for engagement and co-production of the <i>National Action Plan 2018-20</i> .	
Additional information		
Peer exchange and learning		

We have benefited from information about different engagement approaches from our discussions with OGP teams in Australia and Canada.

### **Commitment 6: Improving Access to Legislation**

### Theme

Access to information, civic participation, public accountability, technology and information

October 2016 – June 2018	New commitment
Lead implementing agency	Parliamentary Counsel Office
Government ministries, departments/agencies, other groups	More than 100 agencies who have delegated power to make secondary legislation
Status quo or problem/issue to be addressed	The New Zealand Parliament has delegated law-making powers to more than 100 agencies. There is, however, no authoritative location where a citizen, business or Parliament itself can access all of the legislation made under those powers or find out what legislation has been made.
	Secondary legislation is made under the delegated law- making authority of Parliament. Those that are drafted by the Parliamentary Counsel Office (PCO) are called legislative instruments and are published in full on the New Zealand Legislation website. Those that are drafted by government departments and agencies and by other non-governmental bodies, are published either in the <i>Gazette</i> or on a variety of different websites, in newspapers or are not readily available to the public. This has a direct impact on the cost of doing business in New Zealand, people's ability to comply with the law, and people's rights.
Main objective	To provide a central official source for all New Zealand legislation.
Brief description of commitment	To improve access to legislation by publishing all secondary legislation, regardless of who drafts it, on the New Zealand Legislation website. The result will be a single, comprehensive, official, public source of all of New Zealand's legislation online.

### **Commitment 6: Improving Access to Legislation**

### Theme

Access to information, civic participation, public accountability, technology and information

Relevance to New Zealanders	Most of New Zealand's legislation is published in one place on the New Zealand Legislation website. Secondary legislation drafted by agencies is not, which makes it difficult to find and know if it is current. It takes a lot of time and effort for citizens to find all of their rights and obligations under the law and it's sometimes hard to find out if the laws are current. For parliamentarians and representatives of citizens, it is hard to scrutinise secondary legislation and keep effective checks and balances on delegated law-making powers.			
Ambition	We are committed to improving access to legislation – access to the law is central to the rule of law, and people expect easy access to legislation.			
Completion level	Not started	Limited	Substantial	Completed
		$\checkmark$		
Description of the results	Milestone 1			
	March 2016 – June 2018			
	Consultation and engagement with all involved actors, including all government and regulatory agencies and Crown entities that produce legislation or regulation.			
	Treasury's guidance for the seven main regulatory agencies for the next iteration of their Regulatory Stewardship Strategies requires agencies to state whether they have a complete list of instruments and their plans for publishing them on the New Zealand Legislation website.			
	Legal researchers are identifying provisions that empower agencies to make legislation and are providing results of their research to government agencies to agree and confirm them.			

### **Commitment 6: Improving Access to Legislation**

### Theme

Access to information, civic participation, public accountability, technology and information

### **Milestone 2**

November 2016 – August 2017

Consideration for approval by Cabinet.

Enabling legislation has been drafted and lodged for introduction to Parliament (Legislation Bill).

We are finalising a drafting template for agencies to use when authoring and formatting legislation. It will ensure legislation includes a standard minimum set of information and encourage consistency of styles and formatting so it can be easily converted to XML, HTML, and PDF.

We are clarifying technical definitions of legislation, and the powers under which secondary legislation can be made.

End date	June 2018
Next steps	<ul> <li>Milestone 1:</li> <li>Engage with agencies to reach agreement on outputs of the legal research and to understand the nature of change and impact on agencies</li> <li>Test a drafting template with agencies.</li> <li>Milestone 2:</li> <li>Develop information technology (IT) and other systems to support the lodgement of secondary legislation and to enable publication on the New Zealand Legislation site</li> <li>Complete the Legislation Bill through the Parliamentary process</li> <li>Continue the legal research</li> <li>Introduce a consequential amendments Bill to make the legal changes needed</li> <li>Draft secondary legislation to accompany the Legislation Bill.</li> </ul>

### Theme

Civic participation, public accountability, technology and information

October 2016 – June 2017		New commitment	
Lead implementing agency		The Department of the Prime Minister and Cabinet: The Policy Project (acting for the Head of the Policy Profession)	
Government Ministries Department/ Agency Other		Officials from a range of core government agencies have been consulted on how to ensure the end product (a policy toolbox) is used and useful. Agencies will also contribute materials where they have subject matter expertise.	
actors involved C o p m	Civil society organisations, private sector, multilaterals, working groups	We are drawing on source material from experts outside of government, such as the UK innovation foundation, NESTA, the UK's Institute for Government, the Centre for Public Impact, International Association for Public Participation and the Darden Business School at the University of Virginia.	
Status quo or problem/issue to be addressed		Commitments to consult have long been part of New Zealand policy making – for example, it is written into New Zealand's CabGuide (Guide to Cabinet and Cabinet Committee Processes) and regulation analysis practices. We can improve consultation practices, for example, by exploring digital tools and evolving fit-for-purpose participatory decision-making practices.	
		There is also an array of new approaches to engage directly with 'customers', or those that will be affected by government decisions, that can add value to the design of policy and subsequently deliver greater public value.	
Main objective		To ensure that policy advice to government is better informed by insights from those most affected by government policy and programmes, by input from diverse points of view and by data and evidence.	
Brief description of commitment		We will improve knowledge of tools and techniques policy makers can use to create more open and user-led policy.	

Theme				
Civic participation, public accountability, technology and information				
Relevance to New Zealanders	I want policy professionals to think about and know how to engage me as a citizen and (where relevant) as a person directly affected by policy when policy is being developed or improved.			
	data and bett	ter insights from	can be enhanced m diverse source er engagement a	s, including
Ambition	We will create accessible, easy-to-digest guidance material on: being an 'intelligent customer/user' of data and evidence; methods for gathering and generating insights from others, including those directly affected by policy and public services; using collaborative approaches, so that policy is informed by a broad range of input and expertise and meets user needs; testing and improving policy and services with citizens-as-users.			
Completion level	Not started	Limited	Substantial	Completed
			$\checkmark$	
Description of the results	Milestone 1			
	Septemb	er – October 2	2016 (completed)	)
	Map evidence and insights ecosystem, existing practice, expertise and guidance sources.		sting practice,	
	Resources have been mapped. These resources include events and round-tables on design thinking, co- production, enhancing public value and new methods for people-focused policy design.			
	Milestone 2			
	October -	– November 2	016 (completed)	
	Test buy-in a	and support fo	r all-of-governme	ent guidance.
	of the Policy Head of the	Project work p Policy Profess	of-government to programme) was ion Board and er om policy agencie	given by the ndorsed by

#### Theme

Civic participation, public accountability, technology and information

### **Milestone 3**

October – December 2016

Design prototype and refine the format of the guidance for optimal usability.

Through testing the idea and page templates, the toolbox is being built with user input to ensure it is approachable and easy to use and informed by user-focused workshops. Prototype web pages will be tested with users also. This milestone has been delayed but is being delivered as intended.

### **Milestone 4**

December 2016 – April 2017

Co-produce contents with, and for, the government policy community.

The above process has been used to co-produce content. The toolbox's first round of content will be limited but it will be built up. It will provide a number of web-based products for policy practitioners for release in two stages:

- the first release will focus on design thinking, behavioural science applications for policy and public participation
- the second release (outside the focus for OGP) will focus on data and data analysis for policy and on evidence types for policy.

It has been agreed to use a wiki-style approach to ensure information stays current and relevant after the launch and is responsive, with capacity to add new content that reflects demand and needs. This milestone has been delayed but is being delivered as intended.

### **Milestone 5**



Launch and commence change management and communications campaign.

This milestone is proposed for completion by 31 August 2017.

### Theme

Civic participation, public accountability, technology and information

End date	31 August (propose to extend by two months)	
Next steps	Load content and release and promote the toolbox. Release of the toolbox's first offering is dependent on ar upgrade of the host agency's website. That has been delayed, with the toolbox's first round of content to be released by the end of August.	
	Ongoing updating of content: we are building a resource that can be added to over time, to become a complete 'one-stop resource'.	
Additional information		

The Policy Project (acting for the Head of the Policy Profession) facilitates the policy community to:

- identify and share good practice
- build collective ownership of the policy system and a programme of improvement activities
- encourage and facilitate collective approaches to improving performance or policy capability where it makes sense
- co-develop new products, tools and resources to improve the performance of the policy function.

### Peer exchange and learning

We are drawing heavily on the UK's Open Policy Making Toolkit's design and content and on resources from peak international bodies. Some of these were recommended by Canadian OGP leads at the federal Treasury.

# **Open Government in New Zealand**

New Zealand remains a strong and resilient representative democracy. The New Zealand Government is regularly rated amongst the world's best for its openness and transparency and amongst the lowest on international corruption indexes. This reflects a fundamental culture of openness and transparency at the heart of our government.

We know that it takes attention and diligence to maintain and advance the principles of openness and transparency that are cornerstones of New Zealand's approach to government. In the 2017 <u>World Press Freedom Index</u> New Zealand dropped eight places to 13<sup>th</sup> in the world and there have been recent concerns about <u>conflicts of interest</u> and <u>whistleblowing</u> in the public sector. These concerns highlight areas where we can improve, as well as showing a system with checks and balances that work and a strong commitment to fairness and transparency.

# GLOBAL MEASURES OF NEW ZEALAND'S TRANSPARENCY AND ACCOUNTABILITY

1<sup>st</sup> in the Open Budget Index 2015 by the International Budget Partnership

1st equal with Denmark on Transparency International's Corruption Perceptions Index 2016

3<sup>rd</sup> equal with Australia, Luxembourg, and Uruguay in the <u>Freedom in the World 2017</u> report by Freedom House

4<sup>th</sup> on the Economist Intelligence Unit's Democracy Index 2016

7<sup>th</sup> on the Open Data Barometer

8<sup>th</sup> in the World Justice Project's Rule of Law Index 2016

9<sup>th</sup> on the <u>2017 Social Progress Index</u>.

The development of OGP action plans is one of the tools available to progress open government in New Zealand. However, the *National Action Plan 2016-18* sits in a broader context of a focus on integrity, transparency, engagement and accountability.

To support openness and integrity in New Zealand's government system, the State Services Commission established a new Integrity, Ethics and Standards group on June 6. This group is focused on building greater trust and confidence in public services.

The OGP process encourages the priorities of New Zealanders to be understood by decisionmakers in government. Participation in the OGP for New Zealand provides another avenue to develop and strengthen our democracy, alongside activities that are already under way. Examples of activities complementary to the *National Action Plan 2016-18* are described below.

### **Better Public Services**

The current work programme for public service agencies and their Chief Executives includes and builds on the Better Public Services reforms of 2012, which sought to re-orientate the Public Service around the needs of customers, rather than the convenience of agencies. Part of that programme are the ten government stretch targets for reducing long-term welfare dependency; supporting vulnerable children; boosting skills and employment; reducing crime; and improving interaction with government, which is of particular relevance to OGP principles. By 2017, the results shown in the table below had been achieved.



The ten <u>Results</u> have since been updated, including some new areas of priority for collective actions.

### Crown-Māori partnership

The New Zealand Government has a commitment to honour its <u>Treaty of Waitangi</u> relationship with iwi Māori (indigenous Māori tribes) of New Zealand. For some iwi these relationships are enshrined in Treaty of Waitangi settlement legislation. In this respect some Treaty settlements commit the Government to meet annually with iwi to engage on key policy matters defined through the Treaty Settlement process.

The Government has also entered into a direct engagement process with the leaders of Māori tribes, the Iwi Leaders Group, and they often attend the <u>Iwi Chairs Forum</u> to share policy developments and gain feedback from the Iwi Leaders. The forum meets regularly to pursue Māori aspirations in the spheres of cultural, social, economic, environmental and political development. At the Iwi Chairs Forum at Waitangi on February 2017, 14 Ministers attended and the Prime Minister and other Cabinet Ministers directly addressed the Forum for two hours. Iwi Leaders were also given time to present their specific matters of interest.

From time to time where there are key policy issues confronting New Zealand, the Government will establish direct working groups with iwi Māori mainly through the Iwi Leaders Group, to provide strategic oversight and a mechanism of engagement. Currently the Government has direct engagements with the Iwi Leaders Group on freshwater management; <u>Whānau Ora</u><sup>5</sup>; Te Runanga Reo, which is working on revitalisation of te reo Māori (Māori language); the <u>Te Hiku social accord</u>; and family violence. Ministers engage directly with a set of nominated Iwi Leaders from the Iwi Leaders Group. Government officials then engage directly with iwi technical advisors to work through policy development.

### **Civic participation**

The Office of Ethnic Communities of the Department of Internal Affairs (DIA) works to increase active citizenship of people in ethnic communities to build social cohesion. Work under way includes encouraging and enabling civic participation (for example, voting, participating in local and central government processes and standing for election). The Department also <u>supports</u> community-led development more broadly by providing support, advice and funding.

The vibrancy of the community sector in New Zealand demonstrates <u>healthy levels of civic</u> <u>participation</u>, with volunteers providing the equivalent of approximately \$3.5 billion to the country's gross domestic product (GDP). Only 10 percent of non-profit organisations employ any staff; 90 percent are totally reliant on volunteers. More than a third of these volunteer hours are worked in culture and recreation non-profit organisations (mainly sports groups), followed by hours volunteered to religious bodies and social services. According to DIA information, 'Informal' volunteering (outside of organisations), involves twice as many New Zealanders, giving more than twice as much of their time.

<sup>&</sup>lt;sup>5</sup> Whānau Ora is a new approach to government social and health service delivery that supports whānau and families to achieve their aspirations in life. It places whānau at the centre of decision-making and supports them to build a more prosperous future.

### Open local government

The central Government focus on open and high-integrity government is further complemented by local government initiatives. For example, the Auckland Council's <u>People's</u> <u>Panel</u> provides Aucklanders with a quick and easy way to get involved with the council's plans, activities and services. The Panel currently has more than 25,000 self-nominated subscribers from all walks of life, supporting efforts to get a diversity of comments and perspectives on important matters for New Zealand's largest city. Auckland Council is committed to ensuring its citizens have a strong voice and are key in shaping Auckland. The philosophy is that communities work best when they can influence the decisions that affect them, and can take an active role in shaping their future. As Auckland becomes increasingly super-diverse, that challenge increases but the Council is committed, via a dedicated cross-council work stream to ensuring all Aucklanders have a strong voice in Auckland's future and increasing trust in council to deliver it.

The Auckland Council has joined New Zealand's OGP Officials Group (for more on the Officials Group, see the 'Consultation during implementation', page 4), enabling exchange of experiences and mutual learning on engagement and consultation between Auckland and central Government.

### Trans-Tasman Open Government collaboration

On 17 February 2017 the Prime Minister of New Zealand, the Rt Hon Bill English and the Prime Minister of Australia, the Hon Malcolm Turnbull MP, issued a joint statement in which they agreed on the importance of public data in driving innovation, improving government services and transforming policy outcomes. They noted there is scope to build stronger cross-Tasman collaboration to facilitate knowledge sharing between the two countries and find new and innovative ways to use and disseminate public data. The two Prime Ministers agreed that Australia and New Zealand will collaborate on public data initiatives to better align agendas, share lessons learnt on best practice and work together on data commitments as part of the Open Government Partnership.

All the above activities can help expand the scope and reach of open government in New Zealand.

# Conclusion

The New Zealand government has a strong commitment to Open Government Partnership principles and has significant work under way in pursuit of a highly trusted, leading-edge public service. As part of this, we have made a strong start on implementing the *National Action Plan 2016-2018*.

There is much yet to do but we are confident that by the end of the implementation period some important achievements will have been made and building blocks for further opening up government will have been put in place for future plans.

# **Appendix One**

### **Details of Commitment 1**

Budget 2017 saw the introduction of three new documents aimed at making the Budget more accessible and understandable.

### 1. Family Incomes Package at a Glance

Budget 2017 included a Budget package that affected a large number of New Zealanders. The package included increasing income tax thresholds and changing settings on a number of social assistance programmes (e.g., Accommodation Supplement).

The document sought to explain the changes in a simple way and included an illustration of what the changes may mean to citizens (see extract below).



http://www.treasury.govt.nz/budget/2017/family-incomes-package

### 2. Capital at a Glance

The Government introduced the Capital at a Glance document for the first time in Budget 2017 to explain where the spending on infrastructure was expected to be distributed. The document discusses the Budget 2017 capital package, along with expected investment over the next four years in major spending areas (e.g., transport infrastructure).



http://www.treasury.govt.nz/budget/2017/capital

### **Budget 2017 Investment**

The Government is investing \$11 billion in new capital over Budgets 2017-2020 on top of already committed spending, which is the biggest increase in decades.



Capital projects take a number of years to complete. As a result some of the \$11 billion in new capital will be spent outside the forecast horizon

Budget 2017 invests a total of \$4 billion in new money, including in the following sectors:



Justice sector \$786 million

Defence

\$576 million

#### 3. Budget Economic and Fiscal Update Basics

The Treasury produced a guide to the economic and fiscal forecasts included in Budget 2017. The purpose of the document was to put the Budget in context, using plain language to explain some of the technical concepts and terms (see extract below).



 Housing investment is about 90% house building and 10% the transactions involved with house buying and selling

In addition, the document explains the key assumptions the Treasury has made in its forecasts (e.g., migration).

### Migration

Net migration moves in cycles over time. It is an important economic indicator, and one that is monitored quite frequently.

New Zealand vs

New Zealand, mostly fo

Over time we assume the

Australia

### What the Treasury says

The number of people coming to New Zealand relative to those leaving continues to be at record levels, and higher than we had expected. Over the next four and a half years we assume migration will add 212,000 people to the population. After the end of our forecast period, Stats NZ assumes net migration will reduce to 15,000 per year by 2022.

More people also adds to the amount of goods and services people want. To meet this demand businesses may need to hire more people. But it also means more demand for items like housing and meeting extra housing demand in a short amount of time is difficult. We assume flows of migrants into New Zealand will return to the Stats NZ assumption in 2022.



http://www.treasury.govt.nz/budget/forecasts/befubasics