

DRAFT

Open Government Partnership New Zealand

National Action Plan 2016-18 End-term self-assessment

October 2018

DRAFT

New Zealand Government

DRAFT

Foreword tbc

Table of Contents

Introduction.....	1
Open Government – What it means to us	1
What we learnt.....	2
How we addressed the IRM's recommendations.....	4
How did we go.....	6
National Action Plan 2016-18: Full Performance Summary	7
ANNEX 1 – END-TERM REPORTS FOR COMMITMENTS	8
COMMITMENT 1 - Open Budget.....	8
COMMITMENT 2 - Improving OIA practices	11
COMMITMENT 3 - Improving open data access and principles	14
COMMITMENT 4 - Tracking progress and outcomes of open government data release	17
COMMITMENT 5 - Ongoing engagement for OGP	20
COMMITMENT 6 - Improving access to legislation	23
COMMITMENT 7 - Improving policy practices	26

Introduction

- 1 New Zealand is proud to be a member of the Open Government Partnership (OGP), which we joined in 2013. This report is our final self-assessment on the delivery of New Zealand's National Action Plan 2016-18 (Plan 2016-18), our second plan launched on 20 October 2016.
- 2 It outlines our delivery against the Plan, the contribution and relevance of our initiatives to core values of open government and what we have learnt in reflecting on the development and implementation of this Plan.

Open Government – What it means to us

- 3 New Zealand shares the aspiration of OGP to make governments more transparent, more accountable, and more responsive to their own citizens.
- 4 New Zealanders' high trust in government and government services continues to trend upwards (The Public Trust Survey 2018, Kiwis Count 2018 and Colmar Brunton Public Services Survey). In particular, our 2018 Kiwis Count Survey shows a 79% trust level in comparison to the OECD average of 43%¹. Internationally New Zealand also rates well against other key indicators, though we do not take these ratings for granted:
 - 1st equal – Open Budget Index 2017 (International Budget Partnership, topping this survey for the third consecutive time.
 - 1st – Corruptions Perception Index 2018 (Transparency International)
 - 2nd – Civil Service Effectiveness Index 2017 (University of Oxford)
 - 3rd equal – Freedom in the World 2017 (Freedom House)
 - 4th – Democracy Index 2017 (Economist Intelligence Unit).
- 5 Support for the open government movement has continued to grow in New Zealand. The decision to join OGP was made by the previous National-led government in 2013 and after the 2017 elections the in-coming Labour-led Government announced a strengthened focus on open government.
- 6 The new Government's priorities of building a productive, sustainable, and inclusive economy and to improve the wellbeing of New Zealanders and their families are consistent with open government outcomes supported by OGP.
- 7 Beyond government, a former member of the New Zealand multi-stakeholder forum has been appointed as an additional member on the OGP global Civil Society Steering Committee and the Rt Hon Helen Clark, a former New Zealand Prime Minister, is an international OGP Ambassador.

¹ Trust in Government, Organization for Economic Co-operation and Development, available at: <http://www.oecd.org/gov/trust-in-government.htm>

What we learnt

- 8 New Zealand's first National Action Plan for OGP (Plan 2014-16) was developed in a very short time period which precluded a high level of involvement from civil society. Learning from that experience, the development process for Plan 2016-18 aimed to be more inclusive of civil society and cross-government officials.
- 9 This second Plan's seven Commitments and 25 Milestones have greater alignment to the OGP values of transparency, civic participation, public accountability and use of technology to facilitate openness.
- 10 Achievements for Commitment 5 demonstrate the importance we have placed on working better with civil society, though we are clear we have more work to do to apply co-design principles consistently across government.
- 11 In assessing our performance, we've identified the following areas where we improved our processes and know we have more to do:
 - 11.1 **adequate time** – while we allowed a longer time to develop the second Plan, time was again an issue and both officials and civil society felt that to develop a stronger plan in a more inclusive way, the process needed to run for longer with more opportunities to engage.
 - 11.2 **clearer plan development** – more work was put in at the start to set and define the commitments rather than retrofit existing work. This resulted in commitments that were more open government specific and ambitious than in the past, and we were able to measure progress more effectively. There are process improvements to come. For instance, one key stakeholder, Hui E! submitted their prioritised actions into the broader pool of workshop ideas which meant they were lost in the numbers of early stage ideas. Civil society was also surprised by the inclusion of two Commitments, around a central point for legislation and public engagement on policy advice that occurred very late in the development process.
 - 11.3 **increased access to the development process** – there was a significant shift in the level of information available across multiple channels in the development and implementation of this Plan. More touch points were necessary and the technology tools needed to be improved. Examples include:
 - *increased social media profile* – by the end of the two-year period there was a broader presence on social media, using Twitter, LinkedIn and Facebook, including an OGP NZ Facebook page.
 - *improved accessibility online* – for the first time we used a purpose-built online public engagement tool and a separate dialogue tool to support development of this Plan. However, the take up was low, with feedback that the tools weren't user friendly. We appreciated this feedback, and in developing the third Plan 2018-20 this year we further improved accessibility, with a refreshed website and using a well-known dialogue tool (delib Dialogue) to support collection and discussion of ideas.
 - 11.4 **more face-to-face conversations** – in 2016 we held regional workshops and, though the turnout was low, this offered more opportunities to engage on the development of the plan than previously. The feedback from civil society was that this was still not sufficient.

11.5 **greater connection to the OGP** - we have worked in a more open way with OGP International and OGP's Independent Reporting Mechanism (IRM) over the current period to ensure it was easier to access information or speak to officials. Following the feedback on the first Plan, all the IRM's observations and recommendations out of the IRM's Mid-term Report, published in early 2018, were discussed with each Commitment Lead. The recommendations were also included in the ideas phase for the third Plan 2018-20. Agencies also amended their approach and later their proposals for future commitments to address her recommendations.

11.6 **learn from others** - internationally, we tapped into the knowledge of our OGP peers in Canada, United States, Australia, United Kingdom and Ireland on how to develop and implement this Plan. We also shared New Zealand's approach to open government with others including delegation visits to the State Services Commission from non-OGP member countries Singapore and Myanmar in May 2017.

New Zealand agencies worked with their international counterparts to develop specific commitments. Stats NZ worked with:

- *the International Open Data Charter Network to develop Commitments three and four. This also included working alongside members of the Open Data Stewards Group during the New Zealand roll-out of the Charter.*
- *the Australian Government to design and produce joint resources for implementing new open data principles*
- *the Open Data Institute (UK and Queensland) on the Open Data Pathway maturity model.*

DPMC researched current best practice across the world to develop Commitment seven on improving policy practices and sourced material from experts inside and outside of government. This includes the UK Government Open Policy Making Toolkit as well as the work of Innovation UK, British Institute for Government, the Centre for Public Impact, International Association for Public Participation and the Darden Business School at the University of Virginia. DPMC also tested the policy tool kit with the OGP Expert Advisory Panel towards the end of the Plan period, in response to the recommendations of the IRM's Mid-term Report.

12 Overall New Zealand's second National Action Plan for OGP 2016-18 was an improvement from the first Plan in approach and ambition. It was, however, very clear from civil society and broader New Zealand that we needed to own our shortcomings and continue to learn and improve year on year.

How we addressed the IRM's recommendations

- 13 In February 2018, the independent IRM researcher, Ms Keitha Booth, published her report on New Zealand's progress in implementing its second Plan 2016-18. There were five key recommendations on areas to focus future open government activities as well as many other recommendations that were specific to Commitments.
- 14 While we have focused on the five key recommendations, all of the IRM's recommendations were valued and considered closely. SSC discussed in-depth the relevant recommendations with each Commitment Lead.
- 15 The five key recommendations relate to developments for the third Plan 2018-20. (Given the 2018-20 OGP National Action has not been finalised at the time of drafting, we will update this section before it is published in November to meet the OGP deadline). The five key recommendations and our actions to date are as follows:

- 15.1 **IRM recommendation:** *expand the Expert Advisory Panel to include greater civil society representation.*

what we did: On March 31 2018, the Expert Advisory Panel (EAP) was expanded to seven members. Naturally these numbers will fluctuate depending on the work priorities and availability of members. The SSC is very supportive of the EAP and acknowledges the value it provides. The EAP membership will be reviewed as we move into implementation of the third Plan 2018-20.

- 15.2 **IRM recommendation:** reform official information laws and refocus the Open Data and Information Programme to publish social, environmental, and budget expenditure data.

what we did:

reform official information laws: This part of the recommendation was put forward as part of the ideas phase of the third Plan 2018-20. Given there was a variation in the other ideas that came through the consultation, the intent of this recommendation was reflected in a draft commitment in the third Plan 2018-20 draft where officials would test the merits of undertaking a review of the OIA.

refocus the Open Data and Information Programme to publish social, environmental, and budget data: This part of the recommendation was put forward as part of the ideas phase of the third Plan 2018-20, however it is not a draft commitment in the third Plan 2018-20 due to work underway.

StatsNZ is working on this part of the recommendation and is developing data indicators with Indicators Aoteroa New Zealand - Ngā Tūtohu Aotearoa. This set of indicators will go beyond economic measures, such as gross domestic product (GDP), to include wellbeing and sustainable development. They will also incorporate New Zealanders' cultural and te

ao Māori perspectives. The indicators will align with the Treasury's Living Standards Framework.

- 15.3 **IRM recommendation:** develop standards for public consultation on policy initiatives.

what we did: Participation in democratic processes, policy development and service design were discussed with civil society as part of the process to develop the third Plan 2018-20. This recommendation was put forward as part of the ideas phase of the third Plan 2018-20 and is reflected in a draft commitment in the third Plan 2018-20.

- 15.4 **IRM recommendation:** anti-corruption commitments in the next action plan, covering whistleblower protection and a public register of company beneficial ownership.

what we did: The inclusion of anti-corruption commitments covering whistleblower protection and a public register of company beneficial ownership were included as ideas for the third Plan 2018-20 and were discussed with civil society. This recommendation is not a draft action plan commitment as work is already underway outside the development of the third Plan 2018-20.

In particular:

- the SSC is undertaking a review of the Protected Disclosures Act 2000 and is exploring whether the law and procedures to protect whistleblowers need to be strengthened (refer Protected Disclosures section <http://www.ssc.govt.nz/proactive-releases>).
- the Ministry of Business, Innovation and Employment released a discussion document in June 2018 on “Increasing the transparency of the beneficial ownership of New Zealand Companies and Limited Partnerships”.

- 15.5 **IRM recommendation:** introduce citizenship education to increase democratic participation.

what we did: Citizenship education to increase democratic participation was put forward during the ideas phase during the process to develop the third Plan 2018-20 and discussed with civil society. This recommendation is reflected in a draft commitment in the third Plan 2018-20 as part of the School Leavers Toolkit.

How did we go

16 The Plan 2016-18 was delivered except for one milestone (24 out of 25). 6 of 7 Commitments were completed in full (detailed templates are in Annex 1).

17 At a glance the results are:

COMMITMENTS		DESCRIPTION	RATING
1	Open Budget	We will ensure the Budget process is open and transparent and there is an accountable process for public participation	
2	Official Information	We will improve government agency practices around requests for official information under the Official Information Act (OIA)	
3	Open Data Access	We will enhance access to information by reviewing and strengthening the principles under which New Zealand releases open data and information	
4	Open Data Tracking	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	
5	Ongoing Engagement	We will build a flexible and enduring platform for engagement between the New Zealand government and New Zealand communities around the Open Government Partnership	
6	Access to Legislation *	We will improve access to legislation by ensuring there is a single source for this information online	
7	Improving Policy Practice	We will improve knowledge of tools and techniques policy makers can use to create more open and user-led policy	

 delays  underway  completed * starred commitment

18 In comparison with the first Plan 2014-16, this was an improved delivery and performance against a more targeted and ambitious Plan.

19 While the IRM has the final word, our assessment is that overall 24 out of the possible 25 milestones and six out of seven commitments were completed in full with one commitment being substantially completed. All four commitments in New Zealand's first Plan 2014-16, were rated as substantially completed.

National Action Plan 2016-18: Full Performance Summary

COMMITMENTS	MILESTONE	DESCRIPTION	RATING
1 Open Budget	We will ensure the Budget process is open and transparent and there is an accountable process for public participation		
	1	Ask key stakeholder groups how the Budget could be made more accessible	●
	2	Invite feedback on the previous Budget	●
	3	Provide Budget data in machine readable form	●
	4	Work with agencies that have expertise in presenting Budget data in ways that make it easy to understand	●
2 Improving Official Information Practices	We will improve government agency practices around requests for official information under the Official Information Act (OIA)		
	1	Ensure information about the OIA and responses to requests are easy to access on agency websites.	●
	2	Publish OIA statistics	●
	3	Develop a clear statement of government policy on proactive release of Cabinet papers and related material	●
	4	Develop a suite of consistent measures about OIA performance	●
	5	Improve access to official information by publishing responses to requests on government websites and developing principles for more proactive release	●
	6	Agencies will be supported to deliver through the development of appropriate guidance and training	●
3 Improving open data access and principles	We will enhance access to information by reviewing and strengthening the principles under which New Zealand releases open data and information		
	1	Review potential adoption of the International Open Data Charter, using public feedback	●
	2	Review New Zealand Data and Information Management Principles	●
	3	Determine what principles will guide release of, and access to, New Zealand open data and information, using public feedback	●
	4	Engage with citizens and government on application of the new/amended open data principles	●
	5	Implement new/amended open data principles	●
4 Tracking progress and outcomes of open government data release	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.		
	1	Develop an open government data action plan, based on feedback gathered from the open data community and government officials	●
	2	Publish the action plan	●
	3	Develop a public dashboard for reporting against the action plan goals	●
	4	Seek public feedback on the proposed public dashboard	●
	5	Regularly update the public dashboard on government progress toward the goals	●
5 Ongoing engagement for OGP	We will build a flexible and enduring platform for engagement between the New Zealand government and New Zealand communities around the Open Government Partnership		
	1	Work with the Department of Internal Affairs to improve government's access to, and use of, digital public engagement tools	●
	2	Work with the Expert Advisory Panel to decide how best to report on progress against OGP milestones	●
	3	Engage with New Zealanders to develop the approach to the next plan	●
6 Tracking progress and outcomes of open government data release	We will improve access to legislation by ensuring there is a single source for this information online.		
	1	Consultation and engagement with all involved actors, including all government and regulatory agencies and Crown entities that produce legislation or regulation	●
	2	Consideration for approval by Cabinet	●
7 Tracking progress and outcomes of open government data release	We will improve knowledge of tools and techniques policy makers can use to create more open and user-led policy.		
	1	Map evidence and insights ecosystem, existing practice, expertise and guidance sources	●
	2	Test buy-in and support for all-of-government guidance	●
	3	Design prototype and refine the format of the guidance for optimal usability goals	●
	4	Co-produce contents with, and for, the government policy community	●
	5	Launch and commence change management and communications campaign	●

ANNEX 1 – END-TERM REPORTS FOR COMMITMENTS

COMMITMENT 1 - Open Budget

Date: October 2016 – May 2018 new commitment

Lead Agency: The Treasury

Related OGP Values: access to information, civic participation, public accountability, technology and information

What New Zealanders wanted: We heard that understanding how the Government is spending tax-payers' money, especially on the issues they cared about was important. They wanted the process and the information to be shown in a way that is easy to understand, access and analyse. New Zealanders wanted greater information to build trust in the process.

What we said: We will ensure the Budget process is open and transparent and there is an accountable process for public participation.

What we achieved: snapshot

We have improved the access to government, given that financial data is significantly more understandable than in past years. Treasury data is now more accessible on line as well as the printable or hard copy documents. The online experience has been greatly improved. Both of Treasury's websites have extensive Budget information and the purpose built Budget website is interactive, has all the key decision documents listed with short descriptions to help the reader and there are new plain English guides and reports with graphs and hyperlinks. Importantly the budget data is machine readable and in an open source format so the data can be reused, analysed and debated.

This table summarises our performance:

	Milestones	Rating
1	Ask key stakeholder groups how the Budget could be made more accessible End date: May 2018	
2	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 End date: May 2018	
3	Provide Budget data in machine readable form – this could include open source formats End date: May 2018	
4	Work with agencies that have expertise in presenting Budget data in ways that make it easy to understand End date: May 2018	

 underway  completed  some delays

What we achieved: in detail

Milestone 1

● January 2017 – May 2017

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

From 34 interviews with a mix of government officials and citizen groups, the independent research was well received. The research found that stakeholders believed New Zealand has one of the most transparent and open Budgets in the world, although more some stakeholders were unsure about how to engage in the Budget process. The findings were incorporated into Budget 2018.

Milestone 2

● January 2018 – 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.

Much of the Treasury and Budget websites have all the key Budget information published in an accessible, plain English format including booklets and foldouts on particular Budget packages (for example documents on the 2017 Families Package). There have been handy guides created such as:

- Guide to Budget documents - a list and explanation of all the documents published on Budget day
- Guide to New Zealand Budgeting Practices - a short guide on the how the budget is put together in New Zealand
- Budget process - A short overview of the key phases in the New Zealand Budget

The Treasury has incorporated a feedback section on the Budget website. Through this section, users of the data can complete an online survey which enables them to provide feedback, which will then be taken into consideration for future budgets.

Milestone 3

● May 2017 – May 2018

Provide Budget data in machine-readable form – this could include open source formats.

Core Crown expenditure information has been released in an open data format for Budget 2018 and it now has an agreed process for determining where licensing information needs to be in the data file.

Milestone 4:

● May 2017 – May 2018 (some delays)

Work with agencies that have expertise in presenting Budget data in ways that make it easy to understand.

DRAFT

While some work towards presenting Budget data in accessible ways has been completed, this milestone has not been fully completed due to competing priorities in delivering Budget 2018. This included completing an audit review of the full budget process.

Work is in progress to complete this commitment. Work continues on identifying appropriate agencies (such as DIA and Statistics New Zealand that also present large data sets) to partner with on improving budget data presentation, and to determine whether there are any possible improvements that can be incorporated to how Budget data is currently presented, with a view to implementing in Budget 2019. We are identifying resource which should be in place by end of October 2018 with a plan to engage with agencies by end of November 2018. Our approach will be to understand the improvements possible by the end of February 2019. We plan to release any proposed changes in Budget 2019.

Commitment links

- <https://www.budget.govt.nz/index.htm>
- <https://www.budget.govt.nz/budget/2018/at-a-glance/index.htm>
- <https://treasury.govt.nz/publications/guide/guide-budget-process>
- <https://treasury.govt.nz/publications/budgets/budget-2018>

COMMITMENT 2 - Improving OIA practices

Date: October 2016 – May 2018 New commitment

Lead Agency: the State Services Commission working with Department of Internal Affairs

Related OGP Values: access to information, civic participation, public accountability

What New Zealanders wanted: We heard that government agency practices need to follow the law and apply Official Information Act 1982 (OIA) consistently. They wanted it to be easier to find the right information to understand the decisions the government has made that affect them and why it has made those choices.

What we said: We will improve government agency practices around requests for official information under the OIA.

What we achieved: snapshot

Since January 2017, SSC has published OIA statistics for the 110 agencies making up the State services. Chief Executives are using these statistics to drive performance in their agencies, which has lifted significantly across the sector. While there is still room for improvement, 95.3% of requests between July and December 2017 were responded to within the legislated time limit, up from 87.6% in 2016/17, while at the same time the volume of requests has increased by more than 5%.

This table summarises our performance:

	Milestones	Stage
1	Ensure information about the OIA (how to make requests, etc) and responses to requests are easy to access on agency websites. This could include development of single OIA web pages for agencies	
2	Publish OIA statistics (how many requests, time taken to respond, etc)	
3	Develop a clear statement of government policy on proactive release of Cabinet papers and related material	
4	Develop a suite of consistent measures about OIA performance	
5	Improve access to official information by publishing responses to requests on government websites and developing principles for more proactive release	
6	Agencies will be supported to deliver through the development of appropriate guidance and training. <i>End date: June 2018</i>	

 delays  underway  completed

“We have found the recent guidance provided in relation to OIA related information agencies may wish to display on their website to be very useful and are currently working at incorporating this into our website.” (agency feedback)

What we achieved: in detail

Milestone 1

● Nov 2016 – March 2017

Ensure information about the OIA (how to make requests, etc) 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 web-page template). It explains the process for requesters to help them make requests.

Milestone 2

● November 2016 – March 2017

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. Since then, statistics have been regularly published with releases now occurring on a six-monthly basis. The statistics cover the number of logged OIA requests, timeliness of responses and the number of complaints made to the Ombudsman. SSC has also provided guidance to agencies encouraging them to regularly report their OIA statistics on their websites.

Milestone 3

● October 2016 – June 2017

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 (which remains in place when a government changes). 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. The requirements for the proactive release of Cabinet papers were strengthened further by Cabinet mandate in September 2018.

Milestone 4

● November 2016 – November 2017

Develop a suite of consistent measures about OIA performance.

SSC has worked with agencies to clarify the definition of what kind of OIA requests agencies should be logging, monitoring and reporting on. We have also developed and published a range of OIA statistics agencies can use for performance monitoring and internal and public reporting.

Milestone 5

● November 2016 – February 2017

Improve access to official information and develop principles for more proactive release.

SSC has developed (in consultation with agencies) proactive release principles and guidance for agencies to use when releasing official information proactively. Practical tips to help agencies put in place the processes needed for publishing responses to OIA requests have also been developed for agencies' use. We ran workshops in August and December 2017 for OIA professionals, which focused on developing and implementing proactive release policies and processes that are relevant to the types of information individual agencies manage.

Milestone 6

● November 2016 – June 2018

Support agencies to deliver through development of appropriate guidance and training.

There is now a great deal more written guidance to support best practice and build capability. SSC has developed (in consultation with government agencies) a capability development toolkit for agencies to help them better understand their current level of capability in complying with the OIA and to identify where they can improve. Workshops were run for agencies in December 2017 on how to use the toolkit and the training material has been published on the website.

SSC coordinates a network (OIA Forum) for OIA professionals to share good practice. Uptake at events has been high, reflecting an increase in the level of engagement on OIA across the State services. In 2018, a reference group drawn from the sector took over coordination to ensure the network continues to meet professional needs.

Agencies can now also access a suite of OIA guidance to help with various aspects of their obligations under the Act, generic OIA training to support staff induction and best practice case studies on different OIA structures and operating models. We have also provided intensive OIA support for specific agencies where required and contributed at agency events on the OIA.

Following the general election, SSC delivered a number of workshops for Ministerial staff on the OIA, covering the role of Ministers and agencies in the OIA process.

Commitment links

- [OIA guidance](#)
- [Proactive release guidance](#)
- [OIA Forum](#)
- [OIA training](#)
- [Capability development toolkit and training](#)
- [Case studies](#)

COMMITMENT 3 - Improving open data access and principles

Date: 1 October 2016 – 30 June 2018 new commitment

Lead agency: Stats NZ (lead agency from 11 March 2017) DIA,
Land Information New Zealand (lead agency from 1 October 2016 – 10 March 2017)

Related OGP Values: Access to information and public accountability

What New Zealanders wanted: We heard that New Zealanders wanted easier access to up-to-date government-held data and information, in formats they could understand and use. They wanted to know what they could and couldn't access and the reasons why.

What we said: We will enhance access to data and information by reviewing and strengthening the principles under which New Zealand government agencies release open data and information.

What we achieved: snapshot

After a review phase, the lead agency engaged with the public on their preferences for data principles and their views on the International Open Data Charter (ODC). Based on that work and the public support, the Minister of Statistics Hon James Shaw and Government Chief Data Steward Liz MacPherson co-signed a letter to formally adopt the Open Data Charter on 2 March 2018. Stats NZ has published some guidance to show how the Open Data Charter principles relate to, and work with, other data and information principles and frameworks in the New Zealand context. The public can provide feedback on this guidance to ensure it is useful. Additional guidance will be developed.

The Open Data Action Plan has been amended to include specific charter related initiatives to drive adoption of the Charter principles by government agencies.

This table summarises our performance:

Milestones		Stage
1	Review potential adoption of the International Open Data Charter, using public feedback	
2	Review New Zealand Data and Information Management Principles	
3	Determine what principles will guide release of, and access to, New Zealand open data and information, using public feedback	
4	Engage with citizens and government on application of the new/amended open data principles	
5	Implement new/amended open data principles. <i>End date: June 2018</i>	

 delays  underway  completed

“The Open Data Charter is a more modern set of principles, agreed at a global level and primarily focused on how citizens will use the data.” citizen feedback

What we achieved: in detail

Milestone 1

● October 2016 – November 2016

Review potential adoption of the International Open Data Charter, using public feedback.

It was recognised that adopting the International Open Data Charter could provide greater alignment with New Zealand's OGP commitments, while reinforcing the Government's existing expectations on open government data, and supporting agencies to proactively release open data (CAB Min (11) 29/12).

Potential adoption of the International Open Data Charter was reviewed² and public consultation occurred from August to September 2016 in two phases: firstly looking at whether the charter should be adopted and the potential impacts, and secondly how the charter could be implemented. Overall there was a large amount of support for adopting the ODC.

Consultation also covered data and information management principles relevant to Milestones 3 and 4 below.

The [Engagement Summary Report](#) summarises the engagement approach taken, channels used, and input received. The channels included a [teleconference](#), online engagement (using a consultation tool on www.govt.nz and [Loomio](#)) and workshops ([Wellington government](#), [Wellington general](#) and [Auckland general](#)).

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

Milestone 2

● October 2016 – November 2016

Review New Zealand Data and Information Management Principles.

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

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.

Consultation for Milestone 1 also covered data and information management principles relevant to Milestones 3 and 4. This included potential consideration of whether to adopt the International Open Data Charter.

² <https://www.data.govt.nz/assets/Uploads/open-data-charter-comparison-nzdimp2.pdf>

Milestone 4

● 1 August – 30 August 2017

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

Consultation also covered data and information management principles relevant to Milestone below. This included potential consideration of whether to adopt the International Open Data Charter.

Milestone 5

● 1 September 2017 – 30 June 2018

Implement new/amended open data principles.

The Minister of Statistics Hon James Shaw and Chief Executive of Stats NZ Liz MacPherson co-signed a letter to formally adopt the Open Data Charter on 2 March 2018. Adoption of the charter reiterates to government agencies the existing requirements to release high value data, and provides specific requirements for what it means to manage and release open data.

Of particular relevance to open government is Charter principle 5 – For improved governance and citizen engagement. Stats NZ is now focusing on helping government agencies integrate the principles into their data management practices, using the principles as the foundation for articulating value propositions and identifying implementation tactics.

Stats NZ has established new engagement channels and reinvigorated existing ones such as the Data Champions Network, and has published guidance that shows how the NZ Data and Information Management Principles and the ODC principles work together and can be applied in the NZ context, including how these principles relate to other NZ data and information frameworks and mandates. The public can provide feedback on this guidance to enable it to be refined and ensure it is useful.

In adopting the charter, New Zealand is obliged to have an implementation plan with specific, time-bound activities for implementing the principles, and to track implementation progress. This obligation has been met by updating the Open Data Action Plan and creating an implementation plan, and providing quarterly progress reports. The earlier consultation identified a need for providing NZ context and agency-relevant guidance. Ongoing engagement will help Stats NZ improve the resources and support it provides.

Commitment links

- [Cabinet paper: Adoption of the International Open Data Charter](#)
- [Signed letter to Open Data Charter](#)
- [Open Data Action Plan and Implementation Plan](#)
- [Guidance on implementing principles](#)

COMMITMENT 4 - Tracking progress and outcomes of open government data release

Date: 1 October 2016 – 30 June 2018 new commitment

Lead agency: Stats NZ (lead agency from 11 March 2017), Department of Internal Affairs, Land Information New Zealand (lead agency from 1 October 2016 – 10 March 2017)

Related OGP Values: access to information and public accountability

What New Zealanders wanted: We heard that access to government-held data from different agencies can be challenging for New Zealanders. Greater consistency across different agencies would help make data available and accessible.

What we said: We will support government agencies to achieve the culture change required to gain value from open government data.

What we achieved: snapshot

Open data is not currently managed through a set of consistent or cohesive objectives across government. Stats NZ has helped government agencies improve public access to non-personal, government-held data by openly tracking progress on efforts to open up data stores. Stats NZ has published an Open Data Action Plan, based on feedback from civil society, which includes initiatives that will provide a coordinated, government-wide approach to managing and releasing open government data.

The Open Data Institute maturity model was used to develop an online survey to assess how government agencies govern and release open data, and how they value datasets. Survey results were displayed in a public prototype dashboard, and feedback from civil society was sought. The survey was re-run in 2018 and the dashboard was updated.

This table summarises our performance:

Milestones		Stage
1	Develop an open government data action plan, based on feedback gathered from the open data community and government officials	
2	Publish the action plan	
3	Develop a public dashboard for reporting against the action plan goals	
4	Seek public feedback on the proposed public dashboard	
5	Regularly update the public dashboard on government progress toward the goals	

 delays  underway  completed

What we achieved: in detail

Milestone 1

● May 2017 – 7 July 2017

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

In 2016, Stats NZ and the Department of Internal Affairs drafted and consulted on an Open Data Action Plan 2017-2020, which included areas of focus to define a future state for open government data in New Zealand. The engagement with the open data community and government officials was through public and online consultations.

Milestone 2

● 1 July – 30 July 2017

Publish the action plan.

The Open Data Action Plan was published on data.govt.nz and took effect on 1 July 2017. It was updated in March 2018 to include initiatives for implementing the principles of the Open Data Charter. The action plan and accompanying implementation plan will be regularly updated to reflect what has been learnt as implementation progresses, changes in the needs of data users and government agencies, feedback from the data community, and changes in the data landscape.

Milestone 3

● 1 August – 31 August 2017

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

Stats NZ developed an online survey based on the Open Data Institute maturity model and sent this to government agencies in July 2017. The survey helps public service and non-public service departments meet their obligation to report annually on their open data maturity (as outlined in the Cabinet paper), and enables them to determine where best to focus resourcing over the coming year to improve the quantity and quality of open government data released. Survey results were aggregated and published in a prototype dashboard on 28 September 2017.

Milestone 4

● 1 September – 15 September 2017

Seek public feedback on the proposed public dashboard.

A prototype dashboard was published on 28 September 2017, inviting feedback on its usefulness through Loomio, Government Data Ninjas, and email. The feedback was incorporated into the business requirements for an interactive dashboard that will display changes in key indicators over time.

Milestone 5

● 16 September 2017 – 30 June 2018

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

The online survey of state sector agencies was rerun in June 2018 to measure changes against the baseline results gathered in 2017. The results have been published in a static (non-interactive) dashboard, and will be re-published in the interactive dashboard once it is implemented. (A vendor has been procured to develop the interactive dashboard.) This survey will be conducted annually and the aggregated data from the survey will be published as an open dataset.

The survey results will also help government agencies meet their obligation to report annually on their open data maturity (as outlined in the Cabinet paper), and enable them to determine where best to focus resourcing over the coming year to improve the quantity and quality of open government data release. To uphold the values of openness and transparency Stats NZ has committed to publishing quarterly progress reports that provide an overview of activities completed, key feedback themes and environmental changes, and updates to the plans. The first quarterly progress report was published in June 2018.

Commitment links

- [Cabinet paper: Adoption of the International Open Data Charter](#)
- [Signed letter to Open Data Charter](#)
- [Open Data Action Plan and Implementation Plan](#)
- [Guidance on implementing principles](#)

COMMITMENT 5 - Ongoing engagement for OGP

Date: 1 October 2016 – 30 June 2018 new commitment

Lead agency: The State Services Commission (SSC), Department of Internal Affairs
OGP Expert Advisory Panel

Related OGP Values: civic participation, technology and innovation

What New Zealanders wanted: We heard that New Zealanders want government to understand their perspective about its decisions that affect them.

What we said: We will build a flexible and enduring platform for engagement between the New Zealand government and New Zealand communities around the Open Government Partnership.

What we achieved: snapshot

Engaging with communities, particularly one that is emerging is difficult for government. Understanding of the needs of open government in civil society has grown over the period. Civil society was consulted on how they would like to be engaged to develop the third Action Plan and we worked harder to access a broader cross section of the community to develop this Plan. Albeit from a low base, the approach taken to develop the third Plan was more inclusive, it started earlier, had more resource and DIA assisted SSC to access much improved digital tools in comparison to the first two Plans. A more concerted effort in social media, an expanded Expert Panel and greater focus on relationships also supported the Plan development process. OGP NZ has a regular presence in social media now, where previously there was not. The work to engage with civil society in open government will continue through SSC and DIA without the need of a commitment in the next Plan.

This table summarises our performance:

Milestones		Stage
1	Work with the Department of Internal Affairs to improve government's access to, and use of, digital public engagement tools <i>End date: June 2018</i>	
2	Work with the Expert Advisory Panel to decide how best to report on progress against OGP milestones	
3	Engage with New Zealanders to develop the approach to the next plan <i>End date: June 2018.</i>	

 delays  underway  completed

“If the Government is to be open, it should do more to engage with those that are disengaged. These consultations are with people that come forward to be engaged with. Everyone has a right to be included and their views reflected. Government needs to do more and try harder.”

What we achieved: in detail

Milestone 1

● 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 1 agency, but demand saw it grow to 11 government agencies. It offers engagement principles and guidance, an online public consultation tool and an all-of-government consultations listing. From May to June 2017, DIA reviewed the service. Early findings identified DIA needs to focus on improving their consultations listing for better coordination across government, and transparency in its engagement. A range of digital tools was required, rather than just one, as well as the development of [light touch guidance including appropriate tools](#), to supplement the existing [online engagement guidance](#).

This review informed a six-week discovery project to understand how digital technologies can best support participation in government. The discovery project included an open conversation with 129 people, 29 agencies, and 9 NGOs to get their views. The report has been published on digital.govt.nz. DIA also tested Loomio as part of the collaborative engagement approach to the development of the [Digital Service Design Standard](#). Loomio and [Delib](#) have been made available for agency use through the [Marketplace](#), which digitises the procurement of cloud tools. The Marketplace formally launches in early August, 2018. Following demand from agencies, we published a [list of cloud based engagement tools](#) that agencies have already done risk assessments on, so other agencies can leverage off them to save time and money.

Milestone 2

● November 2016 – March 2017

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 website. Over time the understanding of what is required has matured, as has the level of inclusion of the Panel and the officials. It has been agreed that reporting framework will be reviewed and recut to make sure the agencies have the right frame to show their progress against the third Plan and that the reports are informative to the Panel and the general public.

Milestone 3

● October 2017 – January 2018

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

This milestone directly addresses concerns raised by the Independent Reviewer and civil society about the development process of the 2016-18 Action Plan and shows New Zealand's commitment to improve its performance. From late 2017, the SSC began discussions with the Expert Advisory Panel and key civil society organisations on how best to include New Zealanders in the third Action Plan development (including

DRAFT

Inspiring Communities, Tearfund, Volunteer NZ, CommVoices, and Hui E!). SSC also surveyed almost 800 subscribers on our OGP mailing list, published it on the NZ OGP website, and notified Twitter followers. The pre-engagement found that the number of interested participants in OGP has doubled. The strong themes that came through were the need for a greater transparency on each stage of the process and range of engagement channels that allowed for conversations. Workshops were the highest rating approach.

Using this feedback, the SSC began the formal consultation in April with a launch to new public sector graduates by Minister Clare Curran who has the portfolio of open government. This was followed by six public workshops in Auckland, Wellington, Christchurch and Dunedin as well as meeting with small interested groups. SSC also connected into the open government network and Ministerial events to get the message out. The ability for New Zealanders to know about and contribute to the development of the Action Plan was strengthened including a refreshed, more user friendly website with the ability to load ideas and commentary. SSC also increased its OGP social media profile with a more active social media campaign involving twitter, a Facebook page and LinkedIn.

All 449 ideas for possible commitments were loaded onto the website so workshop and online ideas had the same status. These included ideas from officials as requested by OGP International, to allow greater transparency. We also worked alongside officials early on looking at themes that were coming through during the engagement phase and thinking about possible commitments. The aim was for government to be well placed to respond once the online engagement phase ended and the development workshops began.

Commitment links

www.ogp.org.nz

<https://www.research.net/r/OGPConsultation>

<https://www.digital.govt.nz/blog/reimagining-participatory-democracy-a-review-of-the-government-online-engagement-service/>

<https://www.digital.govt.nz/blog/listen-up-democratic-engagement-and-twitter/>

<https://www.govt.nz/browse/engaging-with-government/consultations-have-your-say/consultations-listing/>

<https://www.digital.govt.nz/products-and-services/marketplace/https://www.ict.govt.nz/guidance-and-resources/using-cloud-services/assess-the-risks-of-cloud-services/risk-assessments-completed-by-agencies/>

COMMITMENT 6 - Improving access to legislation

Date: 1 October 2016 – 30 June 2018 New commitment **STARRED**

Lead agency: Parliamentary Counsel office (PCO)

Related OGP Values: access to information, civic participation, public accountability, technology and information

What New Zealanders wanted: We heard that access to government-held data from different agencies can be challenging for New Zealanders. It can take a lot of time and effort for citizens to find all of their current rights and obligations under the law. It is also hard for parliamentarians and representatives of citizens, to scrutinise secondary legislation and keep effective checks and balances.

What we said: 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.

What we achieved: snapshot

Ready access to the law is fundamental to a democratic society based on the rule of law. The Parliamentary Counsel Office (PCO) provides access to up-to-date legislation drafted by PCO on the NZ Legislation website www.legislation.govt.nz. Secondary legislation drafted by other agencies can be more difficult to find. PCO is leading a programme of work, in partnership with departments and other agencies, which will take the NZ Legislation website even closer to providing a single authoritative source for New Zealand's legislation. Two new significant pieces of legislation (Legislation Bill and Secondary Legislation (Access) Bill) will create the legislative framework to enable access to secondary legislation on the NZ Legislation website. This could also provide opportunities for others to create supplementary services.

While this specific commitment was not proposed through the engagement phase, the general aspiration to improve access to government-held information was. This work posed such a great opportunity to strengthen democracy in New Zealand, that it was given a star rating by OGP International.

The next steps are a draft commitment on New Zealand's National Action Plan 2018-20, and associated work programme, including the passage of the Legislation Bill and the Secondary Legislation (Access) Bill. This programme will have two stages. The first involves publishing information about all current secondary legislation to the New Zealand Legislation website, including where the legislation can be found. The second involves full text publication of current secondary legislation over a longer period.

This table summarises our performance:

Milestones		Stage
1	Consultation and engagement with all involved actors, including all government and regulatory agencies and Crown entities that produce secondary legislation <i>End date: Ongoing through project</i>	
2	Consideration for approval by Cabinet.	

 delays  underway  completed

What we achieved: in detail

Milestone 1

 March 2016 – June 2018

Consultation and engagement with all involved actors, including all government and regulatory agencies and Crown entities that produce secondary legislation

A large amount of legal research and engagement with government agencies that administer Acts (primary legislation) has been completed. The work was carried out to help agencies to identify and clarify which provisions in Acts that they administer empower the making of secondary legislation. PCO has also written to non-departmental organisations that make or administer secondary legislation to explain the effects of the new legislative framework and to let them know what they can do to prepare to meet their new obligations.

PCO has also carried out end-user research to investigate whether people understand what secondary legislation is and how they currently find it and what their future expectations might be. This research has helped to inform the development of PCO technology and PCO is planning on further engagement as system development continues.

A drafting template for agencies to use when drafting, authoring, and formatting secondary legislation has also been developed. It will help to ensure that 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 for publishing to the New Zealand legislation website. PCO notes that engagement across all affected agencies will continue beyond this commitment.

Milestone 2

 November 2016 – August 2017

Consideration for approval by Cabinet.

There are two significant pieces of legislation that will together enable this commitment to achieve its objectives: the Legislation Bill and the Secondary Legislation (Access) Bill.

The first of these, the Legislation Bill, was reported back to the House after consideration by the Justice Committee on 5 June 2018. The Justice Committee made some changes to the Legislation Bill. The most significant change was to create a duty

DRAFT

on makers to provide a “list” of in-force secondary legislation to the Parliamentary Counsel Office (PCO) as an intermediate step on the road to full text publication.

Drafting of the Secondary Legislation (Access) Bill has begun. The Bill will amend each of the identified empowering provisions (in each Act) so that they clearly state what is secondary legislation. As a result, secondary legislation made under those provisions must be published on the NZ Legislation website and will be subject to oversight by Parliament’s Regulations Review Committee.

Cabinet has decided that legislation made by local authorities and council-controlled organisations is out of scope for this project. Cabinet has directed DIA to explore options for making legislation made by local authorities more accessible to users.

Commitment links

- [Access to Subordinate Legislation Project news](#)

COMMITMENT 7 - Improving policy practices

Date: October 2016 – June 2018 new commitment

Lead agency: Department of Prime Minister and Cabinet (acting for the Head of the Policy Profession)

Related OGP Values: access to information, civic participation, technology and information

Relevance to New Zealanders: We have heard that New Zealanders want policy that is more citizen centred. Policy professionals need to have the right tools to help them engage the people that the policy affects. While this specific commitment was not proposed through the engagement phase, the need to consult better is a common refrain of communities.

What we said: We will improve knowledge of tools and techniques policy makers can use to create more open and user-led policy.

What we achieved: snapshot

Release 1 of the Policy Methods Toolbox went live on the DPMC website on Tuesday 22 August 2017. Policy makers now have access to best practice and a framework to follow to develop policy. They can tap into four sections- Start Right (light-touch project management tools for policy project initiation), Behavioural Insights, Design Thinking and Public Participation. Following the IRM OGP Mid-term Report recommendations the Toolbox was tested with the OGP Expert Advisory Panel over several sessions to gain more of a community perspective on their usefulness.

This table summarises our performance:

Milestones		Stage
1	Map evidence and insights ecosystem, existing practice, expertise and guidance sources	
2	Test buy-in and support for all-of-government guidance	
3	Design prototype and refine the format of the guidance for optimal usability	
4	Co-produce contents with, and for, the government policy community	
5	Launch and commence change management and communications campaign	

 delays  underway  completed

What we achieved: in detail

Milestone 1

● September – October 2016

Map evidence and insights ecosystem, existing practice, expertise and guidance sources.

The resources for the Policy Methods Toolbox have been mapped which include events and round-tables on design thinking, co-production, enhancing public value and new methods for people-focused policy design.

Existing practice and expertise was leveraged, in September 2016 when the Head of the Policy Profession, Andrew Kibblewhite, hosted a roundtable for senior government leaders and academics from Victoria University with Professor Jeanne Liedtka from the Darden Business School. The session was to learn about the potential benefits of design thinking for government and what leaders can do to enable and support design thinking and innovation capability in their organisation and across government.

Milestone 2

● October – November 2016

Test buy-in and support for all-of-government guidance.

Approval to develop an all-of-government toolbox (as part of the Policy Project work programme) was given by the Head of the Policy Profession Board and endorsed by capability leaders from policy agencies.

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 was built with user input to ensure it is approachable and easy to use and informed by user-focused workshops. Prototype web pages were tested with users and the feedback incorporated into the final product.

In response to the Independent Reporting Mechanism Reviewer's comments, the guidance in the Toolbox was tested with the Expert Advisory Panel. Their feedback was that the guidance was fit-for-purpose in terms of improving the knowledge of tools and techniques policy makers can use to create more open and user-led policy.

The Expert Advisory Panel agreed with the Reporting Mechanism Reviewer that the next OGP action plan should include a commitment on collaboratively developing a process or standards for public participation in developing future policy. This recommendation is being considered as part of the process for developing the next OGP Action Plan.

Milestone 4

● December 2016 – April 2017

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

Each of the different elements of the Methods Toolbox's first round of content were co-produced with the relevant sections of the policy community.

The first release of the Toolbox encompassed:

- *Start Right (light-touch project management tools for policy project initiation)*
- *Behavioural insights*
- *Design thinking*
- *Public participation*

Each toolbox element contains information to assist the policy community to understand how to apply the methods to their work, the ideal circumstances for using the approaches, and links to case studies and examples and communities of practice and centres of expertise.

Milestone 5

● April – 31 August 2017

Launch and commence change management and communications campaign.

Since August 2017, the Policy Project has taken every opportunity available to us to promote the Toolbox (Release 1), as well as how these methods can apply to policy development to deliver great advice informed by evidence and insights by those affected by government policy.

The engagement channels used include:

- Events with the policy community and co-hosted with academia and other organisations that relate to toolbox content, which included supporting a Citizen-Centred Policy workshop for policy people to explore opportunities for citizen centred involvement early in the policy process
- Cross-agency policy groups we have established across the public service. Inclusion of references to the Toolbox in general presentations to specific audiences about the Policy Project
- Social media (twitter and LinkedIn) messages to reach a broader audience beyond the policy community and connect with people.

Website hits on the Toolbox have more than doubled during this reporting period, from 358 hits in March to 777 hits in May. Since the Toolbox went live, there have been around 4,500 website hits on these pages, which is greater than the number of people in the policy workforce in the New Zealand public service (around 2,800).

A range of related activities have also been undertaken by the Department of Prime Minister and Cabinet to foster good practice in the areas within the scope of the Policy Methods Toolbox, including:

- Continuing to contribute funding to the Auckland Co-Design Lab in the 2017/18 financial year. The key goal of the Lab is to create a space for multi-agency teams to collaborate, work alongside citizens and to support and broker innovative ideas and solutions

DRAFT

- the Policy Project in 2018 supporting the Ministry for the Environment in initiating the Behavioural Insights Community of Practice inaugural event to help build a public service network of people who can share their experiences and identify opportunities for using behavioural insights
- The Policy Project participating in an EngageTech forum in August 2018 to improve awareness of public sector employees on how to leverage online engagement for public participation.

Commitment Links

- [Policy Methods Toolbox](#)
- [Policy Improvement Frameworks](#)
- [Design Thinking in Government](#)
- [Citizen-Centred Policy Workshop](#)
- [Auckland Co-Design Lab](#)
- [Behavioural Insights Community of Practice](#)
- [The EngageTech Forum](#)