



# Meeting Summary

## Open Government Partnership Stakeholder Advisory Group Meeting 3

- Date** 15 December 2015, 9.30 – 2.00pm
- Venue** State Services Commission, Level 10 No 2 The Terrace
- Attendees** Fuimaono Tuiasau (Chair), Karaitiana Taiuru, Miriam Lips, Michael Macaulay, Colin James, Dave Henderson, Andrew Royle, Tim Blackmore, Karen Ross, Manjula Shivanandan (SSC), Malcolm Alexander (LGNZ), Gareth Ellis (OAG), Andrew McCaw (OMB), Murray Petrie (Independent presenter.)
- Apologies** Isobel Evans (MSD)

### Agenda Items

- 1 Welcome
  - 2 Forward programme of work – towards a new OGP National Action Plan
  - 3 Group updates
  - 4 Update on relevant Government programmes
  - 5 General business
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- 1 Welcome
    - 1.1 Fuimaono Tuiasau introduced the agenda for the session and Karaitiana blessed the meeting with a Karakia.
  - 2 Forward programme of work – towards a new OGP National Action Plan.
    - 2.1 *Introductory comments*

**Noted:** SSC has identified possible themes for consideration in the next Action Plan. There would be approximately six months to develop the next plan. The OGP secretariat in partnership with the SAG are to establish a discussion document and plan for public consultation, for development of the next National Action Plan in the first part of 2016. The meeting sought members' feedback on emergent key themes. (See 2.3)
    - 2.2 *Presentation – Murray Petrie*

**Noted:** Murray Petrie is a lead technical advisor for the Global Initiative on Fiscal Transparency <http://www.fiscaltransparency.net/> and is a member of the OGP fiscal transparency working group.

**Noted:** Murray Petrie presented his expert views on OGP action plan development to SAG group members. The presentation is provided as Attachment 1.

Together with developing ambitious action plan commitments, a key objective of the OGP process is for countries to ensure effective engagement with the community and civil society. It was noted that compared with the London Summit, a key message coming from the Mexico Summit was the need for member countries to resource meaningful public participation activities.

Further points and comment are reflected in Mr Petrie's presentation.

**Members** discussed:

- The risk that OGP commitment development could occur as a compliance exercise, with better examples internationally using the OGP process as a planning and participation tool.
- The need for OGP member countries to consider developing action plans with new commitments rather than relying on existing government commitments. While it is possible to use existing government commitments, it is important to consider how those existing commitments may be stretched to incorporate an additional OGP dimension.
- The importance for OGP member countries to add specificity to their Action Plan commitments to assist with *ex post* evaluation on progress.
- The difficulties of being able to demonstrate impact as a result of Open Government programme commitments and the lead times and cost required for establishing summative evaluation of the impact of commitments.
- The resource obligations associated with ensuring adequate civil society participation in action plan development.
- The importance of recognising the good work already underway in Open Government initiatives in New Zealand. For example, the TINZ defence review, and Statistics New Zealand's work on the sustainable development agenda.
- Moving OGP commitments from those that seemed to be focussed on process to those that demonstrated real change over time.
- Whether Cabinet paper process could incorporate a requirement for stakeholder engagement. It was noted that there is already a mechanism and obligation for stakeholder engagement that is incorporated into the Cabinet paper development process.

The Members thanked Mr Petrie for his helpful contribution, noted his ongoing interest in supporting the group, as an independent advisor, and undertook to seek further contributions and input from him with respect to commitment development.

### 2.3 *Emergent themes for a future Action Plan*

Members discussed possible themes for a new National Action Plan. These included:

#### *Social Inclusion*

Treasury's social inclusion project and associated consultation processes were a better case example of constructive engagement. Treasury facilitated a full consultation process with speakers from around New Zealand discussing issues such as inequality, disability, and families. This work has community sector support and has an emerging agenda that is ambitious, and forward looking. This project reinforces openness through its focus on collaboration and co-creation. New work streams within this project may be developed to constitute appropriate OGP commitments.

**Action** – Secretariat to investigate and establish how a forward agenda in social inclusion may be developed as a possible OGP commitment in the new action Agenda, for consideration.

#### *BPS Results*

The BPS Results programme is likely to be refreshed in 2016 with a possible focus on Auckland as a region. There is the opportunity to examine how a tailored set of Auckland outcomes may align with a future sub-national OGP commitment for New Zealand.

**Action:** Secretariat to consider whether a specific Auckland based set of BPS outcomes and initiatives (or subset of these) may be able to constitute a useful future OGP commitment, or other alternative more targeted aspects of the BPS approach.

#### *Citizen Centric Public Services*

The State Services Commission is exploring a new approach to public sector system change with 'a citizen centric public service' as a new organising principle.

Initial feedback is due at a next meeting of CEs in March 2016.

**Action:** Secretariat to consider how appropriate aspects of a new citizen centric public service work programme may be established as a possible new OGP commitment.

#### *Open Data*

New Zealand's open programme is likely to be refined and reviewed in early 2016. New Zealand's ongoing progress with open data initiatives and activities provide possible opportunities for an ongoing OGP commitment.

**Action:** Secretariat to consult with Land Information New Zealand officials on opportunities for an enhanced New Zealand Open Data programme to contribute to the future New Zealand OGP National Action Plan, if any.

#### *Data Futures*

The Data Futures work will also present opportunities for co-design and mutual use and input of Government held information by New Zealanders. The presentation by Dr Miriam Lips on the Data Futures Forum (Attachment 2) provides an outline of the user, stakeholder and expert input provided through the Data Futures Forum.

**Action:** Secretariat to consult with the Government Chief Information Officer on the direction of the Data Futures programme in the medium term to consider whether relevant Data Futures programme work stream development may be established as a possible future commitment.

#### *Peer to Peer Developments*

There is multilateral aid agency interest in supporting wider OGP membership in the Asia Pacific, to improve recipient country governance. New Zealand may be able to consider opportunities to partner with Australian and UK overseas development interests, the Asia Development Bank and other entities interested in supporting new Asia Pacific OGP country membership capacity building.

It was noted that there are New Zealand Office of the Auditor-General outreach networks in the Asia Pacific, and civil society connections that have been established through: New Zealand domestic development initiatives; New Zealand - Pacific civil society connections, and the Pacific Islands Association of Non-Government Organisations (PIANGO).

New Zealand Audit Office outreach in the Pacific was also mentioned. NGO work in the Pacific was noted with work underway through a domestic development group in partnership with civil society and PIANGO. Funding for this transparency initiative in PNG, Tonga, and Fiji has been approved and will begin in 2016.

**Action:** Secretariat to further examine possible opportunities for Peer to Peer outreach into the Asia / Pacific following discussions with representatives from MFAT, Asian Development Bank, Australian Transparency, and advise on possible inclusion in future action plans.

#### *Open Parliament*

There may be an opportunity to establish a new Open Parliament initiative in New Zealand, to modernise parliamentary processes through the use of new technologies and improve access and openness. Members noted that recommendations in the National Integrity System report covered open parliament matters and processes, and that public civics education provides an opportunity for enhancing the understanding of democratic processes for New Zealanders.

Members also noted that an open parliament working group had been established as part of the international Open Government Partnership programme.

**Action:** Secretariat to discuss the possibility of an Open Parliament OGP commitment with Parliamentary Services and DIA officials, and consider other jurisdictional approaches.

#### *Treaty of Waitangi Matters*

Members noted that consideration should be given to the Treaty of Waitangi as part of any Open Government refresh. Consideration of Maori communities' use and control of data were considered, as an important aspect of Maori engagement.

**Action:** Members to canvass opportunities for inclusion of specific commitments of relevance to New Zealand Maori, and present back to the Group for consideration and inclusion of possible commitments. (Karaitiana Taiuru, and Fuimaono Tuiasau to lead).

#### *UN Sustainable Development Goals*

The cross-endorsement by OGP Country members of the UN 2030 Sustainable Development Agenda (SDA), provides an impetus for New Zealand to consider SDA relevant initiatives in our next OGP National Action Plan. It was noted that civil society representatives were already starting to engage with New Zealand government officials on developing measures and targets for New Zealand's response to the SDA, with preliminary meetings scheduled for March 2016.

**Action:** Secretariat to consult with MFAT and Statistics New Zealand to consider the timing of New Zealand's national response to the 2030 SDA and opportunities for inclusion of SDA-related initiatives in the next action OGP National Action Plan.

Notably, further guidance is expected from the UN Secretary-General on SDA reporting obligations, later in February 2016. This guidance is likely to outline the intended nature of national targets and measures, and will help inform measure development in New Zealand. New Zealand may then consider opportunities for future co-development of measures in partnership with New Zealand civil society organisations, and other appropriate interests.

#### *Review of the Official Information Act*

The Ombudsman's Official Information Act review has been completed (see below for Ombudsman's Office briefing summary). Members discussed whether aspect of the findings from the review might appropriately be considered as components of

future OGP commitments. It was agreed that consideration be given to Official Information Act review findings, informed by wider consultation with SAG networks.

#### *Other Matters Raised*

Other themes raised for consideration included:

- Local Government – opportunities for awareness raising in the sector and show casing particular initiatives for community engagement.
- Democratic openness – Standards for Lobbying Regulation – A declaration on Parliamentary Openness and or Political Finance Openness – Citizen’s Budgets.
- Civics Education Initiatives.
- Deepening Inclusivity, by: creating an Inclusivity Strategy, and progressing other initiatives.
- Local and Community Governance.
- International leadership - making commitments to Pacific Island countries that NZ will provide meaningful help and leadership on OGP matters
- Iwi and the Treaty.

#### *Summary*

Members agreed that further time would be needed to consider the implications of the proposed themes and agreed that they would bring back further detail of opportunities for new commitments to the next SAG meeting, in order to commence further work on a discussion document for wider consultation.

Proposed areas of interest for theme development for the discussion document were as follows:

- Miriam Lips: Data futures and open data matters
- Michael Macaulay: inclusiveness, stewardship, local government and civic education
- Fuimaono Tuiasau: citizen-centric state services, peer to peer activities
- Colin James: potential opportunities following from the Official Information Act review, following consultation with media colleagues, and other officials
- Malcolm Alexander: local government and options and initiatives for progressing open government in local and regional bodies
- Fuimaono Tuiasau and Karaitiana Taiuru: Iwi and the Treaty.

### 3 Group updates

#### 3.1 OGP Summit

The Secretariat briefed SAG Members on the outcomes of the OGP summit. Key insights were:

- Multilateral agency interest in OGP as means for good governance reform and support internationally and in the Asia Pacific. This included: the Asia Development Bank, the World Bank the OECD and the UNDP.
- Australia’s pending membership and opportunities for partnership.
- The emerging theme of citizen-centred government policy and consultation processes, as a key development obligation for OGP country members.

- The alignment of OGP reporting and practices with the 2030 UN Sustainable Development Agenda, and cross endorsement by OGP member countries of the UN Sustainable Development Agenda.

### 3.2 *Mid-term self-assessment report*

A draft report is now with the Minister and includes feedback from four submissions received after the draft report was tabled for further consultation. The final report is to be released in the New Year. New Zealand's IRM reviewer - Steven Price is currently working on New Zealand's Independent Review Mechanism report which will be due for publication in February 2016.

### 3.3 *Roundtable with members and observers*

**Action:** Members to consider themes outlined at the meeting, and the views of their wider networks, so that they may present further views back to the next SAG meeting. In particular, SAG members should present further considered views on: possible themes and programmes; likely commitment language; and milestones that may be appropriately included in a future draft discussion document for planned wider engagement with civil society and community interests in the New Year. Members to provide their feedback to the Chair in the New Year, for wider SAG consideration.

## 4 Update on relevant Government programmes

### 4.1 *Digital Futures*

4.2 Miriam Lips provided a presentation to the group on the Data Futures Forum. The presentation outlined the establishment of the forum, deliberations and analysis and key findings and recommendations that were presented to government. The presentation is provided as Attachment 2.

**Noted:** the group discussed that data as a taonga and considered that input from Maori will be an important aspect of the data futures forward work programme.

### 4.3 *Update on the Ombudsman's Official Information Act review*

**Noted:** Andrew McCaw from the Office of the Ombudsman provided a presentation on the Office's recent review of the Official Information Act (OIA). A report called [Not a game of hide and seek](#) was published in December 2015.

The OIA review was conducted by the Ombudsman over the course of 2015. The process involved surveying 75 agencies and ministers. 12 agencies were then selected for further work. This involved talking to regulatory, policy and implementation agencies about their practices. Following this there was a stakeholder engagement process.

The report examined: i) organisation structure; ii) leadership and culture; iii) policies, processes and systems; iv) translation into practice; and v) tracking monitoring and learning. Agencies were asked a number of questions around these five themes. The Office looked at how information management systems operate, the role of external influences such as ministers' offices and how agencies work together. The report provides a "health check" across the Public Sector and provides several interesting findings for agencies to improve their practices.

There are 48 recommendations in the report. The next steps are to put a framework around the recommendations and develop a plan for implementation.

Key representative findings were summarised as follows:

- More work is needed to determine how many requests are referred to Ministers either for their information or for consultation.

- ii) Departments appear to be exercising some political judgements when responding to request.
- iii) Agencies need to be more open about their processes.
- iv) There is an improvement in compliance rates of OIAs.
- v) There is a need for more training for staff. The Ministry of Justice has guidelines for agencies, however this material could be modernised and updated.
- vi) There is room for improvement in the coordination of information requests across agencies particularly where there are shared responses to information requests.
- vii) There is a need for improved risk management policies, with respect to information processes.
- viii) The Ministry of Justice, SSC and the Ombudman's office should work together to provide agencies with more tools and resources to support OIA processes.

**Noted:** Members asked if the review addressed the issue of political neutrality in progressing information release. Andrew noted that a model for data collection that is standardised may assist with providing further information to address this problem.

**Noted:** Dave Henderson suggested that the SAG consider whether an appropriate theme for inclusion in the New Government Action Agenda might be a response to key OIA review recommendations, including proactive release. Malcolm Alexander and Colin James supported this proposal.

**Action:** Secretariat to arrange for a meeting so that Ombudman's Office officials may speak further with SAG members on the Review findings and the proposed focus of further work.

## 5 General business

**Noted:** The minutes of the previous meeting were moved and seconded by Fuimaono Tuiasau and Dave Henderson.

**Noted:** Actions from the previous meeting that were completed.

**Noted:** Members thanked Tim and Manjula for their work in 2015.

**Noted:** A forth SAG meeting was proposed for late January 2016. (This has been subsequently rescheduled to Thursday 11 February, 2016.

**Action:** Members to consider and provide further feedback on the possible themes for the next Action Plan to the Chair over January 2016.

**Action:** Notes from the teleconference held that preceded the third SAG meeting are to be circulated to SAG members.

Action Items (Note Agenda item number)	Implementation	Proposed Timing
<p>A2.3 Action – Secretariat to investigate and report back on possible themes for inclusion as OGP commitments including:</p> <ul style="list-style-type: none"> <li>• <i>Social Inclusion</i></li> <li>• <i>BPS Results</i></li> <li>• <i>Citizen Centric Public Services</i></li> <li>• <i>Open Data</i></li> <li>• <i>Data Futures</i></li> <li>• <i>Peer to Peer Developments</i></li> <li>• <i>Open Parliament</i></li> </ul>	<p>Secretariat to provide a preliminary report back to SAG, following consultation with officials.</p> <p>Further development of indicative commitments in conjunction with Agency leads.</p> <p>Confirmation back to future SAG meeting.</p>	<p>February Meeting.</p> <p>February / March.</p> <p>Future SAG meeting.</p>
<p>A2.3 Action – Members to canvass opportunities for inclusion of specific commitments of relevance to New Zealand Maori, and present back to the Group for consideration and inclusion of possible commitments.</p>	<p>Karaitiana Taiuru, and Fuimaono Tuiasau to present suggestions at next SAG meeting to members.</p>	<p>February meeting.</p>
<p>A2.3 Members to consider subject specific interests and opportunities for further development of themes as follows:</p> <ul style="list-style-type: none"> <li>• <i>Michael Macaulay:</i> inclusiveness, stewardship, local government and civic education</li> <li>• <i>Fuimaono Tuiasau:</i> citizen-centric state services, peer to peer activities</li> <li>• <i>Colin James:</i> potential opportunities following from the Official Information Act review, following consultation with media colleagues, and other officials</li> <li>• <i>Malcolm Alexander:</i> local government and options and initiatives for progressing open</li> </ul>	<p>Members to report back on the contributions they can make, and thoughts on indicative commitments.</p> <p>Members to confirm ongoing interest in leadership of theme development, and the establishment of narrative and possible commitment language, for inclusion in consultation material.</p>	<p>February meeting.</p> <p>February meeting.</p>

<p>government in local and regional bodies</p> <ul style="list-style-type: none"> <li>• <i>Fuimaono Tuiasau and Karaitiana Taiuru: Iwi and the Treaty.</i></li> </ul>		
<p>A3.3 <b>Action:</b> Members to canvass the views of their wider networks, so that they may present views back to the next SAG meeting on additional themes and likely desired commitments and milestone, and desired approach for engagement with civil society and communities.</p>	<p>Members to consult and report back to SAG meeting.</p>	<p>Report back to February SAG meeting, and future meetings.</p>
<p>A4.3 Secretariat to arrange meeting with Ombudsman's Office officials SAG members on the Review findings and the proposed focus of further work.</p>	<p>To be confirmed with the Ombudsman's Office, in February.</p>	<p>Report back to February SAG on initial outcomes.</p>
<p>A5 Members to consider and provide further feedback on the possible themes for the next Action Plan to the over January 2016.</p>	<p>As identified above.</p>	<p>Report back to February SAG on initial outcomes.</p>
<p>A5 Notes from the teleconference held that preceded the third SAG meeting are to be circulated to SAG members.</p>	<p>For next SAG meeting.</p>	<p>February SAG.</p>