

**Meeting with Sanjay Pradhan, CEO of Open Government Partnership (OGP), and Rt. Hon Helen Clark, OGP Ambassador.**

<b>Date:</b>	<b>6 April 2023</b>	<b>Security Level:</b>	IN CONFIDENCE
<b>Minister and Portfolio:</b>	<b>Hon Andrew Little, Minister for the Public Service</b>		
<b>Report No:</b>	<b>2023-0115</b>		

**Purpose**

This aide memoire provides you information to support your meeting with Sanjay Pradhan, CEO of OGP and Rt. Hon Helen Clark, OGP Ambassador. Talking points are provided at **Attachment One**.

**Date of meeting**

13 April 2023

**Background**

OGP is an international multilateral initiative that seeks to promote open government. Member nations are required to co-create Action Plans with civil society that set out concrete commitments to further the goals of open government. New Zealand has been a member of OGP since 2013, and in December 2022 we published our fourth OGP Action Plan.

Sanjay Pradhan is the CEO of OGP and will be visiting New Zealand on 12 and 13 April. You have agreed to meet with Mr Pradhan and OGP Ambassador Rt. Hon Helen Clark on 13 April.

You also received an invite to attend a panel event about open government with Mr Pradhan and other members of civil society groups on 13 April between 5-7pm (see report 2023-0060). You advised you are unable to attend this event.

**Topics for discussion: the OGP strategy and expansion of OGP.**

We understand Mr Pradhan may wish to speak with you about the future strategy for OGP and the co-creation process followed for New Zealand's last Action Plan.

OGP recently sought feedback on their draft strategy for 2023-2028. The strategy indicates an expansion of OGP requirements and may lead to the creation of additional compliance for members.

Te Kawa Mataaho's feedback on the draft strategy noted:

- OGP is very rules focused. Rather than creating additional compliance requirements for members, OGP should support existing domestic open government initiatives and avoid a "one size fits all" approach.
- Open government is already the norm in New Zealand and in many OGP member nations. OGP is just one tool for advancing an open government agenda and the strategy should reflect this.
- We support the goal of normalising open government at all levels, but the OGP rules themselves do not always support this. For example, including existing open government initiatives in Action Plans is seen as not being ambitious because these are "business as usual" initiatives.

There has also been a recent increase in the number of OGP local members, representing city councils or regional governments. We do not consider local OGP membership would be



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beneficial in a New Zealand context, given the size of our population and resources required to develop Action Plans (both from government and civil society).

OGP is just one part of open government in New Zealand, and significant work already takes place to support public participation in decision making. For example, many agencies already have stakeholder groups in place on key initiatives to ensure the views of stakeholders and the public are considered when developing and implementing policies. These groups include people who are experts on the topic being considered. We consider it is more appropriate agencies work with existing stakeholder groups who have knowledge in an area instead of a generalist group set up to deliver OGP Action Plans.

Rather than expanding OGP initiatives, we recommend focusing on ensuring the current OGP system is working well and supports work that is already underway.

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A number of civil society groups expressed dissatisfaction with the co-creation process for the fourth Plan and believe that civil society views were not adequately considered, and commitments lacked ambition. Civil society groups were also disappointed with agency responses to suggestions from civil society.

Te Kawa Mataaho does not agree with this characterisation of the co-creation process. The development of the Plan involved considerable engagement and co-design with civil society and the public, both through online and in-person forum. Some of the concerns raised by civil society relate to the fact that Cabinet confidentiality requirements limit what can be shared during the final stages of agreeing the Plan. By its nature the co-creation process requires compromise from all parties and must reflect the views of multiple stakeholders.

## **Topic for discussion: the co-creation process**

Te Kawa Mataaho has also noted challenges with the co-creation process. One key challenge is ensuring that Action Plans reflect the views of a broad and diverse cross section of the public, and the process of creating Plans is not captured by a small number of highly invested stakeholders with potentially niche interests. If Action Plans do not have buy-in from the wider public, the co-creation process risks becoming a platform that unduly amplifies the views of a small number of people, who lack a mandate to speak on behalf of a wider group. This undermines the goals of OGP.

To address this, Te Kawa Mataaho is undertaking research into different approaches to developing Action Plans and different models of multi-stakeholder forums (the group tasked with leading the development of Plans). This includes looking at overseas models and considering what options work best in a New Zealand context. We have been working with staff at OGP to progress this.

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As noted in the talking points in **Attachment One**, New Zealand is a global leader in relation to open government:

## **New Zealand is a global leader on open government.**

- New Zealand consistently ranks highly in international measures of trust in government and anti-corruption (for example, we are currently 3<sup>rd</sup> in the world in the Transparency International Corruption Perceptions Index).
  - Fostering a culture of open government is a principle of the public service in the Public Service Act 2020.
  - The Official Information Act 1982 and requirements for the proactive release of Cabinet papers ensure the public have access to government information and decision making.
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- There are several tools to support government engagement with the public. These include the Policy Community Engagement Tool and the Te Arawhiti Engagement with Māori framework.
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We recommend that you:

**Recommended action**

1. **Note** that OGP is just one part of New Zealand's open government agenda.
2. **Note** that New Zealand should focus on ensuring the current OGP system is working well before expanding it.
3. **Agree** to proactively release this aide memoire.

*Agree/disagree*

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