



Report Title:	Proactive release of Cabinet papers: July to December 2023		
Report No:	2024-0052		
Date:	27 February 2024		
To:	Hon Nicola Willis, Minister for the Public Service		
Action Sought:	Agree to the proactive release of this briefing	Due Date:	6 March 2024
Contact Person:	Hugo Vitalis, Deputy Commissioner, Integrity Ethics and Standards		
Contact No:	9(2)(a) privacy		
Encl:	Yes	Priority:	Medium
Security Level:	IN CONFIDENCE		

Executive Summary

1. This report provides you with data on the proactive release of Cabinet papers for the six-month period covering July to December 2023. The report includes a summary of the findings and limitations of the data. This is the third report generated since reporting was introduced by Cabinet in 2022.
2. Key results for the proactive release of Cabinet papers, with comparison to the previous reporting period, are:

	Measure	July – Dec 2023	Jan – June 2023
A	Papers approved for release within the reporting period	401	484
B	Papers released	257 (64%)	202 (42%)
C	Papers released within 30 working days (As a % of B)	177 (69%)	123 (61%)
D	Papers released within 30 working days or delay envisaged by the policy (As a % of B)	209 (81%)	152 (76%)

3. Overall there has been a lift in performance with 81% of papers proactively released within policy (i.e. within 30 working days or after a delay envisaged the policy), compared to 76% in the previous reporting period. Overall 257 papers were proactively released, compared to 202 in the previous reporting period.
4. Reasons for delay in line with the policy include: national security, commercial, trade or travel sensitivities, public announcements or waiting for the introduction of a Bill. There can be many reasons why a paper that has been approved for release has not been released within the same reporting period. These are discussed in further detail below.

Recommended Action

We recommend that you:

- a **note** the proactive release of Cabinet papers data and caveats on the data provided in the report
- b **agree** that the Public Service Commission release this briefing in full, including the data provided in appendix one.

Agree/disagree

Hon Nicola Willis

Minister for the Public Service

Purpose of Report

5. This report updates you on the number of Cabinet papers, by portfolio, proactively released within Cabinet policy in the July- December 2023 period.

Background

6. In May 2022, Cabinet agreed that departments report to the Public Service Commission every six months on the number of Cabinet papers released. The Commission reports this information, by portfolio, to you as the Minister for the Public Service [CAB-22-MIN-0168.01 refers].
7. [Cabinet Office Circular CO \(23\) 04](#) and Section 8.19 of the Cabinet Manual set out the requirements and procedures for the proactive release of Cabinet material, including reporting requirements. The circular provides examples of good reasons not to publish material including national security, privacy or commercial sensitivities. Reasons to delay release may include waiting for public announcements or for a Bill to be introduced.
8. The 30-working day release period results in data on a rolling basis. This is because papers are approved, prepared and released by agencies on various timelines. Consistent with past reporting, we have focused our analysis on papers that have been both approved and released within the July – December 2023 period.
9. A breakdown of the statistics by portfolio is provided in **appendix one**. There are several limitations on the data, including the reasons why a paper may not have been released and the lag between approval and release. These limitations are discussed further below.

Observations

10. The July - December 2023 data collection, shown in Table 1, is the third time data has been reported. The first reporting period covered July - December 2022. Collections continue at six-monthly intervals alongside existing Official Information Act data collections.

Table 1: July - December 2023 proactive release summary performance data

	Measure	July - Dec 2023	Jan - June 2023
A	Papers approved for release within the reporting period	401	484
B	Papers released	257 (64%)	202 (42%)
C	Papers released within 30 working days (As a % of B)	177 (69%)	123 (61%)
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11. The data shows:
 - a. An overall improvement in performance: 64% (257) of papers were released compared to 42% (202) in the previous 6 months.
 - b. A high proportion of papers were released within policy (i.e. within 30 working days or published following a delay envisioned by the policy): 209 papers (81%) of the 257 papers released.

- c. An improvement in the number of papers released within 30 working days (without delays): 69% (177 of the 257 papers released) compared to 61% in the previous reporting period.

Limitations

12. The 'rolling' nature of the data through each reporting period and the exceptions under the policy present challenges for agencies with tracking, recording and reporting of data.
13. There are a range of legitimate reasons under the policy for why a paper may not have been released within the 30-working day window, as set out above. There can also be a lag due to release being deferred for a reason under the policy, or the 30 working day period extending across two reporting periods. For example, a paper that was considered by Cabinet after 13 November 2023 would be recorded as a paper that has been approved for proactive release but may not have been released by 31 December 2023.
14. In addition to the papers captured in this reporting period, a further 171 papers from previous reporting periods were also released within July to December 2023. Unfortunately, no data on whether these papers were released within the policy is available. We intend to explore with agencies how we might be able to address this data gap in future.
15. We will continue to work with agencies to improve the data quality and anticipate further improvements as the data collection process matures.

Appendix One: Proactive release of Cabinet papers July to December 2023

Primary portfolio	Number of papers approved for proactive release (i.e. that was the stated intention in the paper's proactive release section)	Number of papers in column B proactively released	Number of papers proactively released within 30 working days of the final decision by Cabinet	(If known) number being prepared for release	(If known) number of papers approved for proactive release prior to 1 July 2023, but released between 1 July - 31 Dec 2024 (optional)
ACC	2	2	2	0	0
Agriculture	8	1	0	7	1
Agriculture (Animal Welfare)	1	0	0	1	0
Arts, Culture and Heritage	1	1	1	0	3
Attorney-General	0	0	0	0	0
Auckland	1	1	1	0	1
Biosecurity	2	0	0	2	2
Broadcasting and Media	1	1	1	0	0
Building and Construction	3	3	3	0	2
Children	2	2	2	0	1
Climate Change	18	14	8	2	5
Commerce and Consumer Affairs	12	11	10	1	9
Community and Voluntary Sector	0	0	0	0	0
Conservation	5	3	2	0	
Corrections	6	3	0	3	3
Customs	5	4	4	1	1
Cyclone Recovery	5	0	0	5	
Defence	18	6	4	12	16
Digital Economy and Communications	8	5	4	3	0
Disability Issues	0	0	0	0	2
Diversity, Inclusion and Ethnic Communities	0	N/A	N/A	N/A	0
Economic Development	6	6	3	0	5
Education	12	11	8	4	9
Emergency Management	1	0	0	1	
Energy and Resources	10	8	5	2	2
Environment	34	13	4	3	19
Finance	12	4	1	8	5
Food Safety	2	1	0	1	1
Foreign Affairs	22	22	22	0	
Forestry	10	1	1	9	1
GCSB	1	0	0	6	0
Health	22	19	14	3	16
Housing	6	4	2	2	2
Housing (Homelessness)	0	0	0	0	0

Housing (Māori Housing)	0	0	0	0	1
Immigration	16	16	8	0	15
Internal Affairs	6	4	4	1	7
Justice	14	14	8	0	4
Land Information	1	1	1	0	0
Local Government	12	6	5	6	7
Māori Crown Relations: Te Arawhiti	1	1	1	0	0
Māori Development	6	4	1	1	0
Ministerial Services	0	0	0	0	0
National Security and Intelligence	2	0	0	2	
NZSIS	0	0	0	1	0
Oceans and Fisheries	11	2	0	9	1
Pacific Peoples	1	1	0	0	1
Police	5	3	1	2	0
Prime Minister	8	4	2	4	
Public Service	6	2	2	1	0
Racing	0	0	0	0	3
Research, Science and Innovation	0	0	0	0	5
Revenue	9	8	5	1	
RMA Reform	3	0	0	0	0
Seniors	0	0	0	0	0
Small Business	2	2	1	0	3
Social Development and Employment	10	10	9	0	3
Social Housing	2	2	0	0	1
Sport and Recreation	2	2	2	0	0
Statistics	2	2	2	0	0
Tertiary Education and Skills	1	1	1	0	0
Tourism	2	2	2	0	6
Trade and Export Growth	14	14	13	0	
Transport	18	4	2	14	5
Treaty of Waitangi Negotiations	1	0	0	1	0
Veterans	3	3	3	0	0
Women	0	0	0	0	0
Workplace Relations and Safety	6	2	1	2	3
Youth	1	1	1	0	0

Note: A number 0 in the last column means 0 papers released or that the information has not been provided

Note: Information is provided by portfolio. More than one agency may have been responsible for the papers within a portfolio.