



## Agency OIA Statistics January to June 2023 to be released

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|------------------------|---|------------------|------------------|
| <b>Date:</b>           | 29 August 2023  |                  |                  |
| <b>To:</b>             | Hon Andrew Little, Minister for the Public Service    |                  |                  |
| <b>Action Sought:</b>  | Note the OIA statistics to be released                | <b>Due Date</b>  | 6 September 2023 |
| <b>Report No:</b>      | 2023-0242   |                  |                  |
| <b>Contact:</b>        | Dean Rosson, Manager, Integrity, Ethics and Standards |                  |                  |
| <b>Encl:</b>           | Yes   | <b>Priority:</b> | Medium           |
| <b>Security Level:</b> | IN CONFIDENCE   |                  |                  |

## Executive Summary

1. Te Kawa Mataaho has published Official Information Act (OIA) statistics covering Public Service departments, non-Public Service departments and statutory Crown entities every six months since 2016. This report covers OIA responses by 101 agencies from January to June 2023.
2. The latest statistics show 99 agencies (excluding NZ Police and NZ Defence Force) completed 26,505 requests in the reporting period. This is a decrease on the 27,968 requests in the previous period. Agencies responded to 26,030 (98.2%) of requests within legislated timeframes, an increase of 0.5% on the previous period. This is the first period in which overall timeliness has been over 98%. The average time to respond to requests has increased to 13.6 days, previously 12.1 days.
3. The statistics show 7.5% of requests were extended, a slight reduction on the previous period (8.2%). Refusals in full were 9.9% of requests. Where agencies were able to provide a breakdown of the data, most refusals were because the information is or will soon be publicly available, is not held or does not exist.
4. Publication of OIA responses decreased from 2,660 responses to 2,247 responses published.
5. The statistics show 57 final deficiency findings were issued by the Ombudsman against agencies, compared to 44 in the December 2022 period.
6. The non-Public Service departments, NZ Police and NZ Defence Force, recorded 44,427 requests completed, an increase from 36,220 in the previous period. The agencies responded to 78.6% of requests on time, with 0.9% of requests extended.
7. The OIA statistics are scheduled to be released on 13 September 2023 at the same time as the Office of the Ombudsman releases its OIA complaints statistics.

## Recommended Action

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We recommend that you:

- a **note** that the Official Information Act statistics for the period January to June 2023 are to be publicly released on 13 September 2023
- b **agree** that Te Kawa Mataaho release this briefing in full once the Official Information Act statistics have been publicly released on 13 September 2023

*Agree/disagree.*



Hon Andrew Little  
**Minister for the Public Service**

## Agency OIA Statistics January to June 2023 to be released

### Purpose of Report

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1. This report informs you of the release of Official Information Act (OIA) statistics for the January to June 2023 reporting period.

### Background:

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2. Te Kawa Mataaho has published OIA statistics covering Public Service Departments, Departmental Agencies, Crown Agents, Autonomous Crown Entities, Independent Crown Entities, and non-Public Service departments (New Zealand Police and New Zealand Defence Force) every six months since the 2015/16 year. This memo covers OIA responses by 101 agencies from January to June 2023.
3. The OIA statistics show: the number of OIA requests completed; the number and percentage completed within legislated timeframes (including where response times were extended); the number of published OIA responses; the number of requests extended, transferred, and refused in full; the average and median days to respond; complaints to the Ombudsman notified to agencies; and cases where the Ombudsman found agencies to be deficient.
4. Non-Public Service departments (NZ Police and NZ Defence Force) are reported separately.

### Key findings

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#### Volume and timeliness

8. The statistics show 99 agencies (excluding NZ Police and NZ Defence Force) completed 26,505 requests in the reporting period. This represents a decrease of 1,463 requests (5%) compared to the previous period.
9. Of the requests, 54% were completed by 5 agencies, Earthquake Commission (5,272), Department of Corrections (5,202), Te Whatu Ora - Health New Zealand (1,446), Fire and Emergency New Zealand (1,367) and the Ministry of Health (1,111). Of the requests, 79% were completed by 12 agencies.
10. Agencies responded to 26,030 (98.2%) requests on time, an improvement of 0.5% on the previous period and the first period in which overall timeliness has been over 98%. The average time to respond to requests was 13.6 days, up from 12.1 days in the previous period.

#### Extensions and refusals

11. The statistics show 7.5% of requests were extended, a slight reduction on the previous period (8.2%). The statistics show 3.6% (previous period 3.3%) were transferred.
12. Refusals in full were 9.9% of requests. This was an increase from 8.4% in the previous period. Only some agencies are able to provide a breakdown of the reasons for refusals. Where a breakdown was provided it indicates that most refusals were because the information is or will soon be publicly available, is not held or does not exist.

#### Publication of OIA responses

13. Publication of OIA responses decreased from 2,660 to 2,247, with Te Whatu Ora – Health New Zealand publishing 330 less responses and Stats NZ publishing 200 less responses.

14. 49% of responses were published by seven agencies: Ministry of Health, Ministry of Social Development, New Zealand Customs Service, Ministry of Education, Department of Internal Affairs, The Treasury and Accident Compensation Corporation.
15. Proactive release supports open government and public trust and confidence. There are good reasons for not publishing some responses, but we will encourage agencies to consider proactive release of more responses.

### **Ombudsman complaints**

16. Agencies report that 217 complaints to the Ombudsman were notified to them in the period, a 15% decrease on 257 in the previous period. Of these complaints, 47% were to five agencies: Te Whatu Ora – Health New Zealand (30), Ministry of Business, Innovation and Employment (26), Ministry of Health (19), Ministry of Social Development (15) and Ministry of Education (12).
17. The statistics show 69 deficiency findings were issued by the Ombudsman against agencies, an increase from 44 for the previous period. This represents 0.26% of the 26,517 requests completed. Agencies with the most deficiency findings against them were the Ministry of Health (24), Ministry of Social Development (5) and Te Whatu Ora – Health New Zealand (5).

### **Non-Public Service departments**

18. NZ Police completed 42,460 requests in the period, an increase of 24% on the 34,194 requests in the previous period. This increase in volume has affected resourcing and performance. Of these requests, 78.5% were responded to on time (86.8% previous period). The Ombudsman issued 42 deficiency findings against the agency (mostly for delay deemed refusal), an increase from 19 in the previous period.
19. NZ Defence Force completed 1,580 requests with 80.3% (64.2% previous period) completed on time.

### **Agencies at variance**

20. Agencies generally reported improved performance in this period, with some previous capacity issues being resolved. These issues include recruitment challenges and unplanned staff absences. A small number of agencies reported results that are at variance to the overall findings, including the Ministry for the Environment (90.0% timeliness and 21.3% use of extensions), Oranga Tamariki (73.9% timeliness), Ministry of Justice (92.3% timeliness) and Te Arawhiti (85.7% timeliness and 34.3% use of extensions). Te Whatu Ora – Health New Zealand is at 94.7% timeliness although this is an improvement on 89.9% for the previous period.
21. The use of extensions has improved overall. However, we will follow up with agencies that have high extension rates. These include the Department of Conservation (19.3%), Ministry of Social Development (19.1%) and Kāinga Ora (38.3%). There may be security, privacy and other consultation reasons why some requests to agencies including NZSIS (36%), GCSB (19.2%) and the Ministry of Foreign Affairs and Trade (37%) are legitimately extended.

### **Next Steps**

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5. A full set of the statistics has been provided in advance to chief executives, who are encouraged to take an active interest in their agency's performance, including in comparison to their peers. We will undertake more focused follow up with the agencies which are at variance to the overall results.

6. Attached are copies of:
  - the OIA statistics to be published (appendix one); and
  - graphs of the statistical data (appendix two).
7. The OIA statistics are scheduled to be released on 13 September 2023 at the same time the Office of the Ombudsman releases its OIA complaints statistics.
8. The release of the OIA statistics for the six months from January to June 2023 may attract some media interest. We will prepare a draft media statement and will liaise with your office on this as required.