



<b>Report Title:</b>	<b>Agency OIA Statistics June to December 2023 to be released</b>		
<b>Report No:</b>	<b>2024-0051</b>		
<b>Date:</b>	<b>27 February 2024</b>		
<b>To:</b>	<b>Hon Nicola Willis, Minister for the Public Service</b>		
<b>Action Sought:</b>	<b>Note the OIA statistics to be released</b>	<b>Due Date</b>	<b>6 March 2024</b>
<b>Contact Person:</b>	<b>Hugo Vitalis, Deputy Commissioner, Integrity Ethics and Standards</b>		
<b>Contact No:</b>	9(2)(a) privacy		
<b>Encl:</b>	Yes, OIA statistics to be published Graphs of the statistical data.	<b>Priority:</b>	Medium
<b>Security Level:</b>	<b>IN CONFIDENCE</b>		

### Executive Summary

- Te Kawa Mataaho Public Service Commission has collected and published Official Information Act (OIA) statistics covering public service agencies and statutory Crown entities every six months since 2016. We briefed you on this programme in December 2023 (2023-0284 refers).
- This report covers the 6-month period from July to December 2023 and these statistics will be publicly released on 13 March 2024. The Office of the Ombudsman will release its OIA complaints statistics at the same time.
- Overall, public sector performance remains high with 98.1% of all requests completed within legislative timeframes (including extensions). The average time to complete requests has improved by 0.5 days and is now 13.1 days.
- A small number of agencies reported results that are at variance to the overall findings. Deficiency findings issued by the Ombudsman also increased from 69 to 84. This represents 0.27% of all requests. Total requests completed increased by 4,329 (16.3%) compared to the previous reporting period.
- Key results, with comparison to the previous two reporting periods, for 99 agencies are:

<b>Measure</b>	<b>Dec 2023</b>	Jun 2023	Dec 2022
OIA requests completed	<b>30,834</b>	26,505	27,965
OIA requests completed within timeframes	<b>30,256</b> <b>(98.1%)</b>	26,030 (98.2%)	27,329 (97.7%)
Average days taken to complete	<b>13.1</b>	13.6	12.1
Ombudsman complaints notified to an agency	<b>238</b>	217	257
Ombudsman final opinions issued against an agency	<b>84</b>	69	44

- Non-Public Service departments, New Zealand Police and New Zealand Defence Force, are reported separately. They completed 42,233 requests (compared to 44,427 to June 2023, and

36,220 to December 2022). These agencies responded to 64.6% of requests on time (78.6% to June 2023, and 85.6% to December 2022). These agencies are not part of the core public service; however, data is collected in order to provide a fuller picture of public sector performance.

### **Recommended Action**

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7. We recommend that you:
- a **note** that public sector OIA performance remains high with 98.1% of requests completed within legislative time frames,
  - b **note** that the OIA statistics for the period July to December 2023 will be publicly released on 13 March 2024,
  - c **agree** that The Public Service Commission release this briefing in full once the OIA statistics have been publicly released on 13 March 2024.
- Agree/disagree.*

Hon Nicola Willis  
**Minister for the Public Service**

## Purpose of Report

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8. This report provides you with an update of public sector Official Information Act (OIA) request performance for the period July to December 2023.

## Background

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9. The Public Service Commission has published OIA statistics covering public service departments, departmental agencies and statutory Crown entities every six months since the 2015/16 year. We briefed you on this programme in December 2023 (2023-0284 refers). Since reporting began in 2015/16 OIA performance has improved from 91% to 98.1% of requests completed within legislated timeframes.
10. This report covers OIA results for 99 agencies from July to December 2023. It also reports separately on results for New Zealand Police and New Zealand Defence Force for the period.

## Key findings

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11. Key results, with comparison to the previous two reporting periods, for 99 agencies are:

Measure	December 2023	June 2023	December 2022
OIA requests completed	30,834	26,505	27,965
OIA requests completed within timeframes	30,256 (98.1%)	26,030 (98.2%)	27,329 (97.7%)
Days taken to complete - average	13.1	13.6	12.1
OIA requests extended	2,108 (6.8%)	1,997 (7.5%)	2,299 (8.2%)
OIA refusals	2,932 (9.5%)	2,630 (9.9%)	2,350 (8.4%)
OIA transfers	966 (3.1%)	946 (3.6%)	911 (3.3%)
OIA responses published	2,533	2,247	2,660
Ombudsman complaints notified to the agency	238	217	257
Ombudsman final opinions issued against the agency	84	69	44

## Comment

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12. Overall system performance remains high with 98.1% of requests completed on time. The number of requests increased by 4,329 (16.3%) from the previous reporting period. The average time to complete requests improved by 0.5 days, from 13.6 to 13.1 days. The use of extensions also continues to improve with 6.8% of requests extended, down from 7.5% for the previous period.
13. Refusals (9.5%) and transfers (3.1%) have remained relatively steady compared to previous reporting periods. Only some agencies are able to provide a breakdown of the reasons for refusals. From those that can, it shows that most refusals are because the information is or will soon be publicly available, is not held, or does not exist.

14. Proactive release of OIA requests remains an opportunity for improvement with only 2,533 or 8.2% of completed requests being published. This information has already been approved for release and publishing the information on agency websites would improve the availability of information to the public. An additional benefit is improved efficiency by reducing the need to process requests as the information is already available. The Commission will continue to work with agencies to improve performance in this area.
15. Agencies were notified of a total of 238 complaints made to the Ombudsman in this period. This is an increase from 217 previously. Of these, 55% were to five agencies: Te Whatu Ora – Health New Zealand (64), Department of Corrections (32), Ministry of Health (12), Ministry of Education (12) and Ministry of Business, Innovation and Employment (11).
16. Deficiency findings issued by the Ombudsman against agencies increased to 84 for this period, up from 69 previously. Deficiency findings represent 0.27% of the 30,834 requests completed. Agencies with the most deficiency findings against them were Te Whatu Ora – Health New Zealand (24), Ministry of Business, Innovation and Employment (12), and Ministry for Primary Industries (5).

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

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17. New Zealand Police completed 40,476 requests in the period. Of these requests, 63.9% were responded to on time, down from 78.5% in the previous period. Police data reflects the high number of OIAs being received (up from 34,194 in the December 2022 period), combined with the increasing complexity of requests, workforce pressures and competing demands. Work is underway on opportunities to improve timeliness and the Ombudsman is being consulted on this work.
18. The Ombudsman issued 32 deficiency findings against Police (mostly for delays that are deemed a refusal). This is a decrease from 42 in the previous period.
19. New Zealand Defence Force completed 1,757 requests with 81.3% (80.3% previous period) completed on time. Only one deficiency finding was made by the Ombudsman against New Zealand Defence Force.

### **Follow up**

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20. A small number of agencies reported results that are at variance to the overall timeliness findings, including Oranga Tamariki (81.9%), WorkSafe (94.7%), Ministry of Business, Innovation and Employment (95.2%), Ministry for Primary Industries (95.3%) and Te Whatu Ora – Health New Zealand (95.3%). Overall, the use of extensions has improved from 7.5% to 6.8%. However, we will follow up with agencies that have high extension rates.
21. The Commission continues to provide active management and oversight of this work programme. This includes support for agencies where performance is not at the desired level. A full set of the statistics has been provided in advance to chief executives, who are asked to take an active interest in their agency's performance, including comparison with their peers.

### **Next Steps**

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22. Attached are copies of:
  - the OIA statistics to be published (**appendix one**); and
  - graphs of the statistical data (**appendix two**).

23. The OIA statistics are scheduled to be released on 13 March 2024 at the same time the Office of the Ombudsman releases its OIA complaints statistics.
24. The release of the OIA statistics for the six months from June to December 2023 may attract some media interest. We can support you with a draft media statement if required, and we will liaise with your office on this.