

Hon Chris Hipkins
Minister of State Services

Open Government Partnership National Action Plan 2018-20
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Author: State Services Commission

This is one of two documents released by the Hon Chris Hipkins, Minister of State Services that has informed the Government's Open Government Partnership National Action Plan 2018-20.

Explanatory note

The draft plan considered by the Committee is not attached, as it will soon be made available for public comment as noted in the paper's recommendations.

In Confidence

Office of the Minister of State Services

Chair, Cabinet Economic Development Committee

Open Government Partnership National Action Plan 2018 – 20

Proposal

- 1 This paper asks Ministers to agree the commitments described in the third Open Government Partnership National Action Plan 2018-20 attached to this paper and authorise its release for public comment.

Executive Summary

- 2 As a member of the Open Government Partnership (OGP) New Zealand works with civil society to develop a National Action Plan (NAP) every two years. When finalised, the NAP will be lodged with and published by the OGP International Secretariat. An independent local researcher appointed by the OGP's Independent Reporting Mechanism (IRM) will review the development and implementation of the NAP.
- 3 Officials have worked with representatives from public workshops and the OGP New Zealand Expert Advisory Panel to distil the 12 commitments described in the Table in paragraph 11 from the 449 ideas generated during the engagement process. The commitments respond to three themes: participation in democracy, public participation to develop policy and services and transparency and accountability.

Context

- 4 New Zealand has been a member of the OGP since 2013. The OGP is an international, multilateral initiative involving more than 70 national governments and many civil society organisations. The OGP supports governments to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance.
- 5 As a member of the OGP, New Zealand has committed to working with civil society to produce a NAP every two years. New Zealand's third NAP will be lodged later than OGP's timeline of 31 August, but it is important that we take the time we need to develop a robust and inclusive plan.
- 6 Participation in the OGP is one of the ways we can advance our open government agenda. It is also a way of enhancing New Zealand's (already considerable) international reputation.

What is a NAP?

- 7 The OGP expects a NAP to be developed with civil society. A key element of this is the establishment of a 'multi-stakeholder forum' including civil society organisations. The SSC has a small Expert Advisory Panel (EAP) to undertake this role.
- 8 The OGP has published standards for the development of a NAP. The process followed to develop the third NAP meets all the basic standard requirements set by the OGP and most of its optional standards. Commitments need to show ambition, or stretch beyond current practice, significantly improving the status quo. A commitment can build on existing, ongoing reforms.
- 9 A NAP should have between five and fifteen (and not more than 20) commitments, each having not more than five milestones. Commitments are expected to respond to one or more of the OGP values:

- 9.1 **Access to Information:** disclosing more information or improving the quality of the information disclosed to the public
- 9.2 **Civic Participation:** creating or improving opportunities or capabilities for the public to inform or influence decisions
- 9.3 **Public Accountability:** creating or improving opportunities to make government answerable for its actions
- 9.4 **Technology & Innovation for Transparency and Accountability:** using technological innovation in conjunction with one of the other three OGP values to advance transparency and/or accountability.
- 10 The OGP has an Independent Reporting Mechanism. An independent local researcher considers each NAP at its mid- and end-points. In her mid-term report on our second NAP (2016-18), the independent local researcher made recommendations for future commitments. The draft third NAP responds to these recommendations (in particular through the commitments relating to participation in democracy, and policy and service design).

The Draft Third National Action Plan

- 11 The draft third NAP (attached) proposes 12 commitments that each reflect at least one of the values described in paragraph 10. The commitments are:

Commitment	Lead Agency
Participation in democracy	
1. Improving understanding of and engagement with Parliament	Office of the Clerk of the House of Representatives
2. Youth Parliament	Ministry of Youth Development
3. School Leavers' Toolkit – civics education	Ministry of Education
4. Access to secondary legislation	Parliamentary Counsel Office
Public participation to develop policy and services	
5. Public participation in policy development	Department of the Prime Minister and Cabinet
6. Inclusive service design	Department of Internal Affairs
Transparency and Accountability	
7. Access to official information	State Services Commission and Ministry of Justice
8. Algorithms (improving transparency and accountability)	Stats NZ supported by Department of Internal Affairs
9. Improving transparency of data stewardship	Stats NZ
10. Monitoring effectiveness of public information management	Department of Internal Affairs (Archives New Zealand)
11. Authoritative dataset of government organisations	Department of Internal Affairs
12. Open procurement	Ministry of Business, Innovation and Employment

Why these commitments?

- 12 A total of 449 ideas covering a wide range of areas were generated during the public participation process. An overarching concept was the importance of recognising the increasing diversity of New Zealand society, ensuring all are able to participate in our democratic processes, and the inclusiveness of policy development and service design processes.
- 13 The public participation in democracy and in developing policy and services themes are aligned directly to ideas generated in the process. The commitments described under the transparency and accountability theme also respond to particular ideas expressed by participants in the process and serve to underpin or provide assurance to enhance trust and confidence in government.
- 14 Commentary is provided in the NAP that outlines the Open Government context and a range of government initiatives not captured by our commitments that support Open Government objectives, including State Sector Act reform and embedding a focus on wellbeing across the government.

Consultation

- 15 Officials from the following agencies have commitments in the NAP: Department of Internal Affairs, Ministry of Justice, Department of Prime Minister and Cabinet, Parliamentary Counsel Office, the Ministries of Education, Justice and Youth Development and Stats NZ. The Office of the Clerk of the House of Representatives has also been involved.
- 16 In addition the Treasury, the Ministries of Foreign Affairs and Trade, for Culture and Heritage, for Women and for Pacific Peoples, Te Puni Kōkiri and the Serious Fraud Office have been consulted.
- 17 A public engagement process (both online and at workshops) has been part of the development of the draft NAP. OGP Standards include an expectation that governments publish and collect feedback on draft commitments for at least two weeks.

Financial Implications

- 18 The cost of continuing New Zealand's participation in OGP includes a membership fee plus the various amounts of staff time involved in SSC and other agencies.
- 19 The commitments in the proposed National Action Plan do not require additional funding.

Human Rights, Gender and Disability

- 20 Open government is positive from a human rights and diversity perspective.

Legislative Implications & Regulatory Impact Analysis

- 21 This paper has no legislative implications and a regulatory impact analysis is not required.

Publicity

- 22 I will release the Plan for public comment before finalising and providing it to the OGP Secretariat for publication.

Recommendations

23 I recommend that the Committee:

- 1 **note** that New Zealand is a member of the Open Government Partnership (OGP), and therefore develops and implements a National Action Plan (NAP) every two years
- 2 **note** that the NAP is a tool to further New Zealand's ongoing efforts on open government and enhance our international reputation for openness and transparency
- 3 **note** the NAP development process involved a process of public engagement
- 4 **note** that this process has generated a draft NAP containing the commitments described in the table at paragraph 11
- 5 **note** that the commitments can be progressed within existing funding
- 6 **agree** the commitments in the draft NAP attached to this paper
- 7 **note** that the Minister of State Services will submit the draft Plan to Cabinet on 17 September seeking authority to release the plan for public comment
- 8 **note** that the draft NAP will be subject to review by the OGP
- 9 **note** that the NAP will be published by OGP once finalised.

Authorised for lodgement

Hon Chris Hipkins
Minister of State Services

Date: