



Presentation to OIA forum speaking notes

Strategic Priorities

Our work in the official information area is informed by our [Strategic Priorities for improving the operation of the OIA](#) which we released in May 2017. This forum provides the opportunity to update our current progress in key areas.

Developments in the investigations and early resolutions space

1. In practice, most complaints go through our Early Resolution Team, which explores any potential resolution opportunities. We are looking to develop and progressively improve upon our early resolution practices, and engage with you earlier.
2. This shift has positively impacted on our productivity. In 2016/2017 we completed 1,375 OIA and 258 LGOIMA complaints, 23% more than the previous year. Overall, the Office:
 - a. Resolved 424 complaints, or 26% of all closures (25% more than the previous year);
 - b. Investigated 800 complaints, and formed 441 final opinions. Where a final opinion was formed, an administrative deficiency was identified in 195 complaints;
 - c. Obtained a remedy for a complainant in 497 cases, an increase of 28%;
 - d. Obtained a remedy for the benefit of public administration in 16 cases.

OIA statistics

3. The next set of OIA complaints statistics for publication will cover the six months to end of December 2017. Publication will be end of February 2018. From here on, the Ombudsman and SSC will be reporting every six months (previously SSC's data covered the full year).
4. We will write to the agencies that appear in the data in early 2018, with a heads-up of the process. As per usual, agencies will receive a copy of the provisional data before it is published. We will be coordinating with SSC so that agencies receive both sets of provisional data at the same time.
5. We have already seen the benefits of the reporting regime, with some agencies really lifting their game on timeliness.

Official Information Practice Investigations

6. The Office has recently appointed Ainslie Fenwick to the role of Manager Official Information Practice Investigations. Ainslie will look to build the Official Information Practice Investigations team and will develop our work programme in this area. In

essence, this will entail an ongoing programme of reviewing agencies' OIA processes, as signalled in *Not a Game of Hide and Seek*.

OIA guidance

7. A recent Ombudsmen Act investigation, of the Chief Ombudsman's own motion, into KiwiRail's processing of an OIA request found that certain aspects of its engagement with its Minister were open to criticism. As a means to avoid similar arising issues in future, we published a [Model Protocol on dealing with OIA requests involving Ministers](#).
8. The *Model Protocol* is intended to provide a useful starting point for agencies and their Ministers to discuss and agree upon clear criteria for managing OIA requests involving the Minister. It should be read in conjunction with our detailed guide to [Dealing with OIA requests involving Ministers](#), which was published in July 2017.
9. Initial feedback we have received already is that many Ministers and agencies have already entered into protocols or have begun preliminary discussions to do so, with a clear intention to set the right tone on OIA compliance from the outset, and to clearly delineate lines of responsibility.
10. We also intend to continue our publication of OIA guidance. The next set of guidance to be published, in early 2018, concerns the good government withholding grounds. There will be a guide on free and frank expression of opinions, the constitutional convention protecting the confidentiality of advice to Ministers and Cabinet, and how these apply in relation to the policy development process.
11. Next after that will be a guide on frivolous or vexatious requests.