

# Reasoned response following NAP5 consultation

The Public Service Commission's (the Commission) reasoned response to feedback on the draft NAP5. This includes feedback received at the 26 November workshop and written feedback received before 8 December 2025. Similar feedback has been grouped together for response.

## NAP5 overall and process followed to create the plan

Feedback	Response
Civil society groups and stakeholders need to see milestones and timeframes for commitments before the plan is finalised.	A revised plan, including milestones and implementation timeframes, was published on the Commission website and timeframes for feedback extended by a week.
<p>The plan is low ambition:</p> <ul style="list-style-type: none"> <li>• it includes a small number of commitments</li> <li>• past plans have included more commitments.</li> <li>• the plan should state that commitments can be added or extended, and the Commission should make explicit reference to this in the next Briefing to the Incoming Minister (BIM).</li> </ul>	<p>The Minister for the Public Service set out her expectations for NAP5 at the beginning of this process. This included that commitments are well focused and aligned to government priorities. Commitments also had to be delivered without any extra funding.</p> <p>Selecting a small number of well-focused commitments that aligned to government priorities makes it more likely commitments will be successfully implemented. While past NAPs have included more commitments, these commitments were not always successfully implemented.</p> <p>The plan states that commitments “The OGP process allows commitments to be extended or added to an existing action plan during the implementation period”. We note the suggestion that this should be included in the next BIM.</p>

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The Minister for the Public Service did not meet with civil society to discuss the plan which is against the spirit of OGP's commitment to co-creation.	Any decision to meet with civil society sits with the Minister for the Public Service.
The plan should explain in more detail what the Commission did to contact potential NAP5 participants.	We have noted potential stakeholders were contacted by email, in addition to publicising the plan on our website and social media channels.
Additional commitments should have been included on the Official Information Act, beneficial ownership, open contracting, strengthening public participation in legislative processes and mandatory standards on public consultation.	As above, the Minister set out clear expectations for NAP5, including that commitments should be aligned to government priorities. These commitment ideas do not align to government priorities. The mid-process reasoned response document posted on the Commission's website includes further reasoning for not progressing these ideas, and indicates where other information is available.
Most commitments could be delivered in one year, but this is a two year plan.	The work in NAP5 is spread over two years and may not begin immediately in January 2026 due to existing agency work programmes. In addition, the milestones and timeframes for the delivery of NAP5 commitments are expected timeframes only and may change once work is underway. NAP5 notes that many commitments involve additional tasks and activities that sit below the high-level milestones and that commitments can be extended or added to. If work on a commitment was completed quickly, additional tasks or stretch goals could be worked on.
The Commission need to improve accessibility for NAP5 documents (avoid using PDFs and use Word or HTML).	<p>Following this feedback we have updated the NAP5 website to include Word versions of all documents.</p> <p>We note some OGP templates are not screen-reader friendly (for example, due to tables with multiple imbedded boxes) and will pass this feedback on to OGP.</p>

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<p>Consultation has not been sufficient:</p> <ul style="list-style-type: none"><li>• does not meet OGP’s expectation of a minimum two-week public consultation period.</li><li>• has been at the lower end of the IAP2 spectrum and OGP encourages deeper engagement.</li><li>• unclear if this meets the legal definition of consultation.</li><li>• the scope of the plan set by government was too narrow.</li><li>• no multistakeholder forum established.</li></ul>	<p>The processes followed to develop NAP5 meets the “consult” requirement of the <a href="#">IAP2 spectrum</a> and <a href="#">OGP’s standards and minimum requirements</a>, including:</p> <ol style="list-style-type: none"><li>1. Establishing a space for ongoing dialogue and collaboration between government, civil society, and other non-governmental stakeholders.</li><li>2. Providing open, accessible, and timely information about activities and progress within a member’s participation in OGP.</li><li>3. Providing inclusive and informed opportunities for public participation during development of the action plan.</li><li>4. Providing a reasoned response and ensuring ongoing dialogue between government and non-governmental stakeholders during co-creation of the action plan</li></ol> <p>We note OGP requirements do not require a two-week consultation period on the draft NAP, although this may have been a requirement in the past. The Commission advised OGP of our proposed process for developing NAP5 in advance.</p> <p>In terms of the plan’s scope, as noted above, the Minister set out clear expectations for NAP5, including that commitments should be aligned to government priorities. We consider this approach, while more focused, makes it more likely commitments will be implemented successfully.</p> <p>The Commission was open to feedback on consultation, and undertook a further consultation round when requested. Changes were made to the commitments and NAP5 as a result of feedback.</p>
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The plan should list New Zealand's international obligations to tackle corruption, potentially as a footnote.	We have noted these obligations include OECD recommendations, but have not included an exhaustive list in NAP5.
The timeline for the plan should include specific dates in several instances, not just "early November".	Updated.
All commitments are equally important.	Noted.
Additional commitments could have been included on topics covered in the Future of Public Service Integrity LTIB document. These include OIA, New Zealand's public sector integrity strategy, transparency of procurement, civics education and strengthening capability in watchdog organisations.	Noted.

**Commitment 1 – Review protected disclosure practice**

Feedback	Response
Commitment supported but milestones and activities are too short.	Additional activities have been included in the milestones for this commitment. This includes considering "stretch" activities.
Needs to include publishing of review/report as part of commitment.	Commitment now includes publishing a draft practice review for public comment and publishing the final plan on the Commission website.
Commitment should include data reporting – e.g. number of protected disclosures by themes, how many disclosures agencies deemed not to meet the requirements of the Protected Disclosure Act.	This is outside the core scope of the commitment but we have noted data reporting as a stretch goal.
Is the scope of the commitment public or private sector? Private sector could be included in a community of practice.	The commitment is primarily focused on reviewing public sector agency practice (as this is within the government's mandate),

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	however it notes large private sector organisation who receive protected disclosures may be interested stakeholders.
CSOs including Community Law, NZCCL, TINZ, Amnesty International and the PSA should be engaged.	Community Law and NZCCL are listed as potential stakeholders. This list is not exhaustive, and other stakeholders can be included in implementing the commitment if they choose.
Suggest changing “could” to “should” in the sentence:  “Appropriate authorities / receivers of protected disclosures <b>could</b> use information from the Public Service Census and feedback from disclosers to identify where best to target resources or strengthen processes to further reinforce that it is safe to speak up.”	We have retained “could” to avoid being overly prescriptive.
The practice review should include research on why officials do not feel safe speaking up.	We have added that engagement with agencies and stakeholders to understand the current state of practice could include why people do not feel safe making disclosers. This is included in the milestone text for the commitment.
Strengthen the commitment on community of practice by removing “If practical” at start of milestone.	We have retained this wording as the commitment is about scoping the practicality and interest in a community of practice for protected disclosures. If there is limited interest then a community of practice would be unable to progress.
Include an additional outcome for the commitment saying: “More than 90% of public servants are very confident that it is safe to raise a concern about wrongdoing”	We have not included this target as it is outside the scope of the commitment. It is unlikely the tasks outlined in the commitment alone would be able to achieve this goal.
The timeframes for achieving tasks are too slow.	There is scope to complete activities and tasks more quickly than is set out in the milestone, however we consider the timeframes included in the plan are realistic given the work involved.

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<p>Include the following two milestones:</p> <ol style="list-style-type: none"> <li>1. PSC communicating to agencies by April 2026 about reviewing their Public Service Census results and whistleblower feedback to inform where they should target resources and strengthen processes; and</li> <li>2. PSC compiling agency responses from this review and producing additional guidance of its own to agencies by November 2026.</li> </ol>	<p>Agencies are already required to develop and implement an action plan based on their census results. You can find out more about responses to the census results here - <a href="https://www.publicservice.govt.nz/data/public-service-census">https://www.publicservice.govt.nz/data/public-service-census</a></p>
<p>Engage with business representative network (e.g. the OECD National Contact Point group run by MBIE) or Institute of Directors to encourage sharing of experiences and learnings.</p>	<p>Have added business representative networks to the stakeholder list.</p>
<p>Engage civil society/academia/journalism/business in some form in the community of practice (e.g. regular attendance, perspective attendance)</p>	<p>Academics and civil society are listed as stakeholders. The community of practice is, at this point, intended for public sector entities, but this could be expanded on as work on the commitment progresses.</p>
<p>PSC work alongside the Ombudsman on this review</p>	<p>Ombudsman is included as a stakeholder.</p>
<p>Consider disability-specific enhancements for supporting protected disclosures. Consider Māori specific sensitivities around protected disclosure</p>	<p>The milestone on research now includes “This could include research on how well the regime works for different groups, including Māori and disability communities.”</p>
<p>It will align with the transparency value if the practice review is published and the numbers of public disclosures, including disclosure topics are published at least annually. It will align with</p>	<p>As above, publishing data is listed a possible stretch activity for this commitment. Point on publishing work of any community of practice is noted.</p>

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the accountability value if the community of practice is set up and details of its work published. It will align with the civil participation value if members of the public are invited to contribute to the practice review.	
Please take into account the discussion in The Future of Public Sector Integrity, published in November 2025, in particular, p58-59, 73.	Noted.
Establish a multistakeholder working group for the commitment so that it can provide input on people the officials conducting the review can speak to, as well as providing feedback on draft questions, and the draft report of the review.	The commitment includes stakeholder engagement. A formal or standing multi stakeholder group is not required to undertake engagement or consultation.
Seek information from the Law Society, government lawyers, and lawyers who have represented disclosers from the public service.	This stakeholder suggestion will be considered in the scoping stage. Confidentiality protections for disclosers may limit the ability to contact disclosers or their legal representatives.
Ask the Ombudsman, Auditor-General and other ‘appropriate authorities’ (including those listed in Schedule 2 of the 2022 Act) to contact those who have approached them under the Act and provide them with details of the commitment and how and when they can provide input to it.	Appropriate authorities, including the Ombudsman, are included as potential stakeholders. Confidentiality protections for disclosers may limit the ability to contact disclosers or their legal representatives.
Contact international experts, including <i>Protect</i> in the UK, <i>Government Accountability Project</i> in the US, and the <i>Human Rights Law Centre</i> in Australia.	Other jurisdictions are included as potential stakeholders. They may include the organisations listed if necessary or if they are available.

**Commitment 2 – Develop a Corruption Risk Assessment Tool**

Feedback	Response
Commitment should be renamed “Corruption <i>risk</i> assessment tool” .	Agree, renamed.

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Need a broad scope and to include things like nepotism, bribery etc.	The scope of the tool will be broad enough to cover these.
Consider if the tool could be used by local government.	The final tool will be published for use by public sector agencies and any other entities (including local government or non-government entities) that may wish to adopt it.
Publish resulting data.	This is outside the current scope of the commitment. Consideration would need to be given to whether publishing the results of the risk assessment tool could highlight agency weaknesses.
Establish a multi stakeholder working group for the commitment to provide input on creating the tool and drafts.	The commitment includes stakeholder engagement. A formal or standing multi stakeholder group is not required to undertake engagement or consultation.
Timeframes are too long and tasks could be achieved more quickly.	There is scope to complete activities and tasks more quickly than is set out in the milestones, however we consider the timeframes included in the plan are realistic given the work involved.
Suggest Engage with Internal Auditors and Risk Professionals (e.g. Public Service Lead Internal Auditor, Institute of Internal Auditors New Zealand and RIMS NZ, Procurement Specialists) as part of the consultation process	Have updated stakeholders to include internal auditors and risk professionals.
Review of global available tools.	Have updated milestone to include this.
Embed more collaboration rather than just consultative approach in the tool development.	There is scope to increase engagement as work progresses.
It will align with the transparency and accountability values when it includes an activity to "leverage the power of data analytics to identify indicators of fraud and corruption" as per paragraph 3 of the Problem Definition. Regularly collect and publish non-personal data of findings, by type of corruption, for example.	This is outside the current scope of the commitment. Additional work on publishing data could be added to the commitment in the future.



**Commitment 3 – support ethical government – private sector career transitions**

Feedback	Response
Title is less clear – call it revolving door.	We prefer framing of this commitment positively and with a focus on ethics. The commitment does refer to the “revolving door” in the text.
Needs to cover movements in both directions (private sector to public sector and vice versa).	Agree, commitment is worded to cover this.
The focus of the commitment is on public servants, but the issue is broader, and biggest gap may be for MPs (who are not covered by Cabinet Manual or employment obligations).	The commitment refers to both elected and non-elected individuals moving between government and private sector roles. The scoping of the discussion document will need to consider whether it is proportionate to extend any restrictions to MPs. The Standing Orders of the House of Representatives include relevant obligations for MPs, such as submitting an annual return for the Register of Pecuniary and Other Specified Interests.
Solution is framed as reassuring the public, but focus should be on actual risk mitigation.	<p>The commitment refers to “supporting greater public confidence”, but the discussion document itself will be broad, explore potential risks of transitions and allow for public input on these issues.</p> <p>We have amended a sentence in the problem definition box to note that poorly managed transitions can undermine public trust. Previously this only referred to the “perception” of poorly managed transitions.</p>
Commitment should include publishing discussion document and research.	Have included a milestone for publishing the discussion document and summary of engagement.
Need tools available and ethical considerations when hiring decisions are made.	Creating tools is outside the scope of the commitment, but the discussion document may include suggestions for tools that could be adopted in New Zealand.

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Discussion document could include case studies.	The commitment does not specify what the discussion document must include, but case studies could be included.
Engage civil society on commitment.	Groups to engage on the commitment include civil society organisations.
Commitment should look at models already out there – e.g. code of ethical advocacy for NGOs.	The commitment does not specify what the discussion document must include, but it is likely to include a stocktake of existing tools and models for managing ethical transitions.
Follow a staged approach – publish research then discussion document.	The commitment is not prescriptive about what research must be published (as this will be up to the reference group and lead agency) but it is likely any relevant research will be made available as part of the public consultation process.
Add Auditor General to list of stakeholders.	Updated.
Specific suggestions for what the discussion document should consider e.g. risks based on sharing information, inappropriate influence and people moving from regulated industries to working at the regulator.	We have not included specific topics the discussion document should cover as this would be pre-emptive and too prescriptive.
The commitment should refer to regulatory regimes in other countries.	The commitment includes reference to drawing on international approaches.
Under things to achieve, change “Understand factors influencing government decision making in New Zealand” to “Improved public understanding of factors influencing government decision making in New Zealand”, so the focus is on public understanding and information not an internal government outcome.	Updated.
Overall the commitment is too focused on public perception and public confidence, the focus should be on corruption, reducing improper transitions, misuse of information etc.	The scope of the commitment is focused on creating a discussion document to better understand the issues, risks involved and possible options to clarify expectations about transitions. We do not want to pre-empt the discussion document or what options it may suggest.

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Commitment milestones should include timeframes.	Timeframes will be finalised with responsible Ministers and included in the final NAP5. The timing of the 2026 general election will influence delivery of this commitment.
Refer to OECD Guidance on Post Public Employment.	Noted.
Maintain clear definition of corrupt or misconduct-like behaviour in the discussion paper - it's not just movement in and of itself (though volume or timing of movement can be a red flag).	The discussion paper will take this into account.
It will align with these values [ <i>OGP values of transparency, accountability and public participation</i> ] when it publishes the discussion document, draws up specific work to implement an agreed option, carries out public consultation on the options in 2026, and implements the agreed option in 2027.	Noted. Commitment refers to publishing discussion document.
What is needed is a statutory standdown period.	Noted, this proposal can be picked up in the discussion document.
Establish a multi stakeholder working group for the commitment to provide input on creating the tool and drafts.	The commitment includes stakeholder engagement. A formal or standing multi stakeholder group is not required to undertake engagement or consultation.

**Commitment 4 - explore options to improve transparency of senior leaders' conflicts of interest**

Feedback	Reasoned response
Clarify who is covered (senior leaders, Crown entity CEs, short-term contractors). Could cover "key positions" decided by the Commissioner.	The commitment refers to "leaders like chief executives or board chairs and members", but it is not definitive as part of the scoping work may include consideration of what level of leader should be covered or other key positions that should be included.

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Need to improve usability and findability of existing registers like the one for Ministers, which is useful but hard to find.	This is outside the scope of the current commitment. The Ministers' interests page is available on the <a href="#">DPMC website</a> .
Need to regularly release data on the themes of conflicts of interest (COIs).	This is outside the current scope of the commitment. Depending on the number of COIs this may be a useful stretch goal.
Link to private sector – e.g. institute of directors may have relevant material.	Listed as a stakeholder.
There are privacy concerns to balance against public interest.	Agree, this will need to be considered as part of commitment.
What is the role of integrity champions? Could a junior staff member contact an integrity champion with concerns.	The commitment will be led by the Commission rather than integrity champions.
Boards are different to employees – may need a different register or requirement for Board members or directors.	Agree, as work to deliver commitment progresses this will need to be taken into account.
Disclosing interests is not the issue, they need to be managed. A public register could be misleading. Consider saying what is being done to mitigate the conflict.	Agree, we note the register for Ministers includes “action taken” to mitigate the conflict and a similar approach could be adopted for senior leaders.
The commitment has been weakened by removing previously clearly defined stages.	This content was more appropriate to cover in the milestones.
Research should include other countries besides Australia, UK and Canada as examples in research, for example Scandinavian countries and Singapore.	The list is not intended to be definitive. We have added the Scandinavian countries and Singapore to this list.
The Commission should publish submissions received and analysis of the submissions.	A summary of engagement will be published.
Timeframes are unambitious.	There is scope to complete activities and tasks more quickly than is set out in the milestone, however we consider the timeframes included in the plan are realistic given the work involved.
Reference to United Nations Convention Against Corruption is important.	Noted, this could be considered as part of the research.
There are guides available, it would be good to connect with how these are implemented in practice:	Have included referring to OCED and World Bank guidance as part of milestone.

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<ul style="list-style-type: none"> <li>• Recommendation of the Council on OECD Legal Instruments OECD Guidelines for Managing Conflict of Interest in the Public Service</li> <li>• and World Bank Good Practice Guide Preventing and Managing Conflicts of Interest in the Public Sector.</li> </ul>	
<p>In response to whether the commitment aligns with OGP values:</p> <p>When the title and scope of the commitment make it clear that it will offer and consult on solutions, implement the preferred approach as set out in Section 2 of the Commitment Description, and make the data in the preferred approach publicly available.</p>	<p>The commitment milestones now include establishing a reference group, which will include civil society stakeholders.</p> <p>As above, publishing data is outside the scope of the commitment, depending on the number of conflicts registered this may be a useful stretch goal.</p>
<p>Rewrite the commitment title to clearly state that a preferred solution will be implemented and published.</p>	<p>The scope of the commitment is to explore options, rather than to implement a specific solution, so the commitment title has been retained.</p>
<p>Establish a multi stakeholder working group for the commitment to provide input on creating the tool and drafts.</p>	<p>The commitment includes stakeholder engagement. A formal or standing multi stakeholder group is not required to undertake engagement or consultation.</p>